

Warren

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

I. CALL MEETING TO ORDER

II. ROLL CALL

III. CONSENT CALENDAR:

1. Approve Minutes of April 2, April 18 and April 25, 1984.
2. Letter from Oregon Fire Chiefs' Association thanking City for permitting Chief Elmer Christensen to serve on Ad-Hoc Safety Standards Committee.
3. Proclamation declaring May 20-26, 1984 as Public Works Week.
4. Proclamation declaring May 19, 1984 as Scrub Day.

*MAYOR'S
Signature*

IV. APPOINTMENTS BY MAYOR:

→ Elven tell council first *John Lyda, Bryan Randall to Plng Comm.*

V. ~~REQUESTS FROM FLOOR AND COMMUNICATIONS:~~

VI. PUBLIC HEARINGS:

1. Vacation of alley behind Newberg Carnegie Library. and plan amendment zone change for tax lots 3219 AA-3400, -3500, -3600 for Library Project *Ordinance*

VII. REPORTS FROM CITY MANAGER:

*→ ** *Day control Officer*
Telephone costs
Does council want to be at Press Conference

VIII. REPORTS FROM YAMHILL COUNTY COMMISSIONER:

IX. OLD BUSINESS:

1. Report on billboard sign request by Little Critters II Pet Shop.

X. NEW BUSINESS:

1. Approve Accounts Payable
2. Ballot Measure 2 Information.
3. Report to City Council on special adjourned council meeting for the purpose of a public hearing on Sewerage Master Plan Update.
4. Discussion of sewer bond payment methods.
5. Discussion of water service outside city limits.

*Don't
look in
reserve right
to hedge*

XI.

RESOLUTIONS:

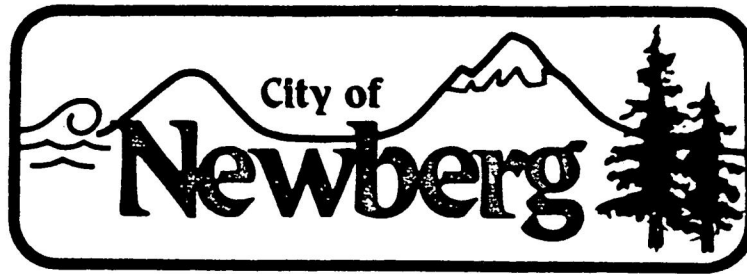
- 84-1046 — 1. Resolution paying tribute to Captain Stan Gaibler.
84-1047 — 2. Resolution paying tribute to Lieutenant Douglas Cloepfil.
84-1049 — 3. Resolution authorizing additional representatives to
acquire federal surplus property.
-1050 — 4. Resolution transferring funds from General Fund Contingency
to General Fund Accounts in the amount of \$8,510.
1051 — 5. Resolution authorizing cooperative intergovernmental
agreement with the League of Oregon Cities.
✓ 1052 — 6. Resolution authorizing purchase of street sweeper.
-1053 — 7. Resolution authorizing agreement between City and Chehalem
Park District for advancement of public land payment for
Springbrook Park.
1054 — 8. Resolution authorizing transfer of funds from Capital
Improvement Fund to Public Land Account.
✓ 1055 — 9. Resolution amending architects contract for library
services.

X.

ORDINANCES:

- ✓ 2143 — 1. Ordinance adding stop signs at Sitka and Haworth, and County
Road 55 and Springbrook Road.
✓ 2141 — 2. Ordinance changing land use designation and zone of Public
Library property. (Refer: Item VI-1)
✓ 2142 — 3. Ordinance vacating alleyway behind Public Library. (Refer:
Item VI-1)

Executive Session - Real Property Negotiations pursuant to
ORS 192.660 (1)(e).



Planning Department
(503) 538-9421

414 E. First St.
Newberg, Oregon 97132

May 18, 1984

Bryce Fendall
710 Elliott Road
Newberg OR 97132

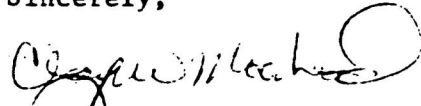
Dear Bryce,

Again, I would like to indicate my disappointment in having to tell you that it is not possible at this time for you to be a member of the Newberg Planning Commission because of the State law provisions relating to membership. As I had indicated Thursday, the State law requires that no more than two members of the Planning Commission may be actively engaged in the sale or development of property. There are currently two members in the real estate trade who sit on the Planning Commission. Because of this, it is not possible by State law to have any other members of the real estate profession on the Planning Commission.

It is my personal belief that you would be an excellent Planning Commissioner because of your assertiveness and your interest in the proper development of this community. I will recommend to the Mayor that you be selected as a Planning Commissioner if a proper opening comes up in the near future.

I hope that there was no great inconvenience caused to you. If you would like to discuss this issue further, feel free to contact me.

Sincerely,



Clay W. Moorhead
Planning Director

CWM:bym
CC: Mayor Hall
City Manager ✓



ACCOUNTS PAYABLE
MAY, 1984

5/84

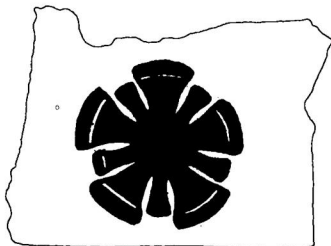
Elmer
Council

ATI	45.18	Mid Willamette Valley COG	1,000.00
Acme Tool	436.00	Midget Motors	36.65
Al's Family Dining	121.87	Millipore Corp.	33.36
Associated Janitor	180.57	Nathaniel Dame & Co.	119.65
Bantam Books	19.78	National Geographic Soc.	8.06
Beall Trans-Liner	19.20	New Shelter	19.97
Beaver Bolt, Inc.	46.14	Newberg Auto Parts	203.82
Boyes Janitorial	18.30	Newberg Community Hospital	221.32 ?
Brim Tractor Co.	100.25	Newberg Datsun	27.80
Brodart Co.	62.26	Newberg Graphic	476.86
Burroughs Corp.	66.00	Newberg Human Resources	1,125.00
Buy Wise Drugs	190.32	Newberg Ready Mix	280.00
Camera Quarters	23.44	Newberg Steel	65.13
Capell, Ed	150.00	Northwest Business Systems	138.90
Carsten Products	155.00	Northwest Law Enforcement Equip.	409.91
Chehalem Animal Clinic	189.00	Northwest Natural Gas	500.00 *
Chehalem Printing	292.25	Oregon Fire Equip.	86.37
Chehalem Valley Sr. Cit.	1,525.34	Platt Electric	59.04
Coast to Coast	120.35	Quality Office Machines	40.29
Crabtree Rock	255.00	Queen Pump Co.	103.20
Crowell Auto Parts	66.94	Randon House, Inc.	3.99
Dents	634.15	Riley Studio	27.50
Dept. of Commerce	45.00	Roberts Rent-All	10.00
Donaldson, Sam	30.00	Rowell & Wickersham	1,134.96 ?
Farmart Sales	24.00	Sanderson Safety Supply	73.71
Farmers Co-op Oil	174.65	Save-Net	257.17
FarmGro Supply	119.80	Spec Industries	1,010.31 ?
Fowler Tire	59.50	Superior Books, Inc.	310.62
G. K. Hall & Co.	229.98	Taylor Electric Supply	163.87
Gaylord Bros.	157.99	Times	4.00
General Electric	316.00	Traffic Safety Supply	99.20
General Telephone Co.	950.00 *	Valley Yard Supply	65.00
General Tool & Supply	32.69	W. R. Grace	1,659.73
Goodyear	333.16	W. W. Grainger	66.10
Gormley Co.	17.96	Water, Food & Research	90.00
Gray, Larry K.	75.00	West Publishing	161.00
Gunn, Michael G.	75.00	Western Auto	30.89
Hall's Heating	55.00	Westside Automotive	31.15
Harris Uniforms	98.55	Yamhill Co. Sheriff's Office	957.20
Home Laundry	40.90	Ziprint	210.15
Huggins Ins. Agency	208.00	Kimball Vet Clinic	39.50
ISCO, Inc.	2,131.30 ?	PGE Co.	17,500.00 *
Jim's Carpet Sales	449.40 ?		
Johnson Furn. & Hdwe.	53.73		
Jones Chemicals	1,070.25 ?		
KIDA Co.	81.76		
Larry Harrington Co.	67.53		
Laughlin Oil	4,608.79		
Lawton Printing	34.32		
Les Schwab Tires	10.95		
Little Fire Equip.	27.00		
London's Lawn & Garden	5.95		
Lumbermen's	94.21		
Main Street Auto Body	1,354.00 ?		
McCall's	17.95		
McMinnville Fire Dept.	125.00 ?		
		TOTAL:	46,754.04

J.S.

ADH

2/10/84
[Signature]
ma



OREGON FIRE CHIEFS' ASSOCIATION

March 30, 1984

Mr. Mike Warren, City Manager
City of Newberg
414 East 1st
Newberg, OR 97132

Dear Mr. Warren:

On behalf of the Oregon Fire Chiefs Association, we would like to thank you and your City for permitting Chief Elmer Christensen to serve on our Ad-Hock Safety Standards Committee. They recently traveled the State putting on informative classes on how the proposed Vertical Standards of the Workers Compensation Division would effect Fire Depts. and Rural Fire Districts. These rules, as proposed, would have put a very high financial burden on hundreds of Depts. and Districts around the state. In their meetings, they spoke to about 150 persons representing 85 Fire Districts/Depts.

We feel that the impact that was made at these meetings was shown later at the large turn-out at the Public Hearings opposing the Standards. These rules are scheduled for a re-write which we think will be favorable to the Fire Service. The Oregon Fire Chiefs Assn. believe that without the committees hard work we would have had a negative impact on the Fire Services of Oregon.

Chief Christensen and this committee donated many hours of their own time and also time away from their departments to oppose the Standards - as written.

It is devoted Chiefs like yours that make the Oregon Fire Services the LEADER in the Nation.

Thanks for the support you gave Fire Chief Christensen at a very critical time for the Fire Services of Oregon.

Sincerely,

William D. Mills
1st Vice-President
Oregon Fire Chiefs Assn.

WDM:wms

III 2

cc: Chief Elmer Christensen



MEMORANDUM
April 27, 1984

TO: MIKE WARREN, CITY MANAGER

FROM: GREGORY E. DiLORETO, CITY ENGINEER

SUBJECT: NATIONAL PUBLIC WORKS WEEK--MAY 20, 1984 THROUGH MAY 26, 1984

Enclosed you will find a resolution prepared by the City Attorney declaring May 20 - 26, 1984 as National Public Works week in the City of Newberg. As you are aware Public Works and the maintaining of our infrastructure are currently very popular topics around the nation. Many public works facilities were constructed during the early part of this century, and are now beginning to show the effects of age. The Public Works department here in the City of Newberg is requesting that the Mayor endorse the resolution we present, and declare that week as National Public Works Week.

During National Public Works Week we are planning to have some activities which are in discussion stages at this time. Some possibilities include open house at our City shop, water and sewer treatment plants, and possibly newspaper coverage; and some other activities which we are still working on.


Gregory E. DiLoreto, P.E.
City Engineer

rs/d

PROCLAMATION

A PROCLAMATION DECLARING THE WEEK OF SUNDAY, MAY 20, 1984 TO SATURDAY, MAY 26, 1984 AS NATIONAL PUBLIC WORKS WEEK IN THE CITY OF NEWBERG.

WHEREAS, Public works services provided in our community are an integral part of our citizen's everyday lives; and

WHEREAS, The support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets, and public buildings; and

WHEREAS, The health, safety, and comfort of this community greatly depend upon these facilities and services; and

WHEREAS, The quality and effectiveness of these facilities, as well as their planning, design, and construction are vitally dependent upon the efforts and skill of public works officials; and

WHEREAS, The efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Newberg, Oregon that the Council hereby proclaims the week of May 20, 1984 to May 26, 1984 as National Public Works Week in the City of Newberg, and call upon all citizens and civic organization to acquaint themselves with the problems involved in providing and funding themselves with the problems involved in providing and funding our public works systems and services, and to recognize the contributions that public works officials make every day to our health, safety, and comfort.

ADOPTED, BY THE City Council of the City of Newberg, Oregon, This 7th day of May, 1984.

Arvilla Page - City Recorder

PROCLAMATION

A PROCLAMATION OF THE CITY OF NEWBERG PROCLAIMING SATURDAY, MAY 19, 1984, AS "NEWBERG SUPER SCRUB DAY" FOR THE BENEFIT OF NEWBERG YOUTH.

WHEREAS, 350 Newberg Citizens will be washing cars with a target of over 5,000 cars in 15 different locations of the City of Newberg to raise money for Newberg youth programs on Saturday, May 19, 1984; and

WHEREAS, the purpose of Super Scrub Day is to benefit Newberg youth by raising funds to supplement the current funding of many activity programs of Newberg youth and centralize fund raising efforts in our community for Newberg youth programs; and

WHEREAS, these car washes will be supplied free of charge, with money being raised from persons pledging an amount of money for each car washed; and

WHEREAS, the goal is to establish a financial community chest for Newberg youth activities including sports, rally squad and other youth activities; and

WHEREAS, public support and participation in "Super Scrub Day" is to be encouraged for all citizens of the community.

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and City Council of the City of Newberg, Oregon, that Saturday, May 19, 1984, is proclaimed "Newberg Super Scrub Day" for the benefit of Newberg youth activities and that citizens of the City of Newberg are urged to actively participate in this program for the benefit of Newberg youth.

DATED this 7th day of May, 1984.

Elvern Hall - Mayor

MEMORANDUM
April 30, 1984

TO: Mike Warren, City Manager

FROM: Clay Moorhead, Planning Director *clm*

RE: An application for a Comprehensive Plan Amendment/Zone Change together with an Alley Vacation to provide for the expansion of the Newberg Public Library

The Newberg Planning Commission met on April 19, 1984 at their regular meeting to review and provide a recommendation on a Comprehensive Plan Amendment, a Zone Change and an Alley Vacation associated with the expansion of the Newberg Carnegie Library. The request, together with some observations, are identified in detail in the attached Staff Report. In order for the Library to be expanded as has been proposed to date, it is necessary that these land use changes be approved.

After reviewing the material and taking testimony from those present, the Planning Commission did recommend unanimously that the Newberg City Council approve the request.

Currently the zoning of the Library properties are C-2 (Community Commercial) and R-2 (Medium Density Residential). It has been requested that these two zones be changed to a C-3 (Central Business District). The C-3 zone is the same zone that is found in the central uptown core area. The most notable factor associated with the C-3 zone is that there are no on-site parking requirements within this zoning designation. Additionally, the Library could be constructed closer to the property lines than what could otherwise be authorized in a residential zone. The Library is proposed to be approximately 15 feet back from the front yard property lines.

The Library facility itself will take up all of the usable space on the properties that have been acquired for the Library expansion. There is no location on the property to provide for parking. In order for the Library to be expanded at this location, it is necessary that these land use changes be approved. I have also attached a copy of the minutes associated with the Planning Commission's regular meeting, a map which identifies the properties under review and an ordinance which would authorize the changes as requested and approved through the Planning Commission.

~~The minutes~~
The minutes have been deleted from your packet but will be furnished upon request. They are lengthy and you may have seen them at an earlier date.

Please let clay or I know if you would like a copy
m. h. cuben

VI 1

ORDINANCE NO.

AN ORDINANCE AMENDING THE NEWBERG COMPREHENSIVE PLAN MAP WHICH WAS ADOPTED BY ORDINANCE NO. 1968 AS AMENDED BY ORDINANCE NO. 2047 CHANGING A CERTAIN LAND USE DESIGNATION FROM MDR (MEDIUM DENSITY RESIDENTIAL) TO A COMM (COMMERCIAL) DESIGNATION TOGETHER WITH AN AMENDMENT OF THE NEWBERG ZONING ORDINANCE NO. 1968 BY AMENDING THE ZONING MAP REFERRED TO IN SECTION 900 THEREOF, TO CHANGE THE ZONE OF CERTAIN LOTS FROM C-2 (COMMUNITY COMMERCIAL) AND R-2 (MEDIUM DENSITY RESIDENTIAL) TO A C-3 (CENTRAL BUSINESS DISTRICT ZONING DESIGNATION.

WHEREAS, An application has been received requesting a Comprehensive Plan Amendment and a Zone Change on Yamhill County Tax Lot No.'s 3219AA-3400, -3500, and -3600. Specifically, the request is to change the Comprehensive Plan Map from a Medium Density Residential designation to a Commercial designation on Yamhill County Tax Lot No.'s 3219AA-3400 and -3500, together with a Zone Change from C-2 (Community Commercial) on Yamhill County Tax Lot No. 3219AA-3600 and from an R-2 (Medium Density Residential) zoning designation on Yamhill County Tax Lot No.'s 3219AA-3400 and -3500 to a C-3 (Central Business District) zoning designation; and

WHEREAS, a notice of this request was published in accordance with the provisions of Ordinance No. 1968 as amended. Such notice was distributed to all property owners within 250 feet of the subject properties and was placed within a newspaper of general circulation; and

WHEREAS, the Newberg Planning Commission held a public hearing to review this matter on April 19, 1984 and at such time did make a formal recommendation to the Newberg City Council recommending that they authorize the changes as requested above; and

WHEREAS, the Newberg City Council did hold a public hearing to review and provide a decision relating to this matter on May 7, 1984.

NOW, THEREFORE, THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

Section 1. The City Council adopts the findings of fact which are hereby attached and made a part of this ordinance and referenced as Exhibit A.

Section 2. The Newberg Comprehensive Plan Map as adopted through Ordinance No. 1967 and 2047 are hereby amended by changing the land use designation of Yamhill County Tax Lot No. 3219AA-3400 and -3500 from a MDR (Medium Density Residential) to a COMM (Commercial) land use designation.

Section 3. Ordinance No. 1968 as amended is further amended by changing certain zoning boundaries on the Newberg Zoning Map referred to in section 900 thereof, by changing the zoning classification of Yamhill County Tax Lot No.'s 3219AA-3400 and -3500 from an R-2 (Medium Density Residential) zoning designation to a C-3 (Central Business District) zoning designation and changing the zoning classification of Yamhill

County Tax No. 3219AA-3600 from a C-2 (Community Commercial) zoning designation to a C-3 (Central Business District) zoning designation.

PASSED by the City Council of the City of Newberg this 7th day of May, 1984 by the following votes:

AYES:

NAYS:

ABSENT:

Arvilla Page - City Recorder

APPROVED by the Mayor this 7th day of May, 1984.

Elvern Hall - Mayor

ORDINANCE NO.

AN ORDINANCE VACATING CERTAIN PUBLIC ALLEY RIGHT-OF-WAY WITHIN THE CITY LIMITS OF THE CITY OF NEWBERG, YAMHILL COUNTY, OREGON.

WHEREAS, the City Council of the City of Newberg, Oregon, has initiated a vacation proceeding as authorized by ORS 271.130 for an alleyway; and

WHEREAS, legal notice has been given of a public hearing having been held on April 19, 1984 by the Newberg Planning Commission and then again on May 7, 1984 by the Newberg City Council to hear and consider any written objections or remonstrances to the aforesaid vacation; and

WHEREAS, the vacation is necessary to allow for the construction of an addition to the Newberg Carnegie Library; and

WHEREAS, owners who abut the alley have given consent to this vacation and no written objections have been received from owners of property in the affected area of the vacation, provided that access is still maintained for these owners use; and

WHEREAS, it has been determined that the alley is currently used for access purposes and thereby would require easements over the eastern one-half of the alleyway to continue for these purposes; and

WHEREAS, the Council has duly considered such vacation and is now fully advised on the premises.

NOW, THEREFORE, THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

Section 1. That the following described portion of the City of Newberg, County of Yamhill, State of Oregon, being more particularly described as follows, to-wit:

That certain platted alley running east-west within Block 14 of Central Addition to the City of Newberg, Oregon, said alleyway being located between Howard and School Streets, and Hancock and Sheridan Streets in Newberg, Oregon

BE AND THE SAME IS VACATED.

Section 2. The right is hereby reserved and an easement for access and utility purposes is hereby preserved and granted over the eastern 100 feet of the alley that is the subject of this vacation, which alley is described in Section 1 herein, for the use of the current owners, their heirs, successors and assigns of the property abutting said alley. Said easement is for the right of ingress and egress to the properties abutting said alley and for the maintenance of the existing utilities located therein. The owners of said lots, their heirs, successors and assigns reserve the right to relocate said easement upon mutual agreement if adequate alternative access is provided to all said lot owners.

Section 3. That the Recorder of the City of Newberg be and hereby is directed to file for recording with the Yamhill County Clerk and ex-officio recorder of conveyances of the County of Yamhill, State of Oregon, a certified copy of this ordinance and a map of said alley so vacated and is further directed to file a copy of the map with the surveyor and assessor of said Yamhill County, Oregon, respectively.

Section 4. The title to the real property included within said alleyway hereby vacated shall attach to the property abutting on said alleyway in accordance with the provisions of ORS 271.140.

PASSED by the Council of the City of Newberg, Oregon, this 7th day of May by the following votes:

AYES:

NAYS:

ABSENT:

Arvilla Page - City Recorder

APPROVED by the Mayor this 7th day of May, 1984.

Elvern Hall - Mayor

FINDINGS
FILE C-1/Z-2/VAC-1-84
EXHIBIT A

1. The subject property consists of the western one-half of the block bounded by Hancock, Howard, Sheridan and School Streets. In total, there are three tax lots under review through this application. These tax lots are identified as -3400, 3500, and -3600. The Newberg Carnegie Library is located on the larger of the three lots (-3600). There is one single family residential structure on each of the other two lots, both of which front on Sheridan Street. Adjoining land uses consist of Central School to the north; the Seventh Day Adventist Church and a professional office to the west; Butler Chevrolet and the U.S. Bank parking lot to the south; First Federal Savings & Loan and two single family homes to the east.

2. The subject properties currently carry two zoning designations. The existing Carnegie Library located on tax lot no. -3600 is currently zoned C-2 and carries a Commercial Comprehensive Plan designation. The other two properties identified as tax lot no.'s -3400 and -3500 are currently zoned R-2 (Medium Density Residential) and carry an MDR plan designation. The applicant's are seeking approval of:

- A. A Comprehensive Plan Amendment on tax lot no.'s -3400 and -3500 from an MDR (Medium Density Residential) plan designation to a COMM (Commercial) plan designation; and
- B. A zone change of all three tax lots to a C-3 (Central Business District) zoning designation; and
- C. A request for a vacation of at least the western one-half of the alley located between Howard and School, and Hancock and Sheridan Streets.

3. Approval of this request would be necessary in order to allow for the construction of a 12,500 ± sq. ft. addition on to the existing Carnegie Library building. The building, as proposed, could not be authorized under the existing zoning designations without receiving a substantial variance to the parking requirements identified within the Newberg Zoning Ordinance.

4. Libraries are considered to be an outright permitted use within the R-2, C-2 and C-3 zoning designations.

5. The construction of a 12,500 square foot addition to the existing Carnegie Library in the location proposed would be consistent with the purpose and description of the C-3 (Central Business District) zoning designation as:

- A. The location proposed provides for an addition to the existing Carnegie Library which is the existing location for library services within the City of Newberg.

- B. The expansion will provide for the addition and preservation of the Carnegie building which is a local historic landmark.
 - C. Parking for this facility should be provided on an area wide basis rather than a site/use specific basis because all adjoining lands are currently developed and the public library has been approved by the voters of the City of Newberg for expansion at this location.
6. The request will allow for the construction of a 12,500 square foot addition to the existing Carnegie Library facility which now contains 4,200 square feet in area. The expansion of the library facilities will provide for the needs of the existing service area population and will provide adequate area to meet the needs of anticipated population growth for the next 15-20 year time period. The request does not conflict with the goals and policies identified within the Newberg Comprehensive Plan.
7. Using the Proposed Standards of Adequacy for Oregon Libraries, published by the Oregon Library Association, a need has been demonstrated for at least 13,000 square feet of library service facilities to meet the existing population demands. Further, there is a public need to expand the existing library facilities to accommodate not only existing service area demands, but must include adequate area to meet anticipated future demands generated from population growth. The Library, once completed, will contain a total of approximately 17,000 square feet in area which will accommodate growth projections for the Newberg library service area for approximately a 15-20 year time period.
8. The need to expand library facilities is best served by changing the Comprehensive Plan designation and Zoning designations as identified within this request. These properties are best suited for the expansion over other properties in order to preserve the historic character of the building, provide an expansion of the existing facility and in order to reduce the overall public costs for the project.
9. Notice of this request was placed within the Newberg Graphic Newspaper, was mailed to all adjoining property owners within 250 feet of the subject properties and was submitted to affected agencies and City departments. No written objections were received relating to this request.
10. A vacation of the alley located between Howard and School, Hancock and Sheridan Streets is necessary to allow for the expansion of the existing Carnegie Library in a northerly direction as otherwise, the building would have to be separated into two distinct structures to allow for the intervening public use of the alley provided an easement is granted to the owners of adjoining properties for access purposes.

MEMORANDUM
April 30, 1984

TO: Mike Warren, City Manager

FROM: Clay Moorhead, Planning Director *ewm*

RE: A request from "Little Critters II" pet shop to construct a billboard on private property located in the vicinity of Orchard Equipment off of Highway 99W on the west end of town.

At the last regular meeting of the Newberg City Council, the Council did continue this matter to allow adequate time for the applicants to contact the State Department of Transportation regarding the state requirements for the construction of the billboard. I have been in contact with Shelly from the pet store and she has indicated to me that she has contacted the state and obtained the necessary forms to apply for an authorization through their department. A copy of these forms are attached.

As indicated previously, the Newberg Ordinance which regulates billboards states that any application for the construction of a billboard must be submitted to the City Council who "shall have the right to grant or refuse such license in their discretion as they see fit." The Council should carefully consider this request as the decision made by the Council could set a precedent for other similar requests to erect billboards within the community. If the City Council did authorize the request, the following conditions should be considered:

1. That the billboard is only authorized to be erected for a period not longer than one year from the date of approval.
2. If a painted sign is to be used, then the sign must be painted and prepared by a professional who commonly does such work. The design and layout of the sign must be submitted to the Newberg Planning Department for review in advance of its actual construction.

Again, it should be pointed out that adequate locations do exist on the Highway 99W system which could accommodate a pet store, thereby allowing a sign to be erected directly on the building facing traffic. The applicant's business was previously located at the corner of First and Blaine Streets. They have subsequently made a decision to move their business to an area with very limited traffic. The City is not required to encourage commercial traffic into secluded locations through the authorization of advertising through the placement of billboards. A second comment to consider is that there are at least two billboards between the City of Newberg and Dundee which can be used for advertising. Other businesses within Newberg have used these signs to advertise the location of their business. I have also attached a copy of the memorandum from the previous Council meeting which further identifies their request.

Council packet
rrc mo

MEMORANDUM
22 March 1984

TO: Mike Warren, City Manager

FROM: Clay Moorhead, Planning Director

RE: A request from "Little Critters II" pet shop to construct a billboard on private property located in the vicinity of Orchard Equipment off of Highway 99W on the west end of town

The City does have an ordinance which provides for the regulation and authorization of billboards. A billboard is any type of advertising sign which is used to advertise any business or institution not conducted on the premises where the sign is located. The Little Critters pet store used to be located in a storefront at the corner of Blaine and First Street. They have now moved into a building which was previously used for auto repair, located at 205 S. Harrison.

The ordinance which regulates billboards states that any application for the construction of a billboard must be submitted to the City Council who "shall have the right to grant or refuse such license in their discretion as they see fit." There are no other standards identified in the ordinance for authorizing or rejecting the application. If a license to construct a billboard is authorized by the Council, then the applicant must pay the sum of \$2.00 as an annual fee for each face of the billboard. In this particular request, since the billboard would have two sides, a \$4.00 annual fee would be charged.

Within the last 5 year time period, there have been no applications submitted for the construction of a billboard, nor has there been any approval authorized by the Council for the construction of any billboard within Newberg.

Although the ordinance does not identify any standards to be used for approving or denying the request, any decision made on this request should be consistent with any future requests by individuals for billboards. My first reaction to this request would be to recommend a denial in that billboards clutter the roadway area and detract from the visual aspects of the community. Additionally, the applicants have made a deliberate decision to move from a location on First Street to an area which has very limited traffic. To make up for this, they wish to advertise on the highway their new location. The other issue that must be addressed is the aesthetics and construction of the sign itself. It is my understanding at the time of writing this memo, that the sign would be essentially the same as the sign that is located in front of the current pet store, only larger. The sign that is currently located in front of the pet store is erected on two 4 x 4 posts, having a 4 x 8 sheet of painted plywood to act as the actual sign. It is my opinion that this type of sign is not considered to be durable or attractive under modern business practices.

At this point in time, I would recommend that the City not authorize billboards within the community.

3-16-84

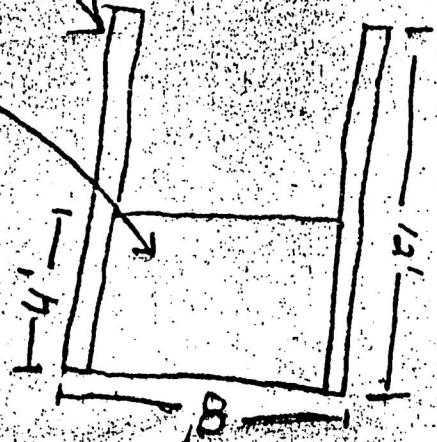
Off. Citters II has applied
at the address below for
lease on their property for sign.

The owner of this property
is Gary Weiss - 594 Paseo
Companeros, Chico, CA 95926
has okayed the lease for \$10⁰⁰
each month from year to year
basis.

~~Manager~~
Manager Larry Christensen
of property at: Oregon Orchard Equip.
616 W 1st
Newberg, OR 97132
538-5225

Sign will be placed 16' off
City side walk.
4x6's cemented
4 1/2" into ground

3/4" Plywood
High quality



10' H. 0/
4x8' sign

Property
Line

Orchard
Equipment &
Supplies
616 W 1st

Dunder
berg

+exc
605 54

IX 1

MEMO

TO: City Council

DATE: April 30, 1984

FROM: City Manager

SUBJECT: Ballot Measure 2

In 1983 the Oregon State Legislature passed House Bill 2916 and referred it to the voters at the May 15, 1984 primary election. If passed, this measure would increase car and light truck registration fees from \$10 a year to \$20 a year.

I bring the attached material to your attention tonight (given to me by the City Engineer) for two reasons. First, as elected officials you will undoubtedly be asked questions about various measures at the primary election. This information should help you become better acquainted with ballot measure 2. The second reason is that this measure could have a very large effect on the City's street tax fund.

Revenue that will be generated from ballot measure 2 would amount to \$17.6 million in the 1984-85 state budget and over \$48 million the next fiscal year. Local government, such as Newberg, may use this money for roads or bridges. The approximate share in 1984-85 for the City of Newberg would be \$16,000 and in the following year it would be \$44,000. The added revenue would be used together with the increase in the gas tax of the last legislature to attempt to get our rehabilitation and repair program on track. Many of the streets in Newberg which were built in the late 1960's under the LID method are at the stage where they could use maintenance work.

Our City Engineer is familiar with this issue and he and I invite questions on the ballot measure at the City Council meeting.


Michael Warren
City Manager

MW/bjm

Enc.

X 2

Page
Agenda

BALLOT MEASURE 2 FACT SHEET

Background: HB 2916 was passed by the 1983 Legislature and referred to the voters at the May 15, 1984, Primary Election. If approved by the voters, the measure would be implemented in October 1984.

Provisions: Measure 2 provides that car and light truck registration fees would increase from \$10 a year to \$20 a year.

The state share of the new revenue must be used as a "first priority" for repair and replacement of bridges. There are no restrictions on local government's share of the revenue.

Special classes of vehicles would receive proportional fee increases. There would be no increase for recreational vehicles, motorcycles, publicly owned vehicles, and several other minor categories.

Revenue Impact: If the voters approve, Highway Fund gross revenue would increase as follows:

	<u>1983-85</u>	<u>1985-87</u>
County share	\$ 3.6 million	\$ 9.7 million
City share	2.1 million	5.9 million
State share	<u>11.9 million</u>	<u>32.8 million</u>
TOTAL	\$17.6 million	\$48.4 million

FACTS ABOUT



What does this ballot measure propose?

Measure 2 on the May 15 Primary Election Ballot proposes to increase vehicle registration fees.

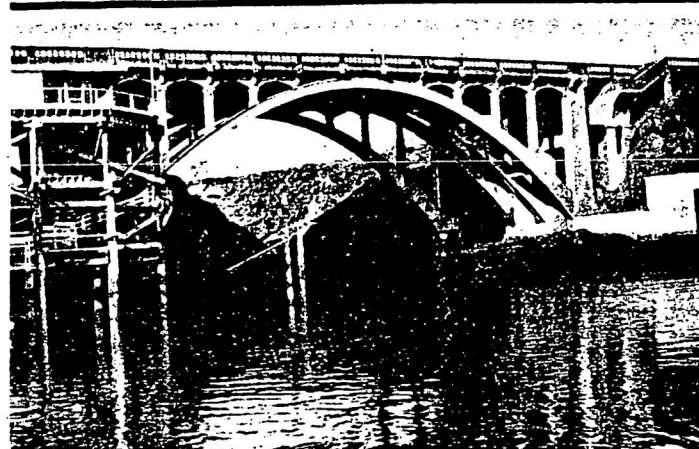
The current fee is \$10 per year for most vehicles, with a \$20 payment made every two years. The new fee would be \$20 per year, with a \$40 payment made every two years. The increase would become effective on October 1, 1984.

The measure is a result of HB 2916, which was passed and referred to the voters by the 1983 Oregon Legislature.

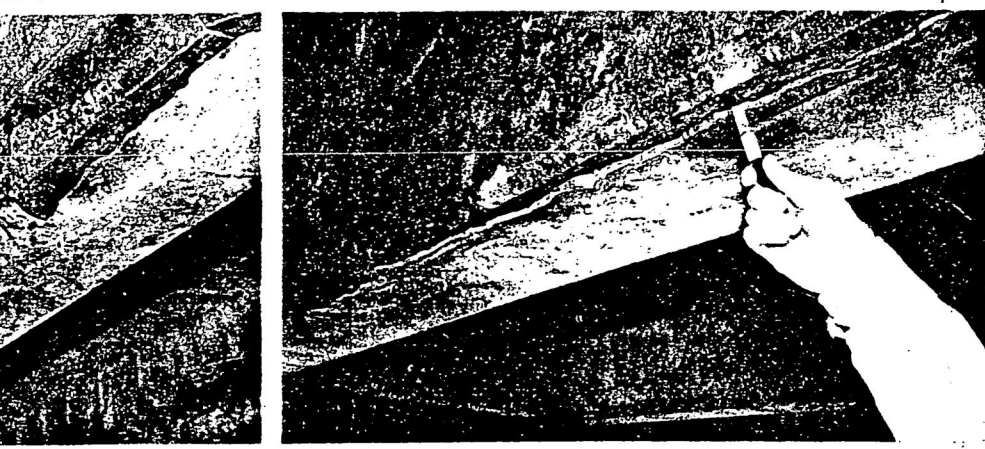
What will the increased fees be used for?

Bridge maintenance, repair and replacement is the "first priority" for revenues received from the fee increases proposed in this measure.

Cities and counties would also get a share of the increase, but they would not be required to give priority to bridge repair or replacement. Their funds would be applied to their road systems wherever the need was greatest.



The Depoe Bay Bridge was built in 1927 and widened in 1939. Normal life expectancy of our coastal bridges is about 50 years--most are



nearing that now. Yet, there aren't enough bridge funds to place or overhaul all of them. Measure 2 is intended to help.

Why are the funds dedicated for bridges?

Nearly half of the nation's bridges have been classified as "structurally deficient" or obsolete, meaning they are unable to support all types of traffic, or do not meet modern standards. The evaluation was made by the U.S. Department of Transportation.

Oregon certainly has its share of such bridges--including many of our important bridges on the Coast Highway. Currently, more than one-fifth of the state-owned bridges need to be replaced or repaired. In all, engineers have rated more than 1,800 city, county and state bridges in Oregon as below par.

Furthermore, Oregon's bridges are deteriorating faster than they can be fixed with existing funds. That's according to the 1983 State Highway System Preservation Report, prepared by the Highway Division.

Don't gas tax revenues cover bridge needs?

Yes and no. Revenues Oregon receives from federal and state gas taxes are inadequate to address this state's mounting bridge repair and replacement problems. State highway engineers estimate that about \$250 million is

needed over the next few years to meet Oregon's bridge needs.

The additional revenue from this measure--about \$33 million for the 1985-1987 biennium--would help to accelerate bridge work and bring many of those bridges up to appropriate standards.

Are Oregon's bridges safe?

Oregon's bridges are not in danger of falling down, but the cost of keeping them safe is accelerating. Many of them have outlived their average life expectancy of 30 to 50 years, but a careful bridge inspection program identifies needed repairs long before they become hazards. Each year, however, the number of needed repairs increases.

When did vehicle registration fees last increase?

The present \$10 annual fee for cars was set 35 years ago (in 1949). Oregon ranks among the lowest of all states for vehicle registration fees.

Does Measure 2 increase fees for trucks and other vehicles?

Yes. Registration fees for heavy trucks would

go up by \$10 per year if this measure is approved, plus \$5 for each 2,000 pounds (or portion of 2,000 pounds) that exceeds 48,000 pounds.

Farm truck and trailer fees would increase from 40 cents to 60 cents per 100 pounds for those weighing 3,000 to 4,500 pounds; and from 60 cents to 80 cents per 100 pounds for vehicles weighing over 4,500 pounds.

Several categories of vehicles are exempt from the increase. Recreational vehicles, motorcycles, publicly owned vehicles, and a variety of specialized vehicles, will pay no increase under this measure.

The measure proposes to increase registration fees proportionally for special classes of cars, including antique and electric automobiles.

How much revenue will Ballot Measure 2 generate?

If the voters approve Measure 2, the Highway Fund gross revenue increase will be:

	1983-1985	1985-1987
County share	\$ 3.6 million	\$ 9.7 million
City share	\$ 2.1 million	\$ 5.9 million
State share	\$11.9 million	\$32.8 million
TOTAL	\$17.6 million	\$48.4 million

X2

MEMO

TO: City Council

DATE: April 30, 1984

FROM: City Manager

SUBJECT: Sewerage Master Plan Update 1984

One of the many prerequisites for federal funding is a public hearing on the master plan update of our sewer facility plan.

The attached notice has been published by the City of Newberg and indicates a hearing by the Newberg Planning Commission on May 17, 1984 and by the Newberg City Council on May 29, 1984, at 7:30 p.m.

I bring this to your attention at the May 7, 1984 City Council meeting to inform you and the public of this Special City Council meeting.


Michael Warren
City Manager

MW/bjm

Enc.

X 3

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, THAT THE CITY OF NEWBERG WILL HOLD PUBLIC HEARINGS FOR THE PURPOSE OF REVIEWING AND TAKING TESTIMONY RELATING TO THE SEWERAGE MASTER PLAN UPDATE 1984, a Public Sewer Facility Plan. This Plan has been designed to identify the existing and projected demands for wastewater treatment to meet the needs of Newberg's urban population and development. The plan corresponds to the City's acknowledged plan and implements policies which promote the efficient arrangement of public facilities and services to serve as a framework for urban development. The recommendations and findings identified within the public sewer facility plan will be presented. These recommendations and findings include: overall financial information; an assessment of the existing sewer treatment plant and facilities; the need to maintain certain standards for water quality and pollution control; a description of new facilities needed to accommodate existing and future demands and other information relating to water quality treatment.

The hearing will be conducted to record testimony on:

- a. The environmental effects of recommendations in the Sewer Facility Plan.
- b. Financial information as required by the U.S. Environmental Protection Agency.

A draft copy of the City of Newberg Sewerage Master Plan Update 1984, a public sewer facility plan, will be available after April 20 for inspection at the payment counter, the City Manager's office, and the office of the Public Works Department, Newberg City Hall, 414 E. First Street, Newberg, and at the Newberg Public Library, 503 E. Hancock, Newberg.

The general public is encouraged to attend the hearings and participate in the review of this document.

PUBLIC HEARINGS WILL BE HELD on May 17, 1984 at 7:30 PM in the Newberg City Council Chambers by the Newberg Planning Commission and on May 29, 1984 at 7:30 PM in the Newberg City Council Chambers by the Newberg City Council.

Written testimony will be received at Newberg City Hall up until 5:00 PM on May 29, 1984. Any person wishing to speak for or against the above proposal may do so in person or by attorney at the time and place stated above.

Publish: April 11 and 18, 1984

Arvilla Page, City Recorder

X 3

MEMO

TO: City Council

DATE: May 2, 1984

FROM: City Manager

SUBJECT: Sewer Bond Payment Methods

Members of the City Council have asked that we discuss the issue of the bonded indebtedness "split" between rates and/or taxes. As you know the brochures that have been printed have indicated a possibility of a 50/50 split. City Council has not yet decided.

There are a couple choices the City Council has to make at this City Council meeting. I believe it is a good idea to at least go over the issue and hear some very specifics on rates. The City Council can then decide on the split or can decide to wait until the bond measure has been passed and tackle the issue at that time. There are advantages both ways.

I will be putting together an explanation memo on some excellent numbers that will be presented to you at the City Council meeting. I will deliver the packets of information to your homes on Thursday or Friday before the City Council meeting. On the night of the City Council meeting I will have an overhead projector and will make an oral presentation on various alternatives. The alternatives will range from putting the bonded indebtedness all onto taxes to putting the bonded indebtedness all onto rates. I will also explain and show the possibilities of a 25/50/75 percent split. This should give some real good figures for you to contemplate before making a decision.

I will only be giving you the \$7 million alternative (full amount under 75% funding) in an effort to keep the matter as simple as possible. If we do not receive 75% funding we will then begin the task of putting together some other numbers that will be more accurate.

I believe you will be very impressed with the chart and the explanation and I further believe that it will be in a format that you will be able to understand easily.



Michael Warren
City Manager

MW/bjm

Enc.

X 4

What are the problems with our current plant?

The four main areas of concern are:

1. The current sewage treatment plant has served its useful life. Most of the equipment has greatly exceeded the normal 15-year life and needs to be replaced. The plant was built along the river on an unstable riverbank, and structural problems have resulted from the soil instability.
2. The current sewage treatment plant is not able to handle the wastewater flows and loadings. Often the raw sewage is diverted directly into Hess Creek, Chehalem Creek and the Willamette River. The existing plant has very limited capacity to treat the peak flows experienced during the storm events.
3. Our current plant is not able to handle the future growth capacity for business or industry.
4. The Department of Environmental Quality has mandated new environmental discharge requirements in the new discharge permit issued to the City January 1, 1984. At the present time, these requirements could not be met with the existing plant.

What are our alternatives?

1. Do nothing? The Department of Environmental Quality has said that if the City does not take action, a sewer connection moratorium or building moratorium likely will be placed on the City sometime in the near future. This will mean no growth for housing, business or industry. It will also mean no expansion for current industries or businesses that are on the verge of expansion.
2. Renovate current facility? This would require money to be spent on ground stabilization, replacing equipment, major structural repairs, general upgrading of the plant and construction of a second facility just to accommodate our current flows within the new DEQ discharge requirement. This would not consider future growth of our community. This alternative has been evaluated and is more expensive (due to the addition) than a new plant of equal capacity.
3. Pursue federal assistance and build a new plant? Although it will increase rates, this alternative is the least expensive for the long-term needs of our City. It will resolve the environmental problems and capacity issue. Federal assistance is based on this alternative being the least expensive.

Is this a "growth versus no growth" issue?

The Department of Environmental Quality is not concerned about Newberg's growth. It is concerned about the water quality coming from the wastewater treatment plant and direct bypasses from the collection system. The Department of Environmental Quality has said that if the bond measure fails and although a building moratorium is placed on the City of Newberg, we still would be expected to remedy our discharge water quality problems (with 100% local money) by October 1, 1988. This would require construction to begin in 1986, only one year later than our present, federally-funded plan.

What is the difference between getting a grant this year and next year?

If we receive a grant in 1984, it will be for 75 percent of eligible costs associated with the new sewage treatment plant. If we receive a grant in 1985, it will be for 55 percent of the costs of replacing our current facility — not taking into account any growth capacity. The City is attempting to meet all federal and state grant requirements this year by demonstrating financial capability, obtaining the site and completing engineering plans by August. Achieving this will greatly improve the City's position on the grant list, and hopefully we will move from the 1985 list up to the 1984 project list.

Will a new plant really cost \$9.1 million?

This figure represents the high end of our local share. IF we do not receive funding this year and must wait for the 55 percent grant next year, and IF the expenses for the plant cannot be lowered, and IF all the contingency costs are needed, it may cost as much as \$9.1 million for our local share. HOWEVER, if we receive federal funding this year from the Department of Environmental Quality, and if costs can be lowered, our expenses could be as low as \$5.5 million.

The City has chosen to put the highest costs on the ballot because we must be in a position to demonstrate to the Department of Environmental Quality all of our financial capability within the year they expect to fund our project. Also, it is costly to local taxpayers to bring an issue back to a vote of the people for additional money. The City may not need the full \$9.1 million, and if this is the case, the City will not sell all of the bonds, and rates and taxes will be proportionately lower.

How much will this cost the average homeowner?

Bonds sold to finance the local share of the project can be repaid through the sewer rates (monthly sewer bill), increasing the City property tax or a combination of both. The actual split between these two repayment methods will be considered by the City Council in the near future. As an example, a 50/50 split would impact the average homeowner (\$62,000 assessed value) as follows:

	75% Funding	55% Funding
Increase in Property Tax*	\$90-\$107/year**	\$130-\$144
Increase in Sewer Rate	\$4.00-\$6.00/mo.	\$6.50-\$8.00

*After the initial increase, property tax will decrease \$3 to \$8 per year as the bonds and other existing city debt is paid.

**A range is shown due to possible variations in funding eligibility and construction costs. Sewer rates will increase in future years due to required capital recovery and maintenance costs.

Isn't this a lot of money?

Yes. There is no question that the issue is expensive and complicated. It is difficult for anyone to talk about higher taxes or user rates in today's economic climate. But with the need evident and the grant money available, a new sewage treatment plant should be discussed and current costs should be weighed against future costs.

Will a new plant solve our problems?

The proposed program will eliminate the existing bypassing of raw sewage, meet the new environmental discharge regulations of the Department of Environmental Quality, and provide for the growth identified in the Comprehensive Plan. The thousands of hours that have gone into the facility plan and the design of this plant (including a possible expansion around 1997) will insure that our needs will be met until the year 2005. Beyond that time additions to the plant to accommodate growth should be relatively easy with the proposed process and site.

What effect will a new plant have on the average person in Newberg?

By taking advantage of federal assistance, which may pay as much as \$3 out of every \$4, it should save the residents and businesses considerable money. If we attempt to build a new plant or resolve the bypass problems into the Willamette River sometime in the future, the likelihood of the availability of grant monies will be greatly reduced (the current federal law expires next year) and the construction costs will be higher.

The Newberg economy will be helped by a new sewage treatment plant by providing jobs through industrial and/or business growth. Few industries are going to take a chance on locating in Newberg if a building moratorium is likely to be imposed by the Department of Environmental Quality. More jobs and additional industries or businesses will bring down everyone's property tax rate by expanding the base. The actual construction could also be a benefit to the Newberg economy in that possibly up to a third of the cost could be spent locally on labor, materials and sub-contract services.

Summary:

The major issue before us is the preservation of our environment. Thirty years ago the Willamette River was unsafe for water contact activities. Today, under the stringent DEQ discharge requirements, we can swim in the Willamette River and boat on it. To keep our river an attraction for family recreation, the City of Newberg should consider a commitment to improve our waste treatment system.

Whether we are concerned about our environment, future industrial growth, expansion of current businesses or industries, or simply maintaining quality residential service, the sewage treatment plant issue deserves strong consideration. The Department of Environmental Quality is not going to wait much longer for us to make up our minds. We must show the State that we are interested in doing our part to resolve this problem.

Learn the facts! Express your views! Vote on May 15!

414 E. First St.

Newberg, Oregon 97132



RESIDENT

BULK RATE
U. S. POSTAGE
PAID
PERMIT No. 184
NEWBERG, OR

CITY OF NEWBERG

Sewerage System Improvements



April 1984



Federal Assistance . . Now or Never ?

On May 15, 1984 one of the most important and expensive issues ever to face the City of Newberg will be presented as a ballot measure. The measure will ask the people of Newberg to fund as much as \$9.1 million for the local share of a new sewage treatment plant.

The sewage treatment plant issue is not a new one for our City. The need for a new plant has been discussed for many years and in 1981 was listed as the number one priority for our community by the Mayor's Task Force. The issue becomes even more critical this year because 1984 represents the last year of 75 percent federal funding. The City is making every effort to place itself in a position to be eligible for federal assistance, should it be offered to Newberg.

History

Our original sewage treatment plant was built in 1948, providing primary treatment for a population of 3,900. Secondary treatment was added in 1960, with an expansion in 1970 to the current capacity. During the past 36 years our population has increased almost 300 percent! We have spent approximately \$2 million on repairs and maintenance and the plant has operated only marginally over the past few years.

MEMO

TO: City Council

DATE: April 30, 1984

FROM: City Manager

SUBJECT: Water Service Outside the City

This issue has not yet gone to the Public Works Committee but will be going to them between the time the packets are made up and the night of the City Council meeting. I'm sure that they will have a recommendation by May 7, 1984.

For several years the City has desired a better access to our water reservoirs. The present access is not very good, especially for large equipment. Mrs. Bonzi is the owner of a parcel of land which borders our water reservoir. She is interested in granting us access through her property in exchange for water service.

The City Engineer has discussed this with our Superintendent of Maintenance, Hal Turpen, and Mr. Turpen feels that getting access rights over this road would be an extreme advantage to his operation. The cost to the City would be \$1,700 in lost system development charges, \$400 in connection materials for the water line and water service and \$400 in crushed rock and a gate.

Should the City Council wish to proceed we would need a motion of the City Council to enter into an agreement with Mrs. Bonzi.


Michael Warren
City Manager

MW/bjm

Enc.

X 5

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBERG, OREGON,
PAYING TRIBUTE TO VOLUNTEER FIREMAN CAPTAIN STAN GAIBLER.

WHEREAS, the Newberg Fire Department is predominately staffed
with volunteer firemen; and

WHEREAS, Stan Gaibler has been a member of the Newberg Fire
Department for over 19 years; and

WHEREAS, Stan Gaibler has been appointed a Captain of the
Newberg Fire Department; and

WHEREAS, Stan Gaibler has given of his time and energy to
serve the area in and around Newberg by providing emergency
fire services not only to the City of Newberg, but to the
residents of the entire Newberg Rural Fire Protection District;
and

WHEREAS, during the years of Stan Gaibler's service the Newberg
Fire Department has established an excellent fire prevention
record and has an extremely low fire loss record.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of
Newberg, Oregon, that tribute is hereby paid to Captain Stan
Gaibler for his years of service and dedication to the safety
of the residents of the City of Newberg through his 19 years
of service as a Newberg Volunteer Fireman and presents Captain
Stan Gaibler with a certificate of appreciation on behalf of
the residents of the City of Newberg, Oregon.

ADOPTED by the City Council of the City of Newberg, Oregon,
this 7th day of May, 1984.

Elvern Hall - Mayor

Arvilla Page - City Recorder

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBERG, OREGON,
PAYING TRIBUTE TO VOLUNTEER FIREMAN LIEUTENANT DOUGLAS CLOEPFIL.

WHEREAS, the Newberg Fire Department is predominately staffed
with volunteer firemen; and

WHEREAS, Douglas Cloepfil has been a member of the Newberg Fire
Department for over 15 years; and

WHEREAS, Douglas Cloepfil has been appointed a Lieutenant of
the Newberg Fire Department; and

WHEREAS, Douglas Cloepfil has given of his time and energy to
serve the area in and around Newberg by providing emergency
fire services not only to the City of Newberg, but to the resi-
dents of the entire Newberg Rural Fire Protection District; and

WHEREAS, during the years of Douglas Cloepfil's service the
Newberg Fire Department has established an excellent fire
prevention record and has an extremely low fire loss record.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of
Newberg, Oregon, that tribute is hereby paid to Lieutenant
Douglas Cloepfil for his years of service and dedication to
the safety of the residents of the City of Newberg through his
15 years of service as a Newberg Volunteer Fireman and presents
Lieutenant Douglas Cloepfil with a certificate of appreciation
on behalf of the residents of the City of Newberg, Oregon.

ADOPTED by the City Council of the City of Newberg, Oregon, this
7th day of May, 1984.

Elvern Hall - Mayor

Arvilla Page - City Recorder

RESOLUTION NO.

A RESOLUTION AUTHORIZING AN ADDITIONAL REPRESENTATIVE TO ACQUIRE FEDERAL SURPLUS PROPERTY FROM THE OREGON STATE AGENCY FOR SURPLUS PROPERTY.

BE IT RESOLVED by the City Council of the City of Newberg, and hereby ordered that the officials and/or employees whose names are listed below shall be and hereby are authorized as representatives to acquire federal surplus property from the Oregon State Agency for Surplus Property under the terms and conditions listed on Exhibit "A" which is hereby attached and made a part of this resolution.

Michael Warren, City Manager
Brenda Stroud, Finance Director
Arvilla Page, City Recorder
Robert Sanders, Public Works Director
David Bishop, Police Chief
Elmer Christensen, Fire Chief

ADOPTED by the Council this 7th day of May, 1984.

Arvilla Page - City Recorder

RESOLUTION

"BE IT RESOLVED by the Governing Board, OR by the Chief Administrative Officer of those organizations which do not have a governing board, and hereby ordered that the official(s) and/or employee(s) whose name(s), title(s), and signature(s) is (are) listed below shall be and is (are) hereby authorized as our representative(s) to acquire federal surplus property from the Oregon State Agency for Surplus Property under the Terms and Conditions listed on the reverse side of this form."

NAME (Print or type)	TITLE	SIGNATURE
<u>Michael Warren</u>	<u>City Manager</u>	_____
<u>Brenda Stroud</u>	<u>Finance Director</u>	_____
<u>Arvilla Page</u>	<u>City Recorder</u>	_____
<u>Robert Sanders</u>	<u>Public Works Director</u>	_____
<u>David Bishop</u>	<u>Police Chief</u>	_____
<u>Elmer Christensen</u>	<u>Fire Chief</u>	_____

PASSED AND ADOPTED this 7th day of May, 1984, by the Governing Board of the City of Newberg, Oregon

I, Arvilla Page, Clerk of the Governing Board of the City of Newberg, Oregon do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the Board at a regular meeting thereof held at its regular place of meeting at the date and by the vote above stated, which resolution is on file in the office of the Board.

City of Newberg
Name of organization
414 E. First Street
Mailing address

Newberg, OR. 97132
City County ZIP Code

[Signed]
(Legally Authorized Official)

OR

AUTHORIZED this _____ day of _____, 19____, by:

Name of chief administrative officer

Name of organization

Mailing address

Title

City County ZIP Code

[Signed]
(Legally Authorized Official)

TERMS AND CONDITIONS

(A) THE DONEE CERTIFIES THAT:

- (1) It is a public agency; or a nonprofit educational or public health institution or organization, exempt from taxation under Section 501 of the Internal Revenue Code of 1954; within the meaning of Section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, and the regulations of the Administrator of General Services.
- (2) If a public agency, the property is needed and will be used by the recipient for carrying out or promoting for the residents of a given political area one or more public purposes, or, if a nonprofit tax-exempt institution or organization, the property is needed for and will be used by the recipient for educational or public health purposes, and including research for such purpose. The property is not being acquired for any other use or purpose, or for sale or other distribution; or for permanent use outside the state, except with prior approval of the state agency.
- (3) Funds are available to pay all costs and charges incident to donation.
- (4) This transaction shall be subject to the nondiscrimination regulations governing the donation of surplus personal property issued under Title VI of the Civil Rights Act of 1964, Title VI, Section 606, of the Federal Property and Administrative Services Act of 1949, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended.

(B) THE DONEE AGREES TO THE FOLLOWING FEDERAL CONDITIONS:

- (1) All items of property shall be placed in use for the purpose(s) for which acquired within one year of receipt and shall be continued in use for such purpose(s) for one year from the date the property was placed in use. In the event the property is not so placed in use, or continued in use, the donee shall immediately notify the state agency and, at the donee's expense, return such property to the state agency, or otherwise make the property available for transfer or other disposal by the state agency, provided the property is still usable as determined by the state agency.
- (2) Such special handling or use limitations as are imposed by General Services Administration (GSA) on any item(s) of property listed hereon.
- (3) In the event the property is not so used or handled as required by (B)(1) and (2), title and right to the possession of such property shall at the option of GSA revert to the United States of America and upon demand the donee shall release such property to such person as GSA or its designee shall direct.

(C) THE DONEE AGREES TO THE FOLLOWING CONDITIONS IMPOSED BY THE STATE AGENCY, APPLICABLE TO ITEMS WITH A UNIT ACQUISITION COST OF \$3,000 OR MORE AND PASSENGER MOTOR VEHICLES, REGARDLESS OF ACQUISITION COST, EXCEPT VESSELS 50 FEET OR MORE IN LENGTH AND AIRCRAFT:

- (1) The property shall be used only for the purpose(s) for which acquired and for no other purpose(s).
- (2) There shall be a period of restriction which will expire after such property has been used for the purpose(s) for which acquired for a period of 18 months from the date the property is placed in use, except for such items of major equipment, listed hereon, on which the state agency designates a further period of restriction.
- (3) In the event the property is not so used as required by (C)(1) and (2) and federal restrictions (B)(1) and (2) have expired then title and right to the possession of such property shall at the option of the state agency revert to the State of Oregon and the donee shall release such property to such person as the state agency shall direct.

(D) THE DONEE AGREES TO THE FOLLOWING TERMS, RESERVATIONS, AND RESTRICTIONS:

- (1) From the date it receives the property listed hereon and through the period(s) of time the conditions imposed by (B) and (C) above remain in effect, the donee shall not sell, trade, lease, lend, bail, cannibalize, encumber, or otherwise dispose of such property, or remove it permanently, for use outside the state, without the prior approval of GSA under (B) or the state agency under (C). The proceeds from any sale, trade, lease, loan, bailment, encumbrance, or other disposal of the property, when such action is authorized by GSA or by the state agency, shall be remitted promptly by the donee to GSA or the state agency, as the case may be.
- (2) In the event any of the property listed hereon is sold, traded, leased, loaned, bailed, cannibalized, encumbered, or otherwise disposed of by the donee from the date it receives the property through the period(s) of time the conditions imposed by (B) and (C) remain in effect, without the prior approval of GSA or the state agency, the donee, at the option of GSA or the state agency, shall pay to GSA or the state agency, as the case may be, the proceeds of the disposal or the fair market value or the fair rental value of the property at the time of such disposal, as determined by GSA or the state agency.
- (3) If at any time, from the date it receives the property through the period(s) of time the conditions imposed by (B) and (C) remain in effect, any of the property listed hereon is no longer suitable, usable, or further needed by the donee for the purpose(s) for which acquired, the donee shall promptly notify the state agency, and shall, as directed by the state agency, return the property to the state agency, release the property to another donee or another state agency or a department or agency of the United States, sell, or otherwise dispose of the property. The proceeds from any sale shall be remitted promptly by the donee to the state agency.
- (4) The donee shall make reports to the state agency on the use, condition, and location of the property listed hereon, and on other pertinent matters as may be required from time to time by the state agency.
- (5) At the option of the state agency, the donee may abrogate the conditions set forth in (C) and the terms, reservations, and restrictions pertinent thereto in (D) by payment of an amount as determined by the state agency.

(E) THE DONEE AGREES TO THE FOLLOWING CONDITIONS, APPLICABLE TO ALL ITEMS OF PROPERTY LISTED HEREON:

- (1) The property acquired by the donee is on an "as is," "where is" basis, without warranty of any kind.
- (2) Where a donee carries insurance against damages to or loss of property due to fire or other hazards and where loss of or damage to donated property with unexpired terms, conditions, reservations, or restrictions occurs, the state agency will be entitled to reimbursement from the donee out of the insurance proceeds, of an amount equal to the unamortized portion of the fair value of the damaged or destroyed donated items.

(F) TERMS AND CONDITIONS APPLICABLE TO THE DONATION OF AIRCRAFT AND VESSELS (50 FEET OR MORE IN LENGTH) HAVING AN ACQUISITION COST OF \$3,000 OR MORE, REGARDLESS OF THE PURPOSE FOR WHICH ACQUIRED:

The donation shall be subject to the terms, conditions, reservations, and restrictions set forth in the Conditional Transfer Document executed by the authorized donee representative.

MEMO

TO: City Council

DATE: April 30, 1984

FROM: City Manager

SUBJECT: Transfer Resolution

The attached transfers are necessary in accordance with State law. A portion of the monies in the dues, meetings, travel account is attributable to the seminar I attended in Washington, D.C. The professional services monies are due in part to the higher costs of the audit and to the work performed by Acro Logic Research. The municipal court and finance department monies are attributable to new calculators.


Michael Warren
City Manager

MW/bjm

Enc.

Page

A RESOLUTION AUTHORIZING TRANSFER OF FUNDS FROM THE GENERAL FUND, CONTINGENCY ACCOUNT, IN THE AMOUNT OF \$8,510. TO THE GENERAL FUND, GENERAL GOVERNMENT DEPARTMENT, DUES, MEETINGS, TRAVEL, TRAINING ACCOUNT, PROFESSIONAL SERVICES ACCOUNT, OFFICE SUPPLIES ACCOUNT, MUNICIPAL COURT CAPITAL EQUIPMENT ACCOUNT AND FINANCE DEPARTMENT CAPITAL EQUIPMENT ACCOUNT, FOR A TOTAL OF \$8,510.

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 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 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 General Fund, Contingency Account in the amount of \$8,510. for a total transfer from this fund and this account of \$8,510. is hereby authorized and expenditure of funds are authorized for the purposes stated as follows:

<u>Fund/Purpose</u>	<u>Amount</u>
<u>General Fund:</u>	
General Government Dept.:	
Dues, Meetings, Travel, Training	\$2,500.
Professional Services	5,000.
Office Supplies/Postage	800.
Municipal Court, Capital Equipment	190.
Finance Dept. Capital Equipment	<u>20.</u>
 TOTAL GENERAL FUND ACCOUNTS	 \$8,510.

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 7th day of May, 1984.

Arvilla Page - City Recorder

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER OF THE CITY OF NEWBERG, OREGON, TO EXECUTE AND ENDORSE AN AGREEMENT WITH THE LEAGUE OF OREGON CITIES GOVERNING THE LEAGUE'S STATUS AS A UNIT OF LOCAL GOVERNMENT SIMILAR TO OTHER COOPERATIVE INTERGOVERNMENTAL AGENCIES IN WHICH CITIES CREATE AND PARTICIPATE.

WHEREAS, the City Council of the City of Newberg, Oregon, has found that it is necessary and desirable to endorse and adopt the agreement proposed by the League of Oregon Cities.

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

1. That the Mayor and City Manager are hereby authorized to execute and endorse the agreement with the League of Oregon Cities of which the City of Newberg, Oregon, is a member, governing the legal status as a unit of local government similar to other cooperative intergovernmental agencies that cities create and participate in, all this in the State of Oregon, upon the terms and conditions as set forth in an agreement and entitled "Intergovernmental Agreement of Oregon Cities", a copy of which is attached hereto as Exhibit A and incorporated herein by reference.

ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of May, 1984.

Arvilla Page - City Recorder

city council,

*this resolution is a "formality"
requested by the League.*

nm

XI 5

MEMO

TO: City Council
FROM: City Manager
SUBJECT: Street Sweeper

DATE: April 30, 1984

The attached memorandum from the City Engineer indicates the various options available to the City regarding the purchase of a street sweeper.

As you know, our current sweeper is not able to perform efficiently and effectively. It is often in need of repair and, even when "fixed," the sweeper does not perform to the satisfaction of the merchants and residents of our community. Options 1, 2 and 3 fall outside of the funds budgeted by the City. These options were placed in this packet of information to show what the purchase would be if we bought the sweeper outright and what a one-year payment would be on it for the machine. Option 4 and 5 does fall within the abilities of our budget and it is the Finance Director's and my recommendation to proceed with option 5. This option allows us to lease the street sweeper for five years with a buy-out in the fifth year of \$1.00. It also allows the City to purchase the machine during any one of the five years.

As of the date of this memo, the Public Works Committee has not had the opportunity to hear this issue. I'm sure that they will have a recommendation at the City Council meeting of May 7, 1984. In the meantime, it is my recommendation that we award the bid to Feenaughty Machinery under option 5. The City Engineer has said that this company has a machine on order which meets our specifications and could be delivered to us within 30 days.


Michael Warren
City Manager

MW/bjm

Enc.

MEMORANDUM
April 27, 1984

TO: PUBLIC WORKS COMMITTEE
FROM: GREG DILORETO, CITY ENGINEER
SUBJECT: STREET SWEEPER BIDS

On April 25, 1984 we received bids for a new street sweeper. Our bid package contained five different financing options. Those options were:

1. The total purchase price.
2. A one-year lease option.
3. A one-year lease option with a buy-out provision.
4. A five-year lease option with a buy-out provision in the fifth year of \$1.00.
5. A five-year lease option with a buy-out provision in any year.

We structured the specifications around one sweeper because we felt it best suited the needs of the City. This particular sweeper allows the driver to ride up front and sit in the middle of the sweeper as opposed to sitting in the back and having two seats from which he must change depending on which side of the street he is on. In addition, sitting in the front allows a better view of the street and more flexibility. This position is also a benefit in sweeping our corners which jog in and out. In addition, this machine operates on hydrostatic drive, which means that when you step on the gas you go and when you let your foot off you stop. The advantage of this is you don't have a clutch to wear out and replace. Finally, the machine is still only a three wheeler for greater mobility, but has a larger hopper, for holding the swept debris, than all the other machines.

As the above features were unique to this sweeper, we received only one bid. The bid we received was from Feenaughty Machinery for a 1984 FMC Vanguard 3000 sweeper. The result of the five options is shown below:

Option 1 has a purchase price of \$63,631.00. There is no monthly payment and no effective interest.

Option 2 has a cash outlay over the life of \$66,430.80. Monthly lease payment is \$5,535.90, effective interest rate is 8.03%.

Option 3 is \$68,905.98. Monthly lease payment of \$5,300.46, effective interest rate of 13.89%.

Option 4 is a cash outlay of \$78,343.60. Monthly lease payment is \$1,305.71, effective interest rate of 8.51%.

Option 5 is a cash outlay of \$78,343.60. Monthly lease payment is \$1,305.71, effective interest rate of 8.51%

XL 6

A RESOLUTION APPROVING A FIVE YEAR LEASE OPTION AGREEMENT FOR THE PURCHASE OF A 1984 MODEL STREET SWEEPER.

WHEREAS, the City of Newberg has advertised for bids in compliance with Ordinance No. 1793 of the City of Newberg and ORS Chapter 279 for the purchase of a street sweeper; and

WHEREAS, the City is in need of a new street sweeper, due to the deterioration of the current sweeper; and

WHEREAS, the street sweeper specified meets the particular needs of the City of Newberg by allowing the driver to ride up front and sit in the middle of the sweeper for better view; and

WHEREAS, the 1984 FMC Vanguard 3000 Sweeper has other particular features of advantage to the City; and

WHEREAS, after due consideration the staff recommends that the street sweeper be purchased on a five year lease option agreement giving the City the ability to purchase the sweeper in any one of the five years of the lease.

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

1. That for the reasons stated in the whereas clauses above, and in compliance with the public bidding requirements of City Ordinance and State Statute, the City Council of the City of Newberg, Oregon, hereby authorizes the City Staff to enter into a five year lease option agreement for the purchase of a 1984 FMC Vanguard 3000 Sweeper from Feenaughty Machinery for a total cash outlay of approximately \$78,343.60, with a monthly lease payment of approximately \$1,305.71, at an effective interest rate of 8.51%.

2. That the City Manager is hereby authorized to sign said lease option agreement on behalf of the City of Newberg.

ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of May, 1984.

Arvilla Page - City Recorder

MEMO

TO: City Council

DATE: April 30, 1984

FROM: City Manager

SUBJECT: Resolution Authorizing Agreement on Advancement and Waiver
of Fees to Chehalem Park and Recreation District for
Springbrook Park Improvements.

In a cooperative effort to complete the Springbrook Park, the Chehalem Park and Recreation District has asked for advancement of the public land payment fees. The attached materials are prepared for the purpose of facilitating the waiver of public land payment and advancement of public land payment fees to Chehalem Park and Recreation District for the Springbrook Park improvements.



Michael Warren
City Manager

MW/bjm - The \$1000 is the money needed for advancement

Enc. - The \$4250 is the money need to pay into the
water fund for warning system development fees.
Warning the charge does not mean the fund
share will not receive the money.

XI 748

yes

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF NEWBERG AND CHEHALEM PARK AND RECREATION DISTRICT FOR THE PURPOSES OF ALLOWING THE ADVANCED DISBURSAL OF FUNDS TO BECOME DUE TO CHEHALEM PARK AND RECREATION DISTRICT FOR THE DEVELOPMENT OF PARKS FROM PUBLIC LAND PAYMENTS MADE TO THE CITY FOR THE PURPOSES OF MAKING IMPROVEMENTS TO SPRINGBROOK PARK.

WHEREAS, representatives of the City of Newberg have met and consulted with representatives of Chehalem Park and Recreation District for the purposes of providing a method of improving Springbrook Park; and

WHEREAS, City representatives do recommend to the City Council of the City of Newberg that the City enter into an agreement with Chehalem Park and Recreation District which would allow the City to advance to Chehalem Park and Recreation District the total amount of \$4,900. from funds that will become due to Chehalem Park and Recreation District when public land payments are paid pursuant to Ordinance No. 1950, Section 65, as required by Resolution No. 80-819 which was adopted by the City Council of the City of Newberg on February 4, 1980; and

WHEREAS, said agreement, a copy of which is attached hereto as Exhibit A and incorporated herein at this point by reference, provides that the City shall advance to Chehalem Park and Recreation District the amount of \$4,900. for the purposes of making improvements to Springbrook Park and that amounts coming due to Chehalem Park and Recreation District pursuant to Resolution No. 80-819 shall be calculated each year pursuant to said resolution, but shall not be paid again to said District until the advancement amount of \$4,900. is paid back to the City from these funds.

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

1. That the City Council of the City of Newberg, Oregon, does approve the advancement and the agreement which is attached hereto and incorporated herein at this point by reference as Exhibit A to this resolution, in which the City agrees to make an advance payment of \$4,900. to Chehalem Park and Recreation District for the purposes of improvements to Springbrook Park and the District agrees that this amount will be paid back from amounts that will become due to said District under Resolution No. 80-819, with no actual payment being made unto said District until the amount of \$4,900. is paid back to the City in full.

2. That the City Council of the City of Newberg authorizes the City Manager to execute the agreement which is attached hereto and incorporated herein at this point by reference as Exhibit A on behalf of the City.

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

PUBLIC LAND PAYMENT ADVANCEMENT AND PAYBACK AGREEMENT

The City of Newberg

- Chehalem Park & Recreation District

THIS AGREEMENT is made and entered into this _____ day of _____, 1984, by and between the City of Newberg, Oregon, a municipal corporation of the State of Oregon, and Chehalem Park and Recreation District, a park and recreation district formed under ORS Chapter 266. The purpose of said agreement being to facilitate the improvement of Springbrook Park in the City of Newberg, Yamhill County, Oregon, by advancing to Chehalem Park and Recreation District certain funds which will become payable to them in the future from the City of Newberg.

WHEREAS, the City of Newberg, Oregon, owns Springbrook Park, which park is leased to and administered by the Chehalem Park and Recreation District pursuant to its lease agreement with the City of Newberg; and

WHEREAS, the public has expressed a strong desire to see improvements made to Springbrook Park; and

WHEREAS, the Chehalem Park and Recreation District would be unable to make certain improvements to Springbrook Park unless it received the amount of \$4,900. as an advance payment of public land payment funds which will become payable to the Park and Recreation District pursuant to Ordinance No. 1950 of the City of Newberg, Section 65 and Resolution No. 80-819, copies of which resolution and ordinance section are attached hereto and incorporated herein at this point by reference as Exhibit A; and

WHEREAS, ORS Chapter 190 provides that the City and District may enter into written agreement for the purposes of performing any and all of its functions and activities.

NOW, THEREFORE, THE PARTIES, THE CITY OF NEWBERG, YAMHILL COUNTY OREGON, AND CHEHALEM PARK AND RECREATION DISTRICT, DO HEREBY AGREE AS FOLLOWS:

Section 1. That for the purposes of facilitating certain improvements to Springbrook Park, the City of Newberg hereby advances to Chehalem Park and Recreation District the amount of \$4,900. from the City's Capital Improvement Fund, Public Land Account.

Section 2. That Chehalem Park and Recreation District does hereby agree to repay the City of Newberg the amount of \$4,900. so advanced as follows:

- A. Chehalem Park and Recreation District shall not receive further funds pursuant to Ordinance No. 1950, Section 65 and Resolution No. 80-819, a copy of which is attached hereto as Exhibit A and incorporated herein at this point by reference, until such time as the full amount of advancement of \$4,900. is paid back in full from the park's portion of the public land fund.
- B. The amounts calculated pursuant to Resolution No. 80-819 shall continue to be calculated for each year succeeding this agreement but no funds shall be paid to Chehalem Park and Recreation District pursuant to Resolution No. 80-819 until such time as the full amount of \$4,900. is paid back to the City of Newberg from these funds.

- C. Upon payback of the amount advanced under this agreement of \$4,900. the City of Newberg shall recommence payments under Resolution No. 80-819 to Chehalem Park and Recreation District, as long as said resolution is in force.

IN WITNESS WHEREOF the City of Newberg and Chehalem Park and Recreation District, as undersigned, pursuant to ordinance or resolutions duly and regularly adopted have caused these presents to be signed and attested by the officers shown on the day and year first above written.

CITY OF NEWBERG

CHEHALEM PARK AND RECREATION DISTRICT

City Manger

XL 7

A RESOLUTION ESTABLISHING THE METHOD OF DIVIDING BETWEEN THE CITY OF NEWBERG AND CHEHALEM PARK AND RECREATION DISTRICT OF PUBLIC LAND FUNDS COLLECTED BY THE CITY PURSUANT TO THE CITY'S SUBDIVISION ORDINANCE, SECTION 65.

WHEREAS, the City of Newberg collects fees at the rate of \$300.00 per lot in residential subdivisions for public land purposes pursuant to Section 65 of the City's Subdivision Ordinance; and

WHEREAS, the Comprehensive Plan of the City provides on Page 11 Policy Number 8 under Recreation Goal that a portion of these funds shall be allocated for "park and recreation improvements or acquisitions" as the Council shall determine; and

WHEREAS, the Finance Committee of the City at its December 12, 1979, meeting recommended the following stated distribution of the funds.

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

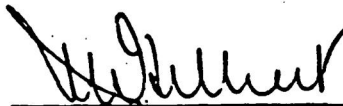
1. The following formula is adopted for distribution of the public land fee collected under Section 65 of the Subdivision Ordinance of the City of Newberg:

1. The funds so collected shall be divided between the City of Newberg and the Chehalem Park and Recreation District (CPR) at the ratio established by taking the average of the last three years tax ratio of the City of Newberg versus the average of the last three years tax ratio of the CPR. This ratio to be established at the December meeting of the CPR and the Finance Committee.

Provided, however, that all funds so distributed to the CPR shall be spent on parks within the City limits of the City of Newberg and provided further, that the CPR shall provide matching funds.

2. The ratio and allocation of public land funds shall be effective as to all fees collected after January 1, 1980.

ADOPTED by the Council of the City of Newberg this 4th day of February, 1980.



M.C. Gilbert - City Recorder

ORDINANCE NO. 1950 (SUBDIVISIONS)

Section 65: Public Land. The provision of public land for school, park, recreation, and other public purposes is considered essential for the proper development of residential areas. The subdivider shall pay to the City for public lands \$300.00 per lot within said subdivision or major partition, and shall pay \$150.00 per dwelling unit in excess of one such unit per lot. The funds accumulated from public land payments as so provided shall be expended for the acquisition or improvement of public lands as determined by the Council.

A RESOLUTION AUTHORIZING TRANSFER OF FUNDS FROM THE CAPITAL IMPROVEMENT FUND, RESERVE FOR CONTINGENCY ACCOUNT TO THE CAPITAL IMPROVEMENT FUND, PUBLIC LAND ACCOUNT IN THE AMOUNT OF \$1,000. AND IN THE AMOUNT OF \$4,250. FOR A TOTAL OF \$5,250.

WHEREAS, funds must be appropriated from the funds and accounts above listed to meet the various city obligations, particularly, to provide funds necessary to advance to Chehalem Park and Recreation District the amount of \$4,900. for improvements to Springbrook Park from funds which will become available to said District from the City Public Land Account, pursuant to Resolution No. 80-819, adopted February 4, 1980; and

WHEREAS, the City Council of the City of Newberg has considered the transfer of funds between various specific accounts of the Capital Improvements 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, as follows, to-wit:

1. That the following transfer of funds from the Capital Improvement Fund, Reserve for Contingency Account, in the amount of \$1,000. for the purpose of providing funds to the public land account for advancement to Chehalem Park and Recreation District 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>	
Public Land Account	<u>\$1,000.</u>
TOTAL CAPITAL IMPROVEMENT FUND	<u>\$1,000.</u>

2. That the following transfer of funds from the Capital Improvement Fund, Reserve for Contingency Account, in the amount of \$4,250. for the purpose of paying for system development fees on public land 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>	
Public Land Account	<u>\$4,250.</u>
TOTAL CAPITAL IMPROVEMENT FUND	<u>\$4,250.</u>

3. That the foregoing transfers shall be made from 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 day
of , 1984.

Arvilla Page - City Recorder

MEMO

TO: City Council

DATE: April 30, 1984

FROM: City Manager

SUBJECT: Amendment to Architect's Contract

I hesitate bringing another amendment to the contract to the City Council. But I believe this amendment, like the other one, is important.

The amount is broken into two parts for a new rendering of the project and \$1,000 for the design work on the expansion of the Children's Library. The architect's rendering is important and will be used particularly in our fund raising activities. It is essential that a visual aid be available for those people that may be interested in donating time and/or money toward the library. When contacts are made with major corporations it is only proper that the City be able to show them what they are donating their money towards.

The \$1,000 to be used for designing additional walls for the expansion of the Children's Library comes about with the thought that if we are going to expand that area now is the time to do it. Once the building is built we will not have that opportunity. The expansion will be shown as an additive alternative in the bids so that if the price is too high we will have the option to drop the project.


Michael Warren
City Manager

MW/bjm

Enc.

XI 9

RESOLUTION NO.

THE CITY COUNCIL SITTING AS CONTRACT REVIEW BOARD AND AS COUNCIL AUTHORIZES MODIFICATION OF THE AGREEMENT FOR PROFESSIONAL SERVICES FOR ADDITIONS TO AND RENOVATION OF NEWBERG CARNEGIE PUBLIC LIBRARY AS AUTHORIZED BY RESOLUTION NO. 83-994, 84-1017 AND 84-1045.

WHEREAS, at its meeting July 5, 1983, the City Council of the City of Newberg sitting as Contract Review Board and as Council authorized the City to enter into an agreement for professional services for architectural work regarding the expansion and renovation of Newberg Carnegie Public Library, with the architectural firm of Danielson, Driscoll, Hess Architects by Resolution No. 83-994; and

WHEREAS, at its meeting January 3, 1984, the City Council of the City of Newberg sitting as Contract Review Board and as Council authorized the City to enter into a modification of the professional services agreement previously authorized to indicate that the firm of Danielson Architects was to fulfill the contract; and

WHEREAS, after extensive review of materials provided by Danielson Architects and other architects, it is recommended that the contract previously authorized be amended to provide that Danielson Architects give the City an additional updated rendering of the new library building for a maximum of \$700.00 and design an interior expansion of the library's children's area for a maximum of \$1,000.00 for a total maximum fee of \$1,700; and

WHEREAS, due to Danielson Architects' indepth knowledge of the structure, the need to eliminate overlap and excess cost, the need to integrate the interior with the rest of the structure, the best services will be provided by Danielson Architects at the least cost; and

WHEREAS, Contract Review Board considers the provision of professional architectural services for additional rendering and interior design to be a contract for personal services and thus, the competitive bidding requirements do not apply; and

WHEREAS, however, as a precautionary measure and because of the need to retain architectural services for these modifications, the Contract Review Board declares that the requirements of Ordinance No. 1793, Section 5 (E & F) are satisfied and it is in the best interests of the public, favoritism not encouraged, competition will remain undiminished and that allowing the waiving of competitive bidding for professional architectural services for these modifications justify the prompt execution of this contract.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newberg, Oregon, sitting as Contract Review Board and as Council as follows, to-wit:

Section 1. Pursuant to the whereas clauses above, which are incorporated herein at this point by reference, the City Council of the City of Newberg, sitting as Contract Review Board and as Council authorizes

amendment of the architectural contract originally authorized by Resolution No. 893-994, as amended by Resolution No. 84-1017 and No. 84-1045 to include an additional updated rendering of the new library building and expansion of the library's children's area.

Section 2. That the City Manager is authorized to sign this amendment to the architectural contract with Danielson Architects for the maximum fee of \$1,700.00.

ADOPTED by the Council of the City of Newberg, Oregon, sitting as Contract Review Board and as Council this 7th day of May, 1984.

Arvilla Page - City Recorder

: MEMO

TO: City Council

DATE: April 30, 1984

FROM: City Manager

SUBJECT: Followup of Public Safety Committee Meeting

For the past few months the Public Safety Committee has approved the installation of several traffic control devices throughout the City. Some of these have required City Council action by Ordinance and we bring this to you tonight. Other matters are explanations to the City Council.

The delay between the action by the Committee and bringing this to the City Council for final approval is a result of poor communication. The City Engineer and Police Chief were unaware of the required action by the City Council because I have not had an opportunity to coordinate their schedules and followup. The followup is generally a function of the Police Chief and with both men being new on the job and a lack of coordination from this office, they were unaware of the requirements. Rest assured, the Police Chief and City Engineer will work closely in the future and this should not happen again.

The enclosed ordinance prepared by the City Attorney is for the installation of stop signs as approved by the Public Safety Committee at the intersection of Sitka and Haworth and County Road 55 and Springbrook Road. Currently, there is a two-way stop at Sitka and Haworth. Installation of the additional two stop signs will render this intersection a four-way stop. County Road 55 intersects Springbrook Road at a 45° angle. Both are major streets, and meet the warrants outlined in the manual on uniform traffic control devices for a stop sign.

The Public Safety Committee also approved installation of crosswalks at the February 3 meeting. We will followup on painting the crosswalks, striping, and no parking zones in the months of May and June, weather permitting. It would be inefficient for us and time consuming to paint crosswalks each time they were approved. The time involved in cleaning our paint machine, plus the little paint that we would need would prove to be quite costly.

A final action taken by the Public Safety Committee was for the installation of 20 mile per hour speed signs on Sitka Street north of Haworth. The City Engineer, the City Attorney and the State Speed Control Board have all discussed this issue. Basically, it comes down to the ability of the City to set speed signs. Oregon Law does not permit cities, counties or the state to set speed limits without first going through the State Speed Control Board and conducting an engineering and traffic survey. It would appear that we do have the right to conduct our own survey according to their standards but it must be approved by the State Speed Control Board prior to erecting any speed signs. We will contact the Board and get the regulations for conducting the study and proceed from there.


Michael Warren
City Manager

MW/bjm

Enc.

jepe

AN ORDINANCE AMENDING ORDINANCE NO. 900, PASSED AND APPROVED MARCH 22, 1940, AS AMENDED, BY ADDING TWO NEW SECTIONS ESTABLISHING STOP STREETS AND DECLARING AN EMERGENCY.

WHEREAS, the Traffic Safety Committee and the Public Safety Committee of the City of Newberg have met and after due consideration, have determined that east and westbound traffic at the intersection of Haworth and Sitka Streets on Haworth Street should be stopped to make the intersection of Haworth and Sitka a four-way stop and that traffic bound southwest on County Road 55, at the intersection of County Road 55 and Springbrook Street should also stop prior to entering Springbrook Street for the safer traffic flow on the above streets; and

WHEREAS, the Traffic Safety Committee, the Public Safety Committee and the City Staff recommend these stop streets to the City Council; and

WHEREAS, because of traffic patterns at these intersections, it is in the best interests for the health, safety and welfare of the people of the City of Newberg that an emergency should be declared to make the stop requirement immediately enforceable.

NOW, THEREFORE, THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. That Ordinance No. 900, passed and approved March 22, 1940, as amended is hereby amended to add a new section which reads as follows:

"Section 4.A.20. All traffic traveling southwestbound on County Road No. 55, before entering the intersection of County Road 55 and Springbrook Street, shall come to a complete stop before entering said intersection."

2. That Ordinance No. 900, passed and approved March 22, 1940, as amended is hereby amended to add a new section which reads as follows:

"Section 4.A.21. All traffic traveling east and westbound on Haworth Street, before entering the intersection of Haworth Street and Sitka Street, shall come to a complete stop before entering said intersection."

3. EMERGENCY CLAUSE. Whereas, it is necessary and proper for the orderly control of traffic in order to protect the citizens of the City using streets within the City that this ordinance become immediately effective for that purpose. NOW, THEREFORE, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

PASSED by the Council of the City of Newberg, Oregon, this 7th day of May, 1984 by the following votes:

Ayes:

Nays:

Absent:

APPROVED by the Mayor this 7th day of May, 1984.

Elvern Hall - Mayor

Exhibit I
Council 5/7/84

	1984-85	1985-86	1986-87	1987-88	1988-89
PROPERTY TAX \$ per year					
OPERATIONS	0	0	0	0	0
A DEBT SERVICE					
EXISTING ISSUES	\$709,742	\$691,998	\$507,672	\$508,198	\$501,928
B NEW ISSUE					
0%	0	0	0	0	0
25%	91,875	211,098	210,939	210,764	210,569
50%	183,750	422,196	421,878	421,527	421,137
75%	275,625	633,294	632,817	632,291	631,706
100%	367,500	844,392	843,756	843,054	842,274
C TOTAL DEBT SERVICE					
0%	709,742	691,998	507,672	508,198	501,928
25%	801,617	903,096	718,611	718,962	712,497
50%	893,492	1,114,194	929,550	929,725	923,065
75%	985,367	1,325,292	1,140,489	1,140,489	1,133,634
100%	1,077,242	1,536,390	1,351,428	1,351,252	1,344,202
D PROPERTY TAX RATES					
ASSESSED VALUE	\$252,879,541	\$257,937,100	\$263,095,800	\$268,357,700	\$273,724,900
EXISTING DEBT	\$2.81	\$2.68	\$1.93	\$1.89	\$1.83
E NEW ISSUE					
0%	0.00	0.00	0.00	0.00	0.00
25%	0.36	0.82	0.80	0.79	0.77
50%	0.73	1.64	1.60	1.57	1.54
75%	1.09	2.46	2.41	2.36	2.31
100%	1.45	3.27	3.21	3.14	3.08
AVERAGE HOUSEHOLD IMPACT PER MONTH (\$62,000 Value)					
F NEW ISSUE ONLY					
0%	0.00	0.00	0.00	0.00	0.00
25%	1.88	4.23	4.14	4.06	3.97
50%	3.75	8.46	8.28	8.12	7.95
75%	5.63	12.69	12.43	12.17	11.92
100%	7.51	16.91	16.57	16.23	15.90
AVERAGE HOUSEHOLD IMPACT PER YEAR (\$62,000 Value)					
G NEW ISSUE ONLY					
0%	0.00	0.00	0.00	0.00	0.00
25%	22.56	50.76	49.68	48.72	47.64
50%	45.00	101.52	99.36	97.44	95.40
75%	67.56	152.28	149.16	146.04	143.04
100%	90.12	202.92	198.84	194.76	190.80

	1984-85	1985-86	1986-87	1987-88	1988-89
H SEWER RATES \$ per month					
OPERATIONS	\$8.09	\$8.93	\$11.76	\$13.01	\$14.66
DEBT SERVICE					
J NEW ISSUE ONLY					
0%	0.00	0.00	0.00	0.00	0.00
25%	1.27	2.92	2.92	2.92	2.91
50%	2.54	5.84	5.84	5.83	5.83
75%	3.81	8.77	8.76	8.75	8.74
100%	5.09	11.69	11.68	11.67	11.66
TOTAL MONTHLY RATE, OPER'N PLUS DEBT SERVICE					
K 0% (from rates)	8.09	8.93	11.76	13.01	14.66
25% (from rates)	9.37	11.86	14.68	15.93	17.57
50% (from rates)	10.64	14.78	17.60	18.85	20.49
75% (from rates)	11.91	17.70	20.51	21.77	23.40
100% (from rates)	13.18	20.62	23.43	24.68	26.32
PROPERTY TAX SHARE, YEARLY HOUSEHOLD IMPACT (\$62,000 Value)					
L 0% (from rates)	90.12	202.92	198.84	194.76	190.80
25% (from rates)	67.56	152.28	149.16	146.04	143.04
50% (from rates)	45.00	101.52	99.36	97.44	95.40
75% (from rates)	22.56	50.76	49.68	48.72	47.64
100% (from rates)	0.00	0.00	0.00	0.00	0.00

	1984-85	1985-86	1986-87	1987-88	1988-89
PROPERTY TAX \$ per year					
OPERATIONS	0	0	0	0	0
A DEBT SERVICE					
EXISTING ISSUES	\$709,742	\$691,998	\$507,672	\$508,198	\$501,928
NEW ISSUE					
0%	0	0	0	0	0
25%	91,875	211,098	210,939	210,764	210,569
50%	183,750	422,196	421,878	421,527	421,137
75%	275,625	633,294	632,817	632,291	631,706
100%	367,500	844,392	843,756	843,054	842,274
C TOTAL DEBT SERVICE					
0%	709,742	691,998	507,672	508,198	501,928
25%	801,617	903,096	718,611	718,962	712,497
50%	893,492	1,114,194	929,550	929,725	923,065
75%	985,367	1,325,292	1,140,489	1,140,489	1,133,634
100%	1,077,242	1,536,390	1,351,428	1,351,252	1,344,202
D PROPERTY TAX RATES					
ASSESSED VALUE	\$252,879,541	\$257,937,100	\$263,095,800	\$268,357,700	\$273,724,900
EXISTING DEBT	\$2.81	\$2.68	\$1.93	\$1.89	\$1.83
NEW ISSUE					
0%	0.00	0.00	0.00	0.00	0.00
25%	0.36	0.82	0.80	0.79	0.77
50%	0.73	1.64	1.60	1.57	1.54
75%	1.09	2.46	2.41	2.36	2.31
100%	1.45	3.27	3.21	3.14	3.08
AVERAGE HOUSEHOLD IMPACT PER MONTH (\$62,000 Value)					
NEW ISSUE ONLY					
0%	0.00	0.00	0.00	0.00	0.00
25%	1.88	4.23	4.14	4.06	3.97
50%	3.75	8.46	8.28	8.12	7.95
75%	5.63	12.69	12.43	12.17	11.92
100%	7.51	16.91	16.57	16.23	15.90
AVERAGE HOUSEHOLD IMPACT PER YEAR (\$62,000 Value)					
NEW ISSUE ONLY					
0%	0.00	0.00	0.00	0.00	0.00
25%	22.56	50.76	49.68	48.72	47.64
50%	45.00	101.52	99.36	97.44	95.40
75%	67.56	152.28	149.16	146.04	143.04
100%	90.12	202.92	198.84	194.76	190.80

	1984-85	1985-86	1986-87	1987-88	1988-89
SEWER RATES \$ per month					
OPERATIONS	\$8.09	\$8.70	\$11.15	\$12.01	\$13.18

DEBT SERVICE

NEW ISSUE ONLY

0%	0.00	0.00	0.00	0.00	0.00
25%	1.27	2.84	2.77	2.69	2.62
50%	2.54	5.69	5.54	5.39	5.24
75%	3.81	8.53	8.30	8.08	7.86
100%	5.09	11.38	11.07	10.77	10.48

TOTAL MONTHLY RATE, OPER'N
PLUS DEBT SERVICE

0% (from rates)	8.09	8.70	11.15	12.01	13.18
25% (from rates)	9.37	11.54	13.91	14.71	15.80
50% (from rates)	10.64	14.39	16.68	17.40	18.42
75% (from rates)	11.91	17.23	19.45	20.09	21.04
100% (from rates)	13.18	20.08	22.22	22.79	23.66

PROPERTY TAX SHARE, YEARLY
HOUSEHOLD IMPACT (\$62,000 Value)

0% (from rates)	90.12	202.92	198.84	194.76	190.80
25% (from rates)	67.56	152.28	149.16	146.04	143.04
50% (from rates)	45.00	101.52	99.36	97.44	95.40
75% (from rates)	22.56	50.76	49.68	48.72	47.64
100% (from rates)	0.00	0.00	0.00	0.00	0.00

ACCOUNTS PAYABLE
APRIL, 1984

Arville

Acro Logic Research	358.80	Nap's IGA	44.45
Alpha Office Systems	186.00	National Geographic Soc.	5.00
Alpine Book Co.	88.07	National Auto Dealers Car Guide	26.00
Als Family Dining	2.85	Newberg Auto Parts	102.03
Amps Co.	40.00	Newberg Community Hospital <i>Office Supply</i>	652.68
Associated Janitor	102.40	Newberg Graphic	101.13
Automatic Data Processing	134.35	Newberg Human Resources	1,125.00
Bantam Books	9.89	Newberg Steel	3.00
Beaver Equipment	121.29	Newberg Vet Clinic	11.50
Ben Meadows Co.	40.70	Newsweek	35.88
Ben-Ko-Matic <i>Sweeper</i>	675.20	Northwest Business Systems	138.65
Bicycling	14.97	Northwest Law Enforcement	74.40
Bunn, Stan	75.00	Northwest Natural Gas	876.40
Business Forms Unlimited <i>Party</i>	232.90	Northwest Samco	39.49
Butler Chevrolet	25.15	Nudelman Bros.	296.70
Buy Wise Drugs	18.86	Nurnberg Scientific	63.88
C & G Auto Repair	28.50	Oregon Meter Repair	214.50
Callaghan & Co.	140.05	Oregon Mun. Finance Off. Assn.	174.00
Camera Quarters	9.95	Oregon Section-ICMA	130.00
Cascade Architectural <i>Engineering</i>	3,800.00	Panel Publishers	86.00
Cascade Employers Assn.	13.86	Pinkstaff, John	75.00
Certified Laboratories	88.65	Pitney Bowes	30.00
Chehalem Animal Clinic	83.50	Platt Electric	403.70
Chehalem Printing	203.05	Portland General Electric	18,000.00 *
Chehalem Valley Sr. Cit.	1,525.34	Portland Precision Inst.	10.29
Coast to Coast	179.34	R. R. Bowker	170.45
Consolidated Supply	695.50	Random House	516.58
Copy Office Products	559.01	Revenue Sharing Adv. Serv.	48.00
Crabtree Rock Co.	63.75	Riley Studio	7.50
Crowell Auto Parts	402.02	Roberts Rent-All	12.00
Dave's Cement <i>Police</i>	3,425.00	Sanderson Safety Supply	78.54
Dents	521.40	Scientific Supply	83.46
Dept. of Gen. Services	110.00	Set-Point Control	39.97
Enter Magazine	12.95	Showcase of Flowers	15.00
Fowler Tire	54.95	Signs by Seth	50.74
Fox Union	25.00	Simmons Supply	41.63
Gaylord Bros.	58.93	Spencer, Gary <i>Water Plant</i>	2,114.00
General Electric	330.00	Superior Books	438.14
General Telephone	1,189.26	Supplyways	267.80
George Fox College	72.80	Traffic Safety Supply	125.50
Goodyear	595.18	Tyrrell's Inc.	96.05
Gormley Co.	13.50	Umpqua Research Co.	300.00
Gray, Larry	75.00	Union Oil	1,892.03
Greymouse Bookstore	19.70	Utilities Supply Co.	87.78
Graduate Library School	20.00	W. R. Grace	270.37
Hach Chemical	48.03	W. W. Grainger	68.79
Harris Uniforms	89.54	Water, Food & Research	90.00
Highsmith Co.	17.97	West Publishing	32.00
Home Laundry	55.45	Western Center on Dom. Viol.	17.06
Johnson Furn. & Hdwe.	89.75	Western Fire Equip.	133.31
KIDA Co.	81.76	Western States Fire App.	17.99
Lamco Radar	70.00	Westside Automotive	161.04
Light Truck Parts	100.00	Western Auto	54.88
Lumbermen's	157.21	Yamhill County Assessor's Off.	1.50
Midget Motors	232.35	Yamhill County Sheriff's Off.	368.82
McCarthy & Co.	1,459.50	Ziprint	77.20
		Asher-Macken Electric	48.92

Total:

49,290.91