

**MINUTES OF THE NEWBERG CITY COUNCIL**  
**APRIL 18, 2005**  
**7:00 P.M. MEETING**  
**PUBLIC SAFETY BUILDING - TRAINING ROOM**

**I. CALL MEETING TO ORDER\***

**Council President Bob Andrews** called the meeting to order at 7 pm.

**II. ROLL CALL**

Councilors Present: Bob Andrews, Council President  
Mike Boyes Roger Currier  
Bob Larson Mike McBride  
Robert Soppe

Absent: Mayor Bob Stewart

Staff Present: Jim Bennett, City Manager  
Terry Mahr, City Attorney  
Dan Danicic, Public Works Director  
Barton Brierley, Planning and Building Director  
Kathleen Bochart, Recording Secretary.

Others Present: Courtney Atwood, Cassi Barney, Darlyn Adams

**III. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was performed

**IV. CITY MANAGER'S REPORT**

A Council study session will be held at City Hall to review progress during the first quarter at 6 p.m., April 26 in the 2<sup>nd</sup> floor conference room.

**PUBLIC MEETING SECTION**

**V. PUBLIC COMMENTS**

**Darlyn Adams 131 Johanna Ct. Newberg**, received 2004 volunteer service organization award from the Chamber of Commerce. The building fund is now at \$167,190. The next big event is June 10 and 11. Wags-n-Whiskers annual yard and mega plant sale. Next meeting is Thursday 4-28, 7:30 pm.

## VI. CONSENT CALENDAR

1. Consider approving a motion to fill a Newberg Downtown Revitalization Committee Vacancy.

John Lawson, 500 N. Garfield, addressed the Council on why he wanted to serve on the committee.

**MOTION: Currier/Soppe** to fill a Newberg Downtown Revitalization Committee vacancy and appoint John Lawson to the unexpired term of Dave Daniels ending on 12/31/06. (6yes/0 no). Motion carried.

## VII. PUBLIC HEARING

None.

## BUSINESS MEETING SECTION

## VIII. NEW BUSINESS

1. Consider approving **Resolution No. 2005-2566** accepting the canvass of votes for the March 8, 2005, Special Election.

Mr. Terry Mahr, City Attorney, presented the staff report and recommended the adoption of **Resolution No. 2005-2566**

**MOTION: McBride/Boyes** to approve **Resolution No. 2005-2566** accepting the canvass of votes for the March 8, 2005, Special Election (6 yes/0 no). Motion carried.

2. Consider approving **Resolution No. 2005-2567** approving a letter of intent to negotiate a contract with Redflex Traffic System, Inc. to install a red light running system.

**Dan Danicic, Public Works Director:** A lot of people have an interest in this. The objective isn't to generate revenue, but to reduce crashes. Catching red light runners is difficult and dangerous. An officer has to find a place to set up safely and then they have to get out into traffic and pull them over. So now not only is the person running the light in danger but the officer is also. Having the camera there is like having someone there full time. There are an average of 17 red lights run every day. About 5% of all deaths in Newberg are from disobeying traffic signals of some kind. City of Newberg started this effort in 2002 when Traffic Safety Commission went to City Council. In Nov 2002 City Council okayed it. In response to the RFQ, we had 3 vendors that responded. We want to be able to negotiate with the company. We feel that Redflex is the most qualified to do this job for us. Springbrook, College, Main Street are all on State highway. This is new to ODOT Region 2 so they are cautious. We are waiting for ODOT to tell us what the fee will be. We are asking that the council let the city manager negotiate a contract with Redflex.

**Councilor Soppe:** Is there an ability to change the payment formula down the road, if we decide a year into it that we want to do that?

**Glen Post, Redflex:** Initially, most people choose to pay a percentage of the fines. Later you could move to a fixed fee depending on your situation.

**Soppe:** One question on the fee: is this per intersection?

**Post:** It is per approach. Each intersection has four approaches.

**Soppe:** I can't see where you got the numbers. Are we collecting 90% of the bail? Does the unitary assessment come out of that?

**Councilor Boyes:** Is Newberg the only city that has done this. How long would the contract be for? Are the yellow lights the same length or are they different?

**Post:** No they are not different. The lights will not be any shorter than 1 second for every 10mph.

**Councilor Currier:** How do the upgrades work?

**Post:** In Beaverton we have done 4 upgrades in 4 years. You want to lease the equipment from us for either a flat fee or a %. We do all the repairs. If we need an engineer then we can have one here tomorrow. If I need a camera I can have it here tomorrow by 10:30 am. Your primary evidence is 4 pictures. A close up of the face and the license plate. The person who ran the light will get pictures of the violation. We also do streaming video so we can see if you were swerving to miss a person or if someone turned right on a red without stopping.

**Council President Andrews:** Primarily for the Chief: in getting the equipment, I assume we can only have one intersection done at a time. Is there a way of delaying the green light after the red light comes on for cross traffic as an added safety feature? Has there been discussion on that?

**Danicic:** We have not talked about that but we will discuss this with ODOT

**Boyes:** I know this is preliminary but the question was asked. Which funding option is preferred?

**Danicic:** We will determine this as we go through the negotiations.

**Post:** What I am after here today is the letter of intent. If Newberg puts in cameras, it will be with Redflex. You can approve this now and then we will come back in 3 months and let you know if you have a problem with red light runners and if you should proceed with installing the equipment.

**Boyes:** There have been several accidents at 99 and Springbrook. Will this work at night?

**Post:** Yes.

**Councilor Larson:** Will this increase the number of accidents where the cameras are put? It may increase the number of fender benders but it will decrease the number of side impacts.

**Post:** Beaverton has actually decreased both numbers of side and front/back impacts.

**Councilor McBride:** Is there a flash that is used?

**Post:** The flash is used both night and day. Total accidents were decreased by 22%.

**Boyes:** Is there support for this from the public? Optimism that it will work?

**Post:** Redmond now has Redflex. They average 75% support from the voters. The people who don't like it are the people who run the red lights

**Soppe:** I will support this tonight, but it may change depending upon further study.

**MOTION: McBride/Currier** to approve **Resolution No. 2005-2567** approving a letter of intent to negotiate a contract with Redflex Traffic System, Inc. to install a red light running system. (6 yes/0 no). Motion carried.

3. Consider approving **Resolution No. 2005-2569** authorizing the release of a utility and access easement next to Sportsman Airpark.

**Barton Brierley, Planning and Building Director:** The property owners would like to construct a hangar over the existing easement. We talked with them and told them what needed to be done to relocate the easement. Staff recommends that the Council approve this resolution.

**Brierley:** The road will be quite a bit wider and will resolve a lot of problems that we currently have.

**Councilor Soppe:** Is the property to the North adjacent to the airport property?

**Brierley:** Yes.

**Councilor Currier:** I am puzzled by the colored map from the March 18<sup>th</sup> meeting. Where would the easement be? In the City or the County?

**Brierley:** The easement would be in the city. The property to the North is in the County.

**Currier:** Is this going to be a land use issue?

**Brierley:** No, you this is only an easement to the City that runs over the property.

**Council President Andrews:** How will this effect the Sportsman Airpark development?

**Brierley:** It should not affect development and would be consistent with future plans for the airpark.

**MOTION: Larson/Soppe** to approve **Resolution No. 2005-2569** authorizing the release of a utility and access easement next to Sportsman Airpark. (6 yes/ 0 no). Motion carried.

4. Consider approving **Resolution No. 2005-2570** initiating the process to apply a limited use overlay on the “Gateway” property.

**Barton Brierley, Planning and Building Director:** The overlay would limit the uses to low intensity. Property has poor access, contamination, lack of parking, high visibility. This simply initiates the process to apply for a limited use overlay. If this passes today then we would set a public hearing. We do recommend that you approve this.

**Councilor Soppe:** If we approve this tonight then you will come back to us for final approval?

**Brierley:** Correct.

**Soppe:** Will you discuss the access issues tonight?

**Brierley:** The property has frontage on three roads, Neither First or Hancock would be practical access. The traffic is hectic in this area and getting in and out of Center St is a real problem.

**Soppe:** We need to put restrictions on this piece of land now.

**Councilor Currier:** Mr. Brierley just brought up the fact that someone else is thinking of buying the property.

**Terry Mahr, City Attorney:** We could be subject to something like Measure 37, but I am not aware of another transaction pending. We as the city have the first preference for the land. ODOT asked us first if we wanted the land. The appraisal might have to wait until the end of May and ODOT has no problem waiting until then.

**Brierley:** Measure 37 claims only go back to the time the property entered into the current ownership.

**Currier:** Do you remember what the State paid for the property where Artic Circle was at?

**Brierley:** Any access from Hancock would require a permit from the City. We control access to Center Street.

**MOTION: Larson/McBride** to approve **Resolution No. 2005-2570** initiating the process to apply a limited use overlay on the “Gateway” property. (6 yes/ 0 no). Motion carried.

Council President Andrews called a 5 minute break at 8:50 pm.

5. Consider approving a motion to adopt a Project Kids Card as a regular part of the Newberg Public Library’s card schedule.

**Leah Griffith, Library Director:** Project Kids Card provides cards to non residents 14 and under for free and to older middle school and high school students for \$10. 92 Dundee and 173 rural kids received cards last year. The library usually gets \$20,000 in revenue. This will be down 8% for the year. While there is a loss in revenue, the benefits outweigh the loss. We are better able to serve Newberg students.

**Cassi Barney 216 SW 11<sup>th</sup> St. Newberg & Courtney Atwood 515 E. Franklin Newberg:** Project Citizen takes an issue in the community and tries to find alternatives. In class we have talked about this. We would like to see a student discount card. Expand the library into something like a county district. Nearly half of the students in our schools live outside of the library service area.

**Councilor Currier:** If people were to pay library district tax, it would be more than the yearly cost of the out of city card.

**Griffith:** Mr. Larson was the first one to contact me about Project Citizen. I do encourage everyone to donate to this fund.

**Council President Andrews:** There is a potential loss of \$1,800?

**Griffith:** Yes, the net loss would be about that, or 8% less than normal revenues.

**Andrews:** Do you have any way of telling, by issuing the free cards for 14 and under, how many additional users there have been?

**Councilor Soppe:** I can clearly relate to the free card, but not to the over 14 middle school-high school card for \$10. Do we have a way that we can have a card like this for adults? Do we pay CCRLS for each person who gets a library card?

**Griffith:** Our fee is based on the proposed amount of people who will obtain cards.

**Soppe:** When you brought this to us before, I wasn't a fan but I was willing to give it a try. I have a problem with the people who are outside of the district and were given the chance to join the system and didn't take it.

**Griffith:** The community as a whole has not had the chance to turn this down. The city of Dundee survey didn't go very well, but a lot of people didn't know about the program. With middle school students, \$10 means they have to be serious to have the card. \$10 is something that is usually affordable. This has helped us to be able to serve Newberg better now and in the future.

**Andrews:** What do you mean by Newberg only?

**Griffith:** They will only be able to use materials from Newberg's library, not other CCRLS libraries.

**Currier:** If we can keep 2 or 3 kids off the streets because they are able to get reading material I urge us to pass this motion.

**Councilor Larson:** I would like everyone to donate and I will match what is raised.

**Councilor McBride:** I think we should support Leah with this and have trust in her.

**MOTION: Currier/Larson** to approve a motion to adopt a Project Kids Card as a regular part of the Newberg Public Library's card schedule.

Soppe moved to amend the motion to remove the \$10 card for middle school and high school students. Motion failed for lack of a second.

**VOTE ON MOTION:** (5yes/1no[Soppe]). Motion carried.

## **IX. CONTINUED BUSINESS**

1. Consider approving **Ordinance No. 2005-2619** adopting the Newberg Transportation System Plan, and amending the Newberg Development Code and Comprehensive Plan Policies.

**Barton Brierley, Planning and Building Director:** At the last meeting we heard the plan and heard public testimony. Tonight we deliberate on the plan. TSP is a comprehensive plan. It looks into 2025, looks at all transportation. Now I will leave it open to you for deliberation.

**Councilor Soppe:** I will start with some of the numbers we talked about. A lot of this is generated from the studies. I want to have confidence in our studies. We had some e-mails about this and I am still lost on some things. One of the last e-mails I sent was about the traffic on 99W. The numbers are significant. When I look at westbound traffic, 1/3 of the cars disappear from Hancock. Where did they go?

**Brierley:** They went right on Main Street

**Anthony Yee, Kittelson & Associates:** All of the input that we got was from ODOT.

**Soppe:** I wasn't trying to argue whether or not the results are appropriate. I just want to know if the results are good. Explain to me how some of the cars are going right.

**Yee:** Because we found this error, we did correct this.

**Soppe:** On 99 between Villa and River, vehicle trips either appear or disappear.

**Yee:** The short answer is all the volume counts were in 2002. Some were at the beginning; some were at the end. We try to set some control points over 20 intersections. There is a balancing act that we try to do. My hunch is that we picked those 2 control points and didn't balance it well enough.

**Soppe:** If the numbers aren't counted correct in the first place, 20% of the cars on 99W are being added into the section where there is no good area for them to be added. I think it is because of where we took those control points,

**Councilor Currier:** On pg 83 of the change that came out on Friday, Item IX-1 amendment, Pg 132, was this a vague statement for a reason?

**Brierley:** It's because it is not funded in the State currently but may be in the future.

**Currier:** Where it talks about local gas tax, it has been previously said that the gas tax would be for road maintenance

**Brierley:** It is one thing the Council can use the gas tax for, but it is not limited to road improvements only.

**Councilor McBride:** I have so many questions on this. This is going to take some time.

**Councilor Boyes:** I agree with Mike.

**Brierley:** The draft plans were prepared in 2003. It wasn't as precise until the maps came out, and I don't know the exact date that this occurred. I believe it was earlier than December. The 5 public workshops showed the routes, however, and which properties they would be on.

**Currier:** Are you talking about the realignment of Springbrook Rd?

**Jim Bennett, City Manager:** Project number 6 is the Wilsonville Road safety project.

**Council President Andrews:** That section deals with College and Foothills Dr, Mountainview and Springbrook, Springbrook and Fernwood/8<sup>th</sup> and Wilsonville Road.

**Currier:** What about Villa/Hayworth?

**Brierley:** The Villa/Hayworth project says to modify a 4 way street control. It isn't rerouting.

**Andrews:** Can you give me some description of number 9 at Main and Illinois?

**Brierley:** We came up with a few drawings of a new intersection. One would put a roundabout, one would put a traffic light there. We took those options to a public meeting to see if we could get a preference from the public. There wasn't one that really stood out to anyone.

**Andrews:** Can we conclude then that Illinois will be kept open?

**Brierley:** Somehow Illinois will continue to be a street with some sort of connection in the area. But it will need to be improved. One option had it closed at Main street.

**Soppe:** So Illinois will still have a fair amount of traffic?

**Currier:** I don't want it to be closed at Main street. All the people trying to get to the school, if you were to shut main off, then you would have a huge impact on the neighborhood.

**Andrews:** How does Vermillion figure in?

**Brierley:** You already have a road now where people can get through town. I will say that one thing this plan does that others didn't is it excluded the option of straightening

**McBride:** Suggested we continue this to our next work session so we have time to go over the packet.



**Bennett:** We always have a number of issues that we need to discuss. There are a couple ways to address it. We can try and clear out agenda or we can have a whole other meeting just for this topic. We can have a special council meeting.

**Brierley:** Is there anything you want to add to the list of things you want to discuss at the next meeting?

**MOTION: Boyes/Currier** to suspend discussion of the Newberg Transportation System Plan and amendment of the Newberg Development Code and Comprehensive Plan Policies to the meeting of May 2, 2005. (6 yes/ 0 no). Motion carried.

**Boyes:** I think we need to work and educate ourselves best we can.

The Council adjourned into executive session at 10:05 pm.

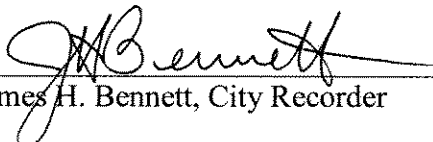
**X. EXECUTIVE SESSION**

1. Executive Session pursuant to ORS 192.660(2)(e) relating to real property transaction  
Gateway Property  
Gearn's Ferry Property

**XI. ADJOURNMENT**

**MOTION: Larson/McBride** to adjourn at 11:30 p.m. (6Yes/ 0No)]. Motion Carried.

**ADOPTED** by the Newberg City Council this 16<sup>th</sup> day of May, 2005.

  
James H. Bennett, City Recorder

**ATTEST** by the Mayor this 19<sup>th</sup> day of May, 2005.

  
Bob Stewart, Mayor