

CITY COUNCIL AGENDA
December 7, 1981
Council Chambers 7:30 P.M.

- I. CALL MEETING TO ORDER.
- II. ROLL CALL
- III. APPROVE MINUTES FROM PREVIOUS MEETINGS.
- IV. REQUEST AND COMMUNICATIONS:
 - 1. Appointments by Mayor to Task Force Committees.
 - 2. Presentation of Pedestrian Safety Citation by Mary Merritt of Automobile Club of Oregon.
 - 3. Request by Noel L Guedon to speak to Council on apparent violation of Zoning Ordinance relating to 5 foot setback.
- V. REPORTS FROM CITY ADMINISTRATOR:
 - 1. Report on assistance provided by Publishers Paper for Otis Springs water supply.
 - 2. Report on progress of negotiations with Liberty Cable Television Company.
 - 3. Slide presentation and report by Public Works Director on road repairs (20 minutes.) Including report on Ballot Measure #4.
- VI. OLD BUSINESS:
 - 1. Report on Ordinance establishing truck routes for the City of Newberg.
 - 2. Report on negotiations of Third Street homes.
- VII. NEW BUSINESS:
 - 1. Approve Accounts Payable
 - 2. Review of Landfill project proposed by Angus MacPhee.
 - 3. Report on Road Improvement Levy proposed by Yamhill County.
 - 4. Report by Mayor on Social Services provided to Senior Citizens in Marion, Polk & Yamhill Counties.
 - 5. Request by Rocky's Delicatessen Inc to change it's trade name to Oak Tree Restaurant, 2316 Portland Road, Newberg.
 - 6. Report on Sitka Street Project.
 - 7. Report on Subdivision Agreement for Crestview Manor.
 - 8. Award contract on Bridge, Pier and Bank stabilization.
- VIII. ORDINANCES:
 - 1. Ordinance providing truck route for all trucks of 10,000 pounds or more traveling over streets located in Newberg. (Agenda VI-1)
- IX. RESOLUTIONS:
 - 1. Resolution on Subdivision Agreement for Crestview Manor. (Agenda Item VII-7)

ACCOUNTS PAYABLE
December, 1981

12/81

Alexander Oil Co.	13.60
Al's Drive-In	5.20
A.J. Zinda Co.	193.99
B J's Photo	4.34
Barker's Auto Supply	47.59
Butler Chevrolet	46.46
C & G Auto	27.50
Callaghan & Co.	62.75
Camera Quarters	71.86
Chehalem Valley Senior Citizens	1,100.00
Chemeketa Community College	3,000.00
Coast to Coast	46.67
Conrey Electric	78.64
Consolidated Supply	1,082.48
Crabtree Rock	361.25
Crowell Auto Parts, Inc.	22.46
D & K Plumbing	3.00
Day-Timers, Inc.	18.48
Dents	40.52
Discover Magazine	17.95
Ferguson Rexall Drug	7.40
Ferron Janitorial	721.60
Flexible Pipe Tool Co.	66.90
Fowler Tire	25.00
Fox Union	25.00
Chehalem Printing	64.75
General Chemical Co.	1,031.95
General Telephone Co.	1,628.78
Home Laundry	36.35
Interarms	24.75
Johnson Furniture & Hardware	417.96
Johnstone-Portland	22.82
Lanier Business Products	224.56
Larry Harrington Co., Inc.	33.05
Les Schwab Tire	94.93
Library Journal	32.00
London's Lawn & Garden	1.20
Martin & Wright Paving	569.63
Mel's Boot Shop	10.00
Meyer Brothers	20.64
Midget Motors	54.00
Millipore Corp.	31.66
A. John Montgomery	3,000.00
MountainWest Land Surveying	200.00
Nap's IGA	131.11
National Geographic Magazine	13.50
National Geographic Society	6.95
Newberg Auto Parts	66.36
Newberg Community Hospital	826.05
Newberg Graphic	87.85
Newberg River Rock	173.25
Newberg Steel	8.80
The New York Review of Books	10.00
Norris Paints	119.35
NW Business Systems	185.08
NW Law Enforcement	328.60
NW Natural Gas	600.00**

Nudelman Brothers	54.00
Nurnberg Scientific	64.47
Oregon Meter Repair	620.00
Oregon Turkey Growers	784.01
The Oregonian	7.50
Pacific Photocopy	123.85
Pacific Water Works	712.92
Pennwalt	1,119.75
Peterson Guides	39.83
Power Rents	6,998.00
Quality Office Machine	13.21
Queen Pump Co.	52.50
PGE	17,000.00**
Radio Shack	24.21
Regent Book Co., Inc.	9.95
Riley Studio	4.50
Roberts Rents	10.00
S.D. Leasing, Inc.	312.00
Sanderson Safety Supply Co.	155.83
Scaler Sales Co.	24.30
Gary Spencer	296.00
Stouffer's Department Store	26.99
Ted's Shoes	65.00
Three Squares Sr. Citizen	750.00
Union Oil	154.55
U.S. Gov't Printing Office	2.75
University of Washington Press	173.13
VWR Scientific	12.57
W.R. Grace-The Baker Taylor Co.	668.27
Waide's Mobil	31.00
Water, Food & Research Lab	54.00
Waterworks Supplies	298.29
Watt Welding	6.50
Western Auto	119.82
Westside Automotive	140.17
Willamette Industries	229.98
Yamhill Co. Sheriff's Office	30.00
Ziprint	222.10

TOTAL: 48,558.52

**= ESTIMATE ONLY

ACCOUNTS PAYABLE
December, 1981

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Al's Drive-In	5.20	Nurnberg Scientific	64.47
A.J. Zinda Co.	193.99	Oregon Meter Repair	620.00
B J's Photo	4.34	Oregon Turkey Growers	784.01
Barker's Auto Supply	47.59	The Oregonian	7.50
Butler Chevrolet	46.46	Pacific Photocopy	123.85
C & G Auto	27.50	Pacific Water Works	712.92
Callaghan & Co.	62.75	Pennwalt	1,119.75
Camera Quarters	71.86	Peterson Guides	39.83
Chehalem Valley Senior Citizens	1,100.00	Power Rents	6,998.00
Chemeketa Community College	3,000.00 ?	Quality Office Machine	13.21
Coast to Coast	46.67	Queen Pump Co.	52.50
Conrey Electric	78.64	PGE	17,000.00**
Consolidated Supply	1,082.48	Radio Shack	24.21
Crabtree Rock	361.25	Regent Book Co., Inc.	9.95
Crowell Auto Parts, Inc.	22.46	Riley Studio	4.50
D & K Plumbing	3.00	Roberts Rents	10.00
Day-Timers, Inc.	18.48	S.D. Leasing, Inc.	312.00
Dents	40.52	Sanderson Safety Supply Co.	155.83
Discover Magazine	17.95	Scaler Sales Co.	24.30
Ferguson Rexall Drug	7.40	Gary Spencer	296.00
Ferron Janitorial	721.60	Stouffer's Department Store	26.99
Flexible Pipe Tool Co.	66.90	Ted's Shoes	65.00
Fowler Tire	25.00	Three Squares Sr. Citizen	750.00
Fox Union	25.00	Union Oil	154.55
Chehalem Printing	64.75	U.S. Gov't Printing Office	2.75
General Chemical Co.	1,031.95	University of Washington Press	173.13
General Telephone Co.	1,628.78	VWR Scientific	12.57
Home Laundry	36.35	W.R. Grace-The Baker Taylor Co.	668.27
Interarms	24.75	Waide's Mobil	31.00
Johnson Furniture & Hardware	417.96	Water, Food & Research Lab	54.00
Johnstone-Portland	22.82	Waterworks Supplies	298.29
Lanier Business Products	224.56	Watt Welding	6.50
Larry Harrington Co., Inc.	33.05	Western Auto	119.82
Les Schwab Tire	94.93	Westside Automotive	140.17
Library Journal	32.00	Willamette Industries	229.98
London's Lawn & Garden	1.20	Yamhill Co. Sheriff's Office	30.00
Martin & Wright Paving	569.63	Ziprint	222.10
Mel's Boot Shop	10.00		
Meyer Brothers	20.64		
Midget Motors	54.00		
Millipore Corp.	31.66		
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Newberg Steel	8.80		
The New York Review of Books	10.00		
Norris Paints	119.35		
NW Business Systems	185.08		
NW Law Enforcement	328.60		
NW Natural Gas	600.00**		
		TOTAL:	48,558.52

**= ESTIMATE ONLY

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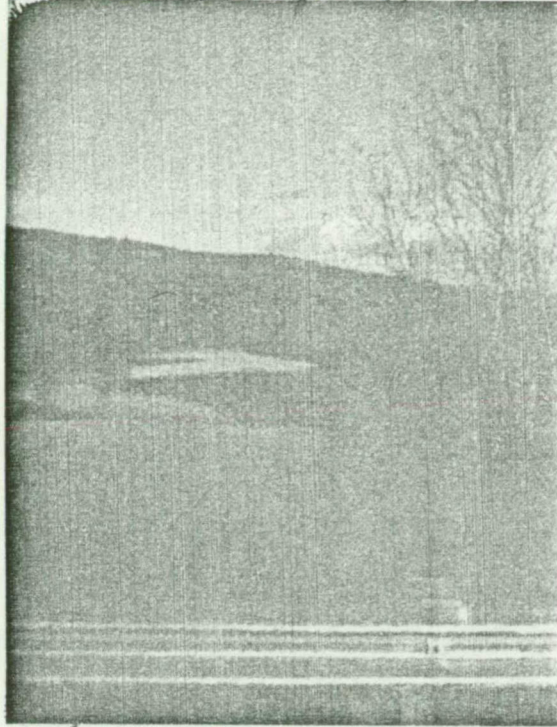
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Council 12/7/81
agenda #, IV 2

Looking East over fill area from 219

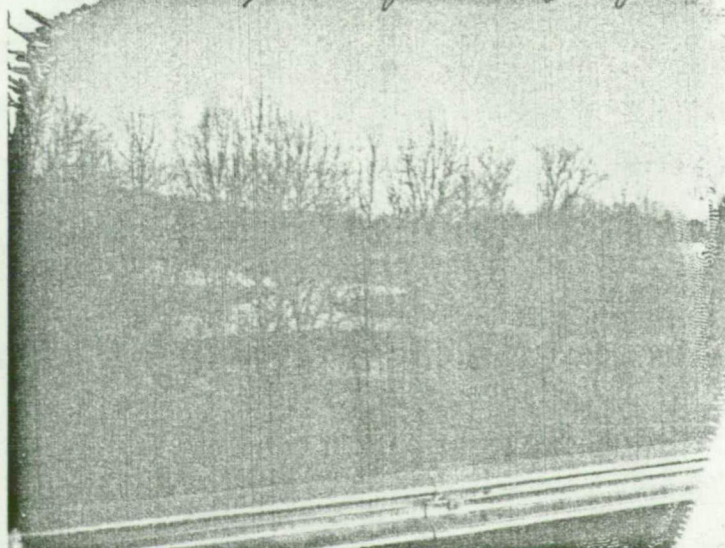
Looking East from Hwy 219



Photos Taken Dec 3 1981

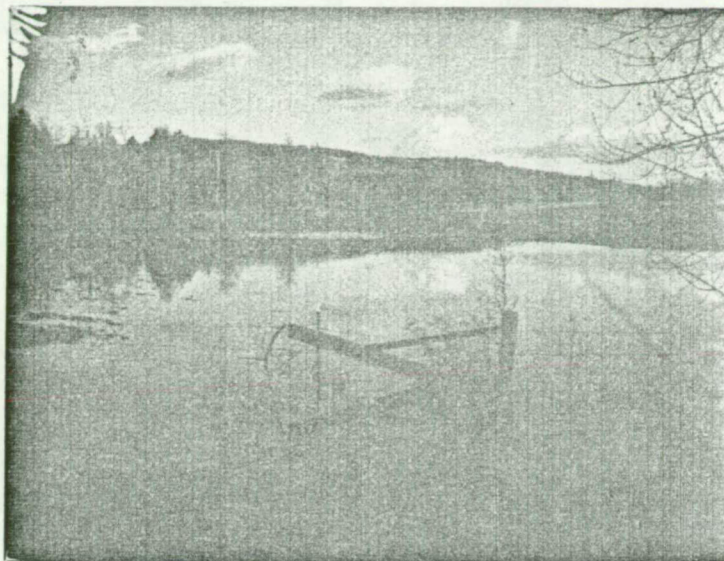
South East View from 219.

Looking East from Hwy 219



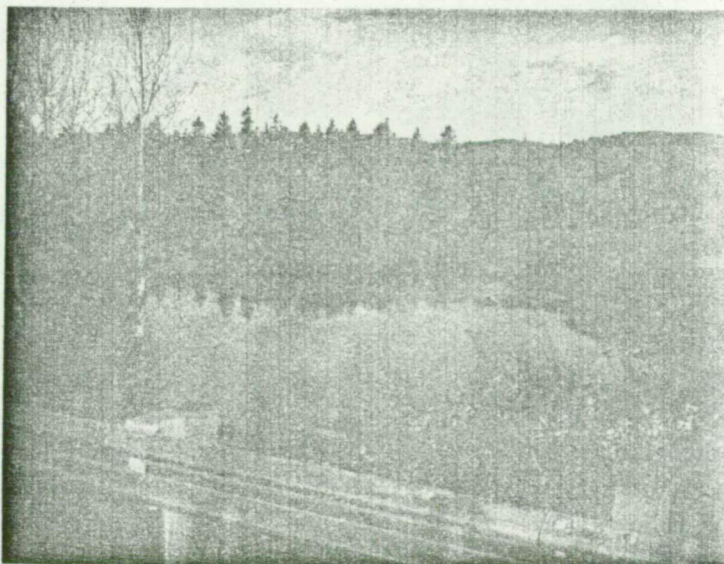
Hall-McPhie Land Fill Site

View Toward Parret Mt. from #219



From Hgwy 219 - Taken Dec 3 1981

Looking N-E from Hwy #219.



In the Circuit Court of the State of Oregon

for the County of Yamhill

ANDREW WEKERLE, DR. JOHN GUISS, LARRY RENNE, and
JOANNE FORREST, YAMHILL COUNTY CLEAN AIR AND CLEAN
WATER COMMITTEE

vs.

Plaintiff

No. 81-1407

SUMMONS

Defendant

To DR. JOHN GUISS
Rt. 2, Box 188
Newberg, Oregon

Defendant.....

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately.

CUSHING, JOHNSTONE & PETERSON, P.C.

Robert A. Heard

SIGNATURE OF OREGON RESIDENT ATTORNEY

Robert A. Heard

TYPE OR PRINT NAME OF RESIDENT ATTORNEY

STATE OF OREGON

County of Yamhill } ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

Robert A. Heard

ATTORNEY OF RECORD FOR PLAINTIFF(S)

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.

Post office address at which papers in the above entitled action may be served by mail.

Robert A. Heard

ATTORNEY(S) FOR PLAINTIFF(S)

CUSHING, JOHNSTONE
& PETERSON, P.C.

ATTORNEYS FOR PLAINTIFF

401 N. EVANS—P.O. BOX 368
McMINNVILLE, OREGON 97128

(503) 472-3108

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF YAMHILL

ANGUS MACPHEE,

Plaintiff,

vs.

ANDREW WEKERLE, DR. JOHN
GUISSE, LARRY RENNE, and
JOANNE FORREST, YAMHILL
COUNTY CLEAN AIR AND CLEAN
WATER COMMITTEE,

Defendants.

No. 81-1407

COMPLAINT
(FOR LIBEL AND CONSPIRACY)

Plaintiff, for his first claim of relief against Defendants,
alleges as follows:

Count I

(I)

That at all material times herein Plaintiff was a resident
of Newberg, Yamhill County, Oregon, engaged in the business of
waste and garbage disposal, including the operation of a sani-
tary landfill situated in Newberg, Oregon.

(II)

That at all material times herein, Defendants were and
are residents of Yamhill County, Oregon, and were and are mem-
bers of a group called YAMHILL COUNTY CLEAN AIR AND CLEAN WATER
COMMITTEE, organized by said Defendants to prevent and obstruct
the planned development of a sanitary landfill by Plaintiff near
Newberg, Oregon as hereinafter described.

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1 (III)

2 On or about May 4, 1981, Plaintiff made application to
3 the Yamhill County Department of Planning and Development,
4 requesting a change in the Yamhill County Comprehensive Plan
5 for the purpose of being able to construct a sanitary landfill
6 site located at the North one-half of Section 33, Township 3
7 South, Range 2 West, near Highway 219, three miles Northeast
8 of Newberg, Yamhill County, Oregon.

9 (IV)

10 Defendants, as hereinafter set forth, jointly and severally
11 and acting in concert as the YAMHILL COUNTY CLEAN AIR AND CLEAN
12 WATER COMMITTEE, engaged in a campaign during the months of May
13 and June of 1981 to prevent the approval by the Yamhill County
14 Department of Planning and Development of said application filed
15 by Plaintiff.

16 (V)

17 Defendants, in furtherance of their joint and several pur-
18 poses, have caused to be published in the Newberg Graphic, a news-
19 paper of general circulation, a full-page advertisement on May 27,
20 1981 which stated in substantial part that construction of Plain-
21 tiff's sanitary landfill would:

22 (1) Cause probable flooding, washout and contamination of
23 the Willamette River,

24 (2) Cause 300 to 500 trucks to travel through Newberg on
25 a daily basis, and

26 //

1 and his reputation as an upstanding, concerned citizen of Yamhill
2 County, and on account of said publication he has been diminished
3 in the esteem, respect, goodwill and confidence in which he had
4 been held, and as a further consequence of Defendants defamatory
5 publication, Plaintiff has suffered extreme mental suffering and
6 anguish. By reason of the foregoing, Plaintiff has been generally
7 damaged in the sum of \$250,000.00.

8 (IX)

9 At the time of Defendants' defamatory publication, Plaintiff
10 had expended the sum of \$70,229.58 as expenses incurred in the
11 acquisition and development of said landfill. As a direct and
12 proximate result of Defendants' actions, the construction of
13 said landfill has been delayed, resulting in a loss of profits
14 to Plaintiff in the amount of \$200,000.00. By reason of the
15 foregoing, Plaintiff has been specially damaged in the sum of
16 \$270,229.58.

17 Count II

18 (X)

19 Plaintiff realleges paragraphs I, II, III and IV of Count
20 I of Plaintiff's first claim for relief as though fully set
21 forth herein.

22 (XI)

23 Defendants, in furtherance of their joint and several
24 purposes, have caused to be published in the Newberg Graphic,
25 a paper of general circulation, a full-page advertisement on
26 //

1 June 3, 1981, which stated in substantial part that construc-
2 tion of Plaintiff's sanitary landfill would:

3 (1) Be a mistake in the opinion of ex-governor Tom
4 McCall because it would be a blight on the Willamette
5 Greenway.

6 (2) That alternative viable sites for garbage dis-
7 posal are currently available. A copy of said advertisement
8 is attached as Exhibit "B" and by this reference incorpora-
9 ted herein.

10 (XII)

11 Said publication as hereinabove set out is false and
12 that construction of said landfill would:

13 (1) Not be on the Willamette Greenway nor be a blight
14 on said Greenway.

15 (2) The alternative sites suggested by the publication
16 are unsuitable and unavailable.

17 Defendants intended by said publication, in furtherance
18 of their common design, to convey and did convey to the
19 general public that Plaintiff is an irresponsible business-
20 man, unconcerned with proper management and development pro-
21 cedures in his business and is an exploiter of Yamhill County
22 land and citizens.

23 (XIII)

24 Plaintiff realleges paragraphs VII, VIII and IX of
25 Count I of Plaintiff's first claim for relief as though
26 fully set forth herein.

Count III

(XIV)

Plaintiff realleges paragraphs I, II, III and IV of Count I of Plaintiff's claim for relief as though fully set forth herein.

(XV)

Defendants, in furtherance of their joint and several purposes, have caused to be published in the Newberg Graphic, a newspaper of general circulation, a full-page advertisement on June 10, 1981, which stated in substantial part that construction of Plaintiff's sanitary landfill was:

(1) On the sandy, leachy, loamy, flooding bank of the Willamette River.

(2) Advising people to vote for any County Commissioner voting for the people's opinion. A copy of said advertisement is attached as Exhibit "C" and by this reference incorporated herein.

(XVI)

Said publication as hereinabove set forth is false in that construction of said landfill would:

(1) Not probably cause flooding and contamination of the Willamette River.

(2) The majority of Yamhill County citizens do not oppose construction of said landfill. Defendants intended by said publication, in furtherance of their common design, to convey and did convey to the general public that Plain-

1 tiff is an irresponsible businessman, unconcerned with
2 property management and development procedures in his
3 business and is an exploiter of Yamhill County land and
4 citizens.

5 (XVII)

6 Plaintiff realleges paragraphs VII, VIII and IX of
7 Count I of Plaintiff's first claim for relief as though
8 fully set forth herein.

9 Count IV

10 (XVIII)

11 Plaintiff realleges paragraphs I, II, III and IV of
12 Count I of Plaintiff's first claim for relief as though
13 fully set forth herein.

14 (XIX)

15 Defendants, in furtherance of their joint and several
16 purposes, have caused to be published in the Newberg Graphic,
17 a newspaper of general circulation, a full-page advertise-
18 ment on June 17, 1981, which stated in substantial part that
19 construction of Plaintiff's sanitary landfill would:

- 20 (1) Cause seepage of garbage into the Willamette River.
21 (2) Cause garbage blight on the Willamette Greenway.
22 (3) That viable alternative sites for garbage disposal
23 are currently available. A copy of said advertisement is
24 attached as Exhibit "D" and by this reference incorporated
25 herein.

26 //

(XX)

Said publication as hereinabove set forth is false and that construction of said landfill would:

(1) Not cause seepage of garbage into the Willamette River.

(2) Not cause garbage blight on the Willamette Greenway and

(3) That the alternative sites suggested by the publication are unsuitable and unavailable.

Defendants intended by said publication, in furtherance of their common design, to convey and did convey to the general public that Plaintiff is an irresponsible businessman, unconcerned with proper management and development procedures in his business, and is an exploiter of Yamhill County land and citizens.

(XXI)

Plaintiff realleges paragraphs VII, VIII and IX of Count I of Plaintiff's first claim for relief as though fully set forth herein.

Count V

(XXII)

Plaintiff realleges paragraphs I, II, III and IV of Count I of Plaintiff's first claim for relief as though fully set forth herein.

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(XXIII)

Defendants, in furtherance of their joint and several purposes, have caused to be circulated during the months of May and June of 1981, a circular, which stated in substantial part that construction of Plaintiff's sanitary landfill would:

(1) Cause 300 trucks on a daily basis and 800 private pickups on weekends to come to said sanitary landfill, causing traffic congestion.

(2) Cause pollution and destroy fish and recreational activities on the Willamette River,

(3) Draw thousands of rats to the area.

(4) Draw seasonal seagulls into the area, endangering local air traffic, and

(5) That viable alternative sites for garbage disposal are currently available. A copy of said circular is attached as Exhibit "E" and by this reference incorporated herein.

(XXIV)

Said publication as hereinabove set forth is false and that construction of said landfill would:

(1) Not cause 300 garbage trucks on a daily basis and 800 private pickups per weekend to drive to the proposed sight.

(2) Not cause pollution and destroy fish and recreational activity on the Willamette River.

(3) Not draw thousands of rats into the area.

1 (4) Not draw seasonal seagulls into the area, endangering
2 local air traffic, and

3 (5) That the alternative sites suggested by the publica-
4 tion are unsuitable and unavailable.

5 Defendants intended by said publication in further-
6 ance of their common design to convey and did convey to
7 the general public that Plaintiff is an irresponsible
8 businessman, unconcerned with proper management and
9 development procedures in his business, and as an exploiter
10 of Yamhill County citizens.

11 (XXV)

12 Plaintiff realleges paragraphs VII, VIII and IX of
13 Count I of Plaintiff's first claim for relief as though
14 fully set forth herein.

15 * * * * *

16 As a separate and further claim for relief, Plaintiff
17 alleges:

18 (XXVI)

19 Plaintiff realleges Counts I through V of Plaintiff's
20 first claim for relief as though fully set forth herein.

21 (XXVII)

22 On and between May 27, 1981 and June 17, 1981, Defendants
23 conspired and agreed together to defame Plaintiff from
24 constructing said proposed sanitary landfill.

25 //

26 //

(XXVIII)

That as a direct and proximate result of said conduct by Defendants, Plaintiff suffered general damages of \$250,000.00 and special damages of \$270,229.58.

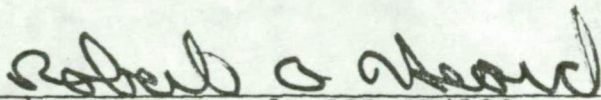
WHEREFORE, Plaintiff prays for judgment against the defendants and each of them as follows:

1. For judgment against Defendants and each of them on Plaintiff's first claim for relief in the amount of \$520,229.58.

2. For judgment against Defendants and each of them on Plaintiff's second claim for relief in the amount of \$520,229.58.

3. For Plaintiff's costs and disbursements incurred herein.

CUSHING, JOHNSTONE & PETERSON, P.C.


Robert A. Heard, OSB #74130
Of Attorneys for Plaintiff

NEWBERG GARBAGE LANDFILL

40 PETITIONS REVEAL

that over 90% of Newberg-Yamhill County population do not want Newberg's Riverside at St. Paul Bridge used for Washington, Multnomah, and Clackamas County garbage.

BECAUSE OF:

1. Additional Yamhill County expense for roads and litter cleanup.
2. An eyesore from St. Paul Bridge for 20 years.
3. Probable flood washout and certain contamination of Willamette River due to flood land location.
4. 300 to 500 garbage trucks and pickups daily. Traveling on Springbrook Rd., Wilsonville Rd., and through Newberg city proper.
5. Practical, viable alternatives are now available for Washington, Multnomah and Clackamas County garbage disposal; these are Jeep Trail site at Scappoose and Publishers-Oregon City \$140,000,000 incinerator; - Bids are out now.

WHAT CAN YOU DO?

1. Sign a petition!
2. Attend hearings at PGE Springbrook location.
7:30 — Wednesday, May 27
7:30 — Thursday, June 4

ASK FOR A PETITION!

**YAMHILL COUNTY
CLEAN AIR AND CLEAN WATER COMMITTEE**

This can be STOPPED!

(Pd. Adv. Andrew Wekerle, Chairman
Rt. 2, Box 185, Newberg, OR)

NEWBERG GARBAGE LANDFILL

Please attend the meeting of Yamhill County Planning Commission hearing Thursday, June 4, at 7:30 in McMinnville room 32 instead of P.G.E. building.

We know there are plans to try to put a garbage landfill on Bruce Hall place at St. Paul Bridge. But then who knows where they would want to put their Newberg garbage transfer station.

Tom McCall ex-governor says if the city of Newberg allows a garbage fill to blight the Willamette Greenway, they will regret it for years to come.

Metro garbage should go to Jeep Trail site and Wildwood site. Local garbage should go to Newberg or River Bend at McMinnville.

680 Anti-MacPhee-Hall garbage landfill signatures have already been obtained. If you have not signed one please do.

**YAMHILL COUNTY
CLEAN AIR AND CLEAN WATER COMMITTEE**

This can be STOPPED!

(Pd. Adv. Andrew Wekerle, Chairman
Rt. 2, Box 185, Newberg, OR)

June 11
Oregonian

1500 Concerned Citizens Have Now Signed Anti-MacPhee Hall Garbage Fill Petitions Why?

1. Seepage of garbage ooze into Willamette.
2. Eyesore garbage fill at Newberg entrance.
3. Garbage blight on greenway near Champog Park, Greenway Park and Willamette Marker.
4. Excellent alternative sites exist: Newberg MacPhee site, River Bend and Whiteson, M.S.D., Jeep trail, Wildwood and Oregon City incinerator

Dave Bishop says MacPhee will return.

W
The Oregonian

TUESDAY, JUNE 9, 1981

Application withdrawn

McMINNVILLE — A Yamhill County Planning Commission hearing on an application by Angus MacPhee for a comprehensive plan amendment to allow a landfill on a 246-acre parcel of land three miles southeast of Newberg was canceled Thursday night when the application was withdrawn.

According to County Planning Director Dave Bishop, the application will be submitted again when a way to prevent water from the landfill from seeping into nearby groundwater has been developed.

Sign a petition today!

4 convenient locations

- | | |
|-----------------------|--------------------------------|
| 1. Bill's Barber Shop | 3. Mills Barber Shop |
| 2. Don's Style Shop | 4. Newberg Auto Freight Office |

Nearly 2,000! Lets make it 3,000!

**YAMHILL COUNTY
CLEAN AIR AND CLEAN WATER COMMITTEE**

P.O. Andrew Webster
Box 161 Newberg, OR

KNOW THE ISSUES

Here are the issues on the MacPhee-Hall Willamette River Bank Garbage Land Fill.

1. Do you want the traffic of 300 garbage trucks daily and 65 semi-transfer trucks from M.S.D. and up to 800 private pickups on weekends to come to this area over already congested and inadequate Yamhill County roads?
2. Do you think it is equitable to use Yamhill County resident's tax money to maintain depreciating Yamhill County roads for Washington, Clackamas and Multnomah County garbage trucks? And additional Yamhill County funds to cleanup pickup truck and truck road litter?
3. Do you want a garbage land fill on Willamette River Flood Land when it will most likely leach into the river causing contamination and destroying fish life?
4. Do you want a garbage land fill where a 1964-type flood could likely wash the entire fill into the Willamette? This Bruce Hall bottom land was 20 feet under water in 1964.
5. Do you think the now beautiful view of the Greenway, from St. Paul Bridge on Highway 219 should be destroyed by a birdseye view of 200 acres of garbage land fill for 20 years?
6. Do you want a rat-infested garbage fill that draws thousands of rats into a dense population area and seasonal swarming of seagulls to endanger the local airport traffic?
7. Do you believe a garbage landfill should properly be located a short distance upstream from 2 major state parks? (Champoeg Park and State Greenway Park, opposite one another.) Where swimming and boating will be endangered by contamination and garbage fill malfunctions.
8. Do you know that the Metro Service District can prepare the approved Scappoose Jeep Trail Site for Washington, Multnomah and Clackamas County garbage in a few weeks if they wish to make the bold decision to move ahead?
9. Did you know there are bids out on the \$140,000,000 Publishers-Oregon City Incinerator Plant which will be ready to take over from the Jeep Trail Site?

All of these factors being considered, we hope you will contact your own elected Yamhill County officials. They are the only ones who will make the final decision!

THEY ARE RESPONSIBLE TO YOU! CONTACT THEM TODAY!!

McPhee and Hall have had months to plan their approach to this garbage land fill.

The citizens of this county have only a few days to inform themselves and make a decision and act.

In this time frame, letters are very limited in their effectiveness. We have been pressured by the opposition to use the telephone system!

DIRECTORY OF YOUR OFFICIALS

"CALL TODAY!!!"

TOLL FREE DIRECTORY of your elected Yamhill Commissioners

1. Robin Hamblet - 538-7559 or 538-7302 Ext. 551
2. Colin Armstrong - 538-7302 Ext. 551 or 472-6489
3. Ted Lopuszynski - 538-7302 Ext. 551 or 472-3945
4. Bill Rutherford, Yamhill Representative - 472-0321
5. Tony Meeker, Yamhill Senator - 835-8481
6. DEQ Toll free, 1-800-452-7813 (ask for DEQ)

These officials whom you elected are responsible for the decision. Will there or will there not be a 200-acre garbage land fill for the Portland area on flood land in the Greenway on the edge of Newberg?

PLEASE ATTEND MEETINGS AND HEARINGS: YOU ARE THE ANSWER!

Wednesday, May 27 - 7:30 pm, PGE Bldg., Springbrook Rd.

Thursday, June 4 - 7:30 pm, PGE Bldg., Springbrook Rd.

Wednesday, June 17 - 4:00 pm, Room 105, Yamhill County Court House, McMinnville.

WHAT TO DO!

Contact your elected officials. They wish to represent the citizens!

The County Commissioners have the power and responsibility and will make the final decision!

1. Show up at Meetings!
2. Telephone Commissioners!
3. Continue to Sign Petitions!

CERTIFICATE — TRUE COPY

I hereby certify that the foregoing copy of COMPLAINT (FOR LIBEL AND CONSPIRACY)

is a complete and exact copy of the original.

Dated November 12, 1981.

Robert A. Shepard
Attorney(s) for Plaintiff

ACCEPTANCE OF SERVICE

Due service of the within is hereby accepted
on , 19, by receiving a true copy thereof.

Attorney(s) for

CERTIFICATES OF SERVICE

Personal

I certify that on , 19, I served the within
on
attorney of record for
by personally handing to said attorney a true copy thereof.

Attorney(s) for

At Office

I certify that on , 19, I served the within
on
attorney of record for
by leaving a true copy thereof at said attorney's office with his/her clerk therein, or with a person apparently in
charge thereof, at , Oregon.

Attorney(s) for

Mailing

I hereby certify that I served the foregoing
on
attorney(s) of record for
on , 19, by mailing to said attorney(s) a true copy thereof, certified by me
as such, contained in a sealed envelope, with postage paid, addressed to said attorney(s) at said attorney(s) last
known address, to-wit:
and deposited in the post office at , Oregon, on said day.

Dated , 19.

Attorney(s) for

CUSHING, JOHNSTONE & PETERSON, P.C.

ATTORNEYS AT LAW
401 N. EVANS—P.O. BOX 626
McMINNVILLE, OREGON 97128
(503) 472-3108

12/16/81
Submitted by
Harmon to
Councils
12/16/81

Daniels &
Associates, Inc.

2930 East Third Avenue
P.O. Box 6008
Denver, Colorado 80206
303 321-7550

[REDACTED], 1981

Hugh H. McCulloh
Vice President

[REDACTED]

Enclosed is the presentation that we discussed on Liberty Communications, Inc.

Liberty, headquartered in Eugene, Oregon, owns and operates 33 cable television systems in ten states and six broadcast television stations; one in Dallas, Texas, one in Eugene, Oregon, and four in Wisconsin. Liberty is the 19th largest multiple-system cable operator in the U.S. Two of the above mentioned television stations were recently added to Liberty's broadcast operation with construction of KTWS serving Dallas/Ft. Worth, Texas and WQOW-TV, Eau Claire, Wisconsin. During the 70's, Liberty's growth in earning, cash flow and revenues each increased at a compounded annual rate of more than 30%.

Liberty currently has over 500,000 homes in their various franchise areas with 433,300 homes projected to be cabled by the end of 1981. At that time they expect to have 206,000 primary subscribers, 22,600 bulk subscribers and 71,800 pay TV subscribers (the proceeding number does not include pay figures for subscribers taking more than one level of pay TV service).

It is Liberty's desires to close the transaction in late 1982. The enclosed projections reflect that at the end of 1982 Liberty will have 248,000 primary subscribers, 25,900 bulk subscribers, 105,000 pay TV customers.

Cash flow for the first full year under new ownership (1983) for both cable and broadcasting is projected to reach \$32 million growing to \$62 million in 1988, reaching \$82 million in 1991.

The unique investment opportunities in Liberty are:

- Excellent, competent management in place with desire to remain.
- Modern equipment in both cable and television with a constant upgrading policy.
- Many of the systems are located in the desireable areas of the Sunbelt and West Coast.

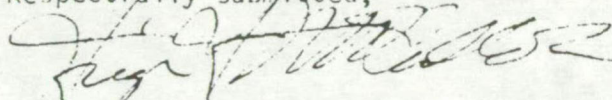
- 
- Plant extension opportunities in many of the cable systems.
 - Rapid growth STV operation in Dallas, Texas.
 - The Oregon and Wisconsin television broadcast stations are poised for increase growth.

The purchase price is \$310 million for 100% of the stock of the company with the following terms being offered: 50% down payment at close, assumption of existing debt (with most being below a 10% interest rate) with the balance due over a 3 year period at 10% interest.

Liberty is most interested in keeping information regarding this matter in total confidence. They have requested that I forward the enclosed confidential memorandum for your review and signature. Please make a copy of this letter for your files and forward the original back to me in the enclosed self addressed envelope.

I will phone after you have had the opportunity to review this material to answer any questions you or your people may have.

Respectfully submitted,



Hugh H. McCulloh

HHM:mp
Enclosure

Lake Oswego

MEMORANDUM

TO : City Council

FROM : City Council Subcommittee on Cable TV:
Mayor Campbell, Councilors Young and Woller

Dated : December 15, 1981

Subject : Recommendation on Award of Cable TV Franchise

At the direction of the Council the subcommittee has reviewed the request by Liberty Cable TV, dated December 8, 1981, for a renewal of its cable TV franchise and considered the impact of that request on the subcommittee's recommendation to the Council that the Council award a cable system franchise to Storer-Metro, Inc. The recommendation of the subcommittee remains that the Council award a cable system franchise to Storer-Metro, Inc. and thereby remain a member of MACC.

This memorandum will explain the issues presented to the Council for consideration at its December 15 meeting and the rationale for the subcommittee's recommendation.

The purpose of the public hearing December 15 is to consider the question of whether or not to award a cable system franchise to Storer-Metro, Inc. That franchise is the one which was developed as a result of the MACC process and it is properly before the Council for decision pursuant to the City Code cable system provisions, LOC 20.900 - 20.925.

The Council cannot at its December 15 meeting make a decision on whether to award a cable system franchise to Liberty. LOC 20.915 requires that a request by Liberty for a renewal or extension of its present franchise "be considered a request for the Council to consider the selection of a franchise pursuant to LOC 20.910." That section requires that if the Council decides to consider a request for a franchise it follow certain procedures, designed to provide a fair, open cable system selection process, or define and substitute an alternate process after that process has been developed, considered at a public hearing and adopted by resolution. Neither of these options has yet been employed with regard to the new Liberty proposal, nor could they have been, because the proposal was just received by the City on December 8, 1981. The Council's future actions with regard to the Liberty proposal are legally independent of the action taken tonight on the Storer-Metro proposal. The options available under LOC 20.910 for considering cable systems can be exercised in the future regardless of what action is taken on the Storer-Metro proposal. However, the Liberty proposal is factual material that may be considered by the Council in its deliberation on the question of whether to award a franchise to Storer-Metro.

The basic issue to be decided by the Council can be stated as whether the "costs" to be incurred justify the award of an additional cable system franchise to Storer-Metro. The term "costs" is used in a broad and multi-faceted sense. The subcommittee has reviewed Liberty's new proposal and is not prepared, due to lack of time and technical expertise, to provide a complete analysis. What can be said is that it is generally competitive with Storer-Metro's proposal and similar to the proposal Liberty made to MACC. It is competitive in the sense that a number of entertainment and institutional channels similar to that proposed by Storer-Metro will be available, at a similar (but slightly higher) cost, under similar terms and conditions. In essence, the terms and conditions of the Liberty proposal are a "xerox" copy of the MACC franchise, with some significant changes to be mentioned below. It is the subcommittee's opinion that either proposed system will provide adequate cable service to the City. It is, therefore, the "intangibles" which must be weighed and evaluated in order to reach a decision. Those issues, not arranged by importance, are discussed below.

1. An award to Storer-Metro does not legally preclude the continuation and extension of the Liberty franchise because the MACC franchise is non-exclusive. Practically, cable companies avoid market situations in which service is available on a competitive basis from two or more companies. Liberty's response to an award to Storer-Metro cannot be known at this time. One of the potential costs of an award to Storer-Metro is the very real potential of legal action by Liberty against the City and/or MACC - Storer-Metro. If such legal action were to challenge the award of a franchise to Storer-Metro, the City would not incur the costs of defense or judgments because the MACC agreement shifts that responsibility to Storer-Metro. If the action was against the City for a failure to renew Liberty's franchise or if the City had to sue at the end of the franchise term to force Liberty to cease service the City would probably bear the costs. The subcommittee has been advised by the City Attorney that under the present state of the law the City would prevail in any of the types of action mentioned.

2. A decision not to award to Storer-Metro will effectively mean that Liberty will continue to be the cable service provider in the City for the foreseeable future. Liberty's proposal cannot be acted upon on December 15 for the reasons stated above. A further process must be employed. If the Council chooses to follow the "RFP" process it is unlikely that any company except Liberty would submit a proposal because of the industry position against overbuilding. Such a new company would have to overbuild the Liberty system to provide service.

The terms under which Liberty would serve in the future are not certain. There is no binding legal requirement that Liberty continue to offer the terms which appear in its new proposal. It is imperative that should the Council decide not to award to Storer-Metro that it obtain from Liberty a commitment that the new proposal will be kept open and will be the starting point for negotiations of future franchise terms.

3. The subcommittee has been informed that Field Enterprises plans to purchase a controlling interest in Liberty. The impact of this development upon Liberty's operations and its ability to commit to any proposal is unknown at this time. Staff has been informed that Field presently does not own an operating cable system.

4. A key point in favor of awarding to Storer-Metro is the continued participation of the City in MACC. MACC will administer the franchise. What that means is that the City will not have to provide staff to deal with technical system problems, handle citizen complaints with the company or its service, evaluate rate increase requests or provide the impetus and direction for local access and programming and yet it will have a voice, through MACC participation, in all of these matters. Continued MACC participation also offers lower rates over the term of the franchise because the costs of operation and maintenance of the system can be spread over a much larger rate base. MACC participation also offers the greater likelihood that City consumers will receive the benefits of technological advances. Both proposals provide that the terms can be modified by the parties. The subcommittee feels it is more likely that Storer-Metro, with its much larger and more varied service area, will commit to new services (and attendant costs) because of the greater number of potential customers than would Liberty for a system servicing Lake Oswego only. The drawback of MACC participation is the loss of exclusive local control of the franchise administration and the loss of the ability to deal directly, on a one to one basis, with the company.

5. The addition of Storer-Metro service would create a variety of practical problems such as having two cables on utility poles, the placement of a second underground cable in areas where Liberty presently serves, the disposition of Liberty's wires and other equipment if their service ends, and what quality of service Liberty will provide until the end of its term (and at what cost). The subcommittee has no answers to offer, except to say that problems will occur. The extent of the problems is within the control of Liberty. If the Council decision is to award to Storer-Metro and the Council subsequently decides to not extend Liberty's franchise and Liberty chooses to cooperate with that decision and provide a smooth transition to the new system, the problems will exist but will be manageable. If Liberty, in that situation, chooses not to cooperate with the City and Storer-Metro, the transition could be very difficult and unpleasant. Only Liberty has control over that transitional phase.

6. Another issue is to consider the desirability of having two operating cable systems in Lake Oswego. In information presented through the MACC process and to the Council, Liberty has made a strong case from the industry point of view stating the undesirability of allowing two systems to operate in the same geographic area. An obvious benefit to consumers in terms of rates and service is gained through competitive market forces.

If both Liberty and Storer-Metro served Lake Oswego, one of the negative factors that has been identified by Liberty would probably not come to pass. Liberty has stated that the result of competition in cable service is the building of unnecessary plant followed by competition in rates in which one company "loses" (goes out of business), followed by higher rates imposed by the remaining company to recoup losses incurred earlier. If that scenario occurred in Lake Oswego it is unlikely that Storer-Metro would cease operation. If Liberty ceased operation, the Storer-Metro rates would continue to be the same as those in the rest of the MACC area. Under the MACC agreement, rates are to be uniform throughout the franchise area.

This discussion is presented not as a recommendation on the issue of having two operating systems, but rather to point out the unique situation in which the City finds itself.

7. A final issue to consider is the overall desirability of the companies themselves. The City has no direct experience with the operational approach or record of Storer-Metro. Mike Dowsett, Beaverton City Attorney, attended a conference of cable system franchisors on behalf of MACC. One part of that program involved "round table" discussions of jurisdictions served by the same company. He sat in on the table discussing Storer and was impressed with the degree of satisfaction expressed by those jurisdictions with services delivered by Storer. The MACC survey was inconclusive on this issue, but revealed no significant adverse comments.

The City has been working with Liberty since it took over the franchise in 1978. In that time the following problems have been observed:

- During the consideration of the rate increase granted in 1981 by the City, Liberty provided a schedule for the activation of the 35 channel upgrade. That schedule was not met.

- The company was informed that the rate increase granted in May, 1981 was not effective until the effective date of the ordinance (30 days after second reading). The company charged the higher rates immediately after second reading, during that 30 day period.

- The company conducted door to door solicitations in violation of City ordinance. It was informed of this violation and further solicitations occurred after the notice.

- While the Council considered the rate increase in 1981, customers seeking to connect to the system were informed that the City was preventing hookups until the rate request was acted upon. That representation was not true.

- Recently, a customer seeking to connect to the system was told that the City will not allow hookups until after a decision is made on December 15. That representation is not true.

Customer service complaints involving Liberty made known to City staff include the following:

- Telephone calls not returned, telephone lines constantly busy, inquires not answered.

- Hookup appointments missed and not rescheduled.

- Poor response to service problems, poor signal quality.

- Installing guy wire on private property without securing permission.

- Refusal to provide connection when cable located at property line.

Storer's future performance is an unknown. Liberty's past performance in dealing with the City is known and the problems catalogued above have been observed.

What follows is a comparison of the most obvious differences between Storer-Metro's proposal and the new Liberty proposal. This is not an exhaustive or complete comparison of the proposals.

	<u>Storer-Metro</u>	<u>Liberty</u>
<u>Rates:</u>		
Basic Service		
12 channels	free	x
29 channels	4.75	x
42 channels	x	7.50
52 channels	7.95	x
interactive service	9.95	Not specified, won't exceed similar rates in other areas

	<u>Storer-Metro</u>	<u>Liberty</u>
<u>Pay Service</u>		
HTN	3.95	4.95
HBO	6.95	10.95
Showtime	6.95	9.95
Movie Channel	6.95	10.95

Other rates similar

Rate Guarantee Period

August, '85 for basic service	Jan., '85 for all services
August, '84 for pay services [assumes a Feb., '82 effective date]	

Rate Regulation

- | | |
|--|--|
| - No time limit on Council consideration | - 90 day limit or Council consideration |
| - No automatic approval | - automatic approval after 90 days |
| - Includes consideration of performance in supplying facilities promised | - no consideration of performance in supplying facilities promised |

Franchise Fee

5%, distributed as follows: 2% to MACC, 3% to jurisdictions per MACC agreement	5%
---	----

Technical

"A" system

440 MHz (60 channels)
By July, '84

330 MHz (42 channels)
within 1 year
400 MHz (54 channels)
after Jan., '84 on
request

"B" system

2 cables, 330 MHz
(21 channels each way-
each cable)

400 MHz (27 channels
each way within 1 year)
(second cable later)

Storer-Metro

Liberty

The 400 MHz system is the same that was proposed by Liberty in the MACC process. The MACC evaluation pointed out that a 400 MHz system has some built-in technical limitations not associated with a 440 MHz system.

Underground

- | | |
|-----------------------------------|--|
| - complete by July, '84 | - complete by Jan., '83 |
| - all in conduit | - direct burial and conduit |
| - method of burial
City choice | - method of burial and
choice of conduit
is Liberty's choice |

The MACC evaluation pointed out that the use of conduit is preferred.

Parental Locking Devices

Provided free

Provided on request
(no cost specified)

City Projects

Telemetry for water system

Telemetry for water
system, LoCom/
transmitter link

Interconnection

Both proposals provide for 20 MHz interconnection capacity, both directions, which provides three video channels and 2 MHz for data transmission. Both propose to interconnect with all other cable systems in the metropolitan area and the State of Oregon (when available in the franchise area).

CONCLUSION

The proposal of Liberty is essentially the same made to MACC and judged, through that process, to be less attractive than the Storer-Metro proposal.

The subcommittee recognizes that overbuilding presents practical problems and that litigation may result from an award to Storer-Metro. The subcommittee believes, however, that the long term benefits of continued MACC participation outweigh the short term problems which may occur.

The subcommittee recommends that the Council award a non-exclusive cable system franchise to Storer-Metro, Inc.

Doc. No. 0096c

Monday, 7:30 P.M.

November 2, 1981

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
	Harold Grobey	Richard Rementería
	Alan Halstead	Tom Tucker
	C. Eldon McIntosh	

Absent: Roger Gano

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

Citizens Present: 14

Mr. Tucker noted that a correction should be made in the minutes of the October 1, 1981 Joint Council Meeting with the City of Dundee. Dundee Councilman Paul Billick was not present. Minutes of the previous meeting were approved as corrected.

Newberg Community Hospital has asked that a special City Council meeting be scheduled to consider review and award of bids on the Phase II remodeling project. The Council set Thursday, November 12, 1981 as the date of the special meeting to consider and award bids on the Phase II project.

The Old Fashioned Festival Committee has requested assistance from the City in posting of signs at entrances to Newberg. Requested is that the City supply the posts for the signs and the labor to install the signs. The Council discussed the size and design of the signs. Motion: Probst-Rementería that the City provide the posts and labor for installation of the signs. Carried unanimously.

The request for a water hook-up from S. Kent Miner, 2505 Roberts Lane, was referred to the Public Works Director and Public Works Committee.

Mr. Warren reported on a letter from Miles Olson, principal of Central School, to Stan Garwood, Public Works Department, thanking the crew for the cooperation and consideration shown on a project in the area of the school.

Public Hearing: Annexation of 5.25 acres and zone change from County Commercial Zoning to City C-2 and withdrawal from Fire District of property located south of 99W, west of Springbrook Street.
Applicant: J. T. Francis/DeY Limited.

Location: Tax Lot 3216-2200

Staff Report: Mr. Moorhead reported the property was not annexable through the island procedure. The owner of the property has requested annexation for development. Mr. Moorhead read Exhibit A of the ordinance to annex which addresses ten areas of concern. He further stated that the Planning Commission has recommended approval of the annexation and zone change subject to the rezoning being done with a site review subdistrict and dedication of 10 feet for road right-of-way purposes. The Planning Commission discussed the right-of-way with the Springbrook Road north of 99W and south of 99W. North of 99 the right-of-way is 80 feet and south of 99 the right-of-way is 60 feet. The Planning Commission was concerned that the road right-of-way south of 99W will not be adequate for future development. Mr. Moorhead presented a map of the road prepared by the Engineering Department showing the right-of-ways on Springbrook north of 99W and south of 99W to Second Street. Two pieces of property have already dedicated 10 foot road right-of-ways for a 60 foot road width. Mr. Sanders, Public Works Director, stated the 60 foot right-of-way width would be adequate for a 44 foot paved road.

No proponents or opponents wished to be heard. A letter from John Cach, an adjacent property owner, was read. The subject of Mr. Cach's letter was the center line location of County Road No. 5, which is Springbrook Road. Mr. Moorhead reported there had been discussion of the location of the center line in the past and Mr. Cach's intent was to show that the center line is the west boundary of the Sebastian Brutcher Donation Land Claim.

No other written remonstrance has been received.

Staff Recommendation: Staff recommends approval of the annexation and the zone change with site review.

Public Hearing Closed.

The Council discussed further the location of the road right-of-way center line and Mr. Moorhead suggested wording to be included in the ordinance that would match the line with the PGE property. Mr. Moorhead stated that annexation of this property will create an island of other adjacent properties, making them subject to annexation by the City.

Motion: Rementeria-Grobey to read Ordinance No. 2069 annexing Tax Lot No. 3216-2200 and changing the zone from County Commercial to City C-2 with site review. Carried unanimously. The ordinance was then read with Exhibit B attached. It was noted that Exhibit A had been previously read by Mr. Moorhead. The Council discussed further the width of the road right-of-way, the affect the annexation will have on adjacent, unannexed properties and whether the City will accept jurisdiction for maintenance of the roadway.

Motion: Rementeria-McIntosh to amend Exhibit B of the ordinance to include the addition of the following: All that part of Market Road No. 5 road right-of-way immediately adjacent to the parcel identified in Exhibit A. Carried unanimously. Roll Call on the ordinance as amended: Aye - 7, DeMay, Grobey, Halstead, McIntosh, Probst, Rementeria, Tucker; Nay - 0; Absent - 1, Gano. The Mayor then declared the ordinance passed.

The Council and staff are reminded of the League of Oregon Cities conference November 22 - 24, 1981 in Portland. The Mayor encouraged all members of the Council to attend that possibly could.

Mr. Warren reported on the status of the purchase of properties at 404, 408 and 412 E. Third Street. The three properties have been appraised at prices ranging from \$45,000. to \$51,500. The three homes contain various square footage, which are 972 square feet, 1155 square feet, 1258 square feet. The Engineering Annex, where the engineers currently work has 740 square feet and they need approximately 1,000 square feet. The annex building is in extremely poor condition. It would require approximately \$6,000. to make it habitable and that expenditure would not bring it up to code. If the City were to purchase the three properties, the City would then own all but three properties from Fifth Street to First Street along Howard Street. The three properties are the VFW Hall, the Senior Citizens Center and the Hospital Auxiliary building. Mr. Warren stated he had discussed the properties and purchase of the properties with department heads and the general consensus was to purchase all three of the properties. If the City decided to build a civic center in the area, it would be good planning to buy these properties now, while they are available. If the civic center were built elsewhere, these properties could be sold at a later date. Mr. Warren stated that his recommendation would be, based on the availability of money, to purchase one home and purchase an option for one year on the other two. It is possible the second home could be purchased later as a rental to the cable company. Then, if the tax base passes, the Human Resource Center could be moved to the third building and the police department expanded to make more room for the dispatch area.

Councilman Grobey questioned the zoning on the three properties. Mr. Moorhead responded that the properties are zoned R-2 and city uses would be permitted. Councilman Rementeria stated he believed the City should obtain all the properties now when they are available. Councilman Tucker concurred with Councilman Rementeria.

Motion: Rementeria-Halstead to pursue acquisition of all three parcels, if possible. Aye: Halstead, Rementeria. Nay: DeMay, Grobey, McIntosh, Probst, Tucker. Motion failed.

Motion: Tucker-McIntosh to accept Mike Warren's report and request that he report to the Council on November 12, 1981 on the possible purchase of one property and options to purchase on the two properties. Carried unanimously.

Mr. Warren presented four letterhead options to the Councilmembers and asked for their opinions. Two of the letterhead designs are by Pam Baker and two are by Steve Eichenberger. The consensus of the Council was that they preferred one drawing of Mr. Eichenberger's modified by the lettering from the other drawing by Mr. Eichenberger.

Retail malt beverage license for Rocky's Delicatessen. Police Chief Hawkins stated there were no objections to granting a license. Motion: Halstead-Tucker to recommend approval of the malt beverage retail license for Rocky's Delicatessen. Carried unanimously.

Old Business:

An ordinance previously read before the Council at the September 8, 1981 meeting. Roll call on the ordinance was postponed for further study. The ordinance was originally requested from the Traffic Safety Commission and recommended by the Public Safety Committee. Captain Larry Hailey of the Police Department has made a study of the situation and his findings and drawings of each of the parking spaces to be eliminated were included in the Council packets. Councilmember DeMay questioned the difference in size of space to be eliminated. The size difference

is caused by driveways on the block and parking space markings for other parking spaces. The Council discussed the possibility of limiting the parking spaces to compact cars only. Councilman Grobey stated there is a need for an ordinance that will allow changes in parking restrictions without so much staff time involved. The City Attorney responded we are probably stuck with the present method but it could be made more efficient.

Roll Call on Ordinance No. 2070, read previously at the September 8, 1981 meeting, which eliminates some parking spaces on streets intersecting Hancock from the South. Aye - 7, DeMay, Grobey, Halstead, McIntosh, Probst, Rememteria, Tucker; Nay - 0; Absent - 1, Gano. The Mayor then declared the ordinance passed.

New Business:

Motion: Halstead-McIntosh to approve the October Accounts Payable. Carried unanimously.

The Mayor made appointments of citizens to the following committees: Sewage Treatment Plant, Redevelopment, Traffic and By-pass, Civic Center and Charter. The appointments were as follows:

Sewage Treatment Plant - Ken Hough, Chairman, Don Millage, Wyn Stuckey, Alan Halstead, Jim DeYoung, John Stadler, Angus McPhee.

Redevelopment - LeRoy Benham, Chairman, Micki Snell, Quentin Probst, Art Moffit, George Layman, Noreen Mikkeltorg, Bruce Breitling.

Traffic and By-pass - Robin Hamblet, Chairman, Harold Grobey, Ron Hatfield, Leonard Rydell, Chet Windsor.

Civic Center - Terry Mahr, Chairman, Gerald Post, Rick Rementeria, Roger Gano, Howard Tribbett, Neil Jacox, Jere Jackson, Jerry Brumback.

Charter - Gerald Post, Chairman, Harold Grobey, Jack Nulsen, Allyn Brown, Richard Faus, Herman Hughes, Doug Delano.

Motion: Halstead-Grobey to approve the Mayor's appointments to the five committees. Carried unanimously.

The Mayor read a proclamation declaring the week of November 16 - 22, 1981 to be Share a Book with a Child Week.

Water hook-up request by Claudine Word. The Public Works Director has recommended that the hook-up be permitted with double the standard hook-up fees and charges with the use to be restricted to domestic use only. The Public Works Committee has reviewed the request and recommends the Public Works Director's recommendation. Motion: DeMay-Grobey to approve the water hook-up request of Claudine Word. Carried unanimously.

Request for water hook-up by Art Stellflug. Mr. Warren stated that even though the Public Works Committee has approved this request, the Public Works Director is now recommending that the matter be referred back to the water district to obtain their approval before the Council considers this request. Mr. Warren gave a history on this particular property and Mr. Stellflug's attempts to obtain water service. The water district involved is the Chehalem Valley Water District and they have not approved the hook-up for Mr. Stellflug. Motion: Halstead-Grobey to deny the request

for water service from Art Stellflug. Carried unanimously.

Motion: Halstead-McIntosh to approve Resolution No. 81-911 consenting to the absence of Councilman Gano. Carried unanimously.

Motion: Tucker-Halstead that the City Administrator write a letter to Senator Barry Goldwater in appreciation of his work on Senate Bill 898 which concerned cable television and that a copy be sent to Senator Packwood with a note that his stand on the issue was not serving the best interests of Oregon residents. Carried unanimously.

Motion: Halstead-Tucker to adopt Resolution No. 81-912 waiving competitive bidding for the purchase of a copy machine from Copi Office Products, Inc. Carried unanimously.

Motion: Halstead-Rementeria to adopt Resolution No. 81-913 transferring \$15,000.00 from the Contingency of the Sewer Fund to Professional Services. Carried unanimously.

Motion: DeMay-Grobey to adopt Resolution No. 81-914 waiving competitive bidding on gas and oil products. Carried unanimously.

Motion: Halstead-McIntosh to adopt Resolution No. 81-915 setting fees for monitoring industrial sewage. Carried unanimously.

Motion: Tucker-Rementeria to adopt Resolution No. 81-916 authorizing the entry of the City of Newberg into a lease agreement with Nehama and Weagant Energy Company for oil and gas exploration on City property. Carried unanimously.

Jim Allen, representative from Nehama and Weagant Energy Company stated that drilling would probably be at least five years away. Mr. Allen presented the City a check for the first years lease payment.

Motion: Halstead-McIntosh to read Ordinance No. 2071 relating to the licensing of peddlers and vendors. Carried unanimously. The ordinance was then read. Roll Call on the ordinance: Aye - 7, DeMay, Grobey, Halstead, McIntosh, Probst, Rementeria, Tucker; Nay - 0; Absent - 1, Gano. The Mayor then declared the ordinance passed.

Motion: Tucker-Grobey to refer the truck routing ordinance to the Ordinance Committee. Motion carried with one nay - DeMay.

Motion: Grobey-Halstead to read Ordinance No. 2072 which allows the Chief of Police to provide parking on streets for doctors, surgeons, etc. and providing limited parking on Second Street. Carried unanimously. The ordinance was then read. Roll Call on the ordinance: Aye - 7, DeMay, Grobey, Halstead, McIntosh, Probst, Rementeria, Tucker; Nay - 0; Absent - 1, Gano. The Mayor then declared the ordinance passed.

Mr. Grobey stated he believed the Council should consider establishment of an award of some type such as First Citizen, Mayor's Award, etc. for outstanding contributions to the City. The Chamber of Commerce and George Fox College give such awards at present.

Motion: Halstead-Tucker to adjourn to Executive Session. Carried unanimously.

Mayor Hall called regular meeting of the Council back to order with all those present as previously listed in the roll call.

Motion: Rementeria-Halstead that the City take legal action against the Teamsters Union. Carried unanimously.

Motion: Halstead-Grobey to adjourn to November 12, 1981 at 7:30 p.m. in the Council Chambers. Carried unanimously.

10:15 P.M., Monday

November 2, 1981

AN EXECUTIVE SESSION
OF THE NEWBERG CITY COUNCIL

Council Chambers

Newberg, Oregon

Mayor Elvern Hall declared that the executive session was called under the provisions of ORS 192.660, Labor Negotiations.

Roll Call:

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

Absent - Roger Gano

Staff Present - Michael Warren, City Administrator
Richard Faus, City Attorney
Herbert Hawkins, Chief of Police
Larry Hailey, Captain of Police
Arvilla Page, City Recorder

Mr. Warren reported on the status of the labor negotiations with the Teamsters Union representing the dispatch personnel. He stated that he and Kathy Peck of Cascade Employers Association along with representatives from the Teamsters Union have met with the factfinder and are now awaiting the report of the factfinder.

The executive session was adjourned to the regular session of the council.

AN ADJOURNED MEETING
OF THE CITY COUNCIL

Council Chambers

Newberg, Oregon

The meeting was called to order by Mayor Elvern Hall.

Roll Call:

Present:	Maybelle DeMay	Quentin Probst
	Harold Grobey	Richard Rementeria
	Alan Halstead	Tom Tucker
	C. Eldon McIntosh	

Absent: Roger Gano - Excused

Staff Present: Michael Warren, City Administrator
Herbert Hawkins, Chief of Police
Richard Faus, City Attorney
Arvilla Page, City Recorder

Requests and Communications.

Communication from Oregon State Control Board regarding speed zone on Dayton Avenue. Mr. Warren reported he had again written to the Oregon Speed Control Board requesting that a lower speed limit be established on Dayton Avenue. They responded that at their board meeting on November 4 they considered a report of engineering investigation covering the speed zoning on Dayton Avenue and have proposed establishing a speed zone of 40 MPH. Final action will be taken at the next meeting of the board.

Appointments to Committees and Commissions by the Mayor. The Mayor appointed Arthur Roberts to the Citizens Involvement Advisory Committee representing the college; Fred LaBonte to the Budget Committee; Gary Windsor to the Mayor's Traffic Rerouting Committee.

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

New Business:

Bids on Hospital Construction Phase II Project. Don Elsom, Hospital Administrator, reviewed bids received for Phase II of the construction project. Bids were called for on general contractor with three alternates to the base bid, electrical, and mechanical with two alternates to the base bid. The Hospital Board recommends awarding the bid to the lowest bidder on each of the three. On the general contractor the lowest bidder was Colamette Construction with a bid of \$63,409.00 which included alternates one and two and the base bid. The estimate was \$65,117.00. Five bids were received. On electrical, only one bid was received. Shaw West bid \$14,700.00. The estimate was \$18,049.00. On mechanical only one bid was received from Harder Mechanical. The base bid was for \$26,437.00. The estimate was \$26,100.00. Included in the bid were alternate number one at \$3,050.00 and alternate number three, a boiler, at \$27,846.00 for a total bid of \$57,333.00. The budgeted amount for the work was \$99,700.00. The bids total \$102,009.00. Contingency funds are sufficient to cover the difference.

Motion: Halstead-Rementeria to award the bids on Phase II Hospital Construction, to Colamette Construction as general contractor, Shaw West on the electrical, and Harder Mechanical for the Mechanical. Motion carried unanimously.

Budget Calendar for 1982.

Mr. Warren asked that the Council make the decision on election dates for the year 1982. The City will ask the voters for a new tax base on May 18, 1982. This date and November 2, 1982 are the only dates that a tax base can be referred to the voters. The question that needs to be answered is whether the City should try for a tax levy on March 30th or put all their effort into passing a tax base. If the tax base question fails, we would then need to have a levy election on June 29. That is one day before the end of the budget year and would not give staff and council time to plan. If the tax levy failed on that date, we could not go back to the voters until August 10. Asking the voters for a tax levy on March 30 at one figure and for a tax base at a higher figure on May 18th may confuse the voters. The advantage to asking for the levy on March 30th would be if it failed, we could ask for the levy again on May 18 and/or June 29.

Councilman Tucker stated he felt the City could ask for a tax levy in March and educate the voters. Councilman Grobey stated the voters will resent the second request so soon and he preferred going for the tax base in May. Councilman Probst stated he preferred to go for the tax base in May and try for the levy in June if the tax base failed. Councilwoman DeMay stated she agreed with Mr. Probst. Councilman Halstead stated he preferred to see the tax base go to the voters first.

Motion: Halstead-Rementeria that the City go to the voters for a new tax base on May 18, 1982 and if it fails to have a levy election on June 29, 1982. Motion carried unanimously.

The Council discussed the employees awards dinner which is held in late January of each year. Mr. Warren asked that the Council consider whether they wanted to retain the awards as they are with pins for service at 5, 10, 15, 20 and longer years of service, or if they would like to go to a variety of awards depending on length of service. He also asked whether they would like to be more involved by forming a committee. The consensus of the Council was that they did not wish to form a committee to work on the dinner but to let it be handled as previously by staff personnel and they offered their assistance where needed.

Mayor Hall adjourned the council meeting to Executive Session under ORS 192.660, paragraph E, discussion of purchase of real property. All members of the Council as previously listed on the roll call were present.

Staff Present: Michael Warren, City Administrator; Arvilla Page, City Recorder; Richard Faus, City Attorney.

Mayor Hall stated that members of the media were invited to stay but could not report on any matter discussed.

Mr. Warren reported on the status of negotiations for the purchase of the three homes on East Third Street.

Mayor adjourned Executive Session to the Regular Session of the Council.

The Council discussed the advantages of having a seminar or meeting of the Council with

wives in attendance outside of town in an area with a relaxed atmosphere. No firm decision was made.

Motion: Halstead-Probst to adjourn. Carried unanimously.

Thursday, 7:00 P.M.

November 19, 1981

A SPECIAL MEETING
OF THE CITY COUNCIL

Council Chambers

Newberg, Oregon

The meeting was called to order by Mayor Elvern Hall.

Roll Call:

Present:	Harold Grobey Alan Halstead C. Eldon McIntosh	Quentin Probst Richard Rementeria
Absent:	Maybelle DeMay Roger Gano - Excused	Tom Tucker
Staff Present:	Michael Warren, City Administrator Herbert Hawkins, Chief of Police Kathy Peck, Special Legal Counsel, Cascade Employers Assn. Richard Faus, City Attorney	
Citizens Present:	4 Representatives of the News Media	

Mayor Elvern Hall declared that Executive Session was called under the provisions of ORS 192.660, subsection 1, paragraph D, relating to labor negotiations. Mr. Warren reported on the status of the factfinders report, introduced Kathy Peck of Cascade Employers Association and there was discussion on the issue of coming out of executive session and making public the report of the factfinder.

Motion: Rementeria-Halstead to adjourn from executive session to regular open session of the council. Carried unanimously.

Motion: Rementeria-Halstead that the City Council approve recommendation of City Administrator to reject the factfinders report and that the factfinders report be released in its entirety to the press on Monday, November 23, 1981.

The Mayor asked the City Administrator to report on the factfinders report. Mr. Warren indicated that nine issues were considered by the factfinder: wages, health and welfare, aid and security, dispute settlement, maintenance of standards, seniority, uniforms, conclusions of bargaining and life insurance. Mr. Warren referred directly to the factfinders report in making his presentation with regard to the issues as follows: Wages - the only dispute being the percent of wage increases. The City's position being 7% increase now with an increase January 1, 1982 at the same percentage granted other employees. The union desired 8% increase retroactive to July 1st of this year, 4% increase on January 1st and a 3% increase on April 1st for a total of 15% increase. Up to the time of factfinding there had been no discussion of making the first increase retroactive. City's view was that 15% increase was not justified. The factfinder decided that the union should receive 8% increase retroactive to July 1, 1981 and a 2% increase effective January 1, 1982. This was without any prior discussion between the parties on retroactivity. Warren read from pages 5 and 6 of the factfinders report on the wage issues and commented that granting such an increase

for city employees that was in excess of what other city employees were getting and in excess of what most taxpayers were getting. Warren indicated that the differences in the wage matters were like all other differences between the city employees package in general and the union package for the employees they represent and that there were tradeoffs throughout in terms of the differences. Warren commented that what the factfinder did in this situation and in the other issues he dealt with was act as a mediator rather than strictly as a factfinder. Warren also indicated that it was part of the factfinders recommendation on the wages issue was a raising of life insurance coverage from \$10,000. to \$20,000. Grobey asked Warren if in fact this raising of insurance benefits was not a part of our unfair labor practice suit. Warren indicated it was. Warren indicated that the City's claim was regressive bargaining on this issue. Grobey agreed that the factfinders finding in this matter appeared to be more mediation than factfinding. Kathy Peck agreed with this and further indicated that the report was, of course, not binding on the parties as arbitration would be. Warren indicated that the union position on this issue for nearly 8 months had been approximately 8% plus a 2% increase and \$10,000. life insurance policy.

On the issue of health and welfare Warren indicated that all city employees were receiving the top two Blue Cross plans with the City paying the entire coverage. The union wanted employees it represented to have union coverage. Union wanted no top figure limitation on the costs of their plan. City agreed to provide full coverage until January 1st under the union plan. There was a dispute on when parties would become eligible for insurance coverage. Union wanted 40 hours eligibility for its employees. The City has an 80 hour eligibility requirement. The factfinder found for the City on this issue and Warren quoted from page 7 of the factfinders report.

On union security issue Warren indicated the key issue here was related to the closed-shop issue. The union initially wanted a closed shop but altered their position to a fair share plan, i.e. person either joined the union or paid their fair share amount which would be the equivalency in union dues. City opposed even the fair share issue on the grounds that the City wanted to hire an employee because they met the job qualifications and not on the basis of whether they would join the union or pay part of their salary to some other organization. This would be having the City participate in selling the union. Warren read from pages 8 and 9 of the factfinders report and commented that at this time there is nothing in state law that requires a person to join a union or pay a fair share. Warren commented that he did not want to be placed in a position of not being able to hire the qualified person because they would not join the union or pay a fair share. Factfinder recommended that the union fair share plan be adopted.

On the dispute settlement issue. The union wanted binding arbitration. The City had just changed its grievance procedure and wanted to use that. The City had had one grievance dispute in the last 15 years. It felt that its process was viable. The City compromised on the issue with the union and agreed to a middle ground of choosing a three person panel to settle disputes. This process taking grievance settlement out of the City Administration. The unions proposed procedure the city felt, as set out in page 10 of the factfinders report, is a long drawn out procedure where the costs could outweigh the substance of the dispute and could force the city to make decisions in grievance matters not on the basis of the merits of the grievance but rather on the basis of needing to avoid the costs involved in activating the formal grievance procedure. Warren indicated that besides the procedure being long and drawn out, the city appointed and elected officials have the responsibility of running the city and have a responsibility not to let outsiders run it. He indicated that outsiders don't have to live with their decisions but city officials do. Grobey had indicated that since we had already compromised substantially on this issue, the factfinder recommended a

compromise position on this issue.

Maintenance of standards issue. Warren read page twelve of the factfinders report. Warren indicated that this issue had already been previously agreed to by the City and the union and was not proper laid before the factfinder. The factfinder found in favor of the City on this issue. Warren indicated that the language the union had wanted would essentially allow union represented personnel to receive everything every other employee of the city received and then be able to negotiate up from there. The city feels that all bets should be off in negotiating and that any represented employee should not have this advantage over and above all other employees.

On the seniority issue Warren read from pages 13 and 14 of the factfinders report. Warren indicated that the crux of the issue was the desire to reduce the seniority principle and enhance the performance principle in layoffs, etc. The City wants to look at a whole range of issues in determining layoffs, etc. including seniority, attendance, performance and not layoff persons strictly on the basis of seniority. The City wants to protect seniority but also wants to recognize performance. Grobey asked if there was any hidden language in the "substantially superior" standard that might revoke the intent behind it. Kathy Peck indicated not really, because the city would make a determination on these issues. The city would have to be found to be arbitrary or capricious in making the determination on layoffs both under the relatively equal and the substantially superior standards.

On the uniforms issue Warren read from page 15 of the factfinders report and indicated basically that the factfinder agreed with the City on this issue. Warren felt that the real issue here is not the amount for uniforms but rather the comfort of the uniforms, etc.

On the conclusion of bargaining issue Warren read from page 16 of the factfinders report. Warren indicated that the union proposed its provision and the city agreed to it but that when the union came to factfinding this provision was left out of the contract. Warren indicated that the factfinder found in favor of the city on this issue. At this point Warren indicated that normally in factfinding both parties give each other a list of issues to be discussed at factfinding. Grobey asked whether the union had given the City such a list in this case. Kathy Peck indicated that normally there is an exchange of list issues seven days before factfinding. Kathy indicated that she tried to get the list from the union prior to factfinding but the union indicated that it took a package approach to all negotiations and that everything was subject to factfinding. Kathy indicated that it took three hours at factfinding to sort out the issues that would be the subject of factfinding. It was indicated that failure to provide the list was outside the boards rules and that new matters were brought up in factfinding including health plan classifications, etc. The essence of the unfair labor practices suit on this issue is that the union did not bargain in good faith and it was reiterated that the factfinder found in favor of the city on the issue of conclusion of collective bargaining provisions.

Warren indicated in summary that the city has been very fair in its negotiations and that the city should stay with its final offer in negotiations. The purpose of the negotiations is not to undercut the union but to reach settlement. We have been fair and want the contract to reflect the needs of the employees. The contract we have offered and agreed to is very comparable to the situation and benefits of all other city employees. Union members got the better uniform allowance and a new grievance procedure out of negotiations and changes in other matters and the city should stay with its final offer. Kathy Peck indicated that after a decision had been made in factfinding several options were available. The parties can get together and negotiate further. One problem is that when the union submitted to factfinding the issues that

the parties had already agreed upon and we have filed an unfair labor practices suit on various issues including regressive bargaining, failure to provide the list, providing a different contract at the time of factfinding. In Oregon it has not been specifically determined what the limits of the factfinders findings can be. Kathy further indicated that this bargaining unit had no right to binding arbitration so if there is not agreement, the parties can reach an impasse in issue in full and final offer or the union can strike. Warren indicated that the factfinder ran a good hearing and indicated that any factfinder if they desire to be retained as factfinders by cities and unions probably must reach a compromise position on the issues. Warren indicated that the real losers in this process are the employees involved because they have not received benefits other employees have already had since July and it is unfortunate that these employees have not gotten any pay raise and increase in insurance benefits. Further, a great deal of city staff time has been spent on this. Probst agreed that the city was a real loser in this considering all the staff time spent on the matters while Chief Hawkins estimated he had spent 20 plus hours on these matters and Warren estimated he had spent 75 plus hours on these matters. The Mayor commented that even though the Council had not wanted Warren to negotiate on Sundays that Warren had done so to be sure that the City was always available to negotiate on these matters. Warren indicated that the union has wondered why the city was taking such a strong stand for so few employees. Warren indicated he felt there was a strong principle involved here which was should the city be expedient in these matters or not. Warren applauded the City Council for taking such a strong stand in this matter despite the costs and not take the easy way out as the union seems to think we should. Grobey indicated that we have responsibilities delegated to us by the citizens of the city and that to abrogate these responsibilities for the sake of expedience would be to do half of the councils job. The issues involved here are issues that directly affect the citys pocketbook and the running and management of the city.

Motion: Halstead moved the previous question.

Grobey asks Kathy Peck to summarize the rejection notice. Kathy stated "that the City of Newberg pursuant to the appropriate state statutes section hereby notifies the union that the City of Newberg rejects the factfinders report issued November 13, 1981.

Previous motion of Rementeria-Halstead to reject the factfinders report and release the report in its entirety on Monday, November 23, 1981. Carried unanimously.

Mayor Hall indicated that throughout all these executive sessions regarding these labor negotiations the Council was unanimous in every way in all of its discussions regarding these negotiations.

Motion: Grobey-Rementeria to adjourn. Carried unanimously. Meeting adjourned at 8:28 p.m.



NEWS

RELEASE

600 S.W. MARKET STREET • PORTLAND, OREGON 97201

Contact: Mary Merritt
222-6749

EIGHTEEN OREGON CITIES RECEIVE AAA PEDESTRIAN INVENTORY AWARDS

Eighteen cities throughout Oregon have received recognition for their participation in the 42nd AAA Pedestrian Inventory Program. The AAA Pedestrian Inventory evaluates a communities maintenance of accident records, safety legislation, enforcement, traffic engineering, traffic safety organization, quality of school traffic programs and public information and education programs. The purpose of the project is to focus attention on the special needs of pedestrian safety and increase awareness to stimulate local interest in the development of pedestrian-related programs to meet those needs.

Out of the 47 cities eligible to participate in Oregon, 27 cities voluntarily completed the Pedestrian Inventory Program, representing a 55% participation. Eighteen cities were recognized by AAA for their pedestrian safety activities, they are: Newberg, Ashland, La Grande, Dallas, Lake Oswego, Newport, Coquille, Lebanon, Woodburn, Astoria, Milwaukie, North Bend, Sweet Home, Forest Grove, Gresham, Silverton, Oregon City, Roseburg.

The Pedestrian Inventory Program is one of the only effective ways for cities to record pedestrian statistics and identify potential needs and plan for programs to improve their cities commitment to reducing pedestrian and traffic fatalities.

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IV-2



NEWS

RELEASE

600 S.W. MARKET STREET • PORTLAND, OREGON 97201

Contact: Mary Merritt
222-6749

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IV 2



AUTOMOBILE CLUB OF OREGON

600 S.W. MARKET STREET • PORTLAND, OREGON 97201

Affiliated with AMERICAN AUTOMOBILE ASSOCIATION

SERVING MOTORISTS SINCE 1905

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222-6777

MOTOR TOURING
222-6700

WORLD WIDE TRAVEL
222-6767

SALES
222-6900

INFORMATION
222-6734

INSURANCE
222-6744

October 19, 1981

Mayor Elvera Hall
City of Newberg
414 East 1st Street
Newberg, OR 97132

ATTENTION: Mike Warren

Dear Mayor Hall:

This is to confirm December 7 as the date set to present the City of Newberg with the Pedestrian Safety Citation award from the Automobile Club of Oregon.

I have included a copy of a press release and an OREGON MOTORIST for you to review for more information regarding the awards.

If there is a change in schedule, please notify me. Otherwise, I will look forward to the award presentation on the evening of December 7.

Sincerely,

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

MM:bmt
Enclosures

IV 2

OFFICERS & DIRECTORS

CHARLES E. SNELL, *President*
WARREN A. McMINIMEE, *Vice President*
DAVID L. DAVIES, *Treasurer*
L. R. KNEPPER, *General Manager*

GEORGE J. ANNALA
Portland
PHIL BROGAN
Bend
RUSSELL M. COLWELL
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EDWIN E. CONE
Eugene
GEORGE H. COREY
Pendleton
E. ROBERT DELUCCIA
Portland

C. EDWIN FRANCIS
Portland
E. ROY JARMAN
Portland
JOHN W. SNIDER
Medford

A. W. SWEET
North Bend
JAMES J. WALTON
Salem
RAY T. YASUI
Hood River

MEMO

TO: City Council

DATE: December 3, 1981

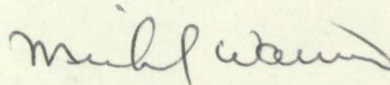
FROM: City Administrator

SUBJECT: Accessory Building at 1205 Marguerite Way

The attached memo from the Planning Director indicates a violation of the 5 foot setback law. What the Planning Director's memo does not indicate is that this whole thing could have been prevented if the property owner would have got a permit, in the first place, to construct the building.

The ironic things about this is that the building is portable and can be moved without destroying it.

My recommendation is to proceed with the first alternative as recommended by the Planning Director.



Michael Warren
City Administrator

MW/bjm

192

MEMORANDUM
December 1, 1981

TO: Mike Warren, City Administrator

FROM: Clay Moorhead, Planning Director *CEM*

RE: Letter dated November 15, 1981 submitted by Noel Guedon,
1205 Marguerite Way, Newberg, Oregon

Some time ago Mr. Guedon constructed and situated an accessory building within his backyard. The structure was noted by the Newberg Building Department to be in violation of the interior yard setback requirements. The property is zoned R-1 (Low Density Residential) and requires that all buildings or structures be set back at least 5 feet from all interior property lines. The Building Department placed a notice on the premises indicating the apparent violation. A Mr. Dick Dougherty then became involved with the matter and contacted the Newberg Planning Department. He indicated that easements would be prepared for signatures of the adjoining property owners which would state that they concur and do not object with the siting of the accessory structure. In reviewing the Newberg Zoning Ordinance, there is no provision to allow for easements to substitute for the building setback requirements. Mr. Dougherty then contacted the adjoining property owners and prepared quit claim deeds to jog the property lines around the location of the accessory structure in an attempt to satisfy the setback requirement. It was noted that the adjoining property, which at that time was owned by DeYoung Enterprises, would be reduced below the minimum lot size requirements. In addition, the description used to jog the property lines was not adequate to provide for a 5 ft. setback around the entire perimeter of the accessory structure. Because of these problems, Mr. Dougherty advised the Planning Department that the quit claim deed transactions were voided out. However, at this particular time I have no knowledge as to whether the deeds have in fact been validated or voided. If the deeds, as presented to the Planning Department, have not been voided out, then an additional violation has been made to the minimum lot size requirements established within the Zoning Ordinance.

On November 9, 1981 the Newberg Planning Department submitted a letter to Mr. Noel Guedon who is the owner of the accessory building advising him of the apparent violation. A copy of the letter is attached for your review. Mr. Guedon then contacted the Planning Department to discuss the setback requirements. He was advised at that time that the 5 ft. setback requirements are required for several valid reasons including the provision of providing for roof drainage on site without adversely affecting a property owner and the provision of fire protection. Mr. Guedon

still did not appear to be satisfied with the setback provisions and subsequently has requested time before the Newberg City Council to discuss this matter.

There are 3 potential methods for alleviating this particular problem. The preferable method is for Mr. Guedon to move the accessory building to be 5 feet back from all interior lot lines. The second option is for Mr. Guedon to file a variance application with the Planning Department, together with the appropriate filing fee and an application which identifies how the siting of the accessory building could comply with the variance criteria identified within the Newberg Zoning Ordinance. The final method for alleviating this problem would be for Council to revise this particular section of the Newberg Zoning Ordinance to provide an alternate standard.

As a Planning Staff member, my recommendations to you and the Council would be to maintain the existing 5 ft. setback requirements. This setback requirement would help to reduce potential fire hazards and drainage problems as well as neighbor quarrels which may be initiated because of the construction of a building on a property line. However, in reviewing the second alternative, it also appears that the applicant would have a difficult time in providing satisfactory responses in order to comply with the variance criteria as there does not appear to be an exceptional or extraordinary circumstance or condition applicable to the property involved which does not generally apply to other properties. The Planning Department would submit that the appropriate action on this matter would be for Mr. Guedon to comply with the setback standards of the Newberg Zoning Ordinance.



CITY OF

NEWBERG

414 E. First Street

Newberg, OR 97132

November 9, 1981

Noel L. Guedon
1205 Marguerite Way
Newberg, OR 97132

RE: An Apparent Violation of Section 482 of the Zoning Ordinance
Relating to the Setback Requirement for Structures on
Yamhill County Tax Lot No. 3218DB-512.

Dear Mr. Guedon,

Please be advised that it appears that a violation exists
on the above referenced property. The specific violation
is as follows:

An assessory building has been erected and placed
within the five (5) foot interior yard setback
requirement as defined in Section 482-1A of the
Newberg Zoning Ordinance.

Please contact our office as soon as possible in order
that this matter may be rectified. Violations of any
provision of the Newberg Zoning Ordinance can be processed
through the provisions found within Section 772 - 802.
The maximum penalty for zoning violations is a fine not
to exceed \$500.00, however, each day of a continuing
violation constitutes a separate violation with a separate
fine not to exceed \$500.00 for each day.

It is not our intent to refer this matter to the Newberg
City Attorney's office for further proceedings, provided
that this matter can be corrected within the next 30 days.
Your assistance in this matter is greatly appreciated.
You may contact the Newberg Planning Department by dialing
538-9421.

Sincerely,

Clay W. Moorhead
Planning Department

CWM:bym

cc: City Administrator
City Attorney
Building Official

IV-3

Clay -
Original to MW

November 15, 1981

Newberg City Council
City Hall
Newberg, Oregon 97132

Dear Sirs:

I hereby request time on your City Council Meeting of
December 7th to speak in regard to an apparent Violation
Of the Zoning Ordinance Relating to the 5 Foot Setback
Requirement.

Respectfully,

Noel L. Luedon
1205 Marquette Way
Newberg

November 15, 1981

12/7 asura
RECEIVED

NOV 17 1981

CITY OF NEWBERG, ORE
OFFICE OF RECORDER

Newberg City Council
City Hall
Newberg, Oregon 97132

Dear Sirs:

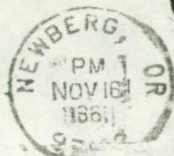
I hereby request time on your City Council Meeting of
December 7th to speak in regard to an apparent Violation
Of the Zoning Ordinance Relating to the 5 Foot Setback
Requirement.

Respectfully,

Noel L Guedon
1205 Marguerite Way
Newberg

IV 3

Noel Guendon
Newberg Ore



Clay W. Moorhead
City Planner
414 E. First St 97132
Newberg Ore

November 15, 1981

Newberg City Council
City Hall
Newberg, Oregon 97132

Dear Sirs:

I hereby request time on your City Council Meeting of
December 7th to speak in regard to an apparent Violation
Of the Zoning Ordinance Relating to the 5 Foot Setback
Requirement.

Respectfully,

Noel L. Luedon
1205 Marquette Way
Newberg

IV 3

12/7 Asent

MEMO

TO: City Council
FROM: City Administrator
SUBJECT: Unexpected Resource

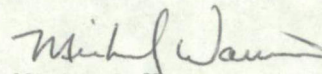
DATE: November 24, 1981

The Public Works Director has been attempting to get emergency power to Otis Springs, which is our emergency water source. Several years ago the City received a surplus generator from the Air Force, last year we had the electrical work done at Otis Springs and now the City's mechanic is working on a generator to get it ready.

The City needed some very heavy electrical cable extension cord to connect the generator to the plug at Otis Springs. A minimum of 15-20 feet was needed at about \$100 per foot for a new cable. The City mechanic contacted Publisher's Paper to see if they might have a scrap that we could buy.

On November 20th they brought us a scrap of about 100 feet. They stated that since we helped them out they would like to help us.

This "scrap" saved us approximately \$2,000 and will, of course, be of use to us in the future. It is nice to have such a good working relationship with Publisher's Paper,


Michael Warren
City Administrator

MW/bjm

V-1

MEMO

TO: CITY COUNCIL
FROM: City Administrator
SUBJECT: Street Maintenance

DATE: December 3, 1981

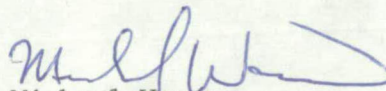
One of the subjects discussed at the recent League of Oregon Cities meeting was street maintenance.

A slide presentation by the Asphalt Institute on budgeting for rehabilitation was very interesting and is also very timely as we begin to look at the floundering street budget again.

As you are aware our street maintenance fund depends entirely on gas tax revenue and includes maintenance of the roads, sidewalks, curbs, street signs and storm drainage along with street sweeping. The street system has continued to grow while the gas tax revenue has declined.

Attached for the Council's information is a flyer from the Committee for good roads again. The Committee sponsoring ballot measure #4 advocating increasing the gas tax. The Public Works Director has understood that the League is supporting Ballot measure #4 and is asking for support from the Cities.

This information will be useful in questions by the public.


Michael Warren
City Administrator

MW/bjm

Nam Heira, chairperson
636-8188

THE COMMITTEE FOR GOOD ROADS AGAIN

POST OFFICE BOX 906 • PORTLAND, OREGON 97207

Business, labor, agriculture, cities and counties have organized the Committee for Good Roads Again to support ballot measure 4 in Oregon's May, 1982 election.

If passed, ballot measure 4 will raise the motor vehicle gas tax and the truck weight/mile tax for repairing our damaged roads.

Among those urging YES on 4 are Associated Oregon Industries, Oregon AFL-CIO, Oregon Truckers Association, Oregon Forest Industries Council and the Joint Council of Teamsters.

Questions and Answers on Ballot Measure 4

How much will ballot measure 4 raise the gas tax?

One cent a year for the next three years. For a driver whose car averages 18 miles per gallon for 12,000 miles a year, each 1¢ increase will cost \$6.67 a year.

What about the truck weight/ mile tax?

The truck weight/mile tax will go up at the same percentage rate as the gas tax: an average of 12.5% in 1982, 11% in 1983 and 10% in 1984. For a heavy diesel truck driven 50,000 miles a year, this means about \$500 in additional taxes a year.

How much revenue will these increases bring in and how will it be spent?

Each increase will bring in about \$21 million a year. Oregon's Constitution requires that this money be spent for roads. Cities will receive 12% of the money and counties, 20%. For local road projects, ballot measure 4 will make available:

	<u>Counties</u>	<u>Cities</u>
1982-83	\$4 million	\$2.5 million
1983-84	\$8.5 million	\$5.1 million
1984-85	\$13 million	\$7.9 million

Why does the Committee for Good Roads Again support ballot measure 4?

Until this year, Oregonians have not had an increase in their state gas tax since 1967. In the meantime, Oregonians have been driving more fuel-efficient cars.

The result? State and local governments have not had enough money for basic road repairs. Currently, as much as half of the cities' 5,000 miles and the counties' 14,000 miles of paved roads are in poor condition.

Ballot measure 4 will not solve the whole problem of Oregon's damaged roads. But it will help. And with the broad base of support it already has, ballot measure 4 can pass in May.

Walter Hoffman
Treasurer

November, 1981

V-3

6.855

Wyn
7.555
7.94

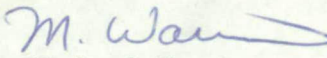
MEMO

TO: City Council
FROM: City Administrator
SUBJECT: Truck Routes

DATE: December 2, 1981

The information attached by the City Attorney is a result of the November 16, 1981 meeting of the Ordinance/ Legislative Committee. This subject matter has gone through no less than three committees or commissions and opinions on truck routes have varied.

It would be my recommendation to pass the attached ordinance as reviewed by four members of the City Council that have discussed it at the Ordinance Committee level.


Michael Warren
City Administrator

MW/bjm

Enc.

4422

MEMO TO: Mike Warren, City Administrator
FROM: Rick Faus, City Attorney
DATE: December 1, 1981
SUBJECT: Ordinance establishing truck routes for the
City of Newberg

At the City Council meeting on November 2, 1981 the matter of an ordinance to establish truck routes in the City of Newberg was referred to the Ordinance/Legislative Committee. The Committee met Monday, November 16, 1981 and after extensive discussion felt that it would be best to establish truck routing for the entire city. The attached ordinance reflects all the recommendations of the Committee for the establishment of truck routes in the city. The ordinance includes as an exhibit a map of the designated truck routes. Also attached to this memorandum are the minutes of the Ordinance/Legislative Committee meeting of November 16, 1981.

RDF:fj

ORDINANCE NO.

AN ORDINANCE PROVIDING A TRUCK ROUTE FOR ALL TRUCKS OF 10,000 POUNDS OR MORE TRAVELING OVER STREETS LOCATED WITHIN THE CITY LIMITS OF THE CITY OF NEWBERG, OREGON; PROVIDING A PENALTY FOR VIOLATION; AND DECLARING AN EMERGENCY.

WHEREAS, trucks hauling freight in the City of Newberg are using numerous streets in the City of Newberg not designed for truck travel and

WHEREAS, said streets are in need of repair and continued use of said streets by heavy trucks will entail large outlays of City funds for major repairs and it is therefore necessary that a truck route be designated for the operation of trucks within the city limits of the City of Newberg; and

WHEREAS, Ordinance No. 2035 passed and approved October 6, 1980 has provided some load limitations for trucks on the streets of the City of Newberg; and

WHEREAS, the City Council of the City of Newberg at its meeting on November 2, 1981 referred this matter to the Ordinance/Legislative Committee of the Council, which committee considered this matter on November 16, 1981 and recommends the passage of this ordinance to the Council; and

WHEREAS, the Council now being fully advised on the premises, THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

Section 1. It shall be unlawful to operate any vehicle with a gross weight of the vehicle and its load exceeding 10,000 pounds upon the streets located within the City of Newberg, excepting those vehicles making retail deliveries to and from persons located within the city limits of the City of Newberg, except upon those streets designated as a truck route below and on a map which is designated as Exhibit A attached hereto, said truck route being as follows, to-wit:

A. From the intersection of West Second Street with Main Street westerly along Second Street to South River Street; from the intersection of West Third Street with Highway 99 West westerly along West Third Street to South Main Street; from the intersection of South College Street with East First Street southerly to East Fourth Street; from the intersection of South College Street with East Fourth Street easterly along East Fourth Street to Wynooski Street; from the intersection of East Fourth Street southeasterly along Wynooski Street to the intersection of Wynooski Street with East Eleventh Street; from the intersection of East Eleventh Street with Wynooski Street easterly along East Eleventh Street to South River Street; from the intersection of South River Street with East Eleventh Street southerly along South River Street to the south city limits of the City of Newberg; from the intersection of East Illinois Street with North Main Street easterly on East Illinois Street to North College Street; from the intersection of Springbrook Street and the south city limits of the City of Newberg northerly along Springbrook Street to the Southern Pacific Railroad Tracks; and from the intersection of Springbrook Street and Crestview Drive westerly along Crestview Drive to the western most limits of the ADEC Industrial Park.

B. All streets or thoroughfares designated as state highways.

Section 2. Penalties. Violation of any provision of this ordinance is punishable as a civil violation by a fine not to exceed \$500.00 for each occurrence.

Section 3. WHEREAS, there is an immediate need for restriction of load amounts in the area designated above and for the designation of a truck route to accommodate truck traffic, thus avoiding damages to the city streets of the City of Newberg and therefore it necessary for the peace, health and safety of the people of the City of Newberg that this ordinance shall be 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 2nd day of December, 1981 by the following votes:

Ayes:

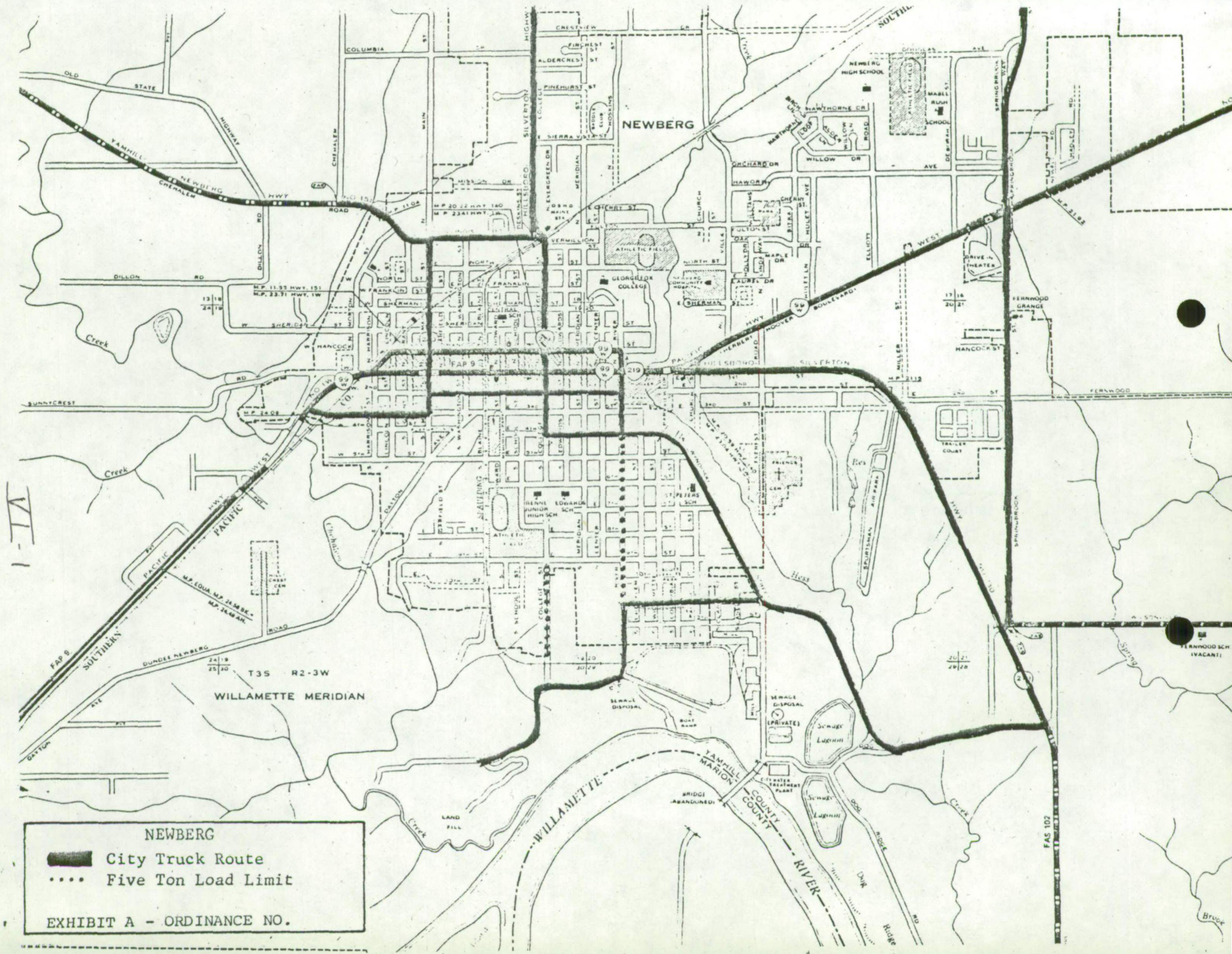
Nays:

Absent:

Arvilla Page - City Recorder

APPROVED by the Mayor this 2nd day of December, 1981.

Elvern Hall - Mayor



A MEETING OF THE
ORDINANCE/LEGISLATIVE COMMITTEE

Monday, 7:00 A.M.

J's Restaurant

November 16, 1981

Present: Tom Tucker Arvilla Page, City Recorder
Maybelle DeMay Andy Anderson, Publishers Paper Co.
Alan Halstead

The Committee discussed the proposed ordinance designating truck routes for all trucks of 10,000 pounds or more on the City streets.

The Committee discussed the history and condition of Wynooski Street. Most of the street belongs to the City with only the section between 9th and 11th in the County. Mr. Tucker stated he believed the citizens were upset about the temporary situation. The situation was caused by Publishers Paper Company washout and the City's water line construction causing increased traffic and rerouting on Wynooski. Truck traffic coming from the east should use Springbrook to Highway 219 and Dog Ridge Road. Traffic from the west has always used the route of South College to Fourth and Fourth to Wynooski and then south.

Mr. Halstead stated that at the time of the resolution designating truck routes Publishers Paper Company was putting in their deinking plant and the attempt of the City was to get the trucks routed off River Street.

Mr. Tucker pointed out that Publishers Paper has always worked with the City to reduce the traffic on Wynooski Street even though Wynooski has historically been a truck route.

The Committee recommended making the following changes and additions to the proposed ordinance. 1) Add as truck route, Second Street from Main to South River; 2) West Third Street from 99W on the west to South Main Street; 3) South College Street from East First Street to East Fourth Street and Fourth to Wynooski Street; 4) East Illinois Street from Main to North College; 5) Wynooski Street to its intersection with Eleventh Street.

Add a sentence in the ordinance as in the old ordinance regarding delivery restricted to that route which is shortest.

Revise the wording in Section 1 of the proposed ordinance.

Rick Faus, City Attorney, now present.

The Committee discussed growth versus non-growth and the impact that new schools and industries have on the street system. Streets should be planned before new growth and not after the fact.

The Committee recommended that a map of the truck routes be attached to the ordinance as Exhibit A.

After discussion, the Committee recommended also adding to the designated truck routes North Springbrook Street from 99W to the Southern Pacific Railroad track and Crestview from Springbrook west to the ADEC Industrial Park.

The Committee discussed whether they should participate in the Charter Revision by the Mayor's Task Force Committee. Mr. Halstead stated he would like the Ordinance Committee to have at least a copy of the agenda and minutes. Committee would be kept current so that the Charter can be put to a vote of the people in a timely manner. Mrs. DeMay recommended and other members concurred that the whole Council should be advised of the progress on the Charter Revision.

Meeting adjourned.

12-7
ascade

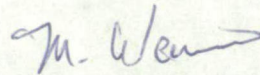
MEMO

TO: City Council
FROM: City Administrator
SUBJECT: Landfill

DATE: November 20, 1981

This item, of course, has appeared before the City Council previously. Mr. MacPhee is going through the process again and consequently, if any additional input or changes are desired by the City Council now would be the time to address them.

It is required that something of this magnitude come before the City Council each time it is brought up.



Michael Warren
City Administrator

MW/bjm

Enc.

YAMHILL COUNTY

Oregon



COUNTY PLANNING COMMISSION Department of Planning & Development

November 17, 1981

TO: City of Newberg

IN REFERENCE TO: PA-108-81/Z-211-81/
CFP-26-81/PUD-13-81
Angus MacPhee

The enclosed material has been referred to you for your information, study and official comments. Your recommendations and suggestions will be used to guide the Planning Commission/Hearings Officer when reviewing this proposal. If you wish to have your comments on the enclosed material considered please return the attached copy of this form by November 27, 1981. The Planning Commission/Hearings Officer will hold a public hearing to consider these matters on January 7, 1981 at 7:30 P.M., Room 32, County Courthouse, McMinnville, Oregon.

Your prompt reply will help to facilitate the processing of this application and will insure prompt consideration of your recommendations. Please check the appropriate spaces below:

- | | |
|--|--|
| 1. ☐ We have reviewed the proposal and find no conflicts with our interests. | 4. ☐ Please contact our office immediately. |
| 2. ☐ Additional time is necessary for our board or commission to act upon a recommendation. | 5. ☐ We would like to suggest some changes to the proposal. |
| 3. ☐ A formal recommendation is under consideration and will be submitted to you by _____. | 6. ☐ Please refer to the enclosed letter. |

COMMENTS:

Signed _____

Title _____

Courthouse

McMinnville, Oregon 97128

Telephone 472-9371

VII-2

YAMHILL COUNTY LAND USE APPLICATION

Yamhill County Department of
Planning and Development
Yamhill County Courthouse
McMinnville, OR 97128
503-472-9371 EXT 450

File No. PA-103-31/CEP-26-31/PUD-13-8
Fee Paid 375 Receipt # 10860P
Date Received 13 Nov 81
Staff Member R. Campbell

☒ PLAN CHANGE	☒ ZONE CHANGE
Present Designation <u>AFLH</u>	Present District <u>EF-40</u>
Proposed Designation <u>Public Service</u>	Proposed District <u>PW/S</u>
☐ LOT SIZE VARIANCE	
☒ CONDITIONAL USE <u>Flood Plain</u>	
☐ ZONE VARIANCE	
☐ SPECIAL EXCEPTION	
Plan Designation: _____	
Zone District: _____	
☒ PUD	

Name of Applicant: Angus MacPhee Home: _____
Phone Office: 538-9150
Mailing Address: 104 S. River Road Newberg 97132
Applicant is: ☐ Legal Owner ☒ Contract Purchaser ☐ Agent

DESCRIPTION OF SUBJECT PROPERTY

Legal Owner: Hall & Wheeler - Signature: see previous App. Pnl.
Mailing Address: _____
Tax Lot No. #100 = 93 acres; #101 = 153 acres total 246 acres (acres/sq.ft.)
1/4 of north 1/2 1/4 of Section 33 Township 3s Range 2w
General Location: Fronting east side of State Highway 219
(name or number of road)
3 miles NE from south of Newberg
(city)

1. What is requested: Comp Plan amendment, zone change, C.U. in flood plain, and PUD
review to allow development of a solid waste landfill.

As allowed by _____ Section 29 of the
Zoning Ordinance. PW/S District

2. Justification of Request: (Attach separate sheet).

VII-2

(COVER)

3. Present Use of Property: Agriculture
4. Date of Purchase of Property: (under contract)
5. Has a septic system Site Approval been obtained for the parcel?
Yes _____ No (not applicaole)
6. Has a septic system Permit been issued for the parcel? Yes _____
No n.a.. If yes, list septic permit number _____
7. Has a well been drilled on the parcel? Yes _____ No n.a.
8. Has a road been constructed into the parcel? Yes existing No _____
If no, has a road approach permit been obtained? Yes _____ No _____
What is the road approach permit number? _____
If yes, indicate type and width of road: _____
9. Are there currently any structures on the property? Yes _____ No X
If yes, list type and current use of each structure: _____

10. Is the property serviced by city water or sewer? Yes _____ No X
If yes, list servicing agency: sewer _____ water _____
11. Do you own any property abutting the parcel for which this request is made? Yes _____ No X
If yes, list tax lot number(s) _____
12. To your knowledge, have any previous requests been made to the Planning Department on this tax lot? Yes _____ No X
If yes, please indicate applicant's name and docket number: _____

I hereby certify that the above information and evidence submitted are in all respects true and correct to the best of my knowledge and belief. I understand that issuance of a permit based on this application will not excuse me from complying with effective ordinances and resolutions of Yamhill County and Oregon Revised Statutes despite any errors on the part of the issuing authority in checking this application.

NOTE:

Attach detailed, accurate site plans (1"=400' scale preferred). Other statements, plans, photos, etcetra, which would help to substantiate and clarify your request may also be submitted.

Leslie Snider Dice President
Applicant's signature Disposal Inc

Date

VII-2

11-13-81

13. Exactly what do you want to do with the property? If structures are to be built, how many, how large, and for what use will the structures be constructed?

The property is the proposed site for a new solid waste landfill to replace the existing Newberg Landfill. The following structures are anticipated:

an attendant's booth for the site manager: 200 squ. ft.
an equipment storage shed: 1000 squ. ft.
a housing for the leachate control pump system: 100 squ. ft.

14. What use is presently being made of the property?

agriculture and unused, wooded open space

15. What changes, if any, have occurred in your neighborhood or community since August, 1974 which should be considered in evaluating this application? NOTE: August, 1974 is the date of adoption of the Yamhill County Comprehensive Plan.

The existing Newberg Landfill is nearing capacity and is scheduled to close by June, 1983. The Newberg Landfill is the current disposal site for refuse from the northeast portion of Yamhill County.

16. What, if any, mistake was there in the application of the Comprehensive Plan or zoning designation for the property which should be considered in evaluating this application?

The Plan does not address the need to provide for a waste disposal facility in the Newberg vicinity after the closure of the existing Newberg Landfill.

17. What effect would the proposed development have on the use of nearby residential, commercial or industrial development, agricultural lands, mineral resource sites (including rock and gravel), and the quality of water and air generally? Indicate which, if any, are not applicable to this application.

The nearest residential area is over one-half mile northwest of the landfill site. Due to its relative location and design, the proposed landfill will have little or no impact on this area. There are no commercial, industrial or identified mineral resource sites in the vicinity. The landfill will not affect any adjacent agricultural operations.

The landfill will conform to all DEQ standards for air and water quality.

18. Will the proposed use interfere with surrounding land usage or will surrounding land uses impose any restrictions on the proposed use? Explain how the proposed use is or is not compatible with surrounding land use.

The proposed landfill site is surrounded by farmlands and open space. Landfill operations and farming are compatible activities.

All landfill operations and facilities will be completely outside of the Willamette River Greenway

The surrounding land uses will not impose restrictions on the proposed landfill.

19. Is the property in question presently served by any of the following? If yes, list servicing agency.

Water?	No	Yes	<u>to be provided on site</u>
Sewer?	No	Yes	<u>to be provided on site</u>
Fire Protection?	No	Yes	<u>to be provided on site by operator</u>
Police Protection?	No	Yes	<u>County Sheriff and State Police</u>
Electricity?	No	Yes	<u>within PGE service area</u>
Telephone?	No	Yes	<u>PNW Bell</u>
Garbage Removal?	No	Yes	<u>n.a.</u>
School Bus?	No	Yes	<u>n.a.</u>

Indicate any other utility or public facility which will be necessary to service the proposed development and the agency which will supply these facilities.

20. What public need, if any, would be met by the proposed change that is not already met by other available property in the County? The State-wide Planning Goals and Guidelines (as adopted by the Land Conservation and Development Commission) should be consulted in determining public need. NOTE: The greater the departure from the present zone/plan designations, the greater the burden on the applicant to demonstrate public need.

The existing Newberg Landfill is scheduled to close by June, 1983. The proposed landfill will provide for the continuation of the existing level of refuse disposal service now available in the area.

The Riverbend Landfill south of McMinnville, the only other landfill in Yamhill County, is five times the distance from Newberg as the proposed landfill site. The proposed landfill will result in reduced costs for refuse disposal compared to the cost of disposal for Newberg-Dundee area refuse at Riverbend.

21. Is there other land in the County presently recognized to allow the type of development you have requested? If so, why can't the proposed development occur on that land or is there a particular reason why your property is more suited for the development? NOTE: Evidence must be provided by the applicant which clearly indicates that the proposed land use is better suited to the proposed site than other areas in the County already zoned and/or planned for that use. There is currently no site in the County specifically designated as a future landfill site for Newberg and the northeast County area.

Hauling wastes to the Riverbend Landfill requires travelling through Newberg and Dundee. This creates an undesirable and inefficient traffic burden on City streets. The Riverbend Landfill is five times the distance from Newberg as the proposed site.

The suitability of the proposed site has been established by a detailed geotechnical study. Based on this study and the site design plans, DEQ has granted preliminary approval for the proposed landfill.

22. Is the property in question subject to any of the following:

Flooding?	No	Yes	yes
Landslides?	No	Yes	no
High Water Table?	No	Yes	no
Steep Slopes?	No	Yes	no
Soil Erosion?	No	Yes	no

23. What impact will your proposed development have on the following:

Traffic? (Estimate trips per day to be generated as a result of your development.)

40 to 65 trips per day depending on the types of vehicles used. A traffic count analysis accompanies this application.

Parking? (How many parking spaces will be needed?) n.a.

Schools? (How many students will be added to existing schools?) n.a.

Fire Protection? (Will your proposed development place a burden on the fire department serving your area?) no - provided on site by operator

Police Protection? (Will your proposed development place a burden on the police department serving your area?) no

Dust, Odor, Noise? (Will your proposed development create any unusual nuisances that may be objectionable to nearby residents?)

All aspects of landfill operations will conform to DEQ standards

24. Discuss how your application conforms to the goals and policies of the Yamhill County Comprehensive Plan, 1974. NOTE: The Comprehensive Plan was adopted by the Yamhill County Board of Commissioners in 1974 and gives direction to all changes in existing land use in Yamhill County. A summary of these goals and policies is available to you at no charge in the Planning Department.

Discussed in separate report.

25. Discuss how your application conforms to the Statewide Planning Goals adopted by the Land Conservation and Development Commission. If your request does not conform to any particular goal, discuss why an exception should be taken to that goal to allow your development to occur (see Goal #2).

Discussed in separate report.

The undersigned understands that this application must be complete and accurate; that the fee for a zone change or plan amendment, as required by Yamhill County, shall be paid prior to having this application processed; that an official public hearing after at least thirty (30) days public notice will be held by the Yamhill County Planning Commission; that after the hearings on zone changes the decision of the Planning Commission is final unless appealed to the Board of Commissioners within fifteen (15) days of the decision, and after the hearings on Comprehensive Plan amendments the recommendation of the Planning Commission will be presented at a further public hearing before the Board of Commissioners on the application; and that notice of all hearings shall be made in the manner as prescribed in Section 48 of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976.

The undersigned also agrees to waive the requirement of Section 43.400 of Ordinance No. 83 that a public hearing be held within sixty (60) days of receipt of an application, if it appears to the Planning Director that this requirement is not reasonable due to excessive applications pending before the Planning Commission.

Applicant's Signature

Leslie Sneider Vice President
Disposal Inc.

Date

11-13-81

LEGEND:

Applicant's property

Other properties

Zoning district boundary

Creek

Flood hazard area

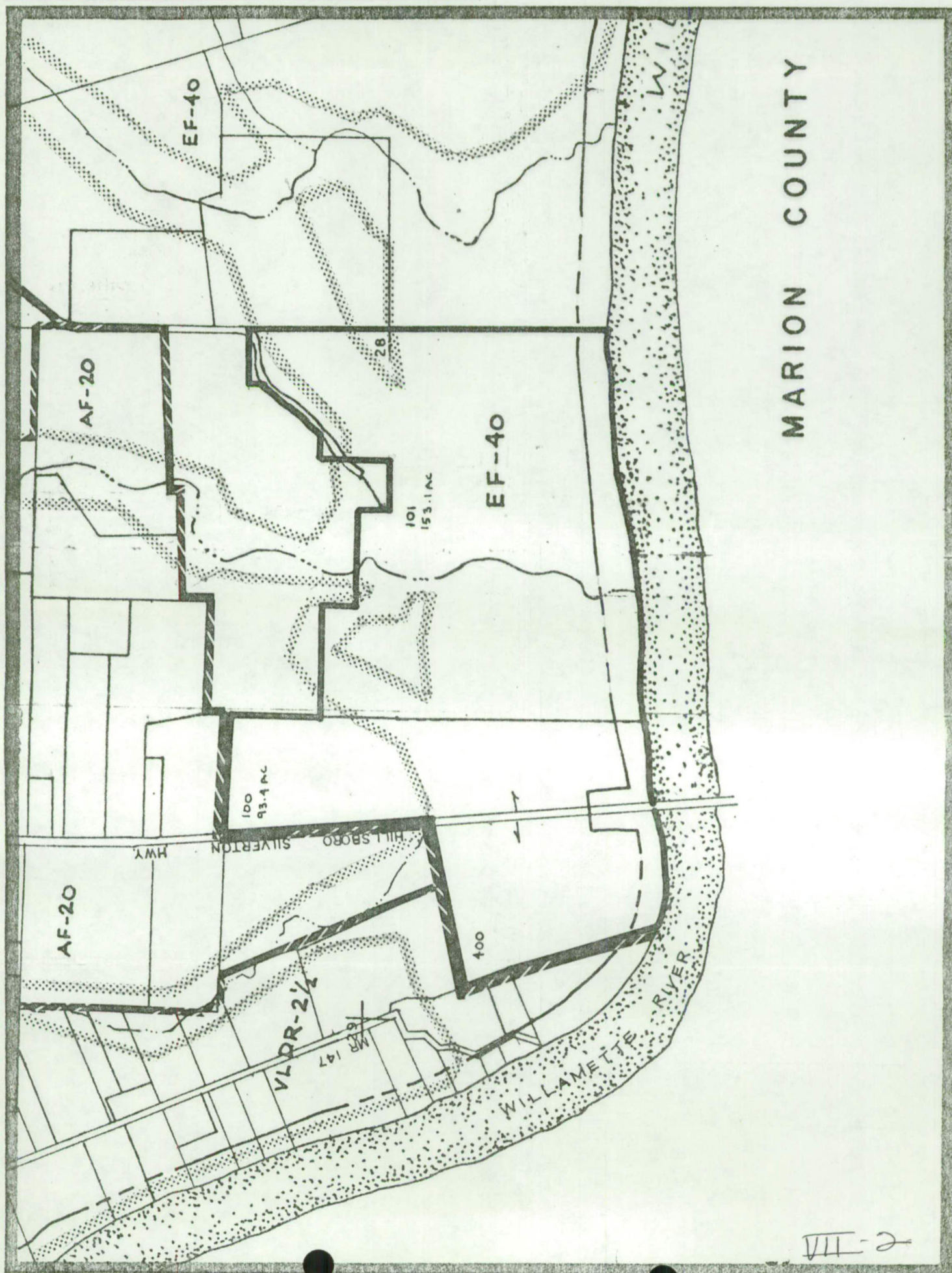
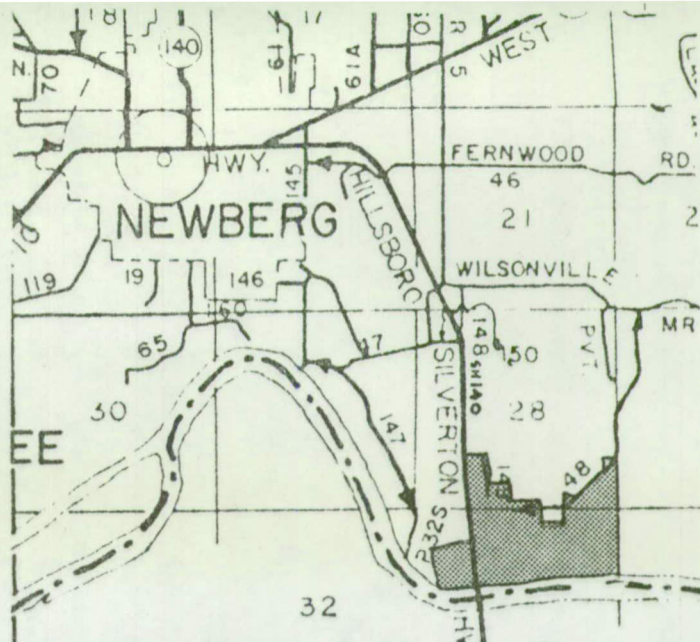
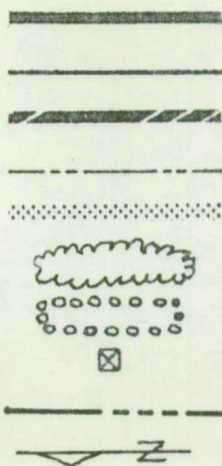
Vegetation

Orchard

Exist. structures

WILLAMETTE GREENWAY

Scale: 1" = 1000'



MEMO

TO: City Council

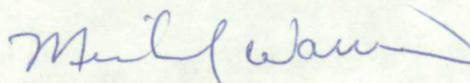
DATE: December 3, 1981

FROM: City Administrator

SUBJECT: Road Improvement Levy

Recently, Commissioner Robin Hamblet, came into my office to discuss the possibility of a Road Improvement Levy. By State Law the Road Improvement Levy would mean that if passed by the voters 50% of the levy would go to the County with the other 50% being divided up among all entities in the County in accordance with population.

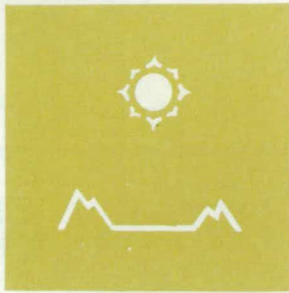
Commissioner Hamblet would like to get the City Council's opinion on this matter and if supportive, then a letter to that affect. Should the City Council wish to participate they would necessitate the City furnishing the County with a list of the roads and improvements that would be applicable for our City.



Michael Warren
City Administrator

MW/bjm

cc: Director of Public Works



MID WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS

400 SENATOR BUILDING ★ 220 HIGH ST. N.E., SALEM, OREGON 97301

TELEPHONE (503) 588-6177

ALAN H. HERSHEY, Director

M E M O R A N D U M

November 12, 1981

TO: Mayor's and City Council Members
All Cities in Marion, Polk, and Yamhill Counties

FROM: Alan H. Hershey *Alan H. Hershey*
Director

SUBJECT: PROPOSED CHANGES TO THE STRUCTURE AND OPERATION
OF THE AREA AGENCY ON AGING (AAA)

ISSUE

The Mid Willamette Valley Council of Governments has adopted a resolution which would shift responsibility for the Area Agency on Aging program as of July 1, 1982 from the Council of Governments to a new consortium made up of at least the nine commissioners from Marion, Polk, and Yamhill counties. The Council of Governments is interested in determining what interest, if any, there is among the cities of the tri-county area in sharing responsibility for the Area Agency on Aging program with the boards of commissioners.

Background

1. The 1981 Legislature created the Senior Services Division of the Human Resource Department by passage of Senate Bill 955. This bill was the result of the work done by an ad hoc committee of the Governor's Commission on Aging. Senior citizens wanted an agency that would place senior services under one division and would provide an upgrading of senior services programs.
2. Under Senate Bill 955 all long term care services now provided by the Adult and Family Services Division to nursing home patients will be transferred to the new Senior Services Division. This includes services to handicapped persons receiving similar service but who are under 60 years of age. This new organization will bring together, in one division, all of the existing services for seniors provided by the Adult and Family Services Division (nursing home, foster home, and

MEMBER AGENCIES:

State of Oregon. COUNTIES: Marion, Polk, Yamhill. CITIES: Amity, Aumsville, Aurora, Carlton, Dallas, Dayton, Detroit, Falls City, Gervais, Hubbard, Idanha, Independence, Jefferson, Lafayette, McMinnville, Monmouth, Mt. Angel, Newberg, Salem, Sheridan, Silverton, Stayton, Sublimity, Turner, Willamina, Woodburn. SPECIAL DISTRICTS: Chemeketa Community College, Marion County Fire District #1, Marion County Education Service District, Yamhill County Education Service District, Marion, Polk and Yamhill Soil & Water Conservation Districts, Salem School District 24J.

VII - 4

in-home services) with COG's Area Agency on Aging programs (congregate and home delivered meals, legal aid, senior centers, outreach, transportation, and in-home services).

3. Senate Bill 955 provides for local general purpose governments (cities and counties) to choose from two types of operations:

Type A would continue the current service delivery method. The State's Senior Services Division would provide services for long term care and nursing home patients and the handicapped without the involvement of local governments. Funds for meals, transportation, outreach, senior centers, and in-home services, etc., would be allocated through the COG/AAA process as currently done.

Type B operations would transfer all senior citizen programs responsibilities to an agency governed by representatives of general purpose local governments.

4. The Council of Governments Board of Directors has adopted a resolution (see attached) which would create a Type "B" Area Agency on Aging in the tri-county area by July 1, 1982. The resolution also proposes that the Board of Directors of the Type B agency be comprised of the nine county commissioners (three from each county), but not be limited to them. The present Area Agency on Aging Advisory Council (composed of a majority of elderly persons) which advises the Council of Governments Board, would be transferred to the new organization along with current Council of Governments and State staff in order to provide continuity to the programs and services.

All of the above actions were proposed to the Council of Governments Board by a seven-member elected official task force made up of three county commissioners, three city elected officials, and a representative from a school district. Both the Council of Governments Board and the task force received comments from the Area Agency on Aging Advisory Council which also recommended the above actions be taken.

5. A major thrust of the new program for seniors will be to keep seniors from going into nursing homes by providing in-home services at a lesser cost, when feasible. Currently, for every federal dollar spent on senior services, 80 cents goes to nursing home support, 10 cents to community based programs, and 10 cents to in-home services.

6. The Type B Area Agency on Aging would not only plan services for the elderly and handicapped, it will also provide direct client services called "case management" for persons requiring in-home or institutional services. The Area Agency on Aging would become responsible for approximately 1,200 clients transferred from Adult and Family Services, 200 of which will be under 60 years of age and disabled.
7. No new funds or staff would be involved in the transfer of the program. This would be a major reorganization of existing aging programs to shift control of programs from the State to the local level.
8. Total funding responsibility of the new agency would be approximately \$13 million by combining the Council of Government's present \$2.7 million with the State's \$10 million.
9. Thirty-five State staff would be transferred to the new Area Agency on Aging together with four staff from the Council of Governments to create the new organization's total staff.

Conclusion

The attached resolution should be reviewed by all local general purpose governments. Any comments cities or counties have should be provided to the Council of Governments office by December 4, 1981 so that the Board of Directors can be informed before making a final recommendation at its regular December 8th meeting.

Elected representatives of cities seated on the Council of Governments Board should be contacted so they can present your conclusions to the COG Board of Directors. The meeting is at 8 a.m., December 8, 1981 in the Salem Library Auditorium.

SAGE:ABC
Attachment

RESOLUTION NO. 2-81

ESTABLISHMENT OF TYPE B AREA AGENCY ON AGING
FOR MARION, POLK, AND YAMHILL COUNTIES

WHEREAS, the Mid Willamette Valley Council of Governments is the Area Agency on Aging for Marion, Polk, and Yamhill Counties; and

WHEREAS, the Mid Willamette Valley Council of Governments supports the concepts embodied in Senate Bill 955; and

WHEREAS, the Mid Willamette Valley Council of Governments wishes to assure continuity of service to all clients under Senate Bill 955;

NOW THEREFORE, BE IT RESOLVED BY THE MID WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS:

THAT a Type B Area Agency on Aging be established for Marion, Polk, and Yamhill Counties by July 1, 1982, the Board of Directors to be comprised of, but not limited to, the 9 Commissioners of Marion, Polk, and Yamhill Counties; and

THAT the present Area Agency on Aging Advisory Council's structure and functions continue under the Type B Area Agency on Aging; and

THAT the present Adult and Family Services staff and the Mid Willamette Valley Council of Governments staff who may be transferred to the Type B Area Agency on Aging be given full consideration as to their rights as public employees.

APPROVED by the Board of Directors of the Mid Willamette Valley Council of Governments this 10th day of November, 1981.

Chairman

VII - 4

MEMORANDUM

TO: Board of Directors
Mid Willamette Valley
Council of Governments

DATE: November 10, 1981

FROM: AD HOC TASK FORCE OF BOARD OF DIRECTORS
re Reorganization of Aging Program
Lyn Hardy, Chairman

SUBJECT: RECOMMENDATIONS OF TASK FORCE

Recommendations

1. That the Board adopt the Type B option as described in Senate Bill 955.
2. That 3 elements of the existing delivery system be transferred to the sponsoring agency created to administer the Type B program:
 - a. The existing Advisory Council be retained for the first year with changes only because of resignation or death of a member, except that additional representation be provided for the handicapped.
 - b. That the current State employees (approximately 34) providing services under this program be transferred, and that the Board acknowledge their rights under the statute governing transfer of public employees when a function is moved from one agency to another.
 - c. That current COG employees (4) providing services under this program be transferred, and that the Board acknowledge their rights under the statute governing transfer of public employees when a function is moved from one agency to another.
3. That the COG Board consider the formation of a new Type B Area Agency on Aging, the Board of Directors to be comprised of, but not limited to, the 9 Commissioners of Marion, Polk and Yamhill Counties. (Cities of the tri-county area having an interest would be eligible to be represented on the Board by their Mayors).
4. That the Board approve the attached recommendation of the COG Director for sole source selection of Mrs. Janet Fleming to conduct necessary research of existing job classification, wages, and benefits of the State and COG employees and assist the new Type B Board in reaching decisions as to how its personnel system will integrate employees of those two agencies and provide an appropriate personnel system.

5. That the COG Board of Directors approve the following schedule and process for the above recommendations:

- a) Decide on November 10 to select the Type A or Type B option under Senate Bill 955. Also proceed with the sole source selection of Mrs. Janet Fleming so that data can be gathered for the future analysis and decision-making of a Type B AAA. Time is of the essence in order to have an operating agency ready to provide services on July 1, 1982.
- b) Fully discuss recommendation #3 above regarding the sponsoring agency for the Type B option, if Type B is selected. But, DO NOT VOTE on this recommendation with finality. Instead, prepare a recommendation and forward it to all general purpose governments (counties and cities of the tri-county area) soliciting their review and input.
- c) Make a final decision after having received input from governments of the tri-county area on December 8, 1981 at the regular COG Board meeting.
- d) Forward the final decisions to the State of Oregon as appropriate under the procedures of Senate Bill 955.

Background

The Ad hoc Task Force had three meetings, each a week apart. In addition to the seven members of the Task Force, agendas were sent to every member of the Advisory Council and to the persons requesting to be kept apprised of the Task Force's deliberations. The minutes of the first two meetings are attached hereto for your information and review.

The process used by the Task Force was to:

- 1) At the first meeting receive a briefing from the State staff on Senate Bill 955, its history and provisions, and then receive briefings on the current services and functions of the State's Adult and Family Services Division and the COG's Area Agency on Aging. We also reviewed the options available to local governments, both Type A and Type B concepts.
- 2) At the second meeting conduct an in-depth review of the Type B option, especially regarding a) local government responsibilities, b) program responsibilities, and c) personnel issues. We then debated the pros and cons separately of 1) the COG as the future Type B AAA; 2) the CETA CONSORTIUM as the future Type B AAA; and 3) the creation of a new ORS 190 agency as the Type B AAA.

Also, at the second meeting, we concluded we would recommend the Type B approach and adopted recommendations regarding transfer to the Type B agency of the State and COG staffs and the Advisory Council.

- 3) At the third and final meeting, review again the options for sponsoring agencies. A new recommendation of the Advisory Council was heard, a 5 minute summation of each Task Force member as to his conclusions was heard, and then the above recommendations were voted upon and approved unanimously.

Recommendation #3 regarding formation of a new Type B AAA is also concurred in by the Advisory Council and proposed by them (see attached memo of November 5 from the Advisory Council).

Also attached for your close review is a memo from Mr. Ed Sage as he presented it to the Task Force, entitled Type B Area Agency on Aging: Questions and Answers. The Task Force spent a full hour receiving Mr. Sage's presentation of this memo and asking questions. We believe it deserves your thorough review. Mr. Sage will be available at the Board meeting to provide a brief summary of it, or to answer questions as may be desired by the Board.

In addition, attached are legal opinions from COG's Legal Counsel and the Mid Willamette Valley CONSORTIUM's Legal Counsel regarding the potential ability of those agencies to serve as a Type B AAA.

NOTE: No attachments

AH/r

Attachments: 1) Minutes from two meetings of Ad hoc Task Force
2) AAA Advisory Council memo of November 5, 1981
3) Memo from Mr. Ed Sage
4) Copies of COG & CONSORTIUM legal opinions (from Legal Counsels)

VII - 2 4



CITY OF
NEWBERG

414 E. First Street

Newberg, OR 97132

November 24, 1981

Commissioner Lyn Hardy
Chairman, Board of Directors
Council of Governments
220 High St. NE
400 Senator Building
Salem, Oregon 97301

Dear Commissioner Hardy:

I am responding to your November 10, 1981 letter regarding the process of making a decision on how social services will be provided to senior citizens and to handicapped citizens in Marion, Polk and Yamhill Counties.

Your letter has indicated that the Council of Governments has acted as the Area Agency on Aging for this tri-county area. Senate Bill 955 has added more responsibilities that are funded under titles 19 and 20 of the Social Security Act and also allows for participation of local government under what is known as the "Type B" Area Agency on Aging.

The City of Newberg agrees with the proposal of the Board of Directors of the Council of Governments which, in essence, would create a new organization in the tri-county area to directly manage these programs. Nine county commissioners (3 from each county) would serve as the policy board for the new agency. Since this is relatively new, we would like to observe the proposal in action and reserve the opportunity to participate at a later date.

If there are any questions, please give either myself or the City Administrator a call.

Sincerely,

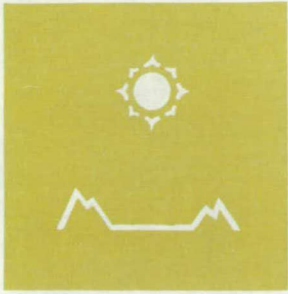
Elvern Hall

Elvern Hall
Mayor

EH/bjm

*Lyn Our council meeting is Dec. 7th
and if there is a change I will report to
the board on Tue. morning the 8th.*

Elvern



Call USA Salem Mont. 588-6085
type

MID WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS

400 SENATOR BUILDING ★ 220 HIGH ST. N.E., SALEM, OREGON 97301

TELEPHONE (503) 588-6177

ALAN H. HERSHEY, Director

Dallas
Heard 623-2338
Woodburn, max 981-7111

Mayor Elvern Hall
Newberg, OR

November 10, 1981

Dear Mayor Hall,

The Council of Governments is currently in the process of making a decision on how social services will be provided to senior citizens and to handicapped citizens in Marion, Polk and Yamhill Counties. Your input is desired prior to the Board of Director's meeting of December 8, 1981.

In the past, the Council of Governments has acted as the Area Agency on Aging for the tri-county area and has had the responsibility for senior programs funded under the Older American Act and Oregon Project Independence. Senate Bill 955 adds to those responsibilities major social service programs funded under Titles XIX and XX of the Social Security Act and allows for participation of local government under what is known as a "Type B" Area Agency on Aging.

The Board of Directors of the Council of Governments is considering a proposal which would create a new organization in the tri-county area to directly manage these programs. The proposal recommends that the nine County Commissioners (3 from each county) serve as the Policy Board for the new agency. Cities that also are desirous of being accountable and responsible for the programs and funds to be managed by the new agency could be included on its Policy Board.

The Council of Governments would like to determine how much interest, if any, there is among the cities to participate in this new program. Therefore, would you please review the enclosed information with your City Council and determine if your city would be interested in sharing responsibility for the new agency with the nine County Commissioners?

Staff assistance from the Council of Governments can be made available to your Council meeting if you desire.

Please provide us with your recommendation by Friday, December 4th, as well as contact your voting COG Board representative to let him/her know of your conclusions. A final decision is scheduled to be made at the December 8th COG Board meeting. You are welcome to attend this meeting to share your views. It is at 8:00 a.m. at the Salem Library Auditorium.

Sincerely,

Lyn Hardy
Commissioner Lyn Hardy
Chairman
Board of Directors

SAGE/r
MEMBER AGENCIES:

State of Oregon. COUNTIES: Marion, Polk, Yamhill. CITIES: Amity, Aumsville, Aurora, Carlton, Dallas, Dayton, Detroit, Falls City, Gervais, Hubbard, Idanha, Independence, Jefferson, Lafayette, McMinnville, Monmouth, Mt. Angel, Newberg, Salem, Sheridan, Silverton, Stayton, Sublimity, Turner, Willamina, Woodburn. SPECIAL DISTRICTS: Chemeketa Community College, Marion County Fire District #1, Marion County Education Service District, Yamhill County Education Service District, Marion, Polk and Yamhill Soil & Water Conservation Districts, Salem School District 24J.

Rocky's Delicatessen Inc.
124 N. Everest Road
Newberg, OR 97132
Ph. 538-7511

RECEIVED

DEC 1 1981

CITY OF NEWBERG, ORE,
OFFICE OF RECORDER

12-1-81

To whom it may concern:

Rocky's Delicatessen Inc.
DBA as Rocky's Delicatessen
would like permission from
the city of Newberg to
change its trade name
to Oak Tree Restaurant
for its new location at
2316 Portland Road
Newberg, Oregon. 97132.

This corporation would
like a letter to this affect
from the city.

Sincerely,

Barbara Robinson
Vice-President
Sec. Treas.

MEMO TO: Mike Warren, City Administrator

FROM: Rick Faus, City Attorney

DATE: December 1, 1981

SUBJECT: Resolution authorizing the issuance of general obligation
improvement warrants on Sitka Street LID Project No. 213

I have consulted with the City Finance Officer, the City Engineer and our Bond Counsel on the issuance of warrants to pay for improvements involved in the Sitka Street L.I.D. project. The total amount owed on this project to the City is \$98,237.45 of which advance payments have been made in the amount of over \$66,000.00 leaving a balance for final payment of \$31,000.00. This is not an improvement which we intend to bancroft bond in the near future and it is desired that we issue general obligation improvement warrants prior to bancrofting this job. This procedure requires the approval of our improvement warrant transcript by our bond counsel Rankin, McMurray and they are supplying us with a non-litigation certificate and arbitrage certificate. I am supplying these materials along with a draft resolution authorizing the issuance of the warrants this week and I suspect I will receive a call back from them before the end of the week approving the resolution draft. Once they have approved the resolution draft, it can be presented to the Council for passage. I will be discussing the timing of this resolution further with the Finance Officer and the City Engineer to determine whether it would be best to authorize the warrants and receive funds at the December 2nd meeting of the Council or the January 4th meeting of the Council, because in any case a final approved resolution will not be available until after the deadline for submission of council materials for December 2nd Council. I would ask that this memorandum be included in the Council package to inform the Council of our intent to issue warrants and I will have an approved resolution either at the December 2nd or January 4th meetings for approval, depending upon when it would be necessary to issue the warrants.

RDF:fj

MEMO

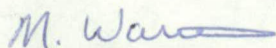
TO: City Council
FROM: City Administrator
SUBJECT: Sitka Street Project

DATE: December 2, 1981

This project was an obligation that the City committed to prior to my arrival in January 1981. The property owners were for the most part, anxious to get it over and done with and that is exactly what we did. There were some difficulties with compensation for property, driveways, litigation, etc. but most of these have been worked out in one way or another.

It now becomes time to collect the balance of our money and as you can ascertain from the City Attorney's memo a resolution must be passed to implement the LID project.

At this point, we only have information, but on the night of the City Council meeting we may have a resolution for approval.


Michael Warren
City Administrator

MW/bjm

Enc.

MEMO

TO: City Council

DATE: December 3, 1981

FROM: City Administrator

SUBJECT: Subdivision Agreement for Crestview Manor

The attached Planning Director's memo indicates that agreements and reviews on this subject have taken place. It is recommended that we enter into the agreement as described in the attached material.

The attached Resolution authorizes the Mayor and City Recorder to enter into an agreement for a period not to exceed 30 days from the date of adoption of the resolution. Payment of the fees that are listed in the Subdivision Agreement must precede total implementation of the documents. If there is any discrepancy, then we would refer it to a Committee of the Council for final disposition.

It is recommended that the resolution be passed.

Michael Warren
Michael Warren
City Administrator

MW/bjm

Enc.

VII-7

Tme

MEMORANDUM
December 2, 1981

TO: Mike Warren, City Administrator

FROM: Clay Moorhead, Planning Director *Cum*

RE: Subdivision Agreement for Crestview Manor Subdivision

In May of 1981 the Newberg City Council established a Planned Unit Development overlay zone and authorized preliminary approval of the Crestview Manor Subdivision plat. The final material relating to this particular development has been submitted to the City Administrative offices and it is expected that approval could be granted to the plat within the month of December. Because of this, the applicant's are desiring that the City Council adopt the resolution which allows the Mayor and City Recorder to enter into the subdivision agreement for the development. The subdivision agreement is a document which specifies the amount of money that must be paid by the developers for engineering review and inspection fees, public land payments and recording fees. The agreement also specifies the conditions which must be followed in constructing the development together with a time period and securities to guarantee completion of the project. This matter has been reviewed by the City Engineer, the City Planner and the Newberg City Attorney. The standard subdivision agreement will be utilized, however, the exact figures for the engineering fees and some of the final conditions for development of the project have not yet been fully determined.

A resolution has been prepared which authorizes the Mayor and City Recorder to enter into the agreement for a period not to exceed 30 days from the date of adoption of the resolution. A copy of the standard subdivision agreement form is also provided as part of the resolution. The Mayor and City Recorder may only approve the subdivision agreement if substantial changes are not made to the agreement as is hereby attached. Substantial changes to the agreement will require additional review by the Newberg City Council.

Planning Staff recommends that the resolution be adopted authorizing the Mayor and Recorder to execute the agreement.

RESOLUTION NO.

- WHEREAS, The Newberg Free Methodist Church and the Oregon Conference Board of the Free Methodist Church and the Oregon Conference Board of Trustees, the subdivider, has presented to the Planning Commission for preliminary approval, a plat for Crestview Manor Planned Unit Development, a subdivision located within the city limits of Newberg, Oregon, and
- WHEREAS, The Newberg Planning Commission did provide preliminary approval of the Planned Unit Development, and
- WHEREAS, The Newberg City Council did establish a Planned Unit Development overlay zone on the subject property by Ordinance No. 2053 adopted May 4, 1981, and
- WHEREAS, The subdivider has submitted the final plat of Crestview Manor Subdivision together with the final engineering and site development plans for approval by the City of Newberg, and
- WHEREAS, The subdivider desires to enter into an agreement which specifies the exact fees to be paid in conjunction with engineering review and inspections, public land payments pursuant to Section 65 of the Newberg Zoning Ordinance and the fees incurred to record these documents. The agreement also sets forth the conditions by which further construction shall take place on the site covered by the plat of Crestview Manor Subdivision, and
- WHEREAS, The Council has considered the agreement as to form, and
- COUNCIL NOW BEING FULLY ADVISED IN THE PREMISES.
- NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newberg, as follows, to-wit:

Section 1. That it will be beneficial to the people of the City of Newberg that said agreement between the subdivider of Crestview Manor Subdivision in the City of Newberg be approved.

Section 2. That the fees established within the agreement fully conform to the ordinances and standard practices held by the City of Newberg.

Section 3. That the Mayor and the City Recorder of the City for 30 days from the date of the adoption of this resolution, are authorized and directed to execute said agreement on behalf of the City of Newberg when proper security for completion of improvements outlined within said agreement has been collected by the City of Newberg, and approved by the City Attorney.

ADOPTED by the Council this 7th day of December, 1981.

VII-7

Arvilla Page - Recorder

SUBDIVISION AGREEMENT

concerning a subdivision known as:

CRESTVIEW MANOR

This Agreement, made and entered into this _____ day of _____, 1981,
by and between the City of Newberg, a municipal corporation of the State of Oregon,
hereinafter referred to as the "City", and The Newberg Free Methodist Church,
The Oregon Conference Board of the
Free Methodist Church and the Oregon
Conference Board of Trustees, hereinafter referred to as the "Subdivider".
NOW, THEREFORE, in consideration of the City accepting the plat for the above named
subdivision, the Subdivider and the City agree as follows, to-wit:

1. To complete all improvements and conditions in the subdivision as specified
in the public improvement and site improvement plans, (Exhibit A) which shall be
referenced by exhibit and made a part, hereof, in accordance with Ordinance No. 1950
of the City and all appropriate ordinances and regulations of the City and further
in accordance with the Subdivider's plans and specifications, which have been
approved in writing by the Superintendent of Public Works and by this reference
made a part, hereof.
2. The Subdivider shall complete all improvements in the subdivision on
or before January 1, 1982, excepting sidewalks.
3. Water and sewer hookup and development fees shall be charged in accordance
with the appropriate City ordinances and resolutions.
4. The Subdivider agrees to pay to the City an Engineering fee to cover
final review and inspections required in connection with the improvements. The
Engineering fee shall have been paid prior to the signing of this agreement by
the City. The amount of the Engineering fee shall be five percent of the total
cost of all the improvements, which amount shall be _____.

5. The Subdivider shall furnish to the City a surety bond or other security in the amount of _____.

6. The Subdivider agrees to pay to the City a public land payment in accordance with Section 65 of Ordinance No. 1950. The public land payment shall be payable in cash and paid to the City prior to signing of this agreement. The amount of the public land payment shall be \$18,600.00.

7. The Subdivider shall stake all corners of each lot after completion of all construction on lot. Said stakes shall be visible to the buyer of each lot.

8. This Agreement shall be filed in the Yamhill County Deed Records and the Subdivider shall pay the cost of recording, which shall be \$4.00 per page plus \$1.00 indexing fee.

OTHER CONDITIONS

9. The Declaration of Covenants, Conditions and Restrictions shall be recorded along with the plat of Crestview Manor and shall be the same as those stamped "approved" in the Newberg Planning Department file no. PUD-1-81.

10.

11.

12. The date of the Agreement shall be the date the City Council passes the Resolution causing the Mayor and the Recorder to be signed by its Mayor and Recorder with the Seal of the City affixed, pursuant to a resolution of the Council duly adopted, and Subdivider has executed this agreement, all in duplicate.

SUBDIVIDER

CITY OF NEWBERG

Elvern Hall - Mayor

Arvilla Page - Recorder

APPROVED AS TO FORM AND SECURITY

Richard D. Faus, City Attorney

Page 3 of 3 pages

VII - 7

Subdivision Agreement Concerning CRESTVIEW MANOR

Subdivider agrees to complete the following improvements, to-wit:

- a. Street - Subdivider will construct and complete all streets in accordance with plans and specifications for subdivision.
- b. Monuments - Subdivider will install all monuments required by the final plat of the subdivision in accordance therewith.
- c. Storm Sewers - Subdivider will construct and install all storm sewers required by plans and specifications strictly in accordance therewith.
- d. Sanitary Sewers - Subdivider will construct, install and complete all sanitary sewers, including individual house sewers to property line, as shown by plans and specifications.
- e. Water Facilities - Subdivider will construct, install and complete all water mains, water lines and fire hydrants, including all side mains taking water service to the property line as shown by plans and specifications.
- f. Sidewalks - Subdivider will construct and complete all sidewalks shown by plans and specifications; provided, however, that such sidewalks shall be installed along all street frontage when the residence thereon is constructed.
- g. Lighting - Subdivider will install sodium vapor type street lighting throughout the subdivision with underground wiring and all fixtures mounted on aluminum poles. All poles, lights and related equipment shall be provided by the Subdivider. The materials and installation shall meet the approval of the City Engineer.
- h. Signs - Subdivider shall provide and install metal street signs as approved by the Director of Public Works.

Subdivider _____

Aguba

MEMO

TO: MIKE WARREN DATE: December 3, 1981

FROM: BOB SANDERS

SUBJECT: Award of Bridge Pier and Bank Stabilization Contract

As you are aware the water transmission project was split up into several contracts to obtain more competitive bids. The last advertisement for bids had the bridge painting as Schedule A, and the bridge pier and bank stabilization work as Schedule B. None of the bidders submitted a bid for Schedule B.

Our consultant has solicited bids on Schedule B from contractors in that type of construction company. Bids were submitted from two companies.

A bid of \$17,900 was received from Joe Bernert Towing Co. of wilsonville and a bid of \$40,475 was received from Riedel International of Portland.

Joe Bernert Towing Co. did the pier stabilization for the City some years back and also does the river dredging for Newberg River Rock.

The bid was obtained in October and there could be a price increase in the rock material within the next three months, the duration of the contract. The contractor is currently inquiring about the stability of the rock price, and will confirm the price increase prior to the Council meeting. The contract will either reflect any increase prior to the Council meeting. The contract will either reflect any increase in the rock price by adjusting the bid, or a change order price increase will be reviewed later.

My recommendation is to award the bridge pier and bank stabilization contract to Joe Bernert Towing Co. in the amount of \$17,900 plus any increase in the rock material.

*Consent
M. Warren*



KCM #201-17

November 2, 1981

Mr. Robert Sanders, P.E.
City Engineer
City of Newberg
City Hall
414 East First Street
Newberg, Oregon 97132

RE: Bridge Pier and Bank Stabilization

Dear Mr. Sanders:

As you are aware, the City received no bids for the pier and bank stabilization when the bridge painting work was bid. We have contacted two qualified firms interested in the work, and have received written quotes from them. The quotes are attached for your use or presentation to council.

Joe Bernert Towing submitted the low quote of \$17,900. This is slightly higher than our original estimate of \$15,000. Bernert Towing operates a barge in the Newberg area and performed the previous riprap work for the City. They are also one of the firms suggested for use by the Corps of Engineers.

Based on the qualifications and low bid, we recommend that the City contract with Bernert Towing to perform the referenced work.

If you have any questions please call.

Sincerely,

KRAMER, CHIN & MAYO, INC.

Gareth S. Ott, P.E.
Project Leader

GSO:plb

cc: Ed Sigurdson
Roy Geiselman

VII-8

DREDGING
PILE DRIVING
BARGING
TOWING



CONCRETE AGGREGATE
CRUSHED ROCK
MASON SAND
FILL MATERIAL

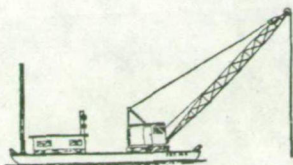
JOE BERNERT TOWING CO., INC.

688-4128

P. O. Box 37

WILSONVILLE, OREGON 97070

682-0822
638-4129



October 30, 1981

Mr. Gareth S. Ott, P. E., Project Leader
Kramer, Chin & Mayo, Inc.
10 S. W. Ash Street
Portland, Oregon 97204

RECEIVED
NOV 02 1981

PORTLAND OFFICE
Kramer, Chin & Mayo, Inc.

Re: Newberg - Bridge & Pier Stabilization

Dear Mr. Ott:

Enclosed is our bid proposal in the amount of
seventeen thousand nine hundred dollars
(\$17,900.00) for the pier protection work
of the Old Newberg Bridge.

The price is higher than the estimate due to
the increased quantities.

Thank you for the opportunity to quote the
work.

Sincerely,

Joe Bernert Towing Co., Inc.

James Bernert, President

Encl: bid

BRIDGE RENOVATION - SCHEDULE B

Item No.	Description	Est. Quantity	Unit	Unit Price In Words	Unit Price In Figures	Total
<u>BANK AND PIER STABILIZATION</u>						
1.	Mobilization	—	L.S.	<i>Twenty five hundred Seventy five</i>	\$ —	\$ <i>2575.00</i>
2.	Riprap Class II	400	Ton	<i>Nineteen and 50/100</i>	\$ <i>19.50</i>	\$ <i>7800.00</i>
3.	Riprap Class III	100	Ton	<i>Nineteen and 50/100</i>	\$ <i>19.50</i>	\$ <i>1950.00</i>
4.	Filter Material B	150	C.Y.	<i>Fifteen</i>	\$ <i>15.00</i>	\$ <i>2250.00</i>
5.	Filter Fabric	500	S.Y.	<i>Four and 15/100</i>	\$ <i>4.15</i>	\$ <i>2075.00</i>
6.	Slope Excavation	100	C.Y.	<i>Ten</i>	\$ <i>10.00</i>	\$ <i>1000.00</i>
7.	Construction Photos	25	EA.	<i>Ten</i>	\$ <i>10.00</i>	\$ <i>250.00</i>

TOTAL SCHEDULE B BID PRICE: \$ *17,900.00*

- End of Addendum -

"Imagineering a better world"



RIEDEL
INTERNATIONAL, INC.

Ports O' Call

CORPORATE OFFICE MAILING ADDRESS:
4555 N. Channel Ave. P.O. Box 3320
Portland, OR 97208
Phone: (503) 285-9111 • Telex: 151372

October 16, 1981

RECEIVED
OCT 18 1981

Mr. Gary Ott, P.E.
Kramer, Chin & Mayo, Inc.
10 S. W. Ash Street
Portland, Oregon 97204

19 ff
PORTLAND OFFICE
Kramer, Chin & Mayo, Inc.

Reference: Bank and pier stabilization
City of Newberg, Oregon

Dear Gary:

Our lump sum bid for this project is \$40,475.00 with one qualification that you will except crabtree rock products class II and class III riprap. If crabtree rock is not acceptable, then we will withdraw our bid.

Sincerely,

RIEDEL INTERNATIONAL, INC.

Don Young
Clamshell-Bucket Dredging
Division Superintendent

DY:jb

"Helping Build the West . . . and Beyond"

ENVIRONMENTAL EMERGENCY SERVICES CO.
WILLAMETTE-WESTERN CO.
WILLAMETTE TUG & BARGE CO.
WESTERN MARINE-BRAZIL LTDA.
WESTERN-PACIFIC CONSTRUCTION MATERIALS CO.
WESTERN-PACIFIC DREDGING CO.

VII-8

WESTERN-PACIFIC DRILLING CO.
WESTERN-PACIFIC ERECTORS CO.
WESTERN-PACIFIC FOUNDATIONS CO.
WESTERN-PACIFIC MARINE SERVICES CO.
WESTERN-PACIFIC PAVING & CONSTRUCTION CO.
WESTERN TUG & BARGE CO.

BRIDGE RENOVATION - SCHEDULE B

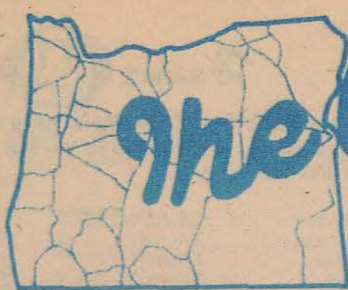
Item No.	Description	Est. Quantity	Unit	Unit Price In Words	Unit Price In Figures	Total
<u>BANK AND PIER STABILIZATION</u>						
1.	Mobilization		L.S.	<u>twelve thousand dollars</u>	\$ <u>12,000</u>	\$ <u>12,000⁰⁰</u>
2.	Riprap Class II	400	Ton	<u>eleven thousand dollars</u>	\$ <u>11,000 27⁵⁰</u>	\$ <u>11,000⁰⁰</u>
3.	Riprap Class III	100	Ton	<u>five thousand five hundred dollars</u>	\$ <u>55⁰⁰</u>	\$ <u>5,500⁰⁰</u>
4.	Filter Material B	150	C.Y.	<u>three thousand six hundred fifty dollars</u>	\$ <u>24³⁵</u>	\$ <u>3,650⁰⁰</u>
5.	Filter Fabric	500	S.Y.	<u>three thousand eight hundred seventy five dollars</u>	\$ <u>7⁷⁵</u>	\$ <u>3,875⁰⁰</u>
6.	Slope Excavation	100	C.Y.	<u>four thousand three hundred fifty dollars</u>	\$ <u>43⁵⁰</u>	\$ <u>4,350⁰⁰</u>
7.	Construction Photos	25	EA.	<u>four dollars</u>	\$ <u>4⁰⁰</u>	\$ <u>100⁰⁰</u>
* TOTAL SCHEDULE B BID PRICE:						\$ <u>40,475⁰⁰</u>

- End of Addendum -

copy of article
for cover

PASSPORT PHOTOS

Passport and International Driving Permit photos are now available in both the Portland and Medford offices of the Club. Prices for a set of two pictures are: \$4.50 for Club members \$6.00 for non-members



The Oregon

MOTORIST

24-Hour Weather Information

Portland - 222-6721

VOL. 59 NO. 13

THE OREGON MOTORIST

SEPTEMBER/OCTOBER 1981

Eighteen cities in Oregon SAVE

Are you a coupon clipper... or an investment analyst? A second-hand shopper, or a sales seeker? There's lots of ways to save, and eighteen cities throughout Oregon can tell you how, who, what and why they save.

They save not through a bank or a savings and loan institution, but through PREVENTION. They save not materialistic matter but living organisms. They save not antique pots and pans, but PEDESTRIANS. They save lives... because saving lives saves money.

It is estimated that the economic loss resulting from pedestrian accidents is over 200 million annually. By 1975, according to the Insurance Institute for Highway Safety, motor vehicle crash injuries, conservatively estimated, were costing the nation more than 14 billion annually, including the cost of emergency medical aid, hospital care, rehabilitation, lost wages and other direct and indirect costs. These costs exceed 20 billion dollars today. The cost burden is growing worse. It will continue to worsen, with serious consequences for the nation, unless conditions are changed.

The prevention of accidents is a common sense course of action just as prevention is a common sense course of action against illness and disease.

The statistics available to support accident prevention are abundant, but few cities are aware of or know of a means to collect accident statistics. Each year, the American Automobile Assoc. makes available to all cities in the United States a means — the Pedestrian Safety Inventory Program. The program was begun in 1939 and has grown from the original 107 participants to 2,581. It is the most effective means cities have to compare their own statistics against the previous years, and their accident prevention efforts against another city of like characteristics.

Eighteen cities in Oregon have been recognized by AAA Traffic Safety Foundation for their individual efforts toward accident prevention. They are: Newberg, Ashland, LaGrande, Dallas, Lake Oswego, Newport, Coquille, Lebanon, Woodburn,

Bend office moves to meet demand

Oregon Triple A moves people — by the best route, for the best price, along the most scenic route, or along the fastest route.

To continue providing such service to Jefferson County and Bend area members, the AAA office is moving — to a newer, more spacious location, a more accessible location and a more visible location to travelers along Highway 97.

Bend District Office will set up shop at its new location in the Deschutes Business Center, 20360 Norwood Road, Suite 2, (503) 382-1303.

Everyone! Come join us for our Grand Opening celebration the week of September 14. Free coffee, donuts, door prizes, gifts. It's our way of saying: "We'd like to get to know you!"

Astoria, Milwaukie, North Bend, Sweet Home, Forest Grove, Gresham, Silverton, Oregon City, and Roseburg.

Each city was evaluated for their maintenance of accident records, safety legislation, enforcement, traffic engineering,

traffic safety organization, quality of school traffic safety programs and public information and education programs.

The next time saving money crosses your mind, think of a pedestrian crossing the street.

\$100-A-Day Hospital Enrollment Open

Enrollment is now open for the popular "100 PLUS 10" Group Travel Accident Insurance plan. Enrollment packets will be in the mail to members the first week of October.

In announcing the enrollment, Kathy Fisher, Manager of the Insurance Department, revealed that the "100 PLUS 10" insurance plan has been one of the most popular plans ever offered to Club members. It provides \$100 a day for covered hospital confinement beginning with the first day of hospitalization and for as long as the covered person remains continuously hospitalized — even for life, if necessary. A \$10,000 loss of life benefit is provided for the beneficiary for covered fatal accidents.

Enrollment acceptance is guaranteed to all members who enroll during the limited period regardless of age or health condition. The member's spouse and dependent children are also eligible for a policy. The total cost for an entire year's coverage is just \$24 per person.

Coverage is provided for automobile and pedestrian accidents as well as for passenger travel on commercial airlines, ship, train, bus, taxi and bicycle. "100 PLUS 10" coverage is more than just trip insurance since it covers members while commuting, around town, etc.

Benefits are provided under the plan in addition to the member's other insurance or Medicare. The benefit payments are sent directly to the insured member unless they are requested to be sent to the hospital.

Washington National Insurance Company, underwriter of the "100 PLUS 10" plan, provides a 15 day refund privilege which provides members with the opportunity to review their policy and return it within 15 days for a full refund if they are dissatisfied.

Life

a matter of choice or chance

Cats are said to have nine lives. Some people believe they have more than one. But if you believe you have but one life to lead, how will you lead it: Recklessly or Safely?

To present both sides of the issue, to show the consequences of the choices people make, the Oregon Traffic Safety Commission will hold the 14th annual Traffic Safety Conference in Salem in September. Some of the topics that will be addressed include:

- how to establish and expand a traffic safety commission in your community
- workshop sessions on alcohol and safety

- traffic safety programs in Oregon schools
- the Oregon Legislature's efforts in traffic safety
- hazardous products transportation
- fleet safety programs
- how to deal with local traffic safety concerns
- traffic safety programs in Oregon schools

Conference: September 21-22, Chumaree Rodeway Inn, Salem, Or.

For more information, contact Geri Parker, Oregon Traffic Safety Commission, (503) 378-3669.

Think of the cost benefits of saving a life.

Award categories

Outstanding Pedestrian Program Improvement: Newberg; Pedestrian Safety Achievement: Ashland, (18 years without a pedestrian fatality); LaGrande, (12 years); Safety Citations: Dallas, (7 years without a pedestrian fatality); Lake Oswego, (6 years), Newport (6 years), Coquille (4 years), Lebanon (4 years); Woodburn, (4 years); Astoria, (3 years); Milwaukie, (3 years); Sweet Home, (3 years); Forest Grove, (2 years); Gresham, (2 years) Silverton, (2 years); Oregon City, (1 year); Roseburg, (1 year).

Driving costs unchanged in 3 months

Washington, D.C., July 30 — The American Automobile Association reports that it cost 24.8 cents per mile to own and operate an intermediate-sized car during the second quarter of 1981 — the same as during the first quarter, but 3.1 cents a mile more than a year ago.

AAA's quarterly report on driving costs is based on computations made by Runzheimer and Company, a Rochester, Wisconsin, management consulting firm that specializes in measuring the cost of living, including transportation costs.

The average per-mile cost is determined by combining fixed costs and variable or running costs. Expenses for insurance, license and registration fees, taxes, depreciation, and finance charges make up the fixed costs, amounting to an average of \$6.52 per day, or \$2,380 per year. These are incurred even if the car is not driven.

Variable or running costs, include gasoline and oil, routine maintenance and tires, amounting to 8.97 cents per mile. These costs are directly related to the number of miles driven.

A motorist driving 15,000 miles per year would pay \$2,380 in fixed costs and \$1,346 in variable costs (8.97¢ multiplied by 15,000) for a total of \$3,726, or 24.8 cents a mile.

AAA's cost study is based on a 1981 Chevrolet, 6-cylinder

(229 cu. in.) Malibu Classic 4-door sedan, driven up to 15,000 miles per year and kept for four years.

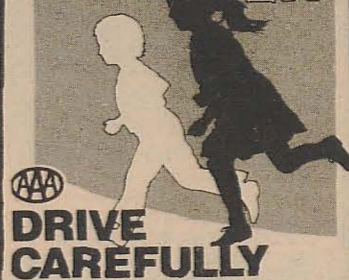
Included in the AAA report are automobile operating costs for various regions of the country. The West was the most expensive, 25.9 cents per mile; the Southwest the least expensive, 23.5 cents. Costs in other regions were: New England, 25.2 cents; Southeast, 25.0 cents; Mid-Atlantic, 24.8 cents; Midwest and Great Lakes region, 24.3 cents.



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SCHOOL'S OPEN



School's Open

The three r's will bring em into the classroom; safety will bring em home.

Busloads of children, ten speeds and flashy motor-cross bikes, banana-shaped skate boards, mopeds, roller-skaters, souped up dragsters and a relatively small number of walkers are about to take to the streets again for the opening of school.

A motorist aware of and alerted to potential traffic hazards can often ward off accidents.

Oregon Triple A urges caution. Stay alert less you chance upon a darting daredevil, a sudden left turn by a young and inexperienced bicyclist, a swerving skate boarder whose feet are where his head is expected to be. Slow down at school crossings. Nike-shoed youngsters will be anxious to get to school 15 minutes before the bell for a ball game with an old school buddy.

Help make back-to-school a "safe" trip for everyone!

Roseburg office moves

The Roseburg sales office of the Auto Club has moved to new quarters at the Garden Valley Shopping Center. New address: 120 Garden Valley Shopping Center, Roseburg, Oregon 97470. Phone: 673-7453.