

MINTUES FOR THE NEWBERG CITY COUNCIL MEETING
MONDAY, NOVEMBER 6, 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)	Donna McCain (DM)
F. Robert Weaver (RW)	Lisa Helikson (LH)
Brett Veatch (BV)	

Absent: **Noelle Wilson (NW)**

Staff

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

Others

Present: Darlyn Adams, Rich Waldren, Robert Soppe

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

PUBLIC MEETING SECTION

IV. PUBLIC COMMENTS

Ms. Darlyn Adams, 131 Johanna Ct., Newberg, reported that an architect has been found to design the exterior building for the Newberg Animal Shelter Friends. There will be a bake sale at the open house held December 9, 2000. There are 45 donation containers around town at varies businesses. The next Newberg Animal Shelter Friends meeting will be held Friday, December 15, 2000 at 7:00 p.m.

Mr. Rich Waldren, Aspen Estates President, 700 N. Chehalem Dr., Newberg, asked what the bid would be to connect to City water and for further assistance with the matter.

Mayor Cox asked Mr. Waldren if he had met with staff regarding his question.

Mr. Waldern said yes.

Councilor RC asked how much involvement he expected from City staff.

Mr. Waldren said he would just like a meeting with staff.

DRC said Mr. Waldren is out of city limits and falls under the UGB Amendment. The question is do we extend our service out of the Urban Growth Boundaries and should we be providing irrigation water during Newberg's critical time as well.

Mayor Cox asked if staff has tried the water district board.

DRC said not at this time.

Mayor Cox asked what kind of time would be involved for staff.

DRC said staff would have to figure out the process of the land use, which does not go quickly.

Mayor Cox said staff should not spend a lot of time on it if it is not in our tax table.

Councilor DM recommended that DRC figure out how much staff time is reasonable to devote.

Councilor RW recommended that Council act when they fall into City limits.

Mr. Robert Soppe, 709 E. Sheridan, Newberg, commented on the Cable T.V. franchise settlement. Mr. Soppe said he does not want to lose the studio in Newberg. It is valuable to keep because of what it brings to the community. Secondly, the Inet system needs to be looked at carefully. If we could find something that is adequate in the short term then we need to use that.

V. PUBLIC HEARING

1. Continued Public hearing to consider **Ordinance No. 2000-2536** authorizing text amendments to the Newberg Development Code relating to cellular communication towers and **Ordinance No. 2000-2537** authorizing text amendments to the Newberg Development Code relating to exterior lighting, underground utility installation, property line adjustments, group care facilities, conditional zone changes, yards, home occupations, and multiple single family homes on a lot.

Barton Brierley reviewed Ordinance No. 2000-2536 and reviewed the proposed changes.

Mayor Cox opened the Public Hearing.

Councilor DM asked who is responsible to take down the poles.

Barton Brierley said the company is responsible.

Councilor RW asked who is going to maintain the poles when it gets bigger than four feet. He asked does the City have any policing for these matters.

Barton Brierley said it is the permit applicant's responsibility. Other than the Code Enforcement at this time we do not have other policing.

Councilor RC said he would like information in the Ordinance regarding pole site upgrades. He asked if there was a limit on how many antennas can be on an existing pole.

Barton Brierley said at this time there is no limit on antennas.

Councilor RC asked who approves the landscaping.

Barton Brierley replied staff or the Planning Commission.

Mayor Cox closed the Public Hearing.

Council Deliberation:

Councilor RC held discussion about the Conditional Use Permits in the residential zones and the number of antennas allowed on a pole.

Barton Brierley said most poles are limited to three due to the radio frequencies. It becomes a problem with more than that.

Councilor RW suggested changes to be made to the Ordinance.

DRC stated the changes so Ordinance No. 2000-2536 reads "new transmission towers may be allowed to be put on existing towers based in findings by the approval authority that the following criteria are met" in section 10.52.522, "Franchise or License Agreement." In section 10.52.525 number 2, and "ground maintenance, including landscaping, shall be provided and maintained for the duration of the use, to encourage health of plant material, and to protect public health and safety. The maintenance should be the responsibility of the property owner and/or the lessee of the property, and/or the owner of the tower." In section 10.52.525 number 8.

MOTION:	RC/DM - to approve Ordinance No. 2000-2536 authorizing text amendments to the Newberg Development Code relating to cellular communication towers and to read by title only. 5 Yes/1 Absent [NW]). Motion Carried. TDM read by Title Only.
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ROLL CALL VOTE:	5 Yes/1 Absent [NW]). Motion Carried.
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Barton Brierley handed out a letter staff received from a citizen.

Barton Brierley reviewed Ordinance No. 2000-2537.

Councilor RC recommended, under the Home Occupancy amendment, to have citizens fill out a form right away rather than wait until a complaint from a neighbor is made; and that 50% occupancy of the home was too much.

Councilor RW asked how long does someone have to be in the house before they are considered a resident.

DRC suggested for Council to vote on the Ordinance excluding the Home Occupancy.

MOTION:	RC/DM - to approve Ordinance No. 2000-2537 authorizing text amendments and excluding the Home Occupancy to the Newberg Development Code relating to exterior lighting, underground utility installation, property line adjustments, group care facilities, conditional zone changes, yards, home occupations, and multiple single family homes on a lot and to be read by title only with an amendment to exclude home occupations to the next meeting. 5 Yes/1 Absent [NW]). Motion Carried. TDM read by title only.
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ROLL CALL VOTE:	5 Yes/1 Absent [NW]). Motion Carried.
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Mayor Cox called a five minute break.

BUSINESS MEETING SECTION

VI. CONTINUED BUSINESS

None.

VII. NEW BUSINESS

1. Motion directing staff on the use of funds from A.T. & T. from Cable T.V. franchise settlement.

DRC reviewed the staff report and recommended that the phone system be taken care of right away and to pay McMinnville for consulting services.

Mayor Cox asked if the City does not collect the funding would we have the money to pay McMinnville for the studio.

DRC said with out the scholarship he does not know where the City would get the money.

Conflict of Interest:

Councilor DM declared a potential conflict of interest because she has stock in GTE & Verizon.

MOTION:	NW/BV - directing staff on the use of funds from A.T. & T. from Cable T.V. franchise settlement. 5 Yes/1 Absent [NW]). Motion Carried.
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2. Motion to approve changes to the City's telephone system, including purchasing a new PBX to be located in the Public Safety Building, enhanced voice mail capabilities and OPX for off-site locations.

Kathy Tri gave the staff report.

Councilor RC asked why not go back to answering machines.

DRC said voicemails are more efficient and staff can check messages when they are off site unlike with answering machines.

Kathy Tri said with owning our own phone system the City does not have to pay for voicemail.

Mayor Cox asked what is the front investment.

Kathy Tri said it is about \$25 thousand. The voicemail is part of the PBX system unlike the current situation.

MOTION:	LH/BV - to approve changes to the City's telephone system, including purchasing a new PBX to be located in the Public Safety Building, enhanced voice mail capabilities and OPX for off-site locations. (4 Yes/1 No [RC]/1 Absent [NW]). Motion Carried.
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VIII. CONSENT CALENDAR

1. Motion granting legal authority to City Manager or designee to apply for Local Law Enforcement Block Grants.

MOTION:	DM/RW - to grant legal authority to City Manager or designee to apply for Local Law Enforcement Block Grants. 5 Yes/1 Absent [NW]). Motion Carried.
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IX. EXECUTIVE SESSION

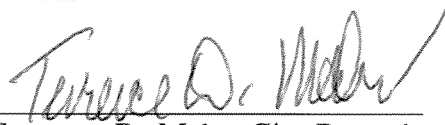
Executive Session held during work session as noticed.

1. *Executive Session Pursuant to ORS 192.660(1)(E) Relating to a Real Property Transaction.*


X. ADJOURNMENT

MOTION:	RC/BV - to adjourn at 9:30 p.m. 5 Yes/1 Absent [NW]). Motion Carried.
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ADOPTED by the Newberg City Council this 7th day of January, 2002.


Terrence D. Mahr, City Recorder
City Manager, Pro Tem

ATTEST by the Mayor this 22nd day of January, 2002.


Charles B. Cox, Mayor