



## MINUTES

**City Council - REGULAR Session Meeting**

**Monday, April 18, 2016 North Plains Senior Center 7:00 PM**

**COUNCIL  
PRESENT:**

Mayor David Hatcher; Council President Teri Lenahan; Councilors:  
Robert Kindel, Jr., Sandi King, Charlynn Newton, Sherrie Simmons,  
Scott Whitehead

**STAFF PRESENT:**

Finance Manager Rachael Lembo; City Manager Blake Boyles; City  
Recorder Margaret Reh

**OTHER:**

Heather Austin, 3J Consulting; Paul Elsner, Beery, Elsner and  
Hammond

**1 CALL TO ORDER**

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

**2 PLEDGE OF ALLEGIANCE**

Hatcher led the Council in the flag salute.

**3 CONSENT AGENDA:**

- a) Approval of April 18, 2016 City Council Regular Session Agenda.
- b) Approval of minutes of 04/04/2016 Council meeting.
- c) Review and adoption of Resolution No.1929 annual waiving of temporary liquor license fee for St. Edward Catholic Church annual auction.
- d) Review and adoption of Resolution No.1930 Declaring Vacancy on City Council.  
*Motion to approve the Consent Agenda. Moved by Councilor Simmons. Second by Councilor Lenahan. Motion was approved unanimously.*

**4 PUBLIC COMMENT:**

- a) Due to a very full agenda, Mayor Hatcher asked that each individual keep their public comments to three minutes
- b) Herb Hirst, 31817 NW Lenox Street, North Plains, Oregon, read a letter into record that was written by Cindy Hirst. C. Hirst had spoken with the Mayor after the April 11, 2016 Budget Committee meeting. Mayor Hatcher suggested to Hirst to address the Council regarding the issues that had come up at that Budget Committee meeting. C. Hirst was called out of town and had requested H. Hirst deliver the message to the Council. H. Hirst read the letter in its entirety to the Council. The details of this letter are available by listening to the audio recording of this meeting on the City website at the following url:  
[http://cityofnp.org/files/5614/6108/0707/041816\\_City\\_Council\\_Audio\\_Minutes.mp3](http://cityofnp.org/files/5614/6108/0707/041816_City_Council_Audio_Minutes.mp3)

The issues that C. Hirst addressed in the letter to the Council were: 1). A proposal for a one-time transfer from the General Fund to the Street Fund to help re-balance the Street Fund after the significant costs of the Claxtar project in 2013; 2). Employee Compensation-merit increases and Cost of Living Adjustment; 3). Restructuring of City Staff-City Manager and Police Chief; and 4). Police Department restructuring.

After he finished reading the letter, H. Hirst had some additional comments he shared with the Council.

Councilor Lenahan reminded the Council that a three minute time limit had been requested. Hirst's testimony was nearly 16 minutes over and in fairness to others wanting to testify, they should be allowed the same amount of time.

- c) Lani Miles, 31050 NW Kaybern, North Plains, Oregon, addressed the Council regarding public meeting laws. Miles is a new member of the Budget Committee as of last year and had questions regarding what type of communication is acceptable for public officials. Miles was hoping for direction on what interactions are appropriate for those serving on city committees. Elsner stated the City could provide a synopsis of the basic public meeting and public record laws.

Miles also stated he has noticed that community participation is pretty sparse—nearly non-existent at these public meetings. He suggested to help the City Council get more input from the public, that an article be included in a small section in the monthly newsletter and a direct link to the Council Agenda and Minutes page be added to the city website. *(Recorder's Note: A link has been added to the top banner on the City newsletter)*

- d) Wayne Holm, 15209 NW Mason Hill Road, North Plains, Oregon, introduced himself to the Council. Holm is the originator and Chairman of the Board of Oregon Canadian Forest Products. Has been a financial and emotional supporter of the community over the years. Also a supporter of the library, having invested nearly \$750,000 toward the library building. Holm stated he would be brief in that many of his concerns we already expressed. One of his additional concerns is with the lack of upkeep and maintenance of the exterior of the library building by city staff. Holm has spoken with the City Manager regarding this issue, but is still not seeing an improvement. Holm stated he supplied the wood product to provide a beautiful facility for the community. He has heard many good comments regarding the maintenance of the interior of the building. The exterior maintenance needs to be improved. Holm has offered to send his employees over with a high lift to help out, but it just needs to be communicated to get the job done.

Holm also expressed his concern with the direction the City is taking with the restructuring of the police department. A brief discussion ensued. Holm stated the more visible discussions and decisions are as to why they were made, the better everyone feels.

- a) Proclamation declaring the celebration of the 10 Year Anniversary of the North Plains Public Library.

The library was built in 2006. This year marks its ten year anniversary.

Mayor Hatcher read the proclamation in its entirety.

*Motion to sign the proclamation declaring Friday, April 29, 2016 as the 10th Anniversary of the North Plains Public Library.* Moved by Councilor Kindel. Second by Councilor Lenahan Motion was approved unanimously.

## 6 STAFF REPORTS

The Department Staff reports were provided in the Council Agenda Packets.

## 7 PUBLIC HEARING:

- a) Legislative Public Hearing--File No.15-031 Comprehensive Plan-Planning Code Updates

Council considered the recommendations of Planning Commission on File No:15-031: Municipal Code Chapter 16-Zoning and Development Revisions for Comprehensive Plan process. This public hearing was continued from January 19, 2016 and March 21, 2016 Council meetings.

Heather Austin, City Planner-3J Consulting, presented the staff report. Austin explained this is a continued public hearing because the Planning Commission wanted to spend more time looking at the code language and making sure it was ready to forward for recommendation to the City Council.

The purpose for tonight's hearing is to present the recommendations of the Planning Commission along with revisions from staff, and for the approval from the Council on these changes. Upon that approval, staff is also looking for direction from the Council to draft an ordinance for the Council's next meeting.

Mayor Hatcher re-opened the public hearing that was continued from January 19 and March 21, 2016 at 7:39 p.m.

Austin walked the Council through sections of the staff report and the recommendations of the Planning Commission. Most of this was included in the Agenda Packet for this meeting. Austin specifically reviewed *Staff Report Attachment A*-regarding appeal to City Council and the de novo hearing process. Austin had run this by Chris Crean, Beery, Elsner and Hammond, and a few minor changes were made from what was included in the packet. It is suggested to now read:

*A decision of the Planning Commission regarding a land use issue or an appeal of a Type II Limited Land Use Decision is the final decision of the City unless appealed to City Council. An appeal to City Council is de novo and shall be based on the record before the Planning Commission*

*public hearing and any new evidence or testimony entered into the record before the City Council. The appeal shall follow the same notification and hearing procedures as for the original Planning Commission hearing. The decision of the City Council on an appeal is final and effective on the date it is sent by the City. The City Council's decision may be appealed to the State Land Use Board of Appeals pursuant to ORS 197.805 – 197.860.*

Austin also pointed out in *Staff Report Attachment B* that many of the Land Use Permits that were suggested to change from Type I-Administrative to Type II-City Manager/City Planner should have been left as Type I. Type II requires a higher level of review and scrutiny, but also requires a public notice for two weeks of all land owners 250 feet from the property; is appealable in a public hearing; and has a much higher fee. This was discussed with the Planning Commission in their April 13, 2016 meeting. Staff is recommending to move this back to Type I because it is more appropriate review type for those uses.

Chapter 16.170.000(A) General Provision-Type I-Administrative Permits by City Staff contains two other items that should actually be moved to Type III Review that would require a public hearing before the Planning Commission—this is #2-Heritage Tree and #15-Temporary Use Permit for the Building, Kiosk or Structure.

Austin reviewed *Staff Report Attachment C* with the Council pointing out the desired process for approaching alley loaded garages, carports and accessory structures.

Staff is recommending the Councils approval of the Planning Commissions' recommendations of the eight sections of code as revised by the presentation tonight.

Discussion ensued regarding adding language for the percentage of land that is available or required for open space in subdivisions. The discussion evolved to the Comprehensive Plan and the process of codifying language into the Code.

Hatcher asked for any comments from the audience either for or against. Stewart King, 10905 NW 309th Avenue, North Plains, Oregon, is the Chairperson of the Planning Commission. King is supportive of the three staff report attachments and felt it should be moved forward as presented. King also stated the Planning Commission will be reviewing and revising the Neighborhood Community Zone and they may be able to incorporate the desired open space into these areas during those discussions.

Newton reiterated along with the de novo hearing process that there will be a Planning Commission representative at any public hearings that are appealed to the City Council.

Hatcher closed the Public Hearing at 8:04.

Hatcher asked for clarification for the process. Council would direct staff, by a motion, to draft an ordinance that will come back to the Council for approval at a future meeting.

*Motion to direct staff to draft an Ordinance adopting the revisions of Municipal Code Chapter 16.00 Zoning and Development Standards pursuant to the findings contained in the Staff Report dated April 18, 2016 and as discussed this evening. Moved by Councilor Lenahan. Second by Councilor Newton. Motion was approved unanimously.*

- b) Review FY 2015-16 Supplemental Budget-Transportation Development Tax (TDT) Credit Reconciliation and adoption of Resolution No. 1931 Supplemental Budget

Finance Director Rachael Lembo presented the staff report to the Council. There was a typo in the staff report under the fiscal impact. It reads \$373,304 and should have read \$374,304 as it is listed in the spreadsheets included in the staff report. Discussion ensued.

Hatcher opened the public hearing at 8:14. No public testimony was forthcoming. Hatcher closed the public hearing at 8:14:30.

*Motion to adopt Resolution No.1931 adopting the 2015-16 Supplemental Budget with new appropriation allocating Transportation Development Tax (TDT) credits and authorizing credits to Polygon for the Sunset Ridge Subdivision. Moved by Councilor Lenahan. Second by Councilor Simmons. Motion was approved unanimously.*

## 8 NEW BUSINESS:

- a) Adopt Resolution No.1932 authorizing requests from North Plains Chamber of Commerce regarding 2016 Thursday Marketplace.

Vanessa VanDomelen, 1425 NE 71st Avenue, Hillsboro, Oregon, is the coordinator for the Farmers Market. Vanessa stated they want to work with the city in coordinating the opening of the 2016 Thursday Marketplace with the annual ice cream social. The Farmers Market will provide the strawberries.

A letter was submitted by the North Plains Chamber of Commerce with specific requests for help of city staff with the Farmers Market. This letter with the requests is a part of the agenda packet. Russ Sheldon, President of the Chamber, was present to answer question the Council had.

*Motion to adopt Resolution No.1932 authorizing the requests made by the 2016 Thursday Marketplace. Moved by Councilor Kindel. Second by Councilor Simmons. Motion was approved unanimously.*

- b) Discussion on the proposed changes to the North Plains Police Department.

Boyles presented the staff report. The 2016-17 budget narrative caught some people off guard and Boyles wanted to address the police structure staff is looking at. We are looking for a more community oriented approach. In the past five years, Snyder

had changed the outlook and the direction of the police force had steered away from that. Boyles had received many comments from the community that they wished it was more community oriented. With Snyder's contract coming to an end, Boyles decided to use that as an opportunity to turn this around.

Looked at contracting with the county comparing apples to apples, down the road it may be a way to go when we need to replace equipment.

Boyles admitted the budget narrative should have read differently. Staff is looking at making Baker the first line supervisor and will be the interim chief. Baker will be attending the Oregon Department of Public Safety and Standards Training (DPSST) followed by supervisor and managerial course. This course was required by both Councilor Whitehead when he was chief, and by Chief Snyder.

While Baker is at training and until he receives his certification, Boyles had made arrangements with the State Police and Washington County. Staff has some options he is looking into.

Council asked Boyles to prepare a more detailed report to present to the Council at the next Council meeting. They would like to see details of all the options that are available.

c) Adopt Resolution No.1933 Adjusting the Salary Structure for City Employees.

Finance Manager Rachael Lembo presented the staff report. The details of the staff report were included in the Council Agenda Packet. Discussion ensued.

This item was actually presented to the Budget Committee. But since this is a policy change, it was pointed out by the Budget Committee that the Council needed to approve this proposed change. The scale for merit increases is currently set up in steps and the proposal is to change it to a range. This gives staff more flexibility to adjust to what funds are available to present merit increases. Each year the Budget Committee will approve the funding for the proposed percentage of merit increases during the budget process. Discussion ensued.

*Motion to adopt Resolution No.1933 adjusting the salary structure for City employees to include a merit increase to be 0% to 5% based on the discretion of the supervisor. Moved by Councilor Lenahan. Second by Councilor Kindel. Motion was approved unanimously.*

d) Review of the March 2016 check register. Council reviewed the items on the March 2016 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. A few questions were asked by the Council and were satisfactorily answered by staff. This item was informational only. No action was taken.

**9 ORDINANCES:**

- a) First Reading  
None Scheduled
- b) Second Reading  
None Scheduled

**10 CITY MANAGER REPORT**

**11 COUNCIL REPORTS**

- a) The Council reviewed the Council calendar and the North Plains events that will be coming up. Council acknowledged Charlynn Newton being the recipient of the 2015 Volunteer of the Year; Russ Sheldon as the recipient of the Lifetime Achievement Award; and Mayor Hatcher being chosen as the Grand Marshall for the 2016 Elephant Garlic Festival Parade.

**12 ADVICE/INFORMATION ITEMS:**

Joint City Council / Planning Commission Work Session-Thursday, April 21 at 7:00 at North Plains Senior Center

Ten-Year Library Anniversary Gala-Friday, April 29 at 6:00 at the North Plains Public Library

Pancake Breakfast-Saturday, May 7 8:00 to 11:30 a.m. at the North Plains Senior Center

Citywide Garage Sale-Saturday, May 7 -- All throughout town -- All Day

Community Country Dance-Saturday, May 14 from 7:30 to 10:30 p.m. at Jessie Mays Community Hall

**13 ADJOURNMENT:**

Mayor Hatcher adjourned the Regular Session of the City Council at 9:19 p.m.



David Hatcher, Mayor



Margaret L. Reh, City Recorder

Date Approved 05/02/2016