

CITY OF NORTH PLAINS
City Council Minutes - Regular Session
North Plains Senior Center
Thursday, January 24, 2013 - 7:00 p.m.

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

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

4. **CONSENT AGENDA:**
 - A. Approval of regular session agenda
 - B. Approval of minutes of January 7, 2013 Council meeting

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

5. **PUBLIC COMMENT:**
There was none forthcoming.
6. **PRESENTATION:**
None scheduled.
7. **NEW BUSINESS:**
 - A. Discussion of Planning Commission Zoning and Development Code Amendment: 12-009-01-ZDA—Ordinance Revisions

City Manager DeBry explained the Planning Commission has been working on an update of the zoning code for review toward the following: *(City Manager's additional comments are noted in italics.)*

- Differentiate the residential zones - *Residential requirements for R2.5, R5 and R7.5 were presented in table format.*
- Simplify language - *Allows some administrative review of minor variances and allows waiver of pre-application conference. Formal meetings may be waived if appropriate.*
- Provide additional definitions
- Correct some inconsistencies

- Revise the sign code - *Focus on temporary signs due to current code being unclear and difficult to administer. Also, the new code addresses signs in Right-of Way only and bans non-political, non-real estate signs in residential areas.*

President Lenahan stated she attended a Planning Commission meeting and the Commission worked very hard on the revisions.

DeBry indicated the draft code amendments were being forwarded to Council for review and comments. A proposed ordinance would be introduced at the February 4, 2014 City Council meeting for first reading.

B. Discussion of date to set Council goals for fiscal year 2013-2014

City Manager DeBry asked Council to consider setting a date for discussion and to identify goals for fiscal year 2013-2014. The discussion could take place at a regular meeting or study session. Council members preferred a study session and several suggestions for dates and time came forth. DeBry indicated she would forward several possible dates by email to Council.

C. Discussion of Partition and Lot Line Adjustment fees

City Manager DeBry stated this item was follow-up to the January 7th Council meeting when staff was requested to present information regarding the feasibility of changing partition and lot line adjustment fees. Council had concerns that these processes were a hindrance to infill construction. (A copy of the fee schedule along with a sample fee worksheet differentiating the fees for both a land partition and a lot line adjustment were included in the Council packets.) DeBry reviewed the worksheet indicating the fees are based on staff estimates of the actual cost of performing work necessary for the land use review. The current fees are lower than fees in place for 2011; staff believes the current fees cover the costs and are not an impediment to construction in the City. Councilor Warren indicated the fee schedule looked good. There were no further comments. This item for information only; no action was taken.

D. December 2012 Check Register

The December 2012 check register was reviewed. Several items were discussed and City Manager DeBry indicated she would follow-up on specific items with additional information to the Council. This item for discussion only; no action was taken.

E. Approval of an Intergovernmental Agreement (IGA) for use of facilities and resources during a local emergency or disaster between the City of North Plains and City of Hillsboro

City Manager DeBry reviewed the staff report included in the Council packet. The City of North Plains is in the process of developing its Continuity of Operations Plan (COOP). The plan will provide a detailed process for setting up an emergency response center in the event of an emergency and City Hall or the Washington County

Fire District #2 station may not be available. There are no alternative sites within North Plains equipped to serve as a center. The IGA with Hillsboro provides North Plains the use of Hillsboro facilities in an emergency. DeBry noted if the IGA is approved, City staff will tour Hillsboro's facilities and meet with their staff.

Motion by Lenahan, seconded by Broome, to approve an Intergovernmental Agreement (IGA) for use of facilities and resources during a local emergency or disaster between the City of North Plains and City of Hillsboro. The motion was approved unanimously.

- F. Approval of a Memorandum of Understanding (MOU) for use of facilities and resources during a local emergency or disaster between the City of North Plains and Washington County Oregon

City Manager DeBry noted the MOU is the same form as the IGA with the City of Hillsboro except it is with Washington County and provides for the City's use of County facilities in an emergency.

Motion by Kindel, seconded by Demagalski, to approve a Memorandum of Understanding (MOU) for use of facilities and resources during a local emergency or disaster between the City of North Plains and Washington County Oregon. The motion was approved unanimously.

8. UNFINISHED BUSINESS:

- A. Consideration of North Plains Events Association (NPEA) and North Plains Chamber of Commerce (Chamber) use of Jessie Mays.

City Manager DeBry referred to the staff report included in the Council packets. The item before the Council reconsidered the request to waive rental, cleaning fees and OLCC fees for the use of Jessie Mays by the North Plains Events Association (NPEA) on August 9, 10 and 11, 2013. The Council previously approved the request referred to in the staff report as the Elephant Garlic Festival at their meeting on November 5, 2012. At that same meeting, the Chamber advised Council that it would sponsor the Elephant Garlic Festival in 2013, not the NPEA. NPEA has requested reconsideration to provide a clear understanding that the NPEA will not be conducting the Elephant Garlic Festival. The Chamber of Commerce submitted a request to the City asking to host a festival in August on the first or second week-end in August which would include car shows and parade. Staff forwarded the requests to City Council and recommended they hear from both the NPEA and Chamber and make a selection for a festival to be held the second weekend in August. DeBry explained some of the challenges for the community, volunteers, vendors, sponsors and City staff to be available for two festivals. The staff report also noted the extra expense to the City for two festivals and the negative impact on the residents surrounding the area of the Jessie Mays Center.

Mayor Hatcher indicated Council would hear from representatives of the NPEA and the Chamber. The Chamber representative was invited to address the Council first.

Robert Ireland, Attorney, came forward to represent North Plains Chamber of Commerce. Mr. Ireland stated the Chamber has worked on the festival and is wants what is best with the Elephant Garlic Festival. It is the Chamber's desire to move forward with the Elephant Garlic Festival and not look back. Ireland explained the best weekend to hold the festival is the first weekend in August due to other scheduled events. Ireland spoke to the purpose of the festival and that any proceeds would be used for the community. He also noted the Chamber has aligned sponsors for the event.

Discussion followed with the City Council in regard to the matter of holding two events for the first and second weekends of August, the dates used by the festival in the past, the expenses incurred by the Chamber for electricity, correspondence between the City and Chamber, the use of legal representation and the impact of the festival on neighbors of Jessie Mays.

Before receiving comments by representatives from the NPEA, Mayor Hatcher announced he was a member of NPEA but did not have a conflict of interest as he received no monetary gain. President Lenahan stated she is a member of NPEA and did not have a conflict of interest because she received no monetary gain. Both Hatcher and Lenahan stated they were volunteers for NPEA. *(Note: Hatcher and Lenahan later advised both are members of the Chamber of Commerce as well.)*

Russ Sheldon and Stewart King came forward to present North Plains Event Association's request to reconsider permission already granted by the Council to hold a community festival on the second weekend of August, 2013 at the Jessie Mays Community Hall and Park with the addition of a street closure of NW Commercial for a planned car show to be held downtown on Sunday, August 11, 2013. Mr. Sheldon read a statement from NPEA providing the background for their request, including the reason for formation of the NPEA, identification of festival organizers and plans for the 2013 event. NPEA presented the festival name as **"Summer Fest & Garlic Out West"**.

Sheldon stated that upon the conclusion of "Summer Fest & Garlic Out West", NPEA will convey the festival, irrevocably to the City of North Plains, including but not limited to, its name, trademarks and intellectual property for perpetuity so that it officially belongs to the citizens of North Plains.

Motion by Lenahan, seconded by Warren to approve the use of the Jessie Mays Community Center for the "Summer Fest & Garlic Out West" Festival on August 9-11, 2013 and deny the Chamber's request to use of the Jessie Mays Community Center for a festival on the first weekend of August.

The motion was approved unanimously.

B. Discussion of Supplemental Budget proposal for 2012-13

City Manager DeBry presented a PowerPoint reviewing the priorities included in the

supplemental budget for Fiscal Year 2012-2013. The proposed Supplemental Budget adds a position of Account Clerk (FTE) and a part-time Finance Manager (in lieu of contracting with TKW). The actual costs are reflected in the budget as presented.

DeBry reviewed the Supplemental Budget with City Council members responding to questions in regard to specific line items. There was a question and comment time and at the conclusion, City Manager DeBry indicated the adoption of the Supplemental Budget would be considered by the City Council at a future meeting.

In regard to the Proposed Supplemental Urban Renewal Agency Budget, DeBry indicated because it exceeds the 10% limit under Oregon Budget Law, the City Budget Committee would need to convene to review and approve the URA budget.

This item for discussion only; no action was taken.

C. Approval of Council-Staff Communication Guidelines Policy

City Manager DeBry briefly reviewed the general guidelines set forth in the Council-Staff Communications Guidelines to help provide effective communications between the City Council and staff, as follows:

- Channel communications through City Manager
- All Councilors have the same information
- Council set direction; staff is responsible for administrative functions and operations
- Submit a question in advance of meeting, when possible
- Respect full Council
- Depend on staff or independent and objective recommendations
- Staff are supporters and advocates for adopted policy
- Refrain from public criticism

Motion by Newton, seconded by Warren, to approve the proposed policy for Council-Staff Communications. The motion was approved unanimously.

Recorder's Note: Councilor Demagalski left the meeting at 9:14 pm.

9. ORDINANCES

FIRST READING:

- A. Ordinance No. 412 - An ordinance of the City Council of the City of North Plains, Oregon, amending Chapter 1.05 of the North Plains Municipal Code regarding Procedures of City Council

City Manager DeBry indicated the procedures provide more flexibility for Council and staff and allows reappointment of committee and board members without a formal process. If approved for first reading, the ordinance will be scheduled for second reading and adoption at the February 4, 2013 Council meeting.

Mayor Hatcher requested amendment to Ordinance No. 412, Section 1.05.070 Agenda, the first sentence to read as follows: "The Mayor in consultation with the City Manager shall approve an agenda of the business for regular Council meetings."

Motion by Newton, seconded by Broome to read Ordinance No. 412, as amended, Section 1.05.070, Agenda, first sentence to read "The Mayor in consultation with the City Manager shall approve an agenda of the business for regular Council meetings." the first time by title only. The motion was approved unanimously.

Mayor Hatcher read Ordinance No. 412, as amended, the first time by title only.

10. STAFF REPORTS

City Manager: The City Manager's written report was included in the Council packets. In addition, DeBry reported the Washington County Commissioners held a public hearing on January 22, 2013 and after hearing testimony approved the option that amends the franchise agreement to allow the acceptance of residentially-generated food wastes for the duration of the franchise (until July 2015). She advised she was in discussions with Recology about a higher host fee. DeBry presented a brief update of current development projects.

Public Works Director: Public Works Director Boyles reported on a meeting he and the Mayor attended with ODOT regarding funding available to finish the walking trail on the north side of the creek. ODOT is open to working with the City and a cost estimate will be provided by mid-February. This will be a separate project from the interchange project. Mayor Hatcher noted he and the City Manager met with Senator Bruce Starr and requested the available funding be used for the trail. Senator Starr immediately requested the funds be designated for the trails by ODOT. Boyles also reported a grant has been submitted for the trail behind McDonald's to 219th. The grant was submitted on January 17, 2013 and they should find out if the City receives the grant in March.

Police Chief: Chief Snyder reported they are currently involved in the police training scheduled for January and more to come in February. They are using the grant from ODOT for extra officer duty. Chief attended active shooter training at the City of Hillsboro and noted the high quality of training available.

Library Director: The Library Director's written report was included in the Council packets. In addition, Director Brodie said tax forms are available at the Library and information is available on the Library website. Tax assistance is available through AARP at the North Plains Senior Center. Brodie introduced Margaret Reh, President, Friends of the Library. Reh reminded Council of the February schedule for the "One Book One Community" program that will include a Writer's Workshop with author Brian Doyle on February 7th at 6:30 PM. Reh expressed appreciation for the support of the City Council.

11. COUNCIL REPORTS

A. February 2013 Council Calendar

Mayor: Mayor Hatcher called attention to the Council assignments for February. One correction was noted by Councilor Newton. DeBry will send a revised calendar out by email.

Councilors: Newton mentioned the vote on Nature Need's was interesting. Councilor Warren noted he missed the MACC meeting this month.

12. ADJOURNMENT

Mayor Hatcher adjourned the meeting at 9:37 p.m.



David Hatcher, Mayor



Martha DeBry, City Manager/Recorder

Date approved

2/4/13