

CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
MONDAY, MARCH 5, 1984
7:30 P.M.

I. CALL MEETING TO ORDER

II. ROLL CALL

III. CONSENT CALENDAR:

1. Approve Minutes of February 6, 1984 Regular Council Meeting.
2. Approve Minutes of February 22, 1984 Special Council Meeting.
3. Certificate of Appreciation from Community Action Agency of Yamhill County, Inc. Feast Program to City of Newberg, Department of Public Works.

IV. REQUESTS FROM FLOOR AND COMMUNICATIONS:

V. PUBLIC HEARINGS:

1. Public Hearing on Annexation (ORS 222.750 - Island) of Tax Lot Nos. 3218 DB-700 and 3218 DB-2400, comprising approximately 1.97 acres, located abutting east side of Main Street located approximately 450 feet north of the intersection with Illinois Street, withdrawing from NRFPD and Zone Change from County Zone to City R-1 (Single Family Residential).
ORD Tabled To 6/4/84

VI. REPORTS FROM CITY MANAGER:

1. Library Project update - City Engineer.
2. Police Department update - Chief Bishop.
3. Council Meetings:
 - a. Special Adjourned Meeting - 5:30 P.M., Tuesday March 6, 1984. RE: Approval of bids on G.O. Library Bonds, Series 1984.
 - b. Special Meeting Monday, March 12, 1984. RE: Sewer Plant Financing, Election Date, Etc. (Time?)

VII. OLD BUSINESS:

VIII. NEW BUSINESS:

1. Approve Accounts Payable
2. Taxi Franchise Discussion

IX. RESOLUTIONS:

- 84-1029* 1. Resolution establishing a fund to receive and disburse funds for Newberg Library Capital Improvement and authorizing the expenditure.
- 84-1030* 2. Resolution authorizing spending of Crime Victims/Witness Assistance Program Funds. (ORS 294.326(2)).
- 84-1031* 3. Resolution authorizing transfer of funds within several City Funds.

X. ADJOURN

2 MAR 84 12: 0.

P.H. Annexation
Wilhelmsen

March 1, 1984
729 N. Main
Newberg, Oregon 97132

City Council
Newberg City Hall
Newberg, Oregon 97132

Dear Sirs:

We are writing concerning the proposed zone change affecting the property of Clifford and Gifford Wilhelmsen located on North Main.

Our business-residence is located west and south of the property in question. We are aware that the Wilhelmsens have preferred to remain out of the city. They have several animals and a barn on the property under consideration for the zone change. The animals are meticulously cared for and have never caused any neighborhood disturbances.

We feel the Wilhelmsens should be allowed to remain under the existing zoning if that is their preference.

Sincerely,



Douglas and Jennie Delano
729 N. Main
Newberg, Oregon 97132

ACCOUNTS PAYABLE
FEBRUARY, 1984

Copy

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

approved 3/5/84 (ap)

3/84

ACCOUNTS PAYABLE
MARCH, 1984

Al's Family Dining	16.06	Newberg Auto Parts	168.59
Aqua Tech Laboratory	40.00	Newberg Community Hospital	673.13
Associated Janitor	172.03	Newberg Graphic	11.71
Bantam Books	19.78	Newberg Human Resources	1,125.00
Bearings, Inc.	74.34	Newberg Marine Center	20.00
Brown & Tarlow	125.00	Newberg Steel	13.35
Butler Chevrolet	53.50	Newberg Veterinary Clinic	34.00
Buy Wise Drugs	79.09	Newberg Volunteer Fire Dept.	3,165.00
Callaghan & Co.	75.00	Northwest Business Systems	130.60
Cascade Employers Assn.	13.44	Northwest Law Enforcement	182.38
Case Power & Equip.	25.17	Northwest Natural Gas	1,500.00 *
Camera Quarters	28.81	Nudelman Bros.	32.00
✓ Cessco, Inc.	690.80	Oregon Fire Chiefs' Assn.	31.63
Chehalem Animal Clinic	146.50	Oregon Forest Products	12.50
Chehalem Sr. Projects	375.00	Oregon State Library	4.00
Chehalem Valley Sr. Cit.	1,525.34	Pacific Water Works Supply	1,258.27
Chevron	31.50	Paramount Supply	56.32
✓ Coast to Coast	444.14	Pitney Bowes	59.25
Consolidated Supply	361.55	Portland General Electric	19,500.00 *
Crabtree Rock	913.75	Portland Precision Instrument	105.60
Crowell Auto Parts	176.08	Quality Office Machines	75.00
Danielson Architects	10,560.00	Quill Corp.	32.73
Day-Timers, Inc.	20.99	✓ R.A.I.N.	2,047.00
Dents	262.78	Revenue Sharing Advisory Serv.	75.00
✓ Familian NW	54.11	Riley Studio	11.85
FarmGro Supply	124.95	Roberts Rent-All	5.00
✓ Finishing Touches	141.52	SaveNet	78.63
Fowler Tire	24.50	Schubert Machine & Mfg.	92.50
Gaylord Bros.	437.56	Science Digest	13.97
General Telephone	950.00	Showcase of Flowers	15.00
Goodyear Tires	1,880.74	Software Station	199.08
Harbor Freight Salvage	89.39	Somes Uniforms	109.00
Home Laundry	35.00	✓ Spencer, Gary	250.00
Hydrotex, Inc.	640.93	Traffic Safety Supply	656.01
IBM Corp.	339.00	United Laboratories	98.50
JG Press	36.00	W. R. Grace	971.78
Jasco Supply	185.00	W.W. Grainger	37.49
Johnson Furn. & Hdwe.	87.72	Water, Food, & Research	218.00
✓ L. R. Squier & Assoc.	1,199.00	West Publishing	130.50
Lamco Radar Sales	1,870.00	Western Auto	70.43
Laughlin Oil	4,083.96	Western Paper	49.83
Lumbermen's	611.32	Westside Automotive	99.94
Kilham Stationery	9.97	World Book Encyclopedia	17.95
McCabe Lock & Key	20.00	Ziprint	96.50
Meter Box Equipment	1,100.58		
Midget Motors	34.90		
M. Hutchison Ent.	100.00		
Munnell & Sherrill	70.08		
Nap's IGA	14.59		
National Geographic Soc.	21.45		
		TOTAL:	63,927.94

cm
RR
JH
JH

ACCOUNTS PAYABLE
MARCH, 1984

Al's Family Dining	16.06	Newberg Auto Parts	168.59
Aqua Tech Laboratory	40.00	Newberg Community Hospital	673.13
Associated Janitor	172.03	Newberg Graphic	11.71
Bantam Books	19.78	Newberg Human Resources	1,125.00
Bearings, Inc.	74.34	Newberg Marine Center	20.00
Brown & Tarlow	125.00	Newberg Steel	13.35
Butler Chevrolet	53.50	Newberg Veterinary Clinic	34.00
Buy Wise Drugs	79.09	Newberg Volunteer Fire Dept.	3,165.00
Callaghan & Co.	75.00	Northwest Business Systems	130.60
Cascade Employers Assn.	13.44	Northwest Law Enforcement	182.38
Case Power & Equip.	25.17	Northwest Natural Gas	1,500.00 *
Camera Quarters	28.81	Nudelman Bros.	32.00
Cessco, Inc.	690.80	Oregon Fire Chiefs' Assn.	31.63
Chehalem Animal Clinic	146.50	Oregon Forest Products	12.50
Chehalem Sr. Projects	375.00	Oregon State Library	4.00
Chehalem Valley Sr. Cit.	1,525.34	Pacific Water Works Supply	1,258.27
Chevron	31.50	Paramount Supply	56.32
Coast to Coast	444.14	Pitney Bowes	59.25
Consolidated Supply	361.55	Portland General Electric	19,500.00 *
Crabtree Rock	913.75	Portland Precision Instrument	105.60
Crowell Auto Parts	176.08	Quality Office Machines	75.00
Danielson Architects	10,560.00	Quill Corp.	32.73
Day-Timers, Inc.	20.99	R.A.I.N.	2,047.00
Dents	262.78	Revenue Sharing Advisory Serv.	75.00
Familian NW	54.11	Riley Studio	11.85
FarmGro Supply	124.95	Roberts Rent-All	5.00
Finishing Touches	141.52	SaveNet	78.63
Fowler Tire	24.50	Schubert Machine & Mfg.	92.50
Gaylord Bros.	437.56	Science Digest	13.97
General Telephone	950.00	Showcase of Flowers	15.00
Goodyear Tires	1,880.74	Software Station	199.08
Harbor Freight Salvage	89.39?	Somes Uniforms	109.00
Home Laundry	35.00	Spencer, Gary	250.00
Hydrotex, Inc.	640.93	Traffic Safety Supply	656.01
IBM Corp.	339.00	United Laboratories	98.50
JG Press	36.00	W. R. Grace	971.78
Jasco Supply	185.00	W.W. Grainger	37.49
Johnson Furn. & Hdwe.	87.72	Water, Food, & Research	218.00
L. R. Squier & Assoc.	1,199.00?	West Publishing	130.50
Lamco Radar Sales	1,870.00	Western Auto	70.43
Laughlin Oil	4,083.96	Western Paper	49.83
Lumbermen's	611.32	Westside Automotive	99.94
Kilham Stationery	9.97	World Book Encyclopedia	17.95
McCabe Lock & Key	20.00	Ziprint	96.50
Meter Box Equipment	1,100.58		
Midget Motors	34.90		
M. Hutchison Ent.	100.00		
Munnell & Sherrill	70.08		
Nap's IGA	14.59		
National Geographic Soc.	21.45		
		TOTAL:	63,927.94




Monday, 7:30 P.M.

February 6, 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 Poeta
	Roger Gano	Quentin Probst
	Alan Halstead	Richard Rementer
	C. Eldon McIntosh	

Absent: Tommy Tucker

Staff Present:

- Michael Warren, City Manager
- Alan Barnes, Building Official
- David Bishop, Chief of Police
- Elmer Christensen, Fire Chief
- Greg DiLoreto, City Engineer
- Richard Faus, City Attorney
- Clay Moorhead, City Planner
- Arvilla Page, City Recorder
- Robert Sanders, Public Works Director
- Brenda Stroud, Finance Director
- Doreen Turpen, Librarian

Also Present: 7 Citizens

Motion: Halstead-McIntosh to approve the Consent Calendar as follows:

1. Approve Minutes of January 3, 1984.
2. Request for approval of OLCC Liquor License Renewals from Abbys Pizza, Rocky's Delicatessen (Oak Tree Restaurant), The Shaws Restaurant, 9th Street Grocery, Naps Supermarket, The Barn Door Restaurant, Ye Olde Pizza Shoppe, Newberg and Springbrook Thriftways, Safeway, Plaid Pantry, Payless Northwest, and the Almond Tree.

Motion carried unanimously.

Appointments by the Mayor: To the Hospital Board, Fonda Schmidt. To the Planning Commission, John Englebrecht. To the Traffic Safety Commission, Doris Brandt. To the Cable Communications Commission, reappointment of Bert Pennock and Mel Schroeder.

Motion: Gano-McIntosh to approve the Mayor's appointments. Carried unanimously.

Requests from the Floor and Communications:

Mary Merritt, Public Relations and Safety Director for the Automobile Club of Oregon, presented to the Council the AAA Pedestrian Safety Citation Award. She stated that the award is based on an evaluation of maintenance of accident records, safety legislation, enforcement, traffic engineering, quality of traffic safety programs and active public information and education programs. She further stated that this is Newberg's sixth consecutive safety award.

There were no other requests from the floor and there were no public hearings scheduled.

Reports from the City Manager:

The City Manager reported on two upcoming conferences. Both conferences are in Washington, D.C. at the end of February and the beginning of March. The Downtown Retail Development Conference begins on February 29th and ends on March 2nd and the annual Congressional City Conference begins on March 3rd and ends on March 6th. He asked the Council, since these are two areas in which the City is quite involved, whether they would be interested in sending representatives to either or both of the conferences. After discussion of the value of the conferences, and the availability of people to attend the conference, the following motion was made: McIntosh-Halstead that the City send two people to be the Mayor and the City Manager or an alternate to the City Manager to the two conferences. Carried unanimously.

The City Manager reported on the special services agreement and progress on the sewer treatment plant. The professional services agreement is for Phase II of the new plant. The Public Works Director provided a memo outlining the funding for the Phase II services.

Mike Soderquist, Kramer, Chin & Mayo, presented a Master Plan Update to the Council. He stated that several options had been considered on the location of the new plant. He stated that the City must keep to the schedule in order to have a public hearing on the new site in June. The present plan is to locate the new plant at a new site and use the present plant as an equalization plant.

The City Attorney reported on the Victim Assistance Program which is being put into effect in the City. The Legal Department and Police Department will cooperate with each other to assist victims of crime. The State enacted legislation requiring an assessment on fines to fund the program. Of this assessment, the City will be given one-half to assist in the Victim Assistance Program. The Police and Legal Departments have designed a systematic effort program to ensure that the program works. Mr. Faus stated that he expects the funding to be from \$800. to \$1,500. for this year.

The City Manager reported that a letter had been received from Publishers Paper Company thanking the City for its assistance when Publishers water intake system broke down. The City provided a temporary water hook-up line for Publishers.

New Business:

Accounts Payable for January, 1984. Councilmembers questioned several items on the list. The staff was unable to respond to an item of \$250. to Michael Swearengin. The Finance Director left the meeting to check the payable and Council continued with other items on the agenda.

Resolutions:

Motion: Gano-McIntosh to adopt Resolution No. 84-1021 authorizing geotechnical services for the library expansion project. Motion carried unanimously. The City Manager gave a progress report on the library. He stated that the bond monies will cover the constructions costs only. There will need to be grants and/or donations to cover the rest of the costs for furniture, etc.

The Librarian reported on a trip she and some board members had made recently visiting six different libraries in Washington state. They were particularly interested in looking at libraries that had been expanded, floor plans of the different libraries, equipment in the libraries and the utilization of staff.

Motion: Halstead-McIntosh to set a public hearing before the Planning Commission at their March meeting for the street vacation hearing required for vacating the alley to permit expansion of the library. Carried unanimously.

Motion: Gano-McIntosh to adopt Resolution No. 84-1022 authorizing transfer of funds from within the Sewer Fund to Personal Services in the Sewer Fund. Carried unanimously.

The Finance Director returned to the Council meeting and reported that the payable of \$250. to Michael Swearengin was for a piece of equipment, a pump. for use by the Water Department.

Motion: Gano-McIntosh to approve the January, 1984 Accounts Payable. Carried unanimously.

Motion: Poet-Halstead to adopt Resolution No. 84-1023 authorizing issuance of General Obligation Library Bonds, Series 1984. Carried unanimously.

Motion: McIntosh-Halstead to adopt Resolution No. 84-1024 approving employment of bond consultant for the Library Bonds. Carried unanimously.

Motion: Halstead-Gano to adopt Resolution No. 84-1025 modifying outside city user water rate cost and establishing a systems development charge for outside users.

Councilman Poet stated he would like further discussion on the resolution and explanation and examples of section 2. He stated he was concerned with the City increasing development costs while other cities are taking action to lessen the cost of construction.

Councilman Rementeria stated he disagreed with Councilman Poet. The development fee is assessed because of the impact on the facilities that is created with new construction.

Ed Sigurdson of KCM explained the objectives of the systems development charge. The systems development charge is for expansion and improvements to the system while the rates charged the users are for the operations of the system.

Vote on the motion to adopt Resolution No. 84-1025: Aye - 6, Nay - 1, Poet. Motion carried.

Motion: Gano-McIntosh to adopt Resolution No. 84-1026 authorizing expenditure of grant funds received by the Library. Carried unanimously.

Motion: Gano-Halstead to read Ordinance No. 2139 by title only. An 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. Motion carried, 1 Nay - Poet.

Councilman Poet questioned the Public Works Director regarding how systems development charges would be imposed. He asked for an example of a single family dwelling being changed to a duplex. The Public Works Director responded that the systems development charge would be imposed in the case where there was extensive construction, such as adding bathroom and kitchen facilities in addition to the original.

The ordinance was then read by title only. Roll Call: Aye - 5, DeMay, Gano, Halstead, McIntosh, Rementeria; Nay - 2, Poet, Probst; Absent - 1, Tucker. The Mayor then declared the ordinance passed.

The Mayor then adjourned the regular council session to executive session and excused all those not required. The press was advised that they could remain, but could not report on any discussions of the Council.

The Mayor adjourned the Council from Executive Session and called the Council back into regular session.

Motion: Rementeria-Halstead to adjourn at 9:21 p.m. Carried unanimously.

9:00 P.M., Monday

February 6, 1984

AN EXECUTIVE MEETING OF THE
NEWBERG CITY COUNCIL

Council Chambers:

Newberg, Oregon

The Mayor stated that the Executive Session was called under the rules of ORS 192.660(1)(E) authorizing executive sessions to conduct deliberations regarding real property transactions.

Roll Call:

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

Absent: Tommy Tucker

Staff Present: Michael Warren, City Manager
Richard Faus, City Attorney
Clay Moorhead, Planning Director
Arvilla Page, City Recorder
Robert Sanders, Public Works Director

Also Present: Mike Soderquist, Ed Sigurdson, Gary Ott of
Kramer, Chin & Mayo and 2 members of the press

The City Manager stated that the present sewage treatment site has no room for expansion and the City must find another site for a new sewage treatment plant. Consideration has been given to cost of the new site and the cost of pumping from the Hess Creek area. Site selection has now been narrowed down to one or two properties and negotiations have started for purchase of property.

A member of the KCM organization identified the properties of greatest interest on an aerial photo of the area.

Executive session adjourned to the regular session.

Wednesday, 5:30 p.m.

February 22, 1984

A SPECIAL 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
Elmer Christensen, Fire Chief
Greg DiLoreto, City Engineer
Richard Faus, City Attorney
Clay Moorhead, Planning Director
Arvilla Page, City Recorder
Brenda Stroud, Finance Director

Others Present - Representatives from The Newberg Graphic and The Newberg Times,
Art Shew, Acro Logic Research and Dave Ryan, Rico Mfg.

Appointments By Mayor:

Mayor Hall made appointments as follows: Reappointed to the Hospital Board; Don Tarlow and Dr. Stanley Kern. Reappointed to the Traffic Safety Commission; Ken Austin, III, Joe Schneider, Richard Meyers and Stu Harris. New appointment to the Traffic Safety Commission; Marty McIntosh.

Motion: Halstead-McIntosh to approve the Mayor's appointments. Carried unanimously.

Requests and Petitions from the Floor: None.

Public Hearings:

Oregon Community Block Grant: The City Manager described the block grant. The funding comes from the Federal Government through the State to the cities and counties. The State received about \$11,000,000 and approximately 30% of that amount is designated for economic development. The proposed amount on the grant application is for \$425,000 rather than the \$500,000 as indicated in the public notice. There are certain thresholds that have to be met by the businesses or industries that wish to participate. There should be no more than \$15,000 per job in the grant monies, less than that amount is desirable. The city or county that lends the money must lend for no more than 25 years and at not less than 5%. Applications may be made year round and they will be reviewed on a first-come, first-serve basis. If the grant is received, the primary type of loan will be for business expansion. There will be no direct grants to businesses and the loans will generally be made to purchase fixed assets, property, etc. Loans for operating purposes are possible only under special circumstances. The recommendation of the City Manager was that the Council adopt a resolution authorizing and directing the Mayor to apply for grant funds from the Oregon Community Development Block Grant Program for the implementation of economic development within our community.

No one present wished to be heard on the matter. The Mayor closed the Public hearing.

In response to questions from Council members, the City Manager provided additional information. If a business or industry is interested in the program and has not yet made contact, they should contact the City Planning Director or himself. The business should be in need of funds and be able to show stability and/or growth potential. The business must match the funds two to one. A business could also contact the County regarding this program. Printed information on the program is available in his office and is 12-14 pages long.

Motion: Gano-Tucker to adopt Resolution #84-1027 authorizing and directing the Mayor to apply for grant funds from the Oregon Community Development Program to assist in the implementation of economic development strategy which will increase employment opportunities, benefit low and moderate income people and enhance the general economy. Carried unanimously.

Elvern Hall, speaking as a member of Newberg Centennial Redevelopment Commission, commented on the efforts being made by people in the community, businesses and industries, the council, the redevelopment agency and the staff in encourage economic development in the community.

The City Manager offered additional comments on the program. Once funds are loaned out, the payback received can be used again for economic development purposes in the community. In response to a question from Councilman Poet, he stated that interest received on the loan will not be used for administration, but will be returned to the fund and rolled over into economic development.

Dave Ryan, Rico Manufacturing, stated that his past experience with the City had been of no benefit to his business. The City Manager contacted him regarding this program and he feels the City is now much more progressive than in the past.

Other Business:

Fire Chief Elmer Christensen asked the Council to consider adopting a resolution endorsing the position of the Oregon Fire Chiefs' Association requesting uniform standards for installation of blue reflective markers for marking fire hydrant and water source locations. Other cities and fire districts have already implemented the program of marking water sources and funds for implementing the program in Newberg have been included in the 1984-1985 budget request. The Oregon State Highway Department has objected to the markers on state highways, feeling they will interfere with snow removal and maintenance. Experience where the markers have been used for several years indicates this is not a significant problem. Very few markers have had to be replaced. The OFCA feels resolutions from the cities and districts will enhance their position for the markers.

Motion: Gano-Halstead to adopt Resolution #84-1028 supporting the OFCA's position regarding installation of blue markers to mark water sources. Carried unanimously.

Police Chief David Bishop reported that three additional liquor license applications have been received. The Police Department has no problem with any of the applications and recommends that the Council approve the applications at this time if they so choose. The applicants have until March 9 to submit their approved applications to the Liquor Control Commission. The three applicants are Eden Gate, Wild Horse Mountain Market and Everybody's Food Market. The recommendation for approval is for both locations on Everybody's Food Market.

Motion: Probst-DeMay to approve the liquor license applications for Eden Gate, Wild Horse Mountain Market and both locations of Everybody's Food Market. Carried unanimously.

Councilman Tucker questioned the status of the current taxi franchise holder. No one present had any information on the status. It was noted that an application from another taxi firm has been received by the City.

Motion: Gano-Tucker that a letter be drafted to the taxi franchise holder asking them to appear before the Council on March 5, 1984 to respond to the concerns of the Council. Carried unanimously.

Councilwoman DeMay reported the transportation program is before the Commissioners to be put on the ballot. Newberg will get an equitable share of any levy for transportation.

Mayor Hall adjourned the regular session of the Council to Executive Session under the rules of ORS 192.660, (1), (3) relating to real property. He advised members of the press that they could remain, but could not report any discussions of the Council. All other members of the public and members of the staff not required for the discussion were excused.

MINUTES OF AN
EXECUTIVE SESSION OF THE
NEWBERG CITY COUNCIL

Mayor Elvern Hall called the meeting to order under the rules of ORS 192.660, (1), (3) relating to real property transactions.

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

Staff Present - Michael Warren, City Manager; Richard Faus, City Attorney; Greg DiLoreto, City Engineer; Arvilla Page, City Recorder; Brenda Stroud, Finance Director.

Special Council Meeting
February 22, 1984
Page 4

The City Manager reported that a meeting was held with the property owners and their attorney on the property which is the first choice for the location of a new sewage treatment plant. The result of that meeting is that the City has been encourage to proceed with an appraisal of the property. The owners have been asked to agree to and sign an annexation application. Either the City or the property owner may back out of the negotiations at various points. There are several options available on acquiring and using the property.

The City Manager continued that a decision must be made within the next ten to twelve days on the final location to meet the grant application deadline. Other owners of suitable property are eager to sell. The consultants report on other matter relating the the sewage treatment plant will be ready for the Council tomorrow.

The Mayor adjourned the executive session to regular session.

Motion: Probst-Poet to adjourn at 6:15 p.m. Carried unanimously.

Certificate of Appreciation

Awarded to:

City of Newberg-Department of Public Works

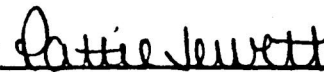
From: Community Action Agency of Yamhill County, Inc.

FEAST Program

For: Truck and volunteers to deliver USDA cheese to Newberg
distribution site.



Chairman, Board of Directors



Food Program Coordinator

this 14th day of February

19 84

MEMO

TO: City Council
FROM: City Manager
SUBJECT: Island Annexation

DATE: February 27, 1984

I believe the Planning Director's memo says it very nicely. Island annexations can be unpleasant but are very common in municipalities. I won't go into the reasons because I think all Councilmembers are aware of the need for annexations.

In this particular case the property owner seems to be cooperative and is concerned about the use of the property at the present time. I believe we should have no problem at all because his property will be a positive addition to the City and the non-conforming use should be allowed by the City Council.

As a further note, I was pleasantly surprised to learn that we had cows, horses, chickens, goats and bees allowed in our City limits. If there is not a nuisance created it can be a benefit to the City. For instance, I know a couple of undeveloped lots behind some homes that would be just right for a goat or other livestock but that's another matter that I will discuss another time...

My recommendation is to annex the property and continue the pre-existing non-conforming use.


Michael Warren
City Manager

MW/bjm

Enc.

492

MEMORANDUM
February 24, 1984

TO: Mike Warren, City Manager

FROM: Clay Moorhead, Planning Director *CEM*

RE: An island annexation of a 2.12 acre parcel located abutting the east side of North Main Street, being approximately 450 feet north of the intersection with Illinois Street. The property is identified as Yamhill County Tax Lot No. 3218BD-700 and -2400 and is owned by Gifford C. and Clifford G. Wilhelmson

Since the acknowledgement of the City's Comprehensive Plan in August of 1981, the City has been holding hearings, one by one, to incorporate islands of county territory into the City limits. These islands may represent a single piece of property or as many 35 individual properties as is found in the Newall Addition Subdivision (which is also an island of unincorporated territory). Through the adoption of the City's Comprehensive Plan, the City Council adopted by ordinance a policy which states that:

Annexation shall result in a simple, contiguous city boundary. Any islands of non-incorporated territory created by an annexation shall be incorporated within a year of the annexation creating the island (Urbanization Policy No. 8).

To date, the City has annexed 30 individual pieces of property through the island annexation procedures. I have attached a map which identifies the islands that existed in the city in 1981. Those islands which have now been annexed have been crossed out on the map.

In that the Comprehensive Plan policy states that these islands "shall" be annexed rather than the word "may" or "should", a firm statement has been made by the City to annex these properties and the City is now bound to its Comprehensive Plan to follow through with these procedures.

The primary objection that was noted at the hearing from Mr. Wilhelmson related to whether or not he could maintain up to four horses on the property if the property were in the City limits. The City would allow the applicant to maintain up to four horses on the property through either of two procedures. The first would be called a "pre-existing non-conforming use". In that Mr. Wilhelmson will have had horses on the property at the time of annexation, this use may be maintained as a "Grandfather clause". The second procedure would be through a livestock permit. The City does allow livestock to be kept in certain cases where there is adequate land to accommodate the livestock and where the livestock will not create a nuisance relating to the public health, safety and welfare of other adjoining property owners. To eliminate the animals, it would be necessary to go through a nuisance abatement procedure which would normally require City Council action. Within the City limits there are now cows, horses, chickens, goats, bees and other livestock. In no case has the City Council reviewed a nuisance

abatement issue relating to livestock for at least the last five years and maybe much longer. The grounds on which the horses are kept by the Wilhelmsons are very neat, clean and orderly. Unless these conditions severely deteriorated, it would be difficult to foresee that a nuisance could be caused.

There are still several other properties, primarily within the Newall Addition Subdivision, which will also be considered under an island annexation procedure sometime within the near future. Any decision relating to this property will have a direct affect upon the hearing of other properties through these same procedures.

I have attached a copy of the staff report and the minutes of the Planning Commission's hearing on this request.

February 10, 1984

TO: Planning Commission

FROM: Planning Staff

RE: ANX-1-84/Z-1-84

Applicant: City of Newberg

Request: Annexation of unincorporated territory surrounded by the corporate limits of the City of Newberg pursuant to the Oregon Revised Statutes Chapter 222.750, and a zone change from a Yamhill County zoning designation to a City of Newberg R-1 (Single Family Residential) zoning designation and withdrawal from the Newberg Rural Fire Protection District of two parcels of land totaling approximately 2.12 acres

Location: Located abutting the east side of Main Street being approximately 450 feet north of the intersection with Illinois Street

Tax Lot: 3218DB-700 & -2400

Exhibits:

1. Staff Report
2. File No. ANX-1-84/Z-1-84
3. The Newberg Zoning Ordinance
4. Newberg Zoning Ordinance
5. Newberg Annexation Ordinance

Findings:

1. The subject property contains approximately 2.12 acres of land area, which is located abutting the east side of Main Street, being approximately 450 feet north of the intersection with Illinois Street. The subject property is an island of County unincorporated territory, completely surrounded by the corporate limits of the City of Newberg. Currently there is a barn located on the subject property. The topography of the property is flat with the exception of a drainageway which divides the property in a east-west fashion. This drainageway is part of the tributary system to Chehalem Creek.

Surrounding land uses consist of primarily larger lot single family residential uses and R-1 subdivision developments.

2. The subject property is currently zoned LDR 9000 (Low Density Residential-9000 sq.ft. lot size minimum) within the County. The Newberg Comprehensive Plan designates the subject property for "low density residential" use. The "LDR" plan designation would allow for an R-1 (low density residential) implementing zoning designation. Through the annexation process, the property is proposed to be rezoned to a City R-1 zone, which is consistent with the Newberg Comprehensive Plan.

Observations:

Goals and policies found within the Newberg Comprehensive Plan which are applicable to this request include the following:

- A. Annexation shall result in a simple, contiguous City boundary. Any islands of non-incorporated territory created by an annexation shall be incorporated within a year of the annexation creating the island. (Urbanization, policy no. 8)
- B. Annexation shall be considered on a case by case basis. Criteria to be considered in evaluating annexation requests shall include but not be limited to:
 - a. Compatability with the Comprehensive Plan, statewide planning goals and the needs, policies and plans of public agencies and bodies.
 - b. The orderly and economic provisions of public facilities and services.
 - c. Public costs and benefits including environmental, energy, economic and social impacts of proposed annexations.
 - d. Compatability of the proposed uses with existing and future adjoining land uses. (Urbanization, policy no. 50)
- C. If it appears that the proposed annexation would create excessive public costs or impacts on the surrounding area, an analysis of costs and/or impacts will be required. (Urbanization, policy no. 6)

Findings, Continued:

3. The annexation of islands of non-incorporated territory is required by the Newberg Comprehensive Plan. Urbanization policy no. 8 states that islands of non-incorporated territory created by annexation shall be incorporated within a year of annexation which created the island. This particular piece of property has been a non-incorporated territory surrounded by the City limits for many years. The City has not been able to program an annexation process within one year of the adoption of this plan policy; however, the annexation of the territory will bring the property into compliance with the City's comprehensive plan.

4. The Engineering Department has indicated that there is presently a 40 ft. right-of-way on Main Street which abuts the subject property. Through development requests the City customarily requires the dedication of an additional 10 feet of land area; however, since the City has initiated this annexation request and not the individual property owner, there is no mechanism to require the owners to dedicate the property at this time. Additionally, an 8 inch water line is located in Main Street but presently ends at the southern boundary of Reed Park Subdivision. This line needs to be extended south to tie into other water transmission lines located near the intersection of Illinois Street. A 10 inch sewer line runs down Main Street in front of the subject property. The sewer is sized to accommodate additional development which might occur on the subject property.

A 12 inch storm drain line is also located in Main Street in front of the subject property.

The annexation of the subject property will not place any additional burden upon the City's sewer or water systems at this time. If additional development were to be proposed for the property in the future, then it would be necessary for the owners or developers to extend or upgrade the street and water services.

Observations, Continued:

There are specific Oregon State statutes which deal with the annexation of unincorporated territory surrounded by the City. ORS (Oregon Revised Statutes) Chapter 222.750 states:

CHAPTER 222.750 ANNEXATION OF UNINCORPORATED TERRITORY SURROUNDED BY THE CITY.

In any case where land or territory is surrounded by the corporate limits or boundaries of any city, it is within the power and authority of that city to annex such land or territory, provided it is not an incorporated city. Unless otherwise required by its charter, annexation by the city under this section shall be by ordinance or resolution subject to referendum, with or without the consent of any owner of property within the territory or resident in the territory.

Findings, Continued:

5. The subject property is an island of unincorporated territory surrounded by the corporate limits of the City of Newberg.

6. Notice was provided to owners of the subject properties indicating the action proposed by the City. In addition, notice was sent to adjoining property owners within a distance of 250 feet of the subject

property and was also found within the legal notice section of the Newberg Graphic newspaper. As of the writing of this report, no written statements, in favor or opposition, to this matter have been received.

7. The annexation request is in conformance with the provisions of ORS 222.750.

Observations, Continued:

The annexation request is also subject to the currently adopted Annexation Ordinance of the City of Newberg. This ordinance requires that the City encourage annexations where:

- a. The annexation complies with the provisions of the Newberg Comprehensive Plan.
- b. The annexation would straighten out boundaries and provide a clear identification of the City.
- c. The annexation would benefit the City by adding to its revenues an amount that would at least be equal to the cost of providing services to the area.
- d. It would be clearly to the City's advantage to control the growth and development plans for the area.

In addition, the annexation ordinance requires that annexation requests be consistent with the following criteria:

- a. Consistency of the annexation in relation to the Newberg Comprehensive Plan and other applicable regulations set forth by the City of Newberg, the State and affected jurisdictions and agencies.
- b. The availability of basic public services which include but are not limited to sewer, water and electricity to the site in adequate quantities to serve the potential users without adversely affecting the availability of these services to existing users.
- c. The impact upon public services which include but are not limited to police and fire protection, schools, hospitals, and public transportation, to the extent that they shall not be unduly compromised.
- d. The need for housing, employment opportunities and livability in the City of Newberg and surrounding areas.
- e. The locations of the site as to provide for the efficiency in land use in relation to public facilities and services, transportation, energy conservations, urbanization and social impacts.

Findings, Continued:

8. The annexation would provide for a more clear identification of the City boundary by eliminating islands of unincorporated territory.

9. The annexation would be considered efficient land use change in that the subject property is currently surrounded by the Newberg City limits

and public facilities and services are currently supplied to the subject properties or found within the area.

10. Notice of this request was referred to the City Administrator, Fire Department, Engineering Department, Public Works Department, Police Department, Finance Department, Building Department, City Recorder, Yamhill County Planning Department and the Newberg School District. With the exception of the Engineering, Public Works and Fire Departments, no formal statements other than general concurrence has been received relating to this request from these departments or agencies.

11. One of the most important objectives of the year 2000 Comprehensive Plan is the achievement of a compact form of urban growth. The annexation of this island of unincorporated land would be consistent with the compact growth objectives of the Newberg Comprehensive Plan.

12. The present situation relating to this island of unincorporated territory, being completely surrounded by the Newberg City limits, represents an extremely illogical way of establishing City boundaries and providing services. This is compounded when the island of unincorporated territory is developed at an urban level which is indistinguishable from adjacent City developments.

13. The present City boundaries create numerous problems for the provision of services. The provision of police protection is one example of an identified problem. Currently, the Newberg Police Department provides police protection for all incorporated areas of the City of Newberg while Yamhill County Sheriff's Department provides police service for the island areas. There can be confusion as to whether a particular piece of property is within the City or the County and which jurisdiction is responsible.

Recommendation:

The Planning staff recommends that the subject property be incorporated into the Newberg City limits with a corresponding zone change from County LDR9000 to a City R-1 (Low Density Residential) zoning district together with a withdrawal from the Newberg Rural Fire Protection District.

Council Chambers
7:30 PM, Thursday

A Regular Meeting
of the Planning Commission

February 16, 1984
Newberg, Oregon

Members Present:

John Cach, Chairman
John Englebrecht
Jean Harris
Jane Parisi-Mosher

David L. Richards
Arthur Roberts
Roger Veatch
Joe Young

Members Absent:

Greg Moore

Staff Present:

Clay W. Moorhead, Planning Director
Rick Faus, City Attorney
Barb Mingay, Recording Secretary

Citizens Present: 4 Citizens

The meeting of the Newberg Planning Commission was called to order by Chairman John Cach.

John Englebrecht was introduced as the new Planning Commissioner and welcomed aboard.

Motion: Veatch-Harris to approve the November Planning Commission minutes as presented. Motion carried unanimously.

Chairman Cach indicated that election of officers was required at the first meeting of the year. This being the first meeting of 1984, nominations were opened for Planning Commission Chairperson.

Motion: Harris-Veatch to cast a unanimous ballot for John Cach. Motion carried unanimously.

Motion: Veatch-Roberts to nominate Jean Harris for Vice-Chair. Motion carried unanimously.

Public Hearing A:

File No:	ANX-1-84/Z-1-84
Applicant:	City of Newberg
Request:	Annexation of unincorporated territory surrounded by the corporate limits of the City of Newberg pursuant to the Oregon Revised Statutes Chapter 222.750, and a zone change from a Yamhill County zoning designation to a City of Newberg R-1 (Single Family Residential) zoning designation and withdrawal from the Newberg Rural Fire Protection District of two

parcels of land totaling approximately 2.12 acres
Location: Located abutting the east side of Main Street being approximately 450 feet north of the intersection with Illinois Street
Tax Lot: 3218DB-700 & -2400

No abstentions were requested, none were given.

Staff Report: Planning Director Moorhead presented a review of the staff report dated 2-10-84 and located the site on a map. He reviewed the directives of the Comprehensive Plan and the City Council relating to requirements for annexing islands of County land within the Newberg City limits.

No proponents wished to speak.

Opponent: Clifford Wilhelmson, co-owner of the property under consideration indicated that the Staff Report was incorrect in several areas. He stated that the house, which was reported to be on the subject property, was located on the property adjacent to it, in the City limits. The structure on the property under annexation consideration was a barn. He further indicated that the barn was connected to City water but was not connected to City sewer as there was no need for sewer service at this time. He stated the objections in the past to annexation centered around not being allowed to continue maintaining horses on the property with numerous City restrictions on livestock in the City limits. He added that the expense of adding a culvert and maintaining it had been born by the owners, not the City or County. He stated that at the previous annexation hearing a number of years ago, he and his brother had voiced no objection to dedication of 10 ft. of ground for street dedication and curbing. He felt that the City had no need to annex the property at the current time and that it should remain in its present agricultural state.

Questions to Opponent: Staff was asked what additional costs he would face if annexed. Mr. Moorhead indicated that Mr. Wilhelmson would be required to pay City taxes in addition to the taxes already being paid.

Mr. Wilhelmson was asked how many horses were kept on the property. He indicated that currently two horses are housed on the site with a foal expected this year, making a total of three horses to be housed in a four-stall barn with two pastures on the site. He indicated that the maximum number the site could handle would be approximately 4 horses.

Rick Faus, City Attorney, indicated that annexation would not disallow horse raising on the site as it would be considered a pre-existing, non-conforming use and would be "grandfathered" in. Horses could, however, be disallowed by nuisance abatement procedures.

Mr. Wilhelmson was asked whether the additional tax burden was the major cause for concern by the property owners or whether it was the inability to keep horses on the property. Mr. Wilhelmson indicated that the

City's ordinances relating to livestock in the City and his potential inability to continue raising horses was his main concern.

Mr. Moorhead indicated that livestock can also be allowed by permit in Newberg. These permits are issued unless conditions exist on the property which jeopardized health, fire and life safety.

Rick Faus then explained the procedures for nuisance abatement.

Mr. Wilhelmson was asked how long he anticipated keeping horses; he indicated that he and his brother were planning on retiring this year at 60 and they hoped to continue their hobby of raising horses until they are no longer able to do so for health reasons.

No public agencies responded and no letters were received. A phone call from Scott Canfield, a neighbor, was received indicating a concern about how his taxes might be affected by this action.

Staff Recommendation: Planning Director Moorhead indicated that the Comprehensive Plan requires the annexation of islands of unincorporated territory by specific policy and therefore recommended approval of the annexation.

Hearing Closed:

The Commission briefly discussed events in the past which created the island. Rick Faus reviewed the two types of annexations, a standard property owner request for annexation and an island annexation initiated by either the property owner or requested by the City. It was indicated that the property has been an island of County land surrounded by the City for at least five years.

Motion: Young-Veatch to re-open the hearing to hear additional testimony from Mr. Wilhelmson. Motion carried unanimously.

Mr. Wilhelmson indicated that the past City Council recommended that the property not be annexed because there was no definite reason whatever to do so.

Mr. Cach indicated that since that time, the Council has adopted regulations in the Comprehensive Plan to require the annexation of islands.

Hearing Closed.

Motion: Veatch-Roberts to recommend to the City Council annexation of unincorporated territory surrounded by the corporate limits of the City of Newberg pursuant to the Oregon Revised Statutes Chapter 222.750, and a zone change from a Yamhill County zoning designation to a City of Newberg R-1 (Single Family Residential) zoning designation and withdrawal from the Newberg Rural Fire Protection District of two parcels of land totaling approximately 2.12 acres known as 3218DB-700 and -2400 based on Staff Report findings 1-13 with the deletion of Finding 4, paragraph 3 and based on ORS Chapter 222.750.

The Commissioners briefly discussed the well maintained appearance of the site in question and commended the Wilhelmsons for the manner in which they maintained their property.

Vote on Motion: Aye: Cach, Englebrecht, Harris, Parisi-Mosher, Roberts, Veatch, Young. Nay: Richards. Motion carried (7-1).

Planning Director Moorhead indicated to Mr. Wilhelmson that the City Council would hold a public hearing at their March 5, 1984 Council meeting to hear full public testimony relating to this annexation request.

A brief recess was called.

The meeting was reconvened and the next agenda item was heard.

Public Hearing B:

Applicant:	City of Newberg
Request:	Review of a proposed ordinance for the purpose of regulating mobile or transient merchants who occupy a temporary or fixed location and do business in much the same manner as a permanent business
Location:	Within the Newberg City limits
File No:	G-1-84

A general consensus of the Planning Commissioners, staff and audience indicated that the discussion relating to the above public hearing should be conducted in a round table format. Director Moorhead introduced the history behind the request for a regulatory ordinance for mobile or transient merchants. The staff indicated that under the City's current ordinances, this type of merchandising could not be specifically prohibited. Staff reviewed the packet material offered by the Bureau of Governmental Research and the City of Lebanon.

Director Moorhead presented four options that could be taken by the City to regulate these types of businesses:

1. Do nothing - and allow the staff to continue determining authorization to operate, using existing ordinances.
2. Adopt the Lebanon ordinance which prohibits transient merchants.
3. Allow mobile vendors as an outright permitted use in certain zones. Using C-1 or C-3 zones would limit the vendors to a specific area.
4. Create a sub-district overlay (i.e. Mobile Vendors Sub-District, etc.) over any existing zone(s), with identified boundaries within which the mobile vendors could operate.

Rick Faus, City Attorney, indicated that there are two types of permit processes available. The licensing type of ordinance was primarily designed to determine the legitimacy of the business involved or to limit the business in its operation on the public way. The zoning permit process is more directed to controlling land use or the areas of town that the use may be permitted in.

A general discussion of the Green River Ordinance followed with Mr. Faus indicating that, although the Green River Ordinance had not been specifically overturned in Oregon, it was considered to be outdated. It was indicated that the peddlers license used in Newberg primarily addressed the licensing issue and was most frequently associated with door to door sales. He indicated that Newberg has no business license requirements; however, an occupancy permit for the inspection of a building is required when a new business comes in.

The Commissioners discussed the history relating to the establishment of a business license in Newberg. It was indicated that no business license was put in place in Newberg due to strong local business and contractors objections. The feeling was strong that business people whose location of business was outside the Newberg area did not always come in and comply with the requirements and would avoid the expense, leaving the fees to be paid mainly by a majority of local business people only.

It was the opinion of several Commissioners that both licensing and appropriate zoning regulations be put into effect to control the problem. It was further felt that a business license system would hold transient business people accountable in the community.

Enforcement of a business license system was discussed.

Each member of the Planning Commission and the audience briefly stated an opinion as to the need for some type of regulation.

The Planning Commission directed staff to present some alternatives to control this type of sales activity for presentation at next month's Planning Commission meeting.

Motion: Young-Veatch to continue the hearing to the March 15, 1984 Planning Commission meeting and to direct staff to develop a standard or ordinance. Motion carried unanimously.

Old Business. None

New Business. An inquiry was made of staff to review the need to regulate other uses which are not specifically listed in the Newberg Zoning Ordinance.

Motion to adjourn carried unanimously.

NOTICE OF A PUBLIC HEARING

ANNEXATION TO THE CITY OF NEWBERG AND WITHDRAWAL FROM THE
NEWBERG RURAL FIRE PROTECTION DISTRICT and

A ZONE CHANGE FROM A YAMHILL COUNTY ZONING DESIGNATION TO A
CITY OF NEWBERG R-1 (Single Family Residential) ZONING DISTRICT.

NOTICE IS HEREBY GIVEN that the Newberg City Council will hold a public hearing on Monday, March 5, 1984 at 7:30 PM in the Newberg City Council Chambers, 414 E. First Street, Newberg, Oregon to consider annexation together with a withdrawal from the Newberg Rural Fire Protection District and a zone change upon the following described properties. All persons are hereby invited to appear and be heard pursuant to the provisions and laws of the State of Oregon and the Charter of the City of Newberg, Oregon.

Public Hearing:

Applicant:	City of Newberg
Request:	Annexation of unincorporated territory surrounded by the corporate limits of the City of Newberg pursuant to the Oregon Revised Statutes Chapter 222.750, and a zone change from a Yamhill County zoning designation to a City of Newberg R-1 (Single Family Residential) zoning designation and withdrawal from the Newberg Rural Fire Protection District of two parcels of land totaling approximately 1.97 acres.
Tax Lot No:	3218DB-700 & -2400
Location:	Located abutting the east side of Main Street being approximately 450 feet north of the intersection with Illinois Street.
File No:	ANX-1-84/Z-1-84

Written testimony relating to the public hearing above will be accepted at the Newberg City Hall, 414 E. First Street, Newberg, Oregon prior to the hearing. For further information, or if you wish to review the file, contact the City of Newberg Planning Department.

Publish: Feb. 22, 29, 1984

Arvilla Page, Recorder

NOTICE OF A PUBLIC HEARING

ANNEXATION TO THE CITY OF NEWBERG AND WITHDRAWAL FROM THE
NEWBERG RURAL FIRE PROTECTION DISTRICT and

A ZONE CHANGE FROM A YAMHILL COUNTY ZONING DESIGNATION TO A
CITY OF NEWBERG R-1 (Single Family Residential) ZONING DISTRICT.

NOTICE IS HEREBY GIVEN that the Newberg City Council will hold a public hearing on Monday, March 5, 1984 at 7:30 PM in the Newberg City Council Chambers, 414 E. First Street, Newberg, Oregon to consider annexation together with a withdrawal from the Newberg Rural Fire Protection District and a zone change upon the following described properties. All persons are hereby invited to appear and be heard pursuant to the provisions and laws of the State of Oregon and the Charter of the City of Newberg, Oregon.

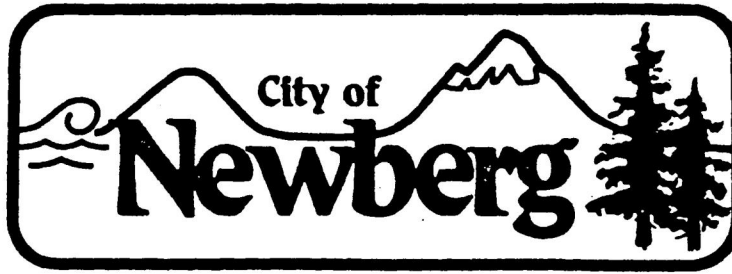
Public Hearing:

Applicant:	City of Newberg
Request:	Annexation of unincorporated territory surrounded by the corporate limits of the City of Newberg pursuant to the Oregon Revised Statutes Chapter 222.750, and a zone change from a Yamhill County zoning designation to a City of Newberg R-1 (Single Family Residential) zoning designation and withdrawal from the Newberg Rural Fire Protection District of two parcels of land totaling approximately 1.97 acres.
Tax Lot No:	3218DB-700 & -2400
Location:	Located abutting the east side of Main Street being approximately 450 feet north of the intersection with Illinois Street.
File No:	ANX-1-84/Z-1-84

Written testimony relating to the public hearing above will be accepted at the Newberg City Hall, 414 E. First Street, Newberg, Oregon prior to the hearing. For further information, or if you wish to review the file, contact the City of Newberg Planning Department.

Publish: Feb. 22, 29, 1984

Arvilla Page, Recorder



Office of Mayor and City Council
(503) 538-9421

414 E. First St.
Newberg, Oregon 97132

A G E N D A

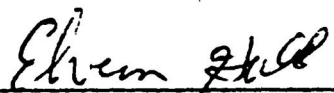
A SPECIAL MEETING OF THE
NEWBERG CITY COUNCIL

Tuesday, 5:30 P.M.
Council Chambers, 414 E. First St.

March 6, 1984
Newberg, Oregon

- I. CALL MEETING TO ORDER
- II. ROLL CALL
- III. RESOLUTIONS:
 - 1. Resolution accepting bid for the award of General Obligation Library Bonds, Series 1984, in the sum of \$965,000.

I do hereby call a special meeting of the Newberg City Council for the date and time listed above.



Elvern Hall - Mayor

VI - 3a



Home of Old Fashioned Festival

RESOLUTION NO.

A RESOLUTION ACCEPTING THE BID OF _____
FOR THE AWARD OF GENERAL OBLIGATION LIBRARY BONDS, SERIES
1984, IN THE SUM OF \$965,000.

WHEREAS, at a general city election held on November 8, 1983, the City was authorized and empowered to issue bonds in the sum of \$967,428. for the purpose of improving and expanding Newberg Public Library, which election was authorized by Ordinance No. 2130, passed and approved September 20, 1983; and

WHEREAS, Resolution No. 84-1023, passed and approved February 6, 1984, of the City of Newberg, Yamhill County, Oregon, a copy of which is attached hereto as Exhibit A, authorized the City to issue General Obligation Library Bonds, Series 1984, in the sum of \$965,000.; and

WHEREAS, after proper notice of sale of said bonds and after proposals for the purchase of said bonds were received by the City at the time and date specified in the Notice of Sale, the City has fully considered the proposals; and

WHEREAS, a copy of the bids are hereby attached to this resolution as Exhibit B, all bids being received at the proper time and place; and

WHEREAS, the City Council of the City of Newberg met on March 6, 1984, at 5:30 p.m., within four hours of the public opening of said bids; and

WHEREAS, after due consideration, the bid from _____
_____ was the most favorable to the City.

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

1. The City Council of the City of Newberg, Oregon, awards the bonds to and accepts the bid from _____
_____ in accordance with Resolution No. 84-1023, passed and approved February 6, 1984, a copy of which is attached hereto as Exhibit A. A copy of the bid of _____
_____ is attached hereto as part of Exhibit B.

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

Arvilla Page - City Recorder

VI-3a

RESOLUTION NO.

A RESOLUTION AUTHORIZING ESTABLISHMENT OF A FUND WITHIN THE 1983-1984 BUDGET OF THE CITY OF NEWBERG TO RECEIVE AND DISBURSE FUNDS FOR THE NEWBERG LIBRARY CAPITAL IMPROVEMENT PROJECT AND AUTHORIZING PURSUANT TO ORS 294.326(4) THE EXPENDITURE OF SAID FUNDS.

WHEREAS, the City will receive, through the sale of General Obligation Bonds and from other sources, money to be expended for capital improvements to the Newberg Public Library and its expansion; and

WHEREAS, ORS 294.326(4) allows expenditure during the current fiscal year of proceeds in this sale of bonds; and

WHEREAS, these bond proceeds and other funds received will be expended for specific library capital improvement purposes.

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

1. That funds received from the sale of General Obligation Library Bonds, Series 1984, and other funds received dedicated for the expansion in capital improvement of Newberg Public Library shall be deposited in a new fund of the City of Newberg to be therein designated as a separate fund known as the "Library Building Fund" with appropriately designated accounts.
2. That all funds deposited in said "Library Building Fund" shall be disbursed for the purposes of library expansion and capital improvement and the activities related thereto.
3. That pursuant to ORS 294.326(4) and subsection 2 and based upon the information in the Whereas clauses herein, the expenditure of General Obligation Library Bonds, Series 1984 proceeds and other donations received are hereby authorized for capital improvements and development and expansion of Newberg Public Library, to be disbursed out of said "Library Building Fund".
4. That the foregoing "Library Building Fund" is to have established within it proper accounts for the disbursal of funds for said library improvements.

ADOPTED by the City Council of the City of Newberg, Oregon this 5th day of March, 1984.

Arvilla Page - City Recorder

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE EXPENDITURE OF SPECIAL PURPOSE FUNDS RECEIVED FROM THE STATE OF OREGON FOR CRIME VICTIMS/WITNESS ASSISTANCE PROGRAMS BY THE CITY OF NEWBERG PURSUANT TO ORS 294.326(2).

WHEREAS, the City of Newberg will receive from the State of Oregon, Department of Justice, Crime Victims/Witness Assistance Funds from the court assessments of the Newberg Municipal Court for the purposes of funding the City's approved Crime Victims/Witness Assistance Program; and

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

WHEREAS, these funds will be received this year and will be expended for specific Newberg Crime Victims/Witness Assistance Program 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 Department of Justice Crime Victims/Witness Assistance Program Assessment Funds received by the City of Newberg is hereby authorized for the purpose of funding the City's approved Newberg Crime Victims/Witness Assistance Program.

2. That the foregoing expenditure is authorized from the 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 5th day of March, 1984.

Arvilla Page - City Recorder

RESOLUTION NO.

A RESOLUTION AUTHORIZING TRANSFER OF FUNDS FROM THE CAPITAL IMPROVEMENT FUND RESERVE FOR CONTINGENCY ACCOUNT TO FIRE DEPARTMENT EQUIPMENT ACCOUNT; CAPITAL IMPROVEMENT FUND TRANSFER TO DEBT SERVICE ACCOUNT TO PUBLIC LAND ACCOUNT; HOSPITAL OPERATING FUND PERSONAL SERVICE ACCOUNT TRANSFER TO BONDED DEBT FUND ACCOUNT; AND GENERAL FUND MUNICIPAL GARAGE DEPARTMENT CAPITAL EQUIPMENT ACCOUNT TO MUNICIPAL GARAGE DEPARTMENT MECHANIC SALARY, PERSONAL SERVICE ACCOUNT.

WHEREAS, funds must be appropriated from the funds and accounts above listed to meet various City obligations; and

WHEREAS, the Council of the City of Newberg has considered the transfer of funds between various specific accounts of the Capital Improvement Fund, Hospital Operating Fund and General Fund, 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 Capital Improvement Fund, Reserve for Contingency Account, in the amount of \$4,823. is hereby authorized and expenditure of funds are authorized for the purposes stated as follows:

<u>Fund/Purpose</u>	<u>Amount</u>
<u>Capital Improvement Fund:</u>	
Fire Department Equipment Account	<u>\$4,823.</u>
TOTAL CAPITAL IMPROVEMENT FUND RESERVE FOR CONTINGENCY	<u>\$4,823.</u>

2. That the following transfer of funds from the Capital Improvement Fund, Transfer to Debt Service Account in the amount of \$4,390. is hereby authorized and expenditure of the funds are authorized for the purposes stated as follows:

<u>Fund/Purpose</u>	<u>Amount</u>
<u>Capital Improvement Fund:</u>	
Public Land Account	<u>\$4,390.</u>
TOTAL CAPITAL IMPROVEMENT FUND TRANSFER TO DEBT SERVICE	<u>\$4,390.</u>

3. That the following transfer of funds from the Hospital Operating Fund, Personal Service Account in the amount of \$750. is hereby authorized and expenditure of the funds are authorized for the purposes stated as follows:

<u>Fund/Purpose</u>	<u>Amount</u>
<u>Hospital Operating Fund:</u>	
Transfer to Bond Debt Fund Account	<u>\$750.</u>
TOTAL FROM HOSPITAL OPERATING FUND	<u>\$750.</u>

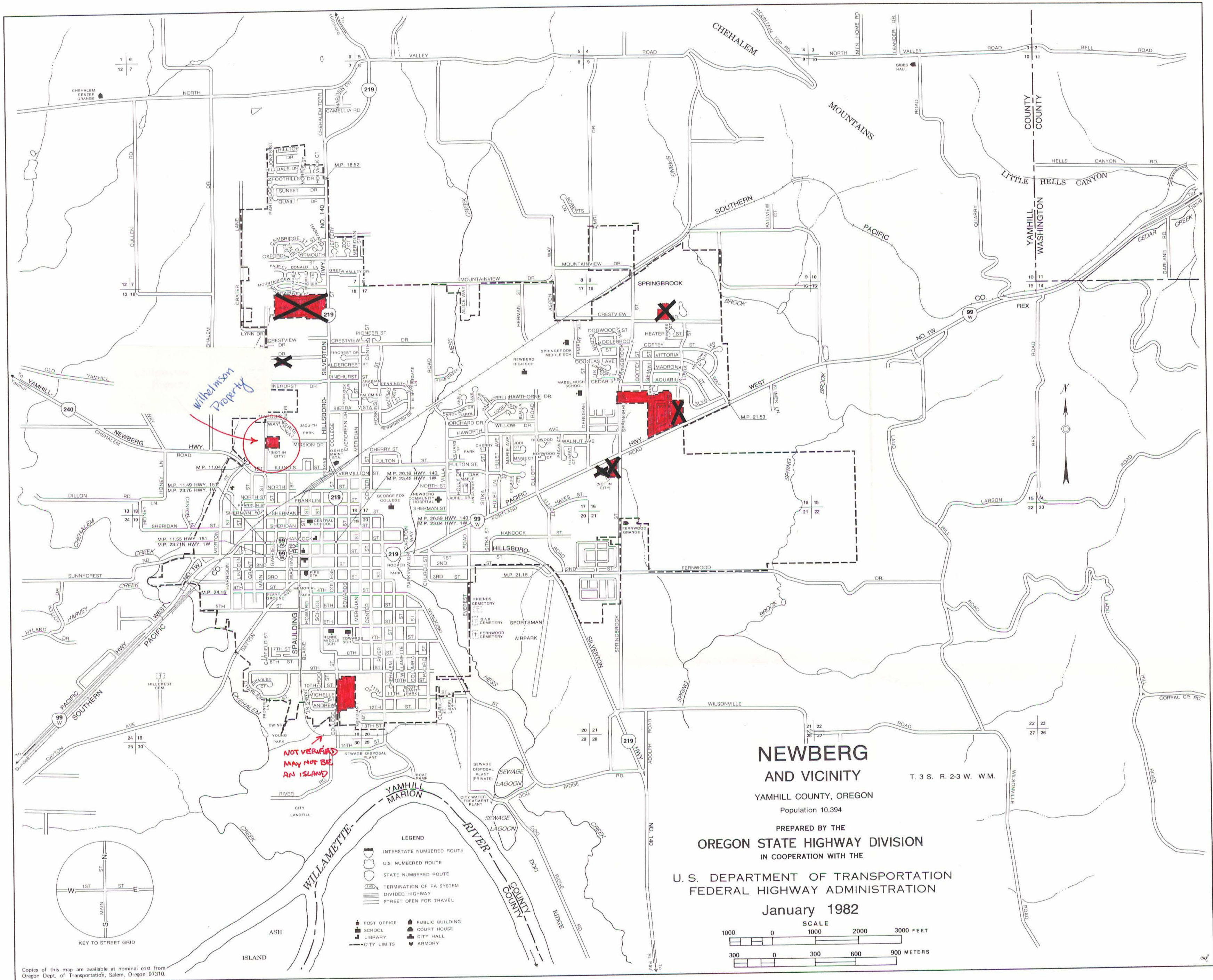
4. That the following transfer of funds from the General Fund, Municipal Garage Department Capital Equipment Account in the amount of \$1,380. is hereby authorized and expenditure of the funds are authorized for the purposes stated as follows:

<u>Fund/Purpose</u>	<u>Amount</u>
<u>General Fund:</u>	
Municipal Garage Department	
Mechanic Salary Personal Service Account	<u>\$1,380.</u>
 TOTAL FROM GENERAL FUND	 <u>\$1,380.</u>

5. 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 5th day of March, 1984.

Arvilla Page - City Recorder



Copies of this map are available at nominal cost from Oregon Dept. of Transportation, Salem, Oregon 97310.