NEWBERG CITY COUNCIL MINUTES
DECEMBER 19, 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	Mike Boyes
	Roger Currier	Mike McBride	Robert Soppe

Members Absent: Dawn Nelson (Excused)

Staff Present:
James Bennett, City Manager
Barton Brierley, Planning and Building Director
Dan Danicic, Public Works Director
Jadene Torrent-Stensland, Civil Engineer II
Kathy Tri, Finance Director
Elaina Canutt, Accountant
Kathleen Bochart, Recording Secretary

Others Present: John Bridges, Darlyn Adams, Mimi Doukas, Doug Parham, Jeff Eschen

III. *PLEDGE OF ALLEGIANCE*

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

None.

PUBLIC MEETING SECTION

V. PUBLIC COMMENTS

John Bridges stated that the last time he was here the council approved the winter banner with the word "Newberg" reading vertical from top to bottom. Mr. Bridges stated that he went to the artist and she stated that having a word that way is something that is not done in the artistic world and stated that she could not support the change in the design. Mr. Bridges stated that David Beam, Economic Development Coordinator, copied the design and altered it to give the council an idea of what the artist was talking about.

Mayor Stewart stated that if the "N" and the "W" were adjusted to be slightly narrower then it would be ok.

John Brides stated that he went to many different design companies and of around 500 different designs he looked at only one or two of them had the words stacked.

Councilor McBride stated that he likes the altered design and, if that means getting a new design artist, then we should do that.

Councilor Soppe stated that he sees nothing wrong with the original design, but does like the idea of stacking the word.

MOTION: Soppe/Andrews to reconsider the decision on the winter banner design made at the December 5, 2005 Council meeting (4 Yes/1 No [Currier]) Motion carried.

MOTION: Soppe/Boyes to approve the original banner design. (3 Yes/2 No [McBride, Currier])

Darlyn Adams, Newberg Animal Shelter Friends, presented her end of the year report. Ms. Adams stated that it has been a very successful year for the Newberg Animal Shelter Friends. The mega yard and plant sale and the blessing of the animals was very successful. A special project, Paws for Katrina's Kids, received 1,080stuffed animals in 7 weeks. The first Photo with Santa and your pet went well. There were 25 pictures taken and, with the sale of stuffed animals, Christmas trees, sweatshirts and donations, the Newberg Animal Shelter Friends raised $658. The 6th annual open house and bake sale raised $1,620. The Brick campaign raised $16,700 total. In 2005, $48,291 was raised. The total in the building fund is now $189,529. Newberg Animal Shelter Friends is still seeking bids on the new animal shelter. Newberg Animal Shelter Friends will be celebrating their 6th anniversary on January 26, 2006, at the Public Safety Building at 7:30 PM.

Councilor Soppe asked when Ms. Adams might have a bid.

Ms. Adams stated that they are waiting for responses from contractors to bid the job. Ms. Adams hopes that they will have some bids before the next meeting, but she doesn't know for sure.

VI. CONSENT CALENDAR

1. Consider approving City Council Regular Session Minutes for November 21, 2005.

MOTION: **McBride/Currier** to approve City Council Regular Session Minutes as amended for November 21, 2005. 4 Yes/1 No [Soppe]) Motion carried.

2. Consider a motion to approve the Annual Comprehensive Financial Statements for the year ended June 30, 2005.

Kathy Tri, Finance Director presented Doug Parham and Jeff Eschen of Boldt, Carlisle and Smith, the City's auditors. Ms. Tri stated that Doug and Jeff conducted the 2004-2005 comprehensive audit for the City of Newberg.

Doug Parham stated that their goal had been to go over the basic financial statements and compare them to general auditing standards. To conduct the audit they worked with outside correspondence and performed re-calculations to obtain reasonable information that the financial information is free of mistakes. The audit shows that Newberg's finances have been presented fairly.

Councilor McBride asked if there was anything that they could suggest that Newberg could change or do differently or do they feel that the procedures that Newberg is using are fine.

Jeff Eschen stated that it seems to be set up very well.

Elaina Canutt, Accountant, presented a summary of the financial reports. Ms. Canutt stated that, if the council doesn't read anything else, they should read the management discussion and analysis. It presents the major activities of the City of Newberg in narrative norm. Revenues have increase by 23% over the past fiscal year and property tax revenue is expected to increase because of the 8.1% growth rate. Water service charges increase by 14% over the 2004 fiscal year. Operating expenses increased 6.5% and system development revenue increased 64%. Sewer service charges increased by 13.5%. Operating expenses increased 7.1% and system development charge revenue increased by $222,153 due to increased development. Storm water service charges increased by 78%. Emergency medical services expenses increased by 19.3% due to a higher transport volume and rate increases.

MOTION: **Currier/Soppe** to approve the Annual Comprehensive Financial Statements for the year ended June 30, 2005. (Unanimous) Motion carried.

VII. PUBLIC HEARING

1. Public Hearing to consider approving **Ordinance No. 2005-2629** annexing property at 29100 NE Benjamin Rd. into City Limits and **Resolution No. 2005-2608** placing it on the May 16, 2006 general election ballot.
Quasi-Judicial Hearing

Barton Brierley presented the staff report on annexing 29100 NE Benjamin Rd. into the city limits. Mr. Brierley stated that the property is on the corner of Benjamin and Putnam Roads. It is within the UGB and abuts the city limits on the west and south side. The site contains one existing single-family house. The current plan is to subdivide the property into four lots.

Mimi Doukas, WRG Design, stated that the land needs to be annexed before the Austins can prepare the full master plan. Ms. Doukas stated that they are anticipating a public outreach in spring and then they will complete the full master plan after that.

Councilor McBride asked if the presented plan is for sure what will be on the land

Ms. Doukas stated that it is just one project idea that could happen. Most likely it will change once the master plan is completed.

Councilor Soppe asked if city services would be available within three years as required.

Ms. Doukas stated that from a technical standpoint a developer could put them in today.

Councilor Currier asked Mr. Brierley if a pumping station will have to be built and, if so, will it be a part of the master plan.

Mr. Brierley stated that there will need to be a plan for services and as of right now it is not known what that will look like.

Ms. Doukas stated that they have done a full utilities plan and all services are available to all of the proposed sites.

Councilor Soppe asked if the Planning Commission Minutes from November 10, 2005 starting on Page 63 of the Council packet are approved minutes.

Mr. Brierley confirmed that they were approved.

Councilor Soppe asked if there was much discussion on this decision.

Mr. Brierley stated that there was not much discussion.

Councilor Soppe asked about Brierly's comments in the Planning Commission minutes that the 3-year criteria would likely not be filled and about his recommendation of annexation after master plan approval.

Mr. Brierly stated that the Planning Commission minutes did not accurately reflect his comments.

Councilor Soppe suggested that the Planning Commission minutes should be corrected.

Councilor Currier asked what would happen if this Ordinance was turned down. Is it correct that they could go to the people and get a certain amount of signatures to get it on the ballot.

Mr. Brierley stated that an annexation in Newberg has to be approved by both the City Council and a vote of the people. They could get the signatures and get it on the ballot, but they would still need the City Council's approval if they were successful.

Jim Bennett stated that if the council votes no then the annexation would not happen.

Councilor Soppe asked who would be assigned the fees for the roads, water, and sewer.

Mr. Brierley stated that in this case the property owner would be responsible for the fees.

Mayor Stewart closed public testimony.

Applicant waived the right to an extra seven-day public testimony period.

MOTION: Andrews/McBride to approve **Ordinance No. 2005-2629** annexing property at 29100 NE Benjamin Rd. into City Limits. (Unanimous) Motion carried.

MOTION: Andrews/Currier to approve **Resolution No. 2005-2608** placing it on the May 16, 2006 general election ballot. (Unanimous) Motion carried.

2. Public Hearing to consider approving **Ordinance No. 2005-2630** annexing property at 3605 N. Springbrook Rd. into City limits and **Resolution No. 2005-2609** placing it on the May 16, 2006 general election ballot.
Quasi-Judicial Hearing

Barton Brierley presented the staff report on annexing property at 3605 N. Springbrook Rd into the City Limits. Currently there is an existing single-family house on the site. The house will be required to abandon the current septic system and connect to city water and sewer upon availability.

Councilor Soppe asked if there was anything in the master plan that says services will be taken care of within three years.

Mr. Brierley stated that they had only the applicant's statements.

Councilor Andrews asked if there has been any discussion on subdividing this piece of land.

Mr. Brierley stated that there has been no talk of that at this time.

Councilor Soppe asked if the planning commission discussed this.

Mr. Brierley stated that there was very little discussion on it.

Mimi Doukas WRG Design, stated that services to this land are feasible today. The applicant does understand that these costs are something that they will have to take care of.

Mayor Stewart closed public testimony.

Applicant waived the right to an extra seven-day public testimony period.

MOTION: Currier/Andrews to approve **Ordinance No. 2005-2630** annexing property at 3605 N. Springbrook Rd. into City limits. (Unanimous) Motion carried.

MOTION: Currier/McBride to approve **Resolution No. 2005-2609** placing it on the May 16, 2006 general election ballot. (Unanimous) Motion carried.

Mayor Stewart called for a five-minute break at 9:05 PM.

3. Public Hearing to consider approving **Ordinance No. 2005-2631** annexing property at 1800 E. Mountainview Dr. into City limits and **Resolution No. 2005-2610** placing it on the May 16, 2006 general election ballot.
Quasi-Judicial Hearing

Barton Brierley presented the staff report on annexing property at 1800 E. Mountainview Dr. into the City Limits. Mr. Brierley stated that the main reason for this annexation is for the house to hook up to the City's water line.

Councilor Soppe stated that he is very concerned that the applicants may look at this and be surprised when we tell them that they will have to pay for the improvements.

Mr. Brierley stated that it could be a public improvement project.

Councilor Soppe stated that the report doesn't show clearly that they have to pay for the improvements.

Mayor Stewart asked if Councilor Soppe had read number 7 on page 129.

Councilor Soppe stated that item 7 is clear enough.

Councilor Currier asked how you could annex the Thorne property and include the right of way of another property.

Mr. Brierley stated that they did it this way so they can improve this area without having to get permits from the county.

Councilor Currier stated that he was worried that the applicants will have to improve all of the right of way. Councilor Currier asked if this could have been a separate application.

Mr. Brierley stated that it could have been done that way. It was done like that on Fernwood Road and caused extra work. Mr. Brierley stated that the council could amend the action.

Mimi Doukas WRG Design, stated that the applicant is comfortable with the conditions of approval. The Thornes would really like the city services and are fully aware of the burden.

Councilor Andrews asked if Ms. Doukas was providing testimony that the applicant understands and approves the cost of the improvements.

Ms. Doukas replied that she represents the Thornes in this matter.

Mayor Stewart closed public testimony.

Applicant waived the right to an extra seven-day public testimony period.

MOTION: Soppe/Currier to approve **Ordinance No. 2005-2631** annexing property at 1800 E. Mountainview Dr. into City limits with the following modifications:

1. Item 7 of the ordaining clause is modified and states: "The applicant will be required to complete improvements for that portion of E. Mountainview Dr. immediately North of Tax Lot 3217BA-300."

2. Item 8 is added to the ordaining clause and states: " The applicant shall be responsible for all costs associated with Items 5, 6 and 7." (Unanimous) Motion carried.

MOTION: Soppe/Currier to approve **Resolution No. 2005-2610** placing it on the May 16, 2006 general election ballot. (Unanimous) Motion carried.

BUSINESS MEETING SECTION

VIII. NEW BUSINESS

1. Consider approving **Resolution No. 2005-2611** adopting the 2005 Springs System Improvement Study.

Dan Danicic presented the staff report. Mr. Danicic presented the seven alternatives that Groundwater Solutions considered. Mr. Danicic recommended alternative option two.

Councilor McBride asked, if Atkinson Springs were taken offline, would the City lose the water rights to it.

Mr. Danicic stated that it was possible, but historically it has not happened.

Councilor McBride asked how much water comes out of Atkinson Springs each day.

Jadene Torrent-Stensland stated that on average it is 13,000 gal per day.

Mayor Stewart asked if there was a way that it could be added in with Otis Springs to water the golf course.

Mr. Danicic stated that it was a long distance to transport the water; it would most likely be used for irrigation for the northern part of Newberg.

Councilor Andrews asked what the status of the reservoirs on the North end of town is.

Mr. Danicic stated that they are an integral part of the city's water system.

Councilor Boyes asked if the number of users of the springs could be increased.

Mr. Danicic stated that additional connections to the springs has been discouraged historically, although some new connections have occurred over the years.

Councilor Boyes asked how many connections to the spring there are.

Mr. Danicic stated that there are 68 users.

Councilor Soppe asked if the water from the springs goes into our water system.

Mr. Danicic stated that it does.

Councilor Soppe stated that he was under the impression that the reservoirs had been disconnected from the springs. How much of the water goes into the City system.

Mr. Danicic stated that on average it is 13,000 gallons a day, but this fluctuates depending upon the season.

Councilor Boyes asked why the lowest option was chosen. Will this option meet all of the State and Federal standards?

Mr. Danicic stated that the lowest was picked because it was the cheapest and it does address all of the current needs.

Councilor McBride stated that he was leaning towards alternative option one. Looking at the long term it seems that it might be better. Councilor McBride stated that he doesn't feel comfortable just shutting off the water to those families. Councilor McBride asked if the money for alternate one was available.

Jim Bennett stated that the city does have it, but it would have to be taken from other projects.

Councilor Soppe suggested that the springs customers might set up some kind of water district, and if the city wants water from them, then the city can buy it from them as needed. Councilor Soppe asked if there was any technical problem with that.

Mr. Danicic stated that there were no problems with it that he could see right now.

Councilor Boyes asked what the customers pay for water.

Mr. Danicic stated that it was approximately $34 a month.

Ms. Stensland stated that a few users do not pay anything for their water, 21 houses get 100 gallons free a month and then they pay 150% of the city rate and the rest pay 150% of the city rate for all water used.

Councilor Boyes asked if they help pay for the water treatment plant.

Jim Bennett stated that they do help with that. The money goes into the water fund and helps to pay for other water projects.

Councilor Soppe asked if there wasn't actually a $12,000 annual deficit from the users.

Jim Bennett stated that there was such a deficit.

Michael Roos stated that, as a springs customer, we are looking to the city for a partnership.

Councilor Soppe stated that, if the city has a legal requirement to maintain the springs system, then that could change his mind on this subject.

Stan Gaibler stated that there is a document that was the result of a lawsuit in 1904 when the city condemned the springs. At the time, the lawsuit was in favor of the people and says that the city has to maintain the water supply.

Councilor Boyes stated that there is more information that needs to be reviewed before there is a decision on this.

MOTION: Soppe/McBride to approve **Resolution No. 2005-2611** adopting the 2005 Springs System Improvement Study.

MOTION: Andrews/McBride to table **Resolution No. 2005-2611** adopting the 2005 Springs System Improvement Study to the January 17th meeting. (Unanimous) Motion carried.

2. Consider a motion to approve the Annual Comprehensive Financial Statements for the year ended June 30, 2005.

Mayor Stewart moved this item to Consent Calendar.

IX. CONTINUED BUSINESS

None.

X. EXECUTIVE SESSION

None.

XI. ADJOURNMENT

MOTION: Soppe/Boyes to adjourn at 10:50 pm. (Unanimous) Motion carried.

ADOPTED by the Newberg City Council this 17th day of January, 2006.

JH Bennett

James H. Bennett, City Recorder

ATTEST by the Mayor this 7th day of February, 2006.

Bob Stewart

Bob Stewart, Mayor