

CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
February 6, 1984
7:30 P.M.

I. CALL MEETING TO ORDER

II. ROLL CALL

III. CONSENT CALENDAR:

1. Approve Minutes of January 3, 1984
2. Request for OLCC License Renewals by Abby's Pizza, Rocky's Delicatessen (Oak Tree Restaurant), The Shaws Restaurant, Ninth Street Grocery, Naps Super Market the Barn Door Restaurant, Ye Olde Pizza Shoppe, Newberg & Springbrook Thriftways, Safeway and Plaid Pantry, *Payless*
almond tree

IV. APPOINTMENTS BY MAJOR:

1. Appointment to Hospital Board
2. Appointment to Planning Commission
3. Appointment to Traffic Safety Commission

V. REQUESTS FROM FLOOR AND COMMUNICATIONS:

1. Presentation of Pedestrian Safety Award from Automobile Association.

VI. PUBLIC HEARINGS:

Gary A. KCM

VII. REPORTS FROM CITY MANAGER:

1. Discussion of Upcoming Conferences.
2. Report on special services agreement and sewer treatment plant.

VIII. OLD BUSINESS:

IX. NEW BUSINESS:

1. Approve Accounts Payable

X. RESOLUTIONS:

- 1021 ✓ 1. Resolution authorizing geotechnical services for library expansion.
- 1022 ✓ 2. Resolution authorizing transfer of funds from within the Sewer Department to Personal Services in Sewer Department.
- 1023 ✓ 3. Resolution authorizing issuance of General Obligation Library Bonds.
- 1024 ✓ 4. Resolution approving employment of bond consultant for Library Bonds.
- 1025 ✓ 5. Resolution authorizing expenditure of grant funds received by Library.
- 1026 ✓ 6. Resolution modifying outside city user water cost and establishing a systems development charge for outside users.

XI.

ORDINANCES:

1. Ordinance revising certain provisions relating to sewer connection procedures and adjusting the systems development charge to \$1,100. per dwelling unit for inside the city limits.

2139

ACCOUNTS PAYABLE
FEBRUARY, 1984

2/84

A & E Safe & Alarm	8.00	Nap's IGA	4.73
Allen Fruit	120.00	National Geographic Soc.	128.71
Associated Janitor	120.90	New York Review of Books	25.00
Bantam Books	9.89	Newberg Auto Freight	27.00
Butler Chevrolet	3.30	Newberg Auto Parts	123.18
Buy-Wise Drugs	100.23	Newberg Comm. Hospital	295.44
Brown & Tarlow	62.50	Newberg Datsun	17.35
Cascade Employers Assn.	27.30	Newberg Graphic	706.39
Chehalem Printing	624.00	Newberg Human Resources	1,125.00
Chehalem Valley Sr. Cit.	1,525.34	Newman Signs	390.00
Coast to Coast	96.46	Northwest Business Systems	138.65
Consolidated Supply	1,668.70	Northwest Law Enforcement Equip.	139.33
Copy Office Products	237.00	Northwest Logging Supply	184.20
Creative Expressions	100.00	Northwest Natural Gas	1,328.02
Crowell Auto Parts	176.08	Nurnberg Scientific	249.02
Danielson Architects	10,560.00	Oregon Historical Society	14.34
Dick's Color Center	39.75	Pacific Safety Supply	451.50
Dents	95.00	Pacific Water Works	2,259.56
Dave's Cement	1,517.84	Paramount Supply	711.78
Engineered Control Prod.	164.17	Payless Northwest	9.99
Everton Publishers	15.50	Quality Office Machines	31.29
Ferron Janitorial	680.06	Riley Studio	35.50
Fisher Electric	40.53	Roberts Rent-All	9.00
Field & Stream	11.94	Scientific Supply	47.47
Fowler Mfg. Co.	183.67	Standard & Poor's Corp.	55.00
Fowler Tire Service	30.00	Supplyways	240.00
Fox Union	25.00	Southern Living Decorating	14.95
Frank's Cedar Shakes	390.00	Taylor Electric Supply	33.18
Gaylord Bros.	119.22	Traffic Safety Supply	197.67
General Telephone	1,298.59	Unified Sewerage Agency	145.38
George Fox College	135.70	U. S. News	36.00
Gormley Co.	13.50	W. R. Grace	401.87
Grolier Year Book	18.45	W. W. Grainger, Inc.	39.45
Hall's Heating	6.00	Washington Post	39.00
Harris Uniforms	91.63	Water, Food & Research	90.00
Haddad's Fine Arts	24.50	Watt Welding	36.35
Highsmith Co.	13.78	Wheel Graphics	86.50
Home Laundry	39.95	Western Auto	53.88
Impressions by Stram	469.90	Westside Automotive	105.57
John E. Reinhardt Plbg.	64.36	Yamhill County Clerk	2.25
Johnson Furn. & Hdwe.	75.69	Yamhill County Sheriff's Office	65.50
Jones Chemicals	1,070.25	PGE Co.	18,000.00
Larry Harrington Co.	57.61	Donaldson, Sam	106.25
Lamco Radar	68.00		
Lanier	177.74		
Learning World	43.53		
Linn-Benton Comm. College	150.00		
Little Fire Equip.	124.75		
London's Lawn & Garden	2.98		
Lumbermen's	742.00		
McCabe Lock & Key	6.00		
Midget Motors	85.00		
Miller's Upholstery	115.00		
Millipore Corp.	33.34		
Mine Safety App. Co.	68.40		
Mauch, Jon	70.00		
		TOTAL:	51,991.78

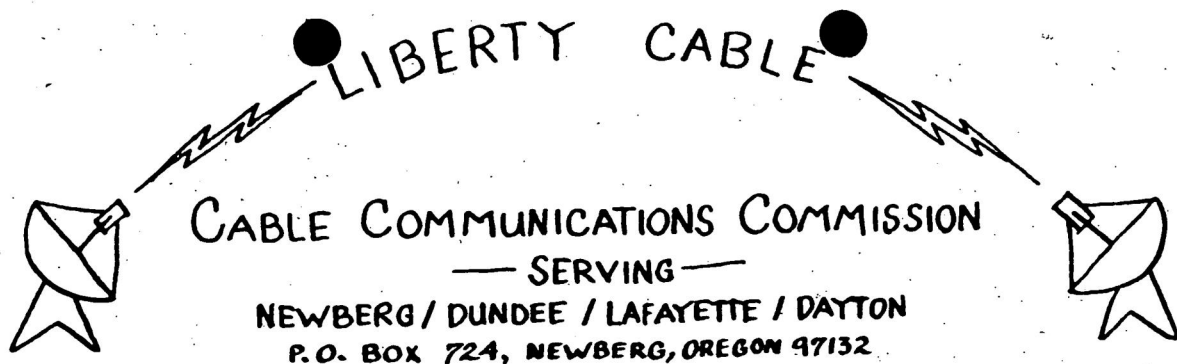
M. Dem.
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2/84

Approved 3/5/84 *[Signature]*

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Butler Chevrolet	3.30	Newberg Auto Parts	123.18
Buy-Wise Drugs	100.23	Newberg Comm. Hospital	295.44
Brown & Tarlow	62.50	Newberg Datsun	17.35
Cascade Employers Assn.	27.30	Newberg Graphic	706.39
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Everton Publishers	15.50	Quality Office Machines	31.29
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Fisher Electric	40.53	Roberts Rent-All	9.00
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Haddad's Fine Arts	24.50	Watt Welding	36.35
Highsmith Co.	13.78	Wheel Graphics	86.50
Home Laundry	39.95	Western Auto	53.88
Impressions by Stram	469.90 ?	Westside Automotive	105.57
John E. Reinhardt Plbg.	64.36	Yamhill County Clerk	2.25
Johnson Furn. & Hdwe.	75.69	Yamhill County Sheriff's Office	65.50
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Lanier	177.74		
Learning World	43.53		
Linn-Benton Comm. College	150.00		
Little Fire Equip.	124.75		
London's Lawn & Garden	2.98		
Lumbermen's	742.00		
McCabe Lock & Key	6.00		
Midget Motors	85.00		
Miller's Upholstery	115.00		
Millipore Corp.	33.34		
Mine Safety App. Co.	68.40		
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		TOTAL:	51,991.78

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APA



February 3, 1984

Mayor Elvern Hall
City Council
City of Newberg
414 E. First St.
Newberg, OR 97132

RE: Ordinance 2106, Section 4, Cable Communications Commission
Term of Office

Dear Mayor Hall,

In order to provide for a staggering of terms of commission members, two of the representatives for the City of Newberg were assigned to a one year term which will expire this month, February.

It is the recommendation of the Cable Communications Commission that both Mel Schroeder and Bert Pennock be reappointed to continue for a two year term as in compliance with ordinance 2106, Section 4.

We urge this action as orientation to the workings of the commission is extensive and much of our year has been spent in acquisition of knowledge, procedural development and the writing of a handbook for producers of local programming.

Thank you for your consideration of this matter.

Respectfully,

Dorothy Rogers

Dorothy Rogers
Secretary
Pro Tem

6 FEB 84 11: 14

JANUARY, 1984

A-One Burner Service	23.00	Nap's IGA	35.00
Alexander Oil Co.	71.15	National Geographic Soc.	8.70
Allen Machinery	56.50	Nessco Supply	20.96
Al's Family Dining	58.82	New York Review	25.00
Amps Co.	40.00	New York Times	179.35
Arthur H. Clark Co.	26.36	Newberg Auto Parts	43.51
Asher-Macken Electric	215.00	Newberg Chrysler-Plymouth	39.21
Associated Janitor	29.00	Newberg Community Hospital	374.06
Bantam Books	19.38	Newberg Family Practice	77.00
Barker's Auto Supply	26.44	Newberg Graphic	13.37
Brodart, Inc.	22.69	Newberg Human Resources	1,125.00
Butler Chevrolet	577.65	Newberg Radiator	48.50
Burroughs Corp.	33.00	Newberg Ready Mix	411.20
Buy-Wise Drugs	54.68	Newberg Veterinary Hosp.	8.00
Callaghan & Co.	77.95	Newman Signs	204.00
Case Power & Equip.	315.98	Northwest Business Systems	193.18
Chehalem Printing	38.65	Northwest Law Enforcement Equip.	59.59
Chehalem Valley Sr. Cit.	1,525.34	Northwest Natural Gas	2,506.03
Coast to Coast	134.51	Nudelman Bros.	56.00
Computer Specialties	24.95	Nurnberg Scientific	110.30
Consolidated Supply	234.00	Oregon Meter Repair	2,000.00
Copy Office Products	229.89	Oregon Preservation Center	26.95
Crabtree Rock	2,592.50	Pacific Water Works	1,637.70
Crowell Auto Parts	52.27	Payless Drug Store	68.55
Culligan	15.00	Parents Magazine	10.95
D & D Tools	28.60	Platt Electric	20.05
Dave's Cement	657.50	Quality Office Machines	376.29
Dave's Trophy Shop	35.60	Ranger Rick Nature Club	10.50
Dents	492.86	Riley Studio	78.10
Donaldson, Sam	51.25	Roberts Rent-All	9.00
Encyclopaedia Britannica	729.00	Rose City Awning	44.09
Farmart Sales	24.00	Schneider Equipment	25.20
FarmGro Supply	99.35	Schubert, Ernest	50.00
Fowler Tire	47.50	Scientific Supply	192.35
Gateway Ford	6.10	Sentinel Alarms	394.00
Gaylord Bros.	31.47	Shepard's McGraw-Hill	162.15
General Telephone	1,432.43	Short Story Int.	30.00
George Fox College	47.60	Showcase of Flowers	20.00
Home Laundry	39.95	Somes Uniforms	56.00
J-2 Distributors	259.42	Specialty Contracting & Glass	95.80
Jasco Supply	19.00	Swearengen, Michael	250.00
John's Electric	40.50	Taylor Electric	71.21
Johnson Furn. & Hdwe.	61.15	Traffic Safety Supply	41.92
Legislative Counsel Comm.	360.00	Utilities Supply	101.59
London's Lawn & Garden	12.00	U.S. News	36.00
Lumbermen's	264.15	Valley Iron & Steel	2,870.00
McCabe Lock & Key	28.00	W.R. Grace	564.82
Meter Box Equipment	790.00	W.W. Grainger	80.14
Metro-West Oil	313.50	Water, Food & Research	72.00
Midget Motors	16.35	Western Auto	562.44
Miller's Upholstery	115.00	Westside Automotive	294.89
Motorola	233.00	Willamette Car Care	62.00
Goodyear	543.69	Yamhill County Sheriff's Office	103.65
PGE CO.	18,500.00		
		TOTAL:	47,729.98

2007
 [Signature]
 m.c.
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**PUBLISHERS
PAPER**

TIMES MIRROR

NEWBERG DIVISION

WINSLOW H. BUXTON
RESIDENT MANAGER

February 2, 1984

Mr. Bob Sanders
Director of Public Works
City of Newberg
414 East 1st
Newberg, OR 97132

Dear Mr. Sanders:

I would like to formally express my appreciation for your help on our behalf during the recent water line emergency. Your willingness to provide us with water, and the efforts from your people in hooking up the temporary water line, is much appreciated.

It is this kind of community spirit that makes Newberg a special place. The water you provided prevented some additional downtime and kept part of our mill running through the night.

Please thank your people for me and be assured if there is any way I can return the favor, I will be happy to do so.

Sincerely,

Winslow H. Buxton
Resident Manager

WHB:jle

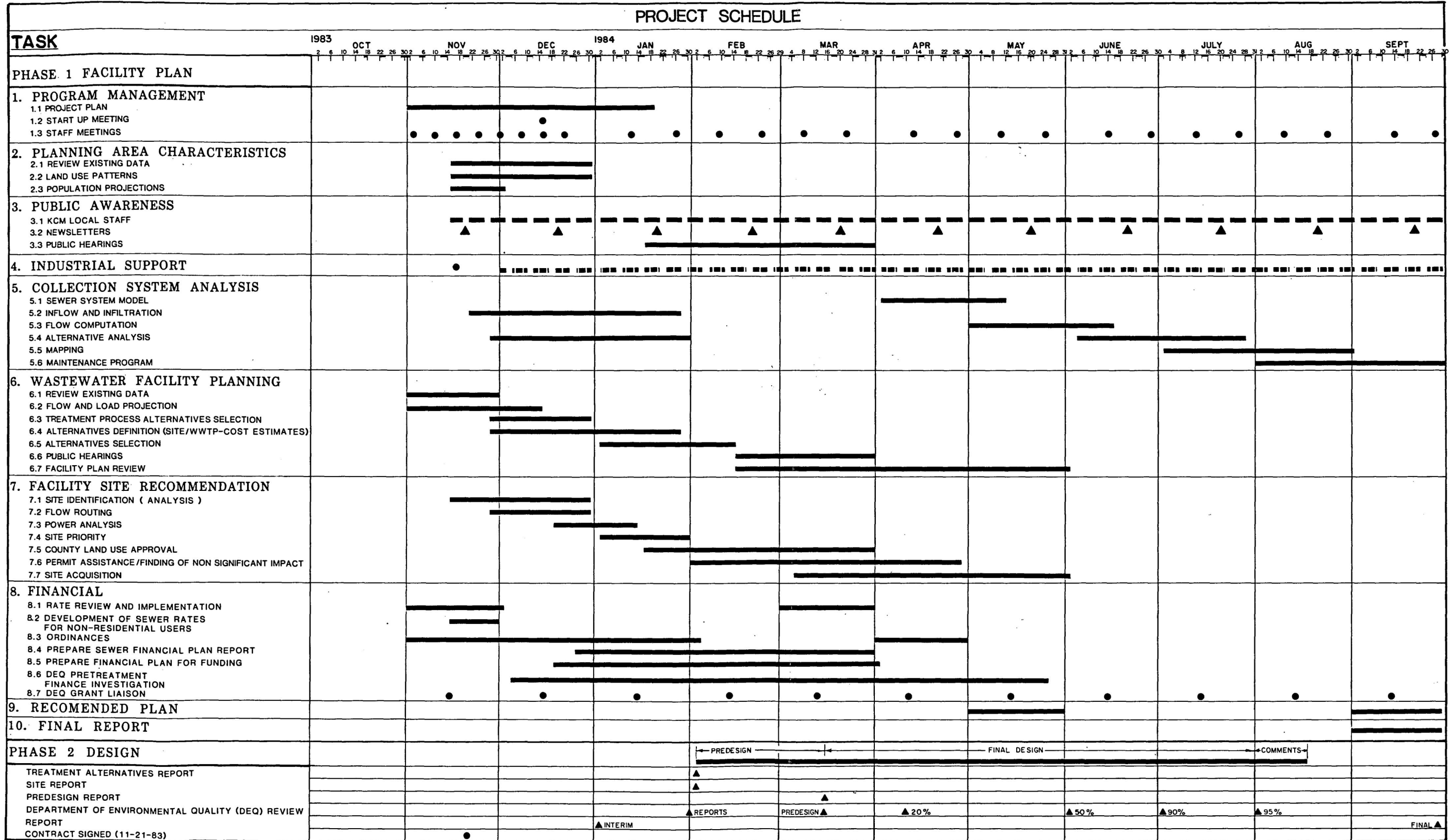
cc: Mike Warren
John Englebrecht



OREGON C.U.P. AWARD
Publishers Paper Co. was named in 1972 as the first recipient of the Oregon C.U.P. (Cleaning Up Pollution) Award for outstanding achievements in protecting the environment.

POST OFFICE BOX 70, NEWBERG, OREGON 97132. TELEPHONE (503) 538-2151

I. MASTER PLAN UPDATE



▲ MILESTONE DATE
● MEETING DATE
— PRIMARY PERIOD
OF TASK EFFORT

Kramer, Chin & Mayo, Inc.

date	designed by
11-2-83	drawn by
scale	checked by
	approved by

revisions				drawing number
(1) 12-5-83				
(2) 1-19-84				sheet number of

This drawing is full size when 22" x 34" or is reduced to half size when 11" x 17"

Tuesday, 7:30 P.M.

January 3, 1984

A REGULAR MEETING OF THE
NEWBERG CITY COUNCIL

Council Chambers

Newberg, Oregon

The meeting was called to order by Mayor Elvern Hall.

Roll Call:

Present -	Maybelle DeMay	John Poet
	Roger Gano	Quentin Probst
	Alan Halstead	Richard Rementeria
	C. Eldon McIntosh	Tommy Tucker

Staff Present - Michael Warren, City Manager
David Bishop, Chief of Police
Greg DiLoreto, City Engineer
Elmer Christensen, Fire Chief
Richard Faus, City Attorney
Arvilla Page, City Recorder
Brenda Stroud, Finance Director
Doreen Turpen, Librarian

Others Present - Approximately 30 citizens

Motion: Halstead-Rementeria to approve the Consent Calendar which contained the following four items:

1. Approve Minutes of December 5, 1983 Council Meeting.
2. Old Fashioned Festival Assistance Request.
3. Approval of Long-range Fiscal Projections.
4. Report on Library Overdue Policy.

Councilman Tucker asked the Librarian whether the new overdue policy was cost effective. The Librarian stated that it was not a matter that could be assessed presently, but it was better to have a policy in place that does give control. She added that they are using the regular staff and volunteer help.

Vote on the motion to approve the Consent Calendar carried unanimously.

Mayor Hall then introduced the new Police Chief, David Bishop, administered the oath of office and presented him with the badge of the Chief of Police.

Appointments by the Mayor:

On the matter of appointments to the Review Board, the City Manager stated that a contractor can appeal a staff decision. The Fire Chief stated that the appeal under consideration is on a parapet on a nearby building. The State Fire Marshal's Office has stated they doubted if it was a matter that could be appealed locally, but must be done through the State, either the Department of Commerce or the State Fire Marshal. Councilman Gano asked the amount of the filing fee and whether it would be refunded if the City does not hear the appeal. The City Manager stated that a refund would be recommended in that case and he also recommended that the review board be appointed and that they meet.

The Mayor then appointed to the Review Board the following: Hal Roth, Beaverton Fire Inspector; James Kenworthy, Tualatin Rural Fire Protection District; and Len McKibben, Engineer from Salem.

Mayor Hall reappointed to the Planning Commission the following: Joe Young, Roger Veatch, and Jane Parisi-Mosher.

Motion: Gano-McIntosh to accept the appointments made by the Mayor. Carried with two nays, Tucker, Halstead.

Mayor Hall then presented his State of the City Address. He stated that at the beginning of 1983, the year began with a goal setting seminar that produced 43 objectives for the departments of City Hall. By the end of the year, already half of the goals have been reached, and the balance will be completed in the future months. Past objectives developed by the community to the Mayor's Task Force include Revitalization of the Downtown Area, a new sewer plant, resolving the traffic problem and expansion of the Library. Newberg Centennial Redevelopment Commission began officially on January 1, 1983. The sewer treatment plant issue is organized and construction is to begin within the next two years. The traffic problem is not an easy one to solve, but some progress is being made. The State Department of Transportation is listening to the City now and the Villa Road Extension has been included in the six year project for 1985. The Library Expansion Bond Issue was voted on two months ago and the support from the community was significant. Plans are already underway to sell bonds to prepare for construction. Future plans of the City are to continue the projects begun, continue our sound planning process, and make every effort to keep our community's identity and attractiveness.

Recognition of Police Officer Rick Dutton. The City Manager reported there was a fire in a trailer in a mobile trailer park. Officer Dutton heard noises from within the trailer and went in and undoubtedly saved the life of the woman that was in the trailer. The Council should recognize Officer Dutton and a further award will be presented to Officer Dutton at the Employees' Award Dinner on January 20, 1984.

Jean Nellis, of Farm Gro Supply, stated she would like to speak and commend the entire Police Department. She stated they have had three breakins and two times out of the three, the Police Department has caught the burglars. She added that they had also had a fire and the Police Department was right on the job.

Public Hearing:

Public hearing on appeal of decision of the Planning Commission to approve a conditional use permit authorizing mobile vaccination clinic (Pet Prevent-a-Care). The appeal is filed by three local veterinarians as follows: R. D. Kimball, D. S. Shubin, and R. K. Holveck.

The appeal procedure was explained to the Council by the City Attorney and the action that the Council may take was outlined. He referred the Council to the Planning Commission minutes and the findings and conditions from the Planning Commission decision. A complete set of materials on the matter as heard before the Planning Commission has been provided to the Council. The Council would need to find a divergence from land use planning criteria in the Planning Commission's record.

Councilman Gano asked whether he could make a decision on any other than land use. The City Attorney responded that the Council must either uphold or deny the Planning Commission action and must find that the Planning Commission made an error.

There were no objections from those present to the Council hearing the matter, no member of the Council asked to abstain from hearing the matter and the Mayor asked that the speakers on the matter condense their comments as the full record is before the Council.

Proponent: Sharon Roberts, General Manager, Pet Prevent-A-Care, Inc., 10010 S.W. Beaverton Hillsdale Highway, Beaverton, Oregon. Miss Roberts stated that Pet Prevent-A-Care is operating in over 450 cities in five different states. She stated that the matter is not a planning issue. PPC has held four clinics in the past in Newberg under a peddlers permit.

It became a land use matter because of pressure from local veterinarians. Their main objection to PPC is that it is not available for emergency care. PPC does recommend follow-up care at local veterinarians. PPC does have overhead costs, the same as any other business.

Opponents:

Jean Nellis, Farm Gro Supply, stated that the argument and concern is that PCC calls themselves a temporary business. Four times a year is not temporary. The business does have an impact upon the community. The community is encouraged to rely on a transient business with a permanent style that does not benefit local economy. The local veterinarians are here all the time and support the city all the time. The concern is the kind of business and style of business. A business should contribute more than \$10.00 four times a year.

Richard Kimball, DVM, Rt. 2, Box 326A, Newberg. Dr. Kimball stated that the City should be concerned not only with the people with the mobile vaccination clinic, but also with other businesses of a similar, temporary nature. There is plenty of space in Newberg to set up permanent businesses. Dr. Kimball referred to the Planning Commission minutes and Dr. Roberts motion which failed that made the observation that granting a conditional use permit sets a precedent for use of temporary structures on a permanent basis and tends to bypass the purposes of the zoning ordinance.

Mike Douglas, pharmacist, 203 Villa Road, Newberg. Mr. Douglas stated that there is a glut of professional people today. This glut encourages mobile and temporary businesses. Any business should make a permanent commitment to any community in which they plan to operate.

Richard Benham, 304 Foothills Drive, Newberg. Mr. Benham stated he is concerned about the vacant business buildings in Newberg. He is concerned about the whole economical structure in Newberg. The local businesses deserve and require support. There is a new wave of doing business out of a van. Approving this type of business sets a dangerous precedent which threatens the economy and the community. This type of business can operate in large cities where the impact is hardly felt, but it can be devastating to smaller communities.

Robert Holveck, DVM, Rt. 1, Box 133, Newberg. Dr. Holveck stated that he agreed with all the other opponents statements. He stated that for the past

ten years the local veterinarians have held low-cost vaccination clinics and have held rabies clinics. Also, until recently the veterinarians have not been allowed to advertise their services, but this is not changing.

Proponent Rebuttal:

Miss Roberts stated that PPC has gone through the City Planner, City Attorney, and the Planning Commission. They do not feel that their business is a temporary business. They will come back to Newberg two times a year. They are not trying to bypass any ordinances and have agreed to the conditions placed on them by the Planning Commission.

Opponent Rebuttal:

Dr. Kimball pointed out that the vote of the Planning Commission was a tie vote the first time and five to three on the last time. This is certainly not a unanimous decision of the Planning Commission to grant a conditional use permit.

Staff Recommendation:

The City Manager, in the absence of the Planning Director, gave the staff report as outlined in the Planning Director's memorandum dated December 21, 1983 to the City Manager. The Council can approve, deny or modify the Planning Commission decision, but must base the decision on the three conditional use permit criteria. In the staff report to the Planning Commission dated October 20, 1983, staff noted that the operation of a mobile vaccination clinic would substantially conform to the criteria for a conditional use permit. The staff, at that time, also recommended four conditions which were adopted in the Planning Commission findings.

The City Manager stated that his recommendation would be to abide by the Planning Commission approval and to stay within the criteria, but that the Council should listen to the opponents. There will be more of these kind of businesses wishing to operate in Newberg. The local veterinarians have been cooperating with the City in a low-cost spaying program for low-income and elderly people. He stated he would further recommend that the Council should consider changing the ordinances covering peddlers as it is outdated now that the community has grown.

The City Attorney noted that this is a temporary/permanent use that is not dealt with in any of the ordinances. Only the conditional use criteria can be used at present. It does not meet the criteria of the peddlers ordinance. A veterinary clinic is a permitted outright use in the zoning where this clinic will be located. A conditional use permit is required because of the impact on existing parking and other permitted uses within that zone. The Council needs to review the ordinances.

Motion: Halstead-Rementeria to close the public hearing. Carried unanimously. The public hearing was then closed.

Motion: Halstead-McIntosh that Pet Prevent-A-Care, Inc. meets the criteria of the conditional use and that the Council must uphold the Planning Commission decision.

The Council then discussed an amendment to the original motion which would

change the time that the conditional use permit would be in effect.

Motion: Gano-Tucker to amend the main motion that the conditional use be in effect for two months, from November 17, 1983. Aye - 4, Gano, Halstead, Probst, Tucker; Nay - 4, DeMay, McIntosh, Poet, Rementería. The Mayor voted nay and the amendment failed.

Motion to amend the main motion: Rementería-Gano that the conditional use be in effect for six months from January 3, 1984 with no option for renewal and to delete condition number 5 of the Planning Commission which gave an additional two year extension. Motion to amend the main motion carried with one nay, Poet.

Vote on the original motion as amended: Aye - 7; Nay 1 - Poet.

Motion: Halstead-Gano that the City staff take immediate action on amendments for revision of the ordinances which would control transient/temporary business. Carried unanimously.

City Manager's Report:

The City Manager reported that the annual Employee Awards Dinner would be held on January 20, 1984. A committee is needed to select a recipient of the George Layman Award. The Mayor then appointed the City Manager, Councilman Gano and himself as the George Layman Award Committee. The City Manager also called the Council's attention to the retirement dinner for Police Chief Hawkins which will be held on January 7, 1984.

The City Manager reported that Greg DiLoreto, City Engineer, is a member of the Local Officials Advisory Committee and asked Mr. DiLoreto to report on the activities of that Committee. Mr. DiLoreto stated that the Committee is a state-wide committee that is able to transmit the concerns of the Council to the State. As a member of the Committee, he has testified before the Legislature on the conditions of the streets in cities of Oregon. Several members of the Council stated concerns that they have to Mr. DiLoreto to take to the Local Officials Advisory Committee.

The City Manager reported on the Six Year Highway Program. The City has for many years been trying to get Villa Road put through to Highway 240. Traffic entering Highway 99W from 240 have a very dangerous intersection. The City has received word that the project is in the Six Year Program and scheduled for the 1985 fiscal year under the Hazard Elimination Category. The City needs to buy one more piece of property. Action will proceed on property purchase as soon as drawings are received from the State to specify the exact property needs.

Old Business:

Recommendation of Public Works Committee regarding transfer station. The City Manager reported that the Public Works Committee has approved and adopted the report of the Newberg/Dundee Disposal Alternatives Committee and has recommended it to the Council.

Motion: Tucker-Halstead to accept the report of the Newberg/Dundee Disposal Alternatives Committee.

Russ Petral, Salem, Engineer representing Angus McPhee, stated that the Newberg/Dundee Disposal Alternatives Committee requested proposals for a transfer station and received two proposals. They recommended the proposal submitted by McPhee. Is it the Council's intent to use the criteria proposed by McPhee and permit anyone else to use that criteria? Councilman Gano responded that the City has no way to legally prevent others from using the criteria. Mr. Petral asked the Council to instruct the staff to investigate legal means to control the flow of solid waste. Councilman Rementeria pointed out that the City cannot require Newberg Garbage Service to use a facility built by any other party.

Robin Hamblet, County Commissioner, stated that the County will not institute a flow control on solid wastes.

Marvin Schneider, Newberg Garbage Service, stated that they are just looking for the most economical way to dispose of garbage. He added that they are now starting to haul part of the material they collect to River Bend as they can haul it to River Bend cheaper than to the Newberg Landfill. Newberg Garbage Service needs the ability to go to the cheapest means of disposal for the benefit of all of the customers.

Roll Call vote on the motion of Tucker-Halstead to accept the report of the Newberg/Dundee Disposal Alternatives Committee. Aye - 7, DeMay, Gano, Halstead, McIntosh, Poet, Probst, Tucker; Nay - 1, Rementeria. The motion was declared passed.

New Business:

Motion: Gano-Rementeria to approve the December Accounts Payable. Carried unanimously.

Motion: Gano-Probst to adopt Resolution No. 84-1017, authorizing modification of the agreement for professional services for additions to and renovation of Newberg Carnegie Library. Carried unanimously.

Motion: Gano-Poet to adopt Resolution No. 84-1018, authorizing an additional method of investment of City funds, repurchase agreements. Carried unanimously.

The City Attorney read a resolution prepared concerning the Pet Prevent-A-Care conditional use. Motion: Poet-Rementeria to adopt Resolution No. 84-1019, granting a conditional use permit to Pet Prevent-A-Care. Carried unanimously.

Motion: Gano-DeMay to adopt Resolution No. 84-1020, transfer of funds from the General Fund Contingency Account to personal service accounts. Carried unanimously.

Ordinances:

Motion: Rementeria-Probst to read by title only Ordinance No. 2138 to change the fee for nonpayment of sewer charges. Carried unanimously. The ordinance was then read. Roll Call: Aye - 8, DeMay, Gano, Halstead, McIntosh, Poet, Probst, Rementeria, Tucker; Nay - 0. The Mayor then declared the ordinance passed.

Motion: Gano-Poet to adjourn. Carried unanimously.

OREGON LIQUOR CONTROL
COMMISSION
P. O. BOX 22297
PORTLAND, OREGON 97222

1984-85
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
DC	DISPENSER	300.00	2			5625		595-118 R06922A	01 04 84	A

CORRECT ANY NAME OR ADDRESS ERROR

11 DC-82-0080
12 ROCKY'S DELICATESSEN INC
01 OAK TREE RESTAURANT
01 2316 PORTLAND RD
NEWBERG OR 97132 MA

ENDORSEMENT	
THE COMMON COUNCIL OR COUNTY COURT	
OF _____	
RECOMMENDS THAT THIS LICENSE BE	
GRANTED ☐	REFUSED ☐
DATE OF ENDORSEMENT _____	
BY _____	
SIGNATURE OF OFFICIAL	
TITLE _____	

RENEWAL INSTRUCTIONS.....

1. YOUR LIQUOR LICENSE EXPIRES 03-31-84. YOU MUST PAY A LATE FILING FEE IF THIS COMPLETED APPLICATION IS NOT RECEIVED BY OLCC ON OR BEFORE 03-09-84.
2. COMPLETE THIS FORM FOR RENEWAL ONLY. IF THERE WILL BE ANY CHANGES NECESSARY IN YOUR NEW LICENSE, *IMMEDIATELY* CONTACT OLCC LICENSE DIVISION OR A LICENSE INVESTIGATOR FOR PROPER INSTRUCTIONS AND APPLICATIONS.
3. COMPLETE ITEMS 1, 2, 5 & 6 ON THE REVERSE.
4. OBTAIN ENDORSEMENT FROM YOUR LOCAL CITY COUNCIL OR COUNTY COURT.
5. MULTNOMAH COUNTY & PORTLAND LICENSEES ONLY...FILE COMPLETED APPLICATIONS WITH PORTLAND CITY COUNCIL OR MULTNOMAH COUNTY COURT. COMPLETE THE ENCLOSED SUPPLEMENT TO THE LICENSE APPLICATION & SUBMIT TO OLCC WITH THE CITY OR COUNTY RECEIPT FOR ENDORSEMENT & THE CORRECT LICENSE FEE.

(OVER)

111-2

COMPLETE ONLY THOSE ITEMS BELOW WHICH ARE INDICATED IN THE INSTRUCTIONS ON THE FRONT

1. Amount of check or money order in payment of license fee enclosed: \$ 200.00
2. Will anyone share in the profits of the business who has not signed the application? YES ☐ NO ☒
If yes, explain: NONE
3. Grocery Inventory @ Cost (only PS with Gas Pumps): \$ NONE
4. **RMB & R**
Average Monthly Gross Sales: Malt Beverages & Wines: \$ 2908.39 Food Items: \$ 34,433.73 Misc: \$ 608.41
5. **DA, DB & DC**
Average Monthly Liquor Sales: \$ N/A Average Monthly Food Sales: \$ N/A
Average Monthly Gross Sales: \$ N/A Percent of Food to Gross Sales: % N/A

66. _____
Applicant's Signature Applicant's Signature Applicant's Signature

IF AN ENDORSEMENT IS REQUIRED, THE APPLICATION MUST BE ENDORSED BY THE CITY COUNCIL IF PREMISES IS LOCATED WITHIN THE LIMITS OF AN INCORPORATED CITY OR TOWN; OTHERWISE, IT MUST BE ENDORSED BY THE COUNTY COURT.

APPLICATION MUST BE IN OLCC OFFICE NO LATER THAN 30 DAYS PRIOR TO EXPIRATION DATE OF LICENSE IN ORDER TO INSURE THAT YOU ARE PROPERLY LICENSED FOR THE NEW LICENSE PERIOD.

COMMISSION
P. O. BOX 22297
PORTLAND, OREGON 97222

1984-85
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED
RMB	RETAIL MALT BEVERAGE	200.00	2	15	3625			595-201 896921A	01 04 84

CORRECT ANY NAME OR ADDRESS ERROR

11 KOSNICKI CRAIG B
01 ABBY'S PIZZA INN OF NEWBERG
01 1913 PORTLAND RD
NEWBERG OR 97132

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF _____

RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT _____

BY _____

SIGNATURE OF OFFICIAL

TITLE _____

RENEWAL INSTRUCTIONS.....

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(OVER)

111-2

OREGON LIQUOR CONTROL
COMMISSION
P. O. BOX 22297
PORTLAND, OREGON 97222

1984-85
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED
DA	DISPENSER	4.00	15	3625				595-212 R02392A	01 04 84

CORRECT ANY NAME OR ADDRESS ERROR

11 DA-0409
12 CHANDLER ALOHA SHAW
13 LIEW WILFRED TANG-SENG
14 SHAW INDETTA G
01 THE SHAWS
01 1819 PORTLAND RD
NEWBERG OR

97132

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF _____
RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT _____

BY _____
SIGNATURE OF OFFICIAL

TITLE _____

RENEWAL INSTRUCTIONS.....

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(OVER)

OREGON LIQUOR CONTROL
COMMISSION
P. O. BOX 22297
PORTLAND, OREGON 97222

1984-85
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRN	DATE ISSUED	CD
PS	PACKAGE STORE	50.00				05 3629		595-203 203481A	01 04 84	F

CORRECT ANY NAME OR ADDRESS ERROR

11 SPRAY MICHAEL R.
12 SPRAY CARRIE E
01 9TH STREET GROCERY
01 1210 E NINTH ST
NEWBERG OR

97132

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF _____

RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT _____

BY _____

SIGNATURE OF OFFICIAL

TITLE _____

RENEWAL INSTRUCTIONS.....

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(OVER)

OREGON LIQUOR CONTROL
COMMISSION
P. O. BOX 22297
PORTLAND, OREGON 97222

1984-85
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CI
PS	PACKAGE STORE							595-203	01-04-84	

CORRECT ANY NAME OR ADDRESS ERROR

11 BAUER DAVID LESTER
12 BAUER WILBUR CHARLES
01 NAPS SUPER MARKET
01 112 E 1ST ST
NEWBERG OR 97132

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF

RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT

BY

SIGNATURE OF OFFICIAL

TITLE

RENEWAL INSTRUCTIONS

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(OVER)

111-2

COMPLETE ONLY THOSE ITEMS BELOW WHICH ARE INDICATED IN THE INSTRUCTIONS ON THE FRONT

1. Amount of check or money order in payment of license fee enclosed: \$ 50⁰⁰
2. Will anyone share in the profits of the business who has not signed the application? YES ☐ NO ☒
- If yes, explain: _____
3. Grocery Inventory @ Cost (only PS with Gas Pumps): \$ 210,016⁰⁰
4. RMB & R
Average Monthly Gross Sales: Malt Beverages & Wines: \$ _____ Food Items: \$ _____ Misc: \$ _____
5. DA, DB & DC
Average Monthly Liquor Sales: \$ _____ Average Monthly Food Sales: \$ _____
Average Monthly Gross Sales: \$ _____ Percent of Food to Gross Sales: % _____

Donald Bauer
Applicant's Signature

William C. Bauer
Applicant's Signature

Applicant's Signature

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LIQUOR CONTROL
COMMISSION
P. O. BOX 22297
PORTLAND, OREGON 97222

1984-85
LICENSE RENEWAL APPLICATION

CLASS BOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
	DISPENSER CLASS A	600.00	2			02 3529		595-212 R06867A	01 04 84	A

CORRECT ANY NAME OR ADDRESS ERROR

DA-1037
LAMP POST INC
THE BARN DOOR
2810 PORTLAND RD
NEWBERG OR

97132

ENDORSEMENT	
THE COMMON COUNCIL OR COUNTY COURT	
OF _____	
RECOMMENDS THAT THIS LICENSE BE	
GRANTED ☐	REFUSED ☐
DATE OF ENDORSEMENT _____	
BY _____	
SIGNATURE OF OFFICIAL	
TITLE _____	

RENEWAL INSTRUCTIONS.....

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(OVER)

111-2

OREGON LIQUOR CONTROL
COMMISSION
P. O. BOX 22297
PORTLAND, OREGON 97222

1984-85
LICENSE RENEWAL APPLICATION

2022

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	P80	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CO
R	RESTAURANT	200.00						595-205 RD3484A	01-04-84	C

CORRECT ANY NAME OR ADDRESS ERROR

11 BRADLEY DONALD S
12 BRADLEY GERALDINE A
01 YE OLDE PIZZA SHOPPE
01 2515 PORTLAND RD.
NEWBERG OR

97132

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF _____

RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT _____

BY _____

SIGNATURE OF OFFICIAL

TITLE _____

RENEWAL INSTRUCTIONS.....

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(OVER)

OREGON LIQUOR CONTROL
COMMISSION
P. O. BOX 22297
PORTLAND, OREGON 97222

1984-85
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
PS	PACKAGE STORE	50.00	2	02	0229	595-203 RO 3488A			01, 04, 84	F

CORRECT ANY NAME OR ADDRESS ERROR

11 HOWARD J MARUGG INC
01 NEWBERG THRIFTWAY
01 114 NORTH EVEREST RD
NEWBERG OR 97132

ENDORSEMENT
THE COMMON COUNCIL OR COUNTY COURT
OF _____
RECOMMENDS THAT THIS LICENSE BE
GRANTED ☐ REFUSED ☐
DATE OF ENDORSEMENT _____
BY _____
SIGNATURE OF OFFICIAL
TITLE _____

RENEWAL INSTRUCTIONS.....

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(OVER)

OREGON LIQUOR CONTROL
COMMISSION
P. O. BOX 22297
PORTLAND, OREGON 97222

1984-85
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PCC	COUNTY CITY	ENF. DISTRICT	DPLRN	DATE ISSUED	CD
PS	PACKAGE STORE	25.00	2					595-203 R05209A	01 04 84	F

CORRECT ANY NAME OR ADDRESS ERROR

11 WILLIAM P VAUGHAN INC
01 SPRINGBROOK THRIFTWAY
01 1140 N SPRINGBROOK ST
NEWBERG OR 97132

ENDORSEMENT	
THE COMMON COUNCIL OR COUNTY COURT	
OF _____	
RECOMMENDS THAT THIS LICENSE BE	
GRANTED ☐	REFUSED ☐
DATE OF ENDORSEMENT _____	
BY _____	
SIGNATURE OF OFFICIAL	
TITLE _____	

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(OVER)

OREGON LIQUOR CONTROL
COMMISSION
P. O. BOX 22297
PORTLAND, OREGON 97222

1984-85
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRN	DATE ISSUED	CD
PS	PACKAGE STORE							595-203 NO 3488 A	01 04 84	F

CORRECT ANY NAME OR ADDRESS ERROR

11 SAFEWAY STORES INC
01 SAFEWAY STORE NO 366
01 1510 E FIRST ST
NEWBERG OR 97132 MA

ENDORSEMENT
THE COMMON COUNCIL OR COUNTY COURT OF _____ RECOMMENDS THAT THIS LICENSE BE GRANTED ☐ REFUSED ☐ DATE OF ENDORSEMENT _____ BY _____ SIGNATURE OF OFFICIAL TITLE _____

RENEWAL INSTRUCTIONS.....

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(OVER)

OREGON LIQUOR CONTROL
COMMISSION
P. O. BOX 22287
PORTLAND, OREGON 97222

1984-85
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
PS	PACKAGE STORE							505-203	01 04 84	F

CORRECT ANY NAME OR ADDRESS ERROR

11 PLaid PANTRIES INC
01 PLaid PANTRY MARKET NO 72
01 1012 E 1ST ST
NEWBERG OR 97132 MA

ENDORSEMENT	
THE COMMON COUNCIL OR COUNTY COURT	
OF _____	
RECOMMENDS THAT THIS LICENSE BE	
GRANTED ☐	REFUSED ☐
DATE OF ENDORSEMENT _____	
BY _____	
SIGNATURE OF OFFICIAL	
TITLE _____	

RENEWAL INSTRUCTIONS.....

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(OVER)

MEMO

TO: City Council
FROM: City Manager
SUBJECT: Appointments by Mayor

DATE: January 31, 1984

There are three openings on commissions in the City. These are the Hospital Commission, Planning Commission and Traffic Safety Commission.

The Hospital Board has recommended Fonda Schmidt to the City Council for appointment.

There were eight applicants for the Planning Commission. Almost all of the applicants were new applicants except for John Englebricht. He has asked for the last couple of years to serve on the Planning Commission. He is employed by Publishers Mill and the Mayor has favored his appointment because of his long interest.

The Traffic Safety Commission comes from Doris Brandt. She has asked to serve on the Commission and the Mayor will make this appointment.

If there are questions on appointments, City Council members should contact the Mayor and discuss the situation with him personally.


Michael Warren
City Manager

MW:fj

*Copies in Council
members' packets
only - Not press or
Staff*

1V-1, 2, 3



safety

January 13, 1984

Arvilla Page, City Recorder
Newberg City Hall
414 E. First
Newberg, OR 97132

Dear Ms. Page:

This is to confirm February 6th as the date set to present the city of Newberg with the AAA Pedestrian Safety Citation award.

Included in this packet are copies of a summary of the purpose and objectives of the program for you to distribute to council members.

If there is a change in schedule, please notify me.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Merritt", with a long, sweeping horizontal stroke extending to the right.

Mary Merritt
Public Relations/Safety Director
(503) 222-6749

MM:sc
Enclosures



safety

NEWBERG HAS EARNED THE PEDESTRIAN SAFETY CITATION FROM OREGON TRIPLE A FOR ITS ACHIEVEMENT IN THE PREVENTION OF PEDESTRIAN FATALITIES AND INJURIES.

THE AWARD IS ONE OF 292 TOP CITATIONS TO BE PRESENTED BY AAA CLUBS ACROSS THE COUNTRY IN THE FEDERATION'S 44TH ANNUAL PEDESTRIAN PROTECTION PROGRAM. MORE THAN 2500 CITIES AND 29 STATES PARTICIPATED IN THE AAA SURVEY WHICH EVALUATES AND RECOGNIZES OUTSTANDING PEDESTRIAN SAFETY ACHIEVEMENTS OF PARTICIPATING COMMUNITIES FOR THE PREVIOUS CALENDAR YEAR.

THE AAA PEDESTRIAN PROGRAM, UNIQUE IN THE NATION, FOCUSES ATTENTION NATIONWIDE ON PEDESTRIAN SAFETY NEEDS BY STIMULATING INTEREST ON THE LOCAL LEVEL IN PEDESTRIAN-RELATED PROGRAMS. RECOGNITION IS GIVEN TO CITIES AND STATES THAT HAVE DEMONSTRATED SUCCESSFUL PEDESTRIAN SAFETY PROGRAMS.

SINCE 1937, WHEN AAA BEGAN DEVELOPING THE PEDESTRIAN SAFETY PROGRAM, PEDESTRIAN FATALITIES HAVE DECLINED 44 PERCENT EVEN AS MOTOR VEHICLE REGISTRATIONS JUMPED 455 PERCENT AND THE NATION'S POPULATION GREW BY 80 PERCENT.

600 S.W. MARKET STREET, PORTLAND, OREGON 97201, (503) 222-6749

COMMUNITIES PARTICIPATING IN THE AAA PROGRAM ARE JUDGED WITH OTHERS OF COMPARABLE SIZE AND CHARACTERISTICS. PROGRAM AREAS EVALUATED INCLUDE MAINTENANCE OF ACCIDENT RECORDS, SAFETY LEGISLATION, ENFORCEMENT, TRAFFIC ENGINEERING, QUALITY OF SCHOOL TRAFFIC SAFETY PROGRAMS AND ACTIVE PUBLIC INFORMATION AND EDUCATION PROGRAMS.

FACTS ABOUT PEDESTRIANS

July, 1983

1. The first recorded traffic fatality in the United States occurred in 1899 in New York City - the victim was a pedestrian.
2. Since 1937, when the AAA was developing the Pedestrian Protection Program, pedestrian fatalities have dropped from 15,500 to 8,700 in 1982. This represents a reduction of 44 percent. During this same period, motor vehicle registration increased 455 percent (30 to 166.5 million); population grew by 80 percent (128 to 231 million); motor vehicle travel jumped 479 percent (271 billion to 1,570 billion miles of travel); and non-pedestrian fatalities have increased 56 percent (24,143 to 37,600).
3. It is estimated that the economic loss resulting from pedestrian accidents is over 200 million dollars annually.
4. Of the adult pedestrians killed in accidents nearly one fourth had been drinking.
5. More than one half of all pedestrian traffic fatalities occur during hours of darkness, although pedestrian and vehicle traffic is significantly less at night.
6. The majority of pedestrians killed in traffic violated a traffic law or committed an obviously unsafe act.
7. Ninety-three percent of all children injured enroute to or from school were struck at locations where no type of special school crossing protection such as Safety Patrols, Adult Guards, or Police Officers were in use.
8. The total number of pedestrian deaths during 1982 was 8,700. This represents a 3 percent decrease over the 1981 figure. Seventy-two percent of all pedestrian deaths occur in urban areas, while only 29 percent of all motor vehicle deaths occur in urban areas.
9. Pedestrians below the age of 15 and those over 64 account for 40 percent of all pedestrian fatalities. 20 percent of all pedestrians killed are under 15, and approximately 41 percent of all pedestrians injured are under 15. Older adults account for approximately 21 percent of all pedestrians killed, and over 8 percent of all pedestrians injured.
10. Since 1928, when national statistics first became available, nearly one half million pedestrians have died in traffic accidents.
11. The pedestrian death toll exceeds combined air, marine and rail transport deaths by three times.
12. Pedestrian fatalities account for 16 percent of all highway fatalities and 4 percent of all traffic injuries.
13. Although more than twice as many pedestrians are killed in urban than rural areas, the chance of death compared with injury is much higher in rural areas. Lower vehicle speeds, better and more extensive police traffic enforcement and superior emergency medical services account for the better chance of survival in urban areas.

14. The national pedestrian death rate in 1982 was 3.1 per 100,000 population. The national injury rate was 51 per 100,000 population. These rates vary in different parts of the country, as they are affected by many factors, including the number and size of cities and their relative population densities; per capita vehicle ownership; deviation of population age groups from the national proportions of accident-prone age groups (senior citizens, for example); ethnic compositions; and importantly, the effectiveness of pedestrian safety programs.
15. Preschool children from two to six years of age are estimated to be involved in from 18 to 25 percent of all pedestrian accidents -- yet this age group represents only about 6 percent of the total population. More than two out of three preschool pedestrian accident victims are male.
16. It is estimated that over 300 children are killed playing in their own driveways each year.
17. The national pedestrian death rate per 100,000 population decreased substantially from 4.4 in 1972 to 3.1 in 1982. During that same period the national pedestrian injury rate per 100,000 population fell from 81 to 51.

MEMO

TO: Redevelopment Agency
City Council

DATE: January 23, 1984

FROM: City Manager

SUBJECT: Upcoming Conferences

I have attached two conference brochures that will be occurring in Washington, D.C. at the end of February and the beginning of March. Both of them are relevant to the things that we are doing in our City and coincidentally the times that they are occurring tie in together very nicely. The Downtown Retail Development Conference begins on February 29 and ends on March 2 and the Annual Congressional City Conference begins on March 3 and ends on March 6.

Please look over the two brochures and let me know if you feel it would be a good idea to send representatives of our City and/or Redevelopment Agency to the conference(s).


Michael Warren
City Manager

MW/bjm

Enc.

Memo in my Packet + Council's Packet (Back up Attached give to me)
Council has back up info already.

MEMORANDUM
February 1, 1984

TO: MIKE WARREN, CITY MANAGER
FROM: BOB SANDERS, DIR. OF PUBLIC WORKS *BS*
SUBJECT: PROFESSIONAL SERVICES AGREEMENT FOR PHASE II OF THE NEW SEWER
TREATMENT PLANT

In October of 1983 the Council approved Resolution 83-1000 authorizing the City Manager to contract with Kramer, Chin & Mayo for professional services for the new sewer treatment plant. The first phase of the engineering work was authorized on November 21, 1983 in the amount of \$178,894. The first phase of the engineering services dealt predominantly with the rate increases and the planning for the new sewer plant.

Kramer, Chin & Mayo is now ready to launch into the next phase, the design. In order to meet the projected schedule, the design phase would be starting in February, and would be completed around the middle of May. The proposed engineering costs for this phase is \$504,613. The scope of work identified for this amount of money involves the complete design of the new sewage treatment plant, conversion of the existing plant into a flow equalization facility and lift station, design of over 10,000 lineal feet of main trunk line sewer pipe and outfall line, and upgrading the Hess Creek pump station to handle 16 mgd of flow.

In the current budget, a contingency line item of \$1,000,000 was set up for sewer plant improvements during this fiscal year. In addition to this amount there were several other line items identified for engineering services and capital improvements to deal with continuing capacity at the existing plant. There is also a line item for land purchase.

In preparation of the financial management plan, I identified spending \$500,000 of the contingency reserve on engineering services, and \$500,000 towards the construction of the new plant. This identification of costs was done prior to bringing KCM on board, and prior to having an idea of the project cost.

It appears that authorizing Phase II of KCM's contract will commit approximately \$680,000 to be expended from the current budget. For the remaining amount I have gone back through my budget and identified items which can be moved to professional services to cover this phase of the design. Below is a listing of the line items and dollar amounts that can be transferred to professional services.

Phase II KCM Contract
February 1, 1984
Page 2

6-430.380	Engineering services for plant assesement	\$ 15,000.00
6-430.610	Process modification	35,000.00
6-460.610	Muffin monsters at pump stations	36,000.00
6-490.380	Engineering services for the new plant	<u>75,000.00</u>
Total		\$ 161,000.00

It appears that I will need about another \$15,000 from the contingency reserve to cover the Phase II contract. I will need to work with the Finance Director to prepare the contingency transfer to cover this contract.

In addition to the engineering costs, we are looking at what is available for land purchase. In line item 6-490.625 I have budgeted for the current fiscal year, \$25,000 for a down payment on land purchase, with the financial management plan projecting a \$30,000 annual payment against the land for a total purchase price of approximately \$250,000.

The City Attorney and I have reviewed Resolution No. 83-1000, passed by the Council on October 3, 1983 which authorizes the City Manager to enter into a contract with KCM for professional services on the new wastewater treatment facility. At the time this resolution was prepared, the scope of the work that was to be performed by KCM identified the total project which was split up into smaller contract phases to better identify the scope of work and the timing. The first phase has already been authorized as stated above, and the second phase is currently under consideration. A third phase of the work will deal with project administration, construction inspection, preparation of operation and maintenance manuals, plant start-up and as-built drawings. It appears that no further resolution is needed to authorize Phase II of the contract in that it appears there is sufficient funds available in the current budget to authorize this contract.

Phase III of the engineering services will come in next fiscal year so the funds for that contract can be addressed in next year's budget. I would recommend that we authorize Kramer, Chin & Mayo to proceed with Phase II of the engineering services so that we might be able to continue with our schedule and reach our ultimate goal of obtaining federal funds. A contingency transfer, as stated above, will also be needed to obtain sufficient funds in the operating budget to cover this contract.

V11-2

MEMO TO: Mike Warren, City Manager
FROM: Rick Faus, City Attorney
DATE: January 30, 1984
SUBJECT: Agreement for Geotechnical Services

This resolution is being provided at the request of the City Engineer. The contract terms and amount will be finalized in the coming week and the City Engineer will have extensive information to answer any questions regarding this contract available. The contract is for professional services necessary for the completion of the Newberg Carnegie Public Library expansion project.

RDF:fj

X-1

RESOLUTION NO.

A RESOLUTION APPROVING AN AGREEMENT FOR GEOTECHNICAL PROFESSIONAL SERVICES FOR THE PUBLIC LIBRARY EXPANSION PROJECT.

WHEREAS, the City of Newberg must retain specialized geotechnical services relating to the Newberg Carnegie Public Library expansion project to provide a soil analysis to define the structural requirements of the expanded library's foundation; and

WHEREAS, due to the potential savings to the City in completing this construction project as soon as possible, due to reduced construction costs, it is important that professional services be retained to provide a soil analysis as quickly as possible.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newberg, Oregon, as follows, to-wit:

1. The agreement to employ a specialized engineering firm to provide geotechnical services and soil analysis is an agreement for personal services and not subject to the public contracting and purchasing laws. To avoid any delay, due to the necessity of beginning construction as soon as possible, as stated in the whereas clauses above, the City Council, acting as Contract Review Board, does hereby declare an emergency and waive competitive bidding to forestall any possibility of challenge.

2. The City Manager is hereby authorized to execute the agreement on behalf of the City to employ the firm of L. R. Squire, Inc. to provide geotechnical services for the Newberg Carnegie Public Library expansion project.

3. The cost for geotechnical services under the agreement with L. R. Squire, Inc. shall be at the most reasonable rate, not to exceed the sum of \$ _____.

ADOPTED by the City Council of the City of Newberg, Oregon, this 6th day of February, 1984.

Arvilla Page - City Recorder

RESOLUTION NO.

A RESOLUTION AUTHORIZING TRANSFER OF FUNDS FROM THE SEWER FUND COLLECTION SYSTEM DEPARTMENT, MATERIALS, SUPPLIES AND SERVICE ACCOUNT AND FROM THE SEWER FUND PLANT MAINTENANCE DEPARTMENT, CAPITAL OUTLAY ACCOUNT TO THE DESIGNATED PERSONAL SERVICE ACCOUNT.

WHEREAS, funds must be appropriated from the departments and accounts above listed to meet personal service obligations; and

WHEREAS, the Council of the City of Newberg has considered the transfer of funds from the Sewer Fund accounts, as set forth in the Budget for the fiscal year 1983-1984, which are enumerated below, and has determined that the expenditures hereinafter listed are necessary and that the transfer of funds hereinafter stated should be allowed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newberg, Oregon, as follows, to-wit:

1. That the following transfer of funds from the Sewer Fund Collection System Department, Materials, Supplies and Services Account, in the amount of \$5,000. and from the Sewer Fund Plant Maintenance Department, Capital Outlay Account, in the amount of \$8,515. for a total transfer of \$13,515. is hereby authorized and expenditure of the funds are authorized for the purposes stated as follows:

<u>Fund/Purpose</u>	<u>Amount</u>
<u>Sewer Fund:</u>	
Plant Maintenance:	
Personal Services	<u>\$13,515.</u>
 TOTAL FROM SEWER FUND	 <u>\$13,515.</u>

2. That the foregoing transfers shall be made from accounts as set forth in the budget of the City of Newberg, Oregon, for the fiscal year 1983-1984.

ADOPTED by the City Council of the City of Newberg, Oregon this 6th day of February, 1984.

MEMO

TO: City Council

DATE: January 25, 1984

FROM: City Manager

SUBJECT: Library Bond Issue

Attached is a resolution approving the sale of bonds for the Library. This issue is a followup to the last few meetings in which we discussed moving ahead with the bond sale and regrouping to take a look at our financial condition just prior to the bond sale.

At tonight's meeting I recommend to the City Council approval of the resolution authorizing the sale of bonds. On or before February 15, 1984 notice of the bond sale will be published in the Newberg Graphic and the Daily Bond Buyer newspaper.

On March 6, 1984, which is a Tuesday, the bond sale is scheduled. Timing for the bond sale is important. Even the day of the week is important. Tuesday seems to be a good day for the sale. The City Council will have to meet within four hours of the time we set for the bond sale on Tuesday in order to meet and approve the winning bid and pass the resolution to that effect. This means that while the Council will have its regular meeting on Monday, March 5, you will still need to hold a special meeting on March 6 to approve the bond bids. At the March 5 meeting I will give you an exact time of the meeting for March 6.

March 20, 1984 will be the approximate date of closing of the bond sale. This is the date when we deliver the bonds and receive the funds.



Michael Warren
City Manager

MW/bjm

Enc.

X-3+4

MEMO TO: Mike Warren, City Manager

FROM: Rick Faus, City Attorney

DATE: January 30, 1984

SUBJECT: Resolution authorizing issuance of General Obligation Library Bonds, Series 1984 and Resolution approving employment of bond consultant for General Obligation Library Bonds, Series 1984

Attached to this memo are the two resolutions referred to above. These resolutions should be passed by the Council at the February 6, 1984 Council meeting.

These resolutions provide for the process that will result in a sale of General Obligation Bonds in the amount of \$965,000. for library expansion. With the passage of the resolution authorizing the issue at the February 6th Council meeting the sale will be advertised on or before February 15, 1984 and the sale will actually take place on Tuesday, March 6, 1984. Bid opening will be set for the afternoon of March 6th, with a special Council meeting to approve the winning bid by resolution at 5 or 6 o'clock Tuesday, March 6, 1984.

The resolution for employment of bond consultant is necessary as the bond consultant will be handling the official statement and numerous aspects regarding the sale of the bonds.

The resolution authorizing the issuance of general obligation bonds will not be finalized until later this week. However, any changes made to it will be minor in nature. Copies of the final resolution will be made available at the Council meeting.

RDF:fj

X-3 + 4

RESOLUTION NO. _____

RESOLUTION OF THE CITY OF NEWBERG, OREGON
AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION
LIBRARY BONDS, SERIES 1984

The City of Newberg resolves as follows:

Section 1. Issue. The City shall issue its General Obligation Library Bonds, Series 1984, in the amount of Nine Hundred Sixty-Five Thousand Dollars (\$965,000) to be dated March 1, 1984, to be in denominations of Five Thousand Dollars (\$5,000) or integral multiples thereof, and to mature serially on the 1st day of March of each year as follows:

<u>YEAR</u>	<u>AMOUNT</u>	<u>YEAR</u>	<u>AMOUNT</u>
1985	\$20,000	1995	\$45,000
1986	20,000	1996	50,000
1987	20,000	1997	55,000
1988	25,000	1998	60,000
1989	25,000	1999	65,000
1990	30,000	2000	70,000
1991	30,000	2001	75,000
1992	35,000	2002	80,000
1993	35,000	2003	90,000
1994	40,000	2004	95,000

Section 2. Redemption. The City reserves the right to redeem any or all of the Bonds then outstanding in inverse order of maturity and by lot within a maturity on March 1, 1994 and on any interest payment date thereafter, at par plus accrued interest to the date of redemption. Principal and interest shall be payable through the office of the paying agent of the City of Newberg, Oregon. Notice of redemption shall be given by certified mail not less than 30 days prior to the redemption date.

Section 3. Security. The full faith and credit of the City are pledged to the punctual payment of principal and interest on the bonds, when due. The City shall levy annually, as provided by law, a direct ad valorem tax upon all of the taxable property within the City in sufficient amount, after taking into consideration discounts taken and delinquencies that may occur in the payment of such taxes and all other monies reasonably available for the payment of debt service on the bonds, to pay the bonds promptly as they mature. The City covenants with the holders of its bonds to levy such a tax annually during each year that any of the bonds, or bonds issued to refund them, are outstanding.

Section 4. Form of Registered Bond. The bonds shall be in substantially the following form:

REGISTERED

REGISTERED

\$ _____

UNITED STATES OF AMERICA

CITY OF NEWBERG

COUNTY OF YAMHILL

GENERAL OBLIGATION IMPROVEMENT BOND, SERIES 1984

INTEREST & PER ANNUM MATURITY DATE DATED CUSIP

THE CITY OF NEWBERG, in the County of Yamhill, State of Oregon, for value received acknowledges itself indebted and hereby promises to pay to the registered holder hereof the principal sum indicated above, together with interest thereon from the date hereof at the rate per annum indicated above. Interest is payable semiannually on the 1st day of March and on the 1st day of September in each year until maturity commencing March 1, 1985. Interest upon this bond is payable through the office of the paying agent of the City of Newberg by check and will be mailed to the name and address of the registered holder as it appears on the bond register on the fifteenth day of the month prior to the date on which interest comes due. Bond principal is payable upon presentation and surrender of this bond to the paying agent.

ADDITIONAL PROVISIONS OF THIS BOND APPEAR ON THE REVERSE SIDE; THESE PROVISIONS HAVE THE SAME EFFECT AS IF THEY WERE PRINTED HEREIN.

IT IS HEREBY CERTIFIED, RECITED, AND DECLARED that all conditions, acts, and things required to exist, to happen, and to be performed precedent to and in the issuance of this bond have existed, have happened, and have been performed in due time, form, and manner as required by the Constitution and statutes of the State of Oregon and the Charter of the City of Newberg, that the issue of which this bond is a part, and all other obligations of the City, are within every debt limitation and other limits prescribed by the Constitution, statutes and Charter; and that the City Council has provided for the levying annually of a direct ad valorem tax upon all the property within the City so taxable for its purposes, in an amount sufficient with other available funds, to pay the interest on and the principal of the bonds of this issue as such obligations become due and payable.

IN WITNESS WHEREOF, the City Council of the City of Newberg, Yamhill County, Oregon, has caused this bond to be signed

by facsimile signature of its Mayor and attested by facsimile signature of its Recorder, and has caused its seal to be affixed hereto or printed hereon as of the date indicated above.

Mayor, City of Newberg, Oregon

ATTEST:

Recorder, City of Newberg, Oregon

THIS BOND SHALL NOT BE VALID UNLESS PROPERLY
AUTHENTICATED BY THE PAYING AGENT IN THE SPACE INDICATED BELOW.

CERTIFICATE OF AUTHENTICATION

This is one of the City of Newberg, Oregon
General Obligation Library Bonds, Series 1984 issued pursuant to
the Resolution described herein.

DATED

(Name of Paying Agent)

By

Authorized Officer

**Note to Printer: The following language should be printed
on the reverse of the bond:**

This bond is one of the General Obligation Library Bonds,
Series 1984, of the City, and is issued by the City to finance
the expansion of the City's library in full and strict accordance
and compliance with all of the provisions of the Constitution and
Statutes of the State of Oregon and the Charter of the City.

The City reserves the right to redeem any or all of the bonds
then outstanding in inverse order of maturity and by lot within a
maturity on March 1, 1994 and on any interest payment date
thereafter, at par plus accrued interest to the date of
redemption. Principal and interest are payable at the office of
the paying agent of the City of Newberg, Oregon.

Notice of redemption shall be given by certified mail to the
registered holders of the bonds to be redeemed not less than
thirty days prior to the intended redemption date, and as
otherwise required by law; however, any failure to give notice
shall not invalidate the redemption of the bonds. All bonds
called for redemption shall cease to bear interest from the date
designated in the notice.

The bonds are issuable in the form of registered bonds without coupons in the denominations of \$5,000 or any integral multiple thereof. The bonds of this series may be exchanged for an equal aggregate principal amount of registered bonds, of the same maturity and of any other authorized denominations.

Any transfer of this bond must be registered, as provided in the Resolution, upon the Bond Register kept for that purpose at the office of the paying agent. The City may treat the person in whose name this bond is registered as its absolute owner for all purposes, as provided in the resolution of the City authorizing the issuance of its General Obligation Library Bonds, Series 1984 (the "Resolution").

The owner of any registered bond or bonds may transfer or exchange the same, only upon surrender thereof to the paying agent, together with a written instrument of transfer which is satisfactory to the paying agent and which is executed by the registered owner or his duly authorized attorney, at the office of the paying agent, in the manner subject to the conditions set forth in the resolution.

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____

Please insert social security or other
identifying number of assignee

the within bond and does hereby irrevocably constitute and appoint _____
as attorney to transfer this bond on the books kept for registration thereof with the full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.

Signature Guaranteed

(Bank, Trust Company for Firm)

Authorized Officer

The following abbreviations, when used in the inscription on the face of the within bond, shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM -- tenants in common

TEN ENT -- as tenants by the entireties

JT TEN -- as joint tenants with right of survivorship
and not as tenants in common

OREGON CUSTODIANS use the following

CUST UL OREG
as custodian under the laws of Oregon for
MIN

(Minors Name)

Additional abbreviations may also be used though not in the list above.

Section 4. Authentication, Registration and Transfer.

- (1) No bond shall be entitled to any right or benefit under this Resolution unless it shall have been authenticated by an authorized officer of the registrar. The paying agent shall authenticate all bonds of to be delivered at closing of this bond issue, and shall additionally authenticate all bonds properly surrendered for exchange or transfer pursuant to this Resolution.
- (2) All bonds shall be in registered form. The paying agent shall serve as registrar. The City hereby appoints _____, Portland, Oregon to serve as paying agent for the bonds. A successor paying agent may be appointed for the bonds by ordinance or resolution of the City. The registrar and paying agent shall provide notice to bondholders of any change in the paying agent not later than the bond payment date following the change in paying agent.
- (3) The ownership of all bonds shall be entered in the bond register maintained by the paying agent, and the City

may treat the person listed as owner in the bond register as the owner of the bond for all purposes.

- (4) The paying agent shall mail each bond interest payment to the name and address of the bondholder, as the name and address appear on the bond register on the fifteenth day of the month preceeding a bond payment date. If payment is so mailed, neither the City nor the paying agent shall have any further liability to any party for such payment.
- (5) Bonds may be exchanged for an equal principal amount of bonds of the same maturity which are in different authorized denominations, and bonds may be transferred to other holders if the bondholder submits the following to the paying agent:
 - (a) written instructions for exchange or transfer satisfactory to the paying agent, signed by the bondholder or his attorney in fact and guaranteed or witnessed in a manner satisfactory to the paying agent; and
 - (b) the bonds to be exchanged or transferred.
- (6) The paying agent shall not be required to exchange or transfer any bonds submitted to it within 15 days prior to a payment date; however, such bonds shall be exchanged or transferred promptly following the payment date.
- (7) The paying agent shall not be required to exchange or transfer any bonds which have been designated for redemption if such bonds are submitted to it during the sixty day period preceding the designated redemption date.
- (8) The paying agent shall note the date of authentication on each bond.
- (9) For purposes of this section, bonds shall be considered submitted to the paying agent on the date the paying agent actually receives the materials described in subsection 5 of this section.
- (10) The City may alter these provisions regarding registration and transfer by mailing notification of the altered provisions to all bondholders. The altered provisions shall take effect on the date stated in the notice, which shall not be earlier than 45 days after notice is mailed.

Section 6. Sale of Bonds. The Recorder shall cause to be published in the Newberg Graphic and in the Daily Journal of

Commerce, Portland, Oregon, notices of sale of the bonds in the form substantially as shown on Exhibit A attached hereto and by this reference incorporated herein, or summaries, not less than 14 days prior to the date of the sale. The bonds shall be sold upon the terms provided in the attached Exhibit A. The bonds shall be sold on the date and at the time and place stated in Exhibit A, unless the Mayor or Recorder establishes a different date, time, or place.

PASSED by the Council, with a quorum in attendance, this _____ day of _____, 19__.

APPROVED by the Mayor this ____ day of _____, 19__.

Mayor

Executed this ____ day of _____, 19__.

ATTEST:

Recorder

RESOLUTION NO.

A RESOLUTION APPROVING THE AGREEMENT TO EMPLOY BOND CONSULTANT FOR THE ISSUANCE OF GENERAL OBLIGATION LIBRARY BONDS, SERIES 1984.

WHEREAS, the City of Newberg has authority under its Charter, ordinances and state law to finance additions to its library by bonding; and

WHEREAS, the City needs to employ a bonding consultant to assist and advise the City in the preparation and marketing of the bonds; and

WHEREAS, it is necessary and advantageous to the city to acquire a financial consultant to provide services for the issuance of bonds covering the financing of additions and improvements to the City Library; and

WHEREAS, due to the potential savings to the City in an early receipt of funds, it is important that a bond consultant be employed as quickly as possible.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newberg as follows, to-wit:

1. The agreement to employ a bond consultant is an agreement for personal services and not subject to the public contracting and purchasing laws. To avoid any delay, due to the necessity of selling bonds as soon as possible, as stated in the whereas clauses above, the City Council, acting as Contract Review Board, does hereby declare an emergency and waive competitive bidding to forestall an possibility of challenge.

2. The City Manager is hereby authorized to execute the agreement on behalf of the City to employ the firm of Moore, Breithaupt, and Associates as bond consultant for the issuance of General Obligation Library Bonds, Series 1984.

3. The fee for the bond consultant shall be at the most reasonable rate, not to exceed the sum of \$3,500.00.

ADOPTED by the Council this 6th day of February, 1984.

Arvilla Page - City Recorder

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE EXPENDITURE OF GRANT FUNDS RECEIVED BY THE NEWBERG LIBRARY PURSUANT TO ORS 294.326(2).

WHEREAS, Newberg Public Library has received from the Oregon State Library, per capita grant funds for library purposes in the amount of \$995.00; and

WHEREAS, ORS 294.326(2) provides that the City is a municipal corporation, may expend such grant funds only if such funds are expended in the year of receipt and for a specific purposes and if such expenditure is authorized by resolution of the City; and

WHEREAS, these grant funds were received this year and will be expended for specific library purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newberg, Oregon, as follows, to-wit:

1. That pursuant to ORS 294.326(2) and based upon the information in the whereas clauses herein, the expenditure of Oregon State Library per capita grant funds received by the Newberg Carnegie Public Library in the amount of \$995.00 is hereby authorized for the purposes stated as follows:

<u>Fund/Purpose</u>	<u>Amount</u>
<u>General Fund Library Department:</u>	
Capital Equipment Grant Account	<u>\$995.00</u>
Total General Fund	<u><u>\$995.00</u></u>

2. That the foregoing expenditure is authorized from the accounts as set forth in the budget for the City of Newberg, Oregon for the fiscal year 1983-1984.

ADOPTED by the City Council of the City of Newberg, Oregon, this 6th day of February, 1984.

Arvilla Page - City Recorder

X-5

MEMO

TO: City Council

DATE: January 31, 1984

FROM: City Manager

SUBJECT: Sewer/Water Clean-up Resolution

Attached is a report from Kramer, Chin & Mayo and a resolution implementing some clean-up items that have not been taken care of to date by the City Council.

The first part of the report discusses the sewer systems development charge that would change the current charge of \$500. plus a \$525. tap fee to a total of \$1,100. plus whatever the cost is for installation. The \$1,100. to hook-up to the sewer is for payment on necessary future development of the system to handle the new construction or to assist with payments on the construction that was necessary to accommodate the growth. The difference in the change will not be great for most new construction because the tap fee or the cost to hook-up to the sewer will be less than \$525. for much of the construction that will be done.

The second part of the report establishes a systems development charge for outside users to be twice what the rate is inside the City. This is very customary for cities and has been a practice in the past for Newberg. Also, since the City is not encouraging hook-ups, I doubt whether this would be much of a problem.

The third part of the report discusses a systems development charge for water where there is a facility in place. The systems development charge will be based on the meter equivalent and will be treated like any other hook-up inside the city.

The last part of the report discusses the change in outside use and uses the formula of 1.2 or 20% more for use outside the city on water. The Public Works Committee has recommended that we not go through a complicated formula, but simply double the cost for users outside the city on our water system. We will bring this item back after our new computer becomes on-line and we are able to do that with very little difficulty. It should represent very little change to the outside users since the formula also comes very close to doubling the cost for outside users.

The Public Works Committee has reviewed these items in their discussions and have concurred.


Michael Warren
City Manager

MW:fj

X-6

January 30, 1984

Mr. Michael Warren
City Manager
City of Newberg
414 East First Street
Newberg, Oregon 97132

RE: Water and Sewer Housekeeping Changes

As indicated in December, several ordinance and resolution revisions have been suggested for action by the City Council at the February meeting. Following is a listing of these items as discussed with the Public Works Committee on January 24, 1984. Following this overview, we have developed draft ordinance and resolution revisions.

1. Revision of Sewer Systems Development Charge

This fee was not changed during the November revisions as was the water SDC.

Current Sewer SDC:

SDC	= \$	500
Tapping Fee	=	<u>525</u> (4-inch service)
Total Fee	=	\$1,025 per dwelling unit

The tapping fee is charged even if the lot already has a service line (unless previous structure was demolished).

Recommended Change:

- 1.1 Increase SDC to \$1,100 per EDU.
- 1.2 Charge only actual cost of providing the tap (same as water).
- 1.3 Establish a fund separate from the operating fund for SDC charges (sewer and water).

Impact:

- o \$75 increase in total fees paid for subdivision lots constructed since 1980.
- o No change to older subdivision lots with services where the lots are undeveloped and existing agreements establish the costs.

- o Increase costs by \$75 plus actual cost of tap for properties where no tap now exists. This effects about 10 percent of new developments.
- o About 10 to 15 percent increase in revenue from SDC. This may well be an interim increase depending upon the results of further funding studies underway.
- o Improved accounting of funds.

2. Establishing a SDC Surcharge for Outside Users

Current: The current policy has been to charge outside users twice the SDC charged to inside users.

Recommendation:

- 2.1 Adopt resolution establishing outside user SDC at double inside rate.

Impact:

- o Formalizes existing practice.

3. Establishing a Water SDC Rate for an Addition to a Complex which will Continue to be Served by an Existing Meter

Current: The existing revised ordinance does not address this situation.

Recommendation:

- 3.1 If a larger meter is required, the SDC will be determined by the difference in size between the existing meter and the new meter. Where no change in meter size is required, the meter equivalents will be determined by the minimum size of meter that would have been required had the addition been served by a separate metered service.

Impact:

- o New development will be paying a proper development cost.
- o Formalizes current policy.
- o Applies only to SDC, not to monthly billing.

4. Modification of the Outside Users Water Rate Surcharge from 2.0 times Inside Rate to 1.2.

Current: The existing resolution states that outside users shall pay a monthly (or bimonthly) rate determined by computing the billing as though the property were within the city, times a surcharge of 2.0 plus a property tax offset which is currently \$7.03 per month or \$14.06 bimonthly.

Recommendation:

4.1 Establish outside users water rate at 1.2 times the inside users rate plus property tax offset.

Impact:

- o Outside users will pay approximately double inside users rate.
- o Considering tax payment by inside users, an outside user will pay a 20 percent premium for living outside the City.
- o Staff is currently using the 1.2 figure in billing outside users; therefore, this resolution will confirm existing practice. This rate is currently programmed into the Burroughs billing machine. It can be changed when billings shift to the new computer.
- o This procedure can be evaluated and changed if desired by the Council in July when major ordinance revisions are planned for water and sewer.

Following are suggested revisions to existing ordinances and resolutions to implement the four major changes discussed above.

1. Revision to Sewer Systems Development Charge

The following revisions to Ordinance 2108, Section 203F.1, "Sewer Connection Procedures," are suggested:

F.1 The sewer connection fee shall be calculated based on estimates of actual costs incurred by the City in conjunction with the connection of said service and shall be payable with the application for service. Costs in excess of the estimate shall be due upon completion and any excess shall be promptly refunded.

In addition, the sewer systems development charge shall be \$1,100 per dwelling unit (or for commercial or industrial users, dwelling unit equivalency thereof). Any premises which shall add additional dwelling unit equivalents to a structure served by an existing service shall be subject to the above sewer systems development charge for the dwelling unit equivalents added.

A dwelling unit equivalency shall be defined as:

A. For residential purposes, any individual dwelling unit within a multi-dwelling unit structure such as, but not limited to, duplexes, multi-family residential complexes, apartment houses, trailer courts and mobile home parks.

B. For non-residential purposes, each ten (10) sewer openings as defined herein, or any portion thereof, shall be deemed and considered a dwelling unit equivalency.

All sewer connection and development fees shall be paid at the time the application for service is made. No building permits shall be issued or connections be made unless full payment is received; except as provided in Section 203.F6.

Standard connection and development fees shall be paid in advance at the completion; and a statement shall be signed by the applicant agreeing to pay the additional costs of extension within thirty (30) days of the completion of work by the city.

For properties located outside the city limits, a factor of two (2) shall be multiplied times the system development charge computed for the property or project if it were located within the city limits.

The following revisions to Ordinance 2108, Section F.7 are suggested:

7. Revenue from connection fees as defined in Subsection F1 hereof shall be paid into the sewer fund to defray the cost of the service line constructed. Revenue from system development charges shall be identified by special accounting such that the funds can be used to defray the cost of future sewage facilities improvements.

2. Establishing a System Development Charge for Outside Users

The following revisions to Resolution ____ (water rates resolution), Section 5(B) is recommended.

(B) The water system development charge shall be based on the meter size of the service connection and is set at \$850 per meter equivalent, as defined in Section 4(C) of this resolution. Any premises on which a water connection has been made prior to the effective date of this resolution shall upon adding additional meter equivalents thereof, pay such additional system development charges that are in effect upon the date of issuance of the appropriate building permits.

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For properties located outside the city limits, a factor of two (2) shall be multiplied times the system development charge computed for the property or project if it were located within the city limits.

Any premises, which shall expand and add additional dwelling unit equivalents (dwelling unit equivalents defined in Ordinance 2108, Section 203.F.1 as amended February 6, 1984), to a structure served by an existing service, shall be subject to the above systems development charge for each meter equivalent required to serve the addition assuming it had been served by a separate meter.

3. Establishing a Water SDC Rate for an Addition to a Complex which will Continue to be Served by an Existing Meter

This was included in item 2 above.

4. Modification to Outside User Surcharge

The following revisions to Resolution ____ (water rates resolution), Section 4 is recommended:

Section 4. The water rates for all customers outside the city limits shall be calculated in the same manner as in Section 3, times a factor of 1.2, plus a surcharge derived as payment of lieu of property tax. The surcharge is calculated based on the outside customers percentage of the total city's prior year's water usage multiplied by the current year's estimated city property tax payments attributed to the water system. The surcharge shall be stated and collected on a per meter equivalent basis, as defined in Section 5(C) of this resolution.

This concludes the planned amendments to the water and sewer ordinances and resolutions. We will, of course, assist in developing changes if they are found to be needed. A major reworking of the water and sewer ordinances is currently scheduled for council action on July 2, 1984. Drafts will be developed for review by June 1, 1984.

Sincerely,

KRAMER, CHIN & MAYO, INC.

Edward Sigurdson ps

Edward A. Sigurdson, P.E.
Manager, Oregon Operations

EAS:plb

cc: Mike Soderquist
Garry Ott
Jim Burke

X-6

RESOLUTION NO.

A RESOLUTION AMENDING SECTIONS 4 AND 5 OF RESOLUTION NO. 83-1003, ADOPTED NOVEMBER 7, 1983, AS AMENDED TO MODIFY OUTSIDE CITY LIMITS OUTSIDE WATER USER SURCHARGE AND ESTABLISH A SYSTEMS DEVELOPMENT CHARGE FOR OUTSIDE WATER USERS OF THE CITY OF NEWBERG WATER SYSTEM, IN ACCORDANCE WITH SECTIONS 4 AND 7 OF ORDINANCE NO. 1040, AS AMENDED.

WHEREAS, there is a need to modify the established fees, rates and charges for water services; as originally established in Resolution No. 83-1003, as amended, pursuant to Sections 4 and 7 of Ordinance No. 1940.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newberg, Oregon, as follows, to-wit:

Section 1. That Section 4 of Resolution No. 83-1003, adopted November 7, 1983, as amended, shall be amended to read as follows:

"Section 4. The water rates for all customers outside the city limits shall be calculated in the same manner as in Section 3, times a factor of 1.2, plus a surcharge derived as payment in lieu of property tax. The surcharge is calculated based on the outside customers percentage of the total city's prior year's water usage multiplied by the current year's estimated city property tax payments attributed to the water system. The surcharge shall be stated and collected on a per meter equivalent basis, as defined in Section 5(C) of this resolution."

Section 2. That Section 5(B) of Resolution No. 83-1003 adopted November 7, 1983, as amended, shall be amended to read as follows:

"(B) The water system development charge shall be based on the meter size of the service connection and is set at \$850. per meter equivalent, as defined in Section 5(C) of this resolution. Any premises on which a water connection has been made prior to the effective date of this resolution shall, upon adding additional meter equivalents thereof, pay such additional system development charges that are in effect upon the date of issuance of the appropriate building permits.

For properties located outside the city limits, a factor of two (2) shall be multiplied times the systems development charge computed for the property or project if it were located within the city limits.

Any premises, which shall expand and add additional dwelling unit equivalents (dwelling unit equivalents defined in Ordinance No. 2108, Section 203.F.1 as amended, February 6, 1984), to a structure served by an existing service, shall be subject to the above systems development charge for each meter equivalent required to serve the addition assuming it had been served by a separate meter."

ADOPTED by the Council of the City of Newberg, Oregon, this 6th day of February, 1984.

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 2108, PASSED FEBRUARY 7, 1983, AS AMENDED, TO REVISE CERTAIN PROVISIONS RELATING TO SEWER CONNECTION PROCEDURES, FEES AND SYSTEMS DEVELOPMENT CHARGES OF THE CITY OF NEWBERG.

WHEREAS, after extensive review by City Staff, City Consultants and the Public Works Committee of the City Council, it has been determined that the City sewer tap fee should be revised to allow charging for the actual costs of a tap, that the systems development charge be revised and that other procedures be revised relating to sewer connection to the municipal sewer system of the City of Newberg.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

Section 1. That paragraph number 1, subsection F, section 203 of Ordinance No. 2108, passed February 7, 1983, as amended, is hereby amended to read as follows:

"F.1 The sewer connection fee shall be calculated based on estimates of actual costs incurred by the City in conjunction with the connection of said service and shall be payable with the application for service. Costs in excess of the estimate shall be due upon completion of the connection work by the City and any excess shall be promptly refunded.

In addition, the sewer systems development charge shall be \$1,100. per dwelling unit (or for commercial or industrial users, dwelling unit equivalency thereof). Any premises which shall add additional dwelling unit equivalents to a structure served by an existing service shall be subject to the above sewer systems development charge for the dwelling unit equivalents added.

A dwelling unit equivalency shall be defined as:

A. For residential purposes, any individual dwelling unit within a multi-dwelling unit structure such as, but not limited to, duplexes, multi-family residential complexes, apartment houses, trailer courts and mobile home parks.

B. For non-residential purposes, each ten (10) sewer openings as defined herein, or any portion thereof, shall be deemed and considered a dwelling unit equivalency.

All estimated sewer connection costs and systems development charges shall be paid at the time the application for service is made. No building permits shall be issued or connections be made unless full payment is received; except as provided in Section 203.F6.

For properties located outside the city limits, a factor of two (2) shall be multiplied times the systems development charge computed for the property or project if it were located within the city limits."

Section 2. That paragraph number 7, subsection F, section 203 of Ordinance No. 2108, passed February 7, 1983, as amended, is hereby amended to read as follows:

"7. Revenue from connection fees as defined in subsection F1 hereof shall be paid into the sewer fund to defray the cost of the service line constructed. Revenue from system development charges shall be identified by special accounting such that the funds can be used to defray the cost of future sewage facilities improvements."

PASSED by the Council of the City of Newberg, Oregon, this 6th day of February, 1984, by the following votes:

Ayes:

Nays:

Absent:

Arvilla Page - City Recorder

APPROVED by the Mayor this 6th day of February, 1984.

Elvern Hall - Mayor