

**MINUTES OF COUNCIL MEETING  
FOR THE CITY OF MAYWOOD PARK  
16 July 2018**

**CITY COUNCIL MEETING**

The City Council Meeting was called to order at approximately 7:00 pm. Present at the meeting were Mayor Mark Hardie, Councilman Art Winslow, Councilman Matthew Castor, Councilman Jim Akers, and Councilman Brian Davey.

Also present at the meeting was Bonnie Davey, City Recorder and Wendy Irwin, Treasurer.

Residents present: Chris Williams, Dan Veason, Mike & Fay Reynolds, Michelle & Nathan Montross, Jeff & Mary Jo Steffen, Ben Harrison, Linda Speaker, Jason Troutman.

Approval of the July 2, 2018 City Council Minutes. Approved as presented.

**Sheriff's Update**

Sheriff: We had a total of 40 calls, previous month was 37 calls. Many are vacation checks. Two stolen vehicles (recovered). Five traffic stops, 3 the previous month. We had a hit and run at 102nd and Failing, one of our canines caught them. Six subject stops, we are increasing our patrols and the community has been doing a great job calling things in. One welfare check and a few simple calls. If anyone sees tents coming up by the trails again let us know and we will remove them and try to get resources for them.

**ADU Ordinance Public Hearing**

Ben Harrison: Brief synopsis of the ADU Ordinance situation, the Oregon Legislature asked for cities of a certain size to modify their rules so they would be consistent with ADU zoning. Maywood Park is below the threshold for size; however Metro has required us to be as consistent as we can with updating our zoning provisions, so we have done that. We are at the end of the 30 day comment period for what we have put together and we will respond to comments and then you'll see the modified zoning provisions. So we aren't here to respond to comments, but we are here to take them. We can also clarify if there is confusion about why we've done what we've done. We are open for comments.

Jeff Steffen: I sat in when we put this together, and I came away with the feeling that we didn't want to encourage people building ADU's in their yards, but we came to realize that with our cess pool/septic situation most people couldn't build ADU's anyway. But in the future, if we move to sewer, are we stuck in this situation?

Harrison: Sewer would definitely change the situation, with the size of our lots I think there would still be limited opportunity, but you're correct, sewer would change that.

Steffen: If we do go on sewer, it seems we'd have cut our own throats on this, and people will add them. Then Metro may be saying "Let's do away with setbacks".

Harrison: I think that's unlikely, but I hear what you're saying, I don't think Metro will declare cities can't manage their own setbacks.

Steffen: Well it's almost unbelievable they are saying this.

Harrison: Point taken. The potential is there.

Resident: Are we clear that ADU's come in multiple forms? It's not just detached.

Harrison: Someone could be renting out their basement. Or a portion of their house. There are 3 forms, your existing home, a modification of your existing home, or a detached unit. That's kind of the flavor they are pressing for. The impetus was the push to increase density. A lot of municipalities were on board to increase density but weren't willing to change their rules for that.

Resident: I met a resident on Mount Tabor, and she showed me a treehouse that was extremely high and the owner of that property planned to occupy it and rent out the main house. Is there a rule about how high the ADU can be?

Harrison: I don't think that's even legal in City of Portland.

Resident: I went to a seminar on ADU's and there are many hoops you have to jump through, and I'm sure things like that involve neighbor consensus and there is height, setbacks, etc.

Harrison: Other comments on the draft and zoning provisions? (No) Okay, we'll close this portion.

Resident: Once this is approved do we still issue permits through Troutdale? Or does the council have to approve an ADU and then plans go to Troutdale?

Harrison: Plans have to be submitted to Maywood City Council to make sure they meet our requirements and then they go to Troutdale for permitting.

Resident: What qualifies something to be permitted?

Harrison: It's captured in the draft zoning provisions that we provided.

Steffen: We thought the biggest hurdle would be getting the counties approval for septic.

Harrison: Yes.

Resident: So it is achievable, but highly unlikely.

Harrison: Yes, there are a few properties that are on sewer and the properties are small so it would be a small ADU, and unlikely.

Resident: But potentially if someone had expanded their sewer system and there was room, then they could add one.

Harrison: Potentially, yes.

Hardie: So what does happen when we're on sewer? That opens the door for anyone to have an ADU. The part that galls me is that the majority of residents I've talked to - they don't want to increase the density, and they would prefer Maywood Park to tell Metro to shove it.

Harrison: I guess we'd have to try to sue them. This is a step-down from state law, and we don't have a recourse.

Resident: We don't have a choice, basically.

Resident: But there are a lot of other requirements and not just the sewer that...square footage, height.

Harrison: Most people in the community don't want them, and I think we won't see them in the immediate future. But sometime down the road if there is a change in the character of the people who are homeowners in the community we may see them. But were not in a position to say no anymore.

B. Davey: One thing is that it may not be the homeowner who is making the decision – like our house a contractor planned on making the basement a separate living unit before we bought it.

Harrison: Yeah. Technically that isn't consistent with our current zoning, but it will be with this new zoning.

Castor: When we were starting to work with Erin Mick on septic system approvals, the homeowner would have to send the Maywood City Council a land use review for us to make sure the septic would adhere to all our ordinances. She was pushing that and stopped. Is that something we can require Troutdale to have in hand before a permit is issued so we can make sure they are meeting our guidelines?

Hardie: We have an IGA with the city of Troutdale that we can modify.

Steffen: I'm noticing that in the wording we used on our proposed language that we adopted from Metro that we actively say "We encourage people building small units in their backyard. We understand that this is a necessity and we as a city council encourage it".

Hardie: Well we can modify that language.

Steffen: Well that bothers me because someday somebody can come back and say that we were in favor of this a year ago and now what's happened. I'd like to write out our wholehearted encouragement of this.

Hardie: To me it's kind of sad, there were a number of people at the 4<sup>th</sup> of July BBQ and they only wanted to talk about ADU's. But they aren't here to offer comments.

Castor: To counter that I've heard from a number of younger homeowners that they hope we aren't precluding that because they have aging parents and may want to add ...

Steffen: Or they want a rental unit!

Castor: The people I spoke with are not thinking of a rental unit.

Steffen: Well, I'm thinking of a rental unit.

Castor: Can I make my comment Jeff? The people that came to me expressed the idea that they would like their aging parents to live onsite with them rather than going to a care facility, and have an extended family. The people that approached me in favor were coming from that place.

Harrison: We have some people who don't like it that we have a tree ordinance. And some people do. People are all over that map, we will always see criticism.  
Any more comments?

(No)(Multiple thanks to Ben for all of his work.)

### **Treasurer's Report**

Irwin: First is the letter from the TSEC saying they've reviewed our budget for the 2018/19 year and they gave us the thumbs up and said we did an excellent job so that was encouraging. We are officially done with our budget process. Everything has been submitted to the County, to the Oregon Department of Shared Revenue and also the TSEC, so we are completely done with our budget.

And then I have my monthly report, 9 pages with that, total cash at the end of June is \$387,458.26.

The biggest expenses in the general fund was the second half of shared resources for the county park patrols, our portion of that, and in the street fund, the bill for the re-pavement of 92<sup>nd</sup> street and that was \$18,000.

Castor: I know lately we have been submitting things to Warren Allen to review. Are they itemizing those things on their invoices so we know how much time was spent on those things?

Irwin: Yes. They are really good about itemizing. It's been pretty minimal the past 6 months, we haven't used much of our budget for that.

Steffen: When we paid on advertising, what was it?

Irwin: Public notices, etc, it's not necessarily advertising.

Irwin: I also need Matthew Castor to be added as a signer to the Onpoint account since Dave Snodgrass is gone.

Hardie: I need a motion to add Matthew Castor as a signer for Onpoint accounts.

Akers: So moved.

**Motion to add Matthew Castor as a signer for Onpoint accounts approved unanimously.**

Irwin: Last thing for treasurer's report, I'm adding a payroll option to Quickbooks and it is an annual fee of \$250, I want to make sure that's okay.

Hardie: Any issues, anyone?

All: Approved.

Irwin: Then I have a motion to approve the Treasurer's Report for June 2018 as presented with a total cash balance for the end of June of \$387,458.26.

**Treasurer's report was approved unanimously as presented.**

**Waste Water Update**

Caster: The update for the wastewater system update is that we are delayed. We had contracted FCS to supplement the wastewater facilities plan that Pace is working on. It was slated to be completed at the end of this month and I got an email a week ago that the lead from FCS who was on our project was in a severe bicycle accident and his component will be delayed. We are trying to find out if we can find someone to fill in for him, or if we'll just be delayed.

Hardie: Didn't we agree that we likely weren't going to make it in time to present to the public for a vote this year?

Caster: Correct.

**Street Bike Path and Berm**

Akers: ODOT will be working tomorrow on taking out 6 trees, three at Maywood place and Failing and 3 at

Resident: The birches?

Resident: These are dying trees? (Yes)

Steffen: Do they replace the trees when they are cut down? (No)

Castor: Does Sierra have plans to replace the tree at 99<sup>th</sup> and Skidmore that died?

Hardie: They have the tree, but it's too hot to plant it right now. Chris, are you willing to mother hen that tree?

Chris Williams: I've been driving by it and seeing it die, I'd be happy to help with a new one.

Akers: I also talked to ODOT about the shrubs at the end of the path at Prescott where they were set on fire and they said they'd take a look at it, but they couldn't promise anything.

Hardie: Do we need to remove the shrubs that are there and replace them?

Irwin: Get me estimates and I'll see if we can work it out.

Hardie: I'll have Sierra take a look at it and see if they can replace it and get us the cost.

Akers: ODOT is doing work on the bike path too.

Hardie: We should wait until the bike path work is complete; let's make a note to bring it up again in a couple of months.

**Traffic Study**

Castor: Jim and I connected with Riyadh about the cut through traffic issues and that we were looking at the idea of doing a traffic study, and maybe a full road closure at Maywood Place and

102<sup>nd</sup> and redoing the counts to see if there is an impact. Riyadh connected us with Quality Counts and we sent them a map, so they're working on a quote for us on a few different scenarios, like vehicle counts and cameras to address the running of stop signs, and a quote for an O/D Study (origination and destination) which would differentiate between our residents and cut through traffic. So if we decide to move forward with that, if the prices aren't too high, I think it would be a good idea to do that before PBOT does the 102<sup>nd</sup> project so we have a baseline of information to give to PBOT after their project is done, we could do it the study again and compare so we have some ammunition with them.

Hardie: I think it's time, depending on what the council thinks, that we make an official statement on what Maywood Council thinks about the PBOT project. And our stance is no way on God's green Earth, right? (laughter)  
Council agrees.

Hardie: I'll draft that and send it to you all.

### **New Business**

Hardie: New business, Resolution 260 – Records Retention Schedule, this will establish how we hold records and when we can get rid of them.

Castor: Is this focusing on the office, or the storage unit?

Bonnie: Both, we are starting with the office, but the storage unit as well.

Castor: Will this completed by December 31<sup>st</sup>?

Bonnie: We're hopeful!

**Resolution 260 was approved unanimously as presented.**

Meeting was adjourned at 8:20 pm.

Respectfully submitted by Lisa Higgins.