

CITY COUNCIL AGENDA
COUNCIL CHAMBERS
February 1, 1982
7:30 P.M.

I. ROLL CALL

II. CONSENT CALENDAR:

All matters listed in the consent calendar section will be considered routine by the City Council and will be enacted by one motion. The disposition of the item is indicated. If discussion is requested, that item will be removed from the section entitled consent calendar and will be considered separately.

1. Minutes of January 4, 1982 meeting - approve and file.
2. Minutes of January 6, 1982 meeting - approve and file.
3. Accomplishments of Newberg Community Hospital for 1981 - review and file.
4. Approval of Liquor License for:
 - A. Safeway Store - 1510 E. First St.
 - B. Naps Super Market - 112 E. First St.
 - C. Plaid Pantry - 1012 E. First St.
 - D. 9th Street Grocery - 1210 E. Ninth
 - E. Ye Old Pizza Shoppe - 2515 Portland Road
 - F. Springbrook Thriftway - 1140 N. Springbrook
 - G. Newberg Thriftway - 114 N. Everest St.Approve and file with O.L.C.C.
5. Communication from:

Good Roads Again RE: Ballot Measure 4 - review and file.

III. REQUEST AND COMMUNICATIONS:

1. Communication from PUC RE: PGE relating to relocation of utility facilities.
2. Communication from Wild Horse Mountain RE: Liquor License

IV. PUBLIC HEARINGS:

1. Public Hearing on request by John Coleman/initiated by the Newberg City Council, for the vacation of the entire alleyway located on Block 51 of Edwards Addition Subdivision between Columbia and Pacific Streets and 8th and 9th Streets, Newberg, OR.
2. Public Hearing on proposed amendments to the Newberg Zoning Ordinance relating to Section 552 and 553 entitled "Flood Hazard Sub-Districts".

V. REPORTS FROM CITY ADMINISTRATOR:

1. Report and recommendation on Management Team Seminar.
2. Report and communications regarding Union Decertification.
3. Report on progress of Liberty Cable TV in finding office location.
4. Report on Planning Budget line item 1-419.430.
5. Report on signs from Old Fashioned Festival Committee.

VI. OLD BUSINESS:

1. Report on Design Review Ordinance.
2. Appointments to Committees.

VII. NEW BUSINESS:

1. Approve Accounts Payable

EXECUTIVE SESSION:

Pursuant to:

- O.R.S. 192.660 (1) a-b, Public Officers and Employees;
- O.R.S. 192.660 (1) e, Real Property Transactions;
- O.R.S. 192.660 (1) d, Labor Negotiations; and
- O.R.S. 192.660 (1) h, Pending Litigation.

VIII. ORDINANCE:

1. Ordinance for vacation of Alley (refer to Agenda Item IV - 1.)
2. Ordinance for Continuance of Flood Insurance (refer to Agenda Item IV - 2.)

EXECUTIVE SESSION.

Mike

CONFIDENTIAL
MEMO

TO: City Council

FROM: City Administrator

SUBJECT: Building Department

DATE: January 26, 1982

One significant change is recommended to the City Council tonight and another significant change will be occurring in the building department and does not necessitate Council discussion.

I have attempted to keep the City Council informed through some discussions and written material on the organizational and public contact difficulties within the building department. The current department head in the building department, Bob Weisenback, is a very kind and generous individual, however, in my opinion, he does not have the skills to run the building department in the manner that I would like to see it operated. I have explained that in the memo that is attached and addressed to Mr. Weisenback. Also, the complaints that I have gotten from individuals in the City (builders, realtors, citizens) have been of a fairly significant nature. I have intervened in each case, attempted to get to the cause of the disturbance or dissatisfaction by the public. Bob Weisenback is almost always correct in his code enforcement, but his approach and diplomacy leaves a great deal to be desired.

By having a City Administrative form of government, department head actions such as this must come before the City Council. The City Attorney's memo will outline what needs to be done, but basically it is going into Executive Session and hearing the facts and then making a decision out of Executive Session. The Mayor must make the appointment and confirmation must be by the City Council.

I believe this case to be so obvious that I have not listed many of the details or called in any department heads to substantiate the change of classification. However, if the City Council would like to hear in detail all of the reasons for the change in department heads, then I will go into more specific detail verbally and will call in witnesses. However, I emphasize that I do not feel this would do anyone any good, especially Mr. Weisenback and I recommend that this be kept as low key as possible.

The Building Department consists of 1 full time building inspector (department head), 1 full time building inspector (Dan Blanchard), 1 35 hour a week building inspector (Alan Barnes), 1 full time building inspector ready to come back to work part time (Jim Morss), 1 full time secretary, and 1 part time plumbing inspector. I recommend that Alan Barnes, who has proven himself to be very competent, be a full time employee as a department head. Further action that I have proposed, based upon seniority is that Mr. Weisenback and Mr. Blanchard do some job sharing and each will be working two days per week. The secretary will remain full time. Mr. Morss, who is the least senior, will be on an on call basis, only when needed, and the plumbing inspector will probably be the same.

The purpose for this is that we anticipated \$52,239 in building permit revenues and have received after six months, \$18,179 with a balance yet to be received for the next six months of \$35,059. The plumbing and mechanical permit revenues were estimated to be \$26,459, we've received \$8,232 to date, with a balance to be collected of \$18,226. I would estimate that of the \$78,000 that was

Memo to City Council
January 26, 1982

anticipated to be received in revenues, we will receive by June 30, 1982 \$42,000. This leaves us \$36,000 short. We need to cutback for money reasons and also because the work just isn't there.

By cutting Mr. Weisenback 3/5, we will save \$1,290 a month in salary plus approximately \$200 more in benefits. By cutting Mr. Blanchard back 3/5, we will save \$888 a month plus another \$100 in benefits. We will also save some money with reducing the hours of the plumbing inspector. Even with increasing Mr. Barnes salary as department head, I would estimate that the City would realize over a \$1,000 a month savings.

Further, I will monitor this situation closely and if I feel that if additional expenditures can or should be saved I will not hesitate to reduce the building department more.

I realize this is difficult for the City Council, but I can assure you what we have done so far is nothing compared to what other public agencies and private industries have done.



Michael Warren
City Administrator

MW/bjm

cc: Personnel File

MEMO TO: Mike Warren, City Administrator

FROM: Rick Faus, City Attorney

DATE: January 26, 1982

SUBJECT: Personnel actions involving department heads

The procedures that apply to any personnel actions involving department heads are governed by the provisions of Ordinance No. 1730 establishing the office and powers of City Administrator and Ordinance No. 2041 establishing a personnel system for the City of Newberg and the personnel rules and regulations adopted under authority of this ordinance. The Charter of the City of Newberg, Chapter 3, Section 12, also deals with city officers in general terms. All of these sources of regulations regarding personnel matters make a distinction between regular classified employees and department heads/city officers who are appointed by the Mayor with the consent of the Council.

Chapter 3, Section 12 of the City Charter, gives the Council power to designate city officers who shall be appointed and may be removed by the Mayor with the consent of the Council. Ordinance No. 1730 gives the City Administrator broad powers in personnel matters, specifically Section 4(a), which makes a distinction between regular employees and officers and department heads and indicates that with regard to principals, officers and department heads who are appointed by the Mayor and confirmed by the Council of the City of Newberg, the City Administrator has the right to submit recommendations as to the appointment or removal of such officers and gives the City Administrator the right to supervise any appointive officer of the City. Section 4(h) gives the City Administrator broad powers to combine offices, positions, or departments or units of the City with the approval of the City Council. These provisions relate to department heads and officers. Within this same ordinance, Section 4(a), regular employees may be appointed or dismissed directly by a department head, City Administrator, the Mayor or the City Council. In the personnel rules and regulations adopted by Ordinance No. 2041, Article 1, Section 1.2(15) defines the department head as a person responsible for the administration of a department. Sections 2.8 deal with layoff procedures and Article 3 all subsections, deal with personal appearance and conduct, causes for disciplinary action, forms of disciplinary action and grievance procedures. These procedures are clearly earmarked as applying only to subordinate employees and not to department heads or officers of the City. The entire structure of the procedures is built around subordinate employee relationship, not department head relationships.

In one instance in the past, an ad hoc procedure involving the Personnel Committee of the Council was used for actions involving a department head. This process was used prior to the adoption of Ordinance No. 2041, the personnel rules.

Because of the distinctions made in the Charter and City Ordinances between city officer/department heads and regular employees, the following process involving removal of a principal officer/department head of the City is recommended:

1. That the City Administrator advise the affected department head of the recommendation which the City Administrator will make to

the Council regarding the department head and the reasons for such recommendation and further advise when these recommendations will be made to the Council and that the recommendation is subject to the approval of the Mayor with the consent of the Council. This information should be provided within a reasonable time prior to Council hearing on the matter.

2. A specific time and date for Council hearing of the personnel matter involving the department head should be set and the department head informed of that date and opportunity to appear and respond to the recommendation.
3. The department head should be advised that the meeting of the Council will be in Executive Session, pursuant to ORS 192.660, Subsection 1, Paragraph A and B but that hearing may be opened to the public at the request of the department head.
4. The conduct of the hearing should be such that the recommendation of the Administrator as presented to the Council stating both what the recommendation is and the reasons for it and allowing for examination of the Administrator by the Mayor, Council and affected department head. Following this, the department head should be allowed to make a presentation to the Council and may then be questioned by the Mayor, Council and City Administrator. Prior to making a final decision regarding the recommendation, the Council should come out of Executive Session.

The above procedure is meant to accomplish the following: provide the affected department head with knowledge reasonably in advance of the recommendation of the Administrator and the reasons for the recommendation and provide a hearing before the Mayor and Council on the recommendation which allows a full discussion of the recommendation and the reasons for it, essentially cross-examination of both parties and the ability of the department head to present any relevant information prior to the Council decision. It is further designed to inform the department head of their right to have a public or non-public hearing.

In summary, the grievance procedure provided in the personnel rules, particularly with regard to Section 3.4, is viewed as inappropriate for recommendations regarding personnel actions involving department heads and officers of the City. The procedure outlined above is reasonable and provides the department head with full rights to be informed of the action and state his case before the Council. Attached are copies of the relevant portions of of the Charter and our City Ordinances.

CONFIDENTIAL
MEMO

TO: Bob Weisenback
FROM: City Administrator

DATE: January 26, 1982

SUBJECT: Reclassification and cut in hours.

Pursuant to our conversation yesterday, I am recommending to the City Council the change in classification from a Building Official with Department head status to Building Inspector, with non-department head status.

Should the City Council approve this move then I will implement cost savings for the department by reducing your full time status to a part time status of two days per week. This does not require City Council approval and none is requested.

The reason for the change in status can be found in a letter of reprimand that I wrote on March 30, 1981 and another memo which I wrote on December 2, 1981. The letter of reprimand discusses the lack of diplomacy used in handling the building inspection at 701 E. Franklin. It also involves a conversation which I had with you on March 26, 1981 and your failure to comply with my instructions.

The December 2, 1981 memo talks about more specifically and broadens the area of dissatisfaction. The third paragraph says in part, "it became evident by comments from the Secretary that there is a lack of direction, little or no communication and general lack of knowledge on how things should be done. It was even her opinion that oversight, such as the one listed above may be more deepseated than this isolated case."

I explained, in my memo that there were two parts to the responsibilities of a department head in the building department. The first and major part was the management of that department. This entails leadership of the employees, organization of paper flow, sound filing system, ability to communicate well with other department heads and other employees, ability to document, etc. The fourth paragraph expressed my opinion on December 2, 1981. It said "your organization of the building department is not anywhere near where it should be. The physical presence of the department does not lend itself to a good working environment. The filing system needs complete overhaul. The Secretary needs to be trained in everything from filing to how to collect fees. Forms need to be redone to insure that a person paying a fee understands what he is paying, to lessen the chances of an oversight on the building department. All employees of the department need to have a specific outline of their responsibilities and need to be monitored, at least on a weekly basis." To be rather blunt, these things have not been done in the department and the department is not being managed properly.

The other half of the responsibilities of the department head within the building department is the inspections and contact with the public. Again, referring to my December 2, 1981 memo, I stated that serious complaints have been lodged against you from the owner of A & W, DeYoung Enterprises, the owner of the Bowling Alley, Gerome Manufacturing and at least a half dozen other individuals within the community (I have attached the complaint filed by the owner of the Bowling Alley through an attorney). I have seen you deal with some situations and have not been pleased with what I have seen. I have spoken to you about this on occasion and have not seen a dramatic improvement. This is especially frustrating for me since I have spoken to all employees about the behavior an employee should have in front of the public. I simply cannot allow abus-

Memo to: Bob Weisenback
January 26, 1982

iveness, abrasiveness and occasional rudeness to continue. While this memo sounds harsh and to the point, it is meant merely to state the facts as I see them and is not meant to be only critical without the understanding and compassion that I also discussed yesterday. You have done your best job as an employee of the City of Newberg and have attempted to go beyond what has been asked of you. However, as the City Administrator, I am hired to run the City in the most efficient manner possible. Efficiency and organization are not trademarks of the building department at this time. The leadership and insight that Allan will hopefully bring as the Department Head, will be an improvement. You can play an important role in the Building Department by working with Allan Barnes and the other employees and giving of your expertise.

I sincerely hope that the elimination of some of your responsibilities as a department head will also release some of the pressures and frustrations that you have felt in dealing with others. I am confident that the change in status is the correct move for the betterment of the City and for you personally.

The change of status will go into effect February 8, 1982. You will be scheduled for 2 days per week and paid on an hourly basis. Your salary (hourly rate) will be "y" rated or frozen at your current level. This will not change until other inspectors are at the same rate. You will be required to pay for your benefits through Mrs. Waide, any other conditions will be the same as all other part time people in the City.

As I mentioned earlier, I will be discussing this with the City Council at the February 1, 1982 City Council meeting. It will be up to the City Council as to how they wish to proceed on this matter.


Michael Warren
City Administrator

MW/bjm

cc: Personnel File

To the best of my ability this is the phone conversation between myself, Merle Brown and Bob Weisenback, City Building Inspector, around 11:00 11:15 Friday November 20th 1981.

Bob: Merle what is it that you want to do down their.

Merle: I've contracted a guy for \$300.00 to grade my parking lot. To remove all sink holes and keep the surface from getting on the side walk. And to regravell the lot with some better grade. My understanding is that it has a blacktop surface under the gravel from when it was a service station.

Bob: How is he going to grade it without tearing it up?

Merle: I don't know that's his job, but he's the one that did it before the previous owner.

Bob: Well a permit is not necessary for that but before long I will be down their to have you black top your lot.

Merle: What? I don't have the money for that.

Bob: Will that's part of city code, all parking lots must be hard surfaces, and rock is not a hard surface.

Merle: Does the City do that with very easy payments so a person could to that.

Bob: No.

Merle: OK before we go any further with this I want to ask you about those threatening letters you sent the business men in town last year about the City paying for wheel chair ramps on all the corners in the downtown area and that the City went around and marked all the bad spots on the sidewalks that the business owners would have to repair on their own or sign a concent form to have the City repair them with a payment plan. I had my sidewalks repaired and paid for immediately. As I have walked through town I have seen places where they are marked but not repaired and nothing has been done about it. I feel the City has been two sided about that issue.

Bob: The City couldnt get a contractor to do the job, but the concent forms will be sent out again this year. Merle, go ahead and do this work to your parking area and I'll be seeing you again.

Merle: OK, Thanks Good Bye!

End of phone conversation at about 11:30 Friday Nov. 20th, 1981.

Bob Weisenback the City Building Inspector entered the front door of Newberg Bowl and motioned for me to come outside with him. Following is the conversation between myself and Bob to best of my recollection, Saturday November 21st, 1981 9:30a.m.

Bob: Lets take a look at your parking lot. That gravel on the sidewalks has led to complaints all the way to the top of the City Council. Mostly from this lady on the electric wheel chair, That sells avon.

Merle: Delores Taylor

Bob: Yes, you see, she has to go around the block because of all this rock but I know you're constantly working at it because I have seen you or your employee moving the rock on to the lot frequently.

Merle: I try to remove it from the sidewalk every week.

Bob: Hows this happen? Looks like its sloped high here and parking traffic is moving into it and its being pushed onto the walk.

Merle: That and the kids come in here in their cars and do cookies, and moves the rock everywhere!

Bob: This house here is for sale. Someone should buy it and do something with it. This use to have 3 or 4 owners now it has 1 or 2, I think.

Bob: We have the same problem at the Gray Hound Bus depoe and either they fix it or we'll close them down. When the buses pull in their they just sink.

Merle: I dont have a big problem, just one area.

Bob: Anytime a \$1,000.00 worth of improvements is done, then parking lots fall under the City ordinance for improvements. These business will either conform or we'll put them out of business.

Merle: Then you're telling me to either walk away from this business or give it back to the original owner. You want me to leave 4 years of work and all the other improvements I've made, because I cant afford a blacktop parking lot Hell, I took a gross of \$125,000.00 last year and spent \$122,000.00 and none foolishly. My bookkeeper has been doing the books here for 25 years and I can prove that the money for that isnt here and wont be for many years.

Bob: Well you'll just have to raise the price of Bowling.

Merle: I can't raise it anymore and be competitive. Im allready at \$1.00 a line. Thats the highest in the area.

Bob: Your game room still open?

Merle: No, its closed, the guy who owns it got too big in Gresham and Portland and couldnt take care of all the work they always needed.

Bob: Well, Didnt you make some money off of it.

Merle: Yes Bob, but we had to pay for the sheetrocking of the room, all the repairs a snack machine and the labor in the room.

Bob: When you grade this off, push youre loose rockback over the hill here, and that will help out this area too.

(We then walked inside the Bowling Center.)

Bob: I hate to be the bearer of bad news, but before long I'll be seeing you to have the lot surfaced.

(He pated me on the back. We smiled at each other and he left.)

Mark S. Brown

MEMO

TO: Bob Weisenback
FROM: City Administrator
SUBJECT: Reprimand

DATE: March 30, 1981

This memo was written as a reprimand for your actions on March 25, 1981 and March 26, 1981. Specifically it involves the lack of diplomacy used in handling the building inspection at 701 E. Franklin Street. It also involves the fact that I asked you on March 26, not to send the Electrical Inspector from the State or anyone else to the forementioned home and to let Dan Blanchard, your assistant, handle the inspection like any other inspection.

I appreciate the fact that you are taking the initiative and finding inspections that are not brought to your attention but should have permits and be reviewed by yourself or your staff. I also appreciate the fact that the State Electrical Inspector or any other inspector should go to a site to insure that the job is being done correctly. However, since I did have this conversation with you and requested verbally that a certain procedure be used and since you did understand, or at least appeared to understand what I was saying, I assumed that it would be done as I directed. The fact that it was not done as directed is in a large part a reason for the reprimand.

I will again mention to you that this office will continue to be supportive of you and your department in an effort to accomplish the goal of bettering Newberg and the goal of a strong management team. Your position plays an important part in the team effort and your diplomacy along with your follow through upon my directions are essential if we are to succeed.


Michael Warren
City Administrator

MW/bjm

cc: Personnel File

TO: Building Inspector
FROM: City Administrator
SUBJECT: Building Department

DATE: December 2, 1981

On December 1, 1981 the Public Works Director, the Building Department Secretary and I met with you to discuss the building department in general. This discussion was prompted by the fact that \$1,025.00 was not collected on a property because of an oversight by the building department. This oversight, however, was not the main issue, in my opinion. The main issue was and is the operation of the building department.

Within our discussion I broke down the responsibilities of the department head in the building department as - 60% administrative or management oriented and 40% building inspection. While the percents may vary, the ingredients remain the same.

On the management end it became evident by comments from the secretary that there is a lack of direction, little or no communication and general lack of knowledge on how things should be done. It was even her opinion that oversights such as the one listed above may be more deep seated than this isolated case.

The organization of a department the professional leadership by the department head are essential to a well run department. Your organization of the building department is not anywhere near where it should be. The physical presences of the department does not lend itself to a good working environment. The filing system needs complete overall. The secretary needs to be trained in everything from filing to how to collect fees. Forms need to be redone to insure that a person paying a fee understands what he is paying and to lessen the chances of an oversight on the building department. All employees of the department need to have a specific outline of their responsibilities and need to be monitored, at least on a weekly basis.

The 40% factor or the building inspection aspect of your responsibility is not what it should be also. I have stated at least a dozen times that my concern is not with the knowledge of the code book, but with the approach or appearance you demonstrate with the public. Serious complaints have been lodged against you from the owner of A & W, DeYoung Enterprises, the owner of the Bowling Alley, Gerome Manufacturing, and at least a half dozen other individuals within the community. Again, I point out that these complaints have stressed the harsh and untactful approach rather than the interpretation of the code. Comments have been attributed to you for using foul language, making threatening statements and losing your temper.

If you will remember last month I spoke to all employees of the City and stressed their behavior in front of the public. I mentioned that what one employee does affects all employees. In fact, I would say that one of the foundations of City government that I believe in most strongly is that employees are to conduct themselves as professionals at all times with the public. When this can no longer be done because of someone's rudeness then a department head or myself should be asked to step in and take over. Your behavior has been interpreted by people in the community as exactly opposite of what this City is striving towards.

11/18/81

Memo to Building Inspector
December 2, 1981

My comments in this area should not be interpreted as requiring you to be docile, requiring you to bend the rules, requiring you not to do your job or anything of a similar nature. What I am requiring is a department head that has a good working relationship with the public, enforces the Uniform Building Code, is aware of the time and fairness of a situation and provides the necessary leadership and training for his employees. This is no more or no less than I ask from each and everyone of the department heads.

At the end of our meeting on December 1, 1981 it was agreed that you would have 45 days or until January 15, to reorganize the department and "turn over a new leaf". I cannot take additional time to work out this situation as I feel that it is serious enough, both from a financial aspect and from an employee and public preception aspect to remedy immediately. At the end of the 45 day period, if in my opinion, the situation has not corrected itself or has not corrected itself to the necessary level, then I will take immediate steps to make some fairly dramatic changes. As I mentioned to you, within the parameters of my thinking, is the idea of putting Building Inspection under the Public Works Department. If this is done, then the Public Works Director will need some additional help that could necessitate some significant reorganization within your department.

I hope that I have made myself clear both in our meeting and through this memo. If you have any questions I am available to talk at length about any of the above. I am also here to work with you in accomplishing the goals I have mentioned. It is a very unpleasant situation to have to reorganize a department or deal with personnel problems, yet I can see no other alternative but the one I have prescribed.



Michael Warren
City Administrator

MW/bjm

bc: City Council
Director of Public Works

MEMO

TO: Dan Blanchard
FROM: City Administrator
SUBJECT: Reclassification

DATE; January 26, 1982

Pursuant to our conversation on this date, effective February 8, 1982 you will be reduced from a full time status to a part time status of two days per week. This is a non-disciplinary action and is necessitated by lack of revenues and a general slow down of the economy.

As with all part time employees with the City, you will be required to pay for the various health benefits through Sandee Waide, should you wish to continue these benefits.

As I mentioned to you, by reducing your hours, instead of elimination completely it will allow for you to have some income. Knowing how scarce jobs are in your profession, I felt it more accomodating for you and/or the other building inspector to be part time rather than the entire elimination of one of the positions.

I will not provide for the future except to say that the City will work with you in any way possible to make this an easy transition for you.


Michael Warren
City Administrator

MW/bjm

cc: Personnel File

ACCOUNTS PAYABLE
FEBRUARY, 1982

2/82

David F. Abbott	42.00	Northwest Business Systems	141.80
Al's Drive In	21.85	Northwest Law Enforcement Equip.	417.42
Alexander Oil	11.05	O'Dell's Tire Service	181.72
Alpha Office Systems	205.80	Oregon Arboriculture Co.	105.00
American Planning Assn.	117.50	Oregon Meter Repair	910.00
Associated Janitor	25.65	OSU Book Stores	91.76
B.J.'s Photo Studio	32.93	Pacific Water Works	1330.17
Barker's Auto Supply	34.81	Pay Less Drug Store	179.76
Brooks Products	1229.10	Pennwalt	48.95
Butler Chevrolet	43.79	Power Rents	78.68
Buy Wise Drugs	14.32	Power Transmission Products	395.44
Camera Quarters	31.60	Quality Office Machines	51.48
Chehalem Valley Sr. Cit.	1100.00	Riley Studio	40.90
Chevron	34.58	R.A.I.N.	274.20
Coast to Coast	161.88	S.D. Leasing	312.00
Consolidated Supply	248.68	Shari's Restaurant	3.60
Crabtree Rock	170.00	Showcase of Flowers	100.00
Crowell Auto Parts	134.77	Ted's Shoes	39.95
Culligan	15.00	Timberline Supplies	233.86
D & K Plumbing	7.95	Tropical Ind. Coatings	1941.90
Dawn Metal Fab	39.75	Valley Fence	468.40
Dents	86.78	W.R. Grace	663.31
Dictaphone	805.78	W.W. Grainger	35.71
Double G Auto Services	2.00	Waide Mobil	6.15
Encyclopaedia Britannica	535.50	Wall Street Journal	89.00
Engineered Control Prod.	713.99	Water, Food & Research Lab	372.00
Farmers Cooperative Oil	22.00	Waterworks Supplies	969.26
Ferron Janitorial	647.20	Western Auto	21.79
Fowler Tire	62.95	Westside Automotive	305.17
Fox Union	50.00	Willamette Industries	238.52
Friction Supply	24.36	Yamhill Co. Sheriff's Office	52.00
General Electric Co.	204.00		
Larry K. Gray	75.00	Estimates:	
Hall's Heating	20.69	General Telephone	1250.00
Hinds Supply	550.73	Newberg Ready Mix	120.00
Home Laundry	37.00	N.W. Natural Gas	950.00
ICMA	85.95	PGE Co.	17000.00
Jerman Co.	404.10		
Johnson Furn. & Hdwe.	73.66		
Legislative Counsel Comm.	180.00	TOTAL:	44007.45
Les Schwab Tire	49.14		
Laughlin Oil	3380.42		
Midget Motors	21.75		
Miller's Upholstery	60.00		
Nap's IGA	18.62		
National Geographic Soc.	44.95		
Newberg Auto Freight	211.15		
Newberg Auto Parts	105.97		
Newberg Comm. Hospital	139.02		
Newberg Graphic	66.28		
Newberg River Rock	1783.55		
Newberg Western Wear	66.00		
Newman Signs	336.00		

200 ?

2/82
HAG
M.D.
R.R.

ACCOUNTS PAYABLE
FEBRUARY, 1982

David F. Abbott	42.00	Northwest Business Systems	141.80
Al's Drive In	21.85	Northwest Law Enforcement Equip.	417.42
Alexander Oil	11.05	O'Dell's Tire Service	181.72
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Associated Janitor	25.65	OSU Book Stores	91.76
B.J.'s Photo Studio	32.93	Pacific Water Works	1330.17
Barker's Auto Supply	34.81	Pay Less Drug Store	179.76
Brooks Products	1229.10 ✓	Pennwalt	48.95
Butler Chevrolet	43.79	Power Rents	78.68
Buy Wise Drugs	14.32	Power Transmission Products	395.44
Camera Quarters	31.60	Quality Office Machines	51.48
Chehalem Valley Sr. Cit.	1100.00	Riley Studio	40.90
Chevron	34.58	R.A.I.N.	274.20
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Dawn Metal Fab	39.75	Valley Fence	468.40
Dents	86.78	W.R. Grace	663.31
Dictaphone	805.78 ✓	W.W. Grainger	35.71
Double G Auto Services	2.00	Waide Mobil	6.15
Encyclopaedia Britannica	535.50	Wall Street Journal	89.00
Engineered Control Prod.	713.99	Water, Food & Research Lab	372.00
Farmers Cooperative Oil	22.00	Waterworks Supplies	969.26
Ferron Janitorial	647.20	Western Auto	21.79
Fowler Tire	62.95	Westside Automotive	305.17
Fox Union	50.00	Willamette Industries	238.52
Friction Supply	24.36	Yamhill Co. Sheriff's Office	52.00
General Electric Co.	204.00		
Larry K. Gray	75.00	Estimates:	
Hall's Heating	20.69	General Telephone	1250.00
Hinds Supply	550.73	Newberg Ready Mix	120.00
Home Laundry	37.00	N.W. Natural Gas	950.00
ICMA	85.95	PGE Co.	17000.00
Jerman Co.	404.10		
Johnson Furn. & Hdwe.	73.66		
Legislative Counsel Comm.	180.00	TOTAL:	44007.45
Les Schwab Tire	49.14		
Laughlin Oil	3380.42		
Midget Motors	21.75		
Miller's Upholstery	60.00		
Nap's IGA	18.62		
National Geographic Soc.	44.95		
Newberg Auto Freight	211.15		
Newberg Auto Parts	105.97		
Newberg Comm. Hospital	139.02		
Newberg Graphic	66.28		
Newberg River Rock	1783.55		
Newberg Western Wear	66.00		
Newman Signs	336.00		

[Handwritten signature]

QUESTION
[Handwritten initials]

Monday, 7:30 P.M.

January 4, 1982

A REGULAR MEETING OF THE
NEWBERG CITY COUNCIL

Council Chambers

Newberg, Oregon

The meeting was called to order by Mayor Elvern Hall.

Roll Call:

Present -	Maybelle DeMay	Quentin Probst
	Roger Gano	Richard Rementer
	Harold Grobey	Tommy Tucker
	Alan Halstead	

Absent - C. Eldon McIntosh (Excused)

Staff Present - Michael Warren, City Administrator
Richard Faus, City Attorney
Herbert Hawkins, Chief of Police
Clay Moorhead, City Planner
Arvilla Page, City Recorder
John Paola, Fire Chief
Robert Sanders, Public Works Director
Robert Weisenback, Building Official

Minutes of previous meetings:

Councilwoman DeMay questioned the exact wording on the motion regarding the landfill at the meeting December 7, 1981. City Recorder stated the tape had been reviewed and the motion as written in the minutes was the exact motion. Additional motion was made requesting more information.

City Administrator stated that the question had arisen of whether withhold approval is the same as denial. The motion was to withhold approval and he has written to the County stating the Council had denied approval. Councilmembers discussed the need to make a firmer statement and decided that more information is needed. Landfill item is on the agenda of this meeting.

An additional error in the minutes was noted on page 4, third paragraph, second line. Hess Creek is written his.

Motion: Gano-Grobey to approve the corrected minutes as presented. Carried un-animously.

Communications and Requests From the Floor:

Charles Heckman, member of the County Planning Commission, reported the Planning Commission will have a meeting Thursday, January 7th at 7:30 p.m. and will discuss the Newberg landfill matter.

Other Requests and Communications:

Mayor Elvern Hall presented his annual state of the City message.

Communication was received by John Paola, Fire Chief, from Clyde W. Centers, State Fire Marshal, advising of his pending retirement. The letter thanked Chief Paola for his support and cooperation during the past eight years.

Communication was received by Clay Moorhead from Zion Lutheran Church thanking him for his counsel and guidance in their annexation application.

Communication was received by Mike Warren, City Administrator, from Chehalem Park and Recreation District in appreciation of the city's assistance in helping with the drain valve problem at the pool. Because of Hal Turpen's assistance and expertise, park district was able to fix the problem temporarily and the pool was closed for 1½ days instead of at least a week.

Communication was received from the Newberg Old Fashioned Festival Committee requesting support. City Administrator suggested that the Old Fashioned Festival Committee should address the Council directly and request support.

Communication from the Committee for Good Roads Again was received providing more information on Ballot Measure 4 and asking for the City Council's support. The City Administrator stated that the Council should make their feelings known on Ballot Measure 4. The matter will be put on the agenda for the February meeting with more information being provided.

Mayor Hall reported the Council of Governments will hold it's annual meeting on January 21, 1982 at the Black Angus Restaurant in Salem. Councilmembers who wished to attend should contact the Recorder to make reservations.

Public Hearing:

Annexation and Zone Change.

Applicant:	Zion Lutheran Church
Request:	Annexation to the City of Newberg, a 10 acre parcel and withdrawal from the Newberg Rural Fire Protection District, together with a zone change from Yamhill County AF/10 (Agricultural/Forestry 10 acre minimum lot size) zone to City R-1 (Low Density Residential) zone.
Location:	North of Mountainview Drive, West of County Road 57, directly north of ADEC Industrial Park, Tax Lot 3208-4500.

Councilman Gano stated he would abstain from discussions on the request as he is a member of the church. Councilman Halstead stated that for the record, he is Lutheran but is not a member of this church and would not abstain.

Staff Report. The City Planner reported the Planning Commission heard the request for annexation and the zone change on December 15th and after review has recommended approval. Recommendation is with three conditions as follows: 1) A site review subdistrict overlay will be placed on the annexed property. 2) The applicant will provide for a 30 foot half width right-of-way dedicated for roadway purposes along Mountainview Drive. 3) The owner will sign a statement of nonremonstrance pertaining to establishment of a sanitary sewer L.I.D.

No opponents wished to be heard at the Planning Commission hearing and no remonstrance has been received. The City Planner read findings 1 - 11 and request as presented to the Planning Commission on December 15th. Findings are part of the annexation ordinance and are Exhibit A.

Councilman Tucker noted that in the findings no mention was made of the fact that this annexation and zone change would be a buffer between industrial and residential areas and this would be an excellent finding in this request.

Proponents

Al Solmonson, Pastor of the Newberg Zion Lutheran Church, Rt. 3, Box 523, Newberg, stated the church had started expanding their present facilities 13 years ago by buying adjacent property. When he became the pastor four years ago they were at 178 members, the latest count was 303 attending. Sunday School classes are now meeting in the pastor's offices and in the kitchen. The parking area again needs to be expanded and to do so would require removal of several residences adjacent to the church property at its present location. The church has just begun a christian pre-school program and has other programs which benefit the community as a whole and not just the church members. The new location is a good one because of its nearness to the ADEC Industrial Complex, the high school, Mabel Rush and the middle school. In response to findings number 6, the County has given approval for the septic system. The church uses less sewer service than other uses would require. The church did a traffic count on Mountainview Drive and the peak traffic time is during ADEC beginning and ending hours. The church traffic on Sunday would be approximately 50% of the ADEC peak traffic period.

Layne Asplund, 3630 N. E. 99th, Vancouver, Washington, architect for the Zion Lutheran Church. Mr. Asplund stated the application is a timely application and the project is well planned.

Cross Examination

Charles Heckman, Rt. 2, Box 25, questioned the size of this site for the church which is 4.25 acres. Is this the proper size acreage for the building and use planned? Response was that the building would initially be approximately 10,000 square feet on two levels. Question. How many people will be in 75 cars? Answer. 300 - 375. Question to City Planner. How many acres are inside the City that are zoned R-1 and vacant? Answer. About 200 with about one-half of that amount committed to uses. There is other property with R-1 zoning but it is not accessible. Question. What will be the end use of the excess over the need in the 10 acre annexation? Answer. There are no plans for its use at the present. Question to the City Planner. Does the request meet the four criteria for zone change? Answer. Yes.

Letter from Mary Dorman, County Coordinator, regarding Zion Lutheran Church annexation was read into the record and is Exhibit A of these minutes.

No other proponents or opponents wished to be heard. No written remonstrance has been received. Public hearing closed.

Staff Recommendation. City Planner stated he had contacted other departments and the staff recommendation is to approve the annexation and the zone change.

Motion: Rementeria-Tucker to read Ordinance No. 2075 annexing Tax Lot 3208-4500 and changing the zone from County AF/10 to City R-1. Motion carried unanimously. The ordinance was then read. Councilman Grobey questioned the legal description of the property as regards to the size. Measurements given would calculate to over 10 acres. The Planner stated the description includes the roadway.

Roll Call on the ordinance: Aye - 6, DeMay, Grobey, Halstead, Probst, Rementeria, Tucker; Nay - 0; Abstain - 1, Gano; Absent - 1, McIntosh. The Mayor then declared the ordinance passed.

Reports from the City Administrator

Mr. Warren reported on the accomplishments of the City in 1981. The Council was presented a list of 113 items which were accomplishments of the staff, the Council and the City. He stated he felt it was important that the Council know of the accomplishments and the staff needs to look at the accomplishments and not only problems. All accomplishments are not listed amongst the 113 items. It was brought out during staff meeting discussions that one of the biggest accomplishments was the improved relationship with the press. None of the 113 items could have not been done without the cooperation and support of the press. Also not listed was the improved relationship with the Newberg Chamber of Commerce.

The Building Department has identified almost 800 building permits which have not been finalized. The Building Department staff is taking 5 or 6 each day and working on them to close them from the files. Mayor Hall pointed out that the Building Department staff had not been cut because of lack of building permits and the staff now has time to clean up these old permits.

Councilman Rementeria asked what the status was of the building permit for the theater. Response was that the building is proceeding under certain permits such as electrical and plumbing. The permit has not been obtained to complete the building. However, the builder has not done work outside of the permits he holds. Permit to finish cannot be issued until the developer provides requested materials, which he has not yet done. Mr. Warren stated he had asked the Building Inspector to not place stop work on the project because of communication problems with the developers in the past. Meeting has been scheduled to discuss the problems.

Mr. Warren reported he had received a letter from the County stating they would not be reimbursing the City this year for dog control costs. They reimbursed the City \$5,000.00 last year and this year's budget again contains the \$5,000.00 reimbursement revenues. He has discussed this with the McMinnville City Manager. They agree that some effort should be made to get the County to reimburse the cities. Motion: Gano-Halstead to authorize the City Administrator to write a strong letter to the County requesting that they provide the reimbursement as expected and as projected in our budget. Carried unanimously.

Mr. Warren reported that he had met with a representative of the phone company in December to discuss ways to save money on the phone costs. The City could obtain a Scholls number for \$124.00 per month which would save between \$200. and \$400. in phone toll costs per month. Also discussed with the phone representative was a toll pack to McMinnville and Salem and the advantages and disadvantages of a watts line. Councilman Grobey suggested that the City contact Liberty Cable Television regarding an interconnect which might save the City even more money.

Old Business

Report on the landfill. City Administrator stated he had written a letter to the County stating the Council's opposition. Motion: Halstead-Gano to continue the discussion of the landfill to Wednesday, January 6, 1982, at the Fire Station.

Councilman Rementeria stated the Council needs to consider many other questions such as more suitable sites and a more suitable use of this site. Also, should we accept metro's garbage. Councilman Gano responded that the State dictates answers to such questions. Councilman Grobey stated the County will make the final decision. The City's role is only as an advisor. Vote on the motion: Aye - 4;

Nay - 2, DeMay, Rementeria.

After questioning several items on the accounts payable list Councilman Gano made motion and Probst seconded to approve the accounts payable for December, 1981. Motion carried unanimously.

Motion: Halstead-Gano that the Mayor sign the estimated revenue and expenditure projections prepared in compliance with ORS 471.810 and forward to the Executive Department of the State of Oregon. Carried unanimously.

Motion: Halstead-Gano that a public hearing be held on vacation of the alley on the west half of block 51 of the Edwards Addition. Carried unanimously.

Councilman Gano asked whether this is not the time to elect a new Council President. No Charter was available to check the term of office. Information will be available for the meeting on January 6, 1982.

Motion: Halstead-Tucker to adopt Resolution No. 82-920 authorizing transfer of expenditures from one line item to another within the same fund. Carried unanimously.

Motion: Gano-Halstead to adopt Resolution No. 82-921 accepting the audit of A. John Montgomery for the year 1980-1981. Carried unanimously.

Motion: Halstead-Gano to adopt Resolution No. 82-922 authorizing transfers from the contingency accounts of the general, street, capital improvements, sewer and water funds. Carried unanimously.

Motion: Gano-Halstead to adopt Resolution No. 82-923 authorizing changes in the classified pay plan. Carried unanimously.

Motion: Halstead-Probst to adopt Resolution No. 82-924 authorizing the issuance of general obligation improvement warrants to finance Project No. 213, Sitka Street. Carried unanimously.

Public Works Director, Bob Sanders, reported on the Hess Creek pump station situation. The pump station flooded last Tuesday, December 28th. It took the public works crew three days to get it drained down so that it could be repaired. The inflow had to be diverted upstream and this was finally accomplished on New Years Eve. The cost to repair will be about \$3,000. The damage was caused by a 2 inch branch wedged under a valve. The valve could not be closed and the control room flooded. At present the flow is going down Hess Creek until the pump station can be repaired. Council instructed that a letter be prepared from the Council and the Mayor to Bob Thompson and Don Young expressing appreciation for their efforts on the Hess Creek pump station emergency.

Motion: Gano-Grobey to adjourn to Executive Session. Carried unanimously.

The Mayor called the Executive Session to order under the rules of ORS 192.660, section 1, subsection E, relating to purchase, sale or lease of real property.

All Councilmembers as previously listed in the roll call were present. Staff present was City Administrator, City Attorney, and City Recorder. The press was not excluded.

City Administrator reported on the status of the negotiations to purchase the three properties on East Third Street. Owner does not wish to sell except as a three property package.

Council discussed the pros and cons of purchasing the three properties and the future use of the properties where the present Engineering Annex and the rental house are located.

Motion: Gano-Halstead to adjourn to regular session. Carried unanimously.

The regular session was called back to order by Mayor Elvern Hall.

Motion: Gano-Grobey that the City Administrator proceed with negotiations to purchase the three properties. Carried unanimously.

Motion: Gano-Rementeria to adjourn to January 6, 1982 at 7:30 P.M. at the Newberg Fire Station. Carried unanimously.

AN ADJOURNED MEETING
OF THE CITY COUNCIL

Fire Hall

Newberg, Oregon

The meeting was called to order by Mayor Elvern Hall.

Roll Call:

Present -	Maybelle DeMay	C. Eldon McIntosh
	Roger Gano	Quentin Probst
	Harold Grobey	Richard Rementería
	Alan Halstead	Tom Tucker

Staff Present - Michael Warren, City Administrator
Richard Faus, City Attorney
Clay Moorhead, City Planner
Arvilla Page, City Recorder
Robert Sanders, Public Works Director

Also Present - Approximately 40 citizens

Motion: Gano-Probst that the Council consider adjournment at 9:30 p.m. Carried unanimously.

Mayor Hall stated agenda item II-B will be discussed first with testimony limited to one hour for each side of the issue.

Proposed Newberg Landfill

Proponents

Ezra Koch, McMinnville, stated he would represent Angus McPhee, the operator and applicant for the landfill site. Mr. Koch is the operator of the Riverbend Landfill located near McMinnville. He stated he has been a member of the State Landfill Association for 17 years and will address questions which have been directed to Mr. McPhee. Waste is a by-product of civilization. All generate waste and all want waste disposed of. There are lots of alternatives proposed but few work. At this time there are only two successful waste recovery operations in the United States. To answer the specific questions: 1) Do we need a landfill? No other alternative are viable. 2) Is the current landfill at capacity? The current landfill will last 2 more years. 3) Who does the landfill serve? The present landfill once was just a dump. In 1972 Mr. McPhee upgraded and made it an adequate landfill. The landfill now complies with EPA and DEQ requirements. To make it economical material is now being accepted from Washington County and some from Clackamas County. One-half of the material is generated locally. The new site would be only marginally economical if it served only Newberg and Dundee. 4) Is the proposed site the best site? Hearings for the McMinnville site were held 4 years ago with over 600 people opposing. Not a single concern of the opponents proved true. Yamhill County has been flown over, driven over and walked over. No site is better suited. 5) What other sites were looked at? Mr. McPhee has looked at all sites that he became aware of. 6) What will happen if the landfill is turned down? It will be uneconomical for individuals to transport their own trash to sites

in the McMinnville area. There is no local site, long haul or transfer is the only other option. Equipment is usually not designed for long haul. The cost would increase about \$1.00 per customer. 7) What will happen to rates if there is no Newberg site? The rates will rise. The McMinnville site will have the capacity to handle the Newberg waste. The projected life for the McMinnville site is 45 years. 8) What will happen to the rates if the site is approved? The rates will rise some.

Russell Tetrow, Boatwright Engineering, Salem, stated he would answer any technical questions for the Council.

Material entitled Background Report for Proposed Newberg Landfill and Newberg Regional Landfill Traffic Count Analysis has been submitted to the Council. (Exhibits 1A and 1B of the proponents).

Marvin Schneider, Newberg Garbage Service, submitted a letter and three additional pages of comments to the Council. (Proponents exhibit 2). The material and letter were read into the record by the City Attorney.

Proponents were questioned by members of the Council: 1) Would Metro haul to Riverbend if the Newberg site were not available? Not likely. 2) Are other sites under consideration? Costs on other sites are prohibitive. 3) What about roads? McPhee paved River Road and would also pave Springbrook. 4) Do you have any idea where the transfer station for Newberg would be located? No. Separate siting hearings would be required. 5) Mr. McPhee was asked specifically about the roads. Why did he not make the same statement as you just did? Response by Koch, McPhee has made the statement by instituting a unit charge on out of county haulers. Users other than garbage trucks are the heaviest users of Springbrook Street. 6) Did McPhee give the one-half local use figure? No. This figure is from the official presentation. The weight of the material for outside haulers would be 3½ times of the local material. The cubic yards would be half and half. 7) The Council asked for additional technical information. Was it given? The City was given one geotechnical study which the Planner has. 8) Are the soils the same at Riverbend and at the Newberg proposed site? Very similar. 9) About the seal? There will be a membrane which will be protected by 2 feet of sand. The Riverbend site is designated to be used for only the south and west end of the County. Was this designation by the DEQ? No. That would not be a DEQ function. The users were determined during planning and hearings on the matter.

Opponents

Andrew Wekerle, stated he lives on the road near the site. The St. Johns Landfill has a \$9.00 per ton fee. The Wildwood Landfill will charge approximately \$11.00-\$12.00 per ton. The Woodburn Landfill is 14½ miles from the Springbrook junction.

Wekerle presented the Council a petition with approximately 1,200 signatures opposing the landfill site. (Opponents exhibit 1).

Dr. John Guiss, owner of property near the proposed landfill, presented to the Council pictures of the 1964 Christmas Day floods on the property. (Opponents exhibit 2). Also presented to the Council is a 3 page document filed by the East Yamhill County Clean Air and Clean Water Committee. Page 1 was titled Consider These Reasons for Not Having a Newberg Flood Land Riverside Landfill. Page 2 was titled Information Concerning MSD Existing Landfills, Alternative Sites and Projected Lives of Sites. Page 3 was titled An Abbreviated Historical Summary of Major Willamette River Floods Affecting Newberg, St. Paul Area. (This document is opponents exhibit 3).

Dr. Guiss stated that traffic is very heavy traveling to and from the landfills. The present site would last 10 years instead of 2 if $\frac{1}{2}$ less material were coming in. Proponent has stated he has a successful business because of hauling in from other areas. Why not haul Newberg's waste to McMinnville and make that landfill a successful business. It costs a lot of money to build landfills. Why should one county be asked to support 2 landfills? Dr. Guiss stated he had talked with several experts in the field operating other landfills. Incinerator technology is improving. The waste products from incinerators can be used to build roads. He described the proposed Wildwood Landfill site which is out of view from roadways and has a natural method of controlling leachate.

Ken Dority, St. Paul, stated he owns the farm across the river from the proposed site. If the berm is constructed as planned it will increase the velocity of the river water against his property. The river acts as a sound board and the garbage site would create noise which will increase the noise level up and down the river. Landfill operator should be required to post a surety bond that would protect property owners from damage and a performance bond to protect the cities and county.

Mary Dority, owner of the property across the river. McPhee has stated there will be no rat problem and the flies are controlled. However, he has not addressed the seagulls which are potential carriers of disease to animals and humans. Newberg seagulls should be checked for possible diseases being carried.

Miss Marsha McKeason asked why Mr. McPhee did not speak for himself and wanted to know if McPhee really did consider other sites. She stated she is against landfill that is located so close to town, state parks, and a major highway. Alternate sites should be considered. Landfill is not the best use for this particular site. It is prime farm land. No need has been proved for a landfill that is 10 times larger than the present one.

Roger Schaad of Rt. 2, stated he is concerned about the land itself. Agricultural land is being used up in bits and pieces and taken out of production. 3,000,000 acres a year are being used. We cannot return to agricultural use after it has been taken away for other uses. The liner would have to be an extremely heavy material and 5 acres of plastic cannot be laid down at one time without some kind of seal. How will that be done?

Art Stanley, Newberg, a member of the Newberg Planning Commission and the Historical Society, stated that the historical aspect has not been considered yet.

Bill Copeland of Rt. 2, stated a comparison of the soils could be made. The Riverbend site is underlaid by a heavy manner of clay. The Newberg site is prime, top quality agricultural land underlaid by sand and gravel. Sand and gravel was formed by the river moving back and forth across the area. As to the need of the Newberg site, it is not included in the Metropolitan Service District Plans. Report of the proponent does not show adequate lease cost to cover taxes and other overhead, also, there is not enough fill material on site and the costs for this were not included in the report. No cost for drainage was included in the report. No indication was made in the report of the use of the area west of the highway. This possibly could be for a planned hydraulic barrier. There are still a lot of unanswered questions.

A letter from Mrs. J. K. Austin, Sr. was read into the record (Opponents exhibit 4).

Motion: Grobey-Tucker to adjourn at 10:00 p.m. Carried unanimously. (Motion made at 9:35 p.m.)

Councilman Grobey asked Dr. Guiss if any flood controls have been installed on the river since the 1964 flood. There are dams up river but they were installed prior to 1964.

Motion: Halstead-Grobey to consider the Crestview Manor update matter on the agenda. Carried unanimously.

The City Administrator recommended to the Council that they adopt the Resolution to extend the time for entering into an agreement on the Crestview Manor project. Resolution was then read extending the time for entering into an agreement for 60 days from January 6, 1982.

Motion: Gano-Halstead to adopt Resolution No. 82-925 amending Resolution 81-917 and extending the time for entering into an agreement on Crestview Manor. Carried unanimously.

Motion: Halstead-Rementeria to adjourn. Motion carried with one nay - Gano. Meeting adjourned at 10:00 p.m.

1981 A YEAR OF CHANGE

In that the calendar year of 1981 has drawn to a close, it is appropriate that all of the people who have worked so diligently within the Hospital Board, Medical Staff, Employees and Volunteers stop, recognize and appreciate what this year has meant for Newberg Community Hospital. There are not many health care facilities that can point to as many accomplishments as we have had throughout this year.

1. CONSTRUCTION: We have seen the largest and most extensive expansion and modernization program in our history draw to a close this year. The beginning of 1981 saw us in the midst of probably the most serious disruption in hospital operations that we have witnessed. However, by May all of the patient rooms and new Intensive Care Unit were occupied and opened for business. In August the new Emergency Area, Admitting, Business Office, Administration, Medical Records, Physical Therapy and Radiology were turned over to the Hospital. In September the new Operating Rooms opened, X-Ray was operational and Respiratory Therapy and Pharmacy were moved. In October Central Supply, Pediatrics and almost all of the landscaping throughout the area had been completed. By the month of December, the Dining Room and Lobby were finished and occupied and final occupancy permits were obtained essentially drawing this major portion of the project to a close. During 1982 we will continue to close out the small items and punch list and final settlement with Hospital Building and Equipment.
2. TELEPHONE SYSTEM: During this year a major new telephone system was purchased and installed throughout the building with a minimum of disruption.
3. OB TASK FORCE: A group composed of consumers and medical staff members met for long series of meetings and developed appropriate recommendations for our Obstetrical Service. The recommendations of the Task Force resulted in the completion of a public relations OB Department brochure. During 1982 we will implement their recommendations for establishing a birthing room within our hospital.
4. MINOR CONSTRUCTION PROJECTS: During this year, as part of the overall expansion program, medical gases were added to the delivery rooms, nursery and labor rooms within the OB department. A new roof has been provided for the entire hospital building. Landscaping, completely provided by the Auxiliary, is almost complete.
5. MURDOCK GRANT: The Hospital successfully raised \$25,000 of matching funds to meet the challenge grant of an equal amount from the Murdock Trust. The funds provided equipment for the new Cardiac Care Unit.
6. ACCOUNTS PAYABLE SYSTEM: During the year, the conversion of the manual accounts payable system to data processing was accomplished.
7. GENERAL LEDGER: General ledger was successfully converted to the computer system following accounts payable transfer. Timely, accurate financial statements are now consistently available.
8. FINANCIAL PROJECTIONS: Beginning in January the Finance Committee minutes reflect the fact that the Hospital is now able to fairly accurately foresee financial difficulties and opportunities in the months ahead based on accounting information being available in a timely manner.

9. ACCOUNTS RECEIVABLE: The accounts receivable were reduced throughout this calendar year from January's level of 87.3 days of revenue to 79.1 days in December. This reduction generated about \$112,000 in cash.
10. PATIENT REFUNDS: Hospital policy with respect to patient refunds was developed and passed by the Board of Commissioners. Refunds are now part of a standing procedure.
11. COMMUNITY SURVEY: With the cooperation of George Fox College, a community survey was conducted which will tremendously assist the hospital in its long range planning and marketing efforts in the years ahead.
12. SHARING OF SERVICES WITH THE CITY OF NEWBERG: During the course of this year financial expertise was provided and shared with the City of Newberg and the City of Newberg is able to take advantage of the hospital's purchasing power, especially in the area of office supplies. We can look forward to many more joint efforts in the years ahead that can reduce costs for both operations.
13. NIGHT SHIFT NURSE STAFFING: During this year severe shortages and morale problems developed on the night shift which have been appropriately and adequately addressed. The night shift nurse staffing is now one of the most stable areas within the hospital. Strong and impressive leadership in nursing administration made this happen.
14. DIETARY SERVICES: 1981 saw the first full time hospital dietitian. New menus employee food service have radically altered the patient's and others perception of food service within our institution. A new dimension is the clinical nutritional services now available to physicians and patients.
15. MEDICAL STAFF: 1981 saw the following additions to our active Medical Staff:
 - Dr. Wallin, Pathology
 - Dr. Larson, Ophthalmology
 - Dr. Nahm, Obstetrics and Gynecology
 - Dr. Wong, Obstetrics and Gynecology
 - Dr. Cantor, Internal Medicine
 - Dr. Covey, General Surgery
 - Dr. Cummings, Family Practice
 - Dr. Knudsen, Anesthesiology

1981 also saw six new additions to our Courtesy Staff. During this only one General Practitioner has left the active staff.
16. OCCUPATIONAL THERAPY: A six month trial program of Occupational Therapy was established by Newberg Community Hospital. Previous Occupational Therapy services were provided under contract with St. Vincent Hospital and an attempt is now being made to make this service free standing within our own facility with our own resources.
17. FUND DRIVE: Though the Fund Drive officially ended in May, 1981, the year saw total contributions exceed \$110,000, far ahead of what was expected and planned on.

18. RN SUPERVISOR TRAINING PROGRAM: During 1981 approximately twelve nursing supervisors attended a supervisor training program at St. Vincent Hospital. While their experiences were both good and bad on an individual basis, it was the first organized attempt to provide supervisor training for these important managers.
19. MEDICAL STAFF BANQUET: During this year the first annual Medical Staff Banquet was held. It was attended by almost all of the active Medical Staff as well as Board members and key administrative people.
20. OUTPATIENT STAT LABORATORY: In September of this year the Hospital established and began operating an outpatient stat laboratory within the Newberg Professional Center. As of the end of December, the financial projections are fairly close to what was predicted and the laboratory's volume is only expected to increase during 1982. Pick up and delivery services will be initiated. Laboratory costs to patients using the Stat Laboratory have been markedly decreased.
21. OUTSTANDING LOANS: During 1981 the Hospital successfully retired a \$220,000 short term operating loan payable to the Capital Improvement Fund and the City of Newberg.
22. PHYSICAL THERAPY AGREEMENT: A new agreement was reached with the contract physical therapy services that assures the hospital an adequate return based on leased building space.
23. PEDIATRIC SERVICE: The Medical Staff has organized a Pediatrics Committee to review the goals, programs, and objectives for the future pediatric service within Newberg Community Hospital. This committees' findings will be reported in 1982.
24. PHASE II REMODEL PROJECT: A conceptual design, working drawings were approved and contracts awarded for the initiation of approximately \$150,000 Phase II project involving the vacated Emergency, Laboratory and Surgery space. During 1982 the Business and Accounting functions, Conference Room space and Materials Management will occupy this renovated area.
25. DONOR RECOGNITION POLICY: The Hospital Board established a policy for recognition of donors that will be suitably placed near the front entrance of the hospital lobby.
26. ADMINISTRATIVE CHANGES: During this year Agnes Haugen has been promoted to Assistant Administrator, Jane Cummins arrived and assumed a new position, courtesy of St. Vincent Hospital, as an Administrative Assistant with line responsibility for a number of departments. Gayle Lucas assumed the duties of Director of Nursing. The position of Business Manager was eliminated near the end of 1981.
27. DEPARTMENT HEAD RETREAT: The very first Department Head Retreat featuring an outstanding, dynamic speaker was held at the Greenwood Inn in Portland, Oregon. More of these types of training and retreat sessions will be held during 1982 for motivation and education purposes.
28. DRESS CODE: A Hospital dress code was established providing for liberalization of nursing uniforms as well as standardizing dress for other departments.

29. MEDICAL RECORDS REQUIREMENTS: Complete new policies and medical staff rules and regulations were adopted for the medical record requirements bringing some order out of past disarray.
30. MEDICAL STAFF SUPPORT: Continued support for the numerous medical staff committees was enhanced during 1981.
31. MANAGEMENT CONTRACT: The Board of Commissioners established an Ad-Hoc Committee to thoroughly review the Management Contract and to recommend changes in renegotiating a new contract with St. Vincent Hospital. This activity will be ongoing throughout the first half of 1982.
32. NET INCOME FROM OPERATIONS: Fiscal year 1981 closed at the end of June with the first positive net income from operations in the past six years, exclusive of contributions.
33. OPERATING ROOM PROCEDURES: A whole new gamut of operating room procedures have been performed in our hospital for the first time such as, implantation of intraocular lenses, arthroplasty, permanent cardiac pacemakers, flexible bronchoscopy and many others.
34. PATIENT QUESTIONNAIRES: A patient questionnaire has been developed and was implemented during 1981. Results will assist in planning as well as assessment.
35. VOLUNTEER SUPPORT: 1981 saw continued and renewed support from Hospital volunteers both in the areas of EMT and Auxiliary activity. The Pink Ladies are providing approximately 16 man hours of volunteer labor per day over and above what was provided during past years. Sewing ladies have initiated a project to modify the patient room shower curtains to help prevent accidents. The Thrift Shop continues with increased business, especially in these economic times, that further contributes to the Auxiliary's ability to provide services and facilities that the hospital could not otherwise do on its own. We are most appreciative of all of these volunteer efforts.
36. ANESTHESIOLOGY: Near the close of 1981 it became apparent that the hospital would receive the services of an anesthesiologist which should contribute to a higher level of quality care in that department throughout this next year.
37. PATHOLOGY SERVICES: During 1981, the hospital made a significant change in the provision of on-site pathology services for upgrading our laboratory services. Reference laboratory reports are now printed out in the hospital lab after being transmitted by phone from the Portland lab, providing same day service at lower costs. The cost of these reference services has decreased approximate 30% and at the same time provided a much higher level of service to the hospital and our physicians.
38. HOSPITAL WORKLOAD VOLUME: Calendar year 1981 closed with the following changes in workload as can be also demonstrated by the graphs attached to this report.
 - Patient days increased by almost 600
 - ICU days increased 200
 - Occupancy was up almost 4%
 - Ambulance emergency transports increased by 120
 - Emergency room visits declined by 400
 - Laboratory workload units increased by 110,000
 - Outpatient laboratory visits increased by 1200
 - Radiology procedures declined by 300

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

1982-83

LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
PS	PACKAGE STORE	50.00	2		03	3624		595-203 R03488A	01 04 82	F

CORRECT ANY NAME OR ADDRESS ERROR

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

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF

RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT

BY

SIGNATURE OF OFFICIAL

TITLE

RENEWAL INSTRUCTIONS.....

1. YOUR LIQUOR LICENSE EXPIRES 03-31-82. YOU WILL RECEIVE A NOTICE OF VIOLATION IF THIS COMPLETED APPLICATION IS NOT RECEIVED BY THE OLCC BEFORE 03-11-82.
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(OVER)

II
4-A

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

1982-83
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
PS	PACKAGE STORE	50.00	2		03	3025		595-203 R05482A	01 04 82	F

CORRECT ANY NAME OR ADDRESS ERROR

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

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF _____

RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT _____

BY _____

SIGNATURE OF OFFICIAL

TITLE _____

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(OVER)

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

1982-83
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
PS	PACKAGE STORE	50 00	2			03 5629		595-203 R03487A	01 04 82	F

CORRECT ANY NAME OR ADDRESS ERROR

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

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF _____

RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT _____

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(OVER)

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

1982-83
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRN	DATE ISSUED	CD
PS	PACKAGE STORE	50.00	2	03	3829	595-203	RO3483A	01 04 82	F	

CORRECT ANY NAME OR ADDRESS ERROR

11 SPRAY MICHAEL R
12 SPRAY CARRIE E
01 9TH STREET GROCERY
01 1210 E NINTH ST
NEWBERG OR 97132

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF _____
RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT _____

BY _____
SIGNATURE OF OFFICIAL

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(OVER)

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

1982-83
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
R	RESTAURANT	200.00	2	15	3829			595-205 R03484A	01 04 82	8

CORRECT ANY NAME OR ADDRESS ERROR

11 BRADLEY DONALD S
12 BRADLEY GERALDINE A
01 YE OLDE PIZZA SHOPPE
01 2515 PORTLAND RD
NEWBERG OR 97132

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF _____

RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT _____

BY _____

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TITLE _____

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(OVER)

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

1982-83
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
PS	PACKAGE STORE	50.00	2			02 9629		595-203 R08209A	01 04 82	F

CORRECT ANY NAME OR ADDRESS ERROR

II 4-F
11 WILLIAM P VAUGHAN INC
01 SPRINGBROOK THRIFTWAY
01 1140 N SPRINGBROOK ST
NEWBERG OR 97132

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF _____

RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT _____

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(OVER)

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

1982-83
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
PS	PACKAGE STORE	50.00	2		02	3624		595-203 8034864	01 04 82	F

CORRECT ANY NAME OR ADDRESS ERROR

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

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF _____
RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT _____

BY _____

SIGNATURE OF OFFICIAL

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(OVER)

THE COMMITTEE FOR GOOD ROADS AGAIN

POST OFFICE BOX 906 • PORTLAND, OREGON 97207

January 20, 1982

RECEIVED

JAN 27 1982

CITY OF NEWBERG, ORE
OFFICE OF RECORDER

Dear fellow Oregonian,

Who cares about good roads?

We do! And because you have also shown an interest in Oregon's roads, we thought you would want to know about ballot measure 4.

Oregon voters will decide on ballot measure 4 in the May, 1982 primary election. If the measure passes, it will increase Oregon's weight-mile tax and gas tax to bring in more revenue for road repair and construction all over the State. We are sending along a fact sheet about the measure and what it would do.

The Committee for Good Roads Again has organized to support ballot measure 4. Why? Our main reason is that Oregon's roads are deteriorating faster than we can keep up with basic repairs. Already, nearly half of the roads in Oregon are in poor condition!

Whether we like it or not, the State and our cities and counties need more revenue to take care of badly needed road projects.

The election is still five months away, but we are looking for volunteers and financial support now. Won't you help? Please return the enclosed envelope today and let us know how you can help pass ballot measure 4 in your community.

Thank you.

Sincerely,



Dick Olson



Jane Cease

Committee Chairs

Walter Hoffman
Treasurer

THE COMMITTEE FOR GOOD ROADS AGAIN

POST OFFICE BOX 906 • PORTLAND, OREGON 97207

'YES on 4'

Facts on Oregon's Ballot Measure 4

What is ballot measure 4?

If passed in Oregon's May primary, ballot measure 4 will raise the motor vehicle gas tax and the truck weight/mile tax for repairing and improving roads.

Nearly 20,000 miles of roads in Oregon are in poor condition.

Why have we fallen so far behind in basic road repair? Because voters have not approved an increase in the tax which funds roads since 1967. In the meantime, Oregonians have been driving more fuel-efficient cars. The result? August, 1981, was the lowest month for revenue to the state's road fund in 10 years!

The Committee for Good Roads Again believes Oregon's road system must be restored before more deterioration drives the cost out of sight. Ballot measure 4 would mean vital improvements in our roads. And better roads could improve the job market and safety conditions.

How much will ballot measure 4 raise the gas tax?

Just one cent a year for the next three years. If your car averages 18 miles a gallon for 12,000 miles, each penny will cost you \$6.67 a year.

What about the truck weight/mile tax?

It will go up at the same percentage rate as the gas tax: about 12.5% in 1982, 11% in 1983, 10% in 1984. That's about \$500 additional tax a year for a heavy diesel truck driven 50,000 miles.

How much revenue will these increases raise? And how will it be spent?

About \$21 million more each year. Oregon's Constitution requires the money be spent for road repair, construction and improvement. Cities will receive 12% of the money and counties, 20%, for local road projects.

Who is the Committee for Good Roads Again?

People supporting 'yes on 4.' The Oregon Farm Bureau, Joint Council of Teamsters, Oregon Forest Industry Council, League of Oregon Cities, Association of Oregon Counties, Associated Oregon Industries and others.

Walter Hoffman
Treasurer

January, 1982

Please place
first class
stamp
here

COMMITTEE FOR GOOD ROADS AGAIN

Walter Hoffman, Treasurer
P.O. Box 906
Portland, OR 97207



___ YES, I want to help the **Committee for Good Roads Again** pass **ballot measure 4**.

___ My contribution of \$_____ is enclosed. (Please make checks payable to Committee for Good Roads Again.)

You may take a tax credit for your contribution on your Oregon personal income tax return. For a joint return, you may take a credit for half your donation up to \$50. For a single return, you may take half your donation up to \$25.

___ I will volunteer to help a '**YES on 4**' committee in my area.
I volunteer to :

___ Have my name used as a supporter.

___ Speak to community groups (Speakers' Bureau).

___ Write a letter to the editor.

___ Organize other campaign activities.

Name _____

Address _____

Occupation _____ Phone# _____

RECEIVED

JAN 26 1982

CITY OF NEWBERG, ORE.
OFFICE OF RECORDER

BEFORE THE PUBLIC UTILITY COMMISSIONER
OF OREGON

DOCKET NO. R-69

In the Matter of the Petition of)
PORTLAND GENERAL ELECTRIC COMPANY) HEARINGS OFFICER'S
for adoption of a proposed rule) MEMORANDUM
relating to the relocation of)
utility facilities.)

This petition was filed on September 18, 1981. The Commissioner served notice of the filing on a variety of potentially interested parties on December 11, 1981. In addition, notice was published in the Secretary of State's bulletin on January 1, 1982.

A hearing was held on January 14, 1982. At the hearing, PGE presented amendments of the proposed rule. The amended proposed rule is attached to this memorandum.

By letter dated January 14, 1982, the City of Portland requested that the record be kept open 90 days so the city could develop a position and submit testimony. A 90-day delay is unreasonably long. The City must submit its comments on or before March 1, 1982.

Several issues requiring further exploration arose at the hearing. They are:

1. Scope of affected parties--It appears that some parties (e.g., counties and urban renewal districts) potentially affected by the rule were not given notice. The City of Beaverton assisted in the development of an expanded service list. This memorandum and a copy of Order No. 81-853 (the original notice) are being served on newly identified, potentially affected parties. Those parties are invited to comment on the amended proposed rule.

2. A legal issue relating to the Commissioner's jurisdiction--The City of Beaverton contends that the Commissioner does not have authority to grant the relief requested. The City will file a brief on January 19, 1982. Briefs from other parties are due February 5, 1982.

3. A factual issue relating to the relative life-cycle cost of overhead and underground facilities--One of the assumptions of the proposed rule is that underground facilities

are more expensive. The City of Beaverton contends that this may not be true. PGE will determine what would be involved in studying the relative costs. The information should be filed as soon as it is available.

4. A factual issue relating to the relative reliability of underground and overhead facilities--PGE contends that conversion results in minimal benefits to other customers. The City of Beaverton and others contend that underground facilities benefit all customers because they are more reliable. PGE should also determine what would be involved in studying relative reliability.

5. A factual issue relating to the effect of outages on customers outside the local area--PGE should address this issue when it files information relating to the cost and reliability study.

6. A policy issue relating to the threshold level of cost which would trigger allocation of costs to local customers--PGE will file several alternative levels and show (a) the dollar amount which representative communities could expend without triggering allocation and (b) the occurrence of past projects which would have triggered allocation if the rule had been in effect. The filing is due February 5, 1982.

7. A policy issue relating to the cost to be apportioned--PGE is interested only in the difference between the cost of locating overhead facilities and the cost of converting those facilities. However, the proposed rule does not clearly define "cost." For example, is it the cost of relocating the facilities on the same street or on a different street? PGE will submit revised language on or before February 5, 1982. Comments are due March 1, 1982.

8. A policy issue relating to (a) the manner of payment and (b) the deadline for payment--Idaho Power suggested that the cost be recovered within one year. PP&L suggested that an upper limit of five years and a description of the manner (e.g., equal percentage on all bills) of payment. PGE suggested a "reasonable" time. PGE will submit revised language on or before February 5, 1982. Comments are due March 1, 1982.

9. (a) A legal issue relating to the propriety of making the rule apply to conversions ordered after December 1, 1981, and (b) a policy issue relating to the most appropriate application date--PGE will express its position on or before February 5, 1982. Comments are due March 1, 1982.

New participants need not limit themselves to these nine issues. However, the March 1, 1982, deadline for comments applies.

A hearing for oral response to the written comments
will be held:

DATE: Wednesday, March 17, 1982

TIME: 10:00 a.m.

PLACE: Hearing Room D
Labor & Industries Building
Salem, Oregon

Dated at Salem, Oregon, this 20th day of January,
1982.



Karl Craine
Hearings Officer

pw/1081P

EXHIBIT 1

REVISED PROPOSED RULE

"Relating to conversion of electric and communication facilities;

(1) As used in this rule, unless the context requires otherwise, the definitions contained in ORS 758.215 shall be applicable.

(2) Except as provided in Section (6) below, in the event any local government of the State of Oregon shall require any public utility subject to the rate-making authority of the Public Utility Commissioner to convert any of its electric or communication facilities at the cost of the public utility, the public utility shall collect the amount of the conversion costs from its customers within the boundaries of the local government requiring the payment of such conversion costs in accordance with the procedures described in Sections (3)-(5) below.

(3) Conversion costs incurred by each utility shall be accumulated in the utility's books. Interest on all such amounts shall accrue on the balance in the accounts from the date of incurrence of such costs by the utility. The rate of such interest at any point in time shall be equal to the effective rate of the utility's last senior securities issuance.

(4) The utility shall collect the total of the conversion costs and interest from the utility customers

1 referred to in Section (2) over a reasonable period of time
2 beginning after the end of the calendar year in which such
3 conversion costs have been incurred.

4 (5) The amount collected from each utility customer
5 pursuant to Section (4) hereof shall be separately stated and
6 identified on all customer billings.

7 (6) If the total of the conversion costs incurred by
8 a utility in any calendar year in accordance with Section (2)
9 does not exceed five-one hundredths of one per cent (.05%) of
10 the utility's annual revenues within the boundaries of that
11 local government, the amount of such conversion costs shall not
12 be collected separately from the utility's customers within the
13 boundaries of such local government.

14 (7) This rule shall apply to conversion costs
15 incurred by a public utility after December 1, 1981 for
16 conversion required, directed or ordered by any local
17 government after December 1, 1981.

18 (8) Should any local government, public utility or
19 customer affected by this rule deem its application in any
20 particular instance to be unjust or unreasonable, it may apply
21 for a waiver of this rule by petition, setting forth the
22 reasons why the rule should not apply."

ORDER NO. 81-853

ENTERED December 1, 1981

BEFORE THE PUBLIC UTILITY COMMISSIONER
OF OREGON

R 69

In the Matter of the Petition	)	
of PORTLAND GENERAL ELECTRIC	)	ORDER
COMPANY for adoption of a	)	AND
proposed rule relating to the	)	NOTICE OF HEARING
relocation of utility	)	
facilities.	)	

On September 24, 1981, Portland General Electric Company (PGE) filed a petition for proposed rule-making.

Alleged Need for the Rule-

The petition states that local governments, for aesthetic reasons, have been requiring PGE to relocate overhead distribution facilities underground at PGE's expense. PGE feels that, since local residents derive the benefits of the relocation, other PGE customers should not be forced to bear part of the cost of the conversion. The proposed rule is designed to accomplish that objective.

The Proposed Rule-

"1. As used in this rule, unless the context requires otherwise, the definitions contained in ORS 758.215 shall be applicable.

"2. In the event any local government of the State of Oregon shall require any public utility subject to the jurisdiction of the Public Utility Commissioner to convert any of its electric or communication facilities at the expense of the public utility, the public utility required to pay such conversion expenses shall collect from its customers within the boundaries of the local government requiring the payment of such conversion expenses the amount of the conversion expenses.

"3. The amount collected from each utility customer pursuant to Section (2) hereof shall be separately stated and identified on all customer billings.

"4. This rule shall apply to conversion expenses incurred by a public utility after _____ for conversion ordered by any local government after _____.

"5. Should any local government, public utility or customer affected by this rule deem its application in any particular instance to be unjust or unreasonable, it may apply for a waiver of this rule by petition, setting forth the reasons why the rule should not apply."

Statement required by ORS 183.335(2)(b), (A), (C), and (D): -

- (A) Legal authority: ORS 756.060.
- (C) Documents relied on: Petition for Proposed Rulemaking filed by PGE on September 24, 1981.
- (D) Fiscal impact: If the rule is adopted, customers within the boundary of the local government would be charged somewhat higher utility rates, and other customers would be charged somewhat lower rates, than they otherwise would pay.

Public Comment-

A hearing will be held:

DATE: Thursday, January 14, 1982

TIME: 10:00 a.m.

PLACE: Hearing Room D
Labor & Industries Bldg.
Salem, Oregon 97310

Data and views may be presented orally or in writing at the hearing. They also may be presented in writing prior to the hearing by delivery to Central Docketing at Room 429, Labor and Industries Building, Salem, Oregon 97310. A copy of the petition (including the proposed rule) may be obtained from Central Docketing by writing, in person, or by calling 503-378-6607.

ORDER NO. 81-853

ORDER

IT IS ORDERED that the proposed rule be filed with the Secretary of State as a proposed new rule.

Made, entered, and effective 12/1/81.





JOHN J. LOBDELL
Public Utility Commissioner



TO:

Mike Warren
Mayor Hall
Members of Newberg
City Council

Wild Horse Mountain Market
has applied to the O.L.C.C. for

a package store license. We come to you
now, for approval at the City level for our
application.

We opened our Market in the Chehalis
Mercantile Building in September of 1981
offering our community fresh roasted coffees
teas, candies, cards and gift items, such as
mugs, aprons, pot holders, nut gift packs and
coffee drippers and grinders. Our goal

for the first part of 1982 is to expand and offer bottled wine of local and California vineyards. As time and finances permit we would like to offer cheeses and international foods. Our intent is to emphasize the "Market Theme."

We have had extremely good responses from shoppers in our uptown area. People can stay in Newberg now for fine tasting coffee rather than travel to surrounding communities, and all our customers are very vocal and thankful on this point. We feel the addition of wines in our "Market" atmosphere will keep our customers, and draw many more.

Thanks for your time & consideration,
Daggy Campbell, Linda J. Callegari, MK Schneider
III 2 OWNERS OF WILD HORSE MOUNTAIN MARKET (MBC)

PAGE

1

GENERAL INFORMATION

PS

APPLICATION FOR PACKAGE STORE LICENSE

The filing of this application does not commit the Commission to the granting of the license that you are applying for, nor does it permit you to operate the business named below. If a license is granted by the Commission, you will receive a LICENSE CERTIFICATE.

No fee is collected by the OLCC until a LICENSE CERTIFICATE is to be issued.

No P 2367

(THIS SPACE IS FOR THE OLCC OFFICE USE)

CIRCLE REQUESTED ACTION:

- ☒ New outlet
☐ Lesser privilege
☐ New licensee
☐ New partner
☐ New location

JAN 27 1982
 CRUZEN
 LICENSE DIVISION

OREGON LIQUOR CONTROL COMMISSION

(THIS SPACE IS FOR CITY OR COUNTY USE)

NOTICE TO CITIES AND COUNTIES: Do not consider this application unless it has been stamped and signed at the left by an OLCC representative.

THE CITY COUNCIL, COUNTY COMMISSION, OR COUNTY

COURT OF _____

(Name of city or county)

RECOMMENDS THAT THIS LICENSE BE: GRANTED _____

DENIED _____

DATE _____

By _____

(Signature)

TITLE _____

PROCESSING FEE \$ 12.50 recpt #6280.

CAUTION: If your operation of this business depends on your receiving a liquor license, OLCC cautions you not to purchase, remodel, or start construction until your license is granted.

1. Name(s) of individual applicant(s), partnership, or corporation:

- (1) LINDA CALLEGARI RT3 BOX 445 NEWBERG OR 97132
 (Name) (Address) (City) (State) (Zip)
 (2) MARGARET B CAMPBELL 911 E 3RD NEWBERG OR 97132
 (Name) (Address) (City) (State) (Zip)
 (3) KAREN SCHNEIDER RT 1 BOX 82A7 NEWBERG OR 97132
 (Name) (Address) (City) (State) (Zip)
 (4) _____

(EACH PERSON LISTED ABOVE MUST FILE AN INDIVIDUAL HISTORY AND A FINANCIAL STATEMENT.)

2. Trade name of premises WILD HORSE MTN. MKT. When filed: 1981

(Year name filed with Corporation Commissioner)

3. Former trade name _____

4. Premises address 516 E 3RD ST NEWBERG YAMHILL ORE 97132

(Number, Street, Rural Route) (City) (County) (State) (Zip)

5. Business mailing address SAME (City) (State) (Zip)

(P.O. Box, Number, Street, Rural Route)

6. Was premises previously licensed by the OLCC?: Yes _____ No X If yes, year: _____

7. If yes, to whom: _____

8. What is the local governing body where your premises is located: NEWBERG

(Name of city or county)

9. Will anyone else not signing this application share in the ownership or receive a percentage of profits or bonus from this business? Yes 1 No X10. OLCC representative making investigation may contact: ROSS CRUZEN

(Name)

(Address)

(Tel. No. - home, business, message)

CAUTION: The administrator of the Oregon Liquor Control Commission must be notified if you are contacted by anybody offering to influence the Commission on your behalf.

Applicant(s) Signature

(In case of corporation, duly authorized officer thereof)

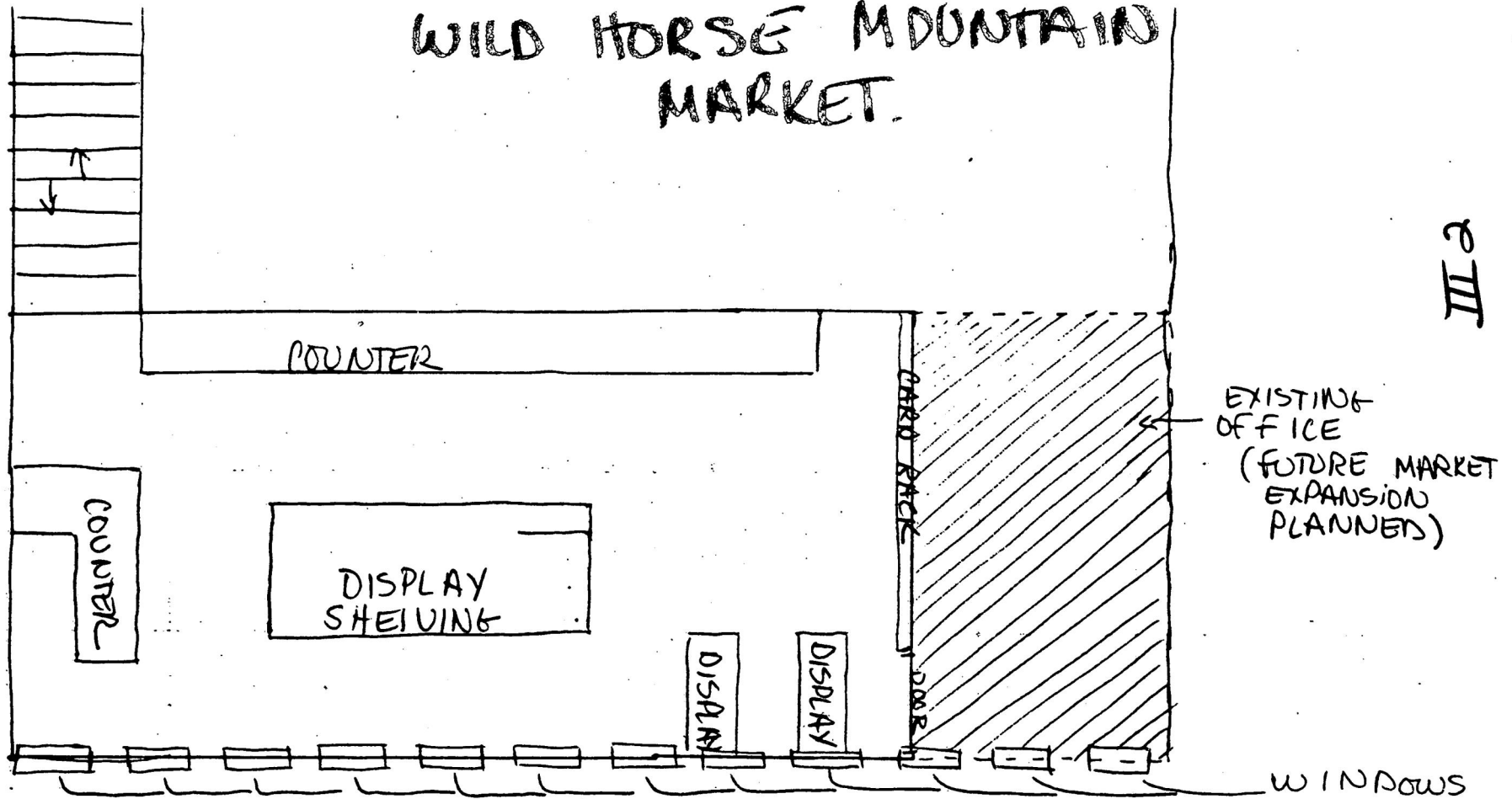
- (1) Linda J. Callegari
 (2) Margaret B Campbell
 (3) M. Karen Schneider
 (4) _____

Original-Local government

III 2

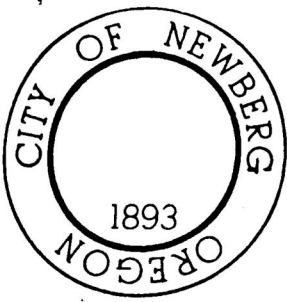
DATE Oct 14 1981

WILD HORSE MOUNTAIN MARKET.



WILD HORSE MOUNTAIN
MARKET
FLOOR PLAN

LOCATED IN THE
CHEHALEM MERCHANT
BUILDING
AT 516 EAST FIRST,
NEWBERG, IN
THE UPSTAIRS, LOFT.



CITY OF

NEWBERG

414 E. First Street

Newberg, OR 97132

2 October 1981

Wildhorse Mountain Market
% Peggy Campbell
516 E. First St.
Newberg, OR 97132

RE: The sale of wine and beer

Dear Peggy,

The Chehalem Mercantile Building located at 516 East First Street, in Newberg, is found within a C-3 (Central Business District) zoning designation. Within the C-3 zone, the sale of wine or beer, being either packaged or sold for consumption on the premises is an outright permitted use. No conditions or requirements will be made through the Newberg Planning Department to regulate this use at the Chehalem Mercantile Building. This approval, however, does not waive any other applicable ordinances or statutes relating to the sale or consumption of wine or beer on the premises.

If you have any questions regarding this matter, feel free to contact our office.

Sincerely,

Clay W. Moorhead
Planning Director

CWM:bym

III 2

MEMORANDUM
January 26, 1982

TO: Mike Warren, City Administrator

FROM: Clay Moorhead, Planning Director

RE: File No. VAC-1-82, A request by John Coleman/initiated by the Newberg City Council, for the vacation of the entire alleyway located on Block 51 of Edwards Addition Subdivision between Columbia and Pacific Streets and 8th and 9th Streets, Newberg, OR.

On January 21, 1982 the Newberg Planning Commission met and reviewed the above mentioned request for an alley vacation. Two minor objections did come out at the hearing, one from an individual who has property within the middle of the block abutting the alley, and the second coming from General Telephone.

General Telephone has telephone lines within the alley right-of-way and has requested that, if the alley is vacated, then an easement be established for access and maintenance of the telephone utility lines. The second objection came from Russ Sprunger who requires use of the alleyway for access to the rear of his property.

The Planning Commission made a recommendation to the City Council that they approve the alley vacation subject to two easements which are as follows.

1. An easement over the entire alleyway which will be reserved for access, maintenance and installation of utilities and public services.
2. An access easement will be provided along the alleyway from Columbia Street extending east a distance of 150 feet to be used as access to adjoining lots.

Attached is a copy of the ordinance authorizing the vacation, the staff report relating to the matter and a map which identifies the location of the proposed alley vacation.

ORDINANCE NO.

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

WHEREAS, a notice has been given of a public hearing having been held on January 21, 1982 by the Newberg Planning Commission and then again on February 1, 1982 by the Newberg City Council, to hear and consider any written objections or remonstrances to the aforesaid vacation; and

WHEREAS, an owner who abuts the north side of the alley and the Columbia Street right-of-way has given his consent to this vacation, and there being no objections in writing from owners of property in the affected area of the vacation provided that access is still maintained for utilities and personal use; and

WHEREAS, it has been determined that the alley is currently used for utility purposes and thereby would require easements to continue these purposes; and

WHEREAS, the Council has duly consider such vacation and is now fully advised in 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, 12 feet in width running east-west within Block 51 of Edwards Addition Subdivision to the City of Newberg, Oregon, said alleyway being located between 8th and 9th Streets and Columbia and Pacific Streets in Newberg, Oregon.

BE, AND THE SAME IS VACATED.

Section 2. Nothing herein contained shall cause or require the removal or abandonment of any sewer, water, gas main, conduit of any kind, wire, pole or thing intended to be used, for any public or private utility or service, and the right hereby is reserved for the owner of any such utility or service or thing to construct, maintain, continue, repair, reconstruct, replace, rebuild and/or enlarge any and all such things; that no building or structure of any kind shall be built within the lands subject to this vacation, and such land shall remain subject to an easement for utility and service purposes as mentioned within this section.

- Section 3. An easement for the right of personal ingress and egress to all existing and future legal lots shall be provided within the land subject to this vacation, extending from the easterly right-of-way line of Columbia Street, easterly for a distance of 150 feet.
- Section 4. 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 street 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 5. That 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 this 1st day of February, 1982 by the following votes:

AYES:

NAYS:

ABSENT:

Arvilla Page - City Recorder

Approved by the Mayor this 1st day of February, 1982.

Elvern Hall - Mayor



CITY OF

NEWBERG

414 E. First Street

Newberg, OR 97132

STAFF REPORT
21 January 1982

TO: Planning Commission

FROM: Planning Staff

RE: VAC-1-82

Applicant: John Coleman, Applicant/Initiated by Newberg City Council
Request: Vacation of the entire alley located on Block 51 of
Edwards Addition Subdivision, off Columbia Street
between 8th and 9th Streets, Newberg

Tax Lot: Adjacent to Tax Lots 3220CA-2800, -2900, -3000 & -3100

Exhibits:

1. File No. VAC-1-82
2. Staff Report
3. Newberg Comprehensive Plan

Findings:

1. The subject property is an alley which is located within Block 51 of Edwards Addition Subdivision. The alley is located between 8th and 9th Streets and Columbia and Pacific Streets. John Coleman, who represents that he is the property owner of two lots which abut the alley, has requested that the Newberg City Council initiate this vacation proceeding. His request was only for the western one-half of the alley within that particular block. Rather than vacate only half of an alleyway, the Newberg City Council decided that, in initiating the vacation proceeding, the entire alley should be considered for vacation. Within Block 51 of Edwards Addition there are seven legal lots of record which are identified as Yamhill County Tax Lot Numbers 3220CA-2500, -2600, -2700, -2800, -2900, -3000, and -3100. Six of the lots are 7,200 square feet in area and one lot is 14,400 square feet in area. The alley extends for a length of 200 feet and has a width of 12 feet.

2. The alley way is currently unimproved. The alley is used by tenants within an adjoining apartment complex containing 6 residential units; however, the alley is not required for access or parking purposes. A curb cut from the street in to the alley exists only on Columbia Street. There is no curb access in to the alley off of Pacific Street.

3. This matter was referred to all City departments, Yamhill County Planning Department, Northwest Natural Gas, Portland General Electric, General Telephone, and Newberg Garbage Service. The Engineering Department indicates that the alley is 12 feet in width and that no sewer and water lines are known to be located within the alley. General Telephone has indicated that they have no objection to the alley vacation but they would require that a 10 foot easement be left in order that they may maintain their present facilities located within the alley right-of-way. No other adverse comments, objections or written remonstrances have been received relating to this request.

4. Notice of the proposed alley vacation was mailed to all adjoining property owners and was included as a general public notice within the Newberg Graphic Newspaper which will be published at least once a week for four consecutive weeks prior to the final hearing scheduled before the Newberg City Council on February 1, 1982.

Recommendation:

As of the writing of this report there has not been any substantial objection to this alley vacation. If no objections arise at the Planning Commission hearing on this matter, then the City staff would recommend that the alley vacation be approved. If a substantial objection arises relating to access to any of the affected properties abutting the proposed alley vacation, then the Planning Commission should strongly consider these objections in making their final decision.

If the Planning Commission recommends that the vacation be approved, then a condition should be made that an easement over the entire area to be vacated will remain for utility installation and maintenance purposes.

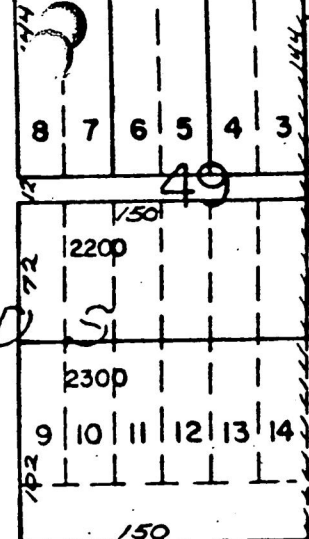
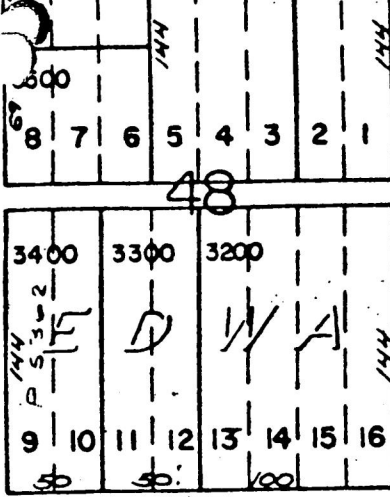
SEE MAP

ST.

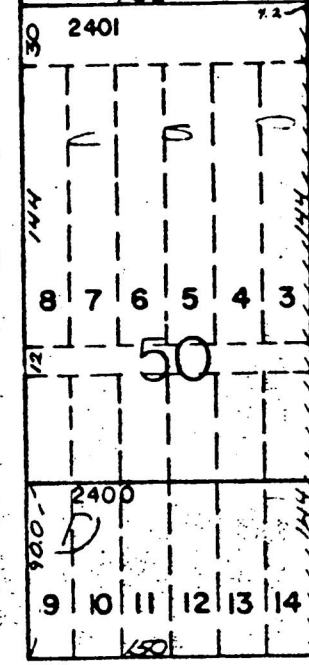
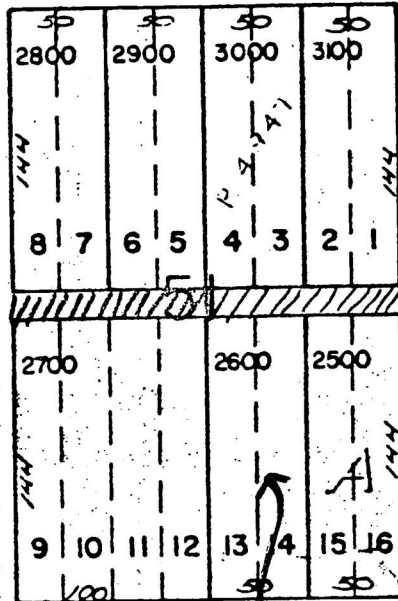
ST.

COLUMBIA

PACIFIC



8th



9th

RUSS SPRINGER

ST.

SEE MAP

This map is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

MEMO

TO: City Council

DATE: January 28, 1982

FROM: City Administrator

SUBJECT: Flood Insurance

The attached ordinance with emergency clause, must be passed by the City Council, in order that we continue to have Flood Insurance and insurance rates of the people in the area are low. I will quote a letter from the Federal Emergency Management Agency, Which says "If the City wishes to continue participating in a National Flood Insurance Program, thereby making flood insurance available to the residences of the City, a flood plane management ordinance addressing the pertinent sections of the Federal Regulations will need to be adopted...."

This ordinance brings us into compliance.


Michael Warren
City Administrator

MW/bjm

Enc.

Type

MEMORANDUM
January 26, 1982

TO: Mike Warren, City Administrator
FROM: Clay Moorhead, Planning Director
RE: Proposed amendments to the Newberg Zoning Ordinance
relating to Section 552 and 553 entitled "Flood Hazard
Sub-districts".

Attached is a copy of a staff report which more fully explains this situation. Essentially, the Federal government is requiring that the City amend it's Flood Hazard Subdistrict Ordinance to comply with the Federal requirement for the National Flood Insurance Program. If the City does not comply with these standards, then the City's eligibility to participate within the Flood Insurance Program will be suspended. The changes are more grammatical in nature and do not result in a significant alteration of the language or intent of the initial ordinance. Because of the new State notice requirements for amending planning documents, the hearing on this matter must remain open and continue at the March 1, 1982 regular Council Meeting. The ability to provide new testimony must be permitted at the March meeting and the ordinance adopting these changes may only be approved at that time.

With the adoption of the changes as mentioned above, the Federal Emergency Management Agency will certify to the Federal government that Newberg's ordinances comply with the National Flood Insurance Program and the flood insurance provided within this community will not be suspended.

GENERAL PROVISIONS: FLOOD HAZARD SUB-DISTRICTS

552 Purpose. The purpose of this subdistrict is to insure that no new residential, commercial or industrial structural development is permitted in those areas identified as lying within the 100 year flood-way or the flood-way fringe, and to insure the public health, safety and general welfare of the residents or future residents of the community. The parameters of the Flood Hazard sub-district would include all areas identified as a flood-way or flood-way fringe on the National Flood Insurance Program Flood Insurance Rate Map for the City of Newberg. Where such data is not available, the Flood Hazard sub-district shall include all lands within a 10 foot elevation of the normal mean high water level of any year round water-way.

554 Special Conditions.

1. No residential, commercial or industrial structure shall be located within the Flood Hazard Sub-district.
2. No fill, new construction, substantial improvement, or other development or encroachments shall be permitted within the adopted regulatory flood-way that would result in any increase in flood levels within the community during the occurrence of a base flood discharge.
3. Dead-end access shall not be permitted within the flood hazard sub-district where such access is used as the principle means of getting to or from a place of occupancy.



CITY OF

NEWBERG

414 E. First Street

Newberg, OR 97132

STAFF REPORT
21 January 1982

TO: Planning Commission

FROM: Planning Staff

RE: Proposed Amendments to the Newberg Zoning Ordinance Relating to Section 552 and 554 Entitled "Flood Hazard Subdistricts"

Explanation:

For several years the City has been actively involved with the U.S. Army Corp. of Engineers and the Federal Emergency Management Agency to update and identify flood areas within the City of Newberg. As part of this, the Federal Emergency Management Agency provides Federal Flood Insurance to the City of Newberg in the event of any damage relating to floods. The Army Corp. of Engineers has prepared several sets of maps which identify the flood way and flood way fringe of Chehalem Creek, Hess Creek and the Willamette River in the Newberg vicinity. In order to continue to qualify for Federal Flood Insurance, it is essential that the City adopt an ordinance which implements the flood plain management measures identified within the National Flood Insurance Program Section 44 Chapter 60.3. This particular section has a number of pages of Federal requirements. The predominant requirement affecting the City of Newberg is one which reads as follows:

"Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory flood way that would result in any increase in flood levels within the community during the occurrence of a base flood discharge."

The Federal Emergency Management Agency has reviewed our current flood hazard sub-district ordinance and has determined that it could be clarified to meet the Federal requirements for continued flood insurance. The proposed amendments to these sections are attached and you will note that they are very short. Essentially the proposed ordinance and the existing ordinance accomplish the same thing, however, the proposed ordinance is written more concisely and specifically. Instead of five conditions, there are now three. The ordinance is intended to restrict all residential, commercial and industrial development so that they shall not be permitted within the flood hazard subdistricts. Fill, new construction, substantial improvements, or other development or encroachments are

permitted, except residential, commercial, or industrial structures, provided that they would not result in any increase in the flood levels within the community during the occurrence of a base flood discharge.

I have also enclosed a copy of the existing ordinance so that you may compare the two. I think that you will find that, other than grammatical changes, the two ordinances are substantially alike. The proposed ordinance has been submitted to the Federal Emergency Management Agency and they have indicated that, if it were adopted, it would satisfy the Federal requirements for continued flood insurance within our community.

Findings:

1. The Federal Emergency Management Agency has determined that sections 552 and 554 of the Newberg Zoning Ordinance do not comply with the Federal regulations relating to Newberg's eligibility in the National Flood Insurance program.
2. Unless an ordinance can be adopted which will implement the Federal Flood Plain Management measures identified within the National Flood Insurance Program provisions, the City of Newberg's eligibility for National Flood Insurance may be suspended on March 1, 1982.
3. The Federal Emergency Management Agency has reviewed the proposed amendments to Section 552 and 554 as attached hereto, and have determined that the proposed ordinance does comply with the Federal requirements.
4. If the proposed ordinance, as hereby attached, is adopted by the Newberg City Council by March 1, 1982, Newberg's eligibility in the National Flood Insurance Program will not be suspended.

Recommendation:

Planning Staff recommends that the ordinance be adopted. I have attached a copy of the existing ordinance so that you may compare the wording of the proposed ordinance with the existing ordinance. I think that you will find, in comparing the two, that other than some grammatical changes, the two ordinances are essentially the same.



Received 1-14-82
Coke

Federal Emergency Management Agency

Region X Federal Regional Center Bothell, Washington 98011

JAN 12 1982

Clay W. Morehead, Planning Director
City of Newberg
414 East First Street
Newberg, Oregon 97132

Dear Mr. Morehead:

I have reviewed the proposed flood hazard sub-district ordinance which you sent me on December 18, 1981. The ordinance will satisfy the federal requirements of the National Flood Insurance Program (NFIP) and would assure the City of Newberg's continued eligibility in the National Flood Insurance Program.

I would appreciate it if you would send me a copy of the ordinance section once it has been adopted so that I can officially recognize it and the City may be converted into the Regular Phase of the National Flood Insurance Program.

If there is anything that I can do to assist you prior to that time, please feel free to contact me at (206) 481-8800.

Sincerely,

A handwritten signature in cursive script that reads "Carl L. Cook, Jr." is written over the typed name.

Carl L. Cook, Jr.
Flood Plain Management Branch

General Provisions: Flood Hazard Sub-Districts

552 Purpose. The purpose of this subdistrict is to insure that no new residential, commercial or industrial structural development is permitted in those areas identified as lying within the 100 year flood-way or the flood-way fringe, and to insure the public health, safety and general welfare of the residents or future residents of the community. The parameters of the Flood Hazard sub-district would include all areas identified as a flood-way or flood-way fringe on the National Flood Insurance Program Flood Insurance Rate Map for the City of Newberg. Where such data is not available, the Flood Hazard sub-district shall include all lands within a 10 foot elevation of the normal mean high water level of any year round water-way.

554 Special Conditions.

1. No residential, commercial or industrial structure shall be located within the Flood Hazard sub-district.
2. No fill, new construction, substantial improvement, or other development or encroachments shall be permitted within the adopted regulatory flood-way that would result in any increase in flood levels within the community during the occurrence of a base flood discharge.
3. Dead-end access shall not be permitted within the flood hazard sub-district where such access is used as the principle means of getting to or from a place of occupancy.

EXISTING ORDINANCE AS ADOPTED BY
THE COUNCIL April 6, 1981

General Provisions: Flood Hazard Sub-Districts

552 Purpose. The purpose of this subdistrict is to ensure that no development occurs within those areas identified as lying within the 100 year flood-way or the flood-way fringe, and to insure the public health, safety and general welfare of the residents or future residents of the community. The parameters of the Flood Hazard sub-district would include all areas identified as a flood-way or a flood-way fringe on U. S. Army Corp. of Engineers flood map data. Where such data is not available, the Flood Hazard sub-district shall include all lands within a 10 foot elevation to the normal mean high water level of any water-way.

554 Special Conditions.

1. No improvements shall take place within the Flood Hazard sub-district that will have a tendency to change the flow of surface water during future flooding so as to endanger the health, safety and welfare of residents or property in the area.
2. No residential, commercial or industrial structure shall be located within the Flood Hazard sub-district.
3. No sub-surface sewage disposal system for a proposed building will be permitted which may cause a general hazard to the health, safety and welfare of residents or future residents of an area during times of flooding.
4. The finished floor elevation of any structure designed for occupancy shall be at least 1 foot above that elevation established as the flood-way fringe.
5. Dead-end access shall not be permitted within the Flood Hazard sub-district where such access is used as the principle means for getting to or from a place of occupancy.

ORDINANCE NO.

AN ORDINANCE AMENDING THE NEWBERG ZONING ORDINANCE NO. 1968 AS AMENDED, SPECIFICALLY AMENDING SECTIONS 552 AND 554 OF SAID ORDINANCE ENTITLED "GENERAL PROVISIONS" FLOOD HAZARD SUB-DISTRICTS, AND DECLARING AN EMERGENCY.

WHEREAS, the Federal Emergency Management Agency has determined that sections 552 and 554 of the Newberg Zoning Ordinance do not comply with the Federal regulations relating to Newberg's eligibility in the National Flood Insurance Program; and

WHEREAS, unless an ordinance can be adopted which will implement the Federal Flood Plain Management measures identified within the National Flood Insurance Program provisions, the City of Newberg's eligibility for National Flood Insurance may be suspended on March 1, 1982; and

WHEREAS, the Federal Emergency Management Agency has reviewed the proposed amendments to Sections 552 and 554 as attached hereto and labeled Exhibit A, and have determined that the proposed ordinance does comply with the Federal requirement; and

WHEREAS, if the proposed ordinance, as hereby attached, and labeled Exhibit A, is adopted by the Newberg City Council by March 1, 1982, Newberg's eligibility in the National Flood Insurance Program will not be suspended and therefore, an emergency should be declared; and

WHEREAS, a notice having been given of the public hearing held on Thursday, January 21, 1982 by the Newberg Planning Commission and then again on Monday, February 1, 1982 and Monday, March 1, 1982 by the Newberg City Council to hear and consider any written objections or remonstrances to the aforesaid amendment to the Newberg Zoning Ordinance No. 1968; and

WHEREAS, the Newberg Planning Commission has heard and reviewed the above mentioned request and has recommended that the Newberg City Council adopt the proposed amendment; and

WHEREAS, the Council has duly considered said amendment and is now fully advised in the premises.

NOW, THEREFORE, the City of Newberg ordains as follows:

Section 1. Sections 552 and 554 of the Newberg Zoning Ordinance No. 1968 as amended, entitled "General Provisions: Flood Hazard Sub-Districts" is hereby repealed.

Section 2. The language contained within Exhibit A, which is attached hereto, is hereby adopted as part of the Newberg Zoning Ordinance No. 1968 as amended and shall be inserted within said ordinance as Sections 552 and 554 and shall be entitled "General Provisions: Flood Hazard Sub-districts."

Section 3. Whereas, it is necessary for the continuation of the City's elibigility under the National Flood Insurance Program that this ordinance become immediately effective. 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 this 1st day of March, 1982 by the following votes:

Ayes:

Nays:

Absent:

Arvilla Page - City Recorder

APPROVED by the Mayor this 1st day of March, 1982

Elvern Hall - Mayor

MEMO

TO: City Council

DATE: January 21, 1982

FROM: City Administrator

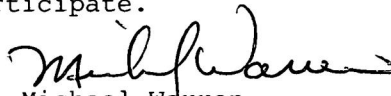
SUBJECT: Management Team Seminar

In recent discussions with the City Council I have stressed the need of sometime in the future having a management team seminar. This would include department heads and in some cases, assistants. A management team in any organization is the team or group of people that leads the way for all others. A management team must work together and must have a common philosophy.

I was recently contacted by some department heads that attended the Hospital management team seminar. The person putting this on was Donna Joslyn of People Development Center. I talked to the Hospital Administrator, who wrote back his feelings on the seminar (see attached). Every indication that I get is that the people who attend, not only enjoy the sessions, but come away thinking they were invaluable to themselves individually and to the business that they represented.

I now think that it would be a good idea to have a management team seminar that would take up four meetings over a four week period. I would like to arrange to have a place in town (PGE, ADEC, etc.) for the meetings and have Mrs. Joslyn put the on. I know the \$1,800 seems like alot of money, but when we look at the time or money that could be lost through inefficiency or simply not working well together it doesn't really seem that great at all.

I bring this information to you to inform you and to request that the City Council allow the management team to participate.


Michael Warren
City Administrator

MW/bjm

Enc.

PEOPLE DEVELOPMENT CENTER

RECEIVED

Tape

JAN 20 1982

CITY OF NEWBERG, ORE.
OFFICE OF RECORDER

January 19, 1982

City of Newberg
401 E. First Street
Newberg, Oregon 97132

Attention: Michael Warren, City Administrator

I'm writing in regards to our meeting held last week in Newberg, at which time we discussed the possibility of four meetings, the location and the fee.

Regarding the location, I believe the meetings would be easier for your people if they could be held in Newberg, which would save travel time and working hours. I feel you could obtain a facility free of charge.

In my opinion, the four meetings should be held either once a week on Tuesday from 9 - 12 noon or every other week. Following is a brief outline of each meeting.

First Meeting

Definition of Manager and Duties; Definition of Supervisor and Duties; Four types of Managers; Sixteen Guidelines for Good Management.

Second Meeting

Leadership - Seven Elements of Good Leadership; Organization - Where to Start and How to Start; Ten Guidelines to help you become organized. Organization Tool - Briefing Board - Planning Board - Story Board.

Third Meeting

Working Together Effectively - which involves cooperation with oneself; Communications - How Breakdown Starts and Example; This would involve working with customer as well as each other.

Fourth Meeting

Attitudes - What causes attitudes and how to control; Eight Motivating Factors of People; Building Strong Foundations; Goals and How They Help.

The cost to conduct these four meetings with a maximum of fifteen people would be \$1795.00. This would include all traveling expense and notes. Two meetings would be \$895.00. Three meetings - \$1350.00.

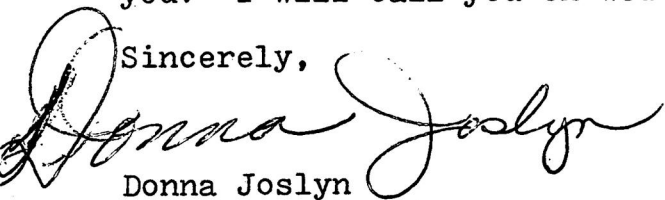
PEOPLE DEVELOPMENT CENTER

I'm enclosing some letters regarding the results of other meetings. I have a cross section of new managers, managers with longevity and other businesses.

It would be nice to get these meetings started by February 15 and completing them by April.

I enjoyed our meeting and will be looking forward to working with you. I will call you on Wednesday, January 27th, regarding confirmation.

Sincerely,



Donna Joslyn
Executive Director

DJ:bb
Encl.



NEWBERG COMMUNITY HOSPITAL

501 VILLA RD. NEWBERG, OREGON 97132 (503) 538-3121

December 7, 1981

RECEIVED

DEC 10 1981

CITY OF NEWBERG, ORE.
OFFICE OF RECORDER

Mike Warren, City Administrator
City of Newberg
414 East First Street
Newberg, Oregon 97132

Dear Mike:

The Hospital held a "Management Retreat" at the Greenwood Inn in Beaverton where the speaker was Donna Joslyn. The entire program was presented in lecture form that I must admit I was somewhat leary about before we began. The outcome from that session has far exceeded any of my expectations. Donna is a very dynamic person with an incredible background considering her lack of formal education. She is a person who essentially pulled herself up from her own boot straps and has risen to high positions in large corporations and now acts as a management consultant and seminar leader on her own. Her clients are some of the largest corporations in the Northwest. Her seminars are geared for top corporate executives as well as front line supervisors wearing hard hats.

Donna stresses a people oriented management style and does a great deal in building up people's confidence in themselves and in their own life-style. Her presentation to us covered areas of leadership, organization, planning, time management and then later in the afternoon covered confidence building, foundations for a satisfactory lifestyle and personal goal setting.

* I do not believe there was one single Department Head who was even luke warm about her presentation. Several have said it is the very best thing Newberg Hospital has ever done for any Department Heads as long as they have been here. We plan to integrate a perhaps quarterly presentation by Donna as we begin to formally start our own management training program. We would probably plan to use her as a kick off speaker for each one of the four basic components of management such as planning, leading, organizing and controlling. Following her "kick off" presentations, the rest of our management team here at the hospital in following sessions would get into how to develop policy tools and techniques in each department's work space for better accomplishing those four basic management tasks.

Page -2- Mr. Mike Warren, December 7, 1981

I would highly recommend her to you in whatever capacity you think may be appropriate for your supervisory employees. She is probably one of the most dynamic, entertaining and thought provoking speakers I have heard in a long time. I have enclosed a brochure and would be happy to talk with you anytime about her.

Sincerely yours,



Donald S. Elsom
Administrator

DSE:jp

enc.



WILLAMETTE IRON and STEEL COMPANY
MARINE DIVISION

PORTLAND
224.9720
CABLE ADDRESS - WILLAMETTE

2800 N. W. FRONT AVENUE
PORTLAND, OREGON 97210

RICHMOND
233.7500
CABLE ADDRESS - WISCO

18 November 1976

People Development Center
P.O. Box 16353
Portland, OR 97216

Attn: Donna Joslyn, Executive Director

Dear Donna,

My recent participation in your Management Development course was both pleasureable and rewarding. I thought the course well planned and well presented. I feel the benefits of the course are not limited only to ones career in business management, but also to management of one's own person.

I would strongly recommend your course to people in all levels of management and not just those that are young and upcoming. It contains much food for thought and freshens one's outlook on todays changing business world.

Very truly yours,

WILLAMETTE IRON AND STEEL COMPANY

R. L. Gavin

R. L. Gavin
Contract Administrator

cc: W.A. Larsen



NEWBERG COMMUNITY HOSPITAL

501 VILLA RD. NEWBERG, OREGON 97132 (503) 538-3121

12-10-81

Dear Donna,

I just wanted to drop you a short note and tell you how much I enjoyed the management seminar you presented to us.

It was very up-beat and I must sincerely say I haven't had a bad day since.

If everyone had such a positive attitude about management and life in general we would be a much happier people.

Thank you again!

Sincerely,

Urbach Barbolotto

Radiology Dept.

GELDERMANN REALTORS®



600 San Ramon Valley Blvd., P. O. Box 415, Danville, CA 94526 • (415) 820-2200

January 5, 1981

Ms. Donna Joslyn
12920 N. E. Rose Parkway
Portland, Oregon 97230

Dear Donna:

Thank you very much for the time you graciously gave to the group in Danville on December 30.

The thoughts and ideas you presented were especially meaningful to me as I am beginning the New Year with many changes in our Real Estate company. I have already set standards and I am committed to these standards, which won't allow me to condone incompetence. This is a constant problem throughout our industry.

I shall refer to my notes often and I'm sure when I stray from the path to my goals, they will guide me back to being a better manager.

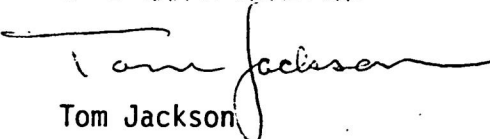
You're being here disproves an old theory having to do with things you get free are not appreciated. I have thanked Bud several times and he too is still talking about the seminar.

Please let Bud know when you're in the area giving a seminar and if it would be possible for us to attend.

Again, thank you and make '81....fun.

Sincerely,

GELDERMANN REALTORS


Tom Jackson

TJ/d

This is Chamber of Commerce Manager from
Danville, California. She was invited By
Bud & Gladys Spencer who owns operates Lumber
yard & was President of Lumberman's association

Dear Gladys & Bud,

Thanks so much for
inviting me to the MOST
rewarding seminar. Really enjoyed
the entire program. She is terrific.
Would love to hear her again.

Also, thanks for lunch —

Very much of you —

Sincerely
June

Chamber of
Commerce
Manager

V1

DEAR BUD & GLADY
I HAVE ENJOYED THE
PRESENTATION VERY MUCH
I WILL BE WITH YOU

11/15/51

MANAGEMENT TRAINING
SEMINAR - EVALUATION

Topics covered were: Meaningful ☒ Some Value ☐ Little or No Value ☐

Recommended subjects in future: I'd like to see more on evaluation and counseling.

Comments: The topics covered will certainly help me in my role. Donna gave me several ideas that I can use.

Instructors' presentation of material:

Method of presentation: Very Good ☒ Good ☐ Poor ☐

Thoughts and concepts presented: Very Good ☒ Good ☐ Poor ☐

Comments: I've attended other management classes but liked Donna's presentation as it was presented from another view and more practical.

I recommend that this program be presented to: All Management and Supervisory Employees ☒ Management Only ☐ Supervisors Only ☐

Comments: if feasible, would be beneficial

I don't recommend that this be presented to any other employees' ☐

Comments: _____

I have supervised employees for 2 years. as a supervisor since I left my head nurse role.

Signed Maureen J. Burton
(Optional)

Thank you for allowing me to attend this seminar !!

MANAGEMENT TRAINING
SEMINAR - EVALUATION

Topics covered were: Meaningful ☒ Some Value ☐ Little or No Value ☐
Recommended subjects in future: _____

Comments: _____

Instructors' presentation of material:

Method of presentation: Very Good ☒ Good ☐ Poor ☐

Thoughts and concepts presented: Very Good ☒ Good ☐ Poor ☐

Comments: *this speaker has a vibrant quality that is infectious - I hope to develop a permanent cadre of this attitude!*

I recommend that this program be presented to: All Management and Supervisory Employees ☒ Management Only ☐ Supervisors Only ☐

Comments: *I believe all managers & supervisors can benefit from these meetings*

I don't recommend that this be presented to any other employees' _____

Comments: _____

I have supervised employees for 5 years.

Signed David B. Lomax
(Optional)

MANAGEMENT TRAINING
SEMINAR - EVALUATION

Topics covered were: Meaningful X Some Value _____ Little or No Value _____
Recommended subjects in future: _____

Comments: Small group exercises might be helpful or individual exercises to compare between sessions which might stimulate more large grp. discussion.

Instructors' presentation of material:

Method of presentation: Very Good X Good _____ Poor _____

Thoughts and concepts presented: Very Good X Good _____ Poor _____

Comments: Fresh, common sense approach - practical.

I recommend that this program be presented to: All Management and Supervisory
Employees X Management Only _____ Supervisors Only _____

Comments: _____

I don't recommend that this be presented to any other employees' _____

Comments: _____

I have supervised employees for 13 years.

Signed Carol Ringstad
(Optional)

MANAGEMENT TRAINING
SEMINAR - EVALUATION

Topics covered were: Meaningful X Some Value _____ Little or No Value _____

Recommended subjects in future: I realize this type of seminar is mostly for Managers and supervisors which is good for us all. It might be such a thing for some type of seminar for employees who maybe thru our error cannot be motivated properly
Comments: because I feel if anyone could put a spark in some of these employees I think Donna can.

I Myself feel, if possible, more time should be spent on TODAYS EMPLOYEES and how to handle them. or pardon, I mean how to work with them.

Instructors' presentation of material:

Method of presentation: Very Good x Good _____ Poor _____

Thoughts and concepts presented: Very Good x Good _____ Poor _____

Comments: Donna's presentation was very informative and put very well. She made the full session worth while.

I recommend that this program be presented to: All Management and Supervisory Employees x Management Only _____ Supervisors Only _____

Comments: As stated I feel not only supervisors and managers should be so informed but regular employees also. because often times a third party who employees feel is not a company person can more effectively get ideas across.

I don't recommend that this be presented to any other employees' _____

Comments: _____

I have supervised employees for 9 years.

Signed _____
(Optional)

MEMO

TO: City Council

DATE: January 25, 1982

FROM: City Administrator

SUBJECT: Union Decertification

The attached letter from L. B. Day, Secretary-Treasurer of Teamsters Food-Processors No. 670 was received January 18, 1982. The letter indicates that the Teamsters no longer represent the Dispatchers.

The Employment Relations Board called me and informed the City of Newberg that a letter must be sent requesting decertification. The next letter in this packet was sent to the Employment Relations Board.

Since these employees are not represented by a Union any longer, I have implemented the same exact package of salary and benefits that everyone else received. For payroll purposes this was done effective January 1, 1982. It will be reflected on the February 5, 1982 paycheck. It will allow for an easy transition within the Personnel and Finance Department.

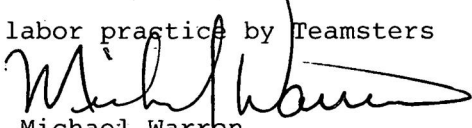
The question before the City Council on February 1, 1982 is retroactive pay. If the City were to give retroactive pay to all of the dispatchers it would amount to \$1,985.74 this includes back pay, vacation pay, sick leave, overtime, etc. The period in question is July 1, 1981 through December 31, 1981.

Should the City Council decide to give retroactive pay to the dispatchers then the next question would be, should all dispatchers receive retroactive pay or should just those working with the City currently receive retroactive pay?

The final question would be, how much retroactive pay should the dispatchers receive? It is not fair to subtract any expenses incurred during the union organization attempt because, according to State Law, if the City chose to do that, it'd be discriminatory toward those people wishing to partake in union activities.

I have asked Kathy Peck to be at the City Council meeting at 9:00 p.m. to discuss the following items:

1. History of and advice on awarding retroactive pay.
2. Pending lawsuit regarding unfair labor practice by Teamsters Local No. 670.


Michael Warren
City Administrator

MW/bjm

Enc.

V 2



**Teamster Food Processors, Drivers, Warehousemen and Helpers
Local Union No. 670**

P. O. BOX 3048 750 BROWNING AVE. S.E.
SALEM, OREGON 97302

AFFILIATED WITH THE
INTERNATIONAL BROTHERHOOD OF TEAMSTERS,
CHAUFFEURS, WAREHOUSEMEN & HELPERS OF A.
JOINT COUNCIL OF TEAMSTERS No. 37

BRANCH OFFICES:

P. O. BOX 580
115 N.E. 3RD ST.
ONTARIO, OREGON 97914

711 SHELLEY ST.
SPRINGFIELD, OREGON 97477

P. O. BOX 65
997 TUCKER RD.
HOOD RIVER, OREGON 97031

P. O. BOX 96
322 S.W. 3RD
PENDLETON, OREGON 97801

Michael Warren
City Administrator
City Hall
Newberg, OR 97132

Re: Representation of Dispatchers

Dear Mr. Warren:

This Local Union has received a copy of a letter directed to you under the date of January 12, 1982, and signed by all four current employees of the bargaining unit of Police Dispatchers. This letter indicates that the employees wish to end their ties with this Union.

Based upon this letter and the unanimous expression of the employees, this Local Union hereby disclaims any further interest in representing these employees for the purpose of collective bargaining.

Sincerely,


L. B. Day
Secretary-Treasurer

LBD:lg

cc: K. A. Peck
Cascade Employers

Employment Relations Board

Police Dispatchers

RECEIVED

JAN 18 1982

CITY OF NEWBERG, OR
OFFICE OF REC

IV 2



CITY OF NEWBERG

414 E. First Street

Newberg, Oregon 97132

Michael Warren
City Administrator
(503) 538-9421

January 22, 1982

Roy Edwards
Employment Relations Board
528 Cottage St. NE Suite 400
Salem, Oregon 97310

Dear Mr. Edwards:

The City is in receipt of a letter from L.B. Day indicating that the Teamsters Local No. 670 have disclaimed further interest in representing the dispatchers of the City of Newberg.

The dispatchers have filed with your office a petition of decertification indicating that they no longer wanted representation from Teamsters Local No. 670.

The employer joins in the request for decertification and we further request that the Employment Relations Board revoke the previous issued certification of the dispatchers bargaining unit, pertaining to Teamsters Local No. 670.

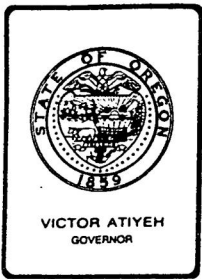
We also ask that the Employment Relations Board waive any hearing on this matter.

Sincerely,


Michael Warren
City Administrator

MW/bjm

cc: Kathy Peck, Cascade Emp.oyers Assn.



Employment Relations Board

REPRESENTATION—IMPROPER PRACTICES DIVISION

Old Garfield School Building

528 COTTAGE STREET, N.E., SUITE 400, SALEM, OREGON 97310 PHONE 378-3808

copy to file
original with
my council memo
for 2/1 mly

January 25, 1981

Mr. L.B. Day
Secretary-Treasurer
Teamsters Local 670
P.O. Box 3048
Salem, Oregon 97302

Ms. Rita Farrington
18 Ann Court
Newberg, Oregon 97132

RECEIVED

JAN 26 1982

CITY OF NEWBERG, ORE.
OFFICE OF RECORDER

Mr. Michael Warren
City Administrator
City Hall
414 E. First Street
Newberg, Oregon 97132

RE: Dismissal of Decertification Petition, Rita Farrington, et al
v. Teamsters Local 670 and City of Newberg Police Department, ERB
Case No. C-6-82, and Revocation of Certification of Teamsters Local
670

Dear Ms. Farrington and Gentlemen:

As Teamsters Local 670 has disclaimed any further interest in representing the employees in the City dispatcher bargaining unit in writing, no question of representation exists. Instead, pursuant to the written disclaimer, City request for revocation of certification, and expressed desires of all of the affected employees, the certification of Teamsters Local 670 as the exclusive representative of the dispatcher employe unit of the City of Newberg, issued by this Board in Case # C-263-80 on March 9, 1981 is hereby revoked. The Petition in C-6-82 is dismissed.

Very truly yours,


Roy E. Edwards
Board Agent

REE:mg

cc + enc: Kathy Peck

STATE OF OREGON
EMPLOYMENT RELATIONS BOARD

P E T I T I O N
(PUBLIC EMPLOYMENT)

THIS SPACE FOR BOARD USE

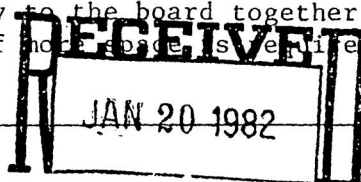
Case No.

C-6-82

Date Filed

1-20-82

INSTRUCTIONS: Submit original copy to the board together with the supporting showing of interest. If no space is provided, attach additional sheets.



EMPLOYMENT
RELATIONS BOARD

1. Purpose of this Petition

(Check one)

- ☐ CERTIFICATION OF REPRESENTATIVE. A substantial number of employees in the bargaining unit desire to be represented by the petitioner for the purpose of collective bargaining and the petitioner desires to be certified as a representative of the employees.
- ☒ DECERTIFICATION. A substantial number of employees assert that the certified or recognized bargaining representative is no longer their representative and request decertification of the representative.
- ☐ REPRESENTATION (EMPLOYER). One or more labor organizations have presented a claim to the public employer to be recognized or to continue to be recognized as the representative of its employees and the public employer has a good faith doubt as to the majority representation of its employees and requests an election.
- ☐ UNIT CLARIFICATION OR AMENDMENT. A labor organization is currently recognized or certified, but petitioner seeks clarification of placement of certain employees or amendment of certification.

Name and address of public employer

City of Newberg Police Dept
414 E First St
Newberg Oreg 97132

Employer representative
to contact, if known

~~Rita Farnsworth~~ REC
MICHAEL WARREN
CITY ADMIN.

Phone No.

~~538 8111~~
538 9421

Unit Involved (In a petition for unit clarification or amendment, describe PRESENT bargaining unit and attach a statement describing the proposed clarification or amendment.)

included

Police Dispatchers - City of Newberg
Police Dept.

excluded

3a. NUMBER OF EMPLOYEES IN UNIT:

Present 4

Proposed (by clarification or amendment)

3b. IS THIS PETITION SUPPORTED BY 30% OR MORE OF THE EMPLOYEES IN THE UNIT?

☒ Yes ☐ No

II 2

Present recognized or certified bargaining representative. If there is none, so state)

Name <i>Rbt Weekly Teamsters Local 670 P.O. Box 3048 Salem, OR 97302</i>	Affiliation <i>Teamsters</i>
Address <i>378-1444</i>	Date of recognition or certification (if known) <i>11-80</i>
Phone No.	Date of expiration of current contract if any

Organizations other than petitioner which have claimed recognition as representative. Other interested employee organizations and other organizations known to have a representative interest in the employees in the unit.

Name <i>n/a</i>	Address	Date of Claim (Employer petition only)
Phone No.		

Any other relevant facts

*We wish to waive any hearings.
See attached sheet for names.*

I declare that I have read the above petition and that the statements herein are true to the best of my knowledge and belief.

(Petitioner and affiliation, if any)

1828 Ann Court Newburg, Oregon
Address (Street and number, City, State and ZIP Code)

538-8111
Phone No.

By *KH Farrington*
(Signature of Petitioner's Representative)

Title *Police Dispatcher
City of Newburg*

IV 2

MEMO

TO: City Council

DATE: January 28 1982

FROM: City Administrator

SUBJECT: Liberty Cable Television

This is the day by day report of the activities of Cable Manager Rick Schaal. As you can see, he has spent a good deal of time looking for a site for the office and earth station. He has turned a list of 19 locations indicating why the cable company cannot locate at a particular site and which area is most desirable for the office and earth station.

The City Council and I have indicated to Liberty Cable Television that we would like to have them locate in the uptown area. The reason for this is that by having them in the uptown it will bring more walking traffic and would generally enhance the area. Mr. Schaal feels, however, that a suitable site for the office and earth station is not available in the uptown area.

I have discussed the separation of the office and the earth station with Mr. Schaal. He's indicated that from an efficiency and cost savings standpoint it would be better to have the earth station (tower and disc) and the office close at hand. It would obviously save on time and even costs. For example, if someone calls in and says that they are having trouble with station 21 and the problem was common to all the subscribers they would simply have to go out back and move the disc to fix the problem.

Mr. Schaal's first choice for a location is on 99W just east of the Oak Tree Restaurant. At this site they would build.

The second choice is on Highway 219 on the other side of Newberg Shopping Center. This location would be a lease situation.

The third choice would be within the Newberg Plaza complex.

All three choices would have the office and earth station very close together. Mr. Schaal reports that by building it would be a savings of \$200,000 or \$300,000 over a 20-30 year period.

Before moving ahead, Liberty Cable Television would like to touch base with the City Council, to be sure that they are moving in the right direction. The next step would be a microwave analysis for signal search and then the final step, of course, would be the negotiations with the builder or the owner of the property.

Obviously, what has to be weighed here is the City's needs vs. the efficiency of the system.

Mr. Schaal will be at the meeting for any questions.


Michael Warren
City Administrator

REPORT # 1

LIBERTY CABLE TELEVISION

Portland Division

Production Report

System Newberg/DundeePeriod Starting 1/12/82Prepared by Rick SchaalPeriod Ending 1/19/82

DATE	ACTIVITY DESCRIPTION	REMARKS/STATUS
1/12/82	Joint Activity/Budget Meeting.	Assigned responsibilities and budget amounts.
1/12/82	Chamber of Commerce Banquet.	
1/13/82	Site location search.	Looked at 3 potential sites.
1/13/82	Staffing Studio Assistant (Production).	Interviewed Curtice Hadley - GFC grad.
1/14/82	Project Management Control.	Computer Sciences Corp. introduced their program.
1/14/82	Site location search.	Looked at 1 site with Joe Brugotto.
1/15/82	Pre-Op Requirements.	Prepared and mailed letters to City Recorders of Newberg/Dundee.
1/15/82	Site location search.	Met Jerry Knudsen G.F.F.
1/18/82	Site location search.	Looked at 3 HE/ES sites with J.K. of G.F.F.
	Site location search.	Received bldg. layout from Joe Young.
	Site location search.	Called Tom Bowen and Bonnie Thompson.
1/19/82	Site location search.	Met Dr. Harr - Hewlet Plaza.
	Site location search.	Selected three sites - cost analysis.
	Site location search.	Spoke with Joe Young, Brugato, Knudsen.
	Temporary Warehouse.	Maybe last offer on facility with Joe Y.

REPORT # 1 (Continued) LIBERTY CABLE TELEVISION

Portland Division

Production Report

System Newberg/DundeePeriod Starting 1-19-82Prepared by Rick SchaalPeriod Ending 1-26-82

DATE	ACTIVITY DESCRIPTION	REMARKS/STATUS
1-19-82	Site Location	looked at 1 site at Newberg Plaza
1-19-82	Site location	called Bonnie Thompson RE: Newberg Plaza
1-20-82	Joint Activity Meeting	w/Corrao, Hirons - Budget, line items, sites, etc
1-20-82	Progress Meeting	w/Mike Warren - site location
1-21-82	Construction meeting	w/Dan Scholten-contractor for E.S.
1-21-82	Project Management meeting	w/Computer Sciences
1-21-82	Site Location	spoke w/Jerry K & Tom Bowen-2 sites
1-21-82	Site Location	met w/Joe Young
1-21-82	Site Location	spoke w/Earnest Roth (Bonnie Thompson associate) RE: Newberg Plaza
1-22-82	Site Location meeting & Temp. Warehouse	w/ Corrao, Joe Young, Trimble, Bob Shaine & realtor-final lease on Temp. Warehouse, showed Rob final selection of sites
1-22-82	Studio meeting	w/Knoche-equipment, design, selection
1-25-82	Franchise costs	received from City of Newberg invoice RE: back up materials, franchise cost
1-25-82	Microwave	called Motorola in San Fran RE: Bald Peak Facility
1-25-82	Site Location	prepared site evaluations for city
1-25-82	Pre-operative requirements	called Carolyn Chambers re: Bond Insurance, & Security deposits
1-26-82	Signal Search	performed signal search of potential site
1-26-82	Site Location	select H/E, E/S, Office, Studio site
1-26-82	Report to City	Mike Warren

MEMO

TO: City Council DATE: January 28, 1982

FROM: City Administrator

SUBJECT: Planning Budget Line Item 1-419.430 - Planning Assistance

The Planning Director and I have had some conversations on this subject. This is a very difficult problem to wrestle with.

You can read his memo and see that it would cost \$3,437.15 to have a Planning Assistant here for five months. The funds come directly from LCDC Comprehensive Plan Maintenance Grant Agreement No. M-81608. This agreement stipulates certain conditions which must be followed in expending the funds. Basically, the conditions have to do with land use planning.

I feel we could substantiate the Planning Director's and his secretary's time and put the money back into our General Fund. With financial conditions in the community and within our own accounts being what they are, this sounds like the most logical course to take. However, there are two areas that the City Council should look at.

The first area is that the funds were not intended for the purpose mentioned above (to be used toward our General Fund). Secondly, we could use the help and in fact, it may benefit the City monetarily.

The City of Newberg has not been reassessed for the past five or six years. We will be reassessed by mid or late summer. One of the goals that the Mayor's Task Force has identified and the City has followed up upon is a Redevelopment Agency. This Agency would receive money from taxing increment.

Let us assume that the City Council identifies the Uptown as a redevelopment area. When they do (pass ordinance, adopt plan, notify State and County, etc) the tax base is frozen and any additional money above the frozen base, including reassessment, would go toward the Agency. The Agency would then pour the money right back into the redevelopment area and do such things as undergrounding, pave streets, buy land, assist in remodeling, etc.

We cannot expect to have all of this done before mid-summer by a one-man planning department. By having a Planning Assistant and freeing up one or two days a week of the Planning Director's time, we may be able to have the basics of a plan and allow for the City Council to pass an ordinance prior to reassessment.

I have directed the Planning Director to:

1. Check with the County and the State to be sure that we can legally do what I have described above.

Page 2

Memo to City Council
January 28, 1982
RE: Planning Assistance

2. Confirm the fact that with a Planning Assistant, he will
be able to accomplish the above, if it is legally possible.

It would defeat the purpose if we had a planning assistant and did not
accomplish what we intended to do with redevelopment.

By the night of the City council meeting, the Planning Director and
I will have some additional information to bring before you.


Michael Warren
City Administrator

MWbjm

enc.

Yeape

MEMORANDUM
January 26, 1982

TO: City Administrator

FROM: Clay Moorhead, Planning Director *Cum*

RE: Planning Budget Line Item 1-419.430 - Planning Assistance

Subsequent to our conversation on January 19, 1982, I have communicated my interest for sharing a Planner with the City of McMinnville on a contractual basis. In doing so, we have calculated the actual cost that will be incurred during the contract which will run from February 1 to June 30. Any further continuance of this form of staffing coordination will depend upon the budgeting outcome for 82-83 for both my department and the McMinnville Planning Department.

Salary Step A	\$1,443.00 per month
FICA	96.69
Health	43.72
Life	4.70
SAIF	<u>6.92</u>

TOTAL	\$1,595.03
X	<u>3</u> months

TOTAL	\$4,785.09
X	<u>.40</u> %

Actual Cost-City of Newberg from February 1 to April 30	\$1,914.04
---	------------

Salary May 1 - June 30	
Salary Step B	\$1,501.00 per month
FICA	100.57
Health	43.72
Life	4.70
SAIF	7.13
PERS	<u>246.78</u>

TOTAL	\$1,903.90
X	<u>2</u> months

TOTAL	\$3,807.80
X	<u>.40</u>

Actual Cost-City of Newberg from April 1 to June 30	\$1,523.12
---	------------

GRAND TOTAL for 5 month period is \$3,437.15.

The City of Newberg Planning Department would utilize the services of this Planner on a scheduling of 2 days per week which would represent 40% of his total monthly salary. The contract or agreement between the City of McMinnville and Newberg will void itself on July 1, 1982 unless a renewal has been approved between both city's administrations. The position would be classified as Planner II-Contractual Services. The individual involved has a Bachelor of Science Degree from Colorado in the field of environmental design, and a Masters Degree from the University of Oregon Urban Planning Department. He is a graduate teaching fellow and has work experience from Lane County and the City of Veneta in Oregon, and from Larimer County in Colorado.

Funding for this part-time position would come from the Planning Department budget line item # 1-419.430 entitled "Comprehensive Planning". The total unencumbered balance in this line as of January 1, 1982 is \$8,725. The money within this particular account comes from the Oregon State Land Conservation and Development Commission Comprehensive Plan Maintenance Grant allocations. After acknowledgement of the Newberg Comprehensive Plan, the City of Newberg received \$6,525 which was added to the previous unexpended balance to come up with this total.

These funds were accepted by the City under the terms of the LCDC Comprehensive Plan Maintenance Grant Agreement No. M-81608. This agreement stipulates certain conditions which must be followed in expending the funds. These funds may only be expended for the following activities:

- A. Review and amendment of the City's Comprehensive Plan and implementing Planning ordinances to help meet the update review cycle.
- B. Support citizen and agency involvement programs.
- C. Sponsor and carry out special public workshops and technical training programs on land use; and
- D. Keep planning maps and inventory data current.

The City must account for the expenditures made under this grant and report the accounting and fiscal records back to the State annually. In addition, the State only allows an additional 12 months for a carryover of funds. This would mean that at least \$2,200 within this account must be spent prior to July 1, 1982. I anticipate that additional money will be available under this grant program during the 1982-1983 fiscal year, however, the funding will decrease to a grant of approximately \$4,000.

It was initially proposed in September of 1981 that at least \$3,600 of this maintenance grant account would go to the hiring of a planning intern for 3 months during the summer of 1982. As it turns out, I feel that the employment coordination program that is proposed within this memorandum would be much more beneficial to the City of Newberg than would the planning intern. The primary reasons for this are that:

- A. The City would get more experienced personnel for approximately the same cost (a planner II position versus a planning intern).
- B. Since McMinnville and Newberg are approximately the same size and have many of the same problems and needs within the planning departments, the sharing of an employee would be more efficient as less training would be necessary in order to initiate the individual into the required work, and the individual may help the department from recreating the wheel where a problem exists that McMinnville has already dealt with.

The staff coordination position would help to satisfy some of the identified problems and priorities within City Hall and the Newberg Planning Department. Three of the top priorities of the City Hall are as follows: (1) Revise and codify ordinances, (2) Update the Comprehensive Plan and implementing ordinances, and (3) Provide for adequate staffing within the Planning Department.

In addition to the widely publicized needs which are indicated above, the Planning Department has numerous other projects which should be conducted. Of the highest priority within these needs is the need to establish economic goals and policies to encourage growth and revitalization of the downtown area and industrial expansion for the City. Secondly, in order to provide for the orderly and efficient growth of the community, it is essential that the City prepare an urban growth plan which would establish how, and in which directions the City intends to encourage growth. This plan should be tied in to the number one priority of establishing a new sewer treatment plant as it will be necessary to begin identifying new areas for industrial, commercial and residential land use needs beyond the 20 year boundary. This is essential in order to maximize the use of the proposed sewer treatment plant and to help size the sewer service lines appropriately.

Unless additional personnel is provided within the Planning Department, many of the priorities within the Department and some of the administrative priorities of the City cannot be implemented within this fiscal year.

In summary, the Planning Department currently has sufficient funds to support the part time position proposed within this memorandum. These funds were proposed to be expended to hire a planning intern for three months during the summer of 1982. It is now proposed to use the same funds to hire a part time, experienced, professional planner for a 5 month period. The implementation of some of the priorities and needs for the Planning Department and City Hall may begin immediately by hiring the individual as proposed within this memorandum.

MEMO

TO: City Council

DATE: January 28, 1982

FROM: City Administrator

SUBJECT: Old Fashioned Festival Signs

The Old Fashioned Festival Committee has met and because of finances has agreed upon metal signs rather than wood signs. The payment for these signs will be through the Old Fashioned Festival Committee and some contacts throughout the City. The Old Fashioned Festival Committee is communicating with the business that did the Tualatin signs, Bob, the Chamber Manager, is getting the business contract, Gordon Martin will carry through on the signs and the School Superintendent will work with the finances on the project.

The goal is to have the signs up by mid-Spring. The signs will be 2 feet by 3 feet and at this point the committee is open to color considerations. One idea is to use the colors of orange and brown to coordinate with the Tree People's bikes on the planters.

Any suggestions that the City Council can give will be helpful.


Michael Warren
City Administrator

MW/bjm

Dennis Hagan will be attending the meeting to answer any questions.

MEMO

TO: City Council

DATE; January 28, 1982

FROM: City Administrator

SUBJECT: Design Review Ordinance

At the last City Council meeting we talked about scheduling a public hearing for February 1, 1982 Council meeting. The subject we were to discuss was the design review ordinance.

The Planning Commission has not yet completed their review and recommendations on the proposed ordinance. It would therefore be the Planning Director's and my recommendation that the public hearing on this matter be postponed to the March 1, 1982 City Council meeting.

Attached is a copy of the minutes of the last Planning Commission meeting for your review.



Michael Warren
City Administrator

MW/bjm

Enc.

The meeting was called to order by Chairman John Cach.

type

Roll Call: John Cach
Jack Kriz
John Poet
Bob Youngman

Jane Parisi-Mosher
Frank Bowlby
Art Stanley
Jean Harris

Absent: Jim Tumbleson

Staff Present:

Clay Moorhead, Planning Director
Barb Mingay, Recording Secretary

Also Present: Approx. 20 Citizens

Motion: Harris-Poet to approve minutes as mailed. Motion carried unanimously by those present.

Motion: Bowlby-Stanley to elect John Cach Planning Commission Chairman for 1982 term. Motion carried unanimously.

Motion: Youngman-Poet to elect Jack Kriz as Planning Commission Vice-Chairman for 1982 term. Motion carried unanimously.

Site Review Ordinance:

A slide presentation was given by Planning Director Clay Moorhead relating to conditions in our area which might be affected by a site review ordinance.

Proponent: Lucille Adams, 1404 Hoskins, a citizen of Newberg, supported the ordinance stating that low cost is not everything to the consumer and citizens have a responsibility to posterity. She recommends the Planning Commission support what the CIAC has presented for approval.

Proponent: Joe Young, 1817 Carol Ave, a resident of Newberg expressed concerns over inclusion of single family but felt the City had an obligation to the people of the community to control multi-family, business and commercial projects. He felt the ordinance as a whole was satisfactory with a few possible changes in the area of turn-around time to give the builder time to complete requirements in an economical and sound fashion.

Proponent: Daryl May, Rt. 4, Box 365, a registered landscape architect, area resident and charter member of Wilsonville design review board indicated he felt the proposal was well stated. It requires a uniform level of design and has the same basic concept which is found in design review ordinances throughout the Portland Metropolitan area.

Questions to Proponents:

Mr. Young responded to a question regarding turn-around time and response to board denial by indicating that decision making should be carried out in a timely manner due to the expense of delays.

Mr. Youngman asked Mrs. Adams how this ordinance would affect existing problems? She indicated it would be better to act now than later to avoid problems in the future.

Mr. Youngman asked Mr. Young what the cost to the public would be if this ordinance were enacted. Mr. Young indicated that landscaping will cost money

but the citizens of the community will eventually pay for problems which would arise without the ordinance.

Mr. Poet questioned Mr. Young if he was comfortable with the composition of the committee and quorum procedure, especially as it relates to the 24 hour special meeting requirements. Mr. Young indicated that the City was charged to operate in the most efficient and best manner for the benefit of the citizens of Newberg and the Council could be required by the community to correct problems which develop. He felt that problems which arise were not insurmountable.

Staff responded that it was the intent of the ordinance to not hold up projects but to use the least time possible to enact the ordinance policies.

Mr. Nulsen asked Mr. May what average landscape architect's fees were and Mr. May responded that a general average would be \$30/hr. and the cost for a plan to be completed to meet most design review board requirements would be approximately \$1.00 per square foot (\$400-500 approximate price for a duplex) However, the fees vary greatly.

Staff indicated that the ordinance does not require the services of a landscape architect be used for satisfying review board requirements. An individual can do his own plans. Mr. Moorhead further indicated that a review board could require applicant's to modify their plans but could not require them to hire a landscape architect to complete plans.

Mike Warren, 1900 Carol Avenue, asked staff how much of the proposed ordinance deals with landscaping. Staff indicated that 15% of the project needed to be landscaped under the ordinance. Mr. Warren further questioned what the basic intent of the ordinance was and staff responded that the intent of the ordinance was to promote originality, function, safety and natural beauty. Mr. Warren asked if there were any projects currently in Newberg which comply already to the proposed ordinance. Mr. Moorhead indicated there were a number of developers already doing so on their own. He indicated some of the reasons for doing so were a pride of community, to establish a more attractive business climate and to draw additional customers.

Mr. Warren asked if the ordinance could save the developers some money in some cases and Mr. Moorhead indicated it could, siting the garbage dumpster problem currently existing at a new structure site recently built in Newberg.

Opponent: Jack Nulsen, 717 E. Sheridan, a local attorney indicated that the areas of social need and economic impact should be explored when deciding on adoption of this ordinance.

A 3 minute recess was called due to a fire alarm. Meeting was reconvened.

Mr. Nulsen further questioned what this ordinance would do to individual rights. He felt the cost would be great to a consuming public which already was overburdened by existing requirements. He felt that even by hiring a professional there would be no guarantee that plans would be approved and that the board could delay individual plans indefinitely.

Opponent: Fred Casey, 1701 N. Hoskins, a local realtor and builder, suggested that the Commission look at a smaller figure for landscape requirements than 15%. He asked if we really need design review and should government get more deeply involved. He felt most business people know what looks good to attract clients, stating that people won't come to an unattractive business. He would recommend that duplexes be eliminated from design review. He felt LCDC goals say to conserve land and further suggests that landscape requirement be cut to 7½% at most.

Opponent: Charlie Hindman, 203 S. River, a local realtor, indicated that it is necessary to have rules and regulations when people live together but questioned the necessity of restricting private rights to benefit public welfare. He further questioned the need for this ordinance in addition to existing ordinances usable for the same purpose, whether the sacrifice the land owner makes would be out of proportion to the value gained. He further questioned whether the rules were clear and definite in the ordinance.

Opponent: Herb Gilnor, Rt. 4, Box 302B, Newberg, a property owner in Newberg, indicated that the more restrictive Newberg gets, the less likely we will be to get new developments coming to Newberg. He further was opposed to the 15% landscape requirement and recommended the commission modify the ordinance.

Questions to Opponents:

Ms. Parisi-Mosher asked Mr. Nulsen where he fits personal responsibility and responsibility to the community in with individual rights. He indicated that there are presently state laws and ordinances concerning minimum standards. He indicated most people would like to see all buildings built first class; however, there has to be some second class construction to provide for a place for the poor and young families to live. Mr. Cach asked Mr. Nulsen if the change makers rights were paramount to the rights of the local citizens. Mr. Nulsen indicated there should be a proper balance of rights and this ordinance appears to raise the minimum standards we have set. Mr. Cach further asked if a commission should be appointed to protect the minimum standards or not and Mr. Nulsen responded he preferred the rights of the individual.

Arthur Roberts, 2514 Roberts Lane, asked Mr. Nulsen if he thought good designs were cost effective and Mr. Nulsen responded he did. Mr. Roberts further asked if Mr. Nulsen felt long range values for the community would be enhanced or reduced by this proposal and Mr. Nulsen indicated values would be enhanced down the line a few years. Mr. Roberts concluded questioning by asking if Mr. Nulsen felt it was often the case that good design was more cost effective in the short term and could a person be helped by this review. Mr. Nulsen responded no. Mr. Kriz asked Mr. Nulsen if he would be more satisfied with an elected board of design review and Mr. Nelson indicated he would feel more comfortable with an elected board but that did not change his basic opinion about the entire ordinance. Mr. Kriz gave some examples of some large and small projects and contested the argument that a professional was required to build a small project but there appeared to be a need, as seen in the slide presentation, for some professional assistance in larger projects.

Mr. Cach asked Mr. Hindman if he believes this ordinance protects the rights of society. Mr. Hindman indicated it generally did but questioned whether it protects more than it takes away rights of the individual. Mr. Poet asked Mr. Hindman if the business community, on its own, would set the same standards this ordinance is trying to set, through competition and Mr. Hindman responded that it would. Ms. Parisi-Mosher asked Mr. Hindman if two identical structures were built, one under this code and one under the minimum requirements, would the builder be making a financial sacrifice on the one built under this code. Mr. Hindman indicated that the builder would be making a sacrifice and the minimum standards were sufficient. Additional requirements would cost more. Mr. Hindman indicated that a home built without use of a design review ordinance could be better built and a better buy due to market demands for good quality structures.

Mr. Cach asked Mr. Gilnor if Newberg's rights are protected at the expense of new development, would Newberg benefit or improve. Mr. Gilnor indicated that Newberg should not be over-restrictive but should not throw out all regulations. He feels that we need to make Newberg attractive to industry. He further stated that Newberg has less to offer than other areas and has a disadvantage over other areas.

No public agencies responded.

Letters received:

Bruce Breightling, 601 W. First, a proponent, recommended to include a review time limit and a check list for the builder to verify completion of steps.

Marvin Schneider, 1119 N. Main, a proponent, particularly concerned regarding controls placed on garbage container placement.

Proponent Rebuttal:

Mr. Roberts reiterated concerns over society's rights as opposed to individual rights. Mr. Young further discussed landscape percentage and possible change to that minimum. Mr. Warren indicated that City government must uphold rights of the citizens of the whole community. Ms. Adams indicated she preferred seeing aesthetically pleasing properties in the community.

Opponent Rebuttal:

Mr. Casey indicated that the Uniform Building Code dealt with the functions that this board would deal with and questioned whether builders needed to pay for the innovative site developments sought after by this ordinance. Mr. Nulsen again indicated his concern over rights issue.

Staff Recommendation: Staff indicated that the Portland Homebuilders representative had concluded that this ordinance was not unusual or uncommon in the Metropolitan area. Staff further stated there was a need for this review process and recommended that the Planning Commission adopt the proposed design review ordinance as presented by the Citizen Involvement Advisory Commission and recommend the ordinance to Council for adoption.

Hearing Closed.

Motion: Bowlby-Youngman to continue discussion of the proposed design review ordinance to February 18, 1982 Planning Commission meeting. Motion carried unanimously.

Commissioner Parisi-Mosher was excused.

Public Hearing: VAC-1-82

Applicant: John Coleman/Initiated by Newberg City Council

Request: Vacation of the entire alley located on Block 51 of Edwards Addition Subdivision, off Columbia Street between 8th and 9th Streets, Newberg, Oregon

Tax Lot: adjacent to 3220CA-2800, -2900, -3000, & -3100

Staff Report: The Planning Director presented the staff report as presented in the Staff Memorandum dated 21 January 1982.

No abstentions were requested or given.

No proponent wished to speak.