
**City of Newberg
City Council
June 6, 2022
Hybrid meeting format**

BUSINESS SESSION –

Meeting called to order at 6:00 p.m.

Councilors Present: Mayor Rick Rogers, Councilors: Denise Bacon, Elise Yarnell Hollamon, Mike McBride, Jefferson Mildenerger, and Stephanie Findley.

Absent: District 2 seat vacant.

Staff Present: City Manager Pro Tem Will Worthey, City Attorney James Walker, City Recorder Sue Ryan, Administrative Assistant Zaira Robles Muniz, Finance Manager Kady Strode, Public Works Director Russ Thomas, Information Technology Manager Ian Rodriguez, Human Resources Project Specialist Alison Seiler, and Community Development Director Doug Rux.

OATH OF OFFICE CITY MANAGER WILL WORTHEY

Municipal Judge Larry Blake Jr. conducted the Oath of Office swearing in for City Manager Will Worthey, whom the City Council appointed City Manager on May 18.

CITY MANAGER'S REPORT

CM Worthey gave his City Manager report on the monthly events for May 2022.

COUNCIL APPOINTMENTS

Action: To appoint Sharee Adkins to the Library Board for a term beginning June 7, 2022 to December 31, 2022. To appoint Amanda Houston to the Library Board for a term beginning June 7, 2022 to December 31, 2023.

Motion: Councilor Bacon

Second: Councilor McBride

Vote: 6 Yes 0 No 1 Absent [District 2 seat vacant]

PUBLIC COMMENTS

Jesse Cadd gave a Christian perspective on transgender speech codes.

Dawn Paulson thought the Affordable Housing Commission's recommendations for car camping should be sent to a vote.

Jeffrey Musall suggested a recognition day for Ukraine on August 24. He also wanted to hold a fundraising event that day.

Pat Haight discussed the need to contact ODOT to fix the poor conditions on College Street.

PRESENTATIONS

Dan Carpenter's comments were played using Google Translate due to an ADA accommodation. He was opposed to the Pride Month proclamation due to its divisiveness.

Lynnette Shaw, PFLAG Board Member, was in support of Pride Month. The purpose was to celebrate and acknowledge the LGBTQ community which helped save lives.

Kath Blankenbiller spoke in opposition to Pride Month. A person working towards achieving their own personal best was what would give them self-respect and worth, not a proclamation.

Julian Dillon was in support of Pride Month. Proclamations like this spoke to positive reinforcement and showed that Newberg was a safe and great place to live.

Steve Sherwood, Wayside Friends Church pastor, spoke in support of Pride Month and LGBTQ youth. They needed to know they were welcome and safe in the community.

After some discussion, there was consensus to move forward with the Pride Month proclamation.

Pride Month Proclamation:

Mayor Rogers explained why he was declaring these days.

Mayor Rogers declared June 2022 as LGBTQ+ Pride Month in the City of Newberg.

Juneteenth Proclamation:

Mayor Rogers declared June 19, 2022 as Juneteenth in the City of Newberg.

World Refugee Day Proclamation:

Mayor Rogers declared June 20, 2022 as World Refugee Day in the City of Newberg.

Caribbean-American Heritage Month Proclamation:

Mayor Rogers declared June 2022 as Caribbean-American Heritage Month in Newberg.

CONSENT CALENDAR

Action:	To approve Resolutions 2022-3823, A Resolution authorizing the City Manager to enter into a construction contract with Trench Line Excavation, Inc. for the South River Street Waterline Improvement Project in the amount of \$1,367,849.60; and Resolution 2022-3834, A Resolution authorizing the City Manager
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to purchase an electric street sweeper and utilize grant awarded to the City from DEQ that reimburses the City a minimum of \$293,066.

Motion: Councilor Bacon
Second: Councilor Mildenberger
Vote: 6 Yes 0 No 1 Absent [District 2 seat vacant]

PUBLIC HEARINGS

State Shared Revenues

Mayor Rogers opened the public hearing.

Finance Manager Strode said there was a Budget Committee public hearing on state shared revenues on May 18. The Budget Committee approved staff's recommendation for use of these revenues.

There was no public testimony.

Mayor Rogers closed the public hearing.

Action: To approve Resolution 2022-3829, A Resolution declaring the City of Newberg's election to receive state revenues.

Motion: Councilor Mildenberger
Second: Councilor McBride
Vote: 6 Yes 0 No 1 Absent [District 2 seat vacant]

Provision of Municipal Services:

Mayor Rogers opened the public hearing.

Finance Manager Strode said this resolution allowed the City to receive federal and state money because the City provided certain municipal services.

There was no public testimony.

Mayor Rogers closed the public hearing.

Action: To approve Resolution 2022-3830, A Resolution certifying the provision of municipal services by the City of Newberg for the purposes of participation in the State Revenue Sharing program.

Motion: Councilor McBride
Second: Councilor Bacon
Vote: 6 Yes 0 No 1 Absent [District 2 seat vacant]

Public Hearing – Budget Hearing

Mayor Rogers opened the public hearing. He said the purpose of this hearing was for testimony on adoption of the annual budget.

Finance Manager Strode said this was the same approved budget from the Budget Committee for \$129,496,992 with a tax rate of \$2.8139 per \$1,000 assessed value.

Testimony: None

Mayor Rogers closed the public hearing.

Action: To approve Resolution 2022-3831, A Resolution adopting the City of Newberg, Oregon budget for the 2022-2023 fiscal year, making appropriations, imposing the tax, and categorizing the tax.

Motion: Councilor McBride

Second: Councilor Bacon

Vote: 6 Yes 0 No 1 Absent [District 2 seat vacant]

Public Hearing – Ordinance 2022-2897, Sign Code Amendment:

Mayor Rogers opened the public hearing. He asked for any declarations of conflicts of interest. There were none.

Community Development Director Rux gave a presentation on the proposed changes to the Municipal Sign Code regarding temporary and portable signs. He explained the Planning Commission's recommendations and how the changes would take the City out of the business of regulating signs.

City Manager Worthey discussed the situation during the last election period that led to these proposed changes. The original proposal was for two signs to be allowed on a property, and the Planning Commission recommended only allowing one sign.

Testimony: Robert Soppe, Newberg resident, submitted written testimony (Exhibit A).

The Council discussed:

- Leaving the code the way it was
- Allowing two signs per property
- Signs for home based businesses.

There was consensus to allow two signs and two flags on a property.

Mayor Rogers closed the public hearing.

CDD Rux said the revised ordinance would come back to the June 21 meeting.

NEW BUSINESS

Resolution 3835, Chehalem Parks and Recreation District Waiver:

CDD Rux said CPRD had received a grant for the Newberg-Dundee Bypass Trail, and was requesting a waiver of fees for the project and he estimated it would be \$39,000 to \$55,000 that would be waived.

Don Clements, CPRD Superintendent, said they had committed about \$800,000 for the project and anything the City could do would be appreciated. Mayor Rogers disclosed that his wife was on the CPRD Board and he would not be voting on this item. Councilor Bacon was not in favor of funding other taxing districts.

Mr. Clements noted that CPRD had given up about \$8 million due to the Urban Renewal District and had given up SDCs for the downtown.

The Council discussed: • Reducing the waiver by 50%

Action: To approve Resolution 2022-3835, A Resolution waiving Planning land use fees, Engineering development fee, Public Improvement Permit fee, and Technology Fees for the Newberg-Dundee Bypass Trail.

Motion: Councilor McBride

Second: Councilor Findley

Vote: 4 Yes 1 No [Bacon] 1 Absent [District 2 seat vacant] 1 Abstain [Rogers]

Resolution 3838: Investment Policy Direction

Finance Manager Strode presented the investment portfolio proposal. She discussed the City's current investment policy, what the City would use the money for, how the City would do this, and proposed investment strategy.

The Council discussed: • Locking in the low interest rate

Action: To approve Resolution 2022-3838, A Resolution approving the investment portfolio per policy under Resolution 2005-2576.

Motion: Councilor Bacon

Second: Councilor McBride

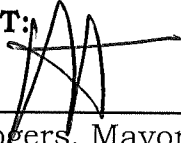
Vote: 6 Yes 0 No 1 Absent [District 2 seat vacant]

COUNCIL BUSINESS

Mayor Rogers announced the upcoming Mayor and City Council 2022 elections.

Meeting was adjourned at 7:48 p.m.


Sue Ryan, City Recorder

ATTEST: 
Rick Rogers, Mayor

June 6 City Council Minutes Exhibit A
Newberg City Council

6/3/2022

Robert Soppe

RS@CompProbSolv.com

I am providing the following written testimony regarding Ordinance 2022-2897 for the 6/6/2022 Newberg City Council meeting.

I provided fairly thorough testimony to the Planning Commission that is in your packet. I'll not repeat most of it here, but think it is all relevant and should be considered.

Regarding the Ordinance before you, there are two errors in the last paragraph of Section F of the Executive Summary to mention. Contrary to the Summary, there **are** limitations to hours for signs in all districts. Also, 15.435.110D applies not to C-3 as stated but explicitly to zones **other than** C-3 and C-4.

There are three Code issues that I want to illustrate here:

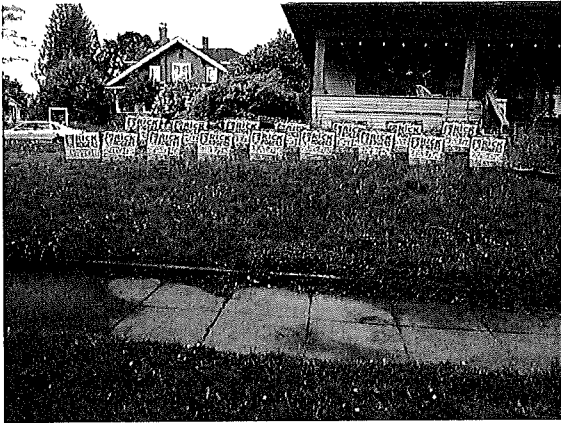
- 1) Allowing unlimited minor freestanding signs in a side yard based on NMC 15.435.060(A)
- 2) The proposed dramatic reduction in residential signs (from 3 to 1) in the 90 days before an election
- 3) The prohibition on portable signs downtown advertising events such as the Old Fashioned Festival in the days preceding the actual event.

To the first and second issues, I am providing some illustrations of what is allowed in the present code for residential zones and what is being presented for your approval. Presently, NMC has different rules for houses on corners (signs not in the front yard) as well as additional signs being allowed before elections.

If a house is on a corner, one yard can be designated as the front yard. In the pictures below, the yard could be designated by the property owner as a side yard.

Year-round:

Code allows this for a side yard:



Code allows this for a non-corner house:



Does the Council support the Code allowing such a discrepancy between corner houses and houses not on corners?

I would hope not, but that is certainly the Council's decision to make.

If the Council wants to rectify the situation, it should direct Staff to revise the definition of "minor freestanding sign" to exclude this type of sign (thin metal poles inserted in the ground to support the sign) so that only the definition of "portable sign" applies to it.

June 6 City Council Minutes Exhibit A
In the 90 days before an election

Existing Code allows this at a corner house:



The proposed Code allows the same:



At a non-corner house, existing Code allows:



The proposed Code allows:



Is the Council in support in reducing the number of signs preceding an election to 1/3 of what is allowed now for houses not on corners?

Is the Council in support of allowing unlimited signs on side yards of corner houses while non-corner houses can have only one?

In both cases, I would hope not, but that is certainly the Council's decision to make.

If the Council does not wish to reduce the number of signs preceding an election from 3 to 1, it need only reinstate 15.435.100(B), which is recommended for removal in tonight's proposal.

If the Council chooses to keep 15.435.100(B), a separate issue should be resolved (as described in my Planning Commission testimony). The words "public election" should be

replaced with “scheduled public election” to resolve the uncertainty that occurred late last year.

The third Code issue that I wish to raise has been brought to Staff several times since it occurred 7 years ago. The following signs are examples of ones that are not allowed downtown during most of the time that they are typically displayed, such as days preceding the actual events. I would have included a sign promoting the Old Fashioned Festival, but didn't have a suitable picture.





Is the Council in support of the current Code that does not allow the display of such signs downtown other than when the event is taking place? (Please refer to NMC 15.435.110(C)(6).) I would hope not, but if so, then no action is needed. If the Council thinks that such signs should be allowed in the days before the actual event, it should adopt language such as I provided in my Planning Commission testimony.

You might wonder how this hasn't been an issue. The simple answer is that the City has actively chosen not to enforce the Code, despite receiving notification of violations. Is that how the Council wants the Code to work? I certainly hope not, especially when there are simple solutions that you can implement tonight to allow the Code to be enforced and allow such signs to be displayed more often.

There were other issues that I raised in my Planning Commission testimony that I think are relevant, but I'll not repeat them here.

Recommendations to the Council:

- 1) Direct Staff to change the definition of "minor freestanding sign" such that it no longer applies to the typical yard signs, making them only portable signs.
- 2) Amend the Ordinance before you to NOT remove 15.435.100(B) from the NMC.
- 3) Add the word "scheduled" before "public election" in 15.435.100(B).
- 4) Review the other recommendations provided in my Planning Commission testimony

Thank you for your consideration of these matters.

