

**City of Newberg
City Council Minutes
June 20, 2023
Hybrid meeting format**

WORK SESSION- Meeting called to order at 6:00 p.m.

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

Councilors Absent: Councilor Derek Carmon

Staff Present: City Manager Will Worthey, City Attorney James Walker, City Recorder Sue Ryan, Police Captain Ryan Simmons, Finance Director Kady Strode, Community Development Director Doug Rux, Graphic Design Specialist Emily Salsbury, Public Works Director Russ Thomas, and Assistant City Engineer Sarah Wilson, Engineer Fatin Abdullah, and Senior Engineer Brett Musick.

PRESENTATIONS

Presentation from Slayden Contractors

Slayden Presentation RCA.docx

Slayden Overview - City of Newberg 06.05.pptx

Public Works Director Thomas introduced Engineer Abdullah who would continue work on the water treatment plant in the place of Engineer Kaaren Hofmann following her retirement in August.

Tom Paul, Slayden Construction, gave a slideshow presentation on their company and the upcoming Ground Water Treatment Plant (GWTP) project, and discussed the following topics:

- Employee and Staff safety was a priority. Slayden Construction had won a national safety award for 150,000 safe man hours.
- Slayden Construction's guiding principles, company background, and bidding process.
- Building Information Modeling used 3-D and 4-D digital technology to allow greater understanding of project details and scheduling.
- Cost saving methods planned, including early procurement of materials and equipment, addressing issues quickly to avoid design changes, and value engineering.
- Ground improvements were being started to improve the soil at the site of the GWTP to create a better foundation.
- As a general contractor, Slayden Construction would coordinate all the different aspects of construction with priority going to local contractors.
- Delivery and project types as they related to the GWTP, and other water treatment facilities built in Oregon by Slayden.
- Wastewater reclamation and water treatment options with an overview of the Newberg GWTP design and water treatment setup.

- The State required “firm capacity” which meant the largest water holding vessel could go out of service and there would still be enough water supply.
- A startup and testing period would begin when the GWTP was complete to ensure operations were smooth, and the Oregon Health Authority (OHA) was satisfied with water quality.
- Part of the old water treatment facility would be demolished, and the remaining part could be used to source river water after installation of a State-approved intake. Water was primarily sourced from a 30-inch HDPE line, which ran under the riverbed.
- Once funding was secured, it would take 18-24 months to construct the GWTP.
- Asset management would reuse assets from the old water treatment plant including the backwash pond and a sodium hypochlorite generator.
- Approximately 30% of the design for the GWTP was complete. All permits and standards were being considered to ensure the plant would be seismically resilient and built to last.
- The next step toward agreeing on a budget was completing the design to a point where an estimate of the total cost of the GWTP could be assessed. One of the biggest challenges was keeping the cost of ground improvements and other building costs low.
- Complaints about the taste of the water and the film left by the water should be resolved through treatment methods at the new GWTP to remove manganese and iron, and pH balancing the water to make it less aggressive to water pipes.
- Slayden planned to manage the risks in the bid, remain transparent about profitability, and work as a team with the City. Slayden’s design review process would also save money due to reducing errors.

Mr. Paul encouraged Councilors to visit the GWTP site or come to design meetings, and he described the structure of the construction team at Slayden and how they worked with partnering entities.

BUSINESS SESSION– Meeting called to order at 7:00 p.m.

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

Councilors Absent: Councilor Derek Carmon

Staff Present: City Manager Will Worthey, City Attorney James Walker, City Recorder Sue Ryan, Police Captain Ryan Simmons, Finance Director Kady Strode, Community Development Director Doug Rux, Graphic Design Specialist Emily Salsbury, Public Works Director Russ Thomas, and Assistant City Engineer Sarah Wilson, Engineer Fatin Abdullah.

Mayor Rosacker announced that as mayor, he would not read many proclamations, noting that like awards, having too many cheapens them. He acknowledged Gay Pride Month by sharing a statement on embracing diversity in the community.

CITY MANAGER’S REPORT

Month CM statistics - April 2023.pptx

CM Worthey reported the statistics for the month of April 2023. The Council discussed repaving projects that were in progress or had been completed.

PUBLIC COMMENTS

Julian Dillon cared about all members of Newberg and the reputation of Newberg. He claimed even one person could create a bad reputation and discussed how businesses worked to uphold or repair their reputations. He and his husband had moved to Newberg three years ago after reading positive posts online about Newberg, but unfavorable posts about Newberg were becoming more common, and some residents and businesses were leaving Newberg. He claimed Newberg had a reputation of being unfriendly toward the LGBT community. He encouraged Mayor Rosacker to reconsider reading the provided Gay Pride Month Proclamation to send a positive signal by honoring June as Pride Month, adding that not reading the proclamation was not neutral, and harbored animosity toward the LGBT community and supporters. He likened not reading the proclamation to allowing a neighbor's house to be vandalized and said that reading the proclamation would save lives and businesses.

Lynette Shaw appeared representing PFLAG Newberg, and stated June was LGBT Pride Month. The LGBT community had been institutionally and systematically harassed, oppressed, and degraded, and that these problems continued. She requested that Mayor Rosacker reconsider reading the Pride Month Proclamation he had been given for the public record. Levels of support or resistance from the community had varied, but LGBT community support for Pride Month had been unwavering, and the LGBT community had asked City leaders to openly acknowledge the LGBT community by Proclamation. Previous City leaders had fulfilled the request. Pride Month brought comfort and safety to a stigmatized group, challenged negative stereotypes, normalized queer families, and brought isolated groups together to live as their true selves. Pride month allowed City leaders to embrace diversity in the community and show support for varied individuals. Affirmations of acceptance saved lives and were worthy of City support, and local divisiveness had increased in the last year which derailed acceptance by using slurs, lies, fear, intimidation, or violence to silence other opinions. She claimed the LGBT community's rights were being leveraged for political advantage and she encouraged formalized support for Pride as a step toward love and kindness.

Elise Yarnell Hollamon, City Councilor, read a letter of support for Pride Month, celebrating freedom, and honoring diversity of thought and interest regardless of personal belief. All Americans were entitled to equal rights regardless of gender identity or sexual orientation. The Newberg LGBT community was an essential contributing part of the city, and the City should uphold safety and protection from discriminatory actions, harmful speech, acts of violence, or threats. The struggle for dignity and equality for marginalized community members should be acknowledged and met with compassion, respect, and support. All LGBT Newberg residents belonged.

Mayor Rosacker affirmed that everyone was loved in Newberg no matter who they were.

CONSENT CALENDAR

2023 A motion to initiate a School Resource Officer IGA with the Newberg School District

2023 A motion to initiate a School Resource Officer IGA with the Newberg School District.docx
IGA - City of Newberg 5.23.23. rev.pdf

Action: To approve the executed agreement forwarded from the School Board from their session of May 24, 2023 be authorized for signature by the City Manager. [wording used from draft minutes [1:01:21]

Motion: Councilor McBride
Second: Councilor Olson
Vote: 6 Yes 0 No 0 Abstain 1 Absent (Carmon)

PUBLIC HEARINGS

Resolution 2023-2916 – Supplemental Budget # 2
RES 3899 SUPP BUDGET #2.docx
Supp Budget Council Presentation.pptx

Mayor Rosacker opened the public hearing. He called for abstentions or declarations of conflicts of interest. There was none.

Finance Director Strode presented the Staff report for the Supplemental Budget #2 Fiscal Year 2022-2023 via PowerPoint, and described the changes made to the budget.

Public Testimony: None

Mayor Rosacker closed the public hearing.

Staff recommended adoption of Resolution 2023-3899 for approval of Supplemental Budget # 2 for fiscal year 2022-2023.

Action: To adopt Resolution 2023-3899 for approval of Supplemental Budget # 2 for fiscal year 2022-2023.

Motion: Councilor Olson
Second: Councilor McBride
Vote: 6 Yes 0 No 0 Abstain 1 Absent (Carmon)

NEW BUSINESS

Springbrook Master Plan Briefing
2023 INFORMATION RCA - Springbrook Master Plan.pdf
PPT Springbrook Master Plan.pdf
Springbrook Master Plan.pdf

Community Development Director Rux presented the Springbrook Master Plan. Staff had been requested to provide a periodic briefing on the Springbrook Master Plan when it was adopted by Ordinance 2007-2678 in September 2007. The multi-phase application had included a development agreement, the Springbrook Master Plan, Comprehensive Plan and

Development Code amendments, an amendment to change Comprehensive Plan designations, a Zoning Map amendment, preliminary plat, and a stream corridor impact review. He reviewed the history of the 450-acre Springbrook site, the vision and purpose of the Austin family in developing the land, the background of the developments at the Springbrook site, and the framework for future development standards. The Development Standards Matrix was the only legally binding requirement in the Springbrook Master Plan and was referenced in the Newberg Municipal Code. CDD Rux went over the location and topography of the Springbrook site, and the goals and objectives for development of the site which included almost 50 acres dedicated to parks and open spaces connected by walking trails, a village center, repurposing of a historic school building, a new church, employment opportunities, the possibility for a trolley to run along the riverfront in the future, and around 1,345 dwelling units. He also described the changes between the previous, existing, and proposed zoning maps, and shared the Development Standards Matrix, which had been updated to comply with State laws regarding duplexes and middle housing. CDD Rux shared maps of the transportation, water, wastewater, and stormwater systems, as well as maps of the planned gateway features, and pedestrian circulation through roads and off-road trails. The development agreement expired in January 2023 after the initial 15-year period, with some modifications having been made in July 2018.

Council discussion and responses to Council questions were as follows:

- Since the development agreement had expired, Springbrook could either follow standard development regulations or propose a new development agreement with the City.
- A new development agreement would likely require modification from the previous agreement made in 2007.
- A new Springbrook development agreement was already in the process of review through the Planning Commission. Staff members were unable to provide updates on applications which could come before the Council in the future.
- The Springbrook Master Plan adopted in 2007 contained elements not compliant with existing Code. Future development plans would be required to comply with the existing Code.
- Any proposed modifications made to the existing Springbrook Master Plan would require review by City Council.

[A Resolution awarding 21-22 Affordable Housing Trust Funds for Time Sensitive Grant to North Valley Friends Church – Peace Trail Village of \\$16,755; and a Rehabilitation Loan to Scott & Melissa Bontrager – Meridian Duplex Driveway Replacement of \\$10,000](#)

[RCA Reso 3901.pdf](#)

[Attachment 1 - Peace Trail Village.pdf](#)

[Attachment 2 - Meridian Duplex.pdf](#)

[Attachment 3 - NAHFT Score Sheet PTX.pdf](#)

[Attachment 4 - NAHFT Score Sheet Meridian Duplex.pdf](#)

CDD Rux confirmed the Applicants had been notified that their item was on the agenda for tonight's meeting.

Mayor Rosacker tabled the item until the Applicants could attend.

Resolution 2023-3860 – A Resolution awarding the consultant contract to Kittelson and Associates, Inc. (KAI) and authorizing the City Manager to execute all contract documents for the North Main at Illinois Intersection Study

2023-0601 RESOLUTION 2023-3860 RCA N Main at Illinois Study w Exhibit A.pdf

Senior Engineer Musick presented on the North Main at Illinois Intersection Study to be performed by KAI consultants. The study was listed as Project I-14 in the Transportation System Plan and had been included in the Capital Improvement Program since 2019. The intersection was one of the highest priority safety issue locations identified by the Traffic Safety Commission as it was a local freight route that had a history of collisions, close calls, and mobility concerns. The intersection shared jurisdiction with the Oregon Department of Transportation (ODOT) because of the proximity to OR-240. The highway intersection had been realigned in 2006 to force traffic to slow down prior to turning onto city streets.

Senior Engineer Musick shared the project vicinity map, described the study area, and laid out the goal to determine appropriate community supported intersection improvements and identify safety issues and constraints. The study would include topographical and right-of-way surveys, an arborist study, and traffic data on vehicles, bicycles, and pedestrians. Public outreach would be a priority to establish community support for the project and consider all perspectives. Community involvement would include forming an ad-hoc committee to work with the Mayor, and holding open houses, ad-hoc committee meetings, and four or five City Council presentations. Development of conceptual plans, preferred alternatives, and preliminary cost estimates were underway, which would aid in pursuing grant opportunities. Future projects would require coordination and permitting with ODOT.

Staff recommended adoption of Resolution 2023-3860.

Council discussion items and responses to Councilor questions were as follows:

- The intersection had City and State roads. The projects to be done and the funding sources for the projects were yet to be determined.
- The intersection study was in the budget, but the budget did not have funds for construction as the project type was not determined.
- The intersection study may identify several smaller projects that could be completed while awaiting funding for a bigger project.
- The intersection study would provide clarification between the many options for improving the intersection.
- The consultant would be paid just under \$400,000 and would be responsible for completing and compiling study results and facilitating public involvement.
- Completion of the study may garner support and cooperation from ODOT.
- The study would consider the ripple effect on the area surrounding the intersection and would work to minimize unknown factors.
- The intersection study was on the Capital Improvement Projects (CIP) list.
- The intersection projects were identified as 68% eligible for System Development Charges.

- The construction project at the intersection could not be added to the CIP list until the nature and extent of the construction could be clearly determined.
- The process of dealing with ODOT complicated the planning stage of the construction. ODOT prioritized freight traffic.
- Concern that this high priority construction project had not been included in the CIP.
- The intersection study and project plans needed to be complete to add the item to the CIP.
- The GWTP and other road construction projects with incomplete plans were on the CIP.
- The project was a priority because of the complexity of dealing with ODOT versus completing projects within City jurisdiction. Having studies done by consultants increased chances of ODOT cooperation to complete projects.
- Clearly identifying the issues to be fixed was key to determining the best solution. Studies and public involvement informed engineering decisions. Significant effort was required to get community support through public involvement.

Action: To adopt Resolution 2023-3860, A Resolution awarding the consultant contract to Kittelson & Associates, Inc. (KAI) and authorizing the City Manager to execute all contract documents for the N. Main at Illinois Intersection Study.

Motion: Councilor Kilburg
 Second: Councilor Yarnell Hollamon

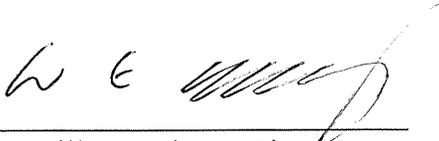
Council discussion and comments included:

- The possibility of funding the study and then not completing the project.
- The study being necessary to determine how to proceed.
- Master plans often change during the construction process.
- Frustration with the item not being on the CIP or other planning lists.

Vote: 5 Yes 1 No [Rosacker] 0 Abstain 1 Absent [Carmon]

COUNCIL BUSINESS

Meeting adjourned at 8:21 p.m.


 Will Worthey, City Manager

ATTEST:


 Bill Rosacker, Mayor