

NEWBERG CITY COUNCIL
MINUTES OF WORK SESSION

December 3, 1990

Newberg Community Hospital

Alan Halstead called the work session to order at 6:00 p.m.

ROLL CALL:

Present:	Jack Nulsen, Jr.	Donna McCain
	Alan Halstead	Donna Proctor
	Eldon McIntosh	

Absent:	Roger Gano
	Elvern Hall
	Joe Young
	Rick Rementeria

Staff Present: Duane Cole, City Manager
Terrence D. Mahr, City Attorney

The published Agenda with memos for the Council meeting to be held at 7:30 p.m. at the Newberg Public Library was discussed. The City Manager reviewed each agenda item. No decisions or votes were taken.



Duane Cole, City Manager

DRC:prh

Monday, 7:30 p.m.

December 3, 1990

MINUTES OF A REGULAR MEETING
OF THE NEWBERG CITY COUNCIL

Newberg Public Library

Newberg, Oregon

ROLL CALL:

PRESENT: Alan Halstead Donna McCain
 Eldon C. McIntosh Jack Nulsen
 Donna Proctor

ABSENT: Mayor Elvern Hall Roger Gano
 Rick Rementeria Joe Young

STAFF PRESENT: Duane R. Cole, City Manager
 Terry Mahr, City Attorney
 Dennis Egner, Planning Director
 Katherine Tri, Finance Director
 Mike Hailey, Buildings Inspector

OTHERS PRESENT: Peggy Hall, Legal Secretary
 Mary Newell, Recording Secretary
 Mark McDevitt, TCI Cablevision
 John Wenos, Newberg Graphic

Motion: Nulsen/Proctor to appoint Alan Halstead to Chair the Council meeting in absence of the Mayor and President of the Council. (Unanimous)

At 7:35 Councilor Halstead called the meeting to order.

CONSENT CALENDAR:

Motion: Proctor/McCain to adopt the Consent Calendar as presented. (Unanimous)

1. Approve minutes from a Regular meeting of the City Council on November 5, 1990.
2. Appointment of Roger Gano to Enhanced 9-1-1 Evaluation Committee.

REQUESTS AND COMMUNICATIONS FROM THE FLOOR:

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Paul Charron, 1907 Oak Drive, asked Council to explain the recent increase in his sewer bill. The City Manager said the new rates were based on consumption as a result of a study conducted by the City. He referred Mr. Charron to the public library where a copy of the study is on file. Ms. Tri, Finance Director, advised Council that the new rate structure began with the November bill.

Mr. Furgason, owner of 414 W. 3rd, voiced dissatisfaction with the new rates, noting a large increase in both his sewer and water rates.

In response to questions from Mr. Charron, the Finance Director said the sewer bonds would be paid off in the year 2004, and Mr. Cole gave an update on the status of the Composter repair.

PUBLIC HEARING:

There being no objections to hearing the matter out of order, Councilor Halstead opened the public hearing regarding the Historic Preservation list and ordinance.

3. Public hearing regarding Historic Preservation list and ordinance.

Attorney Mike Gunn asked Councilor Halstead if the public would be allowed another opportunity for public testimony. Mr. Halstead said that there would not be a Council meeting on December 18th, but that Council would entertain further public testimony on this issue at the meeting of January 7, 1991.

Mr. Egner, Planning Director, presented the staff report. He gave a brief background history of the ordinance and summarized the State's requirements for inclusion of properties on the historical landmarks list.

Using the overhead projector, Mr. Egner explained Goal 5 and the process Staff used to identify the 120 properties deemed to be of historical significance within the City of Newberg. He noted that the properties were ranked based on criteria required by the National Historic Register and showed examples of how each property was scored. To remove a property from the list, he said, would require the owner to prove economic hardship.

Mr. Mahr, City Attorney, stated that a voluntary ordinance would not meet the Goal 5 requirement and had been upheld by the Court of Appeals.

Mr. Egner said the new ordinance provides for the following:

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1. Design review for exterior alterations only.
2. Adds criteria for design review for commercial areas.
3. Reviews demolitions.
4. Provides for review of new construction in established districts.
5. Makes an exception for economic hardship.

By showing color slides of restorations of various properties in Oregon City, Mr. Egner provided examples which would and would not meet requirements of Goal 5.

Councilor Nulsen asked why inclusion on the inventory of historic properties should not be voluntary for the property owners. Mr. Mahr stated that the Court of Appeals has ruled against voluntary inclusion on historic inventories. He cited Yamhill County's ordinance as an example.

Responding to a question from Councilor McIntosh, Mr. Egner explained that the criteria used to identify the properties was based on criteria used to rank properties for the National Historic Register and was done to validate the previous inventory done in 1985.

Les Beecroft, representing the VFW, 109 S. Howard, stated that he only recently became aware that the VFW Hall was listed on the register.

Garrett Cook, on behalf of the VFW Hall, said the building should not be included due to unsafe conditions.

Dick Sartwell asked why the Newberg Friends Church building was being exempted from the ordinance. Mr. Egner explained that the owner must show that the economic benefits of deleting the property from the list outweigh the social benefits of keeping the property on the list. Further, he said, the owners of the 120 historically significant properties may be granted exemption from coverage of the ordinance if the economic hardship of maintaining or upgrading the property to meet standards exceeds the social benefit to the community. If that is the case, the property would not be designated an historic landmark subject to the ordinance, although it would still be on the inventory.

Garrett Cook asked when the original list was compiled. Mr. Egner indicated that City staff compiled the original list in 1985.

There being no further public testimony on the matter, the Public Hearing was continued to January 7th.

1. Continued public hearing regarding revisions to the Comprehensive Plan.

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Mr. Cole advised Council that two options were available for dealing with the revisions to the Comprehensive Plan: (1) close the public hearing; or (2) continue the hearing. He said the matter would be returned to Council in February or March 1991 if Council chooses to close the public hearing.

Motion: McIntosh/Proctor to close the public hearing. (Unanimous)

2. Continued public hearing regarding Zoning Ordinance Amendments for a Manufactured Housing Overlay Zone.

Mr. Egner presented color slides of examples of manufactured housing. Notable characteristics included excavated foundations, plywood skirting, and individual lots. He said that Staff has set a need analysis of approximately 20%.

Mr. Halstead questioned the drainage system used by manufactured housing. Mike Hailey, Building Inspector, stated that under-floor drainage is required and policy would be no different than that currently in place. Council and staff had further discussion on drainage and access.

Motion: Nulsen/Proctor to close the public hearing.

Noting that the ordinance was not in its final form, the City Manager stated that Staff would return the ordinance to Council for final adoption at a later date.

Motion: Nulsen/McIntosh to direct Staff to prepare an ordinance for a January hearing. (Unanimous)

REPORT FROM CITY MANAGER:

The City Manager had nothing to add to his report contained in the Council packet.

REPORT FROM COUNTY COMMISSIONER: None.

REPORT FROM CHAMBER OF COMMERCE: None.

CONTINUED BUSINESS:

1. Ordinance No. 90-2288 regarding the closure of Church Street between First Street and Highway 99W. (Note: This is back on this agenda at Council's request. An Ordinance requires five votes to pass and only four affirmative votes were cast at the 11/20/90 meeting.)

Motion: Nulsen/McIntosh to read the ordinance by title only, deleting Section 3. (Unanimous)

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Mr. Mahr read the ordinance by title only, omitting Section 3.

ROLL CALL VOTE: Yea - 5. Ordinance passed.

NEW BUSINESS:

1. Appointment of Planning Commission Members:

S. M. Roberts
Carol Ring
Sandra Prewitt

A request was made to add Alana Vernana to the list of appointments.

Motion: Nulsen/McIntosh to postpone appointments to the January meeting in order to have applicants present for interview.
(Unanimous)

Motion: Nulsen/McCain that effective January 1, 1991, that in lieu of payment of \$8 per meeting stipend for Mayor and Councilors, a credit of \$25 per month be applied to their sewer and water bills.

Ms. Tri suggested that it would be difficult to balance because some bills are less than \$25 per month. Mr. Nulsen then suggested that they be allowed to put the amount in an expense account for City business.

Ms. McCain argued that the public would be extremely critical of the Council if Council were to adopt such a policy.

Councilor McIntosh said the issue had been previously discussed and rejected in 1984.

VOTE: Yea - 1, Nulsen; Nay - Halstead, McCain, McIntosh, Proctor.

Motion: Nulsen/McCain to adjourn. Meeting adjourned at 9:10 p.m.


Duane R. Cole, City Recorder

ATTEST:


Alan Halstead, Acting Chairman

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