

**CITY OF NORTH PLAINS, CITY COUNCIL MEETING**  
**MINUTES REGULAR SESSION**  
NORTH PLAINS SENIOR CENTER  
31450 NW Commercial  
Tuesday, January 21, 2014

1. **CALL TO ORDER:** Mayor David Hatcher called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** Mayor Hatcher conducted the flag salute
3. **ROLL CALL:** Mayor David Hatcher; Council President Teri Lenahan; Councilors: Michael Broome, Robert Kindel, Jr., Charlynn Newton, and Glen Warren

Absent: Michael Demagalski

**Staff present:** City Manager Martha DeBry, Chief of Police Bill Snyder, Public Works Director Blake Boyles, Management Analyst Jennifer Knowles, Deputy City Recorder Margaret Reh

4. **CONSENT AGENDA:**
  - A. Approval of regular session agenda
  - B. Approval of minutes of 01/06/2013 Council meeting

Hatcher asked for a motion to approve the consent agenda. Motion by Warren and seconded by Broome 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. Adoption of Resolution No.1810 extending the terms of the cable television services agreement with Comcast of Oregon, Inc. to enable the Metropolitan Area Communications Commission (MACC) to complete the formal renewal process (Fred Christ of MACC)

Fred Christ discussed with Council a request to approve the extension of the Comcast franchises agreement during the renegotiation process of the cable franchise with Comcast. Christ stated there are no changes in terms or finances associated with the extension of the agreement.

Motion by Warren and seconded by Lenahan to adopt Resolution No. 1810. The motion was approved unanimously.

B. Discussion of Oregon's Clean Fuel Program (CFP) and approving support for continuation of program.

Hatcher explained he received information in the mail regarding the Clean Fuel Program that is scheduled to sunset after 2015. A request was made for Council to show support for the extension of the Clean Fuel Program by way of a letter to Senator Starr. A template of the letter was included in the information Hatcher received. As Council discussed the Clean Fuel Program it became clearer they needed more information and would have liked a representative from the organization to have attended the meeting. Hatcher advised he would not be sending the letter to Senator Starr.

C. Approval of Resolution No. 1811 Surplus Police equipment

Motion by Kindel and seconded by Lenahan to approve Resolution No. 1811 declaring surplus obsolete or non-functioning equipment and authorizing sale or disposal of such property. The motion was approved unanimously.

D. Update regarding Economic Development

Council had requested an update on the economic development activities of the Management Analyst. DeBry and Knowles presented the staff report that listed several detailed key initiatives that are a part of an overall strategy of making North Plains a desirable place to live, work, and own a business.

E. Approval of waiver of fees for Cub Scouts 175 to use Jessie Mays

Motion by Newton and seconded by Kindel to waive the fees for use of Jessie Mays Community Hall for the Pinewood Derby on January 25. The motion was approved unanimously.

F. Approval of waiver of fees for "Acting with Mo" classes at Jessie Mays

Motion by Broome and seconded by Warren to waive the fees for use of Jessie Mays Community Hall for Children's Theater Classes with Maureen Hicks. The motion was approved unanimously.

G. Discussion of use of Jessie Mays Park for a Society for Creative Anachronisms (SCA) event in May

A request was made for the use of Jessie Mays Community Park for a weekend in May. The Society of Creative Anachronism (SCA), a non-profit group that participates in the middle ages/renaissance activities, wants to host an event in North Plains. Also, as a part of the event they will host a private party, called a feast, inside Jessie Mays Hall on the first evening where dancing to acoustical instruments occur. Staff is seeking direction from Council on fees and criteria for renting the field as we have only had one request for this to date.

Motion by Kindel and seconded by Warren to allow the City Manager to negotiate a contract with SCA and to plug in the fees necessary that will make this thing work. Hatcher asked for further discussion. The motion was not voted on.

Council was concerned with the damage that may occur to the field as it could still be wet this time of year. Noise issues and safety/security concerns were also expressed and Council wants these to be addressed in the agreement for the use of the park. As a condition of approval, letters need to be sent out to the residents in the vicinity notifying them of the upcoming event. Council also wants the City to be named as an additional insured on SCA's insurance policy. DeBry will ask the SCA to attend a Council meeting.

G. 1. Approval of waiver of fees for SCA, a non-profit, to use Jessie Mays

The Society for Creative Anachronism, a non-profit organization, was requesting Council to waive the fees associated with the rental of Jessie Mays Community Hall for a general membership business meeting on February 1, 2014.

Consensus of the Council was to waive the fees for the use of Jessie Mays Community Hall for a business meeting.

H. Adoption of Resolution No.1812 appointing City Manager as the local government representative to receive information from owners of foreclosed properties.

DeBry presented the staff report explaining HB 2662 in which legislature adopted a law to provide cities with additional tools to address foreclosed properties. The full text of the law was included in Council Packet.

Motion by Kindel and seconded by Newton to adopt Resolution No. 1812 approving the designation of the City Manager as the local government representative to receive information from owners of foreclosed properties. The motion was approved unanimously.

I. Discussion of compensation changes for police employees and Library Director

DeBry presented the staff report regarding two changes in compensation.

City/County Insurance Services (CIS) advised the City that Library Director Debbie Brodie is not eligible for either life, long-term disability or accidental death and dismemberment insurances. The City has previously provided these to the employee. In order to keep the employee whole, staff is recommending a slight increase in the hourly rate, which would allow the employee to obtain insurances elsewhere. The value of the City's current contributions are roughly \$35/month. This change would increase the hourly rate from \$29.74 to \$30.15. Discussion ensued.

Motion by Kindel and seconded by Lenahan to make the adjustment and raise the compensation from \$29.74 to \$30.15. The motion was approved with a 5-1 split vote with Warren voting against.

The second issue was to provide a legal defense fund for our officers, particularly our reserve officers. Officers are in a profession that is frequently sued for acts and omissions committed within the scope of employment. Even well-trained and competent officers can be the subject of lawsuits, which are expensive to defend even when no wrong doing has occurred. At present only the Chief has secured legal defense insurance. Officers, including reserves, have an exposure to legal costs that can be bridged easily with a group policy. The legal defense fund offered by the Peace Officers Research Association of California (PORAC) provides knowledgeable legal representation for both criminal and civil cases.

Lenahan suggested that Chief Snyder look into consulting with Elmer Dickson who is the Washington County Counsel: Attorney for Law Enforcement. Lenahan feels we should work with our neighbors instead of going out of state.

Council agreed they were not ready to make a decision on this issue. They would like to see more research done and have staff report back.

J. Adoption of Resolution No.1813 reclassifying an Account Clerk II position in Finance to City Recorder in the City Manager's Office

DeBry presented the staff report. M. Reh was appointed to an Account Clerk II position in April. Cross-training has occurred with the Finance administration functions along with executing City Clerk duties. During this time Reh has also been the Library Cataloger. Library Director Debbie Brodie is in the process of recruiting a specialized cataloger to replace Reh. Reh will be transitioning to spend the full 40 hour work week to City Hall. DeBry is requesting Reh to be assigned primarily to City Recorder duties, while providing back up support to the front office as needed. This change in classification and title should be memorialized by resolution.

Motion by Kindel and seconded by Broom to adopt Resolution No. 1813 which reclassifies an Account Clerk II position in Finance to City Recorder in the City Manager's office. The motion was approved unanimously.

K. Adoption of Resolution No.1814 approving the payment of Clean Water Services Fees for Senior Center Remodel

DeBry was approached by Margaret Wold, Manager of the North Plains Senior Center requesting assistance from the City regarding payment of Clean Water Services fees for the design review of the Senior Center Remodel. The commencement of the kitchen remodel has been postponed several times since the initial approval of plans in 2012. Costs have escalated and the North Plains Senior Center needed to request an additional \$70,000 in CDBG funds, which was approved in the prior month. The North Plains Senior Center was recently advised that CDBG funds cannot be used for payment to Clean Water Services for system development fees. These fees are estimated at \$8,150. Because the Senior Center maintains a very lean operating reserve of approximately \$15,000, which can cover about 6 months of operations, the Clean Water Service fees represent a large financial risk. Discussion ensued.

Motion by Warren and seconded by Kindel to adopt Resolution No.1814 approving the payment of Clean Water Services Fees for the Senior Center Remodel from Recology Fund revenues. The motion was approved by a 5-1 split vote with Lenahan voting against.

L. Interview and appointment of Planning Commission members:

- a. Ethan Hagar
- b. Larry Gonzales

The City had solicited applications for the two Planning Commission openings to which Ethan Hagar, an incumbent, and Larry Gonzales, a new resident to North Plains, applied. Ethan Hagar was not available to attend the Council meeting for an interview. Council interviewed Mr. Gonzales.

The staff report noted the Commission had expressed a concern about Ethan Hagar's attendance record at the Commission meetings. Hagar was also absent from the Planning Commission meeting in which he would have been interviewed. Newton stated that she felt it would be a voice not being heard taking up a seat if Hagar was appointed to the position again. Council would like keep the position open and available for other applicants.

Motion by Newton and seconded by Broome to appoint Larry Gonzales to the Planning Commission but pass on Ethan Hagar at this time. The motion was approved unanimously.

M. December Check Register: Manual and Auto Pay

Council reviewed the December Check Register. There was a concern regarding the transaction for DR Horton for Refunds on Lot 3-5 for \$6,665.00 each. DeBry will research this and report back to Council.

**9. UNFINISHED BUSINESS:**

A. North Plains Skate Park update by Councilor Warren

Councilor Warren initially wanted to update the Council on the status of the skate park equipment that was temporarily donated to Evergreen Christian Church. Warren has some ideas to reuse the skateboard equipment. Instead he wanted to say something about the skate park itself first. North Plains' plan was that we get a skate park. We should buy some land and do this, and not use the old equipment. The church is using it and we should let them continue to use it. A skate park is a long time overdue we have the money for parks. We should buy the land and put up a park. He stated that Scappose and Ranier have their parks. He is disgusted with North Plains about this. We had to remove the equipment because of noise issues. Warren was ready to buy the sound barriers that would have addressed that issue. Then, he stated, the insurance concerns came up. Warren thinks we should do the right thing and do something for the kids-give them a skate park. This is something we started seven years ago and still don't have anything. His grandson was eleven years old when we first started talking about this. He is twenty now and still skates. He feels it is a losing process to get the equipment back and try to cover it with polyurethane to make it usable. Warren wants the specific topic of getting a skate park added to the agenda and see if we can buy some property and see it happen.

Hatcher stated that there were two members of the Parks Board present here on the Council and they will take your message back to the group. Newton and Lenahan also invited Warren to come to the Parks Board meeting that will be held the next night. Newton stated they are working on exploring options for the skate park.

B. Discussion and approval of specific draft city policies from number 401-603

Due to the lateness of the hour this item was deferred to the next Council meeting.

10. ORDINANCES:

FIRST READING:

None Scheduled

SECOND READING:

None Scheduled

11. STAFF REPORTS

Included in the packet was a copy of the Market Trends or the Portland economic indicators for December. This was included in the packet to ensure Council all received it. Generally North Plains is following the trend of most of the area where housing starts are up. We are seeing more activity in real estate than we have in the past.

The law enforcement dinner is coming up. The Chief has organized this event for the region at Pumpkin Ridge Golf Club. Police are staying very busy. Chief Snyder is actively working on arrest warrants.

One Book One Community will be very active in the month of February. In addition to the Kick-off party on Saturday, February 1 there will be additional activities including a dance ensemble; a musician performing at the library and other events such as the Super Saturday. All are encouraged to attend.

Several Council members attended the William Stafford event and saw how successful it was. There were over 150 participants who attended. Kim Stafford's publicist stated that Kim thought it was a wonderful event and couldn't stop talking about it—we made a big impression on him and the library community.

The City received an appeal to a Planning Commission decision that will be presented to the Council the second meeting in February—on Tuesday, February 18, 2014. This is in regards to a five lot subdivision on North Avenue. We have to notice the public meeting so it can't take place until that third week of February.

We have the order to remove the vehicles from the Speight property. That will be taking place in the next couple of weeks.

12. COUNCIL REPORTS

Hatcher asked for a Fourth of July Report at the next Council meeting. He would like to have them presenting where they are in the planning, the sponsorship and the whole picture.

Hatcher asked that we send a reminder to Demagalski that he is the ex officio for Planning Commission in February.

Broome brought up an issue regarding the new development on Highland Court and the home owner's association. Individuals are posting notices on homes that are not a part of the HOA stating they are in violation. DeBry stated we would need to see a copy of the notice to be able to respond.

Broome would like to designate a dance at Jessie Mays in March to raise funds to help out the North Plains Elementary School. Broome has met with the principal and she indicated they could use help with art supplies. Broome inquired of the council if they would be willing to match what is raised at the dance. Hatcher asked that this be added as a future agenda item.

**13. EXECUTIVE SESSION: (No action may be taken in executive session. If action needs to be taken, the Council will do so in regular session.)**

- A. Adjourn to Executive Session in accordance with ORS 192.660(2)(i) and 192.660(2) ) - (e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

Adjourned to an Executive Session at 10:10 to discuss real property. Exited Executive Session at 10:32 p.m.

**14. ADVICE/INFORMATION ITEMS:**

- Thursday, January 23, 2014: Joint Legislative Dinner at the Prime Time Restaurant
- Sunday, January 26 from 1:30-5:00: Playdate at Jessie Mays Community Hall
- One Book One Community Kick-Off: Saturday, February 1 from 6:30-8:30 at the North Plains Public Library. Free copies of the book "Running the Rift" by Naomi Benaron and free Rwandan food.

**15. ADJOURNMENT: Mayor Hatcher adjourned the meeting at 10:32:30 p.m.**

\_\_\_\_\_  
David Hatcher, Mayor

\_\_\_\_\_  
Margaret L. Reh, Deputy City Recorder

Date approved \_\_\_\_\_