

**CITY OF NEWBERG CITY COUNCIL MINUTES
MARCH 5, 2007
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING - TRAINING ROOM**

I. CALL MEETING TO ORDER

Mayor Andrews called the meeting to order.

II. ROLL CALL

Members

Present:	Mayor Bob Andrews	Robert Soppe	Bob Larson
	Roger Currier	Bart Riersen	Mike Boyes
	Jeff Palmer		

Staff

Present: Jim Bennett, City Manager
Terrence Mahr, City Attorney
Dan Danicic, Public Works Director
Elizabeth Comfort, Finance Director
Norma Alley, Deputy City Recorder

Others

Present: David Maben, Carey Bruce, Brenda Bateman, Mike McCullough

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

James Bennett, City Manager, reported that the City is wrapping up the new generator project at the Water Treatment Plant (WTP). Starting at 8:00 a.m. tomorrow the WTP will be off line while the electrical work will be done. The Public Access Television Survey was sent out in late February and we have initial results to look at based on a little over 150 responses. He summarized the results handed out (see official records for handout).

Councilor Soppe asked how we control multiple surveys being submitted.

Mr. Bennett said we are not controlling that at this time. The online survey is set up to have the citizen open it, print it, fill it out and submit a hard copy. We have also set up a specific email address that the surveys can be emailed to.

Councilor Boyes noted he received a comment from a citizen that they enjoyed getting the Mayor's comments on the other side of the survey.

Mayor Andrews asked can we determine how many we got off the website compared to those handed in.

Mr. Bennett said that he can look into how to track the ones submitted at the counter.

PUBLIC MEETING SECTION

V. COUNCIL APPOINTMENTS

Consider appointing David Maben to the Citizen Rate Review Committee for a vacant position with a three year term expiring December, 2009.

Elizabeth Comfort, Finance Director, presented the staff report (see official record for full report).

Mr. David Maben stated this was his third year on the committee and he enjoys serving.

MOTION: Soppe/Larson appointing David Maben to the Citizen Rate Review Committee for a vacant position with a three year term expiring December, 2009. (Unanimous) Motion carried.

VI. PUBLIC COMMENTS

Ms. Carey Bruce, Roads Ends Films, 8600 NE Parrott Mountain Road, stated they will be shooting a feature film in Yamhill County. She handed out a brochure further discussing the project (see official record for brochure). She is asking for any volunteers that would be interested and any support in the form of equipment.

Councilor Soppe asked if they are a non-profit and if they were looking for volunteers and vehicles to move the props around.

Ms. Bruce said, yes, they are a non-profit and we are looking for assistance in moving equipment.

Councilor Palmer asked what locations they are looking at in the city.

Ms. Bruce answered they are looking at North Valley Road, Laughlin Road and the last four days will be in Forest Grove. Basically, we are looking at having minimal impact to the cities.

Councilor Palmer asked if they have talked to the Graphic.

Ms. Bruce said they have not yet, but do plan on it.

VII. CONSENT CALENDAR

Consider a motion approving the City Council Regular Session Minutes for February 5, 2007.

MOTION: Soppe/Palmer approving the City Council Regular Session Minutes for February 5, 2007, as corrected. (Unanimous) Motion carried.

VIII. PUBLIC HEARING

Consider a motion approving **Ordinance No. 2007-2666** revising various portions of the City Code Chapter 52: Water.

Mayor Andrews called for any conflict of interests or abstentions.

None stated.

Dan Danicic, Public Works Director, presented the staff report (see official record for full report).

Councilor Boyes asked who pays for the new line from the City's water line to their house.

Mr. Danicic answered the property owner does.

Councilor Soppe said that on page 24 number 5 it states we are requiring payment of all connection fees and water System Development charges (SDCs). He asked what other connection fees might they pay and if the word "water" could be added to clarify that these are only water connection fees.

Mr. Danicic answered you are correct we are focusing on water and could be clarified by stating "all water connection fees."

Councilor Soppe said that in 52.12 (D)(2) he would like to add some language regarding payment of SDCs.

Mr. Danicic said we could require payment of all SDCs with the exception of sanitary sewer.

Councilor Soppe suggested adding a line to clearly state that sanitary sewer SDCs will be collected at a later date.

Councilor Soppe said he did not like using the word "practical" with respect to the timing of future annexations.

Councilor Currier suggested including language at the end of 52.12(D)(2) requiring payment of any other appropriate fees at the time of annexation.

Mr. Bennett suggested the City having some kind of control mechanism to have a time frame to convert to the sewer system.

Councilor Soppe said he would agree with the City Manager, but this is probably not the right place for it.

Mr. Danicic said currently there is provision addressing this in the Code stating when sewer is available you must connect.

Mr. Bennett asked if we have a definition of what available means.

Mr. Danicic said within 300 feet, which is both in the Code and used by the County Sanitarian.

Councilor Soppe asked for clarification on who “the City” is referring to in 52.12(D)(5).

Mr. Danicic said it is referring to Council.

Councilor Soppe suggested changing the word City to Council.

Mayor Andrews closed the public hearing.

Dan Danicic recommended approval with suggested changes from Council amended.

MOTION: Soppe/Palmer to approve **Ordinance No. 2007-2666** revising various portions of the City Code Chapter 52: Water, as amended, and read by title only.

Mayor Andrews asked if it is worthwhile to include a reference note.

Mr. Danicic said we could do a general reference.

Terry Mahr, City Attorney, said a reference to the City Code Ch. 51 can be added.

MOTION: Andrews/Currier to amend **Ordinance No. 2007-2666** by adding a reference to City Code Chapter 51 in Section 52.12(D)(2). (Unanimous) Motion carried.

Terry Mahr, City Attorney, read Ordinance No. 2007-2666 by title only and amendments.

VOTE: approving **Ordinance No. 2007-2666** revising various portions of the City Code Chapter 52: Water as amended. (Unanimous) Motion carried.

BUSINESS MEETING SECTION

IX. CONTINUED BUSINESS

None.

X. NEW BUSINESS

1. Consider a motion approving **Resolution No. 2007-2704** supporting the Chehalem Valley Chamber of Commerce efforts to secure funding for transportation projects of statewide significance, including the Newberg-Dundee Bypass.

James Bennett, City Manager, presented the staff report (see official record for full report).

Councilor Boyes asked if this had anything to do with the toll roads.

Mr. Bennett said it does not specifically address the issue of toll roads. This is to get basic funding from the state to help pay for this project and other projects of statewide significance.

MOTION: Andrews/Rierson to approve **Resolution No. 2007-2704** supporting the Chehalem Valley Chamber of Commerce efforts to secure funding for transportation projects of statewide significance, including the Newberg-Dundee Bypass. (Unanimous) Motion carried.

2. Consider a motion approving **Resolution No. 2007-2705** amending Resolution 2006-2652 to include Permanent Loan Authorized of \$3,830,000 with the Oregon Economic and Community Development Department for the Parallel Pipeline River Crossing.

Elizabeth Comfort, Finance Director, presented the staff report (see official record for full report).

Councilor Boyes asked for clarification of the process.

Mrs. Comfort said we do a draw down from the state to pay the vendors using interim financing. Once the project has been paid for, then we bond for the actual costs and pay it back over time.

MOTION: Larson/Currier to approve **Resolution No. 2007-2705** amending Resolution 2006-2652 to include Permanent Loan Authorized of \$3,830,000 with the Oregon Economic and Community Development Department for the Parallel Pipeline River Crossing. (Unanimous) Motion carried.

3. Consider a motion directing staff to proceed with the development and implementation of phase one of the Pharmaceutical Take-Back Program.

Dan Danicic, Public Works Director, presented the staff report (see official record for the full report).

Councilor Currier asked for clarification on the estimated eight hours for law enforcement oversight to pick up the boxes.

Mr. Danicic said you will have two people involved in the pick up at four hours per person. You must have someone there who is observing that the work is being done correctly and is accountable. We are trying to use the maximum amount that may be needed.

Councilor Currier asked if they know how much of the drugs this will address in the community.

Brenda Bateman, Public Policy Coordinator for Tualatin Valley Water District, 1850 SW 170th Avenue, Beaverton, replied there are not any solid numbers to address that.

Mr. Danicic suggested reassessing the program after it has been implemented and we have some data.

Councilor Soppe asked on page 59 where it refers to the eight hours, is this two hours of actual time each quarter per person.

Mr. Danicic answered yes.

Councilor Soppe asked are any of the pharmacies interested in taking care of this program. He stated pharmacies are able use someone to give their unused drugs to and they give them back to the manufacturer.

Ms. Bateman stated that you are referring to what is known as a reverse distributor. The problem with using this system is that it is a closed loop system. If the drugs stay with the business in the original packaging, they can be returned. Our program is for drugs that have been opened; therefore we will not be able to use the reverse distributor system.

Councilor Soppe noted some corrections on page 58 and suggested that “adversely” on page 36 be changed to “significantly” in the section on fiscal impact.

Mayor Andrews asked what other jurisdictions have instituted the program.

Ms. Bateman said this is going to be the first for the state. There are others in other states.

Mayor Andrews asked on page. 59 what is the current cost of Newberg Garbage to take something to the incinerator when it is dropped off at the transfer station.

Mr. Danicic said he did not know.

Mike McCullough, Newberg Garbage Service, PO Box 1000, said that their policy is not to take any type of medical waste that needs to be incinerated. Several years ago we started a medical waste collection program primarily in support of the hospital and 65 other clinics, which is picked up by an outside vendor.

Councilor Currier asked what happens when collecting a mixed bag of drugs of prescription and non-prescription.

Ms. Bateman said should there be something that gets mixed in they follow DEA policy of when in doubt consider it a controlled substance.

Councilor Soppe inquired that those authorized to incinerate the controlled substances do not necessarily have the license to incinerate the uncontrolled substance.

Mr. Danicic said that is correct. We have many rules from different agencies and we are trying to take them all into consideration.

MOTION: Soppe/Larson directing staff to proceed with the development and implementation of phase-one of the Pharmaceutical Take-Back Program, as amended. (Unanimous) Motion carried.

XII. EXECUTIVE SESSION

Executive Session pursuant to ORS 192.660(2)(e) relating to a real property transaction – Animal Shelter Friends.

Executive Session began during work session and resumed following the conclusion of New Business.

Mayor Andrews subsequently adjourned the executive session. No action was taken. The Council then returned to open session for discussion of Council Business.

XI. COUNCIL BUSINESS

Councilor Currier requested to have a special meeting to discuss all the issues of the animal shelter. We also need to poll them to see if they believe the shelter is going to be the City's or the Animal Shelter Friends shelter.

Discussion was held on the Memorandum of Understanding between the City and the Animal Shelter Friends.

Mr. Bennett suggested a subcommittee of the Council work with the Animal Shelter Board.

Mayor Andrews asked for some kind of timeline of what has transpired as to the evolution of the animal shelter. He would like to get a sense from the Council as to the suggestion of formation of a subcommittee and on the advisability of a general public meeting.

Councilor Currier said he does not want to be working out details when we are so far from the final product.

Mr. Bennett said we do not have a location for the animal shelter which makes it difficult to move on to the next step of what the shelter should look like.

Councilor Boyes asked if a person specializing in drawing up plans drew up the ones for the shelter.

Mr. Bennett said the Animal Shelter Friends hired an architect who probably used the Marion County shelter as a model in designing the Newberg facility.

Councilor Palmer offered to serve on the subcommittee of the Council.

Councilor Boyes also volunteered to serve on the subcommittee.

Mr. Bennett said the City is committed to providing animal control and services. Regardless of the Animal Shelter Friends, we have an inadequate shelter that we must expand. We are fortunate to have a citizen group involved as much as they are. We have to give some recognition to the effort they have given. We need to work with them to get this shelter accomplished. The City is the one who is going to have to get the job done and have the long term responsibility of running it, but they should be very involved.

Mayor Andrews asked does McMinnville have a pound or an animal control shelter.

Mr. Bennett said the County does, yes.

Councilor Soppe asked, if the City is going to run a shelter, what revenue do we get from the shelter.

Mr. Bennett replied we get dog license fees, adoption fees and a few others.

Councilor Soppe asked do we have the option to no longer be in the business of an animal control shelter. I do not have a problem providing services for animal control and taking the animals to the county. I have a problem that the City is going to have to pick up all this undefined slack. He said is this something we can turn over to the County. Let us explore that.

Councilor Currier said the problem is the County has sold animals for testing. I can not support this. I could support contract services where we would take animals to Evergreen-Doe, a no kill facility.

XIII. ADJOURNMENT

MOTION: Currier/Soppe to adjourn at 9:33 p.m. (Unanimous) Motion carried.

ADOPTED by the Newberg City Council this 2nd day of April, 2007.


James H. Bennett, City Recorder

ATTEST by the Mayor this 5th day of April, 2007.


Bob Andrews, Mayor