

Mayor
Scott Harden

Council President
Patricia Smith

Councilors
Bruce Nissen

John Miner

**MEETING OF THE
WOOD VILLAGE CITY COUNCIL
December 11, 2018
MINUTES**

PRESENT: Council President Scott Harden, Councilors Patricia Smith, Mark Clark, and Bruce Nissen. City Attorney Jeff Condit, City Manager Bill Peterson, Public Works Director John Niiyama, Finance Director Seth Reeser, and interested parties.

ABSENT: Mayor Timothy Clark.

COUNCIL PRESIDENT HARDEN CALLED THE MEETING TO ORDER AT 6:00 PM.

CITIZEN COMMENTS (NON-AGENDA ITEMS)

There were none.

PUBLIC SAFETY REPORT

Sheriff Reese and Chief Deputy Jason Gates presented the report. Gates stated that for the month of November, the call for service was fairly average. Gates stated that there were nine stolen vehicle reports, which is an increasing trend in the City and in all other areas as well. Gates stated that there were 174 dispatched calls and 259 self-initiated calls. There were 39 priority one and two calls with an average response time of just over three minutes and thirty seconds.

Gates stated that the toy drive at Walmart last year had 130, 55 gallon drums of toys, and this year was 151 drums of toys, \$1,400 in cash, and several bikes. Gates stated that the number of volunteers also increased with 31 MCSO volunteers, 10 citizen volunteers, and 11 students, and 8 people from Emilio Inc. for a total of 60 volunteers. Gates stated that the relationship with the Wood Village Walmart is very positive as well.

Nissen stated that the eastside of 238th up on the hill another encampment developing, and there has also been some issues behind the 76 gas station that may need the HOPE team to resolve. Nissen also thanked the MCSO for the support at the tree lighting event. Smith stated that the medians at I-84 need some attention and something worked out to reduce the impacts of the panhandlers.

Gates stated that he is in the process of retiring and will be retired as of late February or early March. Gates stated that a new chief will be appointed to the City, and the new Chief Deputy will be Monte Reeser.

Sheriff Reese stated that there will be a legislative effort on the penalties and remedies for the unauthorized use of a motor vehicle. Reese stated that the MCSO would appreciate support from the cities on the effort.

The Council thanked Reese and Gates for the report and service.

CONSENT CALENDAR:

- a. Review of bills paid in November, 2018
- b. Resolution 42-2018: IGA Extension with City of Gresham for Sewer Treatment
- c. 2019 Oregon Liquor License Application Renewals
- d. Contracts \$2,500 - \$50,000
 - FEI Portland – Meter Updates: \$4,317.44
- e. City Council Minutes
 - November 13, 2018
 - November 29, 2018

Harden stated that the November minutes were not included in the packet and will be removed from the Consent Calendar.

Upon motion by Nissen, seconded by Smith and passing 4-0, the November minutes were removed, and the Consent Calendar was approved.

ORDINANCE 2-2018: ZONING AND DEVELOPMENT CODE AMENDMENT - FLOODPLAIN STANDARDS

Peterson read the hearings disclosure statement. Harden asked if there were any conflicts of interest, personal bias, or ex parte contacts. There were none.

HR/Records Manager Greg Dirks presented the Ordinance. Dirks stated that this is a legislative hearing on a Comprehensive Plan amendment as well as a Zoning and Development Code amendment on floodplain hazard areas. Dirks stated that FEMA conducts regular updates and assessments to hazard areas, and this floodplain update was about 30 years in the making. Dirks explained that the floodplain area is the basis for flood mapping for insurance and risk purposes. Dirks stated that City regulations need to match the FEMA update in order for people to purchase and retain flood insurance, and for the City to obtain disaster relief funding and be in compliance with the state planning goals.

Dirks presented the updated flood map panel as well as an overlay on the impacted area. Dirks stated that the total area is about 2,600 square feet, and is entirely on the I-84 right of way. Dirks stated that there are no buildable or private lands impacted by the updated maps. Dirks stated that the amendment to the Comprehensive Plan updates language to reflect that there are now floodplain hazards in the City, and adds the map panels. Dirks stated that the amendment impacts goals 1, 2, and 7. Dirks presented each goal and the related finding of fact. Dirks stated that the full finding is in the staff report.

Dirks stated that the Zoning and Development Code amendment adds a new section to the code. Dirks stated that the section is 425 for Floodplain Hazard Areas. Dirks stated that the code provisions were provided by the state, and reviewed by FEMA. Dirks explained that even though there are no developable lands within the floodplain hazard area, the code amendment is still required. Dirks stated that he can present the details of the code provisions, but they will not be used in any land use matter as there are no buildable lands within the floodplain area. Dirks presented the findings of fact for the amendment, and stated that the full finding is included in the staff report.

There were no questions from the Council.

Harden opened the Public Hearing.

There were no comments.

The Public Hearing was closed.

Dirks stated that the Planning Commission recommended the adoption of the Comprehensive Plan and Zoning and Development Code amendments.

Upon motion by Mark Clark, seconded by Nissen and passing 4-0, the findings of fact contained in the staff report of December 4, 2018, and Ordinance 2-2018 amending the Comprehensive Plan, and revisions to the Wood Village Zoning and Development Code Section 400: Overlay Zones, Water Quality Zones and Land Divisions for the inclusion of subsection 425: Floodplain Hazard Areas was adopted.

ORDINANCE 3-2018: ZONING AND DEVELOPMENT CODE AMENDMENT - MULTI-FAMILY DEFINITION

Peterson presented the ordinance and stated that the request originated from the Design Review Board, and was authorized by the City Council. Peterson stated that the original issue was about a small development along Halsey Street, which wanted to develop as detached single family condos. Peterson stated that the code did not fully cover that use, and it was up to the Planning Commission to make a determination on the mixed use language. Peterson stated that the code does not define what is multi-family.

Peterson stated that the Planning Commission determined it was a multi-family because it was more than one unit on a single parcel, and the Planning Commission was concerned about that

action and how it could impact future development for multi-family development and the ability to obtain relative densities. Peterson stated that in addition to the concerns about the separate units, there were concerns about the commercial use not fronting the main street to get the desired neighborhood commercial development.

Peterson presented the current code and explained how it applies to development. Peterson stated that the revision defines multi-family developments, and that it dovetails into the current multi-dwelling code. Peterson stated that the code revision also includes not more than ten buildings on single lot that is not multi-family, and the commercial portion has to front the main collector road.

Peterson presented the findings of fact, and stated that the full details are included in the staff report. Peterson stated that the most important finding is in housing, where the code anticipates 14-16 units per acre, and that cannot be achieved with detached units. Peterson stated that housing is important, and this code better defines the relative densities that are desired in the zone.

Peterson presented the alternatives including not adopt the revisions, conduct additional workshops or meetings, or adopt the recommendation from the Planning Commission, which is to adopt the amended code as presented.

Harden opened the Public Hearing.

There were no comments.

The Public Hearing was closed.

Mark Clark stated that he did not see anything regarding the financial aspects of this type of development within the staff report. Peterson stated that this type of development has the land under common ownership, and the structures are individually owned. Condit stated that this type of development is becoming more common as it deals with the capitalization of condos. Peterson stated that this amendment will help reduce the questions around the code to help future development occur that is consistent with the planning goals.

Upon motion by Nissen, seconded by Smith, the findings of fact as contained in the staff report, and Ordinance 3-2018 amending the zoning and development code for the multi-family definition was adopted.

DISCUSSION: LEVY READY

Condit stated that he has a potential conflict of interest and stated that he represents the drainage district. Condit stated that while a waiver has been signed to continue to represent the district, he cannot represent the City in this matter.

Condit recused himself from the discussion.

Peterson presented the discussion and stated that there was a lot of background materials in the packet, and wants to keep the presentation at a high level. Peterson stated that this effort has been around for about three years. Peterson presented the overall drainage area, and stated that it goes from the Sandy river to past the Willamette river.

Peterson stated that the district goes back to 1919, and is a system of levies, pumps, and sloughs. Peterson stated that the land area is essentially north of Sandy Blvd., and about 30% of all industry in the region is in the area. Peterson explained that makes up nearly \$16 billion in economic activity within the boundaries of the area.

Peterson presented a listing of agencies involved in the Levy Ready process. Peterson stated that Wood Village is not listed, and has not been an active participant. Peterson stated that the end of the process is many years out, but the financing will need to be in 2020. The Levy Ready group is going to this legislative session to recognize the district. Peterson stated that the key issue will be spreading the costs of maintaining and certifying the levies.

Peterson stated that about 70% of non flood plain developments receive benefit from the flood plain properties. Peterson stated that the only people who pay in the levy system are those within the system, but others are benefiting from the maintenance and certification. Peterson stated that at cost is about \$100 million. Peterson explained that the property tax system does not enable effective collection, and the levy ready group is working to make a revised collection methodology and overall system.

Peterson stated that the big question for the group has been how to make the effort politically viable, and how to expand the basis for the needed revenue increase. Peterson stated that there are three options that will move forward and develop into a new form of governance.

Peterson presented each option with a summary of how it would work.

Peterson stated that the third option has been selected as the primary option from the group, and it includes a utility fee for all those within the watershed area, which includes the City. Peterson stated that the staff response to the effort has been to not participate as there are court cases which establish that it is the duty of the levy land owner to accept and convey the storm water

discharge. Peterson stated that there is a philosophical approach that there is a regional benefit to the levy system whether or not specific properties or jurisdictions are within the boundaries. Peterson stated that is where the process is now.

Harden stated that the levy area has a statewide impact, and the reach should be larger. Peterson stated that has been the main point of Levy Ready, which is why all of Multnomah County is being looked at in terms of financial contributions to the levy. Peterson stated that he recognizes that the City will probably have to participate in some kind of capital costs, but should not be responsible for the pumping and ongoing maintenance costs.

Smith stated that we are a very low income community, and we cannot ask the people to pay more when they cannot keep up with expenses now. Peterson stated that there may not be a way around it, and that is why it will be a county wide vote. Peterson stated that the large bond will require a public vote, and will not be until the mid-2020s.

Peterson stated that he does not necessarily need direction at this time, and the Levy Ready group will present to the Council this spring. Peterson stated that the flipside is the City needs to participate in the matter as this issue is too large not to participate. Peterson stated that median income thresholds could be factored into it, but the City needs to participate in order to help shape the payment options.

The Council thanked Peterson for the update.

RESOLUTION 43-2018: CANVAS OF VOTES CAST

Dirks presented the resolution, and the purpose is to recognize the official results of the November 6th election. Dirks stated that the election included Council positions one and four. Dirks explained that Councilor Bruce Nissen was reelected, and John Miner was elected to position four. Dirks stated that the swearing in ceremony will be at the first meeting in January.

Upon motion by Mark Clark, seconded by Smith and passing 4-0, Resolution 43-2018 for the canvas of votes case was approved.

DISCUSSION: TREE LIGHTING EVENT DEBRIEF

Dirks presented the discussion and stated that this was the ninth tree lighting event. The event took place at the Town Center, as City Hall is under construction and would not have made for a suitable event location. Dirks explained that the City worked with the owners of the Town Center to acquire the 26 foot tall tree, and the City arranged for the entertainment and refreshments. Dirks stated that the entertainment included the Walt Morey Middle School choir, and a visit from Santa. The refreshments were provided by the Chapel.

Dirks stated that attendance at the event was well over 400 people, and there is a lot of room to grow and expand the event at the Town Center. Dirks explained that additional pre-tree lighting entertainment is needed, and the PA system was operating at a sub-optimal level. Dirks stated that those items can be correct for next year, and the idea is to get more businesses involved as well. Dirks stated that the City spent about \$450 on the event, and AAA of Oregon had a \$250 donation. The out of pocket expenses were minimal for the City, and overall it was a good event.

The Council agreed that it was a good event, and stated that it would be good to have more businesses involved, and grow the event for next year.

PUBLIC WORKS DIRECTOR'S REPORT

Niiyama presented the report, and stated that the Cotton Wood water project has been completed, and the water pressure to that development is substantially better. Niiyama presented photos of the work as well as a summary notes regarding the project. Niiyama stated that there has been a very positive response from the residents of the Cotton Wood development regarding the project.

Niiyama stated that the City Hall utility relocation work is underway and is nearing completion. Niiyama stated that the project includes relocating a water line as well as a storm water line. Niiyama stated that the project will be completed by the 21st. Peterson stated that once the project is closed out, we can send out the request for an updated BOLI letter.

Niiyama presented highlights of the recent projects completed by the public works staff. Niiyama explained that the Riverwood South development is moving along, and is nearing completion. Niiyama stated that there was also a pre-application meeting for a multi-family development along Halsey.

FINANCE DIRECTOR'S REPORT

Reeser presented the report and stated that the fiscal year is nearly half way through, so a better picture of the financial condition can be developed. Reeser stated that the property tax distributions are a bit behind, but revenues are expected to be on pace with the budget. Reeser stated that economic forecasts will start to come out, and the business income tax and hotel tax are expected to be at or below last year's amount. Reeser explained that was anticipated, and there will not be any budgetary issues.

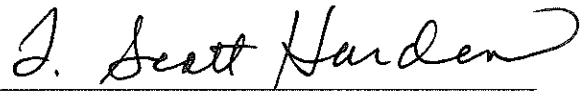
CITY MANAGER'S REPORT

Peterson presented the report and stated that there are a handful of issues that need to be reviewed. Peterson stated that the City has secured Mike Abbate to facilitate the Council retreat on February 2nd. Peterson stated that Mike will be contacting Council members to help put together the agenda and to sort out the relative priorities.

Peterson stated that the APP is in progress, and the new members of the management are making great sides in completing the plan. Peterson stated that there are a few issues outside of the City's control to such as Arata Road. Peterson explained that there are some issues regarding Urban Renewal that will be reviewed in January. Peterson stated that there are hold ups on the plastic bag item which will probably move forward in January.

ADJOURN

With no further business coming before the Council, the Council adjourned at 8:00pm.

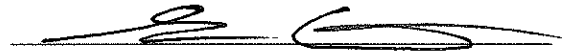


T. Scott Harden
Mayor

3/14/19

Date

ATTEST:



Greg Dirks: City Recorder