

CITY OF NEWBERG
COUNCIL AGENDA
SEPTEMBER 18, 1990
7:30 P.M.
NEWBERG PUBLIC LIBRARY

- I. CALL MEETING TO ORDER.
- II. ROLL CALL.
- III. CONSENT CALENDAR:
 1. Approve minutes from Regular Council meeting held on August 6, 1990 and Adjourned Council meeting held on August 21, 1990, and September 4, 1990 regular meeting.
 2. Proclamation of the City of Newberg proclaiming the month of October as Disability Employment Awareness Month.
- IV. REQUESTS AND COMMUNICATIONS FROM FLOOR. (Limit 5 minutes)
- V. PUBLIC HEARINGS:
 1. Public Hearing on Hadley Water District Local Improvement District servicing lots in the Newall Addition Subdivision. (Resolution will be presented at the meeting.)
- VI. REPORT FROM CITY MANAGER.
- VII. NEW BUSINESS:
- VIII. CONTINUED BUSINESS:
 1. Northeast Area Transportation Plan
Crestview/Mountainview Alignment
Planning Department File No. G-7-90

PAGE 2

CITY COUNCIL AGENDA
SEPTEMBER 18, 1990

IX. EXECUTIVE SESSION (IF NEEDED)

X. ADJOURN.

INDEX OF RESOLUTIONS AND ORDINANCES ON THIS AGENDA FOR ACTION:

\1agenda

CITY OF NEWBERG
CITY COUNCIL WORK SESSION
TUESDAY, SEPTEMBER 18, 1990
6:00 P.M.
NEWBERG COMMUNITY HOSPITAL

THE CITY COUNCIL OF THE CITY OF NEWBERG WILL HOLD A WORK SESSION TO REVIEW THE SEPTEMBER 18, 1990, COUNCIL AGENDA ITEMS AND DISCUSS THE CITY/HOSPITAL RELATIONSHIP PER THE ORDINANCE/LEGISLATIVE COMMITTEE RECOMMENDATION. THE COUNCIL WILL NOT MAKE ANY DECISIONS ON THE AGENDA ITEMS AT THE WORK SESSION. THE WORK SESSION WILL BE HELD IN CONFERENCE ROOM "C" AT THE NEWBERG COMMUNITY HOSPITAL.

THE WORK SESSION WILL BE FOLLOWED BY THE CITY COUNCIL MEETING WHICH WILL BE HELD AT THE NEWBERG PUBLIC LIBRARY BEGINNING AT 7:30 P.M.

DATED THIS 10TH DAY OF SEPTEMBER, 1990.

DUANE R. COLE,
CITY RECORDER

\wsnote

Monday 7:30 PM

August 6, 1990

MINUTES OF A REGULAR MEETING
OF THE NEWBERG CITY COUNCIL
AND EXECUTIVE SESSION ORS192.660(1)(i)
REVIEW OF THE CITY MANAGER

Newberg Public Library

Newberg, Oregon

The meeting was called to order by Mayor Elvern Hall.

Roll Call:

PRESENT: Roger Gano
Alan Halstead
Donna McCain
C. Eldon McIntosh
Donna Proctor
Jack Nulsen, Jr.
Rick Rementeria

ABSENT: Joe Young

STAFF PRESENT: Duane R. Cole, City Manager
Terry Mahr, City Attorney
Bert Teitzel, Director of Public Works
Katherine Tri, Finance Director
Dennis Egner, Planning Director

OTHERS PRESENT: Kelly Soderquist, Asst. City Recorder
Mark McDevitt, TCI Cablevision

CONSENT CALENDAR:

Motion: Gano/Proctor to approve the Consent Calendar as presented.
(Unanimous)

1. Minutes from Council meetings on June 19, 1990, July 2, July 9, and July 17.
2. Resolution No. 90-1569 accepting the canvassing of votes for the June 26, 1990 election for referendum on Crestview Dr.
3. Resolution No. 90-1570 recognizing City Employees for

III-1

outstanding service during the Old Fashioned Festival.
(Disposition: Resolution No. 90-1570 adopted)

4. Letter of appreciation to Bill O'Connor, Chairman of Old Fashioned Festival. (Disposition: Approved)

5. Adoption of a bad check policy for the City of Newberg.
(Disposition: Approved)

REQUESTS AND COMMUNICATIONS FROM THE FLOOR:

Councilor Proctor conveyed information with regard to a child pornography lecture scheduled for August 26, 1990; Mrs. Robinson presiding.

Councilor Proctor also voiced a concern with regard to cleaning up 1st Street with the city sweeper early in the mornings. Teitzel stated he would check on the maintenance schedule of that street.

PUBLIC HEARINGS:

1. Public Hearing continuing discussion regarding Ordinance NO. 90-2281 pertaining to the establishment of an Airport Overlay Zone.

Mayor Hall made a request to go off of the agenda for the purpose of discussing an item that was of interest to the consensus of the public at the meeting - Section IX, Item 2, Ordinance pertaining to the establishment of an airport overlay zone. (No objection)

Councilor McIntosh made a declaration that there was a conflict of interest involved for him regarding this matter as he owns property on the airport. He stated that he will abstain from voting on this issue.

Councilor Nulsen stated for the record that he maintains an attorney/client relationship with Sam and Claire Whitney, owner/operator of Sportsman Airpark.

MOTION: Rementeria/Nulsen to re-open public hearing on the Airport Overlay Zone at Sportsman Airpark. (Unanimous)

Staff commentary by Mr. Cole reminding the Council of facts demonstrated at the last City Council Meeting with regard to the airport overlay zone.

Mr. Egner, planning director, reviewed the draft pertaining to population/zone/maps/density/extended clear zone/standards. He stated that the clear area out through the runway was eliminated in the draft. Mr. Egner said there were multi-family mobile home units in the draft per Mr. Highland.

Mike Gunn, attorney for the airport property owners, introduced Exhibit "A", referred to item 2 and made a reference to the density table. He made mention of a solution to livability with the airport overlay zone. Councilman Rementeria asked if a noise problem would arise with mobile home/single family dwellings? Mr. Egner said there would not because of the hold harmless agreement. Mr. Egner referred to the changes in footage requirements in the density table in the agenda.

Hold harmless agreement discussion. The City and the airport would be held harmless from any damages.

Councilor Gano inquired of Egner as to what the FAA might say after periodic review with regard to these changes?

Mr. Egner replied that the City need only be concerned with Mr. Highland's acceptance of the review.

Mr. Leonard Reidell, 601 Pinehurst Dr., Newberg, OR, read aloud letter he had mailed to Mayor Hall, dated August 3, 1990. This was introduced as Exhibit "B".

Public discussion was opened up by Mayor Hall on this subject.

George Alexander, 33405 Parrot Mountain Rd., Newberg, OR, expressed concern that Sam Whitney's thoughts on the airport overlay zone procedure, and how it might affect him, have not yet been heard.

Sam Whitney, Owner/Operator - Sportsman Airpark, stated he is not exactly 100% sure of all the ramifications of the proposal. He is supportive of continued usage and operation of the airport if the proposal is approved. If approved the displaced threshold would pose a real inconvenience to the pilots and other users of the airport. This approval, as has been explained to him would be advantageous to the property owners between the end of the runway and Highway 99 West. He expressed concern about preserving the integrity of the airport and insuring continued usage and availability to the flying public. He said he checked with the FAA facility manager in Hillsboro and the airport is in compliance with all of the FAA requirements, specifications for the operation of a public use airport and they stated a supportive opinion of wanting this airport to continue its operations. Lastly, he expressed his desire for the airport to continue its function as a primary business in Newberg.

A question was raised by George Alexander with regard to specific usage of property he dedicated to the airport for clearance purposes. He expressed concern as to whether automobile lights will cause confusion in landing area for pilots. He stated for the record that the specific use of that property was approved and all subjects were discussed in a council meeting.

Mr. Egner said that airport lighting as well as building lighting is much more distinctive than automobile lights so there would be no problem there.

Dick Foellers, 15985 NE Yamhill Rd., Yamhill, Oregon, stated his support of the airport. He reminded the Council that the airport brings in financial support to the community through persons/businesses who are residents of other communities.

David James, Washington County, testified to his use of the airport for the past 20 years.

Mike Gunn, attorney for the property owners, said he supported Mr. Egner's comments on a compromise on zoning restrictions. Mr. Gunn stated his concern of if the airport should ever lose its public usage designation would the property owners like to see the ordinance repealed because that is the original impetus behind the compromise for the property owners. He is in favor of the City Council passing the ordinance as it is.

Tim James, 3335 Childs Road, Lake Oswego, OR, a coastal

business owner, stated that he leases airplanes from the Whitneys and that he is speaking in support of the airport.

John Warren, 18495 SW Terry Ave., Lake Oswego, OR, has had a plane based at the airport since 1984 and is supportive of the zoning ordinance being passed.

Councilor McIntosh stated his support of the overlay.

Elwood Headword, Portland, OR, said he has used the airport since 1964 because of its convenience, excellent repair facility and because the owner lived on the premises. He stated that he wished the City would have taken it over.

Marilyn Rementeria, Leo Lane, Newberg, OR, said she is a local business owner and speaks in support of the airport. She said it is vital to their business and they have received comments from all over the northwest about Sportsman Airpark.

Roger Giles, 18305 Fairview, Dundee, OR, said he is pro-airport and reminded the Council that the airport won the beautification award.

George Alexander said he wanted no more usage restrictions lifted.

Mr. Leonard asked who the hold harmless agreement applies to?

Mr. Mahr said the agreement covers the owner of the building and the lessee through the owner.

Councilor Halstead asked if there was no time frame, only a change in the use of the airport?

Council Nulsen state he would like to hold that discussion until that happens. Mr. Mahr stated that in that event it should be brought back to the council.

MOTION: Rementeria/Nulsen to read the ordinance by title only. City Attorney, Terry Mahr, read the ordinance by title only.

Roll Call Vote: Yea, 7; 1 abstention, McIntosh. (Disposition: Ordinance No. 90-2281 passed)

Mayor Hall closed Public Hearing on Airport Overlay. No objection. Mayor Hall questions the staff as to the Council's desire for it to remain a public use airport.

Mr. Egner said there is a statement to that effect in the findings which are attached to the Council Agenda Packet.

2. Public Hearing regarding the proposed renaming of a portion of Sunset Drive to Sunset Court. Tax Lot Nos.: 3207DB-200, -300, -500.

Mr. Egner opened the discussion on development of the new cul de sac. Mayor Hall asked if this would confuse or assist the fire department or emergency people in their attempt to locate the area? Elmer Christensen, fire department, chief stated that there was no problem with a change of name. Councilor Nulsen expressed concern that unless you know where the break is you could go up the wrong street. Mr. Egner said that when this was originally planned this street was intended to run straight through without the current break. Since it is now two cul de sacs it is necessary to change the names.

Mayor Hall asked if there was any further comment from the public. Mayor Hall declared the public hearing closed.

III-1

Motion: Rementeria/Proctor to read by title only Ordinance No. 90-2283.

Roll call vote: Unanimous. The City Attorney, Terry Mahr, read the Ordinance by title only. (Disposition: Ordinance No. 90-2283 adopted).

Motion: Gano/Proctor to accept City Manager's report. Unanimous. Motion carried.

Old Business:

1. Resolution No. 90-1568 approving an option for fire capital outlay requests.

Mr. Cole opened the discussion with a reference to page 48 in the council agenda packet. Discussion of serial levies on separate water and sewer bills. Discussion regarding refurbishing the current engine. Elmer Christensen, the fire chief stated that this would provide nine more years of service at a cost of \$72,436. A new engine would provide the City with 15 - 20 years of service. New fire engines tend to hold their residual value because of their high cost. When rebuilt they are never quite right and this one would need rebuilding in order to meet new safety standards.

Councilor Nulsen asked what the breakdown on cost of the fire engine would be? Mr. Christensen stated that the airpucks would be \$25,000. He said that he did not have the other financial data with him at the meeting to answer that question. He thought there was an approximate dollar amount of 10,000.00 for hose.

Councilor Nulsen expressed concern about the \$211,000.00 not being the total cost of the fire engine. Councilor Rementeria said he does not want to pay taxes for a year on something the City will not be utilizing. Councilor Proctor asked why the council was being supplied with many different figures? Mr. Christensen explained that the breakdown was stated on the council agenda.

Katherine Tri, the finance director, said that the fund has \$81,000 in it and each year the fire dept. uses some of that money to do normal replacement, such as hose and airpucks. Councilor Nulsen stated that he felt that money had all ready been budgeted for specific replacement items for the fire department. Ms. Tri said that it had not, that it was part of the tax base - not the budget. Councilor Proctor stated that she felt when the committee had a prior meeting regarding the fire department the financial information was different that what was now stated in the council agenda packet.

Mr. Leliff, (with the Fire Dept.), 200 W. 4th St., Newberg, OR, stated that a new truck does not come with extra equipment, not even the lettering.

Councilor Rementeria asked whether the cost of a new fire engine and related equipment should be a ballot item or not.

Mr. Mahr said there would be the chance of a lawsuit if a study has not been previously done to substantiate the \$1 cost to taxpayers unless it went to a public vote.

George Avery, Fireman, 809 Aldercrest, Newberg, OR, thanked the City for the airpucks and expressed frustration toward the six year use of inadequate airpucks.

Motion: Rementeria/Gano - to put to the voters a \$1 per month addition on the water bill. Motion carried.

III-1

Motion: Halstead/Gano - to have Mr. Mahr read the resolution.
Unanimous.
Mr. Mahr read the resolution.

Motion: Gano/Halstead - to accept resolution.
Nulsen opposed. Motion carries. (Disposition: Resolution No. 90-1568).

Motion: Gano/Nulsen - to declare fire engine surplus and report back next month. Unanimous.

2. Repeal of Ordinance No. 2180

Motion: Gano/Halstead - to pass an ordinance to repeal Ordinance No. 2180. Roll Call - Unanimous. (Disposition: Ordinance No. 2282).

Mayor Hall declared the meeting adjourned until August 21, 1990.

Executive Session to review the City Manager under ORS 192.660(1).(h). and (i).

Note: Work session had included Executive Session for review of the City Manager. Council Member Proctor left the meeting. Regular meeting called to order.

Resolution No. 90-1569, to amend the City Manager's contract and approve the City Manager's evaluation. Gano/Halstead (disposition: unanimous, Proctor absent).

Resolution No. 90-1574 concerning Ryco Loan and delegation of authority to pursue legal action. Nulsen/Rementeria (disposition: unanimous, Proctor absent).

Duane R. Cole, City Recorder

ATTEST:

Elvern Hall, Mayor

CC.AUG6M

III-1

Tuesday, 7:30 PM

August 21, 1990

MINUTES OF A REGULAR MEETING
OF THE NEWBERG CITY COUNCIL
AND EXECUTIVE SESSION ORS 192.660(1)(I)
REVIEW OF THE CITY ATTORNEY

Newberg Public Library

Newberg, Oregon

The meeting was called to order by Mayor Elvern Hall.

Roll Call:

PRESENT: Jack Nulsen
Alan Halstead
Donna Proctor
Donna McCain
Roger Gano
Joe Young
C. Eldon McIntosh
Rick Rementeria

STAFF PRESENT: Duane R. Cole, City Manager
Terrence D. Mahr., City Attorney
Bert Teitzel, Director of Public Works
Katherine Tri, Director of Finance
Doreen Turpen, Library Director

OTHERS PRESENT: John Winos, Newberg Graphic
Mark McDevitt, TCI Cablevision
Cheryl Hampton

CONSENT CALENDAR:

Motion: Gano/McIntosh to approve the Consent Calendar as presented. (Unanimous)

1. Approve minutes from May 7, 1990, regular City Council Meeting. (Disposition: Approved)
2. Approve appointment Mayor Richard McCabe to the Traffic Safety Committee. (Disposition: Approved)
3. Resolution NO. 90-1571 approving the City Engineer's report for the formation of an LID for the Newall Addition Water System and setting a public hearing for September 18, 1990. (Disposition: Resolution No. 90-1571 adopted)
4. Resolution No. 90-1572 authorizing the City Manager to sign the CCRLS Intergovernmental Agreement Contract amendment to original Contract No. 83-33-031.

III-1

(Disposition: Resolution No. 90-1572 adopted)

5. Resolution No. 90-1573 honoring, thanking and expressing appreciation for the numerous donated hours by volunteers for the City of Newberg at the Old Fashioned Festival. (Disposition: Resolution No. 90-1573 adopted)
6. Resolution No. 90-1574 authorizing the purchase of the house located at 615 No. College St. for use as a Homeless Shelter. (Disposition: Resolution No. 90-1574 adopted)

REQUESTS AND COMMUNICATIONS FROM THE FLOOR:

Mayor Hall expressed appreciation to Cheryl Hampton, secretary.

PUBLIC HEARINGS: None

REPORT FROM THE CITY MANAGER:

Mr. Cole requested the Council's preference on dates in the month of October to hold a work session with regard to what the Council has done and where it is planning to go. Potential dates selected were 10/12 and 10/19.

Terry Mahr, City Attorney, discussed what is happening with Unity Park. Mr. Mahr stated that there is a civic group that is going to landscape and maintain this property. In Mr. Mahr's process of putting a five year lease together he will seek removal from the property tax role. Mr. Mahr reported that the cost of the lease to the City would be \$1.00 per year. Mr. Mahr stated that the cost of the current tax is about \$3,000.00.

Mayor Hall questioned as to whether the Chamber would take care of the location.

Mr. Mahr said the Chamber told him they were willing to do this. Mr. Mahr said that the Chehalem Park and Recreation District did not consider Unity Park a park, but rather a beautification spot therefore it would not fall under the charter.

C. Eldon McIntosh expressed support for the beautification sight. Mr. McIntosh stated that he did not want to wait for the state to make improvements but for the City to move ahead.

Jack Nulsen questioned Mr. Mahr as to whether it will be removed from the tax roles and to what kind of taxes the City is paying now? Mr. Mahr stated that the figure was approximately \$3,000.00.

Donna Proctor expressed appreciation for Bill Campbell being appointed Yamhill County acting planning director. The City Council agreed to send a letter to Mr. Campbell in support of his appointment.

NEW BUSINESS:

III-1

Duane Cole, City Manager, informed the City Council of his report on City property located at Springbrook St. and Springbrook Way. The sight contains 76,800 square feet and is zoned r-2. Mr. Cole stated it has been calculated there is enough room for 20 family units, however the layout of the property may not be conducive to this plan. Mr. Cole stated that the next step would be for the City to adopt a resolution on the matter if the property was to be sold.

Motion: Gano/Rementeria to hold property and postpone any sale.
(Unanimous)

OLD BUSINESS:

Bert Teitzel, Public Works Director, reported on bids received for Newberg Water Systems Improvement for Parkway Subdivision LID. Mr. Teitzel reported that only one bid was received and it came in at double what the City had estimated, therefore he thought the City should reject the bid and re-open the bidding process in 30 days.

Jack Nulsen asked Mr. Teitzel why he thought the bid came in at double? Mr. Teitzel explained that because everyone in the industry is so busy that is why he felt only one bid was received, therefore preventing the wide range of dollar amounts that generally occur during the bidding process. Mr. Nulsen inquired of Mr. Teitzel as to whether he felt a 30 day waiting period to re-open the bid was long enough? Mr. Teitzel stated that in this case it would make a difference as this is a project that would be worked on throughout the winter.

Motion: Gano/Halstead to reject bid. (Unanimous)

Duane Cole reported on the Airport Site Selection Study. Mr. Cole said that the City has been notified by the FAA that this will terminate the City's ability to apply for FAA funding currently per Mr. Don Larsen, FAA official. Mr. Cole said that since the City has opted not to purchase the airport he is recommending that the City be removed from the airport status sheet that would allow the City to apply for FAA funding. Mr. Cole reported to the City Council that he has inquired of the FAA as to how the City might get back on that list. The FAA official told Mr. Cole that once you are off you of the list your status remains that way.

Jack Nulsen asked Mr. Cole if there was any way of postponing being taken off of the airport status sheets if the City did not want to be taken off? Mr. Cole said no, there was no way.

Rick Rementeria asked Mr. Cole if grants can be given for airport improvements? Mr. Cole stated that those improvement must comply with the FAA.

C. Eldon McIntosh suggested that the City look into funding from the State Aeronautics Association.

III-1

Jack Young suggested not taking any action at this time and checking with Sam Whitney to see what might be most helpful to him.

Duane Cole said that he will continue to pursue an effort to keep the City on the airport status sheet.

Motion: Gano/Halstead to adjourn the meeting. (Unanimous)

Executive Session to review the City Attorney pursuant to ORS 192.660(1)(i).

Note: Work Session had included Executive Session for the review of the City Attorney. Regular meeting called to order.

Resolution No. 90-1577 to amend the City Attorney's contract, approve the City Attorney's evaluation, to research the cost of placing the City Attorney in the Retirement Plan. Rementeria/Proctor (disposition: unanimous).

The City Attorney was directed to report back to the City Council concerning amendments to the Retirement Plan concerning the City Manager and the City Attorney.

Meeting adjourned.

Duane R. Cole, City Recorder

ATTEST:

Mayor Elvern Hall

CCAUG21M

III-1

Tuesday, 7:30 p.m.

September 4, 1990

MINUTES OF A REGULAR MEETING
OF THE NEWBERG CITY COUNCIL

George Fox College

Newberg, Oregon

The meeting was called to order by Mayor Elvern Hall.

ROLL CALL:

PRESENT: Jack C. Nulsen
Donna Proctor
Alan Halstead
C. Eldon McIntosh
Donna McCain
Roger Gano
Joe Young

ABSENT: Roger Rementería

STAFF PRESENT: Duane Cole, City Manager
Terry Mahr, City Attorney
Katherine Tri, Finance Director
Dave Bishop, Chief of Police
Bert Teitzel, Director of Public Works

OTHERS PRESENT: Cheryl Hampton, Recording Secretary
Mark McDevitt, TCI Cablevision
40+ Citizens

CONSENT CALENDAR:

Motion: McIntosh/Gano to approve consent calendar. (Unanimous)

REQUESTS AND COMMUNICATIONS FROM THE FLOOR: None

REPORT FROM YAMHILL COUNTY COMMISSIONERS:

Dennis Goecks, Yamhill County Commissioner, reported on the tax base that Yamhill County is putting on the ballot in November. Mr. Goecks gave a summary of what the County is looking to do. The County wants to take the current tax base, raise it by 6%, which is what would happen in twelve months regardless, and add to that the sheriff's levy plus the transportation levy at their current rate. The County then has added those three items together coming to a rate of \$5,414,783.00. The County is looking to do that in order to give more stability to the funding base of Yamhill Co. and also so as not to require their deputies to push a tax base every three years to the citizens. Mr. Goecks expressed his desire for support from the Newberg area on this particular matter.

Mr. Goecks then addressed by-pass planning issues. Mr. Goecks said that in concert with Denny Egner, Newberg Planning Director,

and Bill Campbell from the Yamhill County Planning Department, there has been a proposal put together to deal with this particular subject by building an Urban Area Management Advisory Committee. This committee would consist of folks from the Dundee area, the Newberg area and also from Yamhill County. Mr. Goecks said that the process will evaluate existing comprehensive plan policies and proposed comprehensive plan policies attendant to the by-pass planning issue. Mr. Goecks said it was a major effort in Yamhill County to get the by-pass into being knowing the problems of attempting to travel through Newberg and Dundee.

The third item Mr. Goecks brought to the City Council's attention was to do with the census. Mr. Goecks said that county-wide, Yamhill County is the third fastest growing county in the state of Oregon at 18%

Mr. Goecks then said that as a county issue they have been attempting to deal with meadow nap weed control, north of the City of Newberg. Mr. Goecks said that if this problem is dealt with swiftly there should be no problem.

Lastly, Mr. Goecks reported that on October 26, 1990, at the Yamhill County Courthouse, Room 32, there will be a water resource planning meeting which is the tri-county group that the city of Newberg has been support of in the past.

PUBLIC HEARING:

1. Northeast Area Transportation:

Alan Halstead, City Council abstain from voting on this matter as he owns property in this neighborhood.

Staff Reports:

Duane Cole said that on February 5, 1990, the City Council adopted an ordinance. Preliminary to that action they adopted a resolution that adopted a transportation plan. That plan was developed by an individual named Hanks of JRH Engineering. The transportation plan that was adopted to provide both a grid pattern east/west and north/south movement in the northeast area of the City. Mr. Cole went on to relate to the Council the history of the Northeast Area Transportation Plan. Mr. Cole made his presentation with the use of an overhead map. Mr. Cole discussed with the Council meetings he attended concerning the Plan on 8/15/90 and 8/20/90. Mr. Cole said that in the 8/15 meeting there were a lot of statements of position verbally demonstrated. Mr. Cole stated that at the second meeting there was a problem solving process. He said what they did was establish ground rules and set forth some things that the group agreed on.

Bert Teitzel took the floor give an assessment on why the City of Newberg got into the transportation plan in the first place. Mr. Teitzel displayed aerial routes and options on an overhead

projector. He relayed three options for the Plan, 1. status quo, 2. through ADI building, and 3. flexible alignment.

Duane R. Cole

Mr. Cole reiterated to the City Council their options to discuss again the Crestview alignment which was all ready voted down.

Questions from the staff:

Roger Gano, City Council Member, inquired of Mr. Teitzel as to whether there is a specific number that should be considered in the right of way that is 70' to 80' wide in the highway standards. Mr. Teitzel responded that his recommendation would be 80' as it would give a better opportunity for landscaping.

Joe Young, City Council Member, asked Mr. Teitzel about the wording "must" be closed or "could" be closed. Mr. Teitzel explained that according to the PUC regulates closing both Springbrook and Crestview Crossing.

Mr. Young expressed his disagreement vehemently. He referred to item 3-d on the agenda stating that the engineer will take into account criteria from the State Highway Department, Southern Pacific Railroad Company and the PUC etc. Mr. Young opposed a street having to be built by a state highway standard. Mr. Young stated that this particular issue should not be a part of the construction standards unless the City or the State of Oregon is willing to pay for it.

Mr. Gano asked Mr. Young if it was his wish to take out the mention of the state highway/PUC and state it in deference to Southern Pacific? Mr. Young said that he thinks the PUC and the Southern Pacific are synonamous and that he objects to the State Highway Standard.

Mayor Hall asked if the staff had any comment on this situation? Mr. Cole said that he felt the requirements were necessary seeing that this is an industrial location but that would be something that he would have to check on.

PUBLIC HEARING

Motion: To consider adjournment of the meeting at 10:00 p.m. Young/Proctor. (Disposition: Unanimous)

Sonja Riihimake, General Manager for Austin Industries, disagreed with the City's proposal for various reasons. Ms. Riihimake stated that it would destroy the ability to restore Springbrook. It will impact the desire to continue in the proposed development of the property. Ms. Riihimake asked if an alternative alignment could be responsibly suggested that would eliminate their

involvement. Ms. Riihimake went on to read her report.

Martin McIntosh, 1911 Carol Avenue, Newberg, Oregon, said that he has participated in a number of ways and has watched the progress and lack of progress in this particular area. Mr. McIntosh said that the comment he has received is supportive of many of the final comments that Ms. Riihimake just presented. Mr. McIntosh said he felt it was incumbent that the population be educated on the matter so that they might make an educated decision. Mr. McIntosh said that choices are made best when their is information that is accurate. He said that he thinks it is incumbent upon the City Council to take the time to educate the people, teach them what the issues really are, what they can expect - so they will not vote operate out of the basis of fear. Mr. McIntosh said that he is supportive of controlled development.

George Alexander, 334050 Parrett Mountain Road, Newberg, Oregon, said that the reason he continues to attend these meetings is because he wants to emphasize that the original plan for an east-west third boulevard across our city was deemed to be extremely essential by the fire chief that was here before and by the police officers that were here before. Mr. Alexander testified to the fact that the city has no through thoroughfares on the northern part of the city. He said that if there were to be any fire or other disasters that might occur in that area during a time when there is a lot of traffic in the community, it would be a holocaust because the equipment could not be delivered to the sight. Mr. Alexander explained that his position on this matter is that the City Council support the original alignment.

Dick Hoy, 14205 NE Quarry Rd., Newberg, Oregon, testified that he has been a citizen of Newberg for many years. Mr. Hoy addressed one point. He said that all of the citizens want all of the services they can receive from the City Council, the school district, from the police department, etc., and all of these things cost money. Mr. Hoy explained that he felt there were two ways to get them - raise taxes or the City would have to expand the evaluation that the City has in which to draw our tax dollars from. Mr. Hoy spoke in support of the Austen's and what Ms. Riihimake had to say previously at this meeting.

Leroy Benham, 15900 NE Dopp Road, Newberg, Oregon, said that he felt the original ordinance should be approved and that is foolish to stand in the way of well-thought out development. Mr. Benham said that he felt that the City of Newberg had the opportunity before them to see a quality development and that they should take advantage of it.

Curtis Walker, 1508 Hess Creek Court, Newberg, Oregon, recommended that the City Council pass the ordinance that was previously passed. Mr. Walker said that as a developer, he has always seen leadership direct the City of Newberg and the developers to use existing streets and roadways. He said that regardless of who the owner might be of the property surrounding it

there is always a larger cost to the taxpayer when existing streets and roadways aren't used. Mr. Walker stated that he feels that a lot of the problem that exists with this project has been a lack of communication to the community. Mr. Walker said the words he hears are by-pass, freeways and highways, when in fact this is a collector street. Mr. Walker is supportive of increased communication to the community.

Jeff Osborn, 3202 Crestview Dr., Newberg, Oregon, spoke in opposition of the Crestview/Mountainview Alignment. Mr. Osborn said that throughout this process when this matter was discussed, there was proposed communication to find a compromise to this situation. Mr. Osborn stated that he felt the citizens continue to receive the same message back. He said that ultimately during questioning the citizens found that the alignment was not solely the requirements of engineering staff, professionally paid folks, but was something that was one of the requirements given to them before they made that decision. Mr. Osborn said that in essence he felt the alignment on Crestview was pre-determined before the engineering studies were done.

Carol Ring, 3104 Crestview Dr., Newberg, Oregon, testified that she thinks the public was well aware of the issue when it was voted on. Ms. Ring said she feels the voters made a firm statement on the matter by the way the vote turned out. Ms. Ring spoke in support of not placing the matter back on the ballot.

Dennyce Wheeler, 3104 Crestview Dr., Newberg, Oregon, commented that in opposition to the alignment. Ms. Wheeler's remarks have been introduced as Exhibit ____.

Sue Osborn, 3202 Crestview Dr., Newberg, Oregon, spoke in opposition to the alignment. Ms. Osborn stated that there was one detail that was bothering her about this matter. She said that if it was put back to the vote it would be made clear to the citizens of Newberg that the residents on Crestview Dr. would have a buffer street plus the 80' street that is going to go through. Ms. Osborn said her husband has been out on Crestview Dr. and has measured the distance. That distance was 90'. Ms. Osborn stated that she would like to propose that she does not think there is room for all of the protection and buffering that the residents on Crestview Dr. have been quasi-promised.

Gene Kennedy, 1100 SW 6th Avenue, Portland, Oregon, attorney for the Springbrook District Neighborhood Awareness Committee. Mr. Kennedy stated that the issue here for the residents is not taxes but livability. Mr. Kennedy stated that there is a great deal of confusion going on, not with the voter of the City of Newberg, but with the developers. He said that they think the issue here is taxes and it simply is not taxes. Mr. Kennedy reminded the Council that this is an issue that the voters recognized, voted on, and told you what they wanted. Mr. Kennedy said that he feel that the City Council needs to take their lead from the voters.

Rachel Kennedy, 1909 N. Springbrook, Newberg, Oregon, stated that she felt for the residents who lived in the area of discussion. Ms. Kennedy stated that she was concerned over the increase in traffic that this alignment will cause.

Jack Miller, 3200 Crestview Dr., Newberg, Oregon, testified that he was confused about if the road goes anywhere other than Crestview the City would want an 80' right-of-way, however, if it is built in front of his home there is only 91' to accommodate a 20' private road in addition to the 80' right-of-way. Mr. Miller said he does not understand why it would be different if the road went somewhere else.

Steve Comfort, 103 Pinehurst Ct., Newberg, Oregon, said that he is a member of the Local 60 of AWPPU. Mr. Comfort spoke in support of new city development, however not at the expense of its' homeowners.

Martin McIntosh questioned whether the commentary Ms. Wheeler made earlier in this public hearing was part of the official record of the evening?

Mr. Mahr replied that it was and that she had in fact submitted it earlier. Mr. Mahr stated that he had the overlay in his possession.

Mr. McIntosh then referred to an advertisement in the Newberg Graphic stating "It Is Your Highway". Mr. McIntosh stated that he was not sure the City of Newberg has ever described this as a highway. Mr. McIntosh suggested that perhaps there was some miscommunication in that particular advertisement and if that was the case perhaps the people voted against a highway thinking it was a bypass instead of a collector street. Mr. McIntosh said he felt that there has been a miscommunication to the voters and that should be a part of the public record if it already is not.

Denneyce Wheeler said that the ad that Mr. McIntosh was referring to was placed in the Newberg Graphic in November and prior to its publication there was a public meeting at which time it was presented that Highway 219 was a possible reality. This reality was a surprise to the Austens as well as the citizens on Crestview Dr. Ms. Wheeler said that even now after the vote, they are again discussing the possibility of it one day being Highway 219.

Lois Redman, 617 N. Villa Road, Newberg, Oregon, questioned the avenues of communication with regard to the by-pass. Ms. Redman said that the fact that the vote was taken at the end of the school year when many parents were very preoccupied with their children, may not have come out to vote. Ms. Redman also said that this City Council meeting was the first day of the new school year, it is also a very hot day, and she thinks those things have a lot to do with the people that vote and come to public meetings. Therefore, Ms. Redman feels that maybe people who would like to

express their opinions, whatever way it is, should do it in a public format such as a council meeting because of the timing of the vote and the timing of the public meeting.

Wally Russell, 28050 NE Bell Road, Newberg, Oregon, said that he was a member of the Newberg Planning Commission. Mr. Russell presented an overlay of where the projected roads are supposed to be built. Mr. Russell asked if anyone could point out on the overlay where the double tracks end? He said that the PUC have stated to him that the proposed road must not cross over double tracks. Mr. Russell also address the east/west traffic flow.

Diane Powers, 3100 Crestview Dr., Newberg, Oregon, stated that the future increase of traffic as a result of a new by-pass must be considered.

Robert E. Meyer, President of Robert E. Meyer Consultants, 4915 SW Griffith, Beaverton, Oregon, said that his firm started on this project and has passed their second anniversary. Mr. Meyer said it has taken a considerable amount of time and effort on their part as well as the Austens and the City, to arrive tonight. Mr. Meyer said that he received the City's approval two years ago for that alignment. Since then, Mr. Meyer reported, a lot of his client's money was spent on arriving at how the best way to get traffic through and to develop their property. Mr. Meyer stated that the original plan, the S-curve, is still the most cost-effective and sensible in terms of livability to the community. Mr. Meyer stated that one of the concerns of the by-pass is that it will provide a hazardous school bus crossing zone. Mr. Meyer reported that in the plan there is a provision for a guarded crossing across a single lane. He said that the Southern Pacific has agreed that this would be the best location for a railroad crossing in that particular area. Mr. Meyer is supportive of the original alignment plan.

Don Clements, 305 Lindquist, Newberg, Oregon, made a statement as to remind the City Council members that it was the citizens who voted them into office as well as who voted down this by-pass.

George Kurtz, 1808 Emry Drive, Newberg, Oregon, said that he agrees with strong leadership but emphasized that sometimes that goes against you. Mr. Kurtz said when you have strong leadership there are times when you need to follow their decisions. Mr. Kurtz expressed he feels that what he has heard tonight is a group of people who are concerned about losing their personal property. Mr. Kurtz told the Council that this body of people had a whole community behind them in their beliefs about the proposed by-pass and that they should listen to them. Mr. Kurtz also stated his non-support of the proposed by-pass.

Mayor Hall at this time closed the Public Hearing.

DELIBERATION:

III-1

Roger Gano asked Curtis Walker for clarification of the public's misinformation. Mr. Walker replied that a lot of the feedback he received came from people who said highway, by-pass, and obtained a belief that what was being voted on was a five lane highway coming down Crestview Dr. Mr. Walker said that the people he had spoken with did not understand what that street would be used for and what the vote was all about. Mr. Walker said he feel that the education to the voters on this matter should be done through the Newberg Graphic and not spend additional funds on this.

Donna McCain questioned the staff as to how long the area has been designated as an industrial area? Mayor Hall responded that the areas that Adec, the school and the church occupy are approximately 50 acres that are zoned industrial in the City's original comprehensive plan dating back to the 1970's.

Roger Gano posed a question to Sonja Riihimaki as to how realistic it is to proceed and put some of the Austen vision on paper with a tentative road plan so that the people can see and understand a little more of what you are trying to do. Ms. Riihimake replied that Austen Industries has shared with the community the characterization of what they have done to date. Ms. Riihimake said that to go through a planning process is very expensive. Ms. Riihimake said that to plan the road themselves is not a viable option as it would divide their property into a number of small pieces.

C. Eldon McIntosh inquired of Bert Teitzel as to whether Austen could put in their own road? Mr. Teitzel said that would be a land use issue.

Ken Austin, 2601 Crestview, Newberg, Oregon, asked the Council if it was in fact in the best interest of the City of Newberg to leave the road on Mountainview? Roger Gano commented that his direction and decision-making process all along has been an east-west alignment. Mr. Gano said that the north-south idea was thrown in at the time when the Council was looking at the possible purchase of the airport site and the State of Oregon said if you purchase the airport you cannot have the state highway running right off of the end of the runway. It was then that the north-south alignment was proposed.

Joe Young stated that a lot of the things the City Council have had to deal with were muddled/confused and he was disappointed in that. He stated that the City was unable to obtain a schematic of the area of discussion with regard to Crestview Dr. Mr. Young said his decision at the last council meeting in enacting that ordinance was based on what he believed could be done for both the development of the ADI property and to adequately protect the people that were living along Crestview Dr. Mr. Young said that by adequately he meant not to encroach or infringe on the livability but to give the property owners something better than what they had or could have in the future.

III-1

C. Eldon McIntosh stated that he has also been supportive of the elimination of the east-west traffic jams. Mr. McIntosh said he was involved with the airport purchase and at that time it was stated that perhaps Highway 219 would be moved. Mr. McIntosh said that since the City was out of the sale of the airport the Highway would not be moved for that reason. Mr. McIntosh said that during his lifetime, he does not see a highway going north and south - going down Springbrook. Mr. McIntosh said he voted on the ordinance before he left on vacation and was surprised when he heard the referendum had been voted down. Mr. McIntosh stated that he has not changed his position on what he voted on before.

Jack Nulsen questioned Terry Mahr as to whether the City had to get the voters approval to rename a street. Mr. Mahr replied that there is a state statute that covers renaming streets that the City Administrators follow. Mr. Mahr said that it does not require voters approval. Mr. Nulsen asked Mr. Mahr how long the process would take. Mr. Mahr said it would take sixty days. Mr. Nulsen then directed his remarks toward the overhead. Mr. Nulsen stated that Crestview Dr. should be left alone and the street he was referring to on the overhead should be named Mountainview. Mr. Mahr stated that the City would be entitled to establish such a change however he fails to see how it would be different. Roger Gano said that the voters voted down the by-pass itself, regardless of the name Crestview or Mountainview.

MOTION: Gano/McIntosh to adopt option 3.

Joe Young expressed a desire to amend the motion so the specifications of the highway standards and the railroad compatibility standards be stricken and that those readdressed by the developer to standards that are satisfactory to them for presentation to the Council for the Planning Commission, however it has to go. (Deleting the standards the city has imposed - A, B & C). Mr. Young wants the motion to read that the developer can bring back a plan that is suitable to them. Mr. Young said that he felt the citizens are voting on an issue which have standards attached to it that have already been thoroughly explained and are not acceptable. Mr. Young feels it would be a waste of time to send back material to the developer which was unacceptable.

MOTION: Young/Nulsen, to amend the original motion by deleting Items A, B, C, and D.

Point of Order: Roger Gano told Terry Mahr that what they are suggesting is contrary to the motion. Mr. Gano feels they are stripping the motion to Option One. Mr. Mahr said that could be the result. Mr. Mahr said he feels they are giving direction to staff and the developer, and that they will entertain another alignment to this street. Mr. Mahr stated that he felt the next step would be the developer coming back in a quasi-judicial fashion when the Springbrook District is developed with the road alignment. Mr. Young said he disagreed with the City Attorney as the wording in Option One is not what he is suggesting for the motion to read.

Mr. Mahr said the result of the amended motion as he sees it is to give direction to the developer that they would entertain another alignment of the road. The developer can then come back when he does the development with another alignment of the road. The indication of doing nothing is you have an alignment on Mountainview Dr. - that is Option One. Mr. Mahr asked, when the developer comes to you and states we are proposing to realign Mountainview Dr., what position is the staff supposed to take then, except no, that is not acceptable?

Mr. Young said that is not the way he understands the proposed amended motion. Mr. Young said the Council is eliminating some of the absolutes that are presently put in there that the developer has stood before us and said are not acceptable. Mr. Young asked why would the Council, once again, throw the plan back at them with those stipulations in place? Mr. Mahr said he agreed absolutely with Mr. Young's synopsis of what he understands the proposed amended motion to read.

Roger Gano referred Mr. Young to page 13 of the agenda and asked if No. 2, under C, should be taken out. Mr. Young replied yes.

Proposed amended motion to include items 1, 2, 3, and 4, under C (refer to Council Agenda) Option III on page 13. Mr. Mahr addressed the proposed motion by saying that motion is going to be legally enforceable. For one, Mr. Mahr said he cannot imagine having a road alignment where the neighbors will have a veto power over it. Mr. Mahr said he does not exactly know who the neighbors are. Mr. Mahr said that is not normally done. Mr. Mahr said that he thinks what that option is pointing out is an option with the minimum standards that would be acceptable to the neighbors. Mr. Mahr said that when we take out the standards and say to the developer, you choose a road but make sure it is acceptable to the neighbors, that is not an enforceable motion.

MOTION: Hall/Young to amend the original motion by deleting Items A, B, C, and D, page 14 on the agenda. (Disposition: Nulsen-Young aye, all others nay) Motion fails.

QUESTION ON THE ORIGINAL MOTION: (Disposition: Gano-McIntosh, aye, all other opposed). Motion fails.

MOTION: Nulsen/Young to reinstate the original ordinance.

Joe Young asked the staff if they would bring back the exact schematic survey if necessary.

MOTION: Gano/McIntosh to table the motion to the next meeting in September. (Disposition: McCain-Nulsen aye, all others in favor, motion carries.)

MOTION: Nulsen/Proctor to adjourn. (Disposition: unanimous) The City Council Meeting is adjourned.

Duane R. Cole, City Recorder

ATTEST:

Mayor Elvern Hall

CCMIN4

III-1

21.

PROCLAMATION

A PROCLAMATION OF THE CITY OF NEWBERG PROCLAIMING THE MONTH OF OCTOBER AS DISABILITY EMPLOYMENT AWARENESS MONTH AS PER DIRECTION OF GOVERNOR NEIL GOLDSCHMIDT.

WHEREAS, two-thirds of working age Americans with disabilities are out of the job market; and

WHEREAS, we wish to salute the achievements of Oregonians with disabilities who contribute to their families, communities and to society through their jobs; and

WHEREAS, Congress has passed and President Bush has signed the American's with Disabilities Act which prohibits discrimination in employment of people with disabilities; and

WHEREAS, we salute the many employers and organizations who consistently provide employment opportunities for people with disabilities, thereby setting an example for others; and

WHEREAS, the residents of Newberg are pleased to join with the rest of the nation to observe October as National Disability Employment Awareness Month.

NOW, THEREFORE, I, Elvern Hall, Mayor of the City of Newberg, hereby proclaim October, 1990 as

DISABILITY EMPLOYMENT AWARENESS MONTH

in Newberg and encourage all citizens to join in this observance.

Elvern Hall - Mayor

s:\shared\resodis

III-2

22.

Page 2

Memo to Mayor and City Council
RE: City Manager's Report - 9/12/90

Regular staff meeting.

Interviews for the Utility Manager in the Public Works Department.

Northwest Newberg Water Association regarding the water district draft agreement.

September 6:

EAS meeting at the Horseless Carriage. This meeting was with our attorney, Robert Browning, as we discussed the tactics we will use to get this issue approved by the PUC. A pre-hearing conference will be in four to five weeks with a resolution of the issue scheduled for sometime around the first of the year. Council should note that PUC Commissioner Nancy Ryles died on September 12th of brain cancer. She was an advocate for EAS in Newberg.

Mark Meinert and Spike Sumner regarding hospital financial condition and capital improvements plan.

Kathy Tri regarding budget and capital improvements plan schedule.

Keith Leavitt regarding EAS. Keith works for Stan Bunn.

September 7:

Chamber Greeters at Edward D. Jones.

Dennyce Wheeler regarding the Northeast Area Transportation Plan, Joe Young regarding the Northeast Area Transportation Plan, and Dennis Egner regarding the Northeast Area Transportation Plan.

September 8:

Vintage Festival Bike Tour organizing.

September 9:

Medical staff reception for Newberg Community Hospital at Rex Hill Winery.

September 10:

Fire Department regarding currently issues.

Dennis Egner regarding Northeast Area Transportation Plan.

VI

Page 3

Memo to Mayor and City Council
RE: City Manager's Report - 9/12/90

Jack Nulsen regarding the Piety insurance.

September 11:

Men's Prayer Breakfast at Dundee Methodist Church. This was a good discussion with a well informed group of people regarding the current issues in front of the City.

Fire Department regarding health screening. This is part of our participation in the League of Oregon Cities Plan V medical coverage. The City has arranged with Newberg Community Hospital to provide a health screening for each employee.

John Garofalo, City consultant regarding team building with the Department Heads and customer relations training for City employees.

Terry Mahr regarding the composter.

Introduction of Rob Solomon at the Library regarding the EAP.

Dennis Egnor regarding the NEAT-P.

City Club barbecue at Milo Chapman's residence.

September 12:

Terry Mahr and Dennis Egnor regarding NEAT-P.

Regular staff meeting.

ED-NET meeting with Ray Lewis at the Library. Ray Lewis is the Executive Director of ED-NET. ED-NET would provide video classroom opportunities for residents from major colleges in the State here in Newberg.

MEETINGS PLANNED:

September 13:

Dave Bishop regarding City business.

Elmer Christensen regarding evaluation.

Michael Thompson regarding the antique store building.

Public Works meeting.

VI

Page 4

Memo to Mayor and City Council
RE: City Manager's Report - 9/12/90

September 14:

Department visitations.

September 15:

1536 E. Third Street barbecue and clean-up day.

September 17:

McMinnville - Kent Taylor and Bruce Peet regarding City Manager and County issues.

Robert E. Meyer engineering consultant for the Austins.

Composter meeting regarding the plan for resolving this issue.

September 18:

Community Relations meeting.

City Manager's office Wellness Committee meeting.

City Council at the Library.

September 19:

Regular staff meeting.

September 20:

Legislative Committee meeting.

Council of Governments Risk Management Group meeting.

September 21:

Greeters at Sears.

City Manager's meeting at Independence.

September 22-27:

ICMA Conference in Fort Worth, Texas. I will be in phone contact with the City almost each day and my number will be available from Becky Manning if you should need to contact me. Or you can leave a message with Becky and I will be happy to call you should something arise. As has been standard practice in the past, Mr. Terry Mahr will be the person in charge during my absence.

VI

Page 5

Memo to Mayor and City Council
RE: City Manager's Report - 9/12/90

September 27 and 28:

Customer Relations training at the Library.

October 1:

City Council meeting.

October 2:

Chamber Board meeting.

Wes Smith and City Manager at City Manager's office.

October 4:

City survey day. I am looking for volunteers to assist with the annual City survey.



Duane R. Cole
City Manager

DRC/bjm

\cmr9-18

VI

27

Tuesday, 7:00 a.m.

August 28, 1990

FINANCE COMMITTEE
MINUTES

J's Restaurant

Newberg, Oregon

ROLL CALL:

Present: Donna McCain
C. Eldon McIntosh

Absent: Rick Rementeria
Joe Young

Others Present:

Duane R. Cole, City Manager
Kathy Tri, Finance Director
Ellen Cooper, Asst. Finance Director
Elvern Hall, Mayor

There was no quorum and no action was taken at the meeting.

NEW BUSINESS:

Kathy Tri reviewed the memorandum on cash balances that was included in the agenda. Committee members commented that it was a very good and clear memo and should be passed on to the Council.

Kathy Tri next reviewed the memorandum on reserve funds. Donna McCain requested that the sentences including restrictions be put in bold type before it is sent on to the City Council.

Kathy Tri reviewed the July monthly report. She noted that in the General Fund in the first quarter, \$10,881 in revenue was received while \$212,815 was spent. For each of the next few months this difference between revenues and expenditures will be stressed in the four operating funds, so that Council members can be clearly aware of the cash needs of the City. There were no questions about the monthly report.

Finally, the Committee reviewed the July monthly transactions and there were no questions.

The meeting adjourned at 8:15 a.m.

\fcm5-29

VI

28

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: September 7, 1990 _____ MOTION
DATE ACTION REQUESTED: September 18, 1990 X RESOLUTION
_____ ORDINANCE
_____ INFORMATION

SUBJECT: NEWALL ADDITION WATER SYSTEM
LOCAL IMPROVEMENT DISTRICT

RECOMMENDATION: I recommend that the City Council approve the Resolution authorizing the formation of the L.I.D.

BACKGROUND: Attached is the City Engineer's report which lays out the project, the property owners to be assessed, the estimated cost of the project and estimated cost for each property owner, and the recommended assessment method. This is a Water System Improvement which will serve 37 existing and potential properties.

We are recommending an equal lot assessment of \$2,891.89 for a total project cost of \$107,000.00.

Also attached to this memorandum is a schedule outlining when the public hearing, bid advertisement and construction will take place.

COST: There is no cost to the City for this project. It is totally an assessment project.


Bert S. Teitzel, Director of Public Works


Duane R. Cole, City Manager

V-1

NEWALL ADDITION WATER SYSTEM L.I.D. NO. 90-2

CITY ENGINEER'S REPORT

August 13, 1990

PURPOSE

The purpose of this Local Improvement District is to provide financing for the replacement of the Newall Addition water system.

Newall Addition is presently served by the Hadley Water District. The existing water line is a 2 inch galvanized pipe that is leaking in several places. It is no longer economical to repair all the leaks and the Hadley Water District has requested that the City form a Local Improvement District to replace the line.

ASSESSMENT DISTRICT

The attached map depicts the extent of the water line project and the properties to be assessed.

COST ESTIMATE

The estimated cost of the project is \$107,000.

ASSESSMENT METHOD

The recommended method of assessment is for each property to pay an equal share of the total costs. A home on an average lot will pay 1/37 of the total cost. Vacant lots will be assessed for the amount of potential building sites for the size of the lot. An adjustment will be made for vacant properties that will not get a service tap. Those properties will receive a tap if one is requested or when building occurs.

OUTSTANDING ASSESSMENTS

There are no outstanding assessments attached to the properties within the assessment district.

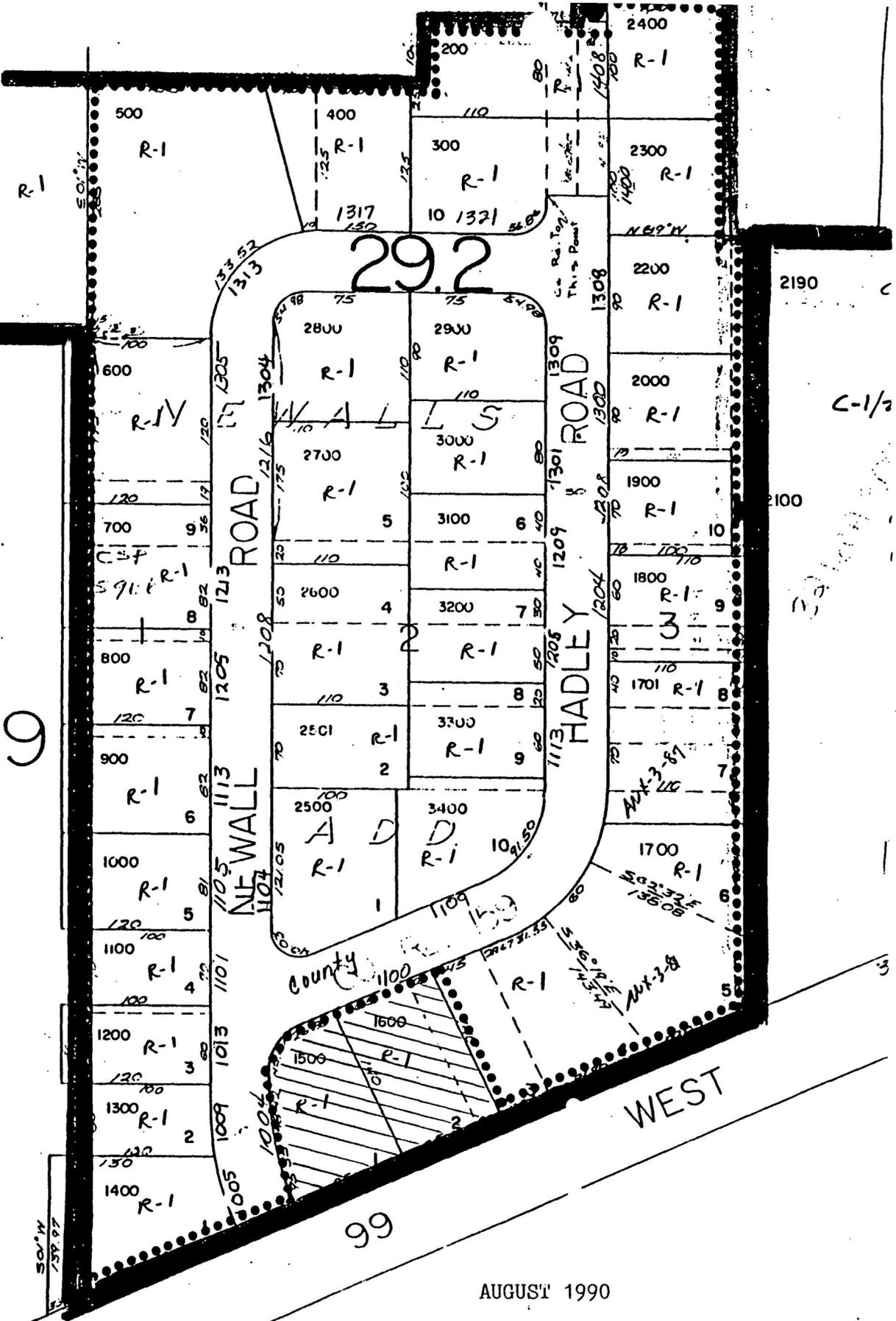
SYSTEM DEVELOPMENT CHARGE

Existing homes in the Newall Subdivision will not be charged a system development charge. Future hook-ups to new homes will be charged a sewer development charge of \$850.00.

V-1

SEE SEC. 3 2 16

29



AUGUST 1990

NEWALL ADDITION WATER SYSTEM LOCAL IMPROVEMENT DISTRICT

V-1

ENGINEER'S ESTIMATE AND QUANTITY SUMMARY

PROJECT: NEWALL ADDITION WATER SYSTEM L.I.D. NO. 90-2

DATE: August 10, 1990

BY: L. Anderson

| ITEM | DESCRIPTION | QUANTITY | UNIT | PRICE | AMOUNT |
|--------------|--|----------|------|----------|-----------|
| 1. | Mobilization | | L.S. | | 5,000.00 |
| 2. | Ductile Iron Water Main Installed Includes Valves and Fittings | | | | |
| a. | 8" | 1850 | L.F. | 14.50 | 26,825.00 |
| b. | 6" | 20 | L.F. | 11.50 | 230.00 |
| c. | 1 1/2" Copper | 50 | L.F. | 7.00 | 350.00 |
| 3. | Copper Service Laterals Installed | | | | |
| I 1 a. | 3/4" | 380 | L.F. | 7.50 | 2,850.00 |
| b. | Service Connection - includes tap, connection to meter and brass fittings | 37 | EA | 150.00 | 5,550.00 |
| 4. | Excavation and Class B Backfill | 2250 | L.F. | 8.50 | 19,125.00 |
| 5. | Install fixtures and assemblies | | | | |
| a. | Fire Hydrants | 2 | EA. | 1,250.00 | 2,500.00 |
| 6. | Disconnect existing 2" water main from 10" main | 2 | EA. | 300.00 | 600.00 |
| 7. | Sawcut Asphalt | 4000 | L.F. | 1.00 | 4,000.00 |
| 8. | Asphalt Replacement | 1300 | S.Y. | 15.00 | 19,500.00 |

| ITEM | DESCRIPTION | QUANTITY | UNIT | PRICE | AMOUNT |
|------------|----------------------------------|----------|------|----------|------------|
| 9. | Landscape Restoration | Lump Sum | | 1,500.00 | 1,500.00 |
| 10. | Leakage Testing and Chlorination | 2250 | L.F. | .50 | 112.50 |
| 11. | Clean-up | Lump Sum | | 1,000.00 | 1,000.00 |
| | SUBTOTAL | | | | 89,142.50 |
| 12. | Engineering and Administration | 10% | | | 8,914.25 |
| 13. | Contingencies | 10% | | | 8,914.25 |
| <i>1-1</i> | TOTAL | | | | 106,971.00 |

23

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: September 12, 1990

_____ MOTION

DATE ACTION REQUESTED: September 18, 1990

X _____ RESOLUTION

_____ ORDINANCE

_____ INFORMATION

SUBJECT: NE Area Transportation Plan (NEAT-P)

RECOMMENDATION:

Staff has identified four procedural alternatives and five road alignment options. The staff report discusses each of the alternative procedures and alignments and provides an analysis matrix to help the Council examine each of the alignments. As in our previous report, staff recommends that Council pass a resolution which adopts Option 3, the flexible alignment 250 feet north of Crestview. This option will provide the necessary guidance for development and review of the Springbrook Master Plan.

PROCEDURES:

Staff has identified four alternative procedures which can be followed by the Council. The alternatives include the following:

- Adopt an ordinance implementing an alignment (Ordinance).
- Initiate a plan amendment to adopt a specific alignment (Motion).
- Adopt a resolution specifying an alignment (Resolution).
- Direct the developer to submit the Springbrook District Master Plan with an alignment included in the Master Plan (Motion).

The advantages and disadvantages of each of the procedures are discussed below:

A. Adopt an Ordinance Implementing an Alignment

The Council has the option of selecting one of the alignments and adopting that alignment by ordinance. This procedure provides the quickest resolution to the road alignment issue, but also is the most vulnerable from a legal standpoint. An argument can be developed that setting an alignment at this point is a quasi-judicial decision and that proper notice should be provided since the alignment affects and crosses property under one ownership and does not have a community wide effect.

B. Initiate a Plan Amendment

The Council could move to direct staff to initiate a plan amendment to set a preferred alignment. This procedure requires that the Council select an alignment and take that alignment through the proper quasi-judicial plan amendment procedure. To follow quasi-judicial procedure, a hearing must be held before the Planning Commission and before the Council with notice given to all surrounding property owners. Usually road alignments are established as part of a larger plan. Locating the road would be easier if it was part of the

Springbrook District Plan, primarily in the sense of advising the Planning Commission and Council of land uses surrounding the proposed alignment.

C. Adopt a Resolution Specifying an Alignment.

The Council has the option of passing a resolution which would set the standards under which the Springbrook District Master Plan could be reviewed. The resolution would state the specific standards under which a road alignment would be acceptable. This procedure provides guidance for the future development of the Springbrook District Master Plan and it gives the developer and the neighbors assurance of which road alignment will be acceptable.

D. Direct the Developer to Submit the Springbrook District Master Plan.

Under this alternative the Council would move to instruct the developer to submit the Springbrook District Master Plan to the City for review with a specific road alignment proposed by the developer. The procedure would then follow normal plan amendment procedures and be conducted through a quasi-judicial process at the Planning Commission and Council level. The Council would have the option of approving the Master Plan as submitted or approving a modified plan.

ALIGNMENT OPTIONS

Optional alignments were discussed in the previous staff report to the Council. A new alignment has been suggested by Dennyce Wheeler and has been included as Option 5. A drawing of each option has been attached. Each of the options are discussed briefly as follows:

A. Option 1 - Status Quo (Mountainview)

Option 1 represents the status quo, which is the existing Mountainview-Springbrook alignment. This section of Mountainview would need to be developed to Collector standards. The primary advantage of this road alignment is that the new collector street would primarily follow existing right-of-way. If developed to Collector standards, the street system can provide adequate traffic flow through the area.

B. Option 2 - Alignment North of ADI

The alignment north of ADI is similar to Alternative 4 of the JRH report. The alignment results in the removal of a portion of the warehouse building or a portion of the ADI building.

C. Option 3 - Flexible Alignment (250 Feet North of Crestview)

This option establishes minimum standards for the location of the road and leaves final alignment design up to the developer. With this alignment, it is likely that a portion of the ADI building would need to be removed. This alignment includes the following development standards:

1. The alignment shall be no closer than 250 feet north of Crestview Drive right-of-way except as the alignment may curve into Springbrook Road on the east intersection.

2. The roadway shall be developed to City Collector Street standards.
3. Zimri Drive must be connected to the newly aligned Mountainview Drive. With development of the area, the existing Mountainview Drive right-of-way would be vacated.
4. Railroad crossing shall improve the angle of intersection from what currently exists, and the crossing shall be protected by crossing gates.
5. The railroad crossing at Crestview must be closed.
6. New development along Mountainview or within the "rectangle" shall trigger location of the street and commitment to improving it. In addition, submission of the Springbrook District Master Plan shall trigger location of the street.

D. Option 4 - Crestview Alignment

This alignment is essentially the same as what had been approved by the Council last February. The alignment includes a service road along Crestview providing access to the existing homes in that area. The alignment also includes a 10 foot wide landscaped buffer strip between the service road and the new Collector street. A drawing showing a proposed streetscape is attached to this report. In addition, a drawing of a street design is provided for additional information. Both of these attachments are to scale.

E. Option 5 - Alignment Adjacent to Crestview

This alignment is immediately north of the existing Crestview right-of-way and would result in demolition of a portion of the ADI building. The alignment includes a service road with a cul-de-sac serving existing homes on Crestview Drive, and a 30-40 foot landscaped buffer strip separating the existing Crestview Drive from the new Collector street. This option could be incorporated with Option 3 in such a way that any alignment north of Crestview with a 30 foot wide landscaped buffer would be acceptable.

ANALYSIS

To assist the Council in review of the options, Staff has developed an analysis matrix which lists each optional alignment and potential impacts. The impact categories include traffic impacts, neighborhood impacts and economic development impacts. At the September 18 Council meeting, Staff will assist the Council in completing a blank analysis form. We believe that this exercise will help the Council achieve a common understanding of the impacts of each option. Staff has provided a blank analysis matrix for your examination. Three symbols will be used with the matrix to indicate the level of impact. The symbols are as follows:

- + Will have a positive impact
- o Will have little impact or impact which can be mitigated
- Will have a negative impact

Each category of impact is described below:

A. Traffic Impacts

1. Traffic flow (LOS)

Each alignment should be examined in terms of its affect on traffic flow and the level of service (LOS) that can be provided under that alignment. All traffic studies done to this date have been based on full development within the Urban Growth Boundary, including full development of the area outside the Urban Growth Boundary up to Bell Road. The JRH traffic study has assumed maximum traffic generated out of the Springbrook District as originally proposed by Austin Industries. From a pure traffic flow standpoint, the Public Works Director believes that all alignments being discussed can function at acceptable levels of service, depending on roadway and intersection design.

2. Railroad Crossings

Each alignment should be examined in terms of its impact on railroad crossings. The City has discussed new railroad crossings with the PUC. The PUC is the regulatory body that would review and approve any new crossings, whether proposed by the City or the railroad. The PUC has commented that if two existing crossings are closed in exchange for a new crossing, and if crossing gates are provided, there would be no reason why the new crossing would not be approved. The issue of a single or double track crossing was discussed and it was determined that as long as the new crossing did not worsen the situation, there was no reason why the double track crossing would not be approved.

3. East-West Emphasis

The Comprehensive Plan has always indicated an east-west collector street connecting Mountainview Drive with Highway 99W. Each alignment should provide this connection.

4. North-South Emphasis

The JRH traffic study indicated a need for a north-south connection with the potential that Highway 219 be rerouted onto Springbrook. An alignment that provides a north-south emphasis helps meet this objective.

B. Neighborhood Impacts

1. Noise

Alignments should be examined with consideration given to noise generation and impacts on existing and future residential development.

2. Visual Impacts

Each alignment should be examined in terms of the visual impact on adjacent residential properties and the community. In considering visual impacts, the adequacy of landscaped buffer strips or other landscaping features should be considered.

3. Pedestrian Safety

Pedestrian safety impacts should consider the provision of sidewalks and bikeways, and the separation of pedestrian and bicycle traffic from industrial traffic and through traffic.

C. Economic Impacts

1. Job Loss

Certain alignments result in the loss of jobs due to demolition of existing industrial buildings. Consideration should be given to this factor.

2. Commercial Development Opportunities

Each alignment should consider the impact on commercial development opportunities in the area. Approximately 18 acres of commercial land have been designated for development of the Springbrook Inn. Alignments should consider impact on this proposed development.

3. Industrial Development Opportunities

Each alignment should be examined in terms of its impact on future industrial development in the area. The "rectangle" area includes vacant industrial land which can support additional industrial uses. Additional opportunities for industrial development exist on the south side of Mountainview.

4. Residential Development Opportunities

Each alignment should be examined in terms of its impact on new residential development opportunities to the north of Mountainview Drive. This area is an area which includes many opportunities for high quality residential development

CONCLUSION

Based on a preliminary analysis by staff, Option 3, the flexible alignment, represents the best option for an alignment through the area. It provides the greatest degree of flexibility for the developer and provides the neighborhood with assurances that livability will be maintained. Option 3 could be modified in such a way that the 250 foot distance north of Crestview is reduced. In essence, with proper buffering, the distance could be reduced to match Option 5.



Dennis Egner
Planning Director



Duane Cole, City Manager

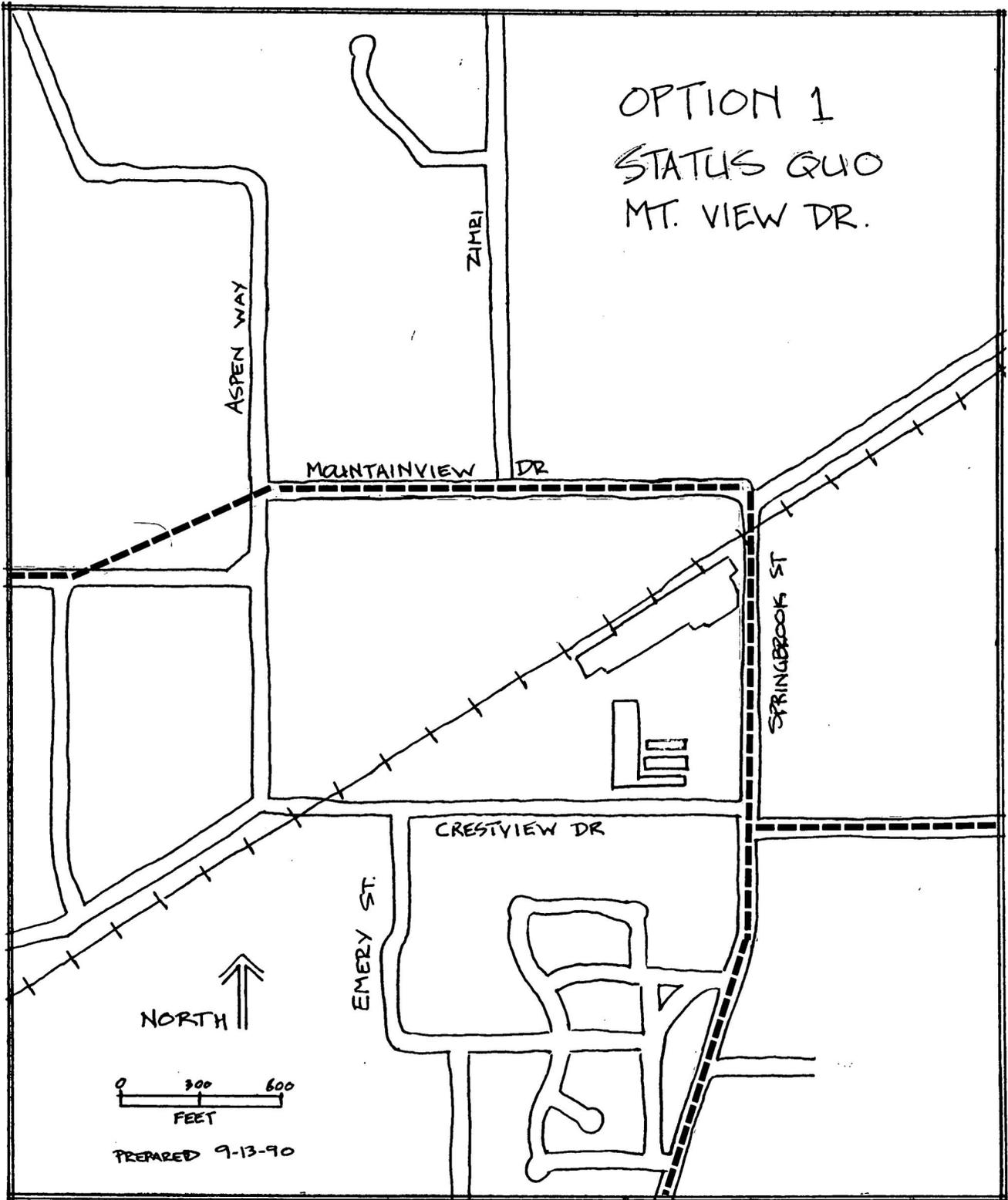
N.E. TRANSPORTATION PLAN IMPACT RATINGS MATRIX

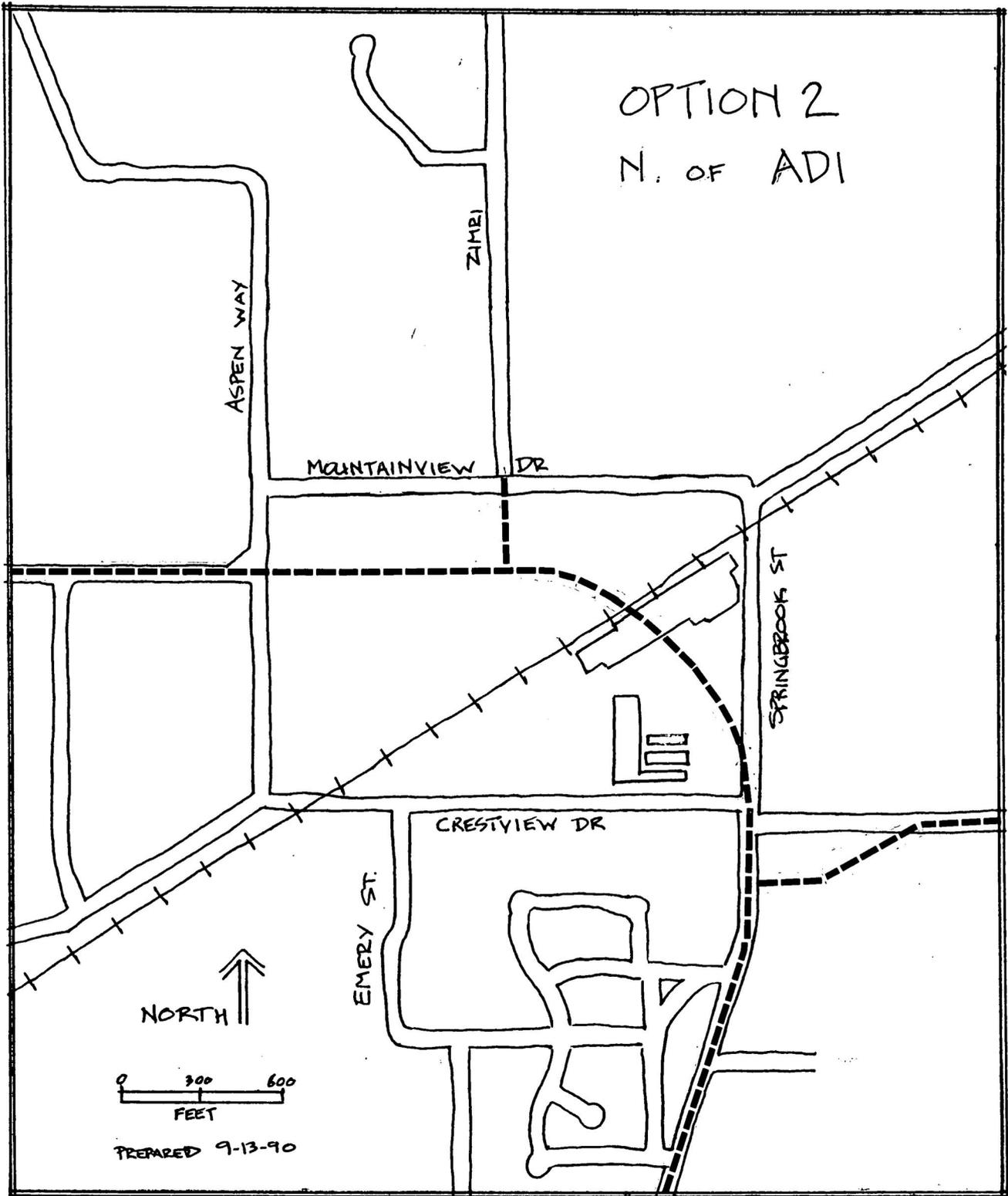
| Alignment Options | Traffic Impacts | | | | Neighborhood Impacts | | | Economic Impacts | | | |
|------------------------------------|-----------------|-----------|--------------|--------------|----------------------|--------|-------------------|------------------|---------------|-----------------|-------------------|
| | Flow (L.O.S) | RR X-ings | E-W Emphasis | N-S Emphasis | Noise | Visual | Pedestrian Safety | Job Loss | Comm. Opport. | Indust. Opport. | Resident. Opport. |
| 1. Status Quo (Mt. View) | | | | | | | | | | | |
| 2. Alignment N. of ADI (Hanks) | | | | | | | | | | | |
| 3. Flexible (250' N. of Crestview) | | | | | | | | | | | |
| 4. Crestview Alignment | | | | | | | | | | | |
| 5. Adjacent to Crestview | | | | | | | | | | | |

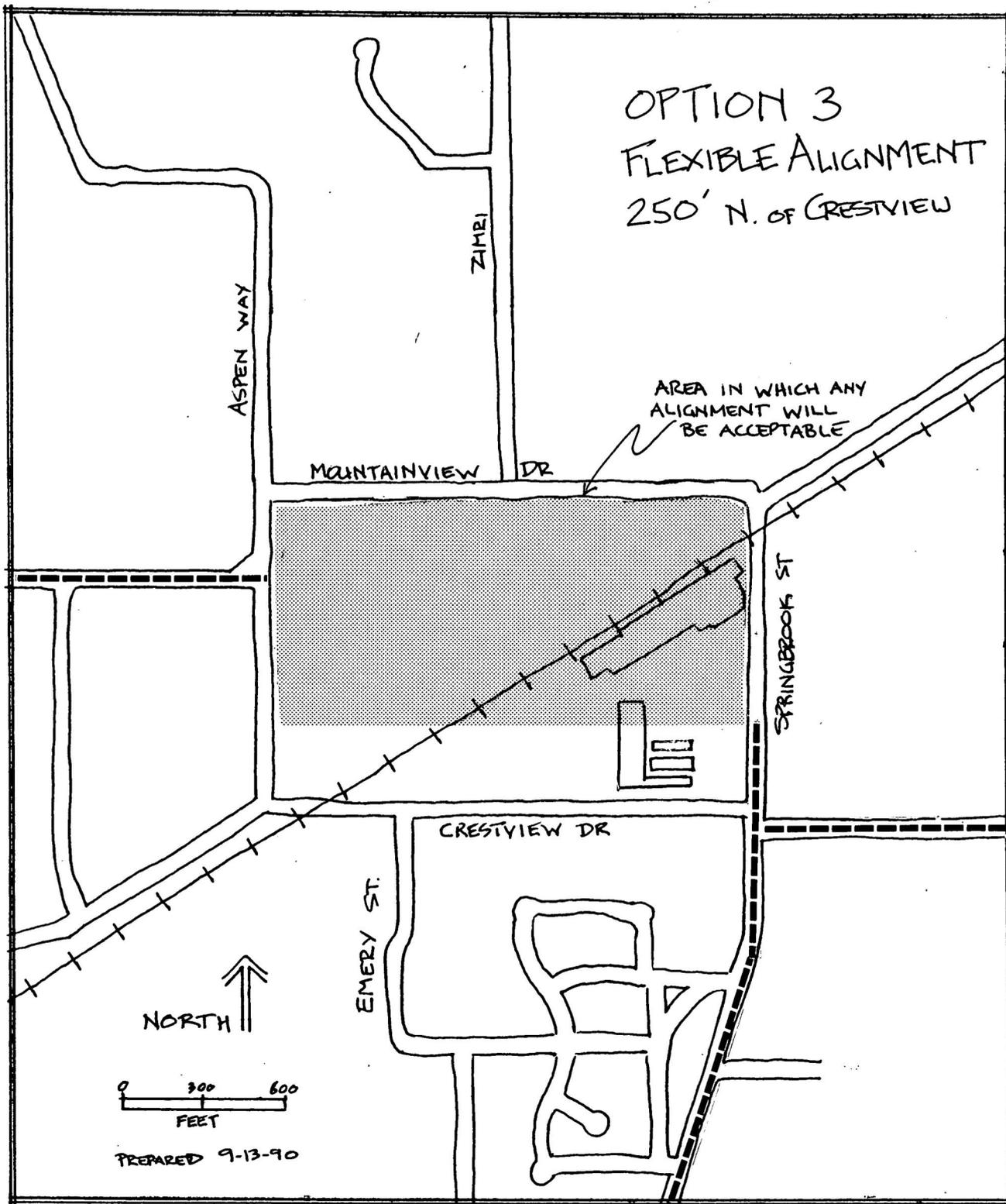
Legend

- (+) Will have a positive impact
- (o) Will have little impact or an impact which can be mitigated
- (-) Will have a negative impact

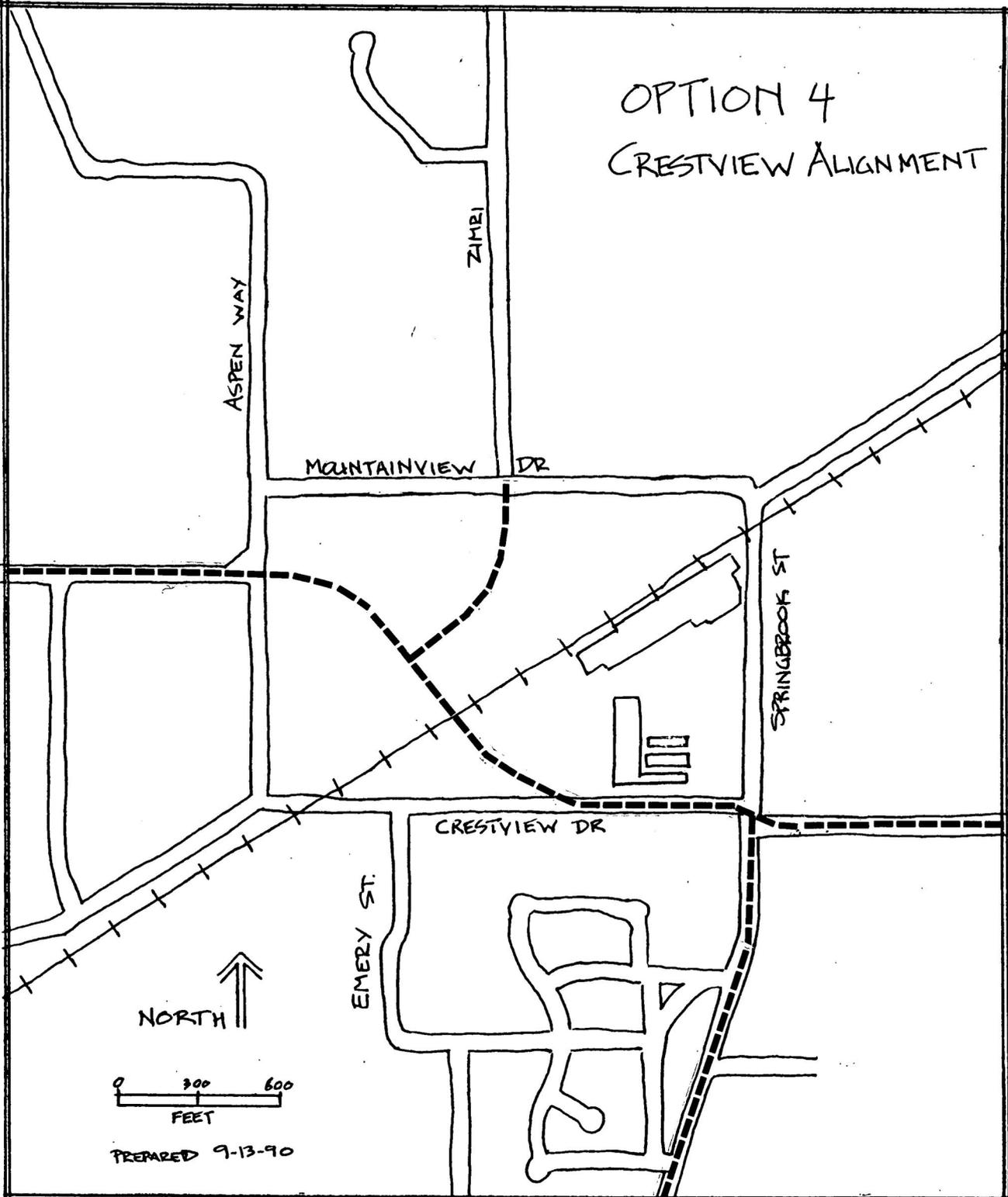
VIII
-1







OPTION 4
CRESTVIEW ALIGNMENT



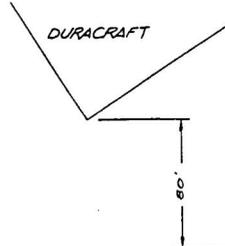
VIII-1

OPTION 4 CRESTVIEW ALIGNMENT

NORTHEAST NEWBERG
PROPOSED
TRANSPORTATION PLAN
1"=50'
117.76'
SEP 15, 1990
DRWN BY: JJR



VIII



ADI BLDG.

Note:
Inadequate length to
construct wider street
at Springbrook St.

N. SPRINGBROOK ST.

E. CRESTVIEW DR.

3.00' TREES
12'-6" 1990

6' PINE

7/7

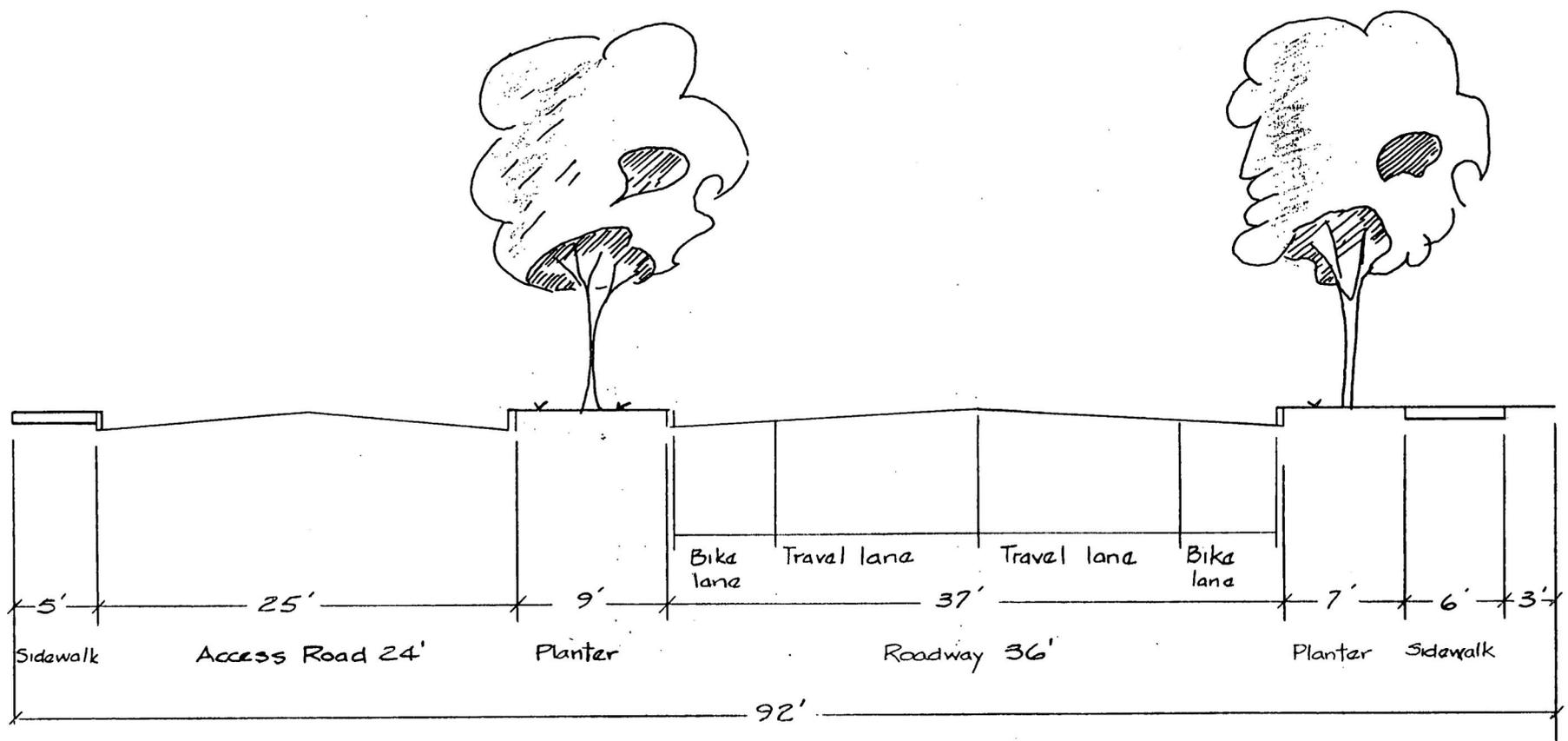
77

68
65.150
455
95

1
65.100
65
350

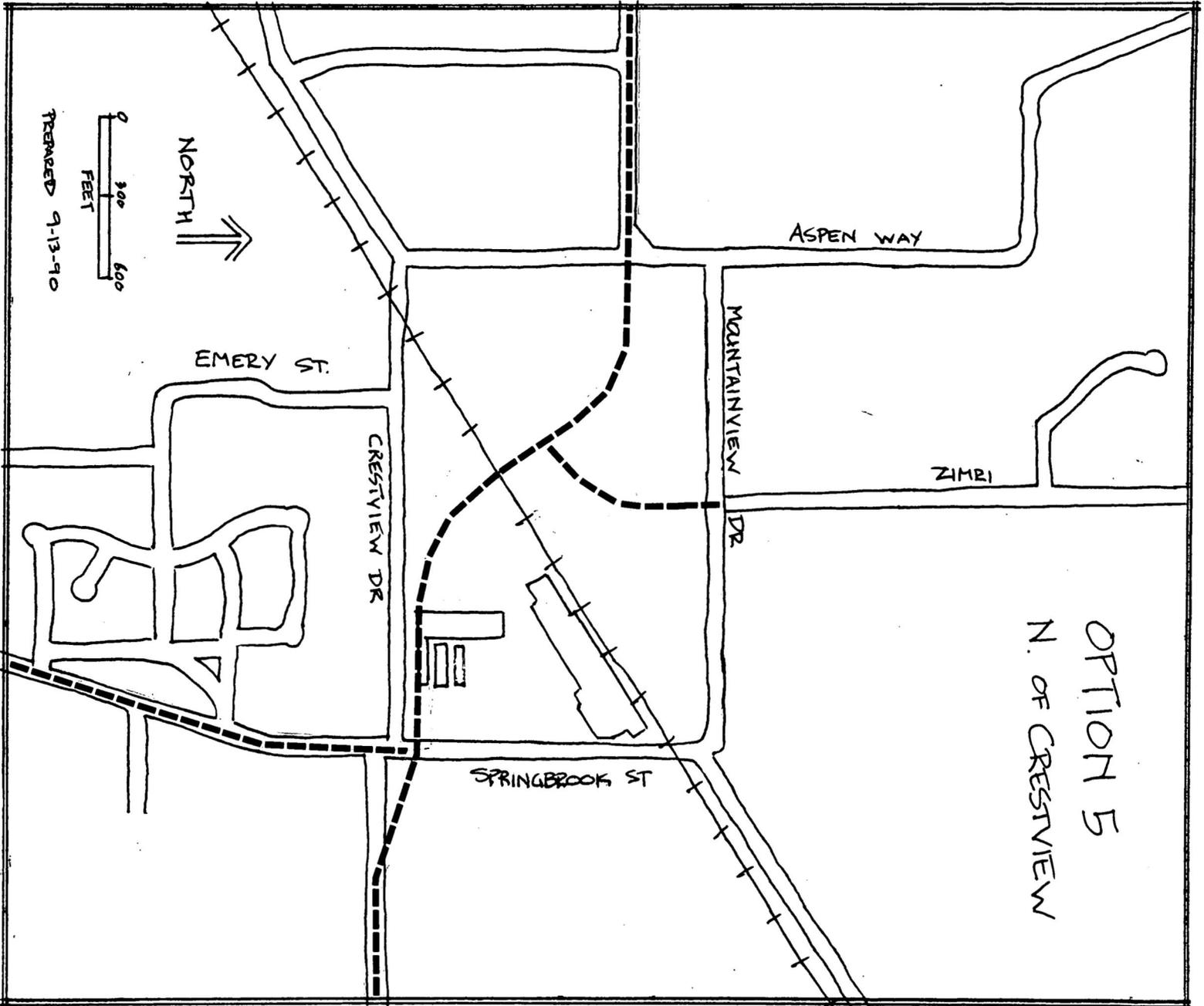
OPTION 4
CRESTVIEW ALIGNMENT

1-III



TYPICAL SECTION

45



VIII-1

SAMPLE PROCLAMATION

WHEREAS: Two-thirds of working age Americans with disabilities are out of the job market; and

WHEREAS: We wish to salute the achievements of Oregonians with disabilities who contribute to their families, communities and to society through their jobs; and

WHEREAS: Congress has passed and President Bush has signed the American's with Disabilities Act which prohibits discrimination in employment of people with disabilities; and

WHEREAS: We salute the many employers and organizations who consistently provide employment opportunities for people with disabilities, thereby setting an example for others; and

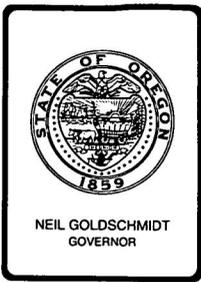
WHEREAS: The citizens of (INSERT CITY HERE) are pleased to join with the rest of the nation to observe October as National Disability Employment Awareness Month.

NOW
THEREFORE, I, (INSERT MAYOR'S NAME), Mayor of the City of (INSERT CITY NAME HERE), hereby proclaim October 1990 as

DISABILITY EMPLOYMENT AWARENESS MONTH

in (INSERT NAME OF CITY HERE) and encourage all citizens to join in this observance.

SIGNATURE OF MAYOR



Oregon Disabilities Commission

1880 LANCASTER DR. NE, SUITE #106
SALEM, OREGON 97310

VOICE 378-3142
TDD 378-3599
V/TDD 1-800-358-3117

September 6, 1990

The Honorable Elvern Hall, Mayor
City of Newberg
414 E. First Street
Newberg, OR 97132

Dear Mayor Hall:

October has been designated as Disability Employment Awareness Month in the United States. Governor Goldschmidt has been asked to proclaim October as Disability Employment Awareness Month in Oregon, also. The Oregon Disabilities Commission is contacting some of the larger municipalities in Oregon to ask city officials to issue similar proclamations for their cities.

Accordingly, we are requesting that you consider proclaiming October as Disability Employment Awareness Month in Newberg. I am enclosing a sample proclamation for your convenience.

As you are no doubt aware, disability issues are in the forefront of national affairs. With the passage of the Americans with Disabilities Act as a means of extending civil rights to persons with disabilities, attention is being focused on barriers which people of disability encounter on a daily basis. Removal of those barriers is a primary goal of the Oregon Disabilities Commission.

Proclamation letter

Page 2

Disability Employment Awareness Month was instituted by Congress in 1988 to call attention to the barriers which people with disabilities face in attempting to secure employment. An estimated two-thirds of adult Americans with disabilities are unemployed. This represents a costly loss of talent and a tragic waste of human potential.

During Disability Employment Awareness Month, we hope to encourage public and private employers to hire and promote qualified people with disabilities. By proclaiming October as Disability Employment Awareness Month and publicizing that fact, your community can assist us in our efforts to secure suitable employment for disabled Oregonians.

Feel free to use the enclosed sample proclamation. If you prefer, you can compose one of your own. Your assistance is needed and your support appreciated.

We would appreciate receiving a copy of the proclamation which you issue. If we can provide any further information or assistance, please contact us locally at 378-3142 (V/TDD) or 1-800-358-3117.

Thank you for your attention to my request.

Sincerely,



Eugene Organ,
Executive Director

ENCLOSURE: SAMPLE PROCLAMATION