



*Mayor*  
Patricia Smith

*Council President*  
Mark Clark

*Councilors*  
Stanley Dirks

Timothy Clark

Scott Harden

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

**November 14, 2013**

**MINUTES**

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

**ABSENT:** Mayor Patricia Smith and Public Works Director Mark Gunter.

**COUNCIL PRESIDENT MARK CLARK CALLED THE MEETING TO ORDER AT 6:00 PM.**

**PLEDGE OF ALLEGIANCE**

**PUBLIC SAFETY REPORT**

Deputy Webber from the Multnomah County Sheriff's Office presented the report. Webber stated that the written report is not ready because Deputy Jewell who prepares the report was injured in a vehicle collision earlier this week. Webber explained that the MCSO has been very busy lately. The MCSO is heavily involved with the coordination of the memorial service for Oregon City Officer Robert Libke who was shot and killed in the line of duty. Webber stated that the incident in Fairview which injured Deputy Jewell was the result of a person attempting to flee the police. The suspect crashed his car into Deputy Jewell's car which resulted in an injury.

Webber stated that there was a homicide in Fairview last month that the MCSO helped investigate. Webber explained that it appears the victim did not know the suspects prior to the incident. The suspects have been arrested in the case. Webber stated that there was an incident in the Treehill complex where a street light was damaged. There are photos of the suspect, and the MCSO is looking for the person. Webber stated that the written report will be delivered as soon as possible. Peterson stated that there was a vehicle collision today on Wood Village Blvd., and a light pole was knocked over. Peterson explained that staff is working on getting the pole repaired. Harden asked if an update on Deputy Jewell's condition could be provided to the Council with the written report. Webber stated that he would look into adding that.

The Council thanked Webber for the report and his service.

## **PRESENTATION OF THE CAFR AWARD**

Peterson stated that the City has received the Comprehensive Annual Financial Report Award for the tenth consecutive year. Peterson explained that Minter was instrumental in receiving the award again this year.

The Council thanked Minter for all of her efforts.

## **CITIZEN COMMENTS**

There were none.

## **CONSENT CALENDAR**

- a. Review of bills paid in October, 2013
- b. Contracts \$2,500 - \$50,000
  - Always Perfect Catering: Appreciation Dinner - \$2,569.65
  - Peterson Machinery: Backhoe Repair - \$5,132.13
- c. Liquor License Renewals
- d. Resolution 38-2013: Opposing Revisions to Municipal Bond Regulations
- e. Council Minutes:
  - October 8, 2013
  - October 8, 2013 Joint Session
  - October 22, 2013

Mark Clark asked about the payment to the caterer for the appreciation dinner, and if it should have been paid in advance. Minter stated that only half the payment is paid in advance.

Mark Clark asked about the resolution on the Consent Calendar, and if it should be discussed separately. Peterson explained that the resolution can be removed from the Consent Calendar and discussed separately. Peterson stated that the resolution opposes potential revisions to the municipal bond regulations. Peterson explained that the proposed revisions would remove the tax exempt status from the purchase of municipal bonds. Peterson stated that he will not include political statements on the Consent Calendar in the future.

Minter stated that the proposed legislation was initially brought forward by Ron Wyden. Minter explained that the idea behind the legislation was to eliminate extra tax benefits for wealthier people. The impact could result in less of a market to sell municipal bonds which are needed to construct various capital projects. Harden stated that he normally agrees with Senator Wyden,

but he does not agree with this issue. Harden explained that he feels it is the wrong tool to use, especially when it can be tied to economic growth and benefits.

Upon motion by Tim Clark, seconded by Harden and passing 4-0, the Consent Calendar was approved.

**PRESENTATION: REPRESENTATIVE GORSEK**

Gorsek thanked the Council for the opportunity to provide a report, and apologized for not attending a meeting sooner. Gorsek explained that he was involved with the special session that was called by the governor. The session looked at providing more money for schools, but other items were added. Gorsek stated that PERS was looked at, as well as legislation on genetically modified organisms or GMO's. Gorsek explained that he did not vote for the PERS revisions or the GMO bill. Gorsek stated that while he did vote for the first PERS reform measure, he felt that the second measure was pushed too hard and only looked at one option.

Gorsek stated that he sat on the Transportation and Economic Development Committee, and a lot of the discussion was around the Columbia River Crossing project. Gorsek explained that while there are issues with the CRC project, it is essential to the region. Gorsek stated that there is bipartisan support for the project from both Oregon and Washington, and he feels more attempts to move the project forward will be made. The CRC is a long term project that will increase jobs, and improve infrastructure and freight movement.

Gorsek stated that he sits on the Higher Education Committee, and they were able to put nearly a billion dollars back into education funding this year. Gorsek explained that while that effort was good, it did not fix the overlying issues. State funding for education has been decreasing since 2007. Gorsek stated that he was involved with legislation that would setup a unified childcare system in the community colleges. Gorsek explained that legislation passed, and will help students with children attend school.

Gorsek stated that he is in discussion with Sheriff Staton, and the other law enforcement agencies in East County to create a training center in East County. Gorsek explained that it would not replace the facility located in Salem, but it would be a place for officers to update their skills and training. The ideal location would be at Mt. Hood Community College where it could serve educational purposes as well.

Gorsek stated that he has been involved with discussions with Tri-Met, but not much has come from them. Gorsek explained that there are real issues and challenges in this region when it comes to mass transit options. Many people in East County cannot use Tri-Met because it does not go where they need to go. Gorsek stated that a performance and service audit was approved, and hopefully that will be used to help increase transit options in the area. Gorsek explained that

he anticipates the audit will find good and bad things. Hopefully that will be used to help improve some of the bad things.

Dirks asked about Tri-Met and their financial obligations and increased costs. Dirks stated that Tri-Met keeps expanding light rail even though it is not financially self-supporting. Dirks asked about options for the area to leave Tri-Met and establish a separate transit system. Legislative Aid Patrick Cook stated that cities can leave Tri-Met, but it is not an easy process. Gorsek stated that a good strategy might be to have the area cities get together and create a unified transit plan that they would like Tri-Met to implement. Gorsek explained that he does not get involved with Tri-Mets labor issues, which is a tough issue. Gorsek stated that he agrees light rail has problems as well. Gorsek explained that the main issue in Washington regarding the CRC is the addition of light rail. Gorsek stated that the current light rail system is slow, and lacks a fast commuter service. Gorsek explained that while he does not want to tear the current system down, there are lots of areas for improvement.

Harden asked about the foreclosure civil penalty legislation. Gorsek stated that legislation was passed, and helps prevent banks from just walking away from homes that they own. There will need to be minimal levels of care, or cities can impose civil penalties. Gorsek explained that it took three sessions to get that legislation approved. Mark Clark asked about transportation and how East County does not have easy access to other areas. Gorsek stated that ideally he would like to see high speed rail and an expanded freeway system. Gorsek explained that he does not want the area to look like LA, but the region has had a lot of growth. The last freeway that was built was over 30 years ago. Gorsek stated that there needs to be more transportation options in the area and region.

Mark Clark stated that he was watching a documentary about transportation systems in Africa, and designers were looking at modeling their system after China's instead of the United States because China has been able to grow their transportation system with their population. Gorsek stated that he would like to work on a plan that helps ensure that maintenance costs are shared evenly, especially when it comes to the downtown bridges. Gorsek stated that something needs to be done, because currently the most efficient way for most people to travel is by car not bus or rail.

Harden stated that the City is interested in the administrative rules regarding medical marijuana dispensaries, and if cities will have the ability to prohibit dispensaries from the community. Gorsek stated that the GMO bill was very broadly written, and that could impact any prohibition. Gorsek explained that the committee working on the administrative rules seems to be working together to create a good fit, but it is still early in the process. Gorsek stated that the City can talk to him if there are concerns regarding the administrative rules, and he can help voice those concerns.

Mark Clark asked if the City can do anything to help support Gorsek. Gorsek stated that he would like to be kept informed on issues and events in the City. Gorsek explained that he wants to be a cheerleader for the area, and not just a lawmaker. Gorsek stated that he wants to highlight the businesses and community of East County. There is a lot of joint interest in redeveloping the former dog track site, and he would be happy to help where he can to get that accomplished.

The Council thanked Gorsek for his work and the update.

### **DISCUSSION: WOOD VILLAGE COMMUNITY GARDEN**

HR/Records Manager Greg Dirks presented the discussion. Greg Dirks stated that the Community Garden started four years ago after the Council directed a community garden be constructed in the City. Greg Dirks explained that staff reviewed several potential sites, and decided to construct the garden at City Hall. The garden had 12 plots, and the sizes ranged from 10 x 10 to 5 x 8. Greg Dirks stated that all the plots were rented, so the garden was expanded in 2011 to 23, 10 x 10 plots. The occupancy rate fell in 2012, and a garden cleanup party was organized to help prepare the garden for the 2013 season.

Greg Dirks explained that community gardeners were invited to help clean up the garden, and one gardener participated. With the help of other volunteers, the Community Garden was cleared for the upcoming season. Greg Dirks stated that the occupancy increased, but there were still issues with weedy pathways and vacant plots. Greg Dirks explained that the garden has averaged 80% occupancy in the past four years. The average revenue has been \$330 a year. Greg Dirks stated that total income is about \$1,200, but total expenditures not including staff time or water is about \$3,200.

Greg Dirks stated that to help gauge how gardeners feel about the program, staff organized a Community Garden meeting. Greg Dirks explained that no one showed up for the meeting, so a survey was developed that was emailed to all of the gardeners. About half of the surveys were returned, and overall the participants feel that the program and garden are good. Greg Dirks stated that there were ideas for improvement, and they included having raised beds, an additional hose connection, a fence, and a shared tool shed. Greg Dirks provided a preliminary cost estimate for those projects, and stated that funds were not allocated for the garden this year.

Greg Dirks stated that there are several options for the Council to consider. The Council can leave the garden and program as is. The Council could elect to move forward on some or all of the projects. The Council could close down the garden program. Greg Dirks explained that there was also the idea of turning the Community Garden into the Community Orchard similar to the idea proposed for the arboretum. Greg Dirks asked if there were any questions, and what the Council would like to do with the garden program.

Mark Clark stated that he would like to know what Mayor Smith thinks of the garden because she is heavily involved with the program. Harden stated that he had a garden plot for the first few years of the garden. The original idea behind the garden was to have it ultimately maintained by the gardeners. Harden stated that was not occurring, and it became difficult to garden due to the lack of care year round. Dirks stated that he liked the idea of the garden, but it does not seem to be working very well here. Tim Clark agreed.

The Council elected to refer this matter to the Parks Commission, and to make a recommendation back to the City Council.

### **RESOLUTION 39-2013: WATER MASTER PLAN CONSULTANT SELECTION**

Peterson presented the resolution, and stated that the current plan was adopted in 2003 and is nearly complete. Peterson explained that Water Master Plans need to be updated upon completion, and there is a statutory provision that requires they be reviewed every ten years. Peterson stated that internally the plan will be shifting from a predominantly design and build plan, to a maintenance activities plan. Those items typically include valve and hydrant replacements.

Peterson stated that in addition to having an engineering firm to complete the Water Master Plan, the City has on an occasion a need to hire an engineering firm to look over a project. Peterson explained that going through the process to have an engineering firm look over a project can be reasonably cumbersome. That can be avoided by entering into a master services contract with a firm. Peterson stated that when there is a project need, the City would receive a quote from the firm and move forward with the project.

Peterson stated that staff talked with several stakeholders to create the RFP, and the City went through the process as defined by ORS 279c. Peterson explained that ORS 279c states that cost cannot be considered part of the selection criteria for professional services. Peterson stated that the original RFP had an estimate of hours which was taken as a way to determine potential costs. Peterson explained that staff removed that section, and the City had three responses. The responding firms included MSA, Tetra Tech, and Keller and Associates. Peterson stated that a selection committee was formed, and the committee unanimously recommended Keller which has a contract price of \$61,630.

Peterson stated that there are a series of alternatives that the Council can take action on, and they are outlined in the staff report. Peterson explained that while the contracted amount of \$61,630 is higher than the budgeted amount of \$61,000, the next resolution includes a proposed budget amendment that would cover the cost. Peterson stated that the recommendation is to award the Water Master Plan Contract and Master Services Contract to Keller and Associates.

Mark Clark asked about the cost estimate that was included in the packet. Peterson stated that once a firm was tentatively selected, staff could enter into price negotiations. Mark Clark asked if the water meter evaluation that is in the proposal is needed. Peterson explained that the production and consumption numbers still do not align. A third party is needed to look at the entire system to figure out what is going on. Peterson stated that will include an aerial verification of all meters to help ensure that all of the connections are being recorded. Peterson explained that he feels good about the contract, and staff was able to negotiate it down from \$68,000.

Dirks asked if the City has used Keller in the past because the name sounds familiar. Peterson stated that City most recently used Keller for the Stormwater Master Plan. Harden asked if there would be any impacts on the recently revised SDC's. Peterson stated that there will be impacts on the actual SDC, but not the methodology. The rates can be adjusted by a resolution based on facilities plan that will come out of the Water Master Plan.

Upon motion by Dirks, seconded by Tim Clark and passing 4-0, Resolution 39-2013 authorizing the City Administrator to enter into a contract with Keller and Associates for a Water Master Plan and Master Services Contract was approved.

#### **RESOLUTION 40-2013: RESERVOIR REFINISHING PROJECT**

Peterson presented the resolution and stated that the City has two steel tank reservoirs. The reservoirs need periodic painting to help prevent corrosion, and the last paint work was done ten years ago. Peterson presented photos of the tanks from earlier in the year which showed wear and moss growth. Peterson explained that staff anticipated the need to clean and repaint the tanks, and created a reserve system to accomplish that project. When staff researched the existing paint, it was discovered that it had a 20 year life, not a ten year life. Peterson explained that the project moved from a full paint job inside and out, to a cleaning and repainting of the exterior only. Reservoir 3 was fully cleaned and repainted.

Peterson stated that when the contractor was looking to complete the work on reservoir 2, it was discovered that there could be lead based primer on the tank. Peterson explained that the primer was tested, and it does contain lead. Peterson stated that only the exterior of the reservoir contained lead, not the interior.

Peterson stated that there are two legally defensible ways to abate lead. Peterson explained that the lead can be painted over and sealed, but it has to remain covered. Peterson stated that this project started because of dings and paint chips, and they will most likely come back. Peterson explained that the other method is to conduct a full abatement by taking the reservoir down to bare metal, and repainting the entire thing.

Peterson stated that the first method will cost about \$50,000. While it is the lowest cost method, the lead will have to be removed at some point. Peterson explained that the reservoir will also have to be washed and repainted every time there is a paint chip. The water that is used to pressure wash the reservoir also has to be captured, and stored as hazardous waste. Peterson stated that the full abatement will cost about \$150,000, but the project will be complete and the lead fully removed.

Mark Clark asked about testing the ground, and if there has been any ground contamination. Peterson stated that the ground was tested, and there were no issues. Peterson explained that staff struggled with the recommendation because there are several options. The tank could be left alone, the tank could be washed and repainted, or the reservoir can be sandblasted and repainted to fully remove the lead. Peterson stated that the sandblasting could be completed next budget year, or this year with a budget amendment.

Peterson stated that sandblasting and repainting is expensive, but it is the only real long term solution. That is why the staff recommendation is to move forward with the full abatement this year, and make an amendment to the budget. Peterson explained that there are a series of other improvements that should be made this year, and an amendment to the budget will allow staff to complete those projects as well. Peterson stated that the amendment as proposed would not change the bottom line of the budget, as it will move money from contingency to capital.

Tim Clark stated that he likes the idea of having reserve funds for larger projects, and asked if this could be moved into a reserve fund to be completed at some date in the future. Peterson stated that is an option, but he would prefer to have the tanks repainted near the same time in order to help reduce future repainting costs by having the economy of scale and one mobilization cost. Peterson stated that the reservoirs will need to be looked at again in ten years, and it would be good to have them both looked at the same time. Peterson explained that the recommendation is to complete this project this spring.

Mark Clark stated that he does not like putting projects off, because it just adds to the pile of work that needs to be completed. The contingency fund is in place for this type of situation. Mark Clark stated that his only concern is that there is only one bid. Peterson stated that if the project were approved, staff would solicit formal bids and bring them back to the Council for a bid award. Peterson explained that this resolution does not award a contract.

Dirks asked if the reservoir in Troutdale that is adjacent to the City's tanks has lead paint as well. Peterson stated that he does not know. Dirks stated that while he likes the idea of reserve funds, he is concerned that waiting to complete this project could drive up the costs. Tim Clark asked where the funds for the project are coming from. Peterson stated that the funds would come

from the water contingency. Minter explained that there would still be an unappropriated ending fund balance of over a million dollars.

Upon motion by Harden, seconded by Dirks and passing 4-0, Resolution 40-2013 authorizing the City Administrator to seek bids for the sandblasting, neutralization, and removal of all lead based paint from the exterior of reservoir #2, and making appropriation adjustments to allocate operating contingency to capital outlay was approved.

### **RESOLUTION 41-2013: BRANDING AND TOURISM**

Peterson presented the resolution and stated that it was a fun project that looked at marketing options for the City. Peterson stated that when the project first started, he thought there would be little opportunities for the City to be engaged with tourism. After looking at the resources in the City, it is clear that we are servicing people from outside the area. Peterson explained that there is over 600,000 square feet of retail space including a nearly 200,000 square foot Wal-Mart supercenter. There are also several sit down and fast food restaurants, as well as two hotels. Peterson stated that the City is involved with the tourism industry whether it is officially sanctioned or not.

Peterson stated that the Council authorized a short term committee to look at tourism and branding options for the City. Peterson explained that the committee had members from the both hotels, retail, camping, the chamber, two residents and a City Councilor. Peterson stated that he was unable to get a person from the restaurant industry. While the physical attendance at meetings was low, there was great electronic participation.

Peterson stated that several branding options were presented, and the committee recommended that they all be combined. Peterson explained that the main theme for the City is the Base Camp. The descriptor is everything you need in one square mile. Peterson stated that the idea that the City is a portal to the region will be used along with a small village theme. Peterson explained that the committee also liked the idea of using a conceptual map to locate the City and adjacent activities. Peterson stated that there is a detailed message in the resolution, as well as development phases. Peterson explained that the first phase would not require any funds, and would simply get the message out in existing publications. The main concept has already been placed in four publications, and five websites. Peterson stated that all the adjacent cities except Fairview are using these publications and resources.

Harden stated that realizing almost all of the area cities are utilizing these resources was one of the biggest learnings for him. Harden explained that sample publications were brought in, and almost all of the area cities except Wood Village were listed. Peterson stated that phase two is when actual investments would be made, and those can be determined in part on what response is received from phase one.

Tim Clark asked if there are baseline statistics that can be tracked and updated. Peterson stated that we do not have any general statistics, but we can get statistics from the hotels. Peterson explained that the message is already getting out there, and we are using free resources. Tim Clark stated that not a lot of time or resources were invested in this process, and it seems like some good came from it. Mark Clark stated that he talked to several people who liked the Base Camp idea.

Upon motion by Dirks, seconded by Tim Clark and passing 4-0, Resolution 41-2013 accepting recommendations from the tourism/branding committee and directing the City Administrator to take action on the plan was approved.

### **DISCUSSION: CITY COUNCIL RETREAT**

Peterson presented the discussion, and asked if the Council would like to postpone the topic until the next meeting so the Mayor can be involved. The Council requested that the item be postponed until the next meeting in December. Peterson asked the Council if there was a date preference, and if they would like to use the same facilitator. Tim Clark stated that he would like to have less time for the formal presentations in order to have more time for an open discussion. The Council indicated that they would like the same facilitator, and the retreat could be scheduled towards the end of January.

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

Peterson presented the report and stated that Mark Gunter is out at a training session. Peterson explained that staff has been working on revising the water conservation plan to help finalize the water rights, and the plan was recently accepted by the state. The water rights have been secured for all of the wells. Peterson stated that the City is partnering with Multnomah County to map the stormwater facilities. The result will be an electronic GIS mapping layer of the City's facilities.

Peterson stated a damaged hydrant on Halsey was repaired. The crew has been completing winterizing projects including trail work, closing the restrooms, and overseeing the leaf drop off program. Peterson stated that Engineering Technician Scott Sloan attended a pavement management class. The City also signed a new contract for generator maintenance that is about half of the cost of the previous contract.

Peterson stated that there were issues with the street sweeping recently. Peterson explained that staff makes contractual agreements with Multnomah County for street sweeping which allows time to notify residents. Peterson stated that there were mechanical failures which resulted in the sweeping days changing at the last minute. The County decided to include an additional day of sweeping for no cost because of the issues. Peterson explained that while the County did a good job, residents were upset because of the lack of notice. Peterson stated that staff will be looking at other service providers. Tim Clark asked if partnering with the other cities to complete the

sweeping is possible. Peterson stated that there are several public and private firms that could provide the service.

Peterson stated that staff conducted a radon test in the crawlspace of City Hall, and the results came back at 5.5pci. Peterson explained that staff is testing the occupied portions of City Hall to see what those levels are, and if any action will be needed. Peterson stated that a contractor is lined up to install the playground equipment, but there is a slight distance problem with a curb. Peterson explained that the standards were changed three years ago, and a concrete curb is too close to one of the features. Staff is working on a solution to that problem. Peterson stated that Fred Meyer has scheduled a pre-application meeting in early December for the fueling station. There are also two building permits for two new homes. Peterson stated that Famous Dave's asked for and received another extension on their permit. Dirks stated that the new hydrant on Maple looks to be rather tall, and asked if that was planned. Peterson stated that he would look into that, and get back the Council.

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

Minter presented the report and stated that revenues have stabilized and are within 4% of the budgeted amount. Expenditures are also on track, and the investments are at about \$4.17 million. Minter stated that the financial software conversion is going well. The auditors will present their finding at the second meeting in January. Tim Clark asked if staff is using the new financial software yet. Minter stated that staff is not, but the conversion is going well.

Minter stated that the work with the audit team went a lot better this year. Peterson stated that Minter did a great job with the communication, and setting the expectations. Harden asked about the low amount of state shared revenues. Minter stated that the next payment will be in by the end of the month, and that should bring up the figures.

The Council thanked Minter for the report, and congratulated her on receiving the CAFR award.

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

Peterson presented the report and stated that the Annual Performance Plan is in the packet, and all the items are on track. Peterson stated that there were some recent issues with the banners, but staff is taking care of it. Greg Dirks stated that the banners had a manufacturing issue, which has caused some of the images to peel off the banner. Greg Dirks explained that the instructor at Reynolds High School which printed the banners has offered free replacements for those banners. While some banners may be going down over the next few months, they will be replaced this spring.

**CITY COUNCIL REPORTS**

Mark Clark stated that there is a report from Randy Jones regarding the PDX Citizen’s Advisory Committee. Mark Clark stated that he contacted a staff person from the PDX Citizen’s Noise Advisory Committee regarding making a presentation at an upcoming City Council meeting.

Tim Clark stated that MPAC has been discussing and developing what is called an equity atlas. Tim Clark explained that it is a mapping program that allows users to overlap statistical data by region or area. Peterson stated that the City has access to the program through the RLIS subscription through Metro.

Harden stated that the new principle at Arata Creek School will email Peterson about upcoming assemblies and graduations. Harden explained that it would be great if City Officials could attend some of these events. Dirks stated that there was a Fire User Board meeting last week, and the details of the meeting were discussed in the last Friday Update.

**ADJOURN**

With no further business coming before the Council, and upon motion by Tim Clark, seconded by Dirks and passing 4-0, the Council adjourned at 9:00pm.



Patricia Smith  
Mayor

12-10-13  
Date

ATTEST:



Greg Dirks  
City Recorder