Mayor Patricia Smith
Council President Mark Clark
Councilors Stanley Dirks, Timothy Clark, Scott Harden

REGULAR MEETING OF THE WOOD VILLAGE CITY COUNCIL
April 24, 2012
MINUTES

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

ABSENT: None

MAYOR SMITH CALLED THE MEETING TO ORDER AT 6 PM.

PLEDGE OF ALLEGIANCE

CITIZEN COMMENTS
There were none.

PRESENTATION: SOLV PROJECT
Carol Brill from Arata Creek School gave the presentation. Brill stated that she helped coordinate the SOLV project which consisted of planting 15 red sunset maple trees at City Hall. Brill explained that she helped coordinate the 22 student volunteers from Arata Creek, and City staff coordinated procuring the trees and laying out the site. Brill stated that it was a fun project and was happy to be involved with it.

The Council thanked Brill for her involvement with the project, and Mayor Smith presented Brill with a certificate of appreciation.

PUBLIC HEARING: ZONING CODE TEXT AMENDMENT ON BEHALF OF FRED MEYER
Smith read the public disclosure statement and asked if there were any conflicts of interest or ex-parte contacts. There were no conflicts or ex-parte contacts. Peterson stated that this text amendment would permit quick vehicle servicing in the Town Center and Neighborhood Commercial Zones for fuel stations as an auxiliary land use. The hearing is to be opened, and then continued until June 26, 2012.

Tim Clark asked why the hearing has to be continued. Peterson stated that notice had to be sent out regarding the hearing, and after the notice was sent out Fred Meyer asked for an extension to address issues that had come up. Peterson stated that the code permits one automatic extension.

The hearing was continued until June 26, 2012.

ORDINANCE 5-2012 WATER QUALITY PROVISION

Peterson presented the Ordinance and stated that this is a legislative text amendment. Peterson asked if there were any conflicts of interest. There were no conflicts of interest stated. Peterson stated that this ordinance would adopt a series of revisions to the zoning and development code. These provisions are needed in order to comply with the NPDES MS4 permit. Peterson explained that the City has to report stormwater activities and protection measures. Peterson stated that the DEQ provided a letter a year ago which stated that revisions to the water quality code had to be made in order to receive the MS4 permit renewal. Peterson stated that the Planning Commission has reviewed the provisions and recommended that the Council adopt the amendments.

Peterson stated that the impact of the area is small, but there are some substantial revisions. Peterson stated that the area covers a small portion of Birch, Treehill and Cedar Lane where the properties are adjacent to Arata Creek which has been identified as a resource creek. The other affected creek is No Name Creek, and there are some specific wetlands and streams that run adjunct to the Town Center, Pressure Safe, Wal-Mart and some additional properties along Sandy. Peterson stated that those are the areas affected by this code.

Peterson stated that the setbacks will not change, but there are new requirements if there is action inside the setback area. Peterson explained that structures over 500 square feet will require a site management plan, and must have protection and mitigation standards. Peterson stated that there are no new restoration facets, and there is no requirement to plant or remove existing plants or facilities.

Peterson stated that Treehill and homes along Birch have an obligation to put together a resource protection plan when constructing items over 500 square feet within the setback requirements. The removal of trees and vegetation also has a mitigation factor. Peterson explained that the code does prohibit the planting of prohibited species that mainly pertain to non-native species that can cause issues. Storage of hazardous items and the use of certain chemicals are also prohibited. Peterson explained that the prohibited chemicals include moss removers and heavily acidic items that can harm the water or animals, but the chemical list if fairly small.

Peterson stated that the tree replacement requirements are unchanged from the current code. Peterson explained that not a lot of changes can be made to the code, and it has been reviewed by

Metro and the state for meeting the required standards. Peterson stated that in summary the resources areas are the same as the previous areas, and this code fills in the gaps when work has to be done in the water resource area.

Peterson stated that the initial hearing took place, and comments have been provided in the Council packet. Peterson stated that he would like to respond to the individual who stated that these regulations are in part due to the United Nations. Peterson stated that is not the case. The code was developed from the DEQ and Metro to meet the requirements. Peterson explained that the Planning Commission recommended that the ordinance and findings be adopted. Peterson stated that those items are in their packet and include statewide goals and citizen involvement and notification.

Smith asked if these provisions are state mandated. Peterson stated that the Council does not have to adopt the revisions, and they can provide a statement that they feel the current code is sufficient. Peterson stated that it would be hard to prove that the current code meets the standards, but the revisions do meet the minimum standards. Peterson stated that while the revisions were kept to a minimum, they may be onerous to a homeowner, but not to a developer who has seen and dealt with similar provisions. Smith asked if any items or plants would have to be removed from the protected areas. Peterson stated that unless they are storing hazardous items, they do not have to change anything. Peterson stated that the state wanted proactive removal, but it was not required so it was not included in the code.

Mark Clark asked about the bridges and trails in the park and how this code applies to them. Peterson stated that de minimis trials and bridges are exempt from the standard, and public trails are fully exempt.

Dirks asked what the setback is for the area. Peterson stated that it is 100 feet from the top of the bank. Dirks stated that some properties would be fully covered. Peterson stated that may be the case, but he has not checked. Peterson stated that the setbacks did not change, so the properties were affected before.

Smith opened the public hearing.

There were no comments.

Smith closed the public hearing.

Upon motion by Mark Clark, seconded by Tim Clark and passing 5-0, the first reading by title only of Ordinance 5-2012 adopting water quality provisions was approved.

Minter gave the first reading by title only of Ordinance 5-2012 for water quality provisions.

Upon motion by Tim Clark, seconded by Dirks and passing 5-0, the second reading by title only of Ordinance 5-2012 adopting water quality provisions was approved.

Minter gave the second reading by title only of Ordinance 5-2012 for water quality provisions.

Upon motion by Dirks, seconded by Harden and passing 5-0, Ordinance 5-2012 adopting water quality provisions was adopted.

RESOLUTION 12-2012 UPDATING THE WATER SDC'S BY THE CCI

Minter presented the resolution and stated that it is needed in order to keep up with inflation. The recommended increase is 3% which came from the construction cost index. Smith asked if this is an annual resolution. Minter stated that it is. Peterson stated that it is a common practice for many cities.

Harden asked who pay SDC's and why. Peterson stated that SDC's are paid at the time a connection to the system is made, and it helps pay for the capacity of the system. Harden asked if SDC's increase user rates. Peterson stated that it does not increase user rates, and over time helps to hold user rates at lower levels. Harden asked if other cities have SDC's. Peterson stated that most cities have multiple SDC's including water, sewer, storm water, parks and transportation. Wood Village only has water and sewer.

Upon motion by Harden, seconded by Dirks and passing 5-0, Resolution 12-2012 Updating the Water System Development Charges by the CCI was approved.

RESOLUTION 13-2012 UPDATED THE SEWER SDC'S BY THE CCI

Upon motion by Tim Clark, seconded by Harden and passing 5-0, Resolution 13-2012 updating the Sewer System Development Charges by the CCI was approved.

RESOLUTION 14-2012 WATER INTERTIE IGA WITH TROUTDALE

Jones presented the resolution and stated that the City and Troutdale has had this provision in the past, but it has since expired. Jones explained that the IGA will allow the cities to sell water to one another. Jones explained that the previous versions just had the City purchasing water, but this version allows the City to sell water as well. The agreement outlines that water can be sold by either city for $1.32 per 1,000 gallons of water up to 200,000 gallons per day for the first 30 days. After 30 days the price goes to the residential rate.

Tim Clark asked if there were facilities already in place. Jones stated that a connection and meter is already in place. Jones stated that he also believes that there are pipes in place with

Gresham and Fairview, but there are no agreements at this time. Tim Clark asked when we would use this provision. Peterson stated that it could be used during times of a well or hardware failure that resulted in the temporary loss of capacity. Peterson stated that in a major disaster such as an earthquake, neither city may have excess water to sell.

Upon motion by Dirks, seconded by Tim Clark and passing 5-0, Resolution 14-2012 authorizing the City Administrator to sign and execute the Water Intertie agreement with Troutdale was approved.

RESOLUTION 15-2012 ADOPTING THE 2012-13 ANNUAL PERFORMANCE PLAN

Peterson presented the resolution and stated that the draft was presented to the Council at their last meeting. Peterson explained that some modifications to the timing has occurred, and items for the Public Works Director have been identified. Peterson stated that he may want to revise some of the timelines when the new Public Works Director is on board. The Council stated that was okay.

Tim Clark asked about the police academy for teens and stated that he did not think that the City would be involved with the project. Peterson stated that the City provides support for the regular program, and this would act in that same capacity. Peterson explained that Chief Deputy Gates liked the idea and was willing to look into it with the City's support. Harden asked if the high school has been contacted regarding making the brackets for the community banner project. Harden explained that the high school has a full metal and print shop and may be able to help with that project. Peterson stated that he will contact the school regarding that project, but the timeline may need to be moved if the school is utilized.

Peterson stated that the school district has provided funding for the Boys and Girls Club this summer which will take place at Fairview Elementary School. Peterson explained that it is a partnership between the two organizations, and will act to serve East County. Peterson stated that the project was just approved the other night and he will provide the Council with more information as he receives it.

Upon motion by Dirks, seconded by Mark Clark and passing 5-0, Resolution 15-2012 adopting the 2012-13 Annual Performance Plan was approved.

PUBLIC WORKS DIRECTOR'S REPORT

Jones presented the report and stated that most items have been reported on during the Friday updates as they have been occurring. Jones explained that the production meter calibration project was slowed down by the need to cancel the City's credit card after the number was stolen and used for fraudulent purchases. A new payment will be made to the contractor and the project will continue. Jones stated that the gazebo project has been challenging, and the manufacturer

has had a hard time calculating the wind load for the structure. Jones stated that the City will have the calculations done, and get the project moving forward again. Jones stated that the emergency annexes are near completion and should be presented to Council within the next few months.

Jones stated that the CDBG grant was approved by the local board, and should be funded. Jones explained that development progress is slow right now which is okay because of the recent change in staff. Smith asked about the new fence at the Hawthorne building. Jones stated that the project is scheduled to start soon, and should be wrapped up next week.

FINANCE DIRECTOR'S REPORT

Minter presented the report and stated that all revenues are up except for the interest income. Minter stated that the City is at 100% of the budgeted revenues, and there are still 10 weeks left in the budget year. Minter stated that expenditures are all on track except for the sewer fund which may need a transfer to cover treatment costs. Minter stated that we will know more in June if a transfer is needed.

Minter stated that the City received an audit by the State, and the State provided a letter with their recommendations. Minter provided a copy of the letter and stated that the suggestions will be implemented for next year's audit. Minter stated that the Budget Committee will meet this Thursday, and the Urban Renewal Budget Committee meeting will occur immediately after the City's budget meeting.

Tim Clark asked about the State audit and why the City was chosen. Minter stated that it is a random selection and only a few cities are selected each year. Peterson stated that the findings outlined in the letter are very minor, and will be addressed next year. Having a separate audit of the City's audit is not a bad thing.

CITY COUNCIL REPORTS

Mark Clark stated that he does not have any new information from the PDX Citizen Advisory Committee, but he would like to present information from the Noise Advisory Committee at a future meeting.

Smith stated that she attended the recent East Metro Economic Alliance meeting and the guest speaker was Martha Benet from Metro. Smith stated that it was an interesting presentation.

EAST METRO CONNECTIONS PLAN

Peterson stated that there is an initiative underway regarding the East Metro Connections Plan. There are currently two proposals under consideration. One is the 242nd connector, and the other is improving 238th and vacating the 242nd connector right of way. Peterson explained that there

are two proposals for the 238th improvements. The first proposal is to reduce the hill to two lanes, and construct improved sidewalks and bike paths in both directions. The second proposal is to widen the hill enough to keep three lanes of traffic while still having sidewalks and bike paths. Both proposals would allow for semi truck traffic to safely travel through that area. Peterson stated that the school district, McMenamin's, and Troutdale Mayor Knight are on board with improving 238th and removing the right of way for the 242nd connector.

Tim Clark asked what exactly would be done to 238th. Peterson stated that the roadway would be widened about 15 feet, and retaining walls would be added. Existing residences probably would not be affected, but there is a shop building that may have to be removed during the right of way acquisition. Peterson stated that it would allow for semi truck traffic without constructing the $40 million connector.

Tim Clark stated that he is against semi truck traffic on 238th. Mark Clark agreed. Harden stated that getting in and out of Treehill is difficult and dangerous now, and stated that making improvements to 238th to increase capacity will not only make getting in and out harder and more difficult, but it will lower the quality of life for those residents.

Tim Clark stated that he thought the 242nd connector idea was over. Smith stated that the 242nd connector was included in the plan area, and it was studied. The connector would cost about $40 million and would not add any capacity to the system, but it would allow for semi truck traffic. Tim Clark asked why the 242nd connector is being considered if it does not add capacity. Smith stated that there are political influences behind the project. Peterson explained that there are four main corridors in the study area. The corridors are 181st, 207th 238/242nd and 257th, and all the corridors except 238th have truck traffic. 238th does provide a direct route to Highway 26. Tim Clark stated that he does not want the majority of truck traffic going through the middle of the City. The Council had discussed having the main street of the City be around 238th and Halsey, and having semi truck traffic would ruin that concept. Jones explained that about 90% of truck traffic is 40 feet or shorter. That leaves 10% for semi truck traffic. That 10% would be spread throughout all four corridors resulting in not a lot of increased truck traffic to this area.

Tim Clark asked if the City could state that we do not want the 242nd connector or the 238th improvements. Smith stated that if 238th is not improved, the 242nd connector would be built. Tim Clark stated that does not make sense, and asked what the likelihood is that it would actually be funded and built. Smith stated that there are federal grants available, and if the project were approved, it would be built. Harden asked if the public knows about the plan and the cost of the projects. Smith stated that there has not been a lot of publicity about this specific plan. Harden stated that once people realize how much the 242nd connector would cost, and how it would not add capacity, that may kill the project and we would not have to widen 238th.

Smith stated that as it stands right now, if improvements are not made to 238th, the 242nd connector will be added to the project list and built. Harden asked how the projects are approved. Jones stated that project improvement areas are approved, not specific projects. Jones explained that if individual projects were approved, they could impact other areas that would need improvement, and the overall traffic system would still not be improved. By approving project areas, all the projects in that area will get completed which will improve the overall traffic system. Jones explained that if the 242nd connector is added to a project area, it will get built. Peterson stated that the other organizations involved with the study are taking a piece of the traffic impact, and some of those organizations want Wood Village to share in the load. Peterson stated that he was under the impression that the Council wanted to stop the 242nd connector, but did not know that there would be opposition to improving 238th.

Smith stated that Wood Village will be impacted either by the 242nd connector, or by improving 238th. Smith stated that she feels the City would be less impacted by improving 238th and has been working on that compromise. Tim Clark stated that he would not approve of the 238th project if the 242nd connector right of way was not vacated. Smith stated that it would be a package deal. Harden stated that he thinks we would not have to support either option because of the funding issues and public backlash of both projects. Smith stated that one of the projects will be constructed, and she feels it would be better to improve 238th then to ruin the park and surrounding developments with the 242nd connector. Dirks stated that while he does not like either project, he would support improving 238th if the 242nd right of way was vacated.

Upon motion by Smith, seconded by Mark Clark and passing 5-0, the Council supported the 238th improvement project and vacating the 242nd connector right of way.

ADJOURN

With no further business coming before the Council, and upon motion by Mark Clark, seconded by Dirks and passing 5-0, the Council adjourned at 8:38pm.

Patricia Smith
Mayor

5-8-2012
Date

ATTEST:

Greg Dirks
City Recorder