



MINUTES

City Council - REGULAR Session Meeting

Tuesday, February 21, 2017 North Plains Senior Center 7:00 PM

COUNCIL PRESENT:

Mayor Teri Lenahan; Council President Sherrie Simmons;
Councilors: Larry Gonzales, Cameron Martinez, Russ Sheldon,

COUNCIL EXCUSED:

Robert Kindel, Jr.

STAFF PRESENT:

City Manager Blake Boyles; Library Director Will Worthey; Chief of
Police Jesse Baker; City Recorder Lori Lesmeister

OTHER

1 CALL TO ORDER

Mayor Lenahan called the Regular Session of the City Council to order at 7:00 p.m.

2 PLEDGE OF ALLEGIANCE

Mayor Lenahan led the Council in the flag salute.

3 ROLL CALL

- a)
Councilor Kindel is excused

4 CONSENT AGENDA:

(The items on the Consent Agenda are normally considered in a single motion. Any item may be removed for separate consideration upon request by any member of the Council.)

- a) Approval of February 21, 2017 City Council Regular Session Agenda
b) Approval of February 6, 2017 City Council Minutes.

Motion to approve the Consent Agenda. Moved by Councilor Simmons. Second by Councilor Gonzales. Motion was approved unanimously.

5 PUBLIC COMMENT:

(Persons wishing to speak on matters not on the agenda may be recognized at this time. Speakers must complete a "Public Comment Registration form" on the information table and return it to the City Recorder. You are not required to give your address when speaking to the City Council, only your name. Presentations are limited to five minutes.)

- a)
Amy Daniels 31325 NW Claxter, North Plains, OR RE: Home Occupations Code
Daniels came to the city in Sept. 2013 regarding a concern she had about a rental house where the neighbor's landscaping business being run out of the home. Her home shares a fence with the landscaping business home. The business was small in the beginning but has grown to now have 3 'large' diesel trucks, which caused

diesel fumes. At that time Daniels thought that it was considered a nuisance complaint but when asked about that Daniels was told that it was not at a level to be a nuisance complaint. Daniels consulted an attorney and was told that there is a Home Occupations Code in North Plains. At that time both the home owner and the tenants were sent a letter regarding Daniel's concerns. Daniels then went to mediation with the business. According to Daniels the letter and the mediation 'didn't work'. Daniels still believed that there was a violation in the city code because she feels that this is a commercial business in a residential neighborhood. In November 2016 City Manager Boyles advised Daniels to write a letter to the city attorney about her concerns to see if they could make a determination about the Home Occupations Code and if it is being violated. Daniels said she wrote the letter to the city attorney which included dates and times when Daniels feels that the violations had occurred. Daniels stated in the letter that she had photos and videos that she could present to show the concerns that this is a commercial business taking place in a residential neighborhood but were not asked to present those items. They received a letter back from the city attorney dated December 14, 2016 that included two photographs of the property that Daniels says were taken during the day when the landscape vehicles are not on the property and that basically stated that no code was being violated. On January 3, 2017 Daniels wrote back to the city attorney asking if there was an opportunity to appeal and to be able to show the photos and videos that they have regarding their concerns. To date they have not heard back regarding their request to appeal.

Mayor Lenahan asked Boyles if he had any other information. Boyles said he will contact the city attorney to find out where they are with the request. There was a brief discussion among Council. Lenahan stated that Council will come up to speed on what the Home Occupation Code states and wait for a reply from the city attorney on the status before moving forward with any type of decision.

b)

Ricky Freeman 13203 NW Old Pumpkin Ridge Road, North Plains, Or Freeman along with the Knights of Pythias would like to work with the city to bring the 4th of July Fireworks back to the city. The Knights would like to hold some fundraisers to help raise money for the Fireworks and would like to know if they would be able to use Jessie Mays at no cost for some of the fundraisers. The Knights have spoken to Lakewood Farms and they are willing to hold the display on their property. Discussion between Council. All are in support of bringing the Fireworks back and it is actually an item listed on the Council Goals for 2017. Boyles stated as long as Jessie Mays is cleaned up after any fundraiser events the fees will be waived. Council would like to see plans for fundraisers and a budget for the Fireworks Display. Freeman said he will gather that information and present it at the next Council meeting.

6 PRESENTATION

a) Sign Concept Project - Budgeting Portion

Cindy Hirst presented information on the Grant Proposal Draft Budget during this evening's regular City Council meeting and discussion took place at that time. It was decided by Council to continue the discussion regarding the allocation for the WCVA

match between the Chamber, the City, and the Garden Club for the main entrance wall and sign project during the URA portion of the meeting.

7 STAFF REPORTS

a) Library Director's Monthly Department Report

Library Director Will Worthey brought forth the recommendation to approve David Hatcher to the North Plains Library Board.

Moved to approve David Hatcher to the North Plains Library Board Moved by Councilor Simmons. Second by Councilor Gonzales. Motion was approved unanimously.

b) Chief of Police Monthly Department Report

No report at this time

Councilor Gonzales asked about the possibility of getting a 'flashing speed' sign that can be moved to different locations around down to deter speeding. Boyles said it might be possible to borrow one from the City of Hillsboro. He will work with Chief Baker to see if that is possible.

c) Public Works Director's Monthly Department Report

PW has repaired two leaks recently, and new handrails have been installed at Jessie Mays. Boyles reported that pedestrian activated crosswalks are in the works.

8 PUBLIC HEARING:

a) None Scheduled

9 NEW BUSINESS:

a) Review of the January 2017 check register. Council reviewed the items on the January 2017 Check Register. The staff report included a list of account numbers with the corresponding departments to help clarify some questions Council may have while reviewing the check register.

b) Interview Applicants for City Council Vacancy

Two people were in attendance that wanted to apply for the open Council position. After looking over their Public Comment cards Lenahan let them both know that because they lived outside of the North Plains city limits they were not eligible to be on City Council. Council thanked them both for their interest and let them know that there is an opening on the Planning Commission, three openings on the Budget Committee, and openings on the Vision Implementation Work Group and they are more than welcome to apply for any of those openings.

c) Interview Garth Eimers for vacant Council position

Eimers gave a brief overview of his professional employment history, and stated that he is a current member of the North Plains Planning Commission. He feels that

some of the important issues for the city are the growth in population over the next few years, the city needs a higher level of planning due to the growth, and that there needs to be a balance between residential, commercial, and industrial growth. He would like to see implementation of plans, not just discussions.

Eimers was sworn into office by City Recorder Lori Lesmeister

Moved to approve Garth Eimers to the vacant Council position Moved by Councilor Gonzales. Second by Councilor Simmons. Motion was approved unanimously.

10 UNFINISHED BUSINESS:

a) Goal Setting

Council turned in their top 5 Goals from the group list that was created at Feb. 6, 2017 Council Meeting. Tally showed the top 5 Goals are:

Address the odor from the VanDyke building

Emergency Evacuation Plan

Infrastructure planning 5 years out

Hiring a City Manager with planning experience

Purchase the Vanderzanden property for future use

Discussion ensued about the above list. Sheldon suggested looking into a city odor ordinance. Boyles said he will speak to the owner of the VanDyke property to let them know that the issue of odor is on the Council goal list for 2017.

Regarding hiring a City Manager with planning experience, Boyles stated that a complete job description is needed, along with the wanted attributes for the person hired for the position. He said that he will look into possibly having the League of Oregon Cities do the search, as he has heard that they have done that in the past for a fee. Boyles will report back at the next Council meeting. Boyles will update Council on the Vanderzanden property during the URA portion of tonight's meeting.

11 ORDINANCES:

First Reading

a) First Reading

Introduction and first reading of Ordinance No. 436 - an Ordinance of the City of North Plains ratifying a franchise agreement with Portland General Electric and repealing Municipal Code Chapter 9.15 (Franchise - Portland General Electric)

Moved to adopt Ordinance No. 436 ratifying a franchise agreement with Portland General Electric (PGE) and repealing Municipal Code chapter 9.15 (Franchise - Portland General Electric) Moved by Councilor Sheldon. Second by Councilor Simmons. Motion was approved unanimously.

12 CITY MANAGER REPORT

a)

Boyles will provide information during the URA meeting immediately follow tonight's adjournment of the Council Meeting

13 COUNCIL REPORTS

- a) Council reports will be provided by the Mayor and City Councilors on meetings attended and other items

Sheldon reported that he attend the Library Board meeting.

Lenahan reported that she attended the Mayor's Lunch in Beaverton and gave a brief update on issues discussed. She and City Manager Boyles are also still working with TVF&R on the luncheon that they would like to have for Council and the Police Department.

Eimers will be added to the City Council Meeting Calendar Schedule vacancies.

- b) Review March 2017 Council Calendar

Eimers will on vacation in June so will not be able to attend the June 7, 2017 Planning Commission meeting.

14 ADVICE/INFORMATION ITEMS:

- a) TVF&R Notice of Public Hearing

15 ADJOURNMENT:

Mayor Lenahan adjourned the Regular Session of the City Council at 8:30 p.m. to the Urban Renewal Agency Meeting.

Teri Lenahan, Mayor

Lori Lesmeister, City Recorder

Date Approved _____