

CITY OF NORTH PLAINS
City Council Meeting - Regular Session
Monday, January 7, 2013 - 7:00 p.m.
MINUTES

1. **CALL TO ORDER:** Council President Teri Lenahan called the meeting to order at 7:00 p.m.

2. **PLEDGE OF ALLEGIANCE:** President Teri Lenahan

3. **ROLL CALL:**

Council present: Council President Teri Lenahan, Councilors Michael Broome, Michael Demagalski, Ana Singh-Gill, Glen Warren, Robert Kindel, Jr.

Councilor-elect Charlynn Newton

Excused absent: Mayor David Hatcher

Staff present: City Manager Martha DeBry, Public Works Director Blake Boyles, Police Chief Bill Snyder, Library Director Debbie Brodie, Recording Clerk Gail Waibel

4. **CONSENT AGENDA:**

A. Approval of regular session agenda

B. Approval of minutes of December 17, 2012 Council meeting

Motion by Warren, seconded by Broome to approve the Consent Agenda as presented. The motion was approved unanimously.

5. **PUBLIC COMMENT:**

There was none forthcoming.

President Lenahan presented flowers to outgoing Councilor Ana Singh-Gill and thanked her for four years of service on the City Council. Councilor Singh-Gill thanked the Council indicating she enjoyed serving and would continue to be active in the community.

6. **OATH OF OFFICE AND ELECTION OF PRESIDENT OF COUNCIL:**

A. Mayor and Councilor Oath of Office

Councilor Teri Lenahan

Councilor Robert Kindel, Jr.

Councilor Charlynn Newton

Police Officer Tim Thurber administered the oath of office to the incoming Councilors. Upon taking the oath, they took their places at the dais.

B. Election of President of the Council

Councilor Broome nominated Councilor Teri Lenahan for President of the Council. There were no further nominations.

Motion by Kindel, seconded by Broome to approve the nomination of Councilor Teri Lenahan as President of the Council. The motion was approved unanimously.

7. **NEW BUSINESS:**

A. Discussion of letter to Board of Commissioners regarding Nature's Needs/Recology

City Manager DeBry presented an update of Washington County Board of Commissioners action after the City Council approved a letter opposing the acceptance of food waste at Nature's Needs at their December 17, 2012 meeting. The Washington County Board of Commissioners granted a 30 day extension to Recology to allow County staff sufficient time to develop conditions for operations of the site. DeBry noted there are two options likely to be recommended by County staff after the 30 day extension. The options are: 1) Denial of the acceptance of food waste; or 2) Extension of the test period for 8 months, and a limitation to residentially generated food waste. Recology has suggested the use of night time operations to address the odor if residential only food waste is accepted. DeBry went on to note that if Recology stops accepting food waste, it would require another 60 days for the food waste to cycle out of the site. If the County only allows residentially generated materials, it is likely there would be no noticeable change in site operations for 120 days. DeBry referred to the draft letter in the Council packets. The letter restates opposition to the application to accept Type 3 waste at Nature's Needs. DeBry said if the Council approved the letter, she would hand-deliver it to Washington County Board of Commissioners the following day.

Council discussed the draft letter and Councilors Kindel and Warren indicated agreement with the draft. Councilor Newton questioned the language in Paragraph 4, "and to work towards the termination of the facility franchise in 2015." Newton indicated she did not recall discussion in regard to closing the business when she previously served on the City Council. She asked for the rationale for including this portion of the sentence which sounded like the Council was trying to drive out the business. City Manager DeBry indicated she was not City Manager during the time frame referred to by Councilor Newton and that portion of the letter may be deleted.

After discussion by Council in regard to the issue of not accepting food waste and whether or not the business should continue to operate if Type 3 Waste permit was denied, President Lenahan asked Council if there was a consensus to remove the part of the sentence Councilor Newton referred to in the discussion.

Motion by Demaglaski, seconded by Warren to approve the letter restating opposition to the application to accept Type 3 waste at Nature's Needs with the removal of the language "and to work towards the termination of the facility franchise in 2015" in the fourth paragraph.

There was additional discussion and Councilor Kindel expressed concern that it was unknown what would happen to the industry in the years to come. He was adamant that he did not want any smell in the City and if Washington County proposed a standard on odor, he would vote against. Councilor Broome agreed with Councilor Kindel. Councilor Warren stated that removing the part of the sentence would not change Washington County's denial to take the food waste. City Manager DeBry reiterated the Council's recommendation to the Board is to deny the permit for food waste. President Lenahan stated that ultimately it is a County Board decision. Councilor Newton stated it is Recology's choice and public relations decision; however, it was the finality and severity of language in the letter she was questioning. President Lenahan stressed there is still a timeline to go through and the matter of food waste compost could be final by the end of June.

Vote was called on the motion to approve the letter restating opposition to the application to accept Type 3 waste at Nature's Needs with the removal of the language "and to work towards the termination of the facility franchise in 2015" in the fourth paragraph. Roll call was as follows: Lenahan, aye; Broome, nay; Demaglaski, aye; Kindel, nay; Newton, aye; and Warren, aye. The motion carried with a 4-2 vote.

B. 2013 City Council Appointments to Boards, Commissions and Committees

The 2013 Councilor representative appointments to various boards, commissions and committees were reviewed and a few changes noted. Council consensus was to accept the appointment list as revised. Staff will forward a copy of the final appointment list to City Council.

C. Resolution No. 1776 declaring as surplus a 2002 Mercury Sable vehicle

Public Works Director Boyles reviewed the staff report included in the Council packets.

Motion by Kindel, seconded by Warren to adopt Resolution No. 1776, a resolution of the City Council of the City of North Plains, Oregon declaring a vehicle surplus. The motion approved unanimously.

D. Resolution No. 1777 approving first amendment to an intergovernmental agreement for the Broadband User's Group

City Manager DeBry reviewed the staff report included in the Council packets. The amendment, if adopted, changes the term of the BUG IGA extending it for 10 years through January 2023. President Lenahan asked if the amendment is adopted, does the City have to apply each year for the annual MACC grant to fund the internet service. DeBry responded affirmatively.

Motion by Warren, seconded by Broome to adopt Resolution No. 1777, a resolution of the City Council of the City of North Plains, Oregon approving the continuation of an intergovernmental agreement approving membership in the Broadband users Group. The motion approved unanimously.

8. PUBLIC COMMENT:

A. Resolution 1778 Approving Infill Construction Incentives

City Manager DeBry reviewed the staff report included in the Council packet. A map of "North Plains Buildable Residential Lands" was also distributed. DeBry said the resolution, if adopted, would encourage approximately 2-4 additional homes per year. DeBry reviewed the incentives and conditions Council may want to consider (Council Packet Page 27) listed in the report.

Council discussion followed including the issue of splitting lots and lot line adjustments. DeBry explained the cost differences between lot line adjustments and partitioning lots. She noted it may be possible to have a different rate as fees are substantial for partitions. Staff would need to evaluate the differences; however, Council could go ahead and approve the infill construction incentives.

President Lenahan referred to the number of buildable lots; including some located within the floodplain. She noted the potential need for additional lots, given the ongoing development and growth in Hillsboro and the surrounding area. She wanted to see development encouraged in North Plains. The general consensus of the Council was the lot line adjustment issue could be discussed at a later date. DeBry noted the only homes allowed to be built under the resolution, if adopted, would be single-family homes and no reduction in fees would apply to sub-divisions.

Council discussed the additional conditions on the incentives that could be placed on development listed in the staff report (Listed on Council packet Page 27). Councilor Newton noted she agreed that lots located within the flood plain must be eligible for elevation certification to remove the property from the flood plain at the end of the project. DeBry responded property must be out of the flood plain; and building in the flood plain is not encouraged.

DeBry briefly reviewed the amount of land located in the flood plan within the City. She also noted there are not that many places where infill housing is available and City Council has the authority to place additional incentives on a lot. DeBry indicated the resolution is proposed to get new construction going and people located in the City right away. If the resolution is adopted, staff will provide information to the public and area Realtors.

Motion by Demaglaski, seconded by Kindel, to adopt Resolution No. 1778, a resolution of the City Council of the City of North Plains, Oregon approving temporary reductions in system development fees and approving four additional conditions:

- The general contractor must be or must subcontract with a North Plains business for work totaling 10% of the project cost;
- The general contractor must pledge to buy American products, if available;
- Property owner pledges dwelling will be designed and constructed in substantial conformance with "Version 1.1 Water Sense New Home Specification" guidelines; and
- Property owner pledges dwelling will be designed and constructed to meet "Energy Star" certification standards.

The motion was approved unanimously.

9. STAFF REPORTS

City Manager: The City Manager indicated nothing further to report.

Public Works Director: The Public Works Director's written report was included in the Council packets.

Police Chief: The Police Chief's written report was included in the Council packets. In addition, Chief Snyder reported on the police training scheduled for January and February, focusing on active shooter and firearms. The Chief will provide a report on the calls for the City through WCCCA in February. There was question in regard to how many reserve officers the City has at this time and Chief Snyder responded there are 6 reserve officers.

Library Director: The Library Director's written report was included in the Council packets. In addition, Director Brodie called attention to the special programs the Library has scheduled. She noted the February schedule for the "One Book One Community" program will include a Writer's Workshop with Lake Oswego author Brian Doyle on February 7th at 6:30 PM. In addition, a book discussion of Mr. Doyle's book *Mink River*, led by retired English teacher, Mrs. Mike Spooner, will be held on February 19th at 9:30 AM. There are other events listed on the website.

10. COUNCIL REPORTS

A. 2013 Council Calendar of Meetings - The Council calendar was reviewed.

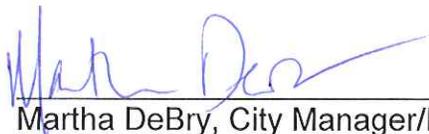
Councilors: Councilor Broome reminded everyone of the "Country Music Night" on Saturday, January 26th, 6:30 to 9:00 pm. Volunteers are needed. Sponsored by Corner Bistro & Abbey Creek Winery.

11. ADJOURNMENT

President Lenahan adjourned the meeting at 8:16 p.m.



Teri Lenahan, Council President



Martha DeBry, City Manager/Recorder

Date approved 1-24-13