

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

I. CALL MEETING TO ORDER

Mayor Stewart called the meeting to order.

II. ROLL CALL

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

Councilors Absent: Mike Boyes

Staff Present: James Bennett, City Manager
 Terrence Mahr, City Attorney
 Dan Danicic, Public Works Director
 Norma Alley, Recording Secretary

Others Present: Darlyn Adams, Allen Routt, Michael Fleskiss

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

James Bennett, City Manager, reported that Congressman Wu will be at the City Friday, March 11th and encouraged everyone to come.

PUBLIC MEETING SECTION

V. PUBLIC COMMENTS

Allen Routt, 201 S. College, Newberg, introduced himself and commented that he is moving to Newberg, opening a fine dining restaurant with his wife, Jessica, and will be applying for an OLCC license. The restaurant will be called The Painted Lady.

Darlyn Adams, 131 Johanna Ct., Newberg, updated the Council on the activities of the Newberg Animal Shelter Friends (see testimony in Council Packet).

VI. CONSENT CALENDAR

1. Visitor Center 2nd Quarter Report for 2004/05.

MOTION: RC/RL to approve Visitor Center 2nd Quarter Report for 2004/05. (5 Y/0 N/1 Absent [Boyes]). Motion carried.

VII. PUBLIC HEARING

1. Public Hearing to consider approval of **Ordinance No. 2005-2618** amending the City Purchasing Code Section 34 to comply with State Contracting Law.
Legislative Hearing

Mayor Stewart opened the Public Hearing, called for ex-parte contact, and any declarations of conflict of interest. None stated.

Terrence Mahr, City Attorney, presented the staff report and power point presentation (see packet).

Councilor Larson asked if the appropriate Oregon Revised Statutes will be listed with the Model Rules.

Terrence Mahr said they were listed in the Oregon Administrative Rules Division 46.

Councilor McBride asked for notification of all contracts approved.

James Bennett said he can verbally let them know.

Councilor Soppe asked for clarification on item number four of the recitals.

Terrence Mahr clarified the meaning by stating the city does not want to adopt its own rules. We can adopt the model rules and add our own language that does not conflict with them.

Councilor Soppe asked for clarification on item 34.05(d).

James Bennett answered that the purchasing manager will review the rules and come to Council with recommended changes.

Councilor Soppe asked for distinction between informal bids, quotes and requests for proposal.

Terry Mahr explained the various circumstances under which each of these methods can be used for purchasing.

Councilor Soppe asked what the difference was between transportation and non-transportation costs.

Dan Danicic, Public Works Director, said it is aimed toward ODOT and they have different rules.

Councilor Soppe asked why disposable structures are exempt?

James Bennett said it is when demolition needs to be done immediately due to a safety issue.

Councilor Soppe asked what is bid security.

Terry Mahr said when someone puts in a bid they put a bond of 10% security and, if they withdraw their bid, they forfeit that money.

MOTION: RL/RC to approve **Ordinance No. 2005-2618** amending the Newberg Code relating to purchasing and contracting by adopting the Attorney General's Model Public Contracting Rules with certain additions and amendments, repealing Chapter 34 of the Newberg Code, and declaring an emergency and read by title only. (5 Y/0 N/1 Absent [Boyes]) Motion carried.

BUSINESS MEETING SECTION

VIII. CONTINUED BUSINESS

None.

IX. NEW BUSINESS

1. Consider approval of **Resolution No. 2005-2561** accepting jurisdiction over a portion of Fernwood Rd. from Yamhill County.

Dan Danicic presented the staff report and recommended adoption of **Resolution No. 2005-2561**.

MOTION: RA/RC to approve **Resolution No. 2005-2561** accepting jurisdiction over a portion of Fernwood Rd. from Yamhill County. (5 Y/0 N/1 Absent [Boyes]) Motion carried.

2. Consider approval of **Resolution No. 2005-2564** initiating an engineering study for a Local Improvement District at 504 E. 9th St.

Dan Danicic presented the staff report and recommended approval of **Resolution No. 2005-2564**.

Councilor McBride asked if the sewer lines were going to be separated.

Dan Danicic said staff would install a new manhole on 10th street and then have connectors.

Councilor Andrews asked if the actual estimate is gross or per property.

Dan Danicic answered it is the gross amount.

Councilor Larson asked what happens if LIDs can no longer be approved after the election.

Terry Mahr said then the City cannot form the LID.

Councilor Soppe asked if the lines were going through the road or the property.

Dan Danicic said it would be ideal to go through the road.

Councilor Currier asked if we were going to do any work on the private road.

Dan Danicic said there would be no public infrastructure on private property.

Michael Fleskiss, 17995 SW Granada Dr., Aloha, Oregon, said he was representing the owners here tonight. It was a surprise to the owners that legality of tax lots was questionable. Once we figured this out, we came to the city for help. Dan and Terry have been great helping us work through this. We are having problems with vagrancy and vandalism. We are losing over \$6,000 dollars a month by not being able to rent.

MOTION: MM/RL to approve **Resolution No. 2005-2565** initiating the engineering study for a Local Improvement District at 504 E. Ninth Street. (5 Y/0 N/1 Absent [Boyes]) Motion carried.

3. Consider approval of **Resolution No. 2005-2565** approving an extension of the Intergovernmental Agreement between the City of Newberg and the City of Dundee for interim police services through June 30, 2005.

James Bennett presented the staff report and recommended adoption of **Resolution No. 2005-2565**.

Councilor McBride asked, if Newberg takes over Dundee's assets, would we take over the equipment.

James Bennett said the operational equipment will come to Newberg.

Councilor Currier expressed concern for Dundee maintaining their identity.

MOTION: RA/RL to approve **Resolution No. 2005-2565** approving an extension of the Intergovernmental Agreement between the City of Newberg and the City of Dundee for interim police services through June 30, 2005. (5 Y/0 N/1 Absent [Boyes]) Motion carried.

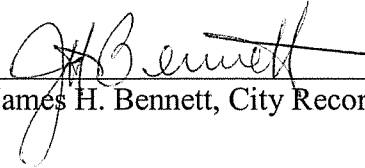
X. EXECUTIVE SESSION

None.

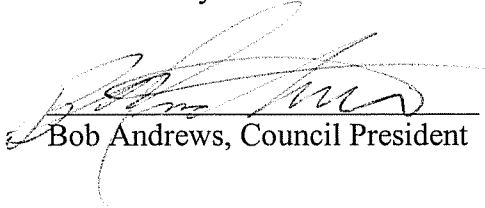
XI. ADJOURNMENT

MOTION: RC/RS to adjourn at 8:28 p.m. (5 Y/0 N/1 Absent [Boyes]) Motion carried.

ADOPTED by the Newberg City Council this 21st day of March, 2005.


James H. Bennett, City Recorder

ATTEST by the Council President this 24th day of March, 2005.


Bob Andrews, Council President