

City of Newberg
City Council Minutes
July 17, 2023
Hybrid meeting format

WORK SESSION- Meeting called to order at 6:00 p.m.
Councillors Present: Mayor Bill Rosacker, Councillors Elise Yarnell Hollamon, Derek Carmon, Molly Olson, Robyn Wheatley, Mike McBride.

Councillors Absent: Councillor Kilburg

Staff Present: City Manager Will Worthey, City Attorney James Walker, Police Chief Jeff Kosmicki, Community Development Director Doug Rux, Public Works Director Russ Thomas, Finance Director Kady Strode, Graphic Design Specialist Emily Salsbury, Court and Council Administrative Specialist Zaira Robles Muñiz.

REVIEW OF COUNCIL AGENDA AND MEETING:

Councillor Yarnell Hollamon added an item to discuss the Newberg Old Fashioned Festival (NOFF) and whether to order signs.

PRESENTATIONS: Tualatin Valley Fire and Rescue (TVF&R) 2023 State of the District:

Newberg TVF&R State of the District 2023.pdf

Chief Weiss presented on the following topics:

- The TVF&R Mission Statement and 5-year strategic plan.
- Staff turnover rates and promotions of staff positions.
- Increased TVF&R presence on social media on all platforms.
- The tax rates would not be increased by the new bond as it took the place of a previous bond.
- The new bond would be used to relocate an existing fire station, improve fire stations, upgrade the training center, replace vehicles, and purchase land for future fire stations.
- Data analyzing emergency calls by purpose, volume, and location.
- LUCAS CPR devices were added to transport vehicles to perform chest compressions for cardiac arrest patients in transfer
- Test apparatus technology was installed in vehicles to test staff on emergency response factors for the promotional process.
- The majority of training hours were spent on non-EMS fire training as fires were low-frequency, high-risk events. Training for fires in wildland environments was a priority.
- Newberg could access a Hazardous Materials team (HAZMAT), a water rescue team, a technical rescue team, or ambulance medical transport at any time.
- Community Risk Reduction had provided public education on fire and life safety skills.
- The upcoming May 2024 levy could replace a levy ending in June 2025.

The Council discussed:

- The upcoming May 2024 levy.

- The difference between a bond and a levy.
- Mental health and substance abuse call percentages could be found in the data sets.
- The Fire Department Citizen's Academy.
- The Springbrook and Newberg downtown fire stations were both fully staffed.
- TVF&R provided medical transport services to the City of Dundee.
- The water rescue team had a difficult job but low staff turnover.

Dundee Bypass Lobbying Budget:

Dundee Bypass Lobbying Budget - Dave Haugeberg.pdf

Dave Haugeberg spoke to the Council to encourage Newberg to continue lobbying contributions toward funding the Newberg-Dundee bypass. The Parkway Committee was made up of county commissioners and volunteers in Yamhill County to find solutions to transportation congestion in the area and sought to promote and secure funding for the bypass project. Oregon Department of Transportation (ODOT) had not made the bypass a priority, though many other entities have committed support to making the bypass happen. The total cost was estimated at \$600,000,000 to \$700,000,000. Summit Strategies had done a great job since 2005 as the lobbyist group hired to seek funding through attending legislative meetings in Salem, Oregon and Washington DC. The investments made by the City of Newberg would continue to yield increased road access and quality in Yamhill County. The next project that would go up for bid soon was the construction of the interchange at OR-219 which would complete the bypass around Newberg from OR-219 to Rex Hill. The project was certain to happen, but the timing of completion would depend on funding. Lobbying had produced significant financial returns, and lobbyists would continue working to secure large Federal funding bonds for the project to be completed. The Parkway Committee had been responsible for organizing much of the work done by multiple entities toward funding and completing the bypass and other transit projects, which would enable Newberg's downtown transportation to return to a normal level.

The Council discussed:

- Newberg had given \$24,500 yearly to lobbying for the bypass.
- Volunteers had been sent to support previous lobbying efforts.
- The City budget included funds to support lobbying.
- Strategies and incentives to decrease truck traffic.
- The request for Newberg to continue to give \$24,500.

The Council consented to continue providing lobbying funds for the bypass project.

The Council discussed plans for the upcoming Newberg Old-Fashioned Festival.

Mayor Rosacker read the executive session script.

EXECUTIVE SESSION - On ORS 192.660(2)(F) To consider information or records that are exempt by law from public inspection.

Start: 6:45 p.m.

Stop: 7:24 p.m.

Councilors Present: Mayor Bill Rosacker, Councilors Elise Yarnell Hollamon, Derek Carmon, Molly Olson, Robyn Wheatley, Mike McBride.
Councilors Absent: Councilor Kilburg
Staff Present: Chief Jeff Kosmicki, Detective Sheldon Clay, City Manager Will Worthey, and City Attorney James Walker.

BUSINESS SESSION -

Meeting called to order at 7:28 p.m.

Councilors Present: Mayor Bill Rosacker, Councilors Elise Yarnell Hollamon, Derek Carmon, Molly Olson, Robyn Wheatley, and Mike McBride.

Councilors Absent: Councilor Kilburg

Staff Present: City Manager Will Worthey, City Attorney James Walker, Police Chief Jeff Kosmicki, Community Development Director Doug Rux, Public Works Director Russ Thomas, Finance Director Kady Strode, Graphic Design Specialist Emily Salsbury, Court and Council Administrative Specialist Zaira Robles Muñiz

CITY MANAGER’S REPORT:

CM statistics - to the end of May 2023.pptx

CM Worthey reported monthly statistics through the end of May. The Council discussed that half of the solar plant had gone down for a time because of a switch.

PUBLIC COMMENTS: None.

CONSENT CALENDAR: Resolution 2023-3906 - A Resolution authorizing the City Manager to purchase the required equipment for the Programmable Logic Controller for the Wastewater Treatment Plant

Res 3906 PLCPurchase.docx

Res3793.pdf

S012699329-0001 19787.pdf

Action: To approve Resolution 2023-3906, A Resolution authorizing the City Manager to purchase the required equipment for the Programmable Logic Controller for the Wastewater Treatment Plant.

Motion: Councilor Yarnell Hollamon

Second: Councilor Olson

Vote: 6 Yes 0 No 0 Abstain 1 Absent (Kilburg)

CONTINUED BUSINESS: Ordinance 2023-2911, An Ordinance approving an Urban Reserve Area expansion at 31544 NE Corral Creek Road, 30445 NE Fernwood Road, 31095 NE Fernwood Road, 30575 NE Fernwood Road, Yamhill County Tax Lots R3222 02700, R3222 02500, R3222 2800, R3222 02900 and abutting right-of-way

[RCA ORD 2911.pdf](#)
[Attachment 1 - PA-01-21.sr2 - approval.pdf](#)
[Attachment 2 - NUAMC Minutes Packet.pdf](#)
[Attachment 3a - ExceptionLandVsBellairsURAMemorandum 2021-08-16.pdf](#)
[Attachment 3b - CPMA21-0002 URA Expansion Engineering Comments.pdf](#)
[Attachment 3c - 20221221 CPMA21-0002 URA Expansion Engineering Comments.pdf](#)
[Attachment 3d - Agency Comments.pdf](#)
[Attachment 3e - Special Districts Comments.pdf](#)
[Attachment 4 - Public Comment Packet.pdf](#)
[Attachment 5 - NUAMC Resolution 2006-16.pdf](#)
[Attachment 6 - Order0004.pdf](#)
[Attachment 7 - YCBC.pdf](#)
[Attachment 8 - NUAMC Resolution 2007-20.pdf](#)
[Attachment 9 - ORD2697.pdf](#)
[Attachment 10 - YC Brd Decision 7-16-2008.pdf](#)
[Attachment 11 - Newb Remand Order 001767 Letter-Report Final 05-08-2009.pdf](#)
[Attachment 12 - NewbergUrbanReserves LCDCRemandOrder001787 Report&CoverLtr 4-22-10.pdf](#)
[Attachment 13 - Ord2792 signed.pdf](#)
[Attachment 14 - Res3807 NUAGMA.pdf](#)
[Attachment 15 - Newberg URA Expansion Application Package.pdf](#)
[Attachment 16 - URA Staff Report Response Letter 11-15-2022.pdf](#)
[Attachment 17 - Dowl 11-22-22.pdf](#)
[Attachment 18 - Public Comment Packet.pdf](#)
[Attachment 19 - Newberg URA DOWL Stormwater Response Memo 2023.04.11.pdf](#)
[Attachment 20 - RESOLUTION NO.2023-23\(Signed\).pdf](#)
[Attachment 21 - FYC - Newberg URA Expansion CC comments merged.pdf](#)
[Attachment 22 - Public Comments Packet 5-12-23.pdf](#)
[Attachment 23 - CC Comments 5-15-23.pdf](#)
[Attachment 24 - Applicant Final Written Argument.pdf](#)

CDD Doug Rux discussed the revisions Staff made to the Ordinance to include the entire 95.3 acres in the Application, including the areas above 300 feet in elevation. Newberg Urban Area Management Commission (NUAMC) had previously sent a recommendation to City Council which excluded 20 acres above 300 feet in elevation as there had been concern over serving water at that elevation without an additional booster pump station. A condition was added that if water service was needed above 300 feet the developer would be responsible for funding the construction of a water booster pump station.

The Council deliberated as follows:

- The Application used numbers from a new Housing Needs Analysis that had not been approved yet which could come up as an issue with the Department of Land Conservation and Development (DLCD).
- Landowners had not been contacted or asked to participate in land resource analysis which indicated the land was not needed until 2051.

- The matter was not urgent, and other Newberg landowners had exclusion lands that could be added to the Urban Reserve Area (URA).
- The Application had been evaluated as submitted by Bellairs and Bestwicks to determine whether the 95.3 acres should be added to the URA.
- All landowners within 500 feet of the subject property were notified by the City, and all landowners within 750 feet were notified by the County as required by law.
- If issues arose with the Department of Land Conservation and Development (DLCD) it was uncertain how the situation would be affected.
- The Applicants had done all that was required according to rules and regulations and were aware of the risks inherent in the Application.
- The Application requested the land be added to the URA, which meant the land could not be developed for at least 10 years.
- The DLCD had testified in a previous hearing that the subject property did not meet their standards.
- The law said exception lands go into the URA ahead of resource lands. There were exception lands that had already been targeted for the URA.
- This issue may come back before Council and waste more time, and there may be roadblocks with DLCD regarding adding resource land to the URA before exception land.
- The City was not required to initiate the process of talking with exception land owners, but taking care of roadblocks ahead of time may increase chances of the Application going through at the State level.
- The Bellairs and Bestwicks had completed the analysis of all lands within a mile of the existing Urban Growth Boundary (UGB) before public hearings were held. The City had not been required to notify all property owners within a mile of the subject property.
- If the City had chosen to allocate the resources to evaluate urban reserves and the long-term outlook for the future, all property owners within one mile of the UGB would have been notified.

Action: To adopt Ordinance 2023-2911 approving an Urban Reserve Area expansion at 31544 NE Corral Creek Road, 30445 NE Fernwood Road, 31095 NE Fernwood Road, 30575 NE Fernwood Road, Yamhill County Tax Lots R3222 02700, R3222 02500, R3222 2800, R3222 02900 and abutting right-of-way and read by title only.

Motion: Councilor Yarnell Hollaman

Second: Councilor Carmon

Vote: 5 Yes 1 No (Olson) 0 Abstain 1 Absent (Kilburg)

Chehalem Parks and Recreation District (CPRD) Application to Yamhill County to make a camping site

CDD Rux stated the Urban Growth Area management agreement with Yamhill County required that any land use actions which took place within one mile of the existing UGB would allow an opportunity for the City to provide comments to County Staff to consider in the land use decision. On July 14th the County contacted the City regarding a series of Applications filed by the CPRD including a plan amendment, a zone change from EF-80 to Park Recreation Open Space (PRO), a southeastern subarea Parks and Recreation system plan, site design review, land use determination, and a flood hazard area permit. The complexity of the Applications raised some potential policy

issues as the subarea master plan identified the subject property location which encompassed land within Newberg city limits, the UGB, and Urban Reserve Areas. Newberg Staff provided planning services for Dundee, and the subject property location also included areas within Dundee's city limits and UGB.

A handout was provided to Council Members with notes compiled by CDD Rux stating:

- Despite previous talk of a potentially putting campground in the area there had been no coordination with the City regarding the proposal.
- The narrative and map in the proposal had inconsistencies regarding locations and park services being provided through facilities outside of the boundaries of the map, such as Riley Park, Sanders Park, and the Chehalem Cultural Center.
- The proposal indicated similar use determinations, but CDD Rux was unable to find anything about similar use determinations.
- The County had no specific criteria to process a subarea master plan but noted the Comprehensive Plans must be followed, yet there had not been coordination with Newberg or Dundee.
- The document stated the subarea plan would reflect the park master plan and the County would not be obligated toward any expenditure but did not say anything about not obligating City expenditures.
- The document stated there were 881 acres in parks within their service district, but online research indicated only 563 acres and the park master plan claimed 603 acres.
- Figures and maps listed in the handout had raised questions regarding how the subarea plan related to the Newberg Comprehensive Plan, and what capital improvements were planned in the subarea versus outside the subarea.
- The document referred to Springbrook Creek Trail connecting to the trails at the Golf Course. As far as CDD Rux knew, Springbrook Creek Trail did not exist.
- There was discrepancy regarding the proposed number of campsites.
- The proposal would impact the City's analysis of the UGB and surrounding lands.
- The actual campsites and other improvements themselves were not an issue for the City, but the subarea plan raised some questions.
- Planning Director Downing would contact Dundee regarding the matter.

Comments were due to Yamhill County by August 2nd.

Meeting adjourned at 8:07 p.m.

ATTEST:



Bill Rosacker, Mayor



Will Worthey, Acting City Recorder