CITY OF NORTH PLAINS, CITY COUNCIL MEETING
MINUTES REGULAR SESSION
NORTH PLAINS SENIOR CENTER
31450 NW Commercial
Monday, December 16, 2013

1. **CALL TO ORDER:** Mayor David Hatcher called the meeting to order at 7:02 p.m.

2. **PLEDGE OF ALLEGIANCE**: Mayor Hatcher conducted the flag salute

3. **ROLL CALL:** Mayor David Hatcher; Council President Teri Lenahan; Councilors: Michael Broome, Charlynn Newton, Robert Kindel, Jr., and Glen Warren
(Recorder's note: Warren arrived at 7:52)

   Excused absent: Michael Demagalski

   Staff present: City Manager Martha DeBry, Chief of Police Bill Snyder, Public Works Director Blake Boyles, Management Analyst Jennifer Knowles, Deputy City Recorder Margaret Reh

4. **CONSENT AGENDA:**

   A. Approval of regular session agenda

   B. Approval of minutes of 12/02/2013 Council meeting

Councilor Newton had one correction to the minutes from 12/02/13 Council meeting on page six under the staff reports. The minutes should reflect that it was Councilor Newton, not Demagalski, who would not have to attend the December Library Board meeting as that Board meeting had been cancelled.

Motion by Broome and seconded by Kindel to approve the Consent Agenda with the suggested amendment. The motion was approved unanimously.

5. **PUBLIC COMMENT:**
There were none forthcoming.

6. **PRESENTATION:**
There were two greeting cards addressed to the Council that Mayor Hatcher shared with the Council. One card was signed by members of the North Plains city staff thanking the Council for the gift certificates the Council provided for staff.

The second was a holiday card presented from the North Plains Library Board thanking the Council for their support throughout the year.

7. **PUBLIC HEARING:**
Requesting approval of an application by Jewett-Cameron to consider a proposed street vacation of approximately 1100 linear feet of NW Hillcrest Street west of 319th Avenue.

Jewett-Cameron had requested a street vacation of NW Hillcrest Street west of 319th Avenue of approximately 1,100 linear feet to its terminus. A vacation is when a public agency abandons property in which it has a right for street, highway or public service easement. The surrounding property owners take ownership of this property.

Street vacations require final approval by City Council Ordinance and is then submitted to the County. The application is being processed as a Land Use file, which requires adjacent property notification and compliance with all City and State standards pertaining to Street Vacations.

The Planning Commission approved the vacation on January 11, 2012, with the condition of approval that all easements and agreements associated with the vacation be coordinated with the City of North Plains, the Oregon Department of Transportation (ODOT), and Portland General Electric (PGE). The City has consulted with ODOT and PGE, and they are requesting access easements to the proposed vacation area so that ODOT can access and maintain their property to the south of the vacation area and so that PGE can access their poles in the northern portion of the vacation area. Access would be granted to the City of North Plains for right of entry to the City's water line and hydrant within the subject vacation area. There are no gas lines or other applicable utilities to address in the proposed vacation area.

Included in Council's packet is the Planning Commission Staff Report and its attachments which demonstrate compliance with City and State standards. No comments were received from adjacent property owners in response to public notices sent and posted. An additional public notice was published prior to the December 16, 2013 hearing. The south side of the street will be vacated to ODOT and the North side of the street will be vacated to Jewett Cameron. DeBry completed the staff report and recommended that Council open public hearing and accept community comments, and then read the Ordinance by title only for the first time.

Hatcher opened the public hearing at 7:11 to receive public comments. There were no public comments forthcoming. Hatcher closed the public hearing at 7:11:30.

Hatcher asked if ODOT signed off on this. DeBry stated staff had received a letter from ODOT agreeing this as long as they had access through an easement.

Motion by Kindel. Second by Lenahan to approve the findings related to File #SV-11-015, with the condition of approval that all easements and agreements associated with the vacation be coordinated with the City of North Plains, the Oregon Department of Transportation, Portland General Electric, and any other applicable agencies or adjacent property and to read the proposed ordinance for the first time by title only. The motion was approved unanimously.

A number for the ordinance will be assigned to this before the second reading by title only on January 6, 2014.

Mayor Hatcher read the ordinance for the first time by title only:

An ordinance of the City Council of the City of North Plains, Oregon, vacating a portion of Hillcrest Street west from 319th Street approximately 1100 linear feet with the vacated area remaining subject to certain easements in favor of the City of North Plains, Portland General Electric and the Oregon Department of Transportation. First Reading by title only.

Hatcher commented on how difficult it is to refer to an ordinance that has not been assigned a number. Council then discussed the process of assigning numbers to ordinances. It was decided that staff would assign an ordinance number to the paperwork before the first reading when the ordinance initially comes to the Council.

8. NEW BUSINESS:

A. Approval of Resolution No. 1809 declaring obsolete and non-functioning police equipment surplus.

Chief Snyder presented the staff report describing the items needing to be surplused and where they came from.

Motion by Lenahan and seconded by Broome to adopt Resolution No. 1809 declaring obsolete and non-functioning police equipment surplus. The motion was approved unanimously.

B. Review revenue and expenditures for Community Events and Activities

The packet included a report of the expenses for community events that have been conducted in fiscal year 2013. Council is tracking more revenue beyond what had been budgeted. There is the money allocated with budget and additional revenue raised by events. Approximately $5,226 has not been expended. DeBry stated that the 4th of July budget is going to need some expansion for the 2014 event. DeBry also stated that we made money on the Pumpkin Run.

Lenahan inquired as to why the Holiday Bazaar and the Jingle were on the same line item. DeBry stated that was a finance decision. The bulk of that cost was for a banner for the Jingle. Lenahan stated she wanted to see these two events separated on the report—they are totally separate activities. Lenahan wants to see a report that is true to the number—specifically the cost of the banner for the Jingle.

DeBry stated the totals listed in the spreadsheet are accurate--the explanation for Comment D at the bottom of the spreadsheet was an estimate.

Lenahan was curious as to why the Senior Center donation and the Community Action donations were listed on this community event breakdown. DeBry stated we have one budget account number for all these items and then these items are the sub accounts to that.

Hatcher distinctly remembers discussing peeling off the donation monies from event money and put them on different line items. Hatcher continued saying this confused Council before and they wanted it to be clearer.

DeBry stated that community event expenses and donations made to other organizations are being tracked as separate line items in the budget. Hatcher doesn't want them tracked he wants them in separate line items. DeBry suggested maybe Council is confusing budgeting with accounting. Hatcher did not think the donations amounts should be listed on a report of expenses for community events. DeBry stated she would discuss this with the Finance Director.

Council continued to discuss the spreadsheet they had before them and received answers to further questions regarding the various community events. DeBry will continue to work with Lembo to break the budget line items down further. This will be done with the supplemental budget.

City Council budgeted $27,350 for community events this year.

C. Council to review November Check Register

Hatcher asked for questions or comments regarding the November Check Register.

Newton wanted clarification as to why there are always two checks written out to ING every month. DeBry explained these were employee contributions to deferred compensation.

Newton then asked about the check to Chevron for $970 for the police department. Discussion ensued regarding the use of the 76 Station vs. Chevron. The City receives a greater discount at the 76 Station. Public Works uses the 76 Station regularly. Snyder stated the Police do use the 76 Station when it is available—but they are not open 24 hours per day. The City only has a Chevron charge card if they are traveling out of town. Newton thought this seems like too much money to spend on gas. Snyder explained this is for police car use and with running the grant on the highway there has been an increase in usage. Snyder assured Council that he encourages his staff to turn off their engines when they are at city hall.

Lenahan inquired about all the training the police department is involved with. Lenahan would like the Chief to report to the Council of what has been learned; it would be a way to open up communication piece and how it affects the community.

Newton wanted to know why we paid for Polygon plans. DeBry explained that we hired consultant Carole Connell to oversee the east expansion area application received from Polygon. Connell read the submitted permit application and plans; drafted the staff report; attended the planning commission meeting and drew up the final findings report. The dollar amount on the check register will be recovered by the fee charged to Polygon.

Newton questioned the charge for Christmas Done Bright for $452.00. DeBry explained it was for the Christmas light arch in front of city hall. Newton was pleased with that.

Newton questioned the S&H Logging charge for $445.60. Boyles explained that was for the landscape rock that is now in front and alongside city hall that took place of shrubs that required much maintenance.

Lenahan asked about the charges for legal assistance and the Speight property and the status of the abatement. DeBry stated an abatement order to have the vehicles removed is likely. The vehicles should all be gone in January. In order to recoup the fines staff will probably need to file for a lien against the property.

Hatcher asked about the status of the shipping container at the house on Lenox. Staff reported that it has been removed from the property. Kindel stated he spoke with the owner of the container and he admitted to having messed up by not checking into regulations before placing the container on the property.

Newton didn't understand why there was a charge for a tavern named Clock Tower Ales on this check register. She stated we don't pay for alcohol. Snyder explained that this establishment serves food which was purchased during training. He assured that no alcohol was consumed and would not be paid for by the city.

Hatcher asked about the Thunder Ranch charge for $1,813. Why so high. It was explained that it was the charge for hotel accommodations for two officers attending firearms training.

Lenahan asked what "uncommitted" meant? DeBry explained it is an entry in the computer but the check was not written yet.

9. UNFINISHED BUSINESS:

A. Consider the request for a BBQ Competition in June

DeBry presented the staff report. Council had asked at the 12/2/13 meeting for more detail regarding the proposal to host a BBQ Competition in June.

Discussion ensued. Some of the proposed details of the event were presented but DeBry stated staff has not vetted all the details of the event as staff is waiting for the approval from Council to move forward with the planning of the BBQ Competition. Council directed staff to move forward but wants a detailed budget report by March—including cost for garbage pickup and explaining all the projected costs.

B. Discussion and approval of specific draft city policies from number 360-382

The draft policy manual was distributed at the 9/16/13 council meeting to give the Councilors time to review and present any changes or concerns. Council directed staff on 10/21 that batches of policies be reviewed at each meeting until they are all approved.

Council went through policies 360-382 at this meeting. There was a lot of discussion and many questions regarding the policies.

380: What is the Market trend for maximum accrual of vacation hours that can be cashed out upon termination?

363: Leave without pay: Council would like DeBry to survey what other cities do and come back to this issue on the common policy.

Minor changes were made to a few policies. Council directed staff to make these revisions. An edited copy of the manual will be delivered to Council at the end of the process.

10. ORDINANCES:

FIRST READING:

The first reading for Ordinance No. 418 was read at the conclusion of discussion of Agenda Item 7-Public Hearing (see above).

SECOND READING:

A. None Scheduled

11. STAFF REPORTS

DeBry included a list of the 44 building permits for housing that have been approved in 2013. Once these houses are sold the City is looking at an additional estimated funds of $93,744 for the URA and $78,120 for the General Fund. We may start seeing some of these funds by the next tax year.

Boyles reported that the Public Works staff are installing the new reflective stop signs throughout town. This is a Federal requirement and needs to be completed by January 8, 2014.

Boyles has met with ODOT regarding the tracks on Glencoe. They may be redone in the same manner as the track intersection on Main Street.

Chief Snyder reported that the North Plains Police department will be participating in a training program with the City of Hillsboro.

Snyder distributed a policy statement from the Washington County Law Enforcement Council (LEC) regarding marijuana dispensaries. Snyder wanted Council to know that Chief Spaulding of Beaverton and the LEC is opposed to the establishment of Medical Marijuana Dispensaries within the city and county limits of Washington County. Although the possession, distribution, and manufacture of marijuana is permissible under provisions of the Oregon Medical Marijuana Program (OMMP) and related statutes and rules, they are a violation of Federal Law.

12. COUNCIL REPORTS

Hatcher reminded the Council of the joint Legislative Dinner that is taking place on Thursday, January 23 at the Prime Time Restaurant at 4450 Pacific Avenue. We have five individuals who will be attending. If others want to attend there is still time to RSVP.

Broome asked if the city could install some type of canopy at the yellow house to be used on the nights the food pantry is open.

Lenahan asked DeBry if the city could do more to encourage or promote the fact the city is an e-commerce zone. Lenahan stated the tax credit for the e-commerce sunsets in 2017. DeBry informed the Council that we have the information listed on our website and the North Plains Chamber of Commerce has the information posted on their website as well. DeBry stated Knowles could speak regarding the status of the economic development outreach. Hatcher asked if it could be made an agenda item and hear more details of the economic development program. DeBry will schedule this for one of the upcoming meetings.

Reh asked the Council for input regarding the Council's mail that is delivered to city hall. Since the Council doesn't have to stop by city hall to pick up their packets any longer, most of them don't find time to stop by to pick up their mail. Hatcher polled the Council if they want the mail brought to the council meetings instead of picking it up at city hall. Lenahan wants to continue to have a lockbox and will pick up her mail at city hall. The rest of Council will have their mail delivered to the Council meeting.

13. ADVICE/INFORMATION ITEMS:

- Friday, January 17, 2014 at 7:00: William Stafford Event-An evening of Conversation, Wine and Poetry with Kim Stafford and the master of ceremonies is Brian Doyle at St. Edward Parish Hall.
- Saturday, January 18, 2014 North Plains Senior Center Crab and Steak Feed at 3:00, 4:30 and 6:00 p.m. at Jessie Mays Community Hall.
- Sunday, January 26 from 1:30-5:00: Playdate at Jessie Mays Community Hall

14. ADJOURNMENT: Mayor Hatcher adjourned the meeting at 9:40 p.m.

David Hatcher, Mayor

Margaret L. Reh, Deputy Recorder

Date approved 01/06/2014