NEWBERG CITY COUNCIL MINUTES
JUNE 19, 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	Robert Soppe
	Roger Currier	Mike Boyes	Bart Rierson

Members Absent: Dawn Nelson (Excused)

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

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

None.

PUBLIC MEETING SECTION

V. PUBLIC COMMENTS

Darlyn Adams, Newberg Animal Shelter Friends, stated that she was here to invite the City Council to their $200,000 celebration party on Saturday June 24, 2006 from 7PM to 9PM at the Community Center. Refreshments will be served.

VI. CONSENT CALENDAR

1. Consider a motion approving City Council Regular Session Minutes for May 15, 2006.

2. Consider a motion approving a sound permit application from Sheri Smith for a 50th birthday party.

3. Consider a motion ratifying the appointment of Sally Dallas as the member-at-large chosen by Newberg Urban Area Management Commission.

5. Consider approving **Resolution No. 2006-2653** accepting the Canvass of Votes for the May 16, 2006, Primary Election.

MOTION: Andrews/Currier to approve consent calendar with Minutes from May 15, 2006 as corrected. (Unanimous) Motion carried.

4. Consider a motion appointing the most qualified candidate to fill a Newberg Downtown Revitalization Committee vacancy.

Candy Collins stated that she has just recently moved to Newberg from Elk Grove, California. Ms. Collins stated that she owns Old Town Interiors in downtown Newberg. Ms. Collins stated that her children live here and she has always liked the town. Ms. Collins stated that she was on a downtown committee in Elk Grove.

Councilor Soppe asked Ms. Collins if she has attended any NDRC meetings.

Ms. Collins stated that she has not.

Councilor Andrews asked Ms. Collins to tell the council about the old town group she was a part of in Elk Grove.

Ms. Collins stated that they started an event like the First Friday Art Walk called the Open Air Fair that was designed to bring people into the downtown area. Ms. Collins stated that there were a lot of issues with parking. At Christmas time there were events with carolling and horse drawn carts. Ms. Collins stated that the committee did not address anything like building codes.

Councilor Boyes asked how long Ms. Collins has been in downtown Newberg.

Ms. Collins stated that they moved to Newberg in October of 2005 and opened their store in March of 2006.

Councilor Rierson asked Ms. Collins what she would do to improve downtown Newberg.

Ms. Collins stated that she would like to see less signs and more things like flowers, which would make citizens want to walk in downtown Newberg.

Peter Hainley stated that he is the director of CASA or Oregon and that most of his experience has been with small businesses. Mr. Hainley stated that he is interested in this position in to help the long term development of down town Newberg.

Mayor Bob Stewart asked Mr. Hainley if he had attended any meetings.

Mr. Hainley replied that he had not.

Councilor Soppe asked Mr. Hainley what he thought that Downtown Newberg needed.

Mr. Hainley replied that he believes that a lot of it will depend on how the toll road will affect the downtown businesses. Mr. Hainley stated that the committee is going to have to look out for the downtown area businesses. Mr. Hainley stated that there are plenty of streetscape improvements that could be done, along with renovations to the buildings.

Councilor Andrews asked Mr. Hainley about his experiences working with the development of downtown Sherwood.

Mr. Hainley replied that it was basically working with building owners that the buildings needed to be updated to current earthquake standards.

Gary Buhler stated that he is a long time resident of Newberg. Mr. Buhler stated that he moved out of town for a short time but moved back in 1989. Mr. Buhler stated that he owns the Blue Trout Gallery in downtown Newberg. Mr. Buhler stated that he is interested in things that have historic value. Mr. Buhler stated that downtown Newberg is one of a kind and has historic value; it is a place that is unique only to Newberg.

Councilor Soppe asked Mr. Buhler if he had attended any NDRC meetings.

Mr. Buhler stated that he had not.

MOTION: Soppe/Rierson to fill NDRC vacancy position number one with Peter Hainley.

MOTION: Boyes/Soppe to fill NDRC vacancy position number one with Candy Collins.

MOTION: **Rierson/Soppe** to fill NDRC vacancy position number one with Gary Buhler.

VOTE: Hainley - 4; Collins - 1; Buhler – 0. Peter Hainley was appointed to position number one of the Newberg Downtown Revitalization Committee.

MOTION: Soppe/Rierson to fill NDRC vacancy position number two with Gary Buhler

MOTION: Andrews/Currier to fill NDRC vacancy position number two with Candy Collins.

MOTION: Boyes/Rierson to fill NDRC vacancy position number two with Jack Reardon.

VOTE: Collins - 2; Buhler – 2; Reardon – 1. Reardon dropped from further consideration.

RE-VOTE: Collins – 3; Buhler – 2 (Soppe, Rierson). Candy Collins was appointed to position number two of the Newberg Downtown Revitalization Committee.

VII. PUBLIC HEARING

1. Consider adopting **Resolution No. 2006-2651** adopting the 2006/2007 City Budget.

Kathy Tri, Finance Director presented the staff report. The 2006/2007 budget equals $65,842,285. Ms. Tri stated that the operating budget is $24,521,373 which is a 7.7% increase from last year. The increase covers new positions such as a police records clerk, firefighters for station 21, assistant planners and others.

Councilor Soppe asked if the amount currently needed for the drug dog is $13,000 or $5,000.

Ms. Tri stated that it was $5,000.

Councilor Soppe asked if he was correct that the drug dog was not a part of the budget, but was a request from staff.

Ms. Tri stated that was correct.

Councilor Soppe asked what the funding for the dog consisted of.

Ms. Tri stated that it is all donations.

Councilor Boyes asked about the cost for replacing vehicles and what vehicles are being replaced.

Ms. Tri stated that the animal control truck needs to be replaced. Ms. Tri stated that 2 or 3 cars need to be replaced this year.

Public testimony was opened.

Marlena Bertram, Executive Director of Your Community Mediators of Yamhill County. Ms. Bertram stated that she is here to answer any additional questions that the council might have.

Public testimony was closed. Staff recommends adopting Resolution No. 2006-2651

MOTION: Soppe/Andrews to approve **Resolution No. 2006-2651** adopting the 2006/2007 City Budget.

Councilor Soppe stated that he has some concerns about the budget, the main reason being that, although there is a large increase in revenue this year, the city is expected to spend $476,000 more than what is expected to be received into the general fund.

Ms. Tri stated that she looked at the May monthly reports to look at revenues and expenditures, and they do come out ok. The estimated expenses are less than estimated and revenue is higher than we predicted.

VOTE: to approve **Resolution No. 2006-2651** adopting the 2006/2007 City Budget. (4 Yes/ 1 No [Soppe]) Motion carried.

2. Consider adopting **Resolution No. 2006-2655** adopting a Supplemental Budget #3 for the 2005/2006 Fiscal Year.

Kathy Tri, Finance Director presented the staff report. Ms. Tri stated that at the last meeting they discussed Resolution No. 2006-2648, which contained the final assessments for the Mountain View LID. Ms. Tri stated this resolution would refund the $19,228 from the transportation systems development charge fund.

Public testimony was opened.

There was no public testimony.

Public testimony was closed.

Staff recommends adopting **Resolution No. 2006-2655.**

MOTION: Andrews/Currier to approve **Resolution No. 2006-2655** adopting a Supplemental Budget #3 for the 2006/2006 Fiscal Year as corrected. (Unanimous) Motion carried.

BUSINESS MEETING SECTION

VIII. NEW BUSINESS

1. Consider adopting **Resolution No. 2006-2649** increasing the Community Development Fee from 0.5% to 0.75%.

Kathy Tri, Finance Director presented the staff report. This is expected to increase the general fund by $200,000.

Councilor Rierson asked what the Community Development Fee funded.

Ms. Tri stated that it helps to fund planning and public safety.

Councilor Soppe asked why this fee was originally imposed.

Barton Brierley said it was a policy made by the City Council that development would support city services. They wanted to make sure that property taxes were not paying for the costs of new development. Since then planning has been largely self supporting.

Councilor Soppe stated that this is being changed to help increase the revenue of the general fund, not because the development department needs more money correct.

Mr. Brierley stated that was correct.

Councilor Boyes asked if the $200,000 was included in the proposed budget.

Ms. Tri stated that it was.

MOTION: Andrews/Currier to approve **Resolution No. 2006-2649** increasing the Community Development Fee from 0.5% to 0.75 %. (Unanimous) Motion carried.

2. Consider adopting **Resolution No. 2006-2650** electing to have the City pay the employee's retirement contribution for certain management employees.

Mayor Bob Stewart asked if this was discussed at the budget committee meetings and if there is any record of that.

Jim Bennett, City Manager stated that it was discussed, but did not know if it was included in the minutes.

Kathy Tri, Finance Director presented the staff report. Ms. Tri stated that there are two retirement plans: the Oregon Public Employees Retirement System Plan and the City of Newberg Employees Retirement Plan. Ms. Tri stated that the pension attorney reviewed this and most of the language is his. The budget includes a 3% COLA increase for non union employees and an OPSRP 6% pick up of the employee portion for certain management and supervisory employees. There are 11 positions that are included in the resolution. Ms. Tri stated that instead of getting their COLA increase on July 1st, they will have 6% employee contribution to their retirement plan paid by the city. Ms. Tri stated that the fiscal impact is $66,670.

Councilor Soppe asked how many people will be affected by this resolution.

Ms. Tri stated that it is 11 position and 23 people.

Councilor Soppe asked why the management positions are getting this higher increase the other employees.

Mr. Bennett stated it was because the long term goal is to provide all of the same benefits to all City employees. This is something that can not be done all at once because of the cost. But this is the next toward that goal.

MOTION: Andrews/Soppe to approve **Resolution No. 2006-2650** electing to have the City pay the employee's retirement contribution for certain management and supervisory employees.

Councilor Soppe stated that he has not heard any reasons as to why the city should be contributing the extra amount beyond the COLA and because of that he has a hard time supporting this.

Mr. Bennett stated that the city is trying to keep employees equal over time as the budget permits and keep it within PERS law. PERS law says that the city can do this by class, not just by picking certain employees. Mr. Bennett stated that he believes this is the logical way to proceed.

Councilor Rierson stated that the staff report compared Newberg to other communities and without this we are lacking in that area.

VOTE: to approve **Resolution No. 2006-2650** electing to have the City pay the employee's retirement contribution for certain management employees. (4 Yes/ 1 No [Soppe].) Motion carried.

3. Consider adopting **Resolution No. 2006-2652** authorizing interim financing from the Special Public Works Fund and entering into an interim financing loan of $3,830,000 with the Oregon Economic and Community Development Department.

Kathy Tri, Finance Director stated that this is for the parallel pipeline river crossing project. The OECDD requires the council to pass a funding resolution before you award the bid. This is an interim loan and, once the project is finished and the final amounts are turned in, the city will only be financing the final amount that was needed to construct the project. Ms. Tri stated that staff recommends adoption of this resolution.

Councilor Andrews asked what Ms. Tri thought a reasonable interest rate would be.

Ms. Tri stated that it would be whatever the State of Oregon can give us. It would be better than city financing. Ms. Tri stated that it would roughly be between 5% and 5.5%.

MOTION: Currier/Andrews to approve **Resolution No. 2006-2652** authorizing interim financing from the Special Public Works Fund and entering into an interim financing loan of $3,830,000 with the Oregon Economic and Community Development Department. (Unanimous) Motion carried.

4. Consider adopting **Resolution No. 2006-2654** supporting the City's grant application to the State of Oregon's Pedi/Bicycle Improvement Grant Program for the construction of a crossing at the Highway 219/Everest Street intersection.

Barton Brierley, Planning and Building Director presented the staff report. Mr. Brierley stated that this particular area is problematic because there are a lot of residential areas on the South side of Hwy 219 and a lot of shopping areas on the North Side of Hwy 219. Mr. Brierley stated that there is no crosswalk at this time and pedestrians have a difficult time going from one side of Hwy 219 to the other side of Hwy 219. Mr. Brierley stated that the grant requires that the plan go to ODOT before construction.

Councilor Andrews asked if the refuge has ADA ramps on it.

Mr. Brierley stated that it would have ADA ramps on it.

Councilor Currier asked about lighted cross walks.

Mr. Brierley stated that we thought about putting lighted cross walks in the original proposal, but the ODOT representative was not in favor of those.

Councilor Currier asked what it would take for auditory cross walks.

Dan Danicic, Public Works Director stated that he would make a note of it and look into it.

Councilor Soppe asked if the grant amount is expected to pay for the entire cross walk.

Mr. Brierley stated that he was expecting the grant to pay for the entire cross walk.

Councilor Soppe asked if they are looking into a push button that would signalize the ok to go across the street.

Mr. Danicic stated that it has not been determined at this time.

Councilor Soppe asked what would trigger the light on the other side of the street after they got to the refuge.

Mr. Danicic stated that it would most likely be another push button.

Councilor Soppe asked what the chances of being awarded the grant are.

Mr. Brierley stated that in other grant programs the city has been quite successful, but this particular one is a little harder to get and the city has not been as successful with it. Mr. Brierley stated that it has been designed to be attractive to ODOT.

Councilor Andrews asked if this would help prevent accidents.

Mr. Brierley stated that it would reduce the number of pedestrian – vehicle accidents, but it could also act as a traffic calming feature.

Councilor Andrews asked if they had thought about putting in a count down timer for the hearing impaired.

Mr. Brierley stated that they would look into it.

MOTION: Andrews/Currier to approve **Resolution No. 2006-2654** supporting the City's grant application to the State of Oregon's Pedi/Bicycle Improvement Grant Program for the construction of a crossing at the Highway 219/Everest Street intersection. (Unanimous)

5. Consider adopting **Resolution No. 2006-2656** authorizing the City Manager to enter into a contract with Moore Excavation, Inc. for the construction of the Parallel Pipeline River Crossing Project in the amount of $2,359,675.00.

Dan Danicic, Public Works Director presented the staff report. Mr. Danicic stated that they went through the process of pre-qualifying firms and only those firms are allowed to submit bids. Four bids were received, ranging from $2,359,675.00 to $3,214,000.00. Staff recommends adopting Resolution No. 2006-2656.

Councilor Soppe asked what qualifications Moore Excavation, Inc has in directional drilling.

Mr. Danicic stated that Moore Excavation was pre-qualified for the general pipeline work and HDD, Co. will do the directional drilling.

Councilor Andrews asked what Delta Low was.

Mr. Danicic stated that it was the difference between each bid and the low bid.

Councilor Currier stated it seems to be a low bid to drill that far for that pipe size. Councilor Currier asked if it was because they won't have to deal with construction.

Mr. Danicic stated that the construction site is a wide open space and they won't have to deal with other people or traffic problems.

MOTION: Currier/Soppe to approve **Resolution No. 2006-2656** authorizing the City Manager to enter into a contract with Moore Excavation, Inc. for the construction of the Parallel Pipeline River Crossing Project in the amount of $2,359,675.00. (Unanimous) Motion carried.

IX. CONTINUED BUSINESS

None.

X. EXECUTIVE SESSION

None.

XI. ADJOURNMENT

MOTION: Currier/Soppe to adjourn at 9:07 pm. (Unanimous) Motion carried.

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

JH Bennett

James H. Bennett, City Recorder

ATTEST by the Mayor this 20th day of July, 2006.

Bob Stewart

Bob Stewart, Mayor