

NEWBERG CITY COUNCIL MINUTES
AUGUST 21, 2006
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	Dawn Nelson	Bart Rierson
	Robert Soppe		

Staff

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

Others

Present: Rick Ross, Darlyn Adams, Ed Savage, Jeff Caines, Leonard Rydell, David Anderson

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

No report.

PUBLIC MEETING SECTION

V. PUBLIC COMMENTS

Rick Ross stated that he was here to introduce himself to the Council. Mr. Ross stated that he is a candidate for state senator. Mr. Ross stated that his promise to the council is nothing more than to be a visible presence to the city government of Newberg. Mr. Ross stated that there is a local Newberg resident that he is running against, but he has not met him.

Darlyn Adams, Newberg Animal Shelter Friends stated that the Astor House hosted the Wags-N-Whiskers Pancake Feast. Ms. Adams stated that they raised \$881. Ms. Adams stated that the biggest event of the year is the "Make Mine Music Dinner and Silent Auction" which is scheduled for Sept 30, 2006 from 5PM to 9PM at the Chehalem Armory. Donation is \$25. Ms.

Adams stated that the next meeting is scheduled for August 31, 2006 at 7:30 PM at the Public Safety Building.

Ed Savage stated that he wanted to talk to the council about remodeling the VFW Hall, or better yet finding a new building. Mr. Savage stated that they are currently looking at several properties. Mr. Savage stated that they are looking for something that is a single story or that has an elevator. Mr. Savage stated that it would cost nearly \$200,000 to get the present building to fire and ADA code.

Councilor Currier stated that the original game plan was if the city found a new building for the VFW Hall, then the city would bring it to the group and possibly do an exchange.

Mr. Savage stated that as of now that has not happened.

Councilor Currier asked if the lots that they are looking at have a building on them now.

Mr. Savage stated that there are buildings on both of them.

Councilor Currier asked Mr. Savage what he was asking of the council.

Mr. Savage stated that he would be honored if one of the council members were to work on the working committee with the VFW.

Councilor Currier stated that he would be happy to do that.

VI. CONSENT CALENDAR

1. Consider a motion approving the City Council Regular Session Minutes for July 17, 2006.

MOTION: Andrews/Nelson to approve the City Council Regular Session Minutes for July 17, 2006 as amended. (Unanimous) Motion carried.

VII. PUBLIC HEARING

1. Public Hearing to consider adopting **Ordinance No. 2006-2653** annexing 3.2 acres located at 1200 South Springbrook Road and adopting **Resolution No. 2006-2672** scheduling this item for the November 7, 2006, General Election.
Quasi-Judicial Hearing

Barton Brierley presented the staff report. Mr. Brierley stated that the Planning Commission and staff recommend adoption of **Ordinance No. 2006-2653** and **Resolution No. 2006-2672**.

Councilor Andrews asked what the difference was between single family homes and detached single family condos.

Mr. Brierley stated that in a subdivision each home and the land are owned by someone. With a condo, the home is owned by the homeowner but they pay rent on the land.

Councilor Andrews asked what the status of the house and barn was.

Mr. Brierley stated that there is a small committee working on finding an appropriate place for the home. Mr. Brierley stated that at this time there isn't anything firm.

Councilor Andrews asked if it is one tax lot in the case of condos, could there be private streets or private driveways.

Mr. Brierley stated that they could have private driveways.

Councilor Soppe asked if this driveway could have a gate on it as long as it is within their property.

Mr. Brierley stated that was correct.

Councilor Soppe asked what kind of mechanisms the city has to keep from being responsible for taking care of the private driveway.

Mr. Brierley stated that with private driveways there is an association that has bylaws that are to be followed. Mr. Brierley stated that in the documents it would be clear that they are responsible for the maintenance of the private driveway.

Councilor Soppe asked if the homeowners would rent the land or would they own a percentage of the total land.

Mr. Brierley stated that it could be either one.

Councilor Soppe stated that the application talks about school facilities but it never talks about the availability of school buildings.

Mr. Brierley stated that he can present some information on that. Mr. Brierley stated that they have gone through the Chehalem Valley Strategic Plan process and that is a very good way to plan for the future. Newberg School District has done some strategic planning for new school buildings. Mr. Brierley stated that they have looked at potential growth and they have come up with some time frames of needing new facilities. Mr. Brierley stated that they have purchased land for a new high school and are working on purchasing more land for an additional elementary school.

Councilor Soppe stated that the city council has been actively annexing property this year but they have not been given any guidance as to where the city is in meeting its land needs. Councilor Soppe stated that he has a difficult time approving annexations when the council does not know what the land needs are.

Councilor Rierson asked how the future plan of the Springbrook Road and Wilsonville Road intersection relates to the subdivision.

Mr. Brierley stated that he would let the applicant talk more about that. Mr. Brierley stated that they have been in contact with ODOT and may require a second access.

Councilor Boyes asked if they moved the house and barn and wanted to keep its historic designation if they had to reapply for the historic landmark designation.

Mr. Brierley stated that they would.

Councilor Boyes stated that he notices that there are not any parks in this development. Councilor Boyes asked what it took to put a park there since that is such a busy area.

Mr. Brierley stated that they would have to have a certain amount of open space.

Councilor Boyes stated that the 24 lots take up all of the space.

Mr. Brierley stated that this plan would not be approved.

Mayor Bob Stewart opened public testimony.

Jeff Caines, SR Designs stated that Mr. Willcuts has been in close contact with ODOT Region Two to discuss the Springbrook/Wynooski project and the Newberg-Dundee bypass. Mr. Caines stated that as far as all other aspects go, he believes that it meets approval criteria for annexation.

Councilor Currier asked if there is going to be 24 lots or one lot.

Mr. Caines stated that the plan shows 24 lots but it could go either way.

Councilor Soppe stated that on page 57 it talks about circulation of vehicles. Councilor Soppe asked if that meant that the proposed development will improve street connectivity.

Mr. Caines stated that what he was trying to express was that one central driveway would be better than several separate driveways.

Councilor Boyes asked if the street was average street width.

Mr. Caines stated that it is not the same as standard city streets.

Mayor Bob Stewart closed the public testimony.

Applicant waived the right to the extra seven day written testimony period.

MOTION: Andrews/Soppe to adopt **Ordinance No. 2006-2653** annexing 3.2 acres located at 1200 South Springbrook Road and read by title only. (5 Yes/ 2 No [Boyes, Currier]) Motion carried.

MOTION: Rierison/Nelson to adopt **Resolution No. 2006-2672** scheduling this item for the November 7, 2006, General Election.

Councilor Soppe stated that with the lack of knowledge on the amount of growth the city has had he does not support the resolution.

Councilor Andrews stated that he hopes that staff will come back to us with information regarding local growth.

Mr. Bennett stated that a work session could be set up with the council and staff to address the growth issue.

Councilor Nelson asked how much more it would cost for the applicant to submit a conceptual design that is something that could possibly be approved.

Mr. Brierley stated that it would take more review from staff.

VOTE: to adopt **Resolution No. 2006-2672** scheduling this item for the November 7, 2006, General Election. (4 Yes/ 3 No [Boyes, Currier, Soppe]) Motion carried.

2. Public Hearing to consider adopting **Ordinance No. 2006-2654** annexing and Comprehensive/Zone Map change for 3.2 acres located at Lynn Drive and Crater Lane and adopting **Resolution No. 2006-2673** scheduling this item for the November 7, 2006, General Election.
Quasi-Judicial Hearing

Councilor Soppe stated that he has done some work in the past with Leonard Rydell and it will not affect his decision.

Councilor Rierson stated that he purchased a home from Roger Nelson and it will not affect his decision.

Barton Brierley presented the staff report and recommends adoption of **Ordinance No. 2006-2654** and **Resolution No. 2006-2673**.

Councilor Soppe asked Mr. Brierley if he was comfortable saying that the bulk of the property would be served by city services.

Mr. Brierley stated that he was.

Councilor Andrews asked about the comment from the Maintenance Division on page 118.

Mr. Brierley stated that there is a private water line that crosses the property and upon development the lines will need to be relocated.

Councilor Andrews asked who would be paying for that.

Mr. Bennett stated that the applicant would.

Councilor Andrews asked how drainage was going to be taken care of.

Mr. Brierley stated that the current culvert is already undersized and there is a potential for back up. Mr. Brierley stated that the city has looked at how to deal with this issue. Mr. Brierley stated that the capital projects list includes upsizing this culvert. Mr. Brierley stated that there has been some talk about having the applicant doing the work and the city doing a reimbursement for the culvert.

Councilor Andrews asked if Columbia Drive in this area was city or county jurisdiction.

Mr. Brierley stated that it was county.

Mayor Bob Stewart called for a five minute break.

Roger Nelson stated that he was the applicant. Mr. Nelson stated that he wanted to address a comment. Mr. Nelson stated that the only comment about storm water was from Mitzi Vondrachek and she is the seller and a proponent.

Leonard Rydell stated that one issue is the sewer. Mr. Rydell stated that the longest lot is going to be a challenge to get sewer services to it but it is possible. Mr. Rydell stated that he believes that runoff will not be a problem.

Mayor Bob Stewart closed the public testimony.

Applicant waived the right to the extra seven day written testimony period.

Barton Brierley recommended adoption of Ordinance No. 2006-2654 and Resolution No. 2006-2673.

MOTION: Currier/Andrews to adopt **Ordinance No. 2006-2654** annexing and Comprehensive/Zone Map change for 3.2 acres located at Lynn Drive and Crater Lane. (Unanimous) Motion carried.

MOTION: Rierson/Nelson to adopt **Resolution No. 2006-2673** scheduling this item for the November 7, 2006, General Election. (6 Yes / 1 No [Soppe]) Motion carried.

3. Public Hearing to consider adopting **Ordinance No. 2006-2655** annexing 1.83 acres located at 3018 North College Street and adopting **Resolution No. 2006-2674** scheduling this item for the November 7, 2006, General Election.

Quasi-Judicial Hearing

Councilor Andrews stated that he is an acquaintance of Mr. Anderson but that will not affect his decision.

Barton Brierley presented the staff report.

Councilor Andrews asked if the home is connected to city water and storm sewer.

Mayor Bob Stewart opened public testimony.

David Anderson stated that the home is on city water.

Councilor Andrews asked how he got city water.

Mr. Anderson stated that they have had city water to the house for over 50 years.

Councilor Soppe asked Mr. Anderson if he had any objections to running Winchester up to Quail.

Mr. Anderson stated that if he did that he would apply for R2 zoning.

Applicant waived the seven day written testimony period.

Barton Brierley stated that the planning commission and staff recommend adoption of **Ordinance No. 2006-2655** and **Resolution No. 2006-2674**.

MOTION: to adopt **Ordinance No. 2006-2655** annexing 1.83 acres located at 3018 North College Street with changes. (Unanimous) Motion carried.

MOTION: to adopt **Resolution No. 2006-2674** scheduling this item for the November 7, 2006, General Election. (6 Yes/ 1 No [Soppe]) Motion carried.

4. Public Hearing to consider adopting **Resolution No. 2006-2675** to adopt Supplemental Budget #1 for the Fiscal Year ending June 30, 2007.

Legislative Hearing

Elizabeth Carlson, Finance Director presented the staff report and recommended adoption of **Resolution No. 2006-2675**.

MOTION: to adopt **Resolution No. 2006-2675** adopting Supplemental Budget #1 for the Fiscal Year ending June 30, 2007. (Unanimous) Motion carried.

BUSINESS MEETING SECTION

VIII. CONTINUED BUSINESS

None.

IX. NEW BUSINESS

1. Consider adopting **Resolution No. 2006-2676** authorizing the Municipal Court to conduct a Fix-It Ticket Program for traffic violations.

Terry Mahr presented the staff report.

Councilor Andrews asked if any part of the fee goes to the state.

Mr. Mahr stated that it does not as long as there is no conviction.

MOTION: to adopt **Resolution No. 2006-2676** authorizing the Municipal Court to conduct a Fix-It Ticket Program for traffic violations. (Unanimous) Motion carried.

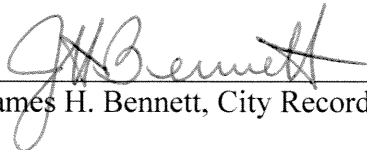
X. EXECUTIVE SESSION

None.

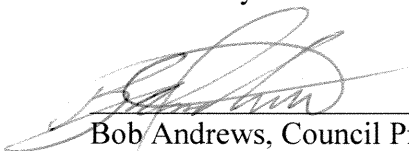
XI. ADJOURNMENT

MOTION: Carrier/Nelson to adjourn at 10:02 p.m. Motion carried.

ADOPTED by the Newberg City Council this 18th day of September, 2006.


James H. Bennett, City Recorder

ATTEST by the Council President this 27th day of September, 2006.


Bob Andrews, Council President