

MINUTES OF THE NEWBERG CITY COUNCIL
MONDAY, NOVEMBER 1, 1999
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING - TRAINING ROOM

I. CALL MEETING TO ORDER

Mayor Cox called the meeting to order

II. ROLL CALL

Roger Currier (RC)	Noelle Wilson (NW)
Donna McCain (DM)	F. Robert Weaver (RW)
Lisa Helikson (LH)	Brett Veatch (BV)

Staff

Present: Duane R. Cole, City Manager (DRC)
Terrence D. Mahr, City Attorney (TDM)
Mike Soderquist, Community Development Director
Kathy Tri, Finance Director
Barton Brierley, Planning Director
Leah Griffith, Library Director
Norma Alley, Recording Secretary

Others

Present: Nathan Fleming, Frank Dittman, Andrea Cook, Pauline Ogden, Bob Larson, Clyde Thomas, Dan Schutter, Donald Millage

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed

Executive Session discussion was pulled from the agenda due to lack of information.

IV. COMMUNICATIONS FROM THE FLOOR

Mr. Nathan Fleming, 318 N. Meridian St., Newberg, Oregon, discussed the parking issue at George Fox University (GFU). Mr. Fleming said he does not have parking privileges at the University and when he parked his vehicle there he has been cited. He now parks three blocks away from the University but still gets cited. Mr. Fleming feels it is not just that he is cited by GFU for parking on City Streets. Mr. Fleming asked if GFU has been given the right to charge

for parking on public streets and has there been previous discourse? Mr. Fleming asked what resolutions have been passed?

Mayor Cox said there is not an agreement between GFU and the City. Agreements are strictly between the University and the students. The City will not cite the students for parking. GFU has started to cite students as a way to ease the pressure of the community from not having a parking place when they arrive home.

Councilor RC said he does not agree with the GFU policy that all faculties, staff and students must register their vehicle. This is not fair for the students. Mayor Cox said the City does not have the authority over GFU for their parking policy. Councilor RW said if they are making the agreement with the students it shouldn't be part of the City streets. Mayor Cox said the City did participate in an agreement to regulate the spaces being used on public streets in order to make spaces available for the community to park when they come home.

TDM said the permit you buy can allow you to park on GFU streets and property. If you park on GFU property without a permit then you may be cited on George Fox University property. If you do park on a nearby street then they can run the license plate and find out if the vehicle is registered to a student. Then the student will be cited. Councilor DM said the City authorized GFU to patrol the nearby streets as long as they patrol them to make sure they are not parking in front of the houses. Councilor RC said the University is not following the procedure set by the Council. TDM said they are not enforcing City policy.

DRC said if the Council is not satisfied with the current policy then the staff is willing to go back and review this issue. Councilor RW asked if all students registered at George Fox University are supposed to register their vehicle? Mr. Fleming said he did register but didn't pay the parking pass. Mayor Cox said it is an agreement between the students and George Fox University.

Ms. Pauline Ogden, 1113 James St., Newberg, Oregon, said she attended the hearing on Thursday from the Planning Commission about the Air Quality and wanted to know why the Council members did not attend? There were only three citizens, Mayor Cox and Barton Brierley. Ms. Ogden said the Commissioners did not address or clarify how they were going to take care of air quality. Ms. Ogden said the Commissioners did not listen to what she had to say at this meeting. Ms. Ogden asked if there is anything else the City can do? Ms. Ogden asked if the City can condemn the land? Mayor Cox said the Council wanted to be there but had further obligations. He went on their behalf and appreciated her being there. The next step is to see what happens with the bond measure. Then the City can look at the options again.

V. CONSENT CALENDAR

1. Approve minutes from regular Council meeting held on July 12, 1999; regular Council meeting held on October 4; and the Joint City of Newberg/City of Dundee Council meeting held on October 11, 1999.

MOTION: RC/BV - to approve as amended. (Unanimous). Motion Carried.

VI. PUBLIC HEARING

1. Continue Public Hearing on vacation of Sherman Street between North Meridian Street and North River Street, and North Center Street and North River Street between Sherman Street and Sheridan Street in the vicinity of George Fox University campus. **Ordinance No. 99-2520** adopting the vacation request, said rights-of way being adjacent to Yamhill County tax lots 3217CC-100, -2300, -2900, -3000, -3100, -3300, -3400, -3500, -3600, 3219AA-200, 3220BB-3000 within the corporate City limits of Newberg, Oregon.

Ms. Andrea Cook, 2205 Willow Dr., Newberg, Oregon, said George Fox University (GFU) is requesting this vacation which includes 59 on street spaces. With the new building there will be a new parking lot with 90 spaces. This is an increase of 31 parking spaces. The University wants it complete by the beginning of the 2000-2001 school year. Councilor DM said there is discrepancy between the agreement presented to the Council and what she said. Ms. Cook said there are 19 spaces currently in the presidents parking lot and 59 on street parking. There will be 90 spaces to replace the 59 and the 19 will be kept for a total of 109 spaces.

Don Millage declined to speak.

Bob Larson declined to speak.

Clyde Thomas declined to speak.

Dan Schutter declined to speak.

Barton Brierley gave the staff report. At the October 4th meeting there were some concerns that came up from the Council. 1) the City doesn't vacate streets, 2) the City is trying to build a community and 3) what does the City do about the parking. The Council voted to postpone this hearing and resolve some of these issues. In the meantime the staff has been following up on these issues. There has been an agreement between the City and GFU which has been signed by GFU. The basis of the agreement states that there are currently 59 spaces and the University provides 90 new spaces. They must meet the code requirements plus keep the 59 spaces. This will guarantee they will have at least 90 spaces. It is evident the University is trying to deal with the parking issue.

Staff recommends making a motion to sign the agreement and pass the ordinance.

Councilor RC asked if GFU is going to assign specific parking spaces for staff? He believes the staff will use up-to 39 of the new spaces. Councilor RC made a list of what GFU does for the community: provide a track, tennis courts, auditorium, meeting rooms from time to time, they fix up houses in the community and they have tried to fix the parking. He compared GFU to Smurfit who donates to the community and gives a parking space for all of their employees,

Point of Order: LH requested that the discussion pertain to the specific topic.

Councilor RC said that with all the increased traffic the community is driving on the side streets more.

Councilor RW said the University will continue to grow and they are trying to address the parking problem. He said the Council should try to look into the future and help the City and the University to grow. The University is a tremendous asset to the community.

Councilor DM said there are at least 24 vacations of streets since she has been a Council Member so it is not done all the time, but it is done.

Councilor RC said they are used mostly for railroads and schools.

Councilor LH said the primary concern at the last meeting was parking and this has been addressed. GFU has more than satisfied what the City asked for.

MOTION: LH/DM - to sign the agreement. (5 yes/1 no [RC]). Motion Carried.

MOTION: RW/BV - to approve **Ordinance No. 99-2520** adopting the vacation request, said rights-of way being adjacent to Yamhill County tax lots 3217CC-100, -2300, -2900, -3000, -3100, -3300, -3400, -3500, -3600, 3219AA-200, 3220BB-3000 within the corporate City limits of Newberg, Oregon, and to be read by title. TDM read by title only. (5 yes/1 no [RC]). Motion Carried.

VII. CONTINUED BUSINESS

1. **Resolution No. 99-2205** extending the City of Newberg's Workers Compensation insurance coverage to volunteers of the City. (Tabled at October 4, 1999 Council meeting)

Kathy Tri, Finance Director, gave the staff report. Kathy Tri said on October 5th the Council sent it back to the staff with questions of workers compensation for volunteers. A question asked was, should volunteers be covered with workers compensation insurance? If you are covered as a volunteer, you are not covered under the City's liability insurance? The Council has not been covered under the liability insurance. The City sets the salary to be used to calculate insurance costs for the volunteers at \$800 dollars. This is based each month on the hours that are worked. This Resolution is asking for a change of the wage to \$1200 for the Public Safety. The City does have coverage for life insurance and accidental death for the Fire volunteers. This covers burns and things that happen at fires. The City wants to look at this policy at balancing the Police and Fire volunteers more fairly and equally. If the volunteers are injured, they would file a claim with the City for that injury. They will then have to take leave from their job which the City does not cover. Our coverage is medical bills and salary protection. If the volunteer has

a long term disability, then they would be treated like an employee. The fiscal impact to increase the Public Works wage will be \$2200 a year.

Councilor RC asked when the Resolution was given to the Council on October 5th was everyone at \$1000? Kathy Tri said yes but then the Budget Committee realized they can separate them. There is a lot less exposure of injury to the Library volunteers than the Fire and Police. DRC said the City can make all the wages \$1200 dollars but we do not know the fiscal impact.

Councilor NW asked what it cost to cover the library volunteers? Kathy Tri said \$46/month.

Councilor RW said it is \$3000 a year to cover the program.

Councilor RC asked Councilor RW if he is more supportive of the three classifications or the \$1000 for all of them? Councilor RW said he hears the justification from the staff and if this is the rational then he does support this. Kathy Tri said most of the library volunteers do not hold a full-time job.

MOTION: RC/ BV to approve. (5 yes/1 abstain [LH]). Motion Carried. Councilor LH abstained due to conflict of interest.

VIII. NEW BUSINESS

1. Motion to authorize the City Council to create a process to develop information for a time capsule to be placed in the remodeled City Hall at the dedication ceremony.

DRC gave the staff report. He wants to gather some people together to create a work group. Some recommendations were to use acid free paper, archival paper and do not save plastics because of how they age.

Councilor LH suggested that the student liaison be included.

Councilor RW said if there were to be a Council Member he wants Councilor RC to be on this committee since he has lived in Newberg the longest time.

Councilor DM said she would like to have something about the original building included.

MOTION: RW/BV - to approve. (Unanimous). Motion Carried.

2. Approve a letter of support for ODOT Transportation Growth Management's (TGM) "Smart Development Code Assistance Program" grant request.

Barton Brierley, gave the staff report. The City has been seeking ways to improve the City and the downtown area. 1) zoning, 2) C2 zone and ODOT's widening project. Many buildings will be within 20 feet of the road. The staff proposes a grant to re-think the standards 3) downtown design standards. The staff wants to get the sign codes done and then look at design standards at the downtown area. If the City proceeds with the grant the funding will be available.

Staff recommends to approve the letter.

Councilor RC asked for clarification on the changes of the signs. Barton Brierley said the staff cannot change the sign ordinance. Councilor RC asked if \$6000 go toward consultant fees? Barton Brierley said it will all go toward consultant fees.

Councilor RW asked about the old fashioned lighting on first street? Barton Brierley said there could be light standards made.

Councilor LH asked what is going to be staff time and the fiscal impact of this? Barton Brierley said a quarter of a year. The staff wants to make sure that the policies work for the community by taking them to the Planning Commission and then to the Council. Barton said the fiscal impact will be as much staff time in dollars as the City perceives from the grant.

MOTION: LH/DM to approve the letter of the grant. (Unanimous). Motion Carried.

3. **Resolution No. 99-2209** authorizing the City Manager to award the contract for the Wastewater Treatment Plant parking lot construction project to the lowest bidder, provided that the low bid is no more than 10% over the Engineer's estimate of \$39,000.00.

Mike Soderquist gave a staff report. He said there have been two bids but one is probably the best price the City is going to get.

Staff requests approval with one change of 10% to 15% on the window which the City could award the bid.

Mike Soderquist said the lowest bid of \$45,294 is 10% higher than the bid in the Resolution. Mike Soderquist feels the staff can negotiate with the lower bidder to bring them down.

Councilor LH asked with the \$10,000 of the \$25,000 cost of the roof being recommended to be used to offset the higher cost will it be \$15,000 in the next years to repair the roof? Mike Soderquist said they decided not to fix it because it has another five years to go.

Councilor RC asked if there is going to be a fund to pay for this roof? Mike Soderquist said the roof has five more years of use. DRC said it is in the budget to pay for this roof to be fixed. There is still money to be set aside.

MOTION: DM/RC - to approve with amendment from 10% to 15% on the window which the City could award the bid. (Unanimous). Motion Carried.

4. Report on Student Liaison Program - Official appointment.

DRC said Craig McIntosh cannot be here tonight because he is in a play. DRC said Craig has seen the agreement and has agreed to be the liaison.

Councilor RW said he thinks the League of Oregon Cities should see that Newberg is innovative with this program.

Motion: RC/RW - to appoint Craig McIntosh to the Student Liaison Program. (Unanimous). Motion Carried.

IX. EXECUTIVE SESSION

1. ~~Executive Session Pursuant to ORS 192.660(1)(h) Relating to Pending Litigation.~~


X. ADJOURNMENT

MOTION: LH/BV to adjourn at 8:21 p.m.. (Unanimous). Motion Carried.

ADOPTED by the Newberg City Council this 7th day of February, 2000.


Duane R. Cole, City Recorder

ATTEST by the Mayor this 22 day of February, 2000.


Charles B. Cox, Mayor