



Mayor
Patricia Smith

Council President
Mark Clark

Councilors
Stanley Dirks

Timothy Clark

Scott Harden

**SPECIAL MEETING OF THE
WOOD VILLAGE CITY COUNCIL
May 22, 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

Pooneh Gray owner of 23500 NE Halsey stated that for the first time since the building was built four years ago, there has been an inquiry about leasing a portion of the upper floor of her building. Gray explained that the inquiry came from a small church of about 15 people. Gray stated that religious institutions are currently prohibited in that zone, but asked if a text amendment could be made to make them a conditional use. Gray explained that attracting and keeping tenants has been difficult because of the lack of foot traffic. Having additional uses will increase foot traffic and potentially reduce vandalism as well. Gray stated that she has reduced lease rates and has been willing to advance the capital needed for tenant improvements to increase the occupancy.

Smith asked if Gray has reported the acts of vandalism to the police. Gray stated that she has, but the vandals leave by the time the police arrive. Gray explained that she has also added lighting and other deterrents, but it has not helped. More activity in the building would help reduce vandalism, and make the development a success.

Peterson stated that an amendment would be required to the Development Code to enable religious institutions in the Neighborhood Commercial zone. Peterson explained that religious institutions are allowed in the Commercial zone, and the CI zone. It was prohibited in the Neighborhood Commercial zone because of the potential parking issues.

Dirks asked if the church would have property tax exempt status, and what the effect of that may be. Peterson stated that it would be exempt for the portion of the building that they occupy. Peterson explained that there might be about \$100 in reduced property tax revenue.

Tim Clark asked if the lease would be long term, or month by month. Gray stated that the proposal has not gotten to that point yet. Tim Clark stated that he would not want her or the City to miss out on other opportunities. Gray stated that there is still a lot of square footage left to lease. Harden asked why the church has to leave their current location. Gray stated that she did not know. Gray asked if the conditional use provision is approved, could the council rescind it after the church is in place. Peterson stated that is a possibility. Harden asked if Gray knew what the evening support groups were for. Gray stated that she did not know. Harden stated that he was asking because he was not sure if the evening groups would alter the conditional use. Condit stated that you would have to look at the groups that are typically organized by religious institutions. Limiting the square footage could also be a way to reduce conflicting issues.

Peterson stated that a motion would be needed in order to move this process forward.

Upon motion by Harden, seconded by Tim Clark and passing 5-0, the Council initiated a text amendment consideration for religious institutions in the Neighborhood Commercial zone.

ORDINANCE 9-2012 STREET UTILITY FEE

Peterson presented the ordinance and stated that the evaluation was conducted at the last Council meeting, and the actual ordinance and fees will be discussed tonight. Peterson explained that the ordinance authorizes a fee for a specific service, and meets all the requirements to be classified as a fee.

Peterson stated that the monthly fee is defined by a specific unit, and that unit is a trip end as identified in the International Traffic Engineer's manual. Peterson explained that the ITE estimates trip ends based on studies, and is classified by land use. The trip fee will be based on the trip end. Peterson stated that the ordinance establishes and defines the unit. The ordinance also establishes the principals of categorization, a vacancy credit, an appeal process, and payment order. Peterson explained that for every utility payment made, the payment goes to fees and charges, then transportation, then sewer and finally water. Water is last because that is the enforcement device to collect full payment. Peterson stated that in Grants Pass people would not pay the street utility portion of the bill, and this method allows for turning off the water to collect the remaining portion of the bill. Condit stated that is a typical provision.

Peterson stated that the rate parameters were established by the Council, and includes a two year phase in with an annual adjustment, but a top end cap. Peterson explained that the revenue will be split 50/50 between residents and businesses. That split formulates the per unit base.

Peterson explained that the rate is not adopted by type, but by the unit. Peterson stated that there would be some businesses that would have a monthly fee of less than \$3 which does not cover the administrative costs, so there is a \$5 minimum for commercial users.

Peterson explained that the fee would be indexed annually by the Construction Cost Index, and the maximum fee for residential users would be \$1.50 per unit, and \$.50 for commercial users per unit. Peterson stated that there are provisions in the code to increase the cap, and they include a City wide notice and public hearing. Tim Clark asked how long the fees would be in place before they reach the cap. Peterson stated that it will be about six years if the current trends stay on track.

Peterson stated that the recommendation is to consider the ordinance, conduct the public hearing and adopt the resolution establishing the fees. Dirks asked if the ordinance includes the senior discount rate. Peterson stated that it does, and it is at the same rate as the water and sewer discount. A separate memo has also been prepared which addresses how the discount works, and what it costs the City. Peterson explained that the current discount is 25% and is tied to retirement or disability. Peterson stated that he is not proposing that the provision be revised at this time, but he is willing to conduct a review of the discount if the Council would like. Harden asked how many people currently get a discount. Peterson stated that there are 46 accounts receiving the discount. Peterson explained that he is also requesting an amendment in the motion to include information on preventing residential care facilities from receiving the vacancy credit.

Harden asked about the condo classification, and why current condos are treated differently than new condos that may be built. Peterson stated that the ITE has several classifications of condos with different trip generations. This code would classify all condos simply as multifamily units, and all new condos that may be built would be classified based on the ITE. Peterson explained that this method simplified the rollout process while still being fair.

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 9-2012 establishing a code provision for a street utility fee as amended was approved.

Minter gave the first reading by title only of Ordinance 9-2012 establishing a code provision for a street utility fee.

Upon motion by Tim Clark, seconded by Harden and passing 5-0, the second reading by title only of Ordinance 9-2012 establishing a code provision for a street utility fee as amended was approved.

Minter gave the second reading by title only of Ordinance 9-2012 establishing a code provision for a street utility fee.

Upon motion by Mark Clark, seconded by Tim Clark and passing 5-0, Ordinance 9-2012 establishing a code provision for a street utility fee as amended was adopted.

RESOLUTION 17-2012 ESTABLISHING A STREET UTILITY FEE RATE

Upon motion by Mark Clark, seconded by Dirks and passing 5-0, Resolution 17-2012 establishing a street utility fee rate was approved.

ORDINANCE 10-2012 MONTHLY UTILITY BILLING

Minter presented the ordinance and stated that it enables monthly billing for utility payments. Minter explained that staff has reviewed the code, and removed outdated sections. The idea is to move to monthly billing in July to correspond with the new transportation utility fee.

Tim Clark asked if moving to monthly billing would increase the workload. Minter stated that there should not be too much of an increase in the total hours because of the new meters and revised mailings. Minter explained that the shut off date will not occur any sooner than it would have under the bi monthly billing. Minter stated that the recommendation is to adopt the ordinance, and a resolution will be developed in June to adjust the rates for monthly billing.

Upon motion by Tim Clark, seconded by Dirks and passing 5-0, the first reading by title only of Ordinance 10-2012 establishing monthly billing provisions was approved.

Minter gave the first reading by title only of Ordinance 10-2012 establishing monthly billing provisions.

Upon motion by Dirks, seconded by Mark Clark and passing 5-0, the second reading by title only of Ordinance 9-2012 establishing monthly billing provisions was approved.

Minter gave the second reading by title only of Ordinance 10-2012 establishing monthly billing provisions.

Upon motion by Harden, seconded by Tim Clark and passing 5-0, Ordinance 10-2012 establishing monthly billing provisions was adopted.

RESOLUTION 18-2012 IGA WITH GRESHAM FOR FLOW AMOUNTS

Jones presented the resolution and stated that the request is to approve the extension of the current IGA between the City and Gresham for waste water treatment. Jones explained that the IGA started in 1972 and was revised in 1983, 1989, and in 2010 to accommodate access to the collection system from the new lift station. Jones stated that the current agreement expires on June 30, 2012, and staff from both cities felt it would be better to extend the agreement instead of spending months revising the agreement. Jones stated that the agreement allows for 412,895 gallons of flow per day, and the City currently uses about 79% of that capacity. Nothing in the IGA would prevent the City from renegotiating the agreement to allow for additional capacity. Jones stated that the recommendation is to approve the resolution authorizing the City Administrator to execute the agreement.

Upon motion by Dirks, seconded by Mark Clark and passing 5-0, Resolution 18-2012 extending the IGA with Gresham for flow was approved.

DISCUSSION 13TH ANNUAL CITY NITE OUT

Records Manager/HR Specialist Greg Dirks presented the discussion and stated that he wanted to provide the Council with a brief update, and ask for direction on some items. Greg Dirks explained that the Nite Out will occur on Friday July 20th from 5-9pm. There will be a parade at 5pm followed by the start of the event at 5:30pm. Confirmed participants include the MCSO, Baptist Church, Gresham Fire, Life Flight and the Coast guard. Greg Dirks stated that he is still waiting for confirmation from AMR, and Wal-Mart regarding a bicycle helmet program. The MCSO has also arranged for a crash car trailer from Impact Oregon to educate people on the hazards of driving while impaired.

Greg Dirks presented the draft schedule and explained that something new will be occurring every 15-20 minutes. Greg Dirks stated that Councilor Tim Clark had the idea of having custom Wood Village balloons at the event. The cost for 1,000 balloons is about \$100-\$150 which is not a lot more than what 1,000 regular balloons would cost. The Council liked the idea of having custom balloons and requested white and green balloons with the City's logo. Greg Dirks stated that the other item to discuss is the safety tube idea. There is \$4,000 in the 2012-13 budget for this item, and a coupon can be placed in the newsletter for a resident to pick up a tube at the event. Dirks stated that he does not like the idea of spending \$4,000 on tubes that may not get picked up, or be used for their intended purpose. Tim Clark asked if only a few hundred could be purchased, and if the City runs out during the event more tubes could be purchased later. The Council approved of that approach.

Greg Dirks stated that the last item that needs some direction is the door prizes. Greg Dirks asked if the Council still wanted youth and adult prizes, and if all the prizes should be safety related. The Council stated that the prizes do not need to be big prizes, but should be related to safety. There does not have to be a separate youth drawing. Greg Dirks stated that he was thinking that wind up radios with flashlights would make a good prize. The Council agreed.

Greg Dirks presented the event layout and the draft promotional items. The Council asked if the photos could be removed from the banner to reduce the amount of items. Greg Dirks stated he will do that. Greg Dirks asked if there were any questions, or other items that the Council would like to include. The Council thanked Greg Dirks for the update on the event.

PUBLIC WORKS DIRECTOR'S REPORT

Jones presented the report and stated that the gazebo is being built at the factory and should arrive in two to three weeks. In the meantime the site preparation has started and progress is being made. Jones stated that staff was able to locate a valve exerciser with vector attachment for just over \$15,000 which is about a \$25,000 savings over the one they had looked at. Jones stated that Poplar Mobile Manor has installed three additional fire hydrants for a total of five new hydrants in that park.

Smith asked about the Famous Dave's restaurant and when that was coming in. Jones stated that a date has not been set. Peterson explained that some plans have been submitted, but work has not begun. Tim Clark asked about the new Mexican restaurant. Peterson stated they are conducting minor alterations, but he does not know when they are planning to open.

Jones stated that it has been a pleasure serving the City and working with the Council. The Council thanked Jones for his service.

FINANCE DIRECTOR'S REPORT

Minter presented the report and stated that revenues are good and on track. Minter stated that staff has worked with the new bank, and interest earned in the accounts has covered the banking fees. Minter explained that fees with the old bank were typically over \$400 a month. Peterson stated that while there is no net return on the interest, there is a great savings with not having to pay any banking fees.

Minter stated that expenditures are all under budget except for the sewer fund because of the increased flows. A transfer will be needed, but it can be handled with the contingency fund.

CITY ADMINISTRATOR'S REPORT

Peterson stated that the Annual Performance Plan is on track and ahead of schedule in all but a few places. Peterson stated that staff has been performing at an outstanding pace, but is concerned about keeping that pace when Jones retires. Peterson explained that the annual presentation will be given at the next meeting in June.

CITY COUNCIL REPORTS

Mark Clark stated that the Citizen's Noise Advisory Committee has been working on a plan to adjust the air traffic away from the neighborhoods and divert it over the river. The plan also allows for planes to adjust their slop into the airport which will save on fuel. Mark Clark explained that it will be the first approved plan in the County. Tim Clark asked how long it would take to implement. Mark Clark stated that if everything stays on track, it could be done by the end of the year.

Tim Clark stated that East Multnomah County Transportation Committee has spent some time on the East Metro Connections Plan. There was also a study conducted which looked at putting tolls on existing roadways, but the research indicated that it would not work except on new roads.

Smith stated that the East Metro Economic Alliance discussed the East Metro Connections Plan. There were a few people there who did not want the 242nd right of way vacated, but after some discussion those people saw the rational for vacating that right of way. Smith stated that Neal McFarland the general manager for Tri-Met was also there and gave a nice presentation.

Dirks stated that there has not been a lot going on at the Metro Policy Advisory Committee, but he will be attending the meeting tomorrow. Dirks explained that Gresham and Portland have not been attending the recent meetings, and the focus has been on Clackamas and Washington counties.

Harden stated that the Reynolds School District Citizen's Budget Committee has wrapped up after three sessions. Harden explained that he advocated for new text books and for two new positions for a grant writer and purchasing agent. Harden stated that the money saved by those two positions may be enough to cover their costs. Harden explained that the district is also interested in the Boys and Girls Club.

Dirks thanked Peterson and Jones for the very timely removal of graffiti in the City. Dirks explained that the City has been getting hit pretty hard, but the City has been great at getting it promptly removed. Dirks stated that the Kay Powers memorial bench in the park has become a haven for less than ideal citizens to gather. Dirks explained that because the bench is located out of the way, people are going there to drink and smoke. Dirks stated that he is concerned about the safety for people visiting the park, and asked if the plaque and bench could be moved to a more prominent location. Jones stated that the plaque was moved from the original location for the same reasons.

Upon motion by Dirks, seconded by Mark Clark and passing 5-0, the Kay Powers memorial plaque will be moved to the environmental learning center, and the bench removed.

THE COUNCIL ENTERED INTO EXECUTIVE SESSION PER ORS 192.660(2)(d) TO CONDUCT DELIBERATIONS WITH PERSONS DESIGNATED BY THE GOVERNING BODY TO CARRY ON LABOR NEGOTIATIONS AT 7:50PM

THE COUNCIL CONVENED BACK INTO REGULAR SESSION AT 8:22PM

Smith stated that she wrote a draft letter to the paper regarding the proposed entertainment center, and asked if the Council would like to review the letter before she sends it in. Smith explained that she is tired of just hearing the negative comments regarding the proposal, and she wants people to at least look at the other factors and facts regarding the project. Smith stated that she wants facts, not feelings in the letter.

Condit stated that if Smith is the author of the letter and she is just asking for input from her colleagues that is okay, but if the letter would be from the entire Council then the process would have to be conducted at an open meeting. Smith stated that she would be the author, and she is simply looking for input to improve the letter. The letter would be from her, and she would like people to think about the facts of the issue, and not just the feelings.

ADJOURN

With no further business coming before the Council, and upon motion by Tim Clark, seconded by Mark Clark and passing 5-0, the Council adjourned at 8:35pm.



Patricia Smith
Mayor

6-13-2012

Date

ATTEST:



Greg Dirks
City Recorder