

"THIS MEETING WAS AUDIO TAPED"

**MINUTES OF THE NEWBERG CITY COUNCIL
TUESDAY, JANUARY 21, 1997
7:00 P.M. MEETING
GEORGE FOX UNIVERSITY
CAP & GOWN ROOM**

I. CALL MEETING TO ORDER (*PLEDGE OF ALLEGIANCE*)

The pledge of allegiance was performed.

II. ROLL CALL

Charles B. Cox (CBC)	Roger Currier (RC)
Alfred (Fred) Howe (FH)	Donna McCain (DM)
Deborah Sumner (DS)	Lisa Thomas (LT)
F. Robert Weaver (RW)	

STAFF

PRESENT: Duane R. Cole, City Manager (DRC)
Terrence D. Mahr, City Attorney (TDM)
Peggy R. Hall, Assistant City Recorder
Mike Soderquist, Community Development Director

OTHERS

PRESENT: Gary Allen, *Newberg Graphic*, Pat Haight, Thomas Rickert, David Bishop (ODOT), Mark Shippen (ODOT), Barbara Brown, Sid Friedman, Pat Haight, Dr. Donald Harr, Arthur Hay, Becky Headrick, Jack Kriz, Dennis Lewis, Myron LeRoy, DeAnn McCormack, Myrna Miller, Jim Morrison, Mike Olberding, Jeff Reed, Thomas Rickert, Bill Rosacker, Glen Vergets

III. CONSENT CALENDAR

1. Approve minutes from Work Session held on January 6, 1997.

MOTION: RW/CBC to approve the Consent Calendar. (Unanimous). Motion carried.

IV. PUBLIC HEARING

1. Public hearing and presentation regarding the design for the Brutscher Street to Main Street Project.
Resolution No. 97-2026

Mayor Proctor called for conflicts of interest, ex parte contacts or further clarifications.

Dave Bishop, ODOT, reviewed the project and how it pertained to other areas within the state (Yamhill, Marion and Polk County). Mr. Bishop introduced Mr. Mark Shippen (project team leader) and Eric Hauge. Mr. Bishop indicated that the City's recommendation and citizen input plays an important and valuable role in the project.

Mr. Mark Shippen, ODOT, reviewed the background of how the project came to this status and the needs of the community as well as the needs of others traveling in the area. Mr. Shippen provided information concerning what has developed as the areas of concern: repairing the pavement, shoulders, bike lanes and sidewalks, providing new signals (Elliott Road and Howard Streets), replace or upgrade existing signals, provide west bound traffic lane to assist in traffic flow, provide access management tools (such as driveway changes, raised medians, etc.). Mr. Shippen reviewed the following issues that must be resolved before the project can begin:

1. Make decision on what to build (by February), revise environmental assessment (final document on what to do), purchase right-of-ways.
2. By July, 1997, hope to have environmental assessment completed.
3. ODOT needs about 2 years to purchase right-of-ways. There are over 200 pieces of property to purchase. Hope to be ready in early spring or summer of 1999. It will take approximately two full construction seasons to complete the project (hopefully by the year 2000).

Mr. Shippen further described various issues concerning paved shoulders, space for vehicle parking or travel, bicyclist problems, moving sidewalk right-of-ways, improved turning areas for larger vehicles (trucks), painting fog lanes, extra width concerns. Mr. Shippen stated that Duane Cole (DRC) is a member of the project team and the project decisions are made by a consensus and DRC is a voting member. Mr. Shippen stated that the project is still estimated at \$7-8 million (any raised median would be extra). Discussion was held concerning emergency access, bike paths, City streets, safety concerns, road hazards and paved shoulders.

Discussion was held concerning ODOT's criteria concerning traffic separators (medians) and the responsibility of maintenance of medians. Mr. Shippen stated that he assumed ODOT is responsible for maintaining the medians. Mr. Shippen stated that he favored the raised median because it appears (according to studies and statistics) that for safety purposes, raised medians are favored. Mr. Shippen further stated that it could provide Newberg with some nice looking landscape improvements which can also serve to protect the function of roadway. Discussion was held concerning other cities which had similar projects which created "dangerous" traffic areas. Discussion was held concerning the medians that were to be constructed in the Lincoln City area. Mr. Bishop interjected that the Lincoln Beach area had that strip of highway redone and it seems to be working quite well. Mr. Bishop further noted that an area on Martin Luther King Jr. Blvd. in Portland had a median removed but it involved other factors and not just traffic.

Discussion was held concerning economic impacts on surrounding business owners. Mr. Shippen and Mr. Bishop both agreed that ODOT will be preparing studies to indicate potential impacts on business owners in the area. Further discussion was held concerning shared driveways, cross easements, third lane traffic in downtown core area, downtown core area parking, pedestrian access, compensation, truck routes, traffic signals, etc. Mr. Shippen stated that much of the congestion on Hancock Street is due to vehicles turning. It appears that there is not much a congestion occurring on First Street because of the third traffic lane. ODOT representatives stated that it would be difficult to project traffic volumes. Discussion was held concerning the environmental assessment involving truck and delivery routes/access. Mr. Shippen and Mr. Bishop stated that ODOT wants to work with the City and its citizens to help resolve the traffic problems.

DRC stated that the State has done a good job on trying to include all issues. DRC reviewed the staff report. Discussion was held concerning various areas of concern: Newell

Addition, Villa Road, River Street and First Street "S" curve, Springbrook Road, etc.) DRC further reviewed the staff report.

Mayor Proctor stated that there were people in the audience that wished to speak on the matter. Mayor Proctor stated that she would allow input to five minutes per person.

Mayor Proctor announced that a local Cub Scout Troop was in attendance observing the Council meeting and was glad to have them attend the meeting.

Ms. Myrna Miller, Vice Chair of the Newberg Planning Commission, presented a letter addressed to ODOT, to the Council concerning the proposed improvements. Ms. Miller read her letter which was signed by Matson Haug, Planning Commission Chairman. The letter addressed the Planning Commission's role and responsibility for planning in the City who spent quite a bit of time developing the Transportation Plan which included knowledge that a plan would be proposed to improve the portion of 99W which is a subject of this project. The letter also addressed concerns about the lack of the Planning Commission's role in this project.

Mr. Jack Kriz, 602-A N. Main Street, Newberg, member of the Planning Commission, but was providing input as a private citizen, stated that he was not speaking for the Planning Commission, and wanted to present additional information to the Council concerning opinions, visions and views of the project. Mr. Kriz provided hand-outs addressing his concerns. Discussion was held concerning the lack of a public hearing concerning the knowledge of the project, goals, environmental assessment, vision of where Newberg wants to go, Newberg's viability, limited parking and access and levels of service. Mr. Kriz noted that he felt that the City would suffer a decrease in services. Further discussion was held concerning the City's accident rates on the particular roads/streets that are a part of this project. Mr. Kriz finally stated that he believes that ODOT must be required to address the City's existing policies and concerns of its residents.

Dr. Donald Harr, 2207-A Portland Road, Newberg, optometrist and owner of the Hulet Plaza on Portland Road (across from Lumbermen's facility). Dr. Harr addressed his concerns about parking availability, accessibility to the building and the widening of the road which would take part of his parking. Dr. Harr recommended that the City "scrap" this proposal and wait for something that is more acceptable. Discussion was held concerning taking a 6-7 foot strip from the parking area. Mr. Shippen stated that the impact of 6-7 feet on the other side is greater.

Mr. Jim Morrison, 717 E. Sheridan Street, reviewed his concerns from about 1-1/2 years ago. Mr. Morrison stated that he previously voiced his concerns but he still has problems with the traffic impact on the whole transportation system. Mr. Morrison stated that he feels that not enough meetings have been held to fully discuss this project. Mr. Morrison further stated that he concurs with the Planning Commission's statements and concerns.

Ms. DeAnn McCormack, 2316 D. Portland Road, Newberg, owner of a hair salon on Portland Road. Ms. McCormack expressed her concerns involving traffic, access to her business, signal lights on Elliott Road, potential u-turn lanes and pedestrians. Discussion was held concerning emergency vehicle lane use. Ms. McCormack also stated that she thought that the McKay Road bypass scenario was a good idea. Ms. McCormack also noted that generally, people do not obey the speed limit and the City must look at safety issues for pedestrians.

Discussion was held concerning u-turn availability and the side of the road which holds the businesses of Lewis Communications, the Noodle, etc. Mr. Shippen stated that ODOT would be working with the property and business owners concerning the changes that would

need to be made.

Ms. Pat Haight, 501 E. Illinois Street, #12, Newberg, commented on the previous comments made. Ms. Haight stated that she works with the Old Fashioned Festival and has listened to accomplishments, complaints and concerns. Ms. Haight addressed concerns involving raised medians. Ms. Haight also noted that in previous City minutes it was indicated that the City has a final "say-so" on the state highway projects. Discussion was held concerning the issues presented. Ms. Haight also addressed her concerns involving traffic, pollution, noise and other testing which are done at times during the day which are not appropriate for testing.

Mr. Jeff Reed, 1504 Newell Road, Newberg, homeowner in the 34 home Newell Addition project. Mr. Reed addressed his and fellow homeowner concerns involving the project cutting accessibility to their development. Mr. Reed stated that 50% of the people that reside in the Newell Addition work in the Portland area. Mr. Reed also addressed concerns involving raised medians, pedestrian traffic and safety issues. Further discussion was held concerning the ability of emergency vehicles of the City to access Newell Addition coming from the City's direction and having to make a difficult "u-turn".

Mr. Bill Rosacker, 1929 Westlake Loop, Newberg, stated that he agrees with the staff's recommendation (staff report) in principle and would also support the bypass, but would like to see Elliott Road continue through onto Hwy. 219 which would solve many concerns even addressed by Mr. Reed.

Mr. Glen Vergets, Newberg Hardware, 10905 Renne Road, Newberg, said that he was glad ODOT came back to further explain the project. Mr. Vergets noted that the signal light at Elliott Road is long over due. Mr. Vergets addressed his main concern for the raised medians. Discussion was held concerning increased traffic speed, providing safety to vehicles and pedestrians and the applicability of u-turns in the immediate areas as noted. Discussion was held concerning traffic separators or "snakes".

Mr. Dennis Lewis, Lewis Communications, 2112 Portland Road, Newberg, stated that he has reviewed the proposed plans and feels that anything down the center lane would not be efficient. Mr. Lewis stated that the local area citizens know that there is an additional access in back of Hancock, but any raised medians would definitely impact his business. The function would be to get traffic through the City and there is really no compelling argument in favor of raised medians. The City, ODOT and the business community in the area of the project should be looking at alternatives to deal with the problems addressed. Further discussion was held concerning traffic accidents and the City's safety record in comparison to other statistics provided by the State.

Ms. Barbara Brown, 2201 Chehalem Drive, Newberg, stated that she had previously submitted a letter to ODOT concerning public transportation issues. Ms. Brown works with Chehalem Valley Senior Citizens Council which provides transportation for seniors and others. Ms. Brown provided documentation and information concerning the number of rides the service provides which connects onto Tri-Met and other agencies. Ms. Brown noted that the project does not provide consideration for bus pull-outs or parking in existing areas. Presently, the bus system stops at Nap's on First Street and the Springbrook shopping center area. Ms. Brown feels that alternative methods should be considered to provide for an over-all public transportation system.

Ms. Becky Headrick, 404 Morton Street, Newberg, stated that she feels that the State's plans are reasonable because the highway does need to be repaired. The raised median will

increase conflicts, however. Ms. Headrick presented additional testimony concerning Villa Road to River connection, providing for third lane traffic and the impact the changes would have on local businesses. Ms. Headrick further stated that she walks to the downtown area almost daily. Traffic does not go at the 25mph posted designation. The sidewalks are broken-up and are in need of repair. Ms. Headrick stated that she submitted a letter to ODOT concerning these issues.

Mr. Myron LeRoy, 519 Hulet Lane, Newberg, has lived in the area for about 10 years and has not seen an accident. Mr. LeRoy expressed his opinion as to the raised median, the environmental assessment and continuous turn lanes. Mr. LeRoy stated that it appears that the City is dealing with the basic concept of trading off the livability of Newberg for other people being able to get from Portland to the Coast. Mr. LeRoy noted his concerns about getting the bypass adopted. Mr. LeRoy also noted that the proposed project is not what he was previously told. Mr. LeRoy agreed that the roads need to be resurfaced, but the City and ODOT should concentrate on a bypass which would eliminate a lot of the traffic.

Mr. Sid Friedman, 31909 N. E. Corral Creek Road, Newberg, stated that he gives a lot of weight to the City Manager's recommendation as noted in the staff report. Mr. Friedman discussed no raised median from Springbrook Road to Villa Road and further agreed with the City Manager wherein the Newell Addition issue should be addressed and resolved. The downtown core area should look like a downtown. The City should consider DLCD's letter which provides for three lanes down Hancock Street.

Mr. Art Hay, 3005 Portland Road, Newberg (McDonald's), discussed his concerns about business profitability. Mr. Hay stated that the McDonald's corporation compiles quite a bit of studies and provided the following background information: 70% of customers make up their mind when they see a sign (average 43% traffic comes from left turn and 57 comes from right hand turns). Mr. Hay stated that he, as well as others in the vicinity, could potentially use 40-45% of their business due to the raise medians. These business are mostly "mom and pop" businesses and people that live in the community. Mr. Hay stated that he would recommend that the City Council take the advice of the citizens of the city and let ODOT make improvements to the roads as needed and leave the businesses to flourish as they are now without affecting or jeopardizing investments in the community. Mr. Hay agreed that something needs to be done with the downtown core area.

Mr. Mike Olberding, 2911 Portland Road, Newberg (State Farm), stated that he was a member of the Citizens Advisory Committee. Mr. Olberding noted that he comes up with a feeling that ODOT was designing a project to move traffic through Newberg. Mr. Olberding addressed the concerns involving raised median, business access and proposed reconstruction of the roads. Discussion was held that most people patronizing businesses will go to that business no matter where it is located. Mr. Olberding indicated that ODOT has noted that it is their intention to alleviate problems created by this project (including widening roads, additional parking, etc.).

Mr. Thomas Rickert, 801 Pinehurst, Newberg, stated that he was against putting in the raised median because it would hamper emergency vehicle access (fire and police). Additional discussion was held concerning synchronized signal lighting systems.

Mayor Proctor called for a 5 minute break. The meeting reconvened at 9:15 p.m.

MOTION: CBC/RW moved to approve to approve **Resolution No. 97-2026** with special attention concerning the affected business owners, Hulet Plaza businesses and the Newell Addition homeowners' concerns. (4 Yes/3 No [RC/LT/FH]). Motion carried.

V. CONTINUED BUSINESS

1. Committee Member Appointments:

A. Traffic Safety Commission: Three members

MOTION: DM/CBC to reappoint Doris Brandt and Richard McCabe. (Unanimous). Motion carried.

Mayor Proctor announced that there is still one position available on the Traffic Safety Commission. There are no openings on the Library Board.

B. NUAMC (Newberg Urban Area Management Commission).

MOTION: RW/DS to place Jeff Reed on the Commission to replace Bill Jackson. (Unanimous). Motion carried.

MOTION: DM/DS to appoint Councilor Roger Currier to the NUAMC Commission as the City Council's representative. (Unanimous). Motion carried.

B. Budget Committee: Three members

MOTION: RW/DS to reappoint Bert Pennock and Damon Sump. (Unanimous). Motion carried.

Mayor Proctor called upon the other Budget Committee applicants in the audience.

Mr. Jim Morrison, 717 E. Sheridan Street, Newberg, presently serves on the Cable Communications Commission and previously was on the Planning Commission. Mr. Morrison further noted that he has served over thirty years in the computer business and aerospace management. Mr. Morrison stated that he believes in total quality management which takes a different viewpoint on accountability.

Mr. Bill Rosacker, 1929 Westlake Look, Newberg, contractor sales manager for Parr Lumber Company, stated that he would like to be involved in the budgetary process and is concerned about how Measure 47 will impact the City's budget.

Mr. Barry Babin, 1904 Westlake Loop, Newberg, has experience in budgeting from small to large companies. He has a masters in business administration.

Mr. Bob Andrews, 1103 Sitka, Newberg, presently is a member of the Traffic Safety Committee and brings 30 years experience in working with the State's pension plan system and is familiar with budgetary constraints.

Mr. Jeff Klohk - not in attendance.

Mayor Proctor opened the floor for nominations to the Budget Committee. All names were placed for nomination. Each Council member to vote once.

Mr. William Rosacker received three votes and was declared the new Committee member.

C. Citizen Rate Review Committee: Three members

Mr. Barry Babin stated that he was interested in reappointment.

MOTION: CBC/RW to reappoint Myrna Miller and Barry Babin and appoint Leslie Sullivan. (Unanimous). Motion carried.

Mayor Proctor announced that there was two more openings and if anyone else wished to apply, please contact her.

D. Cable Commission: Five members

Mayor Proctor announced that Scott Headley would be reappointed. Harry Morter would be appointed to replace Bryan Lynch.

VI. NEW BUSINESS

1. Motion to authorize the City Manager to award the contract for the College Street Improvement Project to the lowest competent bidder, providing the bid is within 10% of the Engineer's Estimate of \$36,000.

MOTION: CBC/RW to authorize the City Manager to award the contract for the College Street Improvement Project to the lowest competent bidder. (Unanimous). Motion carried.

2. **Resolution No. 97-2025** authorizing the City Manager to enter into a contract with MuniCom for the consulting services of Stephen Jolin, Ph.D. in conjunction with the City of McMinnville for purposes of negotiating the renewal of the Newberg/Dundee Cable franchise.

MOTION: CBC/RW to adopt **Resolution No. 97-2025**.

Discussion was held concerning the need for a consultant. City Attorney TDM reviewed with the Council the components of the franchise, technical requirements, performance evaluations, etc. The City does not have the technical expertise to determine what other requirements and items that would be needed to take the City and the franchise into the next 15-20 years (the City getting more than what it is receiving now that other systems are already receiving). Other cities have used cable franchise consultants as well. The City of Newberg will be joining in the agreement with the City of McMinnville.

ROLL CALL ON MOTION: (Unanimous). Motion carried.

VII. REPORTS FROM CITY MANAGER AND OTHER AGENCIES

City Manager opened the floor with a discussion on the City's budget process. Councilor CBC stated that he has met with the City Manager and discussed what options are

available (funding for the boat races, fireworks and other civic events). Councilor DM noted that she has met with the Library Director Leah Griffith and was impressed on how much time and effort is expended to operate the Library. Discussion was held concerning reducing Library hours, eliminating positions, etc. Councilor FH said that he has had the opportunity review the City's budget for the last couple of months and has reviewed recent memos concerning reductions in expenses of the departments. Discussion was held concerning contingency funds helping out where there would otherwise be cutbacks in employees. Councilor RC stated that he has also meet with Mike Soderquist and Chuck Liebert from the Community Development Department which dealt with the City's largest budgets. The Community Development Department is responsible for the streets, plan reviews, building requirements, etc. Further discussion was held concerning the various reductions proposed. Councilor DS reviewed the Legal and Municipal Court budgets which reflected sharing resources and personnel. Councilor DS stated that it appeared that the trend in the court fines and receipts were increasing and would continue to do so which provide additional revenue. Councilor LT said that she has met with the Fire Department personnel (in particular Chief Sherman). Councilor LT noted that they reviewed the department being fairly self-supportive with the use of volunteers and paid fire staff.

VIII. COMMUNICATIONS FROM THE FLOOR

Ms. Pat Haight, 501 E. Illinois Street, Newberg, announced that there would be a meeting with the Marion County Commissioners tomorrow at 4:30 p.m. concerning Newberg's well #7 water application. Ms. Haight inquired about the costs associated with the application and requested documentation.

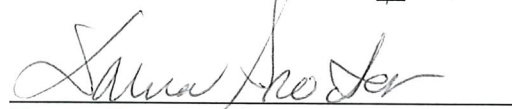
X. ADJOURNMENT

MOTION: RC/DS to adjourn at 10:12 p.m. (Unanimous). Motion carried.

ADOPTED by the Newberg City Council this 1st day of April, 1997.


Duane R. Cole, City Recorder

ATTEST by the Mayor this 7 day of April, 1997.


Donna Proctor, Mayor