

**CITY OF NORTH PLAINS, CITY COUNCIL MEETING
MINUTES REGULAR SESSION
NORTH PLAINS SENIOR CENTER
31450 NW Commercial
Monday, May 6, 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:** Hatcher conducted the flag salute.
3. **ROLL CALL:** Mayor David Hatcher; Council President Teri Lenahan; Councilors: Michael Broome, Michael Demagalski, Charlynn Newton, Glen Warren and Robert Kindel, Jr.

Staff present: City Manager Martha DeBry, Public Works Director Blake Boyles, Chief of Police Bill Snyder, Library Director Debra Brodie, Account Clerk Margaret Reh

4. **CONSENT AGENDA:**
 - A. Approval of regular session agenda
 - B. Approval of minutes of 4/15/2013 Council meeting
 - C. Council to consider Resolution No. 1784 Declaring Armament Equipment Surplus

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

5. **PUBLIC COMMENT:**

Cheri Olson, former Mayor, appeared before the Council to present three things:

 1. Donated a copy of her new book "Surviving" the Teen Driving Years a Manual for Defensive Driving: Saving One Life at a Time through Knowledge, Understanding and Practice to the North Plains Public Library. Olson presented it to Library Director Debbie Brodie.
 2. Olson expressed her concerns regarding the financial state of the North Plains Senior Center.
 3. Olson would like to see a copy of the Council Agenda posted before Friday before the Council meetings.
6. **PRESENTATION:**

None Scheduled
7. **PUBLIC HEARING:**
 - A. Water Rate Increase: Resolution No. 1785: A Resolution of the City Council of the City of North Plains, Oregon, Approving a Water Rate Increase of 3% to be Effective October 1, 2013.

DeBry presented the staff report. Notice of this public hearing was advertised in the city newsletter which is distributed with the water bill. City staff has rearranged some capital expenses so they are spread out over a greater amount of time to ensure funds will be available.

A 3% increase in consumption rates would have the following effect:

Units Consumed	Tier 1 00-25 ccf	Tier 2 26-50 ccf	Tier 3 51 ccf and up
Current rate	\$3.91	\$4.24	\$4.79
3%	\$4.03	\$4.37	\$4.93

* 1 ccf = 100 cubic feet = 748 gallons

Most residents consume roughly 6 units a month which is billed at the 0-25 ccf rate tier. The typical impact of the rate increase would be as follows for most residents:

	Base Rate	6 units Consumption	Total Monthly	Monthly Change	Annual Change
Current	\$47.50	\$23.46	\$70.96		
3%	\$48.93	\$24.16	\$73.09	\$2.13	\$25.55

Discussion ensued. Council asked why the base rate was being raised along with consumption. DeBry stated they need to be kept in balance to cover fixed costs of providing service.

Mayor Hatcher opened the public hearing at 7:16 for anyone in the audience to speak up on the issue. No comments were forthcoming. Hatcher closed the public hearing at 7:17.

A question was raised asking if the TUF fee is subject to the 3% increase being that is included on the water bill statement. DeBry stated that the TUF is not related to the water billing.

Motion by Kindel, seconded by Lenahan to approve Resolution No. 1785: A Resolution of the City Council of the City of North Plains, Oregon, Approving a Water Rate Increase of 3% to be Effective October 1, 2013. The motion was approved unanimously.

8. NEW BUSINESS:

A. Council to discuss the proposed Amendment to Host Agreement with Recology

DeBry presented the staff report. DeBry stated there have been several iterations of the host agreements over the years between the City of North Plains and the operators of the Nature's Needs facility.

The most recent agreement between Recology and North Plains, approved in 2010 provides that Recology will pay the City a host fee of \$0.50/ton for type 3 feedstock

materials that include food waste. This fee has historically been placed in a Street Fund—to be used to repair Highland Court when necessary from the use of truck traffic.

City staff began discussions with Recology about the agreement last January. The intent of the discussions was to provide Recology with the opportunity to support community programs, and allow the Council the discretion to determine the best use of funds.

Recology agreed to increase the per ton fee from \$.50/ton to \$1.00/ton for all materials received at the facility. This will not double the revenue as compared to the previous year because a reduced amount of tonnage is being delivered to Nature's Needs. One of the conditions of this agreement is that the fund would be called the "Recology Community Fund"

Lenahan asked how the fee rate was calculated. DeBry stated it was a negotiated amount.

North Plains is not a regulatory body with this agreement—Washington County is the franchise authority that regulates Recology. This fee is not a requirement of law. The franchise itself does not require an agreement with North Plains, although it has been considered a condition of approval of the franchise. Recology is not obligated to change the host fee.

Hatcher called for a discussion of the Council. Lenahan stated she is not comfortable with calling it "Recology Community Fund." She agrees that Recology does give a lot to the community but is concerned that if it is called a "Community Fund" it will upset citizens who don't support Recology.

Newton would like to see some of the money remain in a line item in the street fund.

Newton also expressed her concerns with the name of the fund. She wants to make sure we are not being used as a public relations tool.

Since these funds, plus the \$57,000 collected in the past can be allocated in the General Fund, it will assist with building the fund balance or be used for projects including street projects. If the agreement is not amended, budget projections should be amended to reflect a lower income and no transfer of assets from the Street Fund to General Fund.

Motion by Demagalski, seconded by Kindel, authorizing City Manager DeBry to enter negotiations of an amended agreement with Recology using the label "Recology Fund". The motion was approved unanimously.

B. Discussion of Municipal Code Chapter 6.15 Business Licenses

DeBry presented the revision of Municipal Code Chapter 6.15. City Attorney suggested replacing the ordinance rather than modifying as the current ordinance contains some odd language.

The City's existing business ordinance Chapter 6.15 creates the frame work for business licenses that "regulates" commerce in North Plains. As such the City has the discretion to

not issue a license, and in theory close a business by withdrawing its license. The current fees of \$70 set up and \$50 annual renewal does not provide adequate funding for resources to actually review each application on an annual basis, conduct site visits and inspections. Staff may not be qualified to inspect facilities to ensure they are operating in a safe or lawful manner.

In practice the City has a revenue raising process. The license exists for the purpose of raising revenue that allows the City to provide services to businesses and residents. Business license fees raise about \$6,500 annually, with set up and first year fees waived thru December 2013. No changes in the fees are recommended.

No decision was made. This item was for discussion only.

C. Discuss of City Manager Performance Review Process

Mayor Hatcher requested of the Council to move this item behind Agenda Item 10A. Council agreed to this change of the agenda.

9. UNFINISHED BUSINESS: None Scheduled

10. ORDINANCES:

FIRST READING:

- A. Ordinance No. 416, An Ordinance of the City Council of the City of North Plains, Oregon, Approving Amendments of Municipal Code Chapter 16.80 Sign Standards—Zoning and Development Code Regarding Signs: 12-009-01-ZDA. First reading by title only.

As discussed with the City Council on April 1 and May 6, 2013, a revised sign ordinance was recommended by the Planning Commission.

Staff was asked to invite the owners of the three non-conforming signs to comment before the Council on the sign ordinance (Chevron, McDonald's and 76 which are all located at Glencoe and Highland Court). Representatives of these three commercial businesses provided comments and requested that Council consider amending 16.80.045 to grandfather existing signs.

James and Jamie Monroe, owners of McDonald's, requested that Council provide relief from a requirement in the sign ordinance that requires non-conforming signs be brought into conformance upon approval of a design review.

Along with the Monroe's, Betty Martin of the 76 Station and Sukhvir Josan of the Chevron Station asked the Council to amend the ordinance to grandfather their signs so they can remain on permanent basis. Discussion ensued.

Council decided to adopt the changes recommended by the Planning Commission, with an amendment to include a new section 16.80.045.D which grandfathers all existing highway signs, exempting them from conformance requirements but does not allow for their alteration or replacement:

Motion by Lenahan, seconded by Warren, to read Ordinance No. 416, An Ordinance of the City Council of the City of North Plains, Oregon, Approving Amendments of Municipal Code Chapter 16.80 Sign Standards—Zoning and Development Code Regarding Signs: 12-009-01-ZDA, by title only for the first time along with the amendment to allow for highway signs. The motion was approved unanimously.

Mayor Hatcher asked DeBry to read Ordinance No. 416 for the first time by title only along with the amendment to allow for highway signs.

The agreed upon amendment was:

16.80.045.D Highway Signs. Any non-conforming signs located at tax lots 1N312AB00400, 1N301DC06300 or 1N3120000200, that were approved under previous regulations, or for which a variance was granted, and which was installed prior to April 1, 2013 will be permitted until such time that all or a portion of the sign is removed or substantially damaged for any reason including acts of god. Highway signs cannot be altered in physical dimensions.

Mayor Hatcher thanked all the business owners for attending the meeting.

SECOND READING:

B. None Scheduled

11. Discussion of City Manager Performance Review Process (Previously moved down from earlier on the agenda)

Council wanted to touch base on the process for the performance evaluation of the City Manager. Lenahan is evaluating a few websites that can be used to survey the Council and staff for input to the performance evaluation. DeBry's contract is set to expire the end of June.

12. STAFF REPORTS

DeBry stated Planning and Development activity continues to increase. DMI, DR Horton and McKay Fields are all moving forward. Plus, there is great interest with in-fill development. The discounted rates are having the intended impact. Hatcher mentioned that B. Bobosky has met with Stewart King regarding development in the East expansion area. Polygon Homes are the intended builders.

There have been inquiries regarding another possible annexation request of some of the north UGB properties. DeBry suggested that maybe it can be a more gentle process on the community this time.

DeBry reported she has been voted on to the Board of Directors at the North Plains Senior Plaza.

Public Works Director Boyles reported on the Claxtar Street improvement. The project may be completed by Labor Day, but have a buffer of September 30, 2013 for completion.

A new swing set was installed at Jessie Mays and has already been put to good use.

PGE has installed some of the new LED streetlights along Claxtar. This is part of a pilot program. It will cost the city about \$70/ month for the operation of all the streetlights that have been installed along Claxtar.

Boyles gave an update on the Community Garden. It has become a very popular community project. When the plots were initially installed they were very generous with the spacing. There are 15 people on a waiting list for a plot. There may be some empty beds behind the Tristar Properties building that could be used. One of those plots has already been turned into a horseshoe pit for the 4th of July festivities.

The tunnel under the new Glencoe Road/Highway 26 interchange is underway. Kindel reported that it is much larger than he had pictured it.

Library Director Brodie reported that the bake sale took in \$300 in six hours. The next fundraiser is the plant sale (mostly vegetables) that will be taking place on Saturdays throughout May.

Police Chief Snyder reported that he is compiling statistics and is getting feedback on the electronic speed sign that is installed on North Avenue.

The Chief's community contacts are increasing. These are casual residential outreaches that he conducts. Lenahan congratulated him on this and would like to see it to continue to increase.

North Plains Police will be assisting Hillsboro Police Department with the Hippy Chick Run on Saturday, May 11, 2013. This is a ½ marathon. Snyder stated that this type of cooperation between police departments assists in building camaraderie between the two forces.

Warren inquired about the police car that sat at Jessie Mays Park almost the whole night before the plant sale on May 4th. Warren reported that he had citizens wonder why they were there and not protecting the whole city. Snyder stated it was a reserve officer who was on that night and he returned to Jessie Mays after completing his rounds. This was offered to the Garden Club as a courtesy. Broom stated that he also volunteered for a shift in the security detail for the Garden Club from 6:00 to 7:00 a.m.

Snyder reported that Councilor Kindel, with the approval of DeBry, had nominated Snyder to be on the Washington County Communicator CEO Board. This is a volunteer position and it will take approximately one hour per month.

13. COUNCIL REPORTS

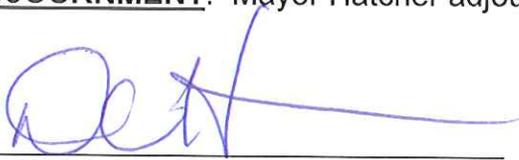
Lenahan inquired about the increase in planning. She asked DeBry if we have increased the budget to get more help with the planning process. DeBry will be bringing Carol Connell in as a consultant as needed. If developers want the process expedited then the costs can be incorporated into the developer fees.

Broome sought the Council's approval to develop his own committee to help organize and help out with the various music events scheduled for this year. The consensus of the Council was for Broome to move forward with the development of this committee.

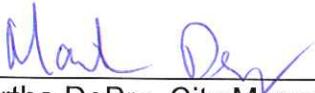
14. ADVICE/INFORMATION ITEMS:

Memorial Day: Monday, May 27, 2013-City Offices Closed

15. ADJOURNMENT: Mayor Hatcher adjourned the meeting at 9:00 p.m.



David Hatcher, Mayor



Martha DeBry, City Manager/Recorder

Date approved 5/23/13