NEWBERG CITY COUNCIL MINUTES
DECEMBER 5, 2005
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING - TRAINING ROOM

I. CALL MEETING TO ORDER

Mayor Bob Stewart called the meeting to order.

II. ROLL CALL

Members Present:	Mayor Bob Stewart	Bob Andrews	Dawn Nelson
	Mike McBride	Robert Soppe	Mike Boyes
	Roger Currier		

Staff Present:
James Bennett, City Manager
Terrence Mahr, City Attorney
Dan Danicic, Public Works Director
Barton Brierley, Planning and Building Director
Kathy Tri, Finance Director
Kathleen Bochart, Recording Secretary

Others Present: Cathy Stuhr, Jon Holt, Barry Horn, Philip Smith, Martin Tucker, John Bridges

III. *PLEDGE OF ALLEGIANCE*

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

James Bennett, City Manager stated that the MWVCOG Awards Dinner would be held on January 25, 2006 at 6:00 PM at Roth's in West Salem.

PUBLIC MEETING SECTION

V. PUBLIC COMMENTS

None.

VI. CONSENT CALENDAR

1. Consider appointments to the Newberg Downtown Revitalization Committee. Lon Wall John Bridges Kris Horn

2. Consider appointments to the Budget Committee.
   Lon Wall Jack Reardon

MOTION: Andrews/McBride to approve consent calendar. (Unanimous) Motion carried.

3. Consider appointments for two open positions on the Planning Commission with the most qualified candidate.

Philip Smith	Cathy Stuhr
Jon Holt	Barry Horn

Cathy Stuhr stated that she was appointed to the Planning Commission in July of 2005 and would like to continue to serve. Ms. Stuhr stated that in 2004 and 2005 she served as the Vice-Chair of the Ad Hoc Committee on Newberg's Future and is also participating in the 2004-2005 Chamber of Commerce Leadership Program. Ms. Stuhr stated that she has a B.S. in Environmental Policy Analysis and Planning and a Masters in Business Administration. Ms. Stuhr's profession background includes more than 17 years as a consultant and manager in the environmental restoration and program management field. Ms. Stuhr believes that she has a unique perspective on planning as she owns property in Newberg and just outside of Newberg, and likes to think of herself as a big-picture thinker.

Councilor Soppe asked Ms. Stuhr to explain what she thinks are the most significant issues in the next 3 years for the Planning Commission.

Cathy Stuhr stated that she thinks a big issue is where and how the city will grow. The city would like to grow but still have that community feel. Transportation is another issue. We need to think of how we are going to accommodate the traffic that we are going to have between now and when the bypass is finished. The city also needs to look at business and economic development, how the City of Newberg can support the people of Newberg.

Councilor Andrews asked Ms. Stuhr how she thought that growth should be managed.

Cathy Stuhr stated that she believes in the numbers that the Ad-Hoc Committee has projected and feels like the projected numbers will not restrict the growth of the city and at the same time give the city room to grow.

Jon Holt stated that he was here in July when there was an opening for the Planning Commission. Mr. Holt stated that he has worked many years in strategic planning and long range analysis. Mr. Holt has worked many years with A-dec. Mr. Holt's involvement with the city extends to his church where he is on the planning commission and as a board member of Love, Inc.

Councilor Soppe asked Mr. Holt if he has attended any city meetings such as the planning commission.

Mr. Holt stated that he has not attended any city meetings.

Councilor Soppe asked Mr. Holt to explain what he thinks will be the big issues with the Planning Commission in the next three years.

Mr. Holt stated there needs to be a balance between commercial and residential areas. Also traffic. The bypass is coming but there needs to be a shorter range fix to the problem.

Councilor McBride asked if it was important to Mr. Holt that there is a balance between industrial and residential or should we take care of our current residents first.

Mr. Holt stated that he thinks there should be a balance.

Barry Horn stated that for 27 years he was in programming and programming analysis and is now a small business owner in downtown Newberg. Mr. Horn stated that he feels he can make logical and unbiased decisions.

Councilor Andrews asked how Mr. Horn felt that Newberg's growth should be handled.

Mr. Horn stated that the city should be proactive about growth and encourage industrial growth in Newberg.

Councilor Soppe asked Mr. Horn what he thought were the big issues for the next 3 years with the planning commission.

Mr. Horn believes that the bypass will be a big issue, also how and where growth will be. The planning commission also needs to keep downtown Newberg vital.

Philip Smith stated that being on the planning commission for the last three years has brought him a lot and he would like to do it again. Mr. Smith feels that there are a lot of things that are going to come up that he can contribute to. Mr. Smith feels that, when the bypass is completed, it would be a good time to think creatively and have a refinement plan for First Street. The Commission needs to think in terms of traffic.

Councilor Andrews asked Mr. Smith if he thinks that Newberg is doing a good job at managing growth.

Mr. Smith stated that the Planning Commission has helped but that Newberg has underestimated the amount of people that will be coming in. Newberg does not need to try to bring people into the city. It will happen on its own.

MOTION: Soppe/Andrews to appoint Philip Smith to the Planning Commission. (Unanimous) Motion carried.

MOTION: McBride/Soppe to appoint Jon Holt to the Planning Commission. (1 Yes [McBride; 5 No). To appoint Cathy Stuhr to the Planning Commission (5 Yes; 1 No [McBride]) Motion carried to appoint Cathy Stuhr.

VII. PUBLIC HEARING

1. Public Hearing to consider approving **Ordinance No. 2005-2624** amending the Northwest Natural Gas Franchise. **Legislative Hearing**

Kathy Tri, Finance Director, presented the staff report and stated that in October she came to the Council to request that the franchise fee with NWNG be raised to 5.94%. The Council did not approve this request. Staff went back and reviewed the issues and modified the request. Ms. Tri asked the Council to consider whether the City has a need to diversify and increase General Fund revenues and, if so, should the Northwest Natural franchise fee be increased and by how much?

Discussion was held on modifying the franchise fee.

Councilor Andrews asked how it would be shown on a monthly bill.

Kathy Tri stated that anything over a 3% tax is itemized on the bill and is shown as a City of Newberg franchise tax.

Councilor McBride stated that he is glad that Kathy came back to the Council with this proposal. Mr. McBride proposed that the Council look at the second option because we can raise the fee, but still keep it minimal.

Councilor Boyes asked if it is guaranteed that the money will go to Fire Station 21.

Jim Bennett, City Manager, stated that it will be budgeted for Fire Station 21. If additional revenue is left over, it will go to other public safety needs.

MOTION: Soppe/Andrews to approve Ordinance No. 2005-2624 amending the Northwest Natural Gas Franchise and read by title only, raising the franchise fee from 3% to 5%. (Unanimous) Motion carried.

2. Public Hearing to consider approving **Ordinance No. 2005-2627** amending City Code Section 32.72 reducing the size of the Citizen Rate Review Committee's membership from eight to seven members. **Legislative Hearing**

Kathy Tri, Finance Director presented the staff report. There has been a lack of applicants for the Citizens Rate Review Committee (CRRC). Staff has discussed this with the current CRRC and recommends reducing the size of the CRRC to seven members.

MOTION: Andrews/Currier to approve **Ordinance No. 2005-2627** amending City Code Section 32.72 reducing the size of the Citizen Rate Review Committee's membership from eight to seven members. (Unanimous) Motion carried.

3. Public Hearing to consider approving **Ordinance No. 2005-2628** adopting rules relating to parking in and maintenance of planter strips. **Legislative Hearing**

Barton Brierley presented the staff report on the proposed ordinance.

Councilor Currier asked what happens if there is a huge storm and everyone has to wait for permits before they can take care of the trees.

Barton Brierley stated that it would be ok for people to take out trees due to natural disasters.

Councilor Soppe asked if there was something that addressed visibility hazards.

Barton Brierley stated that there wasn't anything in the new rules that directly addressed it.

Councilor Soppe stated that he is concerned that the ordinance isn't clear when there is no curb and that is something that needs to be re-worked.

Councilor Boyes stated that there is still a lot of room for improvement. Councilor Boyes asked if this was going to be for just residential or for all areas in Newberg.

Jim Bennett, City Manager, stated that it can apply to just residential areas only if the Council wants.

Councilor Currier stated that he thinks there are a lot of loop holes and it seems that the City would need to hire one person to do nothing but enforce this.

Mayor Stewart invited public testimony.

Martin Tucker stated that if the city decides to take parking like this away then it is really going to hurt some people and some businesses. Mr. Tucker stated that he understands this is really a beautification idea. Mr. Tucker stated that he is willing to pay to have modifications done because of his need for parking.

Mayor Stewart closed public testimony.

Staff recommended the ordinance be tabled to a future meeting where staff can present a revised ordinance that addresses the concerns raised at the meeting.

MOTION: Andrews/Currier to table further consideration of the ordinance to the meeting of January 3, 2006. (Unanimous) Motion carried.

BUSINESS MEETING SECTION

VIII. NEW BUSINESS

1. Consider approving **Resolution No. 2005-2605** authorizing a decrease in the Transportation System Development charge.

Dan Danicic, Public Works Director, presented the staff report and stated this is a cost recalculation of current projects and of buildable acreage in the city. The new calculations resulted in a lower Equivalent Length New Daily Trip (ELNDT) from $178.99 to $160 (rounded).

Councilor McBride asked what this charge applied to.

Mr. Danicic stated that it applies to new developments.

Councilor Soppe asked if the ELNDT is re-evaluated each year.

Mr. Danicic stated that it was not.

Councilor Soppe asked why it was not needed.

Mr. Danicic stated that the project list does not change frequently, usually when the TSP is updated. If a special need comes up, however, the City can go back and include it.

Councilor Soppe asked if these land use assumption numbers were difficult to calculate.

Mr. Brierley stated that they were not difficult. There is a spreadsheet that is updated constantly.

Councilor Soppe suggested revising ELNDT annually.

Councilor McBride asked if the City could leave it as is and build up a fund.

Mr. Danicic stated that there are legal issues with that.

Councilor Soppe asked if the Citizens Rate Review Committee looked at this.

Mr. Danicic stated that they do not look at items for transportation.

MOTION: McBride/Currier to approve **Resolution No. 2005-2605** authorizing a decrease in the Transportation System Development charge. (Unanimous) Motion carried.

2. Consider approving **Resolution No. 2005-2606** adopting the design guidelines for streetscape amenities within Newberg's historic downtown.

John Bridges, Chair of the Downtown Revitalization Committee, presented the report and NDRC's recommendation for Downtown Newberg. Mr. Bridges stated that the Committee would be working on a future recommendation for the downtown streetscape amenities.

Councilor McBride asked if the trees were to replace the current ones or for future use.

Mr. Bridges stated that they could be put anywhere that the council would like to put them. He also noted that the bike racks and intersection treatments are thematic designs that are subject to refinement.

MOTION: McBride/Andrews to approve **Resolution No. 2005-2606** adopting the design guidelines for streetscape amenities within Newberg's historic downtown. (Unanimous) Motion carried.

3. Consider approving **Resolution No. 2005-2607** adopting a downtown winter decorative banner design.

John Bridges, Chair of the Downtown Revitalization Committee, presented the report. Mr. Bridges stated that these banners would go up at the beginning of January and last until mid-

April. Mr. Bridges stated that he personally thought of having snow on the banners but the Downtown Revitalization Committee decided that it would be better to embrace what Newberg is and decided that it needed to be something that has to do with rain. There were also votes received from people in Newberg and this is what resulted.

MOTION: Andrews/McBride to approve **Resolution No. 2005-2607** adopting a downtown winter decorative banner design with the letter rotated from the sample presented. (Unanimous) Motion carried.

4. Consider a motion to approve an increase in the System Development Charges for Water, Wastewater and Storm.

Dan Danicic, Public Works Director, presented the staff report. Mr. Danicic stated that this is a request to increase the System Development Charges for water, wastewater and storm water by 3.4% per the ENR Construction Cost Index.

MOTION: Currier/Nelson to approve the increase in the Systems Development Charges for Water, Wastewater and Storm by 3.4%. (Unanimous) Motion carried.

IX. CONTINUED BUSINESS

None.

X. EXECUTIVE SESSION

1. Executive Session pursuant to ORS 192.660(2)(e) relating to a real property transaction – Downtown Gateway Acquisition.

Executive Session was held during work session. No action was taken.

XI. ADJOURNMENT

MOTION: Andrews/Nelson to adjourn at 10:00 pm. to the meeting of December 19, 2005. (Unanimous) Motion carried.

ADOPTED by the Newberg City Council this 3rd day of January, 2006.

JHBennett

James H. Bennett, City Recorder

ATTEST by the Mayor this 5th day of January, 2006.

Bob Stewart

Bob Stewart, Mayor