

**City of Newberg
City Council
December 6, 2021**

Meeting held electronically due to COVID-19 pandemic

WORK SESSION –

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

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

Absent: Julia Martinez Plancarte, Bryce Coefield

Staff Present: City Manager Pro Tem Will Worthey, City Attorney James Walker, and City Recorder Sue Ryan.

Mayor Rogers discussed creating an SDC subcommittee. Councilors Bacon and McBride, Mayor Rogers, and City Manager Pro Tem Worthey volunteered to be on the subcommittee.

CMPT Worthey had gathered staff comments on a potential candidate for City Manager. Councilor McBride thought the candidate should go through a process to keep everything out in the open. Councilor Yarnell Hollamon suggested starting with a one-year contract. Councilor Findley also thought there should be a process with a mix of candidates. They should be looking for a long-term person.

Councilor Bacon questioned whether a search would be the way to find someone as the process had failed many times over the last few years. They knew this candidate and her relationship with staff. She was in favor of a one-year contract, and hoped that the candidate would stay longer.

Councilor Yarnell Hollamon thought there should be a public, transparent posting where only local applicants could apply. CMPT Worthey suggested not hiring a pro tem because of the limited authority. Mayor Rogers agreed. He thought there should be targeted local recruitment. He was concerned about the budget and suggested not filling the position immediately. He would also like to hear more from staff about what they would like to see in their next leader.

Councilor McBride said there needed to be more in-depth conversation about the contract. Councilor Yarnell Hollamon wanted to make sure they were transparent, and have a time for public comment.

Councilor McBride said it should be for two years for stability. Councilor Yarnell Hollamon said it would be a one-year stabilizing contract, and this person would hopefully apply when they did the posting at the end of the one year contract. Councilor Findley was not in

favor of that. She thought they needed to follow a standardized hiring process. It should be a local search. Councilor Bacon wanted stability, and this candidate would offer stability.

Mayor Rogers suggested postponing hiring for 6 months while they got their financial house in order. He thought CMPT Worthey could continue in his role until that time. Councilor Yarnell Hollamon did not think it would save them money in the long run. She thought this candidate was a good steward fiscally. This would take them to the other side, and the money would follow.

Councilor McBride thought they needed to get the contract in place right away and then look at the next step. Councilor Bacon thought it would be a disservice not to move forward with the candidate. Councilor Findley had concerns about the candidate working from home and not being in the office. Councilor Yarnell Hollamon thought they should enter into a contract conversation with the candidate in Executive Session.

Mayor Rogers said not all of staff's comments were positive. He agreed this person should physically be in the office. A one-year contract was too short. He suggested a financial incentive for the City Manager to live in the City. He would also like to know where they were financially, and to see a draft contract template. This topic was continued to the next meeting.

BUSINESS SESSION:

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

Absent: Julia Martinez Plancarte, Bryce Coefield

Staff Present: City Manager Pro Tem Will Worthey, City Attorney James Walker, City Recorder Sue Ryan, and Community Development Director Doug Rux.

Meeting called to order at 7:00 p.m.

CITY MANAGER REPORT

CMPT Worthey reported on ARPA funds, Classification and Compensation study, budget modeling, need for review of the internal services fund, department activities and projects, and staff recipients of Lifesaving Awards.

COUNCIL APPOINTMENTS

Action:	To consent to the Mayor's appointment of one new member to the Ad Hoc Urban Renewal Citizens' Advisory Committee (Luke Neff) for a term beginning December 6, 2021 and ending April 30, 2022.
Motion:	Councilor Bacon
Second:	Councilor Findley
Vote:	5 Yes 0 No 2 Absent [Coefield, Martinez Plancarte]

PUBLIC COMMENT

Shannon Eoff responded to recent public comment on local Facebook group conspiracies. She did not think it was true, and the Councilors on the groups should not resign. She also addressed comments about Critical Race Theory; and Diversity, Equity, and Inclusion.

Mayor Rogers read the written public comment submitted by Molly Codina on making the former Rite Aid store into a mini putt putt golf course.

CONSENT CALENDAR

Action: To approve Resolution 2021-3778, A Resolution authorizing the City Manager Pro Tem to appoint recommended candidates to positions; Resolution 2021-3775, A Resolution authorizing the City Manager Pro Tem to appoint recommended candidates to positions; Resolution 2021-3776, A Resolution authorizing the City Manager Pro Tem to separate an employee for health related reasons, and Resolution 2021-3777, A Resolution authorizing the City Manager Pro Tem to purchase 2 – 35 Ton HVAC replacement units for City Hall for the amount of \$240,785.

Motion: Councilor Bacon

Second: Councilor Findley

Vote: 5 Yes 0 No 2 Absent [Coefield, Martinez Plancarte]

PUBLIC HEARING – Ordinance 2021-2892 Committee system changes & Resolution 2021-3771, interpretation of Committee system changes

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

City Recorder Ryan said a Council subcommittee worked on legislative changes to the City's committee system. These included: the process for removal of committee members for absenteeism, disbanding the Council Pension Subcommittee and returning to presentations to the whole Council, removing the word "citizens" from Citizens Rate Review Committee, amending membership residency requirements for committees, amending the membership terms for committees, adding voting student positions, and removing the secretary position from the Rate Review Committee. The ordinance would adopt the changes to the Municipal Code and the resolution would be a policy interpretation document.

Proponents: None

Opponents: None

Mayor Rogers closed the public hearing.

Action: To waive the second reading of Ordinance 2021-2892.

Motion: Councilor Findley

Second: Councilor McBride

Vote: 5 Yes 0 No 2 Absent [Coefield, Martinez Plancarte]

Action: To approve Ordinance 2021-2892, An Ordinance changing Title 2 of the Newberg Municipal Code and amending Committee system structure to be read by title only.

Motion: Councilor Findley

Second: Councilor Bacon

Vote: 5 Yes 0 No 2 Absent [Coefield, Martinez Plancarte]

Action: To approve Resolution 2021-3771, A Resolution on interpretation of committee system changes.

Motion: Councilor Findley

Second: Councilor Bacon

Vote: 5 Yes 0 No 2 Absent [Coefield, Martinez Plancarte]

PUBLIC HEARING – Ordinance 2021-2890, Riverfront Annexation 187.76 acres

Mayor Rogers opened the public hearing. He asked for abstentions, bias, ex-parte contacts, or objections to jurisdiction. There were none. City Attorney Walker read the land use hearing statement.

Community Development Director Rux presented the staff report. This would annex 187.76 acres into the City limits. He gave a background on the subject site and discussed the Comprehensive Plan designations, zoning, existing utilities, conditions for annexation, criteria for quasi-judicial annexations, and Planning Commission recommendation for approval. Staff recommended approval as well.

Proponents: None

Opponents: None

Applicant Dan Fricke, Oregon Department of Transportation, said this was part of an agreement with the City from Phase 1 of the Newberg-Dundee Bypass. He had no objections to or comments on the ordinance. He waived the 7-day timeline to submit final written argument. Applicant Steve Collins, Newberg Oregon LLC, did not attend the meeting.

City Attorney Walker read the closing announcements. Mayor Rogers asked for any questions from City Council. There were none. Mayor Rogers closed the public hearing. Councilor Bacon disclosed that she lived in this area.

Ordinance 2021-2890 was held over until December 20th for its second reading due to the 7-day timeline not being waived by the second applicant, Steve Collins of Newberg Oregon LLC.

PUBLIC HEARING – Ordinance 2021-2889, Middle Housing

Mayor Rogers opened the public hearing. He asked for declarations of conflicts of interest or abstentions. There were none. City Attorney Walker read the land use hearing statement.

Elizabeth Decker, 3J Consulting, presented on the Middle Housing Code and plan amendments. The Development Code amendments included: housing policy amendments,

middle housing code concepts, housing definitions, permitted uses, minimum lot sizes, dimensional standards, project sizes, design standards, and parking standards. She discussed master plan updates to the NW Newberg Plan, Springbrook Oaks Plan, Airport Plan, Springbrook Plan, and Riverfront Plan.

CDD Rux said findings showed the proposal complied with state and city regulations. The Middle Housing Citizens Advisory Committee, Affordable Housing Commission, and Planning Commission all recommended approval as well as staff. There was discussion on how many middle housing units were projected to be built in the next 20 years, how the Building Code needed to be updated, and parking.

Proponents: None

Opponents: John and Sandra Fortmeyer lived in Oak Knoll and Whistler's Ridge that had big lots and views. They expressed concerns about reduced property values, density, parking, and three-story structures. They wanted to maintain the current character of their neighborhood.

CDD Rux said there was no data showing this legislation would reduce property values. There were design standards for the developments. The building height maximum was 30 feet. It would be up to the development community as to what would be built. Setbacks were not being changed, and the buildings would not be closer together than what was allowed.

Mayor Rogers closed the public hearing. CDD Rux waived the 7-day timeline to submit final written argument.

Action: To waive the second reading of Ordinance 2021-2889.

Motion: Councilor Bacon

Second: Councilor Yarnell Hollamon

Vote: 5 Yes 0 No 2 Absent [Coefield, Martinez Plancarte]

Action: To approve Ordinance 2021-2889, An Ordinance amending the Newberg Comprehensive Plan, Newberg Municipal Code , Title 15 Development Code, 15.05.030, 15.100.020, 15.205.050, 15.205.060, 15.220.050, 15.220.060, 15.240.020, 15.302.032, 15.302.040, 15.302.200,, 15.305.020, 15.336.020, 15.340.020, 15.342.050, 15.342.100, 15.346.070, 15.346.070, 15.352.050, 15.405.010, 15.405.030, 15.405.040, 15.410.020, 15.410.030, 15.410.070, 15.415.020, 15.415.050, 15.420.010, 15.440.010, 15.440.020, 15.440.030, 15.440.060, 15.445.060, 15.445.070, 15.505.030, Appendix A, Northwest Newberg Specific Plan, Springbrook Oaks Specific Plan, Springbrook Master Plan, Related to Middle Housing (Triplex, Quadplex, Cottage Clusters, Townhouse) Regulations to be read by title only.

Motion: Councilor Bacon

Second: Councilor McBride
Vote: 5 Yes 0 No 2 Absent [Coefield, Martinez Plancarte]

NEW BUSINESS:

A NewBERG Action Plan annual report

CDD Rux gave the August 2020-August 2021 annual report for the A NewBERG Action plan. He discussed the background on the program and what had been accomplished to date. There was discussion regarding use of the Butler property.

Resolution 2021-3774, release of easement

CDD Rux discussed the background of the easement, its location, and request to release the easement. Staff recommended approval.

Action: To approve Resolution 2021-3774, A Resolution authorizing the City Manager Pro Tem to release an easement for constructing, using, replacing, and maintaining a roadway on Yamhill County Tax Map R3219AB 10000 (207 E Second Street).

Motion: Councilor Bacon
Second: Councilor McBride
Vote: 5 Yes 0 No 2 Absent [Coefield, Martinez Plancarte]

EXECUTIVE SESSION – ORS 192.660 (2) (e) Real Property

Start: 9:12 p.m.

Stop: 9:24 p.m.

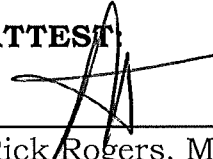
Topic: Water Rights purchase

Staff: City Attorney James Walker, City Manager Pro Tem Will Worthey.

Other: City Engineer Kaaren Hofmann, Attorney Clark Balfour of Cable Huston, Adam Sussman of GSI, and Brian Ginter of Murray Smith.

Meeting adjourned at 9:24 p.m.

ATTEST



Rick Rogers, Mayor



Sue Ryan, City Recorder