

**MEETING OF THE
WOOD VILLAGE CITY COUNCIL
April 12, 2016
MINUTES**

PRESENT: Mayor Patricia Smith, Council President Tim Clark, Councilors Scott Harden, Bruce Nissen, and Jimmy Frank via phone, City Attorney Jeff Condit, City Manager Bill Peterson, Finance Director Peggy Minter, and interested parties.

ABSENT: Public Works Director Scott Sloan

MAYOR SMITH CALLED THE MEETING TO ORDER AT 6:00 PM.

CITIZEN COMMENTS

There were none.

PLANNING COMMISSION APPOINTMENT CONSIDERATION: NATHAN SMITH

Smith asked the applicant to come forward, and state why he wants to be on the Planning Commission.

Nathan Smith of 23830 NE Treehill Dr. stated that he has experience in home construction. Nathan Smith explained that he has had a lot of experience building mixed use developments, and is a member of the cement mason's union. Nathan Smith stated that he wants to be part of the planning process, and do something good for the community and residents.

Smith stated that Nathan Smith is a neighbor, and is a good guy. Clark stated that he appreciated Nathan Smith's willingness to serve. Harden stated that Nathan Smith has done good things for the people inside Teehill.

Nathan Smith was appointed to the Planning Commission for a four year term beginning April 16th.

PUBLIC SAFETY REPORT

Commanders Reiser and Gates presented the report. Reiser stated that there were 186 calls for service this past month with priority 1 and 2 calls having 26 responses. The average response time for emergency calls was three minutes and 52 seconds. Reiser explained that the response time for non-emergency calls was eight minutes and ten seconds. The total time in Wood Village was 142 hours of service. Reiser explained that there were 11 vehicle collisions, 35 subject stops, and eight home checks.

Reiser explained that there is a new protocol for home checks. Reiser stated that in the past, the deputies would just conduct random spot checks, but now there is an automated system for a check at least every 36 hours. There will also be random checks throughout other shifts as well. Smith asked if information on how to sign up for that program could be added to the newsletter. Reiser stated that people can sign up online, or stop by the Troutdale office.

Reiser stated that the youth police academy starts tomorrow. Gates explained that the recruitment went really well, and the MCSO utilized the school resource officers to get kids signed up. Reiser explained that the Justice Assistance grant that the MCSO applied for was approved. Reiser stated that it is a \$55,000 grant that will be used to purchase 28 AED's, conduct additional homeless outreach, make upgrades to their mobile command unit, and provide overdose kits for patrol cars.

Reiser stated that a shooting occurred on 230th Ct, and Halsey the other week. It was a gang related shooting, and the victim received a wound to the leg. Reiser explained that the gang taskforce is working on the case. Gates stated that the Coast Guard helicopter will be at the Nite Out this year, and the community police service survey is being developed electronically. Gates stated that it will be ready to go in a few months.

Smith asked how the cleared area by Safeway is going, and if any campers have returned. Reiser stated that there has been some people and trash at the site, but they are monitoring it closely.

Clark thanked Reiser and Gates for the new report style, and asked if the drop in historic service calls was due to the computer switch. Gates stated that there are differences in the data before 2011, but that should be stabilized now. Harden stated that he also likes the new format, but asked if we could get the call details again. Reiser stated that the report would no longer be done in Word like it has been, but case summaries can still be provided. Clark stated that even having cases of note would be helpful. Clark asked if a map could be generated. Gates stated that can be added, and this is an ongoing process. Gates stated that the ultimate goal would be to have an online crime map.

Nissen asked about the homeless outreach, and if it would be for the entire county. Reiser stated that the outreach team has the Sandy River delta as their focus area, but the funding will be used in other unincorporated areas of the county. Nissen stated that it is nice to see the reduced response times for emergency calls. Gates stated that is primarily due to the office relocation in Troutdale.

The Council thanked Reiser and Gates for the report.

UPDATE: ARATA ROAD REBUILD PROJECT - RIAD ALHARITHI, PE

Riad Alharithi stated that he is the roadway engineer for Multnomah County. Alharithi stated that he wanted to give an update on the Arata Road project. Alharithi gave out handouts of the proposed design of the roadway. Alharithi explained that 100% designs were completed today, and will be shared with staff later in the week. Alharithi stated that the County is still working on getting the storm water to Halsey with minimal impact to property owners.

Alharithi stated that the County is working on acquiring the right of way and constructions easements from 29 properties. Alharithi explained that there are some complexities in the ownership of certain properties which has taken longer to do the due diligence. Alharithi stated that they have acquired the right of way from some properties, and are waiting to hear back from other property owners. Alharithi stated that they cannot start the construction until all the easements have been acquired. Alharithi explained that they are expecting that process to wrap up in July, with construction starting in September. The storm water improvements will be made first, with the roadway work starting in the spring of 2017.

Smith asked why the easements were not acquired earlier in the process. Alharithi explained that the County needed completed plans to determine which areas they needed to acquire. Smith asked when they hope to be finished with the project. Alharithi stated that their target is the fall of 2017. Petersons stated that the City will still plan an opening ceremony once the project is complete.

Clark asked what would occur if someone does not accept the County's offer for the easement. Alharithi stated that there is a process to follow, which can end up in a condemnation of the needed property.

Smith stated that she appreciated the continued work on this project, and that the City will support any effort to keep the project on track.

The Council thanked Alharithi for the presentation and update.

CONSENT CALENDAR:

- Review of bills paid in March, 2016

- Contracts \$2,500 - \$50,000
- There were none.
- MHCRC Appointment: Scott Harden

d. Council Minutes:

- March 8, 2016
- March 22, 2016

Upon motion by Cark, seconded by Nissen and passing 5-0, the Consent Calendar was approved.

PUBLIC HEARING: TOWN CENTER TEXT AMENDMENT AND MASTER PLAN REVISION – LOTS 18 & 19

HR/Records Manager Greg Dirks read the hearings disclosure statement. Dirks asked if there was any conflicts of interest, ex-parte contacts, or personal biases.

There were none.

Peterson presented the staff report, and stated that there is a recommendation from the Planning Commission on the specific application. Peterson explained that he will not review every planning goal, but will instead summarize the findings as they were forwarded from the Planning Commission.

Peterson stated that the applicant is Ball Janik, and the property owner is WVO Investments. Peterson stated that there is 73,500 square feet of office space planned for these lots, as well as a public plaza in the Master Plan. Peterson explained that the developer has indicated that office space is not economically viable at that location, and the City's independent economic evaluation found that same thing to be true for at least the next ten years.

Peterson stated that the developer could elect to transfer the office space allocation to a different parcel, but the other parcels are owned by other parties. Peterson explained that the applicant did not want to burden another property owner with the allocation which is why the text amendment is being proposed. Peterson stated that a text amendment is a legislative matter with findings, and is about the preponderance of support.

Peterson stated that the text amendment eliminates the requirement for the mandated non-retail employment use. The proposed language would promote non-retail employment uses, but it would no longer be mandatory. Peterson explained that the revision would not alter the existing land uses inside the zone, and there are no transportation or planning rule impacts.

Peterson presented an aerial view of the site, and stated that it is generally flat with the exception of an elevation change just north of Lowe's. There is also a treatment and drainage easement to the east of the property. Peterson stated that the Planning Commission adopted findings in support of the amendment subject to the conditions of the Master Plan revisions designating the area as single family residential. Peterson explained that the Planning Commission stressed that single family residential was preferred, and the applicant stated at the hearing that was acceptable.

Peterson stated that the text amendment requires that the amendment better achieve the goals and policies of the Comprehensive Plan compared to the current language, it has to be consistent with the Purpose Statement of the Zone, transportation impacts must be considered, and it must also meet Statewide Planning Goals. Peterson explained that the staff report contains the background to get at those findings. Peterson stated that the constraints in the zone include the limit of three big box stores, and that would remain. The requirement of 125,000 square

feet of non-retail space would be eliminated. Peterson explained that there is currently about 20,000 square feet of non-retail space at the Town Center. There is also a housing allocation of about 400 units, but that is not a mandate. Peterson stated that those housing units can be located anywhere in the City, and there is no penalty or sanction if that target is not met.

Peterson stated that the majority of requirements came from Metro. There was also an appeal from the adjacent communities which resulted in an MOU on retail constraints. Peterson explained that the MOU has since expired, and none of the other mandates are in place for the Town Center.

Peterson stated that there are about 500 housing units that will be built within a mile and half from the City over the next two years. There is also a lot of development of the employment lands at Gresham Vista, and the TRIP properties in Troutdale. Peterson explained that there has not been a lot of development in the Town Center since 2009, and we are now in the process of getting the Master Plan reviewed. Peterson stated that while this amendment came from the applicant, it would affect the entire site.

Peterson stated that the purpose of the Town Center is to encourage convenient living, working and shopping through mixture of commercial, residential and employment uses, housing will be built as part of larger commercial developments, open spaces and frequent pedestrian connections will be provided, and it would encourage dense housing within walking distance of commercial areas. Peterson stated that the vision of the zone is a vibrant mix of uses where people live, work and play and everyday needs are readily accessible. Peterson stated that the City's 2030 statement also indicates that the Town Center provides a variety of services, retail shops, office spaces, entertainment and residences with a public gathering place that serves as a main attraction and draws regional shoppers and tourists. Peterson explained that there is also an emphasis on single family homes.

Peterson presented the current Master Plan for lots 18 and 19. Peterson stated that the proposal would re-designate the land as residential, and the Planning Commission recommended adding single family residential to the designation. Peterson explained that the proposal would also eliminate the community feature, but the Planning Commission stated that was okay as long as there was still open spaces. Peterson stated that a street grid is also needed, but that could be done at a different level of review. Peterson presented a preliminary sketch of a 50 unit PUD. Peterson stated that there would be changes to the sketch, and it is not what would be adopted. What is being proposed is the land designation from non-retail use, to single family residential.

Peterson presented the Transportation System Plan for the connections within the Town Center, and specifically the east/west connections through this site. Peterson stated that there would have to be at least a pedestrian access through the site. Peterson presented the housing policies, and stated that all the goals in the Comprehensive Plan has some kind of conflict or tension between goals.

Peterson stated that the findings come down to no open area, no east west connection, and no community feature. Peterson explained that the Planning Commission indicated that a community feature was not needed at this site. There would need to be open areas, and the Planning Commission recommended that this site be designated as single family residential.

Peterson stated that the Planning Commission recommended the proposed Text Amendment as better achieving the goals and policies of the Comprehensive Plan, and the intent of the Town Center Zone. The Planning Commission also recommend to the City Council that the modification will better achieve the economic and housing goals, and the purpose to provide mixed use, employment, walkability, a community gathering place, recognizing that open space requirements, connectivity, and other standards will need to be met with site design.

Peterson stated that the Council can adopt both the text amendment and Master Plan amendment as recommended or modified. The Council could deny both applications, but the Master Plan amendment cannot be approved if the text amendment is not approved. Peterson stated that the recommendation is to adopt the recommendation of the Planning Commission to approve both items.

Harden asked about the east/west connection, and if it would be a mandate in building the development. Peterson stated that the connection would at least have to be accommodated, but it does not necessarily have to be built. Peterson explained that once a development comes in, it would be difficult to make room for the connection.

Frank stated that he would like to feel protected by listing the site as single family residential. Peterson stated that while listing the site as single family residential would prohibit apartments, it would still allow for cottage housing, or semi-attached housing. It was not designated as single family detached housing. Condit stated that if an applicant wanted a multi-family complex they would have to come back for an amendment anyway. Harden stated that there was one no vote on the Planning Commission, and another member though having higher density along Wood Village Blvd. could be a good alternative.

Smith asked the applicant to come forward.

Greg Michelson and Damian Hall came forward.

Hall stated that they were here about a year ago, and testified about how the non-retail use is not economically viable at this location. Hall stated that has since been validated by the City's consultants working on the Town Center Master Plan. Hall stated that residential development is viable, and they would be able to move forward on new development. Hall stated that the benefits of new development includes a new momentum in the Town Center that would bring additional people and dollars to the center. Hall stated that it would also conservatively bring in about \$2.5 million to the City's Urban Renewal Agency.

Hall stated that not all development can meet all the goals of the Comprehensive Plan, and it is about balancing the goals and what would be best. Hall stated that there are only a number of policies that are an issue, and the majority of the policies would be better achieved by the revision.

Hall stated that there is a demand for housing, and the community has a preference for single family owner occupied homes. Hall stated that there is general direction in the Comprehensive Plan for residential uses, and there is little market demand more additional office space. Hall stated that the Town Center is flexible enough to still allow non-retail uses when that market improves and become more viable.

Hall stated that this proposal meets the general policies, and goes a long way a meeting the housing goals. Hall stated that the text amendment does make a substantial change, but it was the most minimal way to permit residential uses on this site. Hall stated that they are okay with the residential designation, and the intent of the application is to build single family homes. Hall stated that denial of the request would mean the status-quo for the two lots, and the Town Center.

Hall stated that this is not the last application to occur before development would begin. If approved, there would be a land use hearing with the specifics of the proposal. Hall stated that there are no specifics at this time, and that is when the items about open space and connectivity would be discussed. Hall asked if there were any questions.

Clark asked for a timeframe of development if this was approved. Michelson stated that they are ready to move forward with a PUD and developer if approved. Peterson stated that the subdivision and plan review can occur at the same time, but the design review would come later. Smith stated that this looks like it would be a good fit.

Frank asked if the developer has already indicated if the homes would be attached, or detached. Michelson stated that they have not gotten to that point, but they are interested in developing something similar to the homes to the north of the property. Frank asked if they could build condos or town homes if approved as single family residential. Hall stated that it would be limited to the home styles defined as single family. Frank stated that he does not want an end run to get at a multi-family development. Michelson stated that their development plan still has to get approved by the Planning Commission at a separate meeting. They will not just be able to sneak in a

different plan.

Smith opened the floor to public testimony.

Vasily Prychyna of 1328 NE Coho Ct. stated that he is a member of the Riverwood HOA, and asked if it would be possible to combine HOA's from the new development. Peterson stated that if an HOA is required, the combining of the two groups would be up to the members. Condit stated that the City cannot mandate that the two group merge, but it could be a good idea. Prychyna stated that having the same HOA could be beneficial.

Hall stated that they would be open to discussions on shared and open spaces. That would be part of a later discussion. Hall stated that there is also a traffic memo that finds that this development would generate less traffic than the current Master Plan office space designation.

Smith closed the floor to public testimony.

Harden asked if the cap on overall retail could be removed as well. Harden stated that the economic study indicated that there is not a large demand for non-retail employment use in the next ten years. Peterson stated that action would result in a transportation impact study, and that cannot occur with this action. Peterson explained that it would be good to wait until the Town Center Master Plan process is complete to make additional revisions.

Upon motion by Harden, seconded by Clark and passing 5-0, Ordinance 3-2016 amending and readopting the Town Center Zone, specifically removing the mandatory inclusion of non-retail employment was adopted.

Upon motion by Harden, seconded by Clark and passing 5-0, the proposed master plan amendment as proposed in application number ZDC16-01 with the following conditions: When further development plans are submitted, compliance with the open space requirements of the code must be demonstrated, and residential as identified in this master plan amendment shall be restricted to single family residential, and compliance with the transportation plan mandate for an east to west connection through the property shall be accommodated, and the City staff is directed to cease the use of the building allocation table associated with the Town Center Zone was approved.

RESOLUTION 12-2016: HALSEY STREET CORRIDOR PROJECT IGA

Peterson presented the resolution and stated that this is the formal agreement with the three cities on the Halsey Corridor concept project. Peterson stated that this Council has been on board with the project, and authorized \$5,000 as a cash match, and about \$5,000 worth of staff time in a grant application. Peterson explained that there are similar contributions from the other two communities. Peterson stated that the grant was awarded for \$112,000 with \$12,000 of that to be used as management assistance.

Peterson stated that the scope of the work takes the current conditions, creates an inventory, reviews the zone, looks at the development potentials, and evaluates the environmental conditions. Peterson stated that there will also be an economic analysis for the highest and best uses in the study area, and the area runs from 207th to down town Troutdale.

Peterson stated that the goal of the program is a combined marketing tool to recruit economic activities, and provide additional information to realtors about the area. It will also be used as a framework for public and private investments for streetscaping and design.

Peterson stated that the IGA has all the standard provisions, but also includes a governance committee which is made up of each Mayor and three community members, but the Mayors cannot vote. Peterson stated that Fairview has appointed the Mayor, an elected official, and the chair of their economic development board. Peterson explained that there will be a technical advisory committee, and non-voting members from the County and Metro.

Peterson stated that the Council can determine to not consider the Resolution, or reject the resolution. A workgroup can be established to evaluate the IGA and the concept prior to taking any action, and the staff recommendation is to adopt the Resolution.

Clark asked why the Mayors would not be permitted to vote. Peterson stated that the resolution can be modified to include that all members of the governance committee can vote. Peterson stated that he feels that Metro and the County should also be allowed to vote because it is a County road.

Upon motion by Clark, seconded by Nissen and passing 5-0, Resolution 12-2016 accepting the Halsey Street Corridor Project IGA with the modification to permit all governance members to vote was approved.

DISCUSSION: 28TH ANNUAL EASTER EGG HUNT RECAP

Dirks presented the discussion and stated that the event was held on Saturday, March 26th. The event featured 15,000 eggs, 22 prizes, 400 free egg dyeing kits, and free face painting and other crafts from Emilio Inc. Dirks stated that the Cub Scouts sold refreshments as a fundraiser, but the Girl Scouts were unable to get approval to sell cookies at the event as well. Dirks stated that the Easter Bunny arrived at 9am from Weston/Buick//GMC, and additional information on how the Easter Bunny arrives will be discussed later on.

Dirks stated that the estimate was between 2,200 and 2,500 people in attendance. There were over 70 volunteers, and most of them came from Emilio Inc. Dirks stated that the PA system worked well, and there was a bullhorn for the field areas. Dirks stated that we had the same Spanish translator again this year which was a great benefit. Dirks stated that there was over 850 unique visitors to the event's webpage, and there was an active Facebook following as well.

Dirks stated that there were some changes to the event this year. The largest change was the reduction in prizes to 22. Dirks explained that there were no complaints about the change, and the prizes were larger compared to the past. Dirks stated that is something to think about for next year. Dirks stated that the other change was not having the Easter Bunny be delivered by helicopter. Dirks explained that the cost for the service was over \$1,000, so the decision was made to do something different. Dirks stated that the delivery of the bunny by a local dealer was okay, but lacked excitement. Dirks stated that he is open to alternative ideas. The Council suggested looking at using decorated cart for the Easter Bunny. Dirks stated that he would look into that for next year.

Dirks stated that there was \$3,500 in the budget for the event, and the City spend \$3,120. Dirks explained that the City also received \$3,250 in cash contributions. The City was not out of pocket any funds for the event this year.

The Council thanked Dirks for the report and work on the event.

RESOLUTION 13-2016: THREE-CITY RECREATION PROGRAM COMMITTEE APPOINTMENT

Peterson presented the resolution and stated that it comes from Fairview to look into putting together a three-city recreation program. Peterson explained that this was presented to the Council a few meetings ago. There was also a presentation in Troutdale, but it did not receive a warm welcome.

Peterson stated that Fairview is asking each community to appoint five members to this ad hoc committee. Peterson explained that the makeup of the committee is the Mayor, two councilors, and two citizens at large. All members would have voting power. The City Managers from the communities would serve as non-voting members.

Peterson stated that this does not bind the City into an agreement, but it does bring us in on the conversation. Peterson explained that Fairview has already acted on the resolution, but Troutdale has not scheduled this item for consideration.

Peterson stated that the alternatives include not participating, and move towards a mini City ran program. If the

Council approves the resolution, it does not require anything but participation in the discussion. Peterson stated that the staff recommendation is to approve the resolution.

Harden stated that this would be made up of a lot of people, and has concerns about the ability to get five people from the City to join. Harden stated that he would be willing to serve on the committee, but is more aligned with working with the Baptist Church on creating our own program. Harden stated that our economics may not support a fee based program, and wonders what the actual demand is. Clark agreed and stated that he is not against multi-city collaboration, but this program may not make sense.

Peterson stated that working with the church to expand their program, and participating in this discussion is not mutually exclusive. Smith stated that even if it does not work out, it would not hurt to have the conversation. Peterson stated that the entire process would probably take 10-15 hours.

Nissen stated that a 15 member committee would be hard to get people to come to an agreement, and having a free Wood Village program would probably have a bigger impact for our residents. Nissen stated that being on this committee may help diversify the activities though. Clark stated that he does not want to end up with only a conversation with Fairview. It needs to be all three cities or nothing. Peterson stated that if Troutdale does not join, the conversation can be if the two cities can move forward without Troutdale.

Frank stated that he brought up last time that if we get involved, the kids in Wood Village need to get the same proportion of benefits as the kids from the other communities. The program has to have equal benefits for the associated costs. Frank stated that he does not want the City to spend a lot of money if only a few people use the program.

Peterson stated that recreational activities can be more accessible by using a franchised provider for the major activities like soccer and baseball. Residents below certain income amounts could be eligible for a fee waiver from the City. Peterson stated that this does not have to be a government operated model.

Upon motion by Nissen, seconded by Clark and passing 5-0, Resolution 13-2016 creating an Ad Hoc committee to evaluate the creation of a three city recreation program, and providing for appointments was approved.

CHIEF EXECUTIVE OFFICER ANNUAL EVALUATION

Clark handed out copies of the City Manager's Evaluation.

Clark stated that the personnel committee was very pleased with Peterson's work efforts this past year. Clark stated that an area for improvement is to allow Peterson to share his opinion and thoughts on subjects. Peterson stated that he attempted to do a little of that this evening, but feels his job is to convey information, not to present an opinion. Clark stated that it would be beneficial to gain as much information from Peterson as possible.

Harden read through the evaluation form, and indicated that the items were exceptionally satisfied. Harden explained that the personnel committee reached out to the Finance and Public Works Directors for input, but there was none.

Clark stated that he would like to make a recommendation for a 6% pay increase. Harden stated that there is no hesitation for increase based on the performance. Smith and Nissen agreed.

Peterson stated that his compensation is at the top of where it should be for an organization of this size. Peterson stated that he would be okay with a 2% cost of living increase with a 4% one-time bonus though. Harden stated that the City is lucky to have a manager of this caliber, and it is okay to pay more for a quality person. Frank stated that he feels if you pay low, you get low, and is okay with a pay increase as long as it does not get too out of scale. Clark stated that we can always evaluate the overall compensation next year, but wants to give the 6% increase.

Peterson thanked the Council for the comments.

Upon motion by Harden, seconded by Nissen and passing 5-0, the City Manager's Annual Evaluation was accepted, and the compensation was increased by 6% retroactive to January 18, 2016.

COUNCIL ITEMS

Harden stated that there is a program called the Battle of the Books, but students in the Reynolds School District cannot always compete at a higher level because not all the students have the books. Harden asked if the Council could consider a resolution at the next meeting to give \$750 to buy eight sets of books for the program.

Smith stated that it can be added to the agenda.

ADJOURN

With no further business coming before the Council, and upon motion by Harden, seconded by Clark and passing 5-0, the Council adjourned at 8:55pm.

Patricia Smith
Mayor

Date

ATTEST:

Greg Dirks
Recorder