

MINUTES

City Council - REGULAR Session Meeting

Monday, August 1, 2016 North Plains Senior Center 7:00 PM

COUNCIL PRESENT: Mayor David Hatcher; Council President Teri Lenahan; Councilors: Larry Gonzales, Robert Kindel, Jr., Charlynn Newton, Sherrie Simmons

COUNCIL EXCUSED: Scott Whitehead

STAFF PRESENT: City Manager Blake Boyles; Library Director Debra Brodie; Interim Chief of Police Jesse Baker; Finance Manager Rachael Lembo; City Recorder Margaret Reh

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 August 1, 2016 City Council Regular Session Agenda.
- b) Approval of July 18, 2016 City Council Minutes.

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

4 PUBLIC COMMENT:

Glen Warren, 10845 NW 311th, North Plains, Oregon brought a complaint forward to the Council regarding golf carts being used on public streets. Carts that are not equipped with head lights or tail lights, make them very difficult to see at dusk.

Boyles stated he is working with Councilor Whitehead on creating an ordinance that will address the use of golf carts on city streets. Chief Baker stated the police are aware of the specific vehicle Warren was talking about and are working on it.

Cheri Olson, 31118 NW Commercial Street, North Plains, Oregon, addressed the Council. Olson is a former mayor of North Plains and had returned from Wisconsin where she was taking care of family matters. Olson suffered a heart attack while she was back there. Olson approached to Council to thank them for the cards that were sent while she was recovering. She was very grateful.

5 STAFF REPORTS

Staff report will be provided by the Chief of Police. The Library Director presents her verbal report at the first Council meeting of the month.

- a) Library Director's Monthly Department Report

Library Director Debra Brodie updated the Council on the upcoming events at the library.

A new Library Director has been selected. Will Worthey will be starting within the month.

b) Chief of Police Monthly Department Report

Interim Chief of Police Jesse Baker reported they have hired three lateral Reserve Officers. They will be sworn in at the next Council meeting. Baker begins his training at the Oregon Police Academy on August 15. He will be returning home each night.

Baker invited each of the Councilors out to National Night Out scheduled for August 2, 2016. It begins at 6:00 p.m.

c) Public Works Director's Monthly Department Report

Boyles informed the Council the paving on 311th between Commercial Street and Hillcrest Street is complete. This was done in time for the Elephant Garlic Festival.

6 PUBLIC HEARING:

a) Public Hearing to discuss Resolution No.1950 adopting a supplemental budget allowing the street fund to replace streetlights in the Sunset Ridge Subdivision.

Mayor Hatcher opened the public hearing for Resolution No.1950 which would be adopting a supplemental budget to allow the Street Fund to replace the streetlights in the Sunset Ridge subdivision. Finance Manager Rachael Lembo presented the staff report. The detail of the staff report was included in the Council agenda packet.

A letter was sent to each property within the subdivision informing them of this proposed change being discussed in this public hearing. A copy of this letter was presented to the Council at the meeting and is a part of the permanent record. There were a number of citizens in attendance who live in the Sunset Ridge subdivision.

The Westbrooke style of street lights that were installed in the Sunset Ridge Subdivision were chosen by the developer. After a change in available options the City was on Option A with PGE, where PGE owns and maintains the lights, and thus pays the installation costs. Neither the developer nor the City paid for the installation. The cost is built into the monthly rate PGE charges the City, along with costs for maintenance and electricity. Discussion ensued regarding the options PGE provides for entering in to contracts with them and various options that are available for lighting. Some residents in attendance entered into the conversation without coming forward and stating their names and address for the records. Mike Marchione, 10768 NW 285th Drive, North Plains, filled out a comment card and was involved in this discussion.

David Weingarten, 28935 NW Fair Street, North Plains, Oregon, approached the Council with some questions regarding the amortization of the cost of the lights over

the five year period. Discussion ensued regarding the cost of the lights and then the cost of maintenance and replacement costs as time goes by.

Weingarten was also concerned about the aesthetic cost to the community if these poles are replaced. He was concerned cement will be torn up and landscaping be disturbed. He was wondering who will bear the cost of these aspects of the replacement project. Boyles explained the lights are installed on a preformed base and PGE stated switching the styles out should not be intrusive or disruptive. The poles are screwed down and they can just be swapped out. Discussion ensued.

Weingarten asked if it is possible when Sunset Ridge Phase II goes in, the cost of the lighting be spread out to include those new homes. Weingarten stated that these aren't cheap homes and he thinks residents in the subdivision would be willing to pay the additional amount if they can keep the nicer street lights.

Simmons stated something to consider is in the next phase, the developer will need to decide if they want to continue with the Westbrooke style of light or go with a less expensive style. Boyles stated the developer will be paying for the lights so there is a strong possibility that they will not be using the Westbrooke style. If they chose a different style they will not match the lights in Phase I. The residents in the second development may not want to participate in paying for these existing street lights in Phase I.

Jason Hanson, 10750 NW 289th Avenue, North Plains, Oregon. Hanson is willing to pay \$13.50 per month for the lights. He doesn't think it would be fair to the people on the other side of town to pay for lights the Sunset Ridge residents are enjoying in their neighborhood. He would like to see a requirement placed on Polygon, in Phase II, to pay for the installation costs from this first phase. Polygon should be bearing the costs for the development. Hanson stated he has seen them cut corners to save money in numerous ways. He would like to get a consensus from the neighborhood as to whom would be willing to pay a monthly fee. Hanson also enlightened the Council that some of the lights are on in broad daylight. Boyles stated staff will need to look into adjusting the sensors on the lights. Boyles asked Hanson to e-mail the address of the lights that need the sensors adjusted. Hanson brought a photo of the street light at 289th Terrace and Mays Street as an example of one of the lights that turn on during daylight hours.

Sharon Johnston, 10780 NW 285th Drive, North Plains, Oregon. Johnston stated the lights are nice, but she does not want to pay \$13.50 per month for them. She thinks it is ridiculous that this got pushed through. It went through the steps and someone approved this. She has a problem with this. She is wondering what the next thing they will get hit with. She does not want to bear the cost for as long as she lives here.

John Vater, 28850 NW Carver Street, North Plains, Oregon. In a former life he was a city planner—project manager for development review. He had questions regarding process. He verified PGE paid for the installation of the lights and that expense is

now part of the City's monthly cost. PGE has always owned them so the home owners did not pay for them in the purchase price of their homes. Vater asked a few more questions regarding development review. Discussion ensued. Vater is in favor of having the lights replaced with the less expensive style.

Mayor Hatcher informed Vater the Planning Commission has an opening. Vater was welcomed to North Plains.

Jeff Slick, 28660 NW Mays Street, North Plains, Oregon asked if the City is willing to share the cost of these lights. He doesn't think everyone in the subdivision will agree to pay the extra amount. Perhaps if the City could meet them half way on the cost, more will be agreeable to it. He feels someone should get in contact with Polygon and they should take care of it. All the other Polygon developments have these lights and those cities were not swindled. Put it back on them. Slick had requested for Polygon to send a representative to attend at this meeting but no one showed up. Boyles stated that many other cities have lighting districts which the City of North Plains doesn't have.

Glen Warren, 10845 NW 311th Street, North Plains, Oregon, stated lights are few and far between throughout most of the city. The Sunset Ridge is safer with these street lights. They will see less theft and they have the convenience of walking down a street that is well lit. Warren thinks all of North Plain should have sidewalks. He wouldn't mind having street lights.

A member of the audience inquired about the per home cost of the streetlights, noted as \$13.50 per home per month in the letter sent to residents. The Finance Manager had stated that the average cost per home per month for the rest of the City was \$2.50. He asked if the lights were retained and the Sunset Ridge residents billed for them if they would be billed the additional expense of \$11 per home per month. The Finance Manager agreed.

Jason Hanson can see the point they shouldn't have to pay for someone else's mess-up. But he feels \$11.00 month is worth keeping up the value of the property. Even though it is annoying, he feels the property owners would be better off with keeping the lights.

Discussion ensued regarding the design review process of approving these details of subdivision proposals.

Lyndsey Crandall, 28660 NW Mays Street, North Plains, Oregon, was really heartbroken when she received the letter these lights might be swapped out. The lights have character and they are what actually drew her to the neighborhood. She was concerned with the breakdown in communication with this issue. In her line of business, someone would have been barking at someone. These lights are a Polygon staple. She would not have a problem paying extra for the lights.

Numerous members of the audience asked if Polygon is aware their choice of lights is being switched out.

Motion to continue this public hearing to a date certain of September 6, 2016

(Recorder's Note: This meeting was postponed to October 3, 2016 due to extenuating circumstances with the Sunset Ridge HOA) *regarding the issue of Resolution No.1950, the street light replacement discussion to get more input from citizens and to hear more options.*

Moved by Councilor Kindel. Second by Councilor Simmons. Motion was approved unanimously.

7 NEW BUSINESS:

- a) Council to review letter from City Auditor, Dennis Conner, CPA. This letter is provided on an annual basis.

Finance Manager Rachael Lembo gave a brief description of this item. This is a standard letter that is presented to the Council each year from the City Auditor. This item was informational only. No action was required.

- b) Adopt Resolution No.1951 Addressing the Significant Deficiency in Internal Control As reported in the Independent Auditor's report in the FY2014-15 Financial Statements. Review of comments from the Oregon Audits Division comments on FY-15 Financial Statements.

Lembo presented the staff report. Lembo walked the Council through the comments received from the Oregon Audits Division on FY15 financial statements and offered explanations and steps taken to comply.

Motion to approve Resolution No.1951 as presented. Moved by Councilor Lenahan. Second by Councilor Gonzales. Motion was approved unanimously.

8 ORDINANCES:

- a) First Reading
None Scheduled.

- b) Second Reading
Ordinance No. 428 - An ordinance of the City Council of the City of North Plains, Oregon, amending Ordinance No.426 in relation to Chapter 6.30 of the North Plains Municipal Code temporarily prohibiting the establishment of marijuana facilities within the City and declaring an emergency. This item is for second reading and adoption. (First reading was at the July 18, 2016 Council meeting).

This ordinance is requesting an extension of the existing temporary ban on marijuana facilities being located within the city limits of North Plains. Ordinance No.426 was scheduled to expire on August 1, 2016. Ordinance No.428 will extend the ban on marijuana facilities until November 7, 2016 or until the City adopts zoning and other regulations from marijuana facilities, whichever comes first.

At the July 28, 2016 meeting, the Planning Commission made a recommendation to approve the amendments to Chapter 6.30 Prohibition on Marijuana Facilities. That

recommendation will be coming to the City Council as an ordinance for the first reading at the September 6, 2016.

Motion by Kindel. Second by Lenahan to read Ordinance 428 for the second reading by title only. Motion was approved unanimously.

Mayor Hatcher read Ordinance No.428 by title only for the second reading.

Motion by Lenahan. Second by Simmons to adopt Ordinance No.428. The motion was approved unanimously. This Ordinance was declared an emergency and was effective immediately.

9 CITY MANAGER REPORT

Boyles shared more information with the Council on the new Library Director selected to replace Debbie Brodie. Will Worthey is currently the Library Director in Garden Home. He is very involved with WCCLS and will be a good fit for our community.

Boyles will be meeting with interested agencies on the proposed safety pedestrian path that will connect the Sunset Ridge development to the McKay Fields subdivision and then ultimately to Glencoe Road. TDT monies can be used on certain projects and this project will qualify. Simmons inquired if a traffic signal at Glencoe Street and Commercial Street is being considered. Boyles stated a traffic signal light could be incorporated into this pedestrian safety project.

Reminder of National Night Out being held on August 2, 2016.

Boyles updated the Council on the action being taken with the fish odor that has been permeating the downtown area. Dan Van Dyke has agreed to move all of the fish meal product from the tin building on Commercial Street and locate it at his facility on 307th. He is doing this as a good neighbor. Boyles stated Van Dyke is very happy with the artwork on the buildings.

Boyles informed the Council the City has topped 1000 water meters now being served in North Plains. This is up from 810 last year.

10 COUNCIL REPORTS

a)

Hatcher reported the Planning Commission has approved the Neighborhood Community Zone changes at their July 28, 2016 meeting and are recommending approval from the Council. Council will be reviewing this proposal at the September 6, 2016 Council meeting. Discussion ensued regarding the process and how this will tie in with the annexation applications that will be reviewed at the November 7, 2016 Council meeting.

Hatcher inquired of the FEMA flood plan maps that have recently been revised. Boyles is working with Heather Austin on an ordinance that will be coming to the

Council where they will be adopting the FEMA map. Boyles stated the flood zones have not changed for North Plains.

Simmons stated that TVCTV will be interviewing Blake about the mural project. One expected question is whether tax dollars are paying for it. Blake will be preparing for the interview.

Simmons may not be in attendance at the September 6, 2016 meeting.

11 ADVICE/INFORMATION ITEMS:

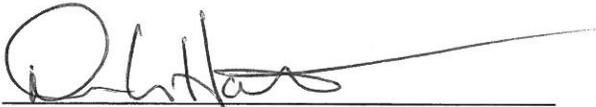
- National Night Out-Tuesday, August 2, 2015 at Jessie Mays Community Park
- Thursday Marketplace-every Thursday this summer on Commercial Street from 5:00-8:00 p.m.
- North Plains Elephant Garlic Festival-August 12-13-14

12 EXECUTIVE SESSION

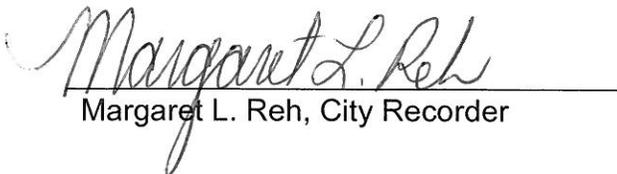
Hatcher adjourned the Regular Session at 9:06 into Executive Session in accordance with ORS 192.660(2)(e) regarding real property transactions.

13 ADJOURNMENT:

The Executive Session was adjourned into the Regular Session by Mayor Hatcher at 9:21. Hatcher adjourned the Regular Session of the City Council at 9:22 p.m.



David Hatcher, Mayor



Margaret L. Reh, City Recorder

Date Approved 09/06/2016