

CITY OF NORTH PLAINS, CITY COUNCIL MEETING
MINUTES REGULAR SESSION

Jessie Mays Community Hall
30975 NW Hillcrest Street
Monday, March 3, 2014

City Council met with Planning Commission for a Joint Work Session which began at 6:00. The majority of the discussion addressed options the Planning Commission has regarding applications that come before them. This discussion arose from a hearing for an appeal of a Planning Commission decision that the Council heard in February.

1. **CALL TO ORDER:** Mayor David Hatcher called the Regular Session of the City Council to order at 7:05 p.m.
2. **PLEDGE OF ALLEGIANCE:** Mayor Hatcher conducted the flag salute
3. **ROLL CALL:** Mayor David Hatcher; Council President Teri Lenahan; Councilors: Michael Demagalski, Robert Kindel, Jr., Charlynn Newton, and Glen Warren

Excused Absence: Michael Broome

Staff present: City Manager Martha DeBry, Chief of Police Bill Snyder, Library Director Debbie Brodie, Finance Director Rachael Lembo, Management Analyst Jennifer Knowles, Deputy City Recorder Margaret Reh

4. **CONSENT AGENDA:**

- A. Approval of regular session agenda
- B. Approval of minutes of 02/18/2014 Council meeting

Motion by Demagalski and seconded by Kindel to approve the Consent Agenda. The motion was approved unanimously.

5. **PUBLIC COMMENT:**

None forthcoming

6. **PRESENTATION:**

None Scheduled

7. **PUBLIC HEARING:**

None Scheduled

8. **NEW BUSINESS:**

- A. Discussion FY 2012-13 Financial Statements from auditors Pauly Rodgers and Co, PC.

Finance Manager Rachael Lembo presented the Audited Financial Statements for

FY2012-13 to the Council. Copies of the full financial reports were distributed to the Council and posted on-line. The preliminary results were presented to Council on August 14, 2013. The changes in results since receiving the preliminary report were as follows:

- Accrual of property taxes received in August: \$1,968 in the General Fund and \$436 in the Urban Renewal Fund.
- Recording of the full amount of the capital lease for police vehicle in the General Fund: \$41,066 as capital outlay and \$41,066 as proceeds of debt.
- Recording of the full amount of the loan for the purchase of the Yellow House: \$130,006 as capital outlay (preliminary results included only the cash portion of \$40,006) and \$90,000 as proceeds of debt.

The management letter received from the auditors' referenced deficiencies in internal control which have all now been addressed and controls are in place. These fixes have been approved by the auditors.

Lembo reported that overall the City's Net Position increased \$698k in FY2012-13. Lembo lead the Council through each of the funds. Council asked clarifying questions. No action was taken on this item as it was informational only.

B. Adoption of Resolution No. 1817 approving the North Plains Community Garden Club requests for use of Jessie Mays tennis courts and related equipment

DeBry stated this is a routine resolution that will allow the North Plains Community Garden Club the use of the tennis courts at Jessie Mays, the provision of a city tent, and additional police surveillance the night prior to the plant sale that takes place the same weekend of the city wide garage sale—May 3, 2014.

Motion by Demagalski and seconded by Lenahan to approve Resolution No. 1817. The motion was approved unanimously.

C. Adoption of Resolution No. 1818 approving adjustments in the Master Fee Schedule

Lembo presented the staff report. The fee schedule is reviewed annually as part of the budget package. Staff is suggesting a couple of changes that will simplify the fee schedule and would like to make these changes effective for the FY13-14 year. The first change is to simplify the deposit required for a business water account. The second change is to combine the water shut off and water turn on fees to one fee. This fee is charged when a bill is past due and the water is shut off and subsequently turned on when payment is made.

Motion by Lenahan and seconded by Warren to approve Resolution No. 1818. The motion was approved unanimously.

D. Adoption of Resolution No. 1819 approving the 2013-14 Supplemental Budget

Before the floor was given to Lembo, DeBry acknowledged the great job that Lembo has done on the Supplemental Budget. She stated that Lembo had done the vast majority of

the work on this and has created a template that has streamlined the process.

Lembo presented the staff report and the supplemental budget to the Council. She stated the supplemental budget proposed updates to various revenue and expenditure line items based on the most current financial information. A list of changes was included with each fund and Lembo went through each fund individually with Council.

The proposed Supplemental Budget was distributed in the Council Packet to the Council and was posted on-line on the City's website at www.northplains.org.

Council asked clarifying questions about YTD expenditures and budget changes. In addition, Council inquired about how to track revenue that Council would like used for specific expenditures, such as the Recology Fund. Lembo confirmed that the General Fund will transfer \$10k/year of Recology funds into the Street Fund, and will work on a presentation that shows the remainder is used for community events. Council was firm on not wanting any money to be used from the Contingency Fund of the General Fund without Council's specific approval for that expense.

Resolution No.1819 was not approved at this time, but will be revisited. The changes that were suggested throughout this discussion will be incorporated in the Supplemental Budget and resubmitted to the Council at a later meeting that will be noticed. The changes that will be addressed include the Contingency Fund in the General Fund only reflecting the \$15,000 deducted for the new Springbrook Software and the loan from the General Fund to the URA to reflect the correct budgeting terminology verses accounting perspective.

E. Adoption of Resolution No. 1820 closing the Internal Service Fund.

This resolution acts upon the closing of the Internal Service Fund that was discussed during the Supplemental Budget agenda item. It would be more efficient and transparent to combine the departments that were separated out using the Internal Service Fund into the General Fund. This changes the allocation method.

Motion by Demagalski and seconded by Lenahan to approve Resolution No. 1820. The motion was approved unanimously.

F. Adoption of Resolution No. 1821 committing Water Fund System Development Charges

Lembo presented the staff report. To ensure proper tracking of System Development Charge (SDC) revenue staff is proposing that Council approve a resolution committing System Development Charges to capital projects. This will formally establish a Committed Fund balance line to track SDC revenue less capital projects expense, in both internal documents and the annual financial statements. This is the highest level of constraint that can be placed by Council, and will remain in place until Council formally removes it. The Committed fund balance will consist of the fund balance transferred from the Water Capital Fund into the Water Fund in FY13, plus SDC revenue less capital expenditures incurred in FY13 and FY14.

Motion by Kindel and seconded by Lenahan to approve Resolution No. 1820. The motion was approved unanimously.

G. Reminder that the Statement of Economic Interest forms will be distributed in the next few weeks.

Staff reminded Council that the Statement of Economic Interest forms will be distributed from the State Ethics Committee in the next few weeks. Council members will have until April 15 to complete their forms and submit them to the state.

9. **UNFINISHED BUSINESS:**

A. Discussion and approval of specific draft city policies from number 614-631

Motion by Lenahan and seconded by Warren to move this agenda item to the next council meeting due to the lateness of the hour. Discussion ensued. The motion was approved with a 5-1 split vote with Newton voting against.

B. Update on Smokehouse Summit event

Per a request from Council President Lenahan, Jennifer Knowles updated the Council on the status of the Smokehouse Summit BBQ event scheduled to take place on June 7 & 8. Knowles distributed a budget sheet to Council with the numbers she had received to date.

Jason Specht of Green Mountain Grills has committed to providing the required purse for the event. Knowles also listed the other companies that have been contacted who are interesting in supporting this event either financially or in-kind or both.

10. **ORDINANCES:**

FIRST READING:

None Scheduled

SECOND READING:

A. Approval and adoption of Ordinance No. 419 amending Chapter 6.25 peddlers, solicitors, street vendor and temporary merchant ordinance. First reading by title only took place on 2/18/14.

Motion by Kindel. Second by Lenahan to read Ordinance No. 419 by title only for the second time. The motion was approved unanimously.

Hatcher read Ordinance No. 419 an Ordinance of the City Council of the City of North Plains, Oregon, Amending Municipal Code 6.25 Peddlers, Solicitors, Street Vendor and Temporary Merchant Ordinance by title only for the second reading.

Motion by Kindel. Second by Lenahan to adopt Ordinance No. 419. The motion was approved unanimously.

- A. Approval and adoption of Ordinance No. 420 establishing Chapter 4.50 prohibiting sale and use of tobacco and vapor products by minors. First reading by title only took place on 2/18/14.

DeBry presented the staff report for Ordinance No. 420 and 421. These are the ordinances recommended by Carla Bennett, the Tobacco Prevention and Education Coordinator of Washington County. Council asked questions regarding enforcement.

Motion by Demagalski. Second by Kindel to read Ordinance No. 420 by title only for the second time. The motion was approved unanimously.

Hatcher read Ordinance No. 420 an Ordinance of the City Council of the City of North Plains, Oregon, Establishing Municipal Code 4.50 Prohibiting the Sale and use of Tobacco and Vapor Products to Minors by title only for the second time.

Motion by Demagalski. Second by Warren to adopt Ordinance No. 420. The motion was approved unanimously.

- B. Introduction of Ordinance No. 421 establishing Chapter 4.53 disallowing the use of smoking and tobacco products on city property.

Motion by Demagalski. Second by Warren to read Ordinance No. 421 by title only for the second time. The motion was approved unanimously.

Hatcher read Ordinance No. 421 an Ordinance of the City Council of the City of North Plains, Oregon, Establishing Municipal Code 4.53 Prohibiting the Use of Smoking and Tobacco Products at City Facilities by title only for the second time.

Motion by Lenahan. Second by Demagalski to adopt Ordinance No. 421. The motion was approved unanimously.

11. STAFF REPORTS

Hatcher proposed to Council that the Staff Reports be moved to the beginning of the agenda. There are many times when Chief Snyder is called away after sitting through most of the meeting and then doesn't have an opportunity to present his report. He also comes in early in the morning and ends up putting in a 14 hour day when the Council meetings last more than two hours. Also, by waiting until the end of the Council meeting, Library Director Debbie Brodie has already spent two hours of her part-time hours waiting for her opportunity to present her staff report to Council. Council was in agreement to move the Staff Reports to the beginning of the Council agendas.

DeBry reported that Public Works is recruiting for a Utility Worker I/II to fill a recent vacancy.

DeBry inquired of the Council if they want to continue the In-Fill Incentive Program or if they would prefer to end it earlier than what was initially planned. The City is in the second year of the program. This program provided a 75% reduction in SDCs for in-fill projects the

first year; 50% reduction this second year of the program and would continue through 2015 with a 25% reduction in SDCs. Council felt that the program has been very effective but may have run its course. Council asked DeBry to bring it back to Council as an agenda item.

DeBry informed Council of an upcoming agenda item concerning a request from the Chamber of Commerce to change the location and day of the annual Ice Cream Social to be on the first night of the Farmers' Market and to take place on Commercial Street instead at Jessie Mays Community Hall.

Brodie reported the results of a recent survey that was conducted by the Library. The results included the following suggestions: having the library open earlier; expanding the physical space: 1) more space for materials, 2) meeting rooms, 3) having programs on site—which would allow to check items out before or after the event.

Brodie reported the Cover Oregon program is winding down. Medica has one more presentation to give in Forest Grove. Individuals will be directed to an insurance agent for enrollment from this point forward.

12. COUNCIL REPORTS

Kindel informed the Council that Lloyd Lamordden passed away.

13. ADVICE/INFORMATION ITEMS:

- Saturday, March 22: Benefit Dance at Jessie Mays @ 7:30 p.m. (proceeds to North Plains Elementary School for Art Supplies)
- Sunday, March 23: Playdate at Jessie Mays @ 1:30 p.m.

14. ADJOURNMENT: Mayor Hatcher adjourned the meeting at 10:04 p.m.



David Hatcher, Mayor



Margaret L. Reh, Deputy City Recorder

Date approved 03/17/2014