

**MINUTES OF THE NEWBERG CITY COUNCIL
JANUARY 3, 2005
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING - TRAINING ROOM**

I. OATH OF OFFICE

**Bob Stewart – Mayor
Roger Currier – Councilor
Mike Boyes – Councilor
Robert Soppe – Councilor**

James Bennett – administered the Oath of Office to the recently elected Mayor and Council members.

II. CALL MEETING TO ORDER

Mayor Stewart called meeting to order 7:00p.m.

III. ROLL CALL

Councilors Present:	Mayor Bob Stewart	Mike McBride
	Bob Larson	Robert Soppe
	Roger Currier	Mike Boyes
	Bob Andrews	

Councilors Absent: None

Others Present:

James Bennett, City Manager
Terrence Mahr, City Attorney
Barton Brierley, Planning & Building Director
Dan Danicic, Public Works Director
David Beam, Economic Development Coordinator
Leah Griffith, Library Director
Dawn Nelson, Recording Secretary

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was administered

V. APPOINTMENT OF COUNCIL PRESIDENT

Councilor Soppe - nominated Bob Andrews for Council President. Council President Larson moved that the nominations be closed. Bob Andrews was appointed Council President by acclamation.

PUBLIC MEETING SECTION

VI. PUBLIC COMMENTS

Joan Gregor, 2140 Crater Lane, Newberg – commented on Crater Lane being under the jurisdiction of Yamhill County. Does City plan on taking over jurisdiction? The residents don't have to pay LID assessments unless the road is brought into the City.

Councilor McBride –are you requesting not to pay your assessment?

Joan Gregor – it is a question of whether the City is going to take in the road.

Councilor Soppe – which part of Crater Lane do you live on?

Joan Gregor – back part of Melody Lane.

Gordon Hall, 307 S. Edwards, Newberg - resident since 1999, representing Second Street Citizens Committee. Expressed concerns about project to reroute traffic from First St. to Second St. Thought it was removed from transportation plan in 2001, but has resurfaced in 2004. Wants to know why City is not honoring decision to remove from plan in 2001? Request Council determine what happened to the city of Newberg Transportation Task Force and its Transportation Plan of 2001.

Councilor Currier – is it not true that one of your members went to effort to produce this report for Planning Commission?

Gordon Hall – that is true.

Lorraine Hall – information was not available at City Hall; had to go to the Library to get Information.

Discussion of Crater Lane jurisdiction transfer and when it will take place. it is currently within the City limits.

VII. CONSENT CALENDAR

None

VIII. PUBLIC HEARING

1. Consider approval of **Ordinance No. 2005-2615** to create the Mountainview Local Improvement District (LID) and establish estimated assessments for the LID.

Mayor Stewart – opened public hearing, called for abstentions and conflicts of interest.

Terrence Mahr – have some corrections to Ordinance that do not change the essence of the Ordinance.

Staff Report Presented by – Dan Danicic

Covered report as presented in packet. Read letter from resident for remonstrance.

Terrence Mahr – covered all the changes in the revised Ordinance 2005-2615. Council needs to make finding on remonstrances.

Questions of Staff

Councilor Soppe – the cost to the City is estimated at \$106,596. That is considerably more than original estimate. What projects will we not do to fund this amount?

Dan Danicic – probably the northern arterial; it will generate a 6 month delay in that project.

Councilor Soppe – a 6-month delay will handle the \$75000 increase in cost for this project? Problem with page 13 being inconsistent in terms of oversizing.

James Bennett – I believe that was discussed at last meeting.

Councilor Soppe – how much do we think it is going to cost?

Dan Danicic – engineering estimate is \$35,000.

Councilor Soppe – wording is very poor on this issue. I think if we are going to contribute \$35,000, we should just state it that way.

Dan Danicic – the way it is written is a little confusing.

James Bennett – suggested some corrective wording.

Councilor Soppe – page 14 item (m) we don't talk about where those funds will come from.

Dan Danicic – most likely will come from street improvement fund.

Councilor Soppe – refer to page 15, official numbers I have seen show 50% contingency. Where do you expect costs to come in?

Dan Danicic – \$275,000.

Councilor Soppe – \$275,000. Is that with a 20% contingency? Then why are we using 50% in the data.

Dan Danicic – project is still at planning level have not finished design yet so unsure of costs.

Councilor Soppe – refer to page 23, in reference to payment deadline, is that normal timeline?

Kathy Tri – yes.

Councilor Soppe – to Terrence Mahr – with all other LIDs aren't liens done at end of process? why are we doing up front on this project?

Terrence Mahr – we have the authority to do it before. If Council wants to go through with LID we should have it done by the March elections to prevent any problems.

Discussion of lien being placed ahead of the project construction.

Councilor Larson –refer to page 7, 1st paragraph and page 8, fiscal impacts, no mention of half street improvements on Crater Lane. Should that be in there?

Dan Danicic – yes, it should be added.

Councilor Andrews – refer to page 22, rate of interest - do you have any idea of the range of what it might be?

Kathy Tri – we will look at 10 year treasury then add 2%.

Mayor Stewart – any current idea of rate?

Kathy Tri – between 5 and 6 percent.

Councilor Soppe – refer to page 12, Mountain View, length of improvement.

Discussion of discrepancy of lengths of the road improvement. Mr. Danicic does not think they are significant enough to alter the costs of project.

Public Testimony

Joyce Vergets – request remove non-remonstrance agreements from all developments. She does not disapprove of LIDs and will not support initiative measures.

Councilor Soppe – are you saying get rid of all waivers of remonstrance in the future, or only for future developments?

Joyce Vergets – future developments.

Councilor Soppe – do we still do waivers of remonstrance?

Barton Brierley – we no longer do them for new developments.

Russ Kusters, 101 E Mountain View Drive, Newberg – appreciate everything Council has done, want to reiterate again how we appreciate how the City government was willing to sit down and discuss situation and come up with a resolution. Agree with Joyce not to follow this procedure for future developments. Regarding interest rate, please look at lowest possible rate.

Mayor Stewart – reassure you that percentage will be kept as low as possible.

Councilor Soppe – to Kathy Tri – we will charge what the bank is going to charge us for the loan?

Kathy Tri – we are financing internally but we will charge what ever the going bank rate would be.

Mayor Stewart – staff will keep it as low as it can.

Mayor Stewart – closed public testimony.

Dan Danicic – presented recommendation of staff.

Terrence Mahr – read proposed changes to Ordinance.

Councilor Currier - motioned to approve amended **Ordinance No. 2005-2615**, Councilor Larson seconded.

Discussion of Councilors

Terrence Mahr – read add #7 regarding remonstrance letter from resident.

Councilor Currier – motioned to approve amendment.

Terrence Mahr – council to make motion to approve as originally accepted then vote on amendments.

Councilor Currier - withdrew motion

Councilor Andrews – motion to approve **Ordinance No. 2005-2615**, Councilor Larson seconded.

Discussion of Councilors

Councilor Currier – motion to approve recommend changes to ordinance/no second

Councilor Andrews – motion to amend **Ordinance No. 2005-2615** by adding #7 regarding remonstrance letter as read by City Attorney, Councilor Currier seconded.

MOTION: ANDREWS/CURRIER to approve amendment to Ordinance No. 2005-2615 by adding #7 regarding remonstrance letter as read by City Attorney. (5 Y / 1 N[McBride]) Motion carried.
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Councilor Currier – motioned to amend **Ordinance No. 2005-2615** regarding estimated cost, Councilor Soppe seconded.

MOTION: CURRIER/SOPPE to approve amendment to **Ordinance No. 2005-2615** regarding estimated cost.
(5 Y / 1 N[McBride]) Motion carried.

Councilor Andrews – motion to amend **Ordinance No. 2005-2615** adding language on page 18, Councilor Soppe seconded.

MOTION: ANDREWS/SOPPE to approve amendment to **Ordinance No. 2005-2615** adding language on page 18.
(5 Y / 1 N[McBride]) Motion carried.

Councilor Andrews move to further amend **Ordinance No. 2005-2615** page 13 exhibit (b) last sentence as presented by city attorney regarding minimum contribution by city for oversizing, Councilor Currier seconded.

Councilor Soppe – object to having two specific terms that don't really apply; made suggestion earlier to just say we are contributing \$35,000.

Discussion of how it should be worded.

MOTION: ANDREWS/CURRIER to approve amendment to **Ordinance No. 2005-2615** page 13 exhibit (b) last sentence as presented by city attorney regarding minimum contribution by city for oversizing.
(0 Y / 6 N) Motion failed.

Councilor Soppe – motion to amend **Ordinance No. 2005-2615** page 13 drop wording for oversizing, Councilor Andrews seconded.

MOTION: SOPPE/ANDREWS to approve amendment to **Ordinance No. 2005-2615** page 13 drop wording for oversizing.
(5 Y / 1 N[McBride]) Motion carried.

Councilor Currier – to Terrence Mahr - was there not one more issue?

Terrence Mahr – no, it was taken care of.

Councilor Soppe – provided numbers of what the costs would be as to different methodologies that were not discussed prior. One of the worst things we are doing in approving this is to avoid clear intent of what is going to be considered at March election. Concerned about listening to the voters, I will vote against.

Councilor McBride – reasons for voting against amendments; agrees with Soppe; matter of principle with me; not going to be able to support.

Terrence Mahr – read Ordinance 2005-2615 by title with amendments.

MOTION: ANDREWS/LARSON to approve **Ordinance No. 2005-2615** to create the Mountainview Local Improvement District (LID) and establish estimated assessments for the LID as amended.
(4 Y / 2 N[Soppe, McBride]) Motion carried.

BUSINESS MEETING SECTION

IX. CONTINUED BUSINESS

X. NEW BUSINESS

1. Consider approval of **Resolution No. 2005-2553** adopting the downtown spring and fall decorative banner designs.

Staff Report Presented by – David Beam

Presented recommended designs for banners that will be funded through grant and assistance from George Fox University (GFU).

Questions of Staff

Discussion of placement and size of banners.

Councilor Boyes – if a company wants to fund banner, how will the design be developed for the banner; concerned about consistency of design style.

David Beam – Downtown Association got additional grant to do summer banners. They are going to hold a community wide design competition this spring. Council can give direction to stay with a theme.

Councilor Boyes – is there a minimum/maximum of banners to be produced by others?

David Beam – there will be 40 brackets; will have to space them out if there are fewer banners.

Councilor Currier – this slogan will be the wording for all banners?

David Beam – no, this is for spring and fall. GFU has agreed to work with us regarding additional costs.

Councilor Currier – what is the duration for these to be up?

David Beam – that is yet to be determined, but spring probably in April, fall ones in time for students to return.

Councilor Currier – we should have that information before we vote on this in fairness to other organizations that would want to participate.

David Beam – they tend to be seasonal, intent is to display them for about 2 months.

Councilor Boyes – are there regulations to follow on content of banners?

David Beam – can't promote anything; that is why we are asking for the wording as presented. For slogan both ODOT and PGE have regulations and we don't see any problems. They have approved contingent on resolution passing.

Councilor Soppe – what if they said ADEC instead of George Fox would that be OK?

James Bennett – no, I think there is a difference between a private business and a public institution that has been in service to the community since 1891, even with all the good things that ADEC has done for the community.

Discussion of slogans and what could get put through.

Discussion of how the brackets being installed is the significant part of the project and that there are still maintenance issues and the cost of additional banners is minimal compared to the start up costs.

Councilor Andrews – the question before us tonight is approving these 2 banners. Future considerations could be for other seasons and slogans?

David Beam – correct.

Councilor Boyes – who is going to put up take down of the banners?

David Beam – Russ Thomas – Public Works.

Councilor Boyes – if a person wants to put up a banner, it needs to go through your group.

Mayor Stewart – they would still go through Council first for approval.

Councilor Currier – we will need a truck to put them up.

David Beam – we have funding to put up brackets and first set of banners; need to set up funding for future banner maintenance. Russ Thomas is coming up with those options.

Discussion of maintenance of banner program.

Councilor Soppe – if we purchased a truck to put up signs, what other needs would we have for this truck? I don't think City would support buying truck if it is only for putting up banners.

David Beam – discussions with Russ indicate there would be lots of uses for this truck.

Councilor Boyes – the Fire Department could use it; they always use PGE truck to put up Xmas decorations.

Councilor Larson motioned to approve **Resolution No. 2005-2553**, Councilor Andrews seconded.

Discussion of Councilors

Councilor Currier - motion to amend resolution and set a time limit of 3 months each for spring and fall banners, Councilor Soppe seconded.

Councilor Andrews – it is in resolution.

Councilor Soppe – concur that George Fox may want too much time for banner display, but it costs money to take down the banners. It would be more cost effective if we had new ones to put up. Trust staff judgment on this matter.

Public Testimony

Rob Felton, 321 Burl St, Newberg - director of public information for George Fox – glad to be a part of this project. Expect \$6000 in future budget. Would like to emphasize we asked for public comments during Art Walk. Overall reaction was positive to project

Councilor Boyes – is it your intention to have banners displayed for 3 months?

Rob Felton - 2 and 2 was what we were hoping for, but 3 would be fine.

John Bridges, 515 E First St, Newberg – this is a big picture vision. To Councilor Currier, Councilor could give charge to an ad hoc committee on how to choose new design and how long they should be displayed. Ultimately designs have to go to ODOT, but they go to Council first. You will have your opportunity to have opinion on design. Turn authority on project over to the people that have been working on it. Downtown Association grant pays for half of banners; the rest come from donations.

Mayor Stewart – would like to comment that fall banner is too dark.

John Bridges – background color will not be that color; it is not available.

Kristin Horn – I support resolution. Would like to note that the designs that were selected were coincidentally done by the same artist.

Mayor Stewart – on the fall banner what is the drawing through the tower?

Kristin Horn –stylized leaf.

Councilor Boyes – how many people participated in selection of these banners?

Kristin Horn – staff and students of George Fox narrowed it down from original entries.

David Beam – 5 designs for each season were voted on at Art Walk.

John Bridges – had 25 participants actually fill out comment cards at Art Walk. Solicited input but committee made final selection.

Kristin Horn – comments from people that viewed these were positive.

Councilor Soppe – is there a better form than Art Walk to get input from residents?

Councilor Boyes – different festivals.

Kristin Horn – advertised in newspaper and Chamber update; it was well publicized.

MOTION: CURRIER/SOPPE to amend **Resolution No. 2005-2553** and set a time limit of 3 months each for spring and fall banners. (O Y / 6 N) Motion failed.

MOTION: LARSON/ANDREWS to approve **Resolution No. 2005-2553** adopting the downtown spring and fall decorative banner designs.
(6 Y / 0 N) Motion carried.

2. Consider approval of **Resolution No. 2005-2554** supporting the Portland Regional Business Plan of the Regional Economic Development Partners.

Staff Report Presented by – David Beam

We have already joined this group. The resolution deals with whether we should support the business plan.

Questions of Staff

Councilor Currier – by what authority did we pass joining this group?

David Beam – approved in budget; this is a voluntary organization. if want to discontinue membership, Council could remove in next budget.

Councilor Larson – when did we join?

David Beam – summer 2004.

Councilor Andrews – there are 2 issues: one that is before us and the membership in the Organization. Has it benefited City?

David Beam – yes, joining this group has a long term benefit. The influence of Portland on city of Newberg is undeniable. Economic development is a networking thing.

Barton Brierley – something immediate we are getting is this business plan which is a valuable asset for us. They have done some research that is very beneficial to us.

Councilor Larson – we are being asked to accept 2 year old business plan?

David Beam – that is correct.

Councilor McBride – motioned to approve **Resolution No. 2005-2554**, Councilor Soppe seconded.

Discussion of Councilors

Councilor Andrews – endorse participation in organization; but adopting business plan, I have concerns with.

Councilor McBride – think that it is important that we have some plan in place. I think David's participation is a plus for the community.

James Bennett – to bring up an issue from a couple of months ago, the economic tool box. Think of this plan as one of those tools. Toolbox will come to Council in the next month or so.

Councilor Currier – to many inroads tied to Metro in this business plan. Dismayed that during work session presentation we weren't told that we were already members

James Bennett – we are members of many organizations. We don't come to Council to approve joining all of them.

David Beam – the membership was noted out in the call for Council Action.

Councilor Soppe – what happens if we try to stay members and don't adopt this plan?

David Beam – I would guess at least half of the members have adopted it.

Councilor Soppe – do you know of anyone that hasn't?

David Beam – have not heard of anyone yet.

Councilor Soppe –not seeing in plan what pulls us into Metro. I see a lot of nice goals. Concerned about Exhibit B proactively leading business from one jurisdiction to another.

Councilor Larson – I will vote for it since we are already a member. I think David will see we get updated plan.

Councilor Andrews – is there anything to prohibit us from modeling our own business plan along this line without adopting this plan?

James Bennett – we might be able to take it and run with it and market a different area than this plan does.

Councilor Currier – motioned to amend resolution to remove accepting Portland regional plan. Motion failed for lack of a second.

Councilor Andrews – concerned with resolves #3. We become a champion for Portland regional plan.

Councilor Soppe – noted corrections to dates on page 40. What specifically in this plan constrains us? What is the negative?

Councilor Andrews – based on my experience I think there are under the surface political implications. Gun shy supporting Portland metro area.

Mayor Stewart – agree, but that is a different subject than David sitting on committee.

Councilor Boyes – what are we doing ourselves to promote the City? Is there a committee that we need to form to work on this issue? Would like to hold off on voting.

Mayor Stewart – there was talk that the Council should have a toolbox of incentives that we could offer to business to let them know what is available to them.

Councilor Boyes – is there any group out there?

David Beam - quick strike team – representatives to handle questions that any business may have like utilities, realtors.

Mayor Stewart – the Council would like to have information on discussions of new businesses interested in Newberg.

David Beam – they would be highly confidential issues.

Councilor Currier – what’s happened on direction of that particular land that has been rezoned?

Barton Brierley – property is zoned M-1 and it stands.

MOTION: MCBRIDE/SOPPE to approve **Resolution No. 2005-2554** supporting the Portland Regional Business Plan of the Regional Economic Development Partners.
(3 Y / 3 N [Andrews, Boyes, Currier] / Mayor Stewart voted yes.) Motion carried.

3. Consider a motion to fill a Library Board vacancy with Mr. Roger W. Weeks.

Staff Report Presented by – Leah Griffith, Library Director.

Councilor Currier – motioned to approve Mr. Roger W. Weeks appointment to Library Board, Councilor Andrews seconded.

Councilor Soppe – has Mayor appointed him yet?

Mayor Stewart appointed Mr. Roger W. Weeks to Library Board.

MOTION: CURRIER/ANDREWS to fill a Library Board vacancy with Mr. Roger W. Weeks.
(6 Y / 0 N) Motion carried.

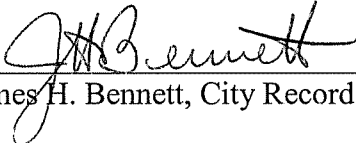
IX. EXECUTIVE SESSION

None

X. ADJOURNMENT

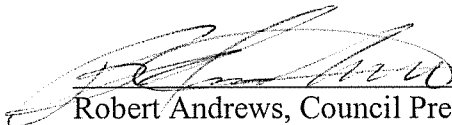
MOTION: SOPPE/MCBRIDE to adjourn meeting at 9:30 p.m.
(6 Y / 0 N) Motion carried.

ADOPTED by the Newberg City Council this 7th day of February, 2005



James H. Bennett, City Recorder

ATTEST by the Council President this 10th day of February, 2005.



Robert Andrews, Council President