MINUTES
City Council - Regular Session Meeting
Monday, June 21, 2021 Jessie Mays Community Center 7:00 PM

COUNCIL MEMBERS: Mayor Teri Lenahan; Council President Russ Sheldon; Councilors: James Fage, Robert Kindel, Jr., Cameron Martinez, Trista Papen, Rickey Smith,

STAFF PRESENT: City Manager Andy Varner, Library Director Robin Doughty, Police Chief James Haxton, Public Works Director Blake Boyles, Finance Director Bill Reid, City Planner Heather Austin, City Attorney Spencer Parsons, City Recorder Lori Lesmeister

OTHER:

1 LOGIN INFORMATION TO ATTEND VIA ZOOM
   
   **Join Zoom Meeting**
   https://us02web.zoom.us/j/87284289668?pwd=cGdmaFhLd0dIVUp0VFdSbGNPZDFXUT09
   Meeting ID: 872 8428 9668
   Passcode: 456427

   **Call in (no internet)**
   253-215-8782
   Meeting ID: 872 8428 9668
   Passcode: 456427

2 CALL TO ORDER at 7:06 pm

3 PLEDGE OF ALLEGIANCE

4 ROLL CALL
   a) Councilor Cameron Martinez excused

5 CONSENT AGENDA:
   (The items on the Consent Agenda are normally considered in a single motion. Any item may be removed for separate consideration upon request by any member of the Council.)
   a) Approval of June 21, 2021 City Council Regular Session Agenda
   b) Approval of June 7, 2021 City Council Minutes.
   c) Resolution No. 2153 - Reappointing Nunnenkamp Silverman and Bernards to the Parks & Rec Board for a term through June 30, 2023
d) **Res. No. 2155 - Appointing Tim Schallich to the North Plains Library Board for a term through June 30, 2025**

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

6 PUBLIC COMMENT: NONE

7 PRESENTATION: NONE

8 STAFF REPORTS

a) **Library Director's Monthly Department Report**

Library Director Robin Doughty noted that the Library Board would like to expand from a 5-member to a 7-member board. Consensus from Council that it is a good idea. Doughty said she will come back before City Council in the next couple of months to propose the change to the city Charter via Ordinance.

Councilor Smith said that he signed up through Amazon Smile for a portion of his purchases to be donated to the Library. Doughty noted that it is actually through the Friends of the Library (not the Library, itself).

b) **Chief of Police Monthly Department Report**

c) **Public Works Director's Monthly Department Report**

Public Works Director Blake Boyles noted that with the decision to hold the Garlic Festival this August the new outdoor bathroom project at Jessie Mays is on hold until after the festival has been held. Mayor Lenahan asked if there was a start date for the work to be done on North Avenue. Boyles said that he has a meeting tomorrow to discuss that, but he believes the work will not start until after the 4th of July.

d) **Finance Director's Monthly Department Report**

Finance Director Bill Reid said that our operating funds are all doing well with one month left in the fiscal year. Reid said that as of May 31, 2021 there is about $19,000 in overdue balances for water customers. Of that, $8,100 are accounts that are 120 days or older, which is a very large jump during the period of the Covid pandemic. It was noted that no accounts have been turned to collections during the pandemic. City Manager Varner said the plan is to go back to 'business as usual' on July 31, 2021 when the State of Emergency expires and asked if Council was in agreement with this. Varner noted that there is a chance that the City could recoup some of those loses through grant/government dollars.

Councilor Fage asked for clarification on the gas tax revenue in the report and why we did not receive the expected budgeted amount. Reid said that during the pandemic there has been lower 'freight traffic' and that it will pick up as things begin to fully open back up, and because there is always more traffic during the summer months. City Manager Varner also noted that the amount in the report is through the end of April only so it is only representing a third of the year.
e) Land use applications for the previous month

9 PUBLIC HEARING / ORDINANCES:

a) Land Use Appeal - File 21-017 Brynhill Master Plan Refinement

Public Hearing opened at 7:35 pm.
No Ex Parte Contact noted by any members of Council. No challenges.
City Planner gave her staff report. Questions and discussion ensued.
Applicant: Michael Robinson, Attorney, Schwabe Williamson & Wyatt, 1211 SW 5th Ave. Portland, OR 97204
Applicant: Stacy Connery, Pacific Community Design, 12564 SW Main St. Tigard, OR 97223
Connery provided a PowerPoint presentation stating why they are requesting the change from 80% lot coverage to 88% lot coverage which would add about 97 sq. ft. to each internal unit. This would not apply to the corner lots. This request would apply to a total of 39 units. Connery said that the additional footage will make the homes more appealing to the buyers that are looking to purchase in the North Plains area based on market research.
Applicant: David Force, Lennar Homes, 11807 NE 99th St. Ste. 1170 Vancouver, WA 98682.
Force said that the number of homes is not changing with this request, and per the Master Plan it meets the density requirements. Questions and discussion ensued. Force also noted that this does not affect the parking accommodations as they were already providing more parking than required. Force also noted that there will be no change in the garage size. Councilor Papen asked if these will be two or three bedroom townhomes. Austin noted that the bedrooms per unit was not discussed during the master plan process. Robinson said that if the appeal is approved it will not change the fact that these will be 2-level, 3-bedroom homes. Councilor Fage is concerned that adding the additional square footage will raise the cost of the homes. Robinson said that it is the demand and the market that determines the prices of homes.
Spencer Parsons, attorney for North Plains noted that this is not setting a precedence as they are asking for an adjustment/refinement on this master plan only. Parsons also noted that State Law ORS 197.309 states that a City cannot impose any approval conditions that could dictate housing prices. Discussion ensued.
Proponents - None
Opponents - None
Neutral - None
Councilor Fage thanked the Planning Commission for their hard work.
Closed Public Hearing at 9:04 pm

Move to overturn the Planning Commission’s decision and approve the Master Plan Refinement, thereby accepting the findings in the staff report dated May 5, 2021 (Exhibit B) and the applicant’s findings (Exhibit D) regarding the applicable criteria
Moved by Councilor Fage. Second by Councilor Kindel.
Councilors Smith, Papen, Page, Kindel voted yay. 
Councilor Sheldon and Mayor Lenahan voted nay. 
Appeal is approved.

10 RESOLUTIONS:
   a) Resolution No. 2154 - Adopting FY22-27 CIP
   Move to approve Resolution No. 2154 adopting the FY22-27 CIP
      Moved by Councilor Sheldon. Second by Councilor Smith.
      Motion was approved unanimously.

11 NEW BUSINESS: NONE

12 UNFINISHED BUSINESS: NONE

13 REPORTS
   a) City Manager Report

      City Manager Varner said that the city received more than $6m in allocation bonds last week for the transportation package. 
      There will be a work session prior to the regular July 19, 2021 City Council meeting to discuss the Economic Opportunity update, as it will be required for the Urban Growth Boundary Expansion project. 
      There was a pre-proposal conference last week for the Glencoe Opportunity Area RFP with more than dozen developers attending, so he feels good with where we are in the process is so far.
      Mayor Lenahan asked what the process will be to earmark the funds that we will be receiving. Varner said staff will work on some options that include the long term goals, capital equipment purchases, small business assistance, and others.

   b) Council Reports

      Councilor Smith attended the June Library Board meeting where they discussed increasing the size of the board from five members to seven. Smith said that he brought up the possibility of having a "Sister City" and was told that the library already has this program with the city of Banks. Smith would like to see North Plains look into a Sister City program on an international basis. Mayor Lenahan said that she knows that Forest Grove has this and she assured Smith that we will look into it.
      Mayor Lenahan said that the city will be holding a 4th of July parade, along with fireworks that will be held at Pumpkin Ridge Golf Course. There will also be vendors and music prior to the fireworks. 
      Lenahan said that it has been decided that the Garlic Festival will be held this year August 13-15.
      Councilor Sheldon attended the MACC Board Meeting where they approved an increase to the Director's wage and also approved some grants, of which North Plains is a recipient of some of the funds.
Councilor Papen attended the short Planning Commission meeting on June 9, 2021. Pacific Community Design presented the parks plan for Brynhill Subdivision Phases 2 & 3 and received approval from the Planning Commission members. Councilor Fage said he will contact the Columbia Bank in town next week to talk to them about possibly allowing the city to community events on their reader board.

c)  **Review July 2021 Council Calendar**

14  **ADJOURNMENT: 9:27 pm**

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Teri Lenahan, Mayor

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Lori Lesmeister, City Recorder  Date Approved: July 19, 2021