

MINUTES FOR THE NEWBERG CITY COUNCIL

MONDAY, APRIL 17, 2000

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)

F. Robert Weaver (RW)

Donna McCain (DM)

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

Barton Brierley, Planning Director

Kathy Tri, Finance Director

Leah Griffith, Library Director

Norma Alley, Recording Secretary

Others

Present:

Kelli Highley, Myrtle Wise, Pat Haight, Darlyn Adams, Deborah Sumner, Mark Meinert, George Lowe, Stan Miller, Roddy Wells, Jack Brandrup, John Lucini, Mike Elder, Leonda Cowley, Caye Poe, Joe Gorman, Scott Winterfield, Linda Hamilton, Tammie Dyal, Karen Jenks, Gene Spaugh, Marie McDaniel Bellisario, Helen Springer, Jeff Jenks, Mike Fingerut, Robert Bolls, Lorrey Winterfield, Richard Phillips, Rosella Heuer, Lynda Spaugh, Matthew Davis, William Holmes, Jim Morrison, Jim Records, Jeff Modjeski, Keith Hay,

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

PUBLIC MEETING SECTION

IV. PUBLIC COMMENTS

Mr. Bob Wise, 2735 SW 198 St., Aloha, spoke on behalf of Vance Wise, asked why the annexation has been changed from the November ballot to May, is there time to put the sign up and is there any taxation after being voted on in May. If there is, is there a payment plan.

DRC said the annexation is being prepared for the November ballot. We were unable to put it on the ballot for May. The staff can work with you on the cost for the notice.

Ms. Pat Haight, 501 E. Illinois, Newberg, expressed her concern for the Library property purchase. Ms. Haight read chapter two from the City Charter regarding property owned by the City.

Ms. Kelli Highley, 619 S. River St., Newberg, said she was concerned with the library property purchase. The property going to ODOT is where the City does its Christmas tree lighting. It is a shame to get rid of this. Ms. Highley handed out reference material regarding the Sign Ordinance. She said she would appreciate some enforcement from the City to take down the political signs.

Mayor Cox said staff does pick up signs in the public right of way, but the City has to leave the signs on private property.

Mr. Jim Morrison, 717 E. Sheridan, Newberg, was concerned that there wasn't enough enforcement from the staff on Ordinances. Mr. Morrison wanted for the staff to look at the Ordinance dealing with narrow streets. He asked why there is parking on both sides of the road on Sheridan. Mr. Morrison wanted to know what is in the cable access fund.

TDM said we will get the information to him.

Ms. Darlyn Adams, 131 Johanna Ct., Newberg, announced the next Newberg Animal Shelter Friends Meeting, in the Public Safety Building, at 7:00 p.m. on Wednesday, April 26, 2000. Ms. Adams presented the progress of the shelter and ideas for the upcoming Old Fashion Festival.

Ms. Deborah Sumner, 2719 N Main St., Newberg, expressed her concern for the sign ordinance and asked that the staff continue efforts to take down the political signs.

V. PUBLIC HEARING

1. Public Hearing adopting **Resolution No. 2000-2232** requesting that the State of Oregon acting through the State Economic and Community Development Commission assist in Financing of the Recycle Oregon Project through the issuance of revenue bonds, and, making certain findings concerning compliance by the Recycle Oregon Project with the city's Comprehensive Plan, land use regulations and economic development plan.

DRC gave the staff report. This Resolution offers City support to the State for this to occur.

Councilor RC declared a Conflict of Interest. His sister works at the plant.

Mr. Joe Gorman, Senior Vice President for SP Newsprint, 15350 SW Sequoia Parkway, Suite 150, Portland, said newspapers are now requiring sharper and brighter levels specification which this mill cannot do. The solution could be a win-win situation for Yamhill County, Newberg and the State. Putting in new technology will enable the mill to mix the old newspapers, magazines, junk mail, etc. with new fiber from wood. This saves time and money because they don't have to separate material from the recycle centers and is more efficient for the public. SP Newsprint's objective is to get support from the City of Newberg. We pay property taxes that go to the school systems and do business with the local community which contributes to the community.

Public Testimony:

Ms. Caye Poe, P.O. Box 632, Newberg, said she has worked for the mill for 25 years and she supports this Resolution. Ms. Poe said the Mill is the best company she has worked for. Ms. Poe explained that the mill is good for the community providing bicycles to needy children, recycling within the plant and 99 scholarships to Newberg High School students.

Ms. Leonda Cowley, P.O. Box 1102, Newberg, said she works in Human Resources at the mill. Ms. Cowley explained that the mill has offered to the community 9 EMT's and service for the Fire Department. Ms. Cowley asked the Council's support for this endeavor.

Mr. Mike Elder, Registered Chemical Engineer, 3260 SW Armitage Rd., Wilsonville, explained that the mill is very clean and with the new technology it will become even cleaner.

Mr. John Lucini, Fiber Supply Manager, 17645 Oak Meadow Lane, Lake Oswego, urged the Council to support this Resolution.

Mr. Jack Brander, Human Resources Manager, 5560 NW Pondosa Dr., Portland, urged the Council to support the Resolution.

Mr. Roddy Wells, 8669 SW Holly Lane #102, Wilsonville, said that the mill already provides bright sheets and the new technology would ensure even brighter sheets. Mr. Roddy urged the Council to support the Resolution.

Mr. George Lowe, Mill Manager, P.O. Box 70, Newberg, explained that this is critical to make the quality of newsprint the customers are asking for, maintains job security, and secures the community. Mr. Lowe urged the Council to vote in favor of the Resolution.

Mr. Stan Miller, Process Engineer, 8140 SW Matthew Park, Tigard, mentioned two issues from the new technology. First, is the process of installing will reduce the chemical's amount used. In return, reduces the affluent load which will improve the waste water quality. Second, it has the ability to recycle other materials. Mr. Miller urged the Councils support.

DRC said staff recommends approval of Resolution No. 2000-2232.

Mr. Mark Meinert, Newberg Chamber of Commerce President, 2713 E. Roberts Lane, Newberg, encouraged the Council to support NP Newsprint Co.'s request.

Council Deliberation:

Councilor NW suggested striking paragraph four.

Councilor LH asked for clarification on Item four (pg. 4).

DRC explained that it gave the City Manager the executive capability to sign documents and that it does not create any financial responsibility for the City.

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| MOTION: | RW/BV - to approve Resolution No. 2000-2232 with changes to paragraph four. (5 yes/1 abstain [RC]). Motion Carried. |
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2. Public Hearing requesting Council consideration of a potential zone change and Design Review application for an asphalt plant on Wynooski Street.

DRC presented the staff report and said that the request is to get a direction from the Council. Some of the criteria which the Council might consider including are: a light industrial buffer zone; re zoning of the river front area; annexation of the property; and utilities to the site. Clarifications provided include that Baker Rock had provided the City with a first right of opportunity on the River Front property when it is sold. DRC also provided some corrections to the article in The Oregonian published on Thursday, April 13 titled "Newberg asphalt plant deal riles potential neighbors." The article expressed that the Council had made a decision, but this is the purpose of the hearing at this meeting - no decision has been made. In addition, the article indicated that there had been ongoing negotiations with Baker Rock. This was not true since the only meeting with Baker Rock had been March 24 of 2000 since last fall when the River Front property purchase was on the ballot for the community to consider. DRC provided an overhead of the location of the property. The property is planned for industrial. The issue that came up after talking with Baker Rock is the expansion of the treatment plant. There are a number of pros and cons listed in the staff report and the information provided by Baker Rock.

Mr. Jim Records, Representing Baker Rock, 21880 SW Farmington Rd., Beaverton indicated that what DRC said was accurate. Baker Rock has not had communication with the City after the approval from Yamhill County except for the one meeting mentioned. There have been no ongoing negotiations. At the meeting on March 24 Baker Rock proposed the Wynooski Road site due to the level of concern expressed at the River Road site. This allows Baker Rock to do its part to preserve the river property. The staff report lays out the issues that are before you. Mr. Records handed out a packet of letters, in support of the asphalt plant, which were unsolicited and part of the last process. Mr. Records said he understands the people's concern. He said he would be happy to answer any questions the Council might have.

Councilor DM said in one of the letters, from a person on Farmington Road, there was a berm area established. Is that something you would be willing to do with this property?

Mr. Records said we plan on buffering the site with a landscape area. We then want heavier industrial zoning on the site which is the greatest distance from the people. Buffering the site will then do the same as the berm does.

Councilor RC asked what do you want to do with the building adjacent to Sandoz Road.

Mr. Records provided some sketch drawings of the site which included a light industrial building along Sandoz Road.

DRC said the process is similar to the process used on the River front property, which is zoned for this use.

Mr. Records stated that he recognizes that they still have to complete a design review at that site.

Councilor RW asked how the property that Baker Rock currently owns will be used.

Mr. Records said he is not going to give the River Road or River Front property to the City. He suggested that there may be a small construction site for someone, but not Baker Rock if the Wyooski site is approved. As the permit exists it is limited to heavy industrial use on the River Front.

Councilor RC apologized to the people on Sandoz Road for not attending the meeting on Wednesday evening since he did not receive the notice.

Public Testimony:

Mr. Jim Morrison, 717 E. Sheridan St., Newberg, expressed his concern locating the asphalt plant in Newberg. The Council two years ago was unanimous that they did not want an asphalt plant in the area. We have fought this and lost it. Now we have an opportunity to be proactive. We want to send the message to the Commissioners that we do not want heavy industrial in our community. We did not want the river front to be heavy industrial, but rather a park area. Moving Baker Rock to higher ground is ridiculous and will diminish the property values in the community. There is a state requirement that an asphalt plant cannot be within two (2) miles of a winery. Mr. Morrison asked how far are they from Rex Hill.

Mr. William Holmes, 1500 S. Sandoz Rd. #34, Newberg, said he moved to his current address three years ago after checking around the different areas. Last year my wife had open heart surgery so we will stay there. My grand daughter has had surgery four times and needs an oxygen tank. Letting her go onto the porch with an asphalt plant near us will not make that possible. Mr. Holmes asked for clarification on light industry. We have a grove of trees protecting us from the odor from the treatment plant and Smurfit. There may not be any odor at the asphalt plant, but there is odor coming from the trucks. This is my home and I am also concerned about the property value.

Mr. Matthew Davis, 1500 S Sandoz Rd. #15, Newberg, commented that under Comprehensive Plan there are issues that must be met which are consistent with the Development Code. This does not promote the Development Code because it creates urbanization outside of the City. The Development Code has several conditions which must be met:

1. There is public need in question. This zone change does not provide public need. It provides for Baker Rock's needs but not the public needs.
2. The need will best be served by changing the classification of the particular piece of property. The public needs have not been established.

Mr. Davis said as it stands this request cannot be considered because it does not meet any of the criteria.

Mrs. Lynda Spaugh, 1500 S. Sandoz Rd. #12, Newberg, said she grew up in Texas in an area that has an asphalt plant. You can't get away from the smell. My husband is getting ready to retire and thought this would be our retirement home. Now we are going to have this right on our neighborhood. We pay taxes for protection and we do not need this anywhere in Newberg. Ms. Spaugh said she is not going to be able to let her grandchildren with asthma outside.

Mrs. Rosella Heuer, 1500 S. Sandoz Rd. #2, Newberg, said she and her husband moved

here in 1960 and recently chose Avalon Park for their location. We chose to live there because it was a nice place to live. Ms. Heuer said she cannot afford to move her home. With the asphalt plant development no one wants to buy it. Baker Rock is in Beaverton and why not keep it there. Mrs. Heuer said her home is here and she hoped for the Council to not let Baker Rock do anything.

Ms. Linda Hamilton, 1500 S. Sandoz Rd. #21, Newberg, expressed her concern to the Council of putting an asphalt plant near a home with a child who has problems breathing (see the statement in the packet).

Mr. Richard Phillips, 435 Wynooski St., Newberg, said on shift changes for the treatment plant and Smurfit it is impossible to pull out of his driveway. An asphalt plant is going to make the travel on those streets hazardous. We already have the mill and water treatment plant. Mr. Phillips asked do we want a third source of traffic. Mr. Phillips suggested putting the asphalt plant in North Newberg.

Ms. Pat Haight, 501 E. Illinois, Newberg, said she resents this statement by Baker Rock, we will site an asphalt plant in Newberg. You can voice your opinion to Yamhill County. Ms. Haight asked the Council if they are going to sit back and do nothing. We do not want an asphalt plant in Newberg. Baker Rock has outlined the pros and cons. The cons should include a statement on the Sandoz road area. It is going to affect the Nut Tree, Mountain view, Werth property, Rex Hill Winery and if the wind blows the wrong way it is going to affect the rest of the community. This is the one time when if you do not send a letter to the county saying we do not want an asphalt plant in Newberg the recall papers will be on the street.

Ms. Kelli Highley, 619 S. River, Newberg, stated her concerns for the odor on Farmington Road, the layout of the asphalt plant, the limited water supply in Newberg and traffic on 219 and Wynooski. Ms. Highley stated that DEQ does not monitor air quality so they will not monitor Baker Rock. Ms. Highley said need for the property at the Treatment Plant was discussed on December 1, 1999 by the Citizen Rate Review Committee. Finances to purchase more property were added at that time. The City of Newberg said if we do not buy the property now then we would not be able to afford it later. Ms. Highley liked the idea of an asphalt plant in North Newberg. We didn't say we did not want the asphalt plant down by the River, we said we do not want it period.

Mrs. Karen Jenks, 1500 S. Sandoz Rd. #1, Newberg, said she is strongly against this asphalt plant going in across from her home (see the statement in the packet).

Mr. Gene Spaugh, 1500 S. Sandoz Rd. #12, Newberg, said that he is scared to death of having the asphalt plant next to where he lives. Mr. Spaugh highly recommended to the Council to send a strong no message to the County on this proposal.

Ms. Marie McDaniel Bellisario, 500 Wynooski, Newberg, requested staff to do an independent study on this issue and provide the information to her. The area already has a water and sewage treatment plant and Smurfit it does not need a heavy industrial use. I have a child that roller blades down that street. Ms. McDaniel Bellisario asked what is it going to be like when you add more traffic to the street. Ms. McDaniel Bellisario requested to know how this is going to affect her life.

Ms. Helen Springer, 1500 S. Sandoz Rd. #14, Newberg, said she has scar tissue on her lungs. Ms. Springer suggested tabling this item until she finds out if her doctor wants her to live across from an asphalt plant. Ms. Springer said she would rather see it on the river than across from her.

Mr. Jeff Jenks, 1500 S. Sandoz Rd. #1, Newberg, said he has been a Yamhill County resident for 42 years. This is absurd that this is under consideration. Mr. Jenks expressed his concern for the traffic on Sandoz Road. Smurfit and Baker Rock will destroy that part of town. Tom McCall would say this is stupid. McMinnville already has one so we do not need Baker Rock. Baker Rock said the houses were 1000 to 1500 feet away. The asphalt plant will be 100 feet away from my front door.

Mr. Mike Fingerut, 712 Wynooski St., Newberg, said it was in this very room at a Planning Commission meeting it was said that due to the sensitive economical nature I cannot build a fence in that area. Mr. Fingerut commended the Council for having fought the good fight to keep that from happening and recommended that they keep it up. Mr. Fingerut said he does not think that Baker Rock thinks that it is a good idea to put an asphalt plant down by the river. This is not the time to make a good deal with these guys because you have been beat before. Trying to limit the livability of the community is compelling to make a deal. We can and will win the war even if you lost a few battles. If they were so concerned about coming into Newberg then they would buy property that was in Newberg instead of outside of the City limits. I say no and I hope you do to.

Mr. Robert Bolls, 8640 Dog Ridge Rd., Newberg, said there is not such a thing as a good asphalt plant. We have paved all our roads so there is no need for an asphalt plant in Newberg.

Ms. Lorrey Winterfield, 1500 S. Sandoz Rd. #16, Newberg, said with not having much time to prepare she thinks they have done an incredible job of gaining knowledge. Ms. Winterfield said she was prepared to take this as far as the Council is willing to go. I was looking at the application presented to us at the meeting Wednesday night. Ms. Winterfield said she does not want an asphalt plant in Newberg. The proposed development character bulk and height will be reasonably compatible with the surrounding area. Public services are available to similar locations in the City when the developments are approved. There were many hearings during the last process and the proposal has a negative affect on the livability of the area. We cannot live with it. The City would be taking from us everything that we are trying to achieve. The homes are stepping stones or some place that we are trying to stay.

Mr. Jeff Modjeski, 1015 Mill Place, Newberg, said that he was at the meeting at Yamhill County court for hours regarding Rogers landing. Yesterday he was watching a fly that bugged my wife and two daughters. This is like Baker Rock, and it just won't go away. Jim Records is dealing with our livelihood and investments. Do we let them build here or are going to build at the Rogers Landing location. I am sure that we can figure out how to make this expensive for them so they do not want to build here. Look at Dayton the first off ramp there is an asphalt plant. Mr. Modjeski asked is this the impression that you want to give to everyone that comes to Newberg.

Mr. Keith Hay, 15775 Ribbon Ridge Rd., Newberg, said he hoped all the people at the meeting had voted in the affirmative for the levy to buy out Baker Rock. Newberg's Willamette

River Front is the City's greatest national, recreational and economical recreation. Baker Rock deserves credit for realizing that fact and offering an alternative. An asphalt plant is not an appropriate industry for an urban community. There lack of vision in many places for this dilemma. If this is not pursued than the asphalt plant is back to the water front. Mr. Hay asked the Council to appoint a river front task force to work with the City and other entities to transform the river front to an economic resource.

Ms. Tammie Dyal and Scott Winterfield declined to speak.

DRC said I think decisions like this should take some time to make. The staff report requests that the Council develops a position to support, oppose, or remain silent regarding this proposal. Despite the fact the plan may say one thing, they have the right to go to the County with the process. The question the County will have is what does the Council want.

Council Deliberation:

Councilor RW said we have tossed the ball to the public and they spoke loudly that they did not want to buy out Baker Rock. I do not want the asphalt any where near Newberg, especially near the homes. Newberg is part of this County and sometimes we are not heard. Let us explore again a way to get the property on the river.

Councilor RC said I agree with you for the most part. I disagree with the City purchasing the property, but rather the county should.

Councilor RW said you do believe that our dollars should buy it.

Councilor RC said he thought it should be dealt in a secured way. The commissioners are remised that it went through in the first place. I do not defend my point on the vote that I do not support buying it. I urge this Council to protect the citizens and push the asphalt plant elsewhere.

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| MOTION: | RC/ - to approve a letter of denial to the County Commissioners. Failed for Lack of Second. |
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Councilor LH said there are some things that we have to consider ethically. We could make it hard for them to build but, if we did that to a small business it would be wrong. I would like to have more information and postpone this until the next meeting.

Councilor NW said she agrees with Councilor LH. The Council does need more time to make a decision. We are hearing from everyone who lives in that area. We should also hear from other areas in Newberg.

Councilor DM said my feeling is that we do not know the full effect that we are going to have either way. I am very sympathetic to those who live out there. No matter what we do I do not think the County Commission will listen to us. We do not have any jurisdiction in that area. I am willing to go along with saying we do not want it.

Councilor RW said I agree that we need to take a look at alternate locations. I would like between now and the time we make a decision we think of a way to see that we are going to

protect both areas. Certainly we have as much intelligence as anyone else and we can come up with other alternatives. These people are anti-asphalt plant. We should come up with ideas to resolve the problem.

Councilor LH said we should not make assumptions with regard to the direction or intention of the County Commissioners. We should be careful to not get into that trap.

Councilor BV said that he needed more time to look at this. On the surface it seems to be a simple answer. It is more of a complex issue than what may appear and I need time to look at it.

Mayor Cox said if it were as easy as we do not want an asphalt plant it would be gone a long time ago.

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| MOTION: | LH/DM - to table this request for consideration until the May 1 st City Council Meeting. |
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Councilor RW suggested to the Council to come back with ideas.

Councilor NW asked are we tabling the public hearing also.

DRC said it is the Council's option.

Councilor BV said I am willing to hear more from the community. I would be in favor of hearing more public testimony.

Councilor LH said I would like to leave it open.

Councilor RC said if there are additional meetings with the neighborhood, will one of you call me up and let me know.

Councilor RW called the question.

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| VOTE ON MOTION: | (5 yes/1 no [RC]). Motion Carried. |
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DRC said the City does not know how they would pay for an independent study.

Mayor Cox announced to the public that they can speak more at the Yamhill county level.

Councilor RW said he would like to see the Mayor appoint a Willamette River Front Committee and consider Keith Hay as a Chair person.

Mayor Cox called for a break at 9:35 p.m. The meeting reconvened at 9:43 p.m.

3. Public Hearing adopting the committee report, entitled "Utility Rate Review Committee Year 2000 Wastewater SDC Background Report," Exhibit A, dated December, 1999; and approving **Resolution No. 2000-2233**, authorizing an increase in the Wastewater System Development Charge

(SDC); and **Ordinance No. 2000-2526**, clarifying policy as it relates to the charging of wastewater SDCs.

Mike Soderquist discussed the financial responsibility of the Resolution and Ordinance (pg. 46-49 of the packet).

DRC asked the Council to consider recommending the no charge of SDCs for those who are remodeling existing property.

Councilor RC said did not it open the door when the City was challenged by the Home Builders Association.

Mike Soderquist said if the City doesn't have development then we will not expand the plant.

Councilor RC said but you don't know where the plan is going to be. Staff is going to charge the new development to purchase property in some location.

Kathy Tri said charges have been based on the past growth in Newberg. Last year we haven't had much growth. By reviewing this frequently we can better meet the needs of the community.

Councilor RC said he would assume with the paper work Baker Rock is going to want an assessment.

DRC said we have not talked about those specific issues. Right now the staff doesn't feel they have the authority to change these numbers.

Councilor RC asked wouldn't we have put this on hold until then.

DRC said if Council wants to change the numbers then staff can return to the Citizen Rate Review Committee.

Councilor RC asked for an explanation on the remodeling.

Mike Soderquist said if you remodel and change the use of the property, you would be charged another amount.

Ms. Kelli Highley, 619 S. River St., Newberg, said she is on the Citizen Rate Review Committee. Ms. Highley said she was informed from staff that the property purchase was grandfathered in and that there was a notice of first right of notification if they want to sell. This would have needed to be done in the five-year plan. That was a big influence in the increase in the first place. I don't feel that this should go on until you make a decision with Baker Rock. Earlier it was said that you have not been in negotiations with Baker Rock. Ms. Highley asked if there has been discussion during Executive Session on these real estate transactions.

Mayor Cox said those meetings were not about Baker Rock.

DRC said staff did not know about Baker Rock's proposal until March 21st. He recommended for Council to look at what arrangement Baker Rock will make with the City.

Mayor Cox said if you wait for Baker Rock then we might be waiting a long time. Does it

make it invalid if we wait.

DRC said it will not invalidate it.

Mike Soderquist said it is good business to reserve the land for expansion as soon as you can.

Mayor Cox asked can we adjust the SDCs if it goes through.

DRC said the City would then need to look at another parcel.

Councilor DM asked do we have documentation on this additional property for right of refusal.

Mike Soderquist said around 1983 the City went to the Milcher's to buy this property and at that time they agreed to give up the first right of use.

Councilor NW asked was it ever put in writing.

Kathy Tri said yes but the time may have lapsed.

Councilor BV announced his abstention from this issue due to applying for a building permit in the future.

Councilor LH suggested to staff to encourage the committee members to come speak at the Council Meetings.

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| MOTION: | LH/RC - to adopt the committee report, entitled "Utility Rate Review Committee Year 2000 Wastewater SDC Background Report." (5 yes/1 abstain [BV]). Motion Carried. |
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| MOTION: | RC/DM - to adopt Resolution No. 2000-2233 . (5 yes/1 abstain [BV]). Motion Carried. |
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Councilor RC asked to review this again in six months.

Kathy Tri said they are scheduled to meet each fall.

Mayor Cox suggested for the committee to review it at the next meeting.

Councilor RC said he would like it if they could review it and report back at the September 7, 2000 City Council meeting.

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| MOTION: | RC/LH - to approve Ordinance No. 2000-2526 with the amendment that the Citizen Rate Review Committee review this and report back to the Council in the fall. (5 yes/1 abstain [BV]) |
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BUSINESS MEETING SECTION

VI. CONTINUED BUSINESS

None

VII. NEW BUSINESS

1. **Resolution No. 2000-2234** authorizing the City Manager to complete the sale of property at the Library for the State Highway improvements.

Councilor DM asked if Council decides not to approve this does the State have the right to take it through a condemnation process.

Leah Griffith said our situation is that the side walk would go about three feet into the grassy area causing the sign to be removed.

Councilor LH said she would like to see ODOT take responsibility for the tree.

DRC said the state has looked at the tree a few times.

Councilor DM asked if there was another tree to the North.

Leah Griffith said yes there is a Spruce inside the wall.

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| MOTION: | DM/BV - to approve Resolution No. 2000-2234 . (Unanimous). Motion Carried. |
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VIII. CONSENT CALENDAR

1. Approve Minutes from a regular Council meeting held on February 22, 2000.
2. **Resolution No. 2000-2231** authorizing all acts necessary to place a previously approved annexation before the voters.
3. Approve a temporary placement of Oregon Lions Mobile Screening Unit on the City parking lot located on Second Street during the Old Fashioned Festival - July 28 and 29, 2000.

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| MOTION: | BV/RW - to approve Resolution No. 2000-2231 , Minutes from a regular Council meeting held on February 22, 2000, and temporary placement of Oregon Lions Mobile Screening Unit on the City parking lot located on Second Street during the Old Fashioned Festival - July 28 and 29, 2000. (Unanimous). Motion Carried. |
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IX. EXECUTIVE SESSION

Held during Work Session as noticed.

1. Executive Session pursuant to ORS 192.660(1)(i) relating to the evaluation of the Municipal Court Judges.

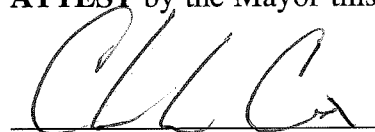
X. ADJOURNMENT

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| MOTION: | RC/BV - to adjourn at 10:25 p.m. (Unanimous). Motion Carried. |
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ADOPTED by the Newberg City Council this 5th day of June, 2000.


Duane R. Cole, City Recorder

ATTEST by the Mayor this 16 day of June, 2000.


Charles B. Cox, Mayor