



*Mayor*  
Timothy Clark

*Council President*  
Scott Harden

*Councilors*  
Patricia Smith

Bruce Nissen

Mark Clark

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**MEETING OF THE  
WOOD VILLAGE CITY COUNCIL  
December 12, 2017  
MINUTES**

**PRESENT:** Council President Scott Harden, Councilors Patricia Smith, Mark Clark, and Bruce Nissen. City Attorney Jeff Condit, City Manager Bill Peterson, Finance Director Peggy Minter, Public Works Director Scott Sloan, 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**

Chief Gates presented the report and stated that the averages for November were within the normal parameters. Gates stated that there is an increase in stolen vehicles region wide. Gates explained that there has also been an increase in suspicious person or vehicle calls. That is not necessarily a bad thing as it can mean that more people are paying attention to what is going on in the neighborhood.

Gates stated that response times for priority 1 and 2 calls were under four minutes, and it was under eight minutes for non-emergency calls. Gates stated that an incident of note was a burglary alarm at Camping World. Deputies responded and searched the area, and they were able to find and arrest the suspect. Gates stated that another incident was in Troutdale where a suspect on a Greyhound bus stabbed passengers in an unprovoked attack. Gates stated that deputies responded and were able to detain the suspect without further injuries.

Gates stated that their annual toy drive was a success with 130 barrels of toys. They also collected over \$2,000, which was used to sponsor seven families. Gates stated that it was a great event, and they enjoy the partnership with Walmart.

Harden asked if there was any information about the hit and run at Cedar and Maple Blvd. Gates stated that he will review the report and send more information to the Council on that incident. Harden asked about the response to stolen cars. Gates stated that unlike other jurisdictions where a report is done online, a deputy will respond and write the report. Gates stated that they like to collect statistics to look for patterns and conduct preventative measures.

The Council thanked Gates for the service and report.

**CONSENT CALENDAR:**

- a. Review of bills paid in November, 2017
- b. Contracts \$2,500 - \$50,000
  - Tice Electric - Well 3 Electrical Upgrade: \$3,799.15
- c. 2018 OLCC Liquor License Application Renewals
- d. Resolution 43-2017 IGA Extension with the City of Gresham for Sewer Treatment Services
- e. Council Minutes:
  - November 16, 2017

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

**PUBLIC HEARING: RESOLUTION 39-2017: CHANGE PROPERTY RATIO  
ADJUSTMENT**

Peterson presented the resolution and stated that this is a formal public hearing on the property tax change property ratio. Peterson stated that he will present the staff report, open the floor for public comments, and then the Council can deliberate and take action.

Peterson stated that the change property ratio is related to measures 5 and 50. Peterson explained that measure 50 created a market value, and a separate assessed value. The change property ratio attempts to tax new construction at a similar rate compared to similarly situated properties. Peterson stated that the real issue is that it is based on a regional basis. For example, our region is Multnomah County, which has values driven by the Portland market. Peterson explained that because of that, the change property ratio is about 50%. However, HB 2088 was adopted to enable jurisdictions within Multnomah County to petition for a separate rate.

Peterson stated that the City of Gresham took action last week to define their boundary as their city limits. Peterson explained that if enacted, we would take a similar action that would be effective January 1, 2018. Peterson stated that if enacted, it would impact a couple of upcoming developments. Peterson explained that for the Riverwood North development, this action would increase the taxable value by about \$2.6 million, and would increase the taxable value of the City Hall site development site by about \$5.6 million. Peterson stated that this would create better property tax equity between current homes and new construction. Currently, there is a wide disparity between existing homes and new construction. Peterson stated that this would help restore some equity.

Harden opened the floor to public comments.

There were no comments.

Harden closed the floor to public testimony.

Smith asked how this would impact low-income or elderly homeowners. Peterson stated that this action would not impact current property owners unless they construct a new home or substantially remodel their current home.

Nissen asked about the associated fee to the county, and if that was an overall total, or per city. Peterson stated that the assessor is seeking clarification on that item. Peterson stated that he understands the fee as a one-time payment, and Gresham would be covering the majority of that fee. Peterson stated that even if the City had to pay the entire amount, the City would still be in a better financial shape with the revision, and it would create a better sense of property tax equity within the community.

Upon motion by Nissen, seconded by Smith and passing 4-0, Resolution 39-2017 filing for a change property ratio adjustment was approved.

**RESOLUTION 40-2017: CITY HALL DEVELOPMENT AGREEMENT ADDENDUM**

Peterson presented the resolution and stated that this is regarding the development agreement between the City and WDA. Peterson explained that the Council authorized the agreement, which included an attached site plan and development details. Peterson stated that the adopted plan included 166 multifamily units. Peterson stated that in the process of actually developing the property, changes may occur. Peterson explained that a design review process is required, but hard standards were included in the development agreement. Peterson stated that the action tonight would enable a range of modifications to occur within the development agreement.

Peterson stated that some of the amendments to the plan include a range of multifamily units, and parking spaces and standards. Peterson explained that while parking can be met at 166 units, a variance would be needed for additional units.

Peterson stated that this action would simply recognize that some level of change will occur as the process moves forward. Peterson explained that the final design and technical work has not been completed, and that can alter the final layout and design. Peterson stated that the revised agreement has a range of multifamily units, while keeping the percentage of three-bedroom units at 8%, and 8,600 square feet of retail.

Mark Clark asked if the parking structure has been removed from the plan. WDA principal Jim Atkins stated that the parking structure was removed in the latest set of plans. Harden asked if we

approve the resolution does that mean that the site plan is approved. Peterson stated that is not what it means. Peterson explained that the applicant still has to go through the design review process and get approval from the Design Review Board. Harden asked if approving the resolution gives more leeway at the design review hearing. Peterson stated that it does not. The resolution simply acknowledges a range of options within the purchase agreement.

Condit stated that the development agreement states that it does not control the underlying decision making process. This revisions enables a range of options, and not one specific development. Condit stated that the Design Review will still review and approval the final plan. Peterson stated that this amendment revises the agreement to the sale of the property, it does not alter or change the development or design review standards.

Harden asked why this resolution is needed. Peterson stated that the development agreement included specific details about the number of units and a specific site plan. Peterson explained that this resolution provides for a range of options that can move forward to the design review process. Condit stated that it was unusual to have so many details about the development of the site in the development agreement. This revision enables a range of options, so there is not a conflict with the agreement. Condit stated that WDA still has to go through the design review process and receive the final authority.

Upon motion by Smith, seconded by Nissen and passing 4-0, Resolution 40-2017 amending the development agreement between the City and WDA was approved.

### **ORDINANCE 12-2017: ZONING CODE UPDATE: PARKING STANDARDS**

HR/Records Manager Greg Dirks read the hearings disclosure statement.

Harden asked if there were any conflicts of interest or personal bias. There were none.

Peterson presented the staff report and stated that this action revises the parking code. Peterson stated that this process has been in the works for about seven months, and all started with a restaurant modification on a small parcel adjacent to a large parcel. Peterson explained that the restaurant required more parking spaces than could fit on the parcel, which is 15 spaces per 1,000 square feet of building. Peterson stated that other parking standards for restaurants ranges from four spaces per 1,000 in Portland to 20 spaces per 1,000 in Corvallis. Peterson stated that the average is about nine spaces per 1,000. Peterson explained that the recommendation from the ICMA is four spaces per 1,000 if there is access to transit.

Peterson stated that this item was reviewed by the Planning Commission, and the recommendation was for eight spaces per 1,000 square feet. Peterson explained that would enable a moderately sized facility to locate at most places in the City. Peterson stated that the staff report covers the findings, and this action better meets the economic development goal by reducing the required amount of parking.

Peterson stated that the Planning Commission's recommendation is to revise the number of required parking spaces for restaurants.

Harden opened the floor to public comments.

There were none.

Harden closed the floor.

Smith asked what would occur to the restaurants that still do not have enough parking spaces per this code. Peterson stated that nothing will occur, because once a development is approved, it remains approved under the standards that were put in place when it was authorized. Condit stated that new standards do not impact developments retroactively unless significant improvements or alternations are made.

Upon motion by Mark Clark, seconded by Nissen and passing 4-0, Ordinance 12-2017 revising the parking standards for restaurants was adopted.

#### **ORDINANCE 13-2017: ZONING CODE UPDATE: ENABLING FOOD CARTS**

Peterson presented the staff report and stated that this is a hearing on the potential to include food carts in the development code. Peterson that this would be a new section of the code that would regulate and permit food carts. Peterson explained that the code enables exemptions from the standards such as mobile food vendors that are open less than two hours a day, or that are part of a City approved event.

Peterson stated that food carts were enabled in the Town Center as part of the update to the zone, and there was a large amount of interest in having food cart options around the City. Peterson explained that the Planning Commission recommended that food carts be enabled in all zones except residential, and their approval would be by conditional use. The authorization would be for a one-year period, with two additional years allowed with an administrative review and approval. Peterson explained that the code provides for some minimal standards, and then other discretionary standards. Peterson stated that there is some risk associated with this type of code, but that is how the Planning Commission wanted to have the code.

Peterson stated that carts must be located on private property, and there are standards for hard surfaces, cleanliness, nominal seating, and waste receptacles. Peterson explained that one or two units can free stand, but pods of three or more units have additional standards such as connected utilities. Peterson stated that there were also fire standards put in place as recommended from Gresham Fire.

Peterson stated that the findings of fact are contained in the staff report, and the recommendation from the Planning Commission is to adopt the ordinance.

Harden opened the floor to public comments.

There were none.

Harden closed the floor.

Upon motion by Nissen, seconded by Mark Clark and passing 4-0, Ordinance 13-2017 creating a new section of the Wood Village Zoning and Development Code to provide for mobile food units and food pods, and amending and readopting the use tables for all zones was adopted.

#### **RESOLUTION 41-2017: UTILITY SERVICE FEES**

Minter presented the resolution and stated that this is based on the discussion that occurred a few meetings ago. Minter stated that the question about utility services fees came up when the Council discussed and approved utility rate increases. Minter stated that staff conducted an analysis of the time it takes to conduct the shut-off and turn-on procedure in non-payment cases. Minter stated that the current fees are about 10% below costs, and the actual rate should be \$27.50 per service for \$55.00 total. Minter explained that the resolution also authorizes the fee to be indexed for future years.

Upon motion by Nissen, seconded by Smith and passing 4-0, Resolution 41-2017 adjusting the Utility Service Fees was approved.

#### **RESOLUTION 42-2017: PROPERTY ACQUISITION AUTHORIZATION**

Peterson presented the staff report and stated that the Council can go into an Executive Session if they want to. The Council remained in Regular Session. Peterson stated that the sale of the City Hall property requires the purchase of an adjacent property to square off the site. Peterson stated that this acquisition would help the sale of the City Hall site regardless if the development agreement does or does not go through.

Peterson stated that the terms of the sale of the City Hall site are set at \$13.64 a square foot, and the realtor's estimated value was between \$12 and \$15 per square foot. Peterson stated that the asking price for the parcel is \$15.65 per square foot. Peterson stated that is based on the site being adjacent Halsey, and not a composite like the City Hall site which also fronts the railroad tracks. Peterson stated that the purchase price is \$300,000, which is a fair deal.

Peterson stated that staff is still working on the timing to close the deal, and this resolution would authorize the purchase of the site. Peterson stated that the purchase of the site would be taken from the proceeds of the City Hall sale.

Upon motion by Mark Clark, seconded by Smith and passing 4-0, Resolution 42-2017 authoring the acquisition of property adjacent to City Hall was approved.

#### **DISCUSSION: CITY OF GRESHAM SEWER LINE ACCESS**

Sloan presented the report and stated that this discussion originated because a resident along Glisan had a septic tank fail. Sloan explained that the owner went to the County for a septic permit, and

also asked the City if a connection to the sewer system was possible. Sloan stated that the City does not currently have a sewer line in Glisan.

Sloan stated that there is a Gresham sewer line in Glisan, but no one has ever asked if the City could connect into it. Sloan stated that the law is a sewer connection is required if there is access within 150 feet from the property. Sloan explained that while there is not a City line in Glisan, an IGA with Gresham would enable sewer connections.

Smith asked how many lots are impacted. Sloan stated that it is about six properties. Peterson stated that while it is only six different properties, the access to a sewer line could enable additional development to create about 40 lots. Mark Clark asked if the City could install a parallel line in Glisan that links into the Gresham line so residents do not have to directly connect to the Gresham line.

Sloan stated that there are a series of options available including an advanced financed district, or a local improvement district. The difference between the two items is that property owners do not have to pay under an advanced financed district unless they connect to the system. An LID assess each property regardless if they connect to the system or not. Sloan stated that the City can also pursue an IGA with the City of Gresham for the use of that line. Sloan explained that option would still enable sewer connections, without a large cost to the City. Sloan stated that the Council also does not have to make any changes, which would continue the use of septic tanks.

Smith asked what the immediate impacts would be under the IGA. Sloan stated that there would not be any requirements to hook into the sewer system unless there was new construction or a failed septic tank. Nissen stated that if an IGA were approved, then the only other part of the City without access to sewer would be a small portion on Sandy. Peterson stated that is correct.

The Council asked that an IGA be brought forward for consideration, and to review the feasibility and cost of a sub-basin sewer plan for that area.

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

Sloan presented the report and stated that the topography survey for the park irrigation design has been completed. The Cedar Lane project is moving along, and 30% plans should be ready by the end of January. Sloan explained that there are still issues at the Shea lift station, and we have to pump it out about every seven to ten days. Sloan stated that the Cottonwood waterline project is under design, and we will be scheduling some work to ensure that the carrier pipe design will work. Sloan explained that the Park Master Plan update is still in progress, and the Riverwood South development is making good progress.

**FINANCE DIRECTOR'S REPORT**

Minter presented the report and introduced Yelena Shapovalov, who is the accountant and is taking over while she is out of the office. Minter stated that the GFOA just releases an alert about how the new tax measures may impact how municipal bonds will function. Minter stated that it does not look good for cities.

Minter stated that the report covers through November, and expenditures and revenues are all on track. Minter stated that the City has received over \$804,000 in property taxes which is the largest return yet. Minter stated that State Shared Revenues are down, but only because we have yet to receive our last quarterly payment. Minter stated that investments are at 1.55%, and we are receive that largest amount of interest income since 2009. Minter stated that the audit and CAFR will be completed this week, and asked if there were any questions. There were none.

**CITY MANAGER'S REPORT**

Peterson stated that the APP is in the packet, and nothing is concerning at this time except the Arata Road project. Peterson explained that project has been frustrating on several levels, and the County will be at the next meeting to talk with the Council about that project.

**CITY COUNCIL REPORTS**

Harden stated that the Las Posadas event is on Monday at the Wood Village Baptist Church from 6-9pm, and encouraged people to come.

**ADJOURN**

With no further business coming before the Council, the Council adjourned at 8:15pm.

  
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Timothy Clark  
Mayor

2-13-18  
Date

ATTEST:

  
Greg Dirks: City Recorder