CITY OF NEWBERG CITY COUNCIL MINUTES
MARCH 19, 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 Rierson	Mike Boyes
	Jeff Palmer		

Staff Present:

Jim Bennett, City Manager
Terrence Mahr, City Attorney
Dan Danicic, Public Works Director
Brian Casey, Deputy Police Chief
Paul Chiu, Senior Engineer
Leah Griffith, Library Director
Norma Alley, Deputy City Recorder

Others Present: Darlyn Adams, Susan Ludwig, State Senator Larry George, Jan Irish, Phyllis Busenbark, Richard Meyer, Matt Simek

III. *PLEDGE OF ALLEGIANCE*

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

James Bennett, City Manager, reported the Chamber Awards Banquet will be held at the Newberg High School Commons on April 5, 2007. The City will be giving a number of awards and the Council is invited to attend.

Councilor Soppe asked what is the process and criteria for the City awards.

Mr. Bennett said the City's Planning and Building Department form an internal committee that recommends who should get the awards and the Planning and Building Director issues the awards.

Councilor Larson said the Chamber will also be giving a Student Achievement Award.

PUBLIC MEETING SECTION

V. COUNCIL APPOINTMENTS

None.

VI. PUBLIC COMMENTS

Ms. Darlyn Adams, Newberg Animal Shelter Friends, reported that the Animal Shelter has $243,012 in the building account (see official packet for full report). They will have a garage sale at the Zion Lutheran Church on April 27th & 28th from 8:00-5:00 p.m. The next meeting will be held on Thursday, March 29th. The shelter has received a $1,000 anonymous gift.

Ms. Susan Ludwig, Newberg Library Advisory Board, distributed handouts detailing the Library expansion phases (see official packet for handouts) and invited the Council to the kickoff expansion event on April 4th.

Ms. Leah Griffith discussed further items on the fact sheet regarding the expansion. They are hoping to do the project in phases.

Councilor Soppe asked for clarification on the financial numbers of phase three.

Ms. Griffith said it was a typo and is supposed to be $425,437.

Councilor Larson asked what the fundraising plans were.

Ms. Griffith said the Board is looking at grants.

Councilor Larson asked what the time frame was.

Ms. Griffith said a couple years for phase one.

Councilor Currier said that, when we looked at the conceptual plan a year ago, we had a lot of comments on the looks changing.

Ms. Griffith said the change in looks is in phase three and it could be a while before we get to that. At this point what we are really looking at is to raise the money to remodel the current children's area and then bring the architects back in to look at the other phases.

Ms. Jan Irish, Archimedes Movement, said she knows the City is aware of the issues of providing universal healthcare. The Archimedes Movement and the City need to have a joint vision. The Newberg Chapter of the Archimedes Movement began meeting in July. We can do better providing healthcare by reviewing and asking questions. We can create a sustainable system. We need a system that meets our needs today and in the future. We need a system that makes sense and creates an efficient process for healthcare. The Oregon Better Health Act is the first step, which would seek the use of federal and state dollars to create better health.

Councilor Soppe asked what she wanted the Council to do tonight.

Ms. Irish answered to approve a proclamation in support of Senate Bill 49.

State Senator Larry George, Senate District 13, said there are some big issues coming up in the next few days. The co-chairs of the Ways and Means Committee will be releasing the Co-chairs Committee Budget. This is going to take some money away from local government. Most of this is going to hit the county and so keep a close eye on your budgets. The big issue to talk about tonight is the bypass. I do serve on the Transportation Committee. He and a few others have drafted Senate Bills 784 & 785 to bridge the gap and keep transportation projects moving. We are trying to come up with a long term solution. Everything is about creating new programs and there has been very little discussion about how to do long term funding of our highway and road needs. We are trying to push this forward; there is not a lot of appetite for it. Senator Metzger said he is going to make transportation funding of these projects a part of his agenda. The governor has not made these types of projects a priority. We need to make sure we get momentum and talk about the long term infrastructure as a package. If any of you have any questions, you can contact my office in Salem or the one in Sherwood. If the City needs anything, make sure you communicate with my office.

Councilor Larson asked will these projects be funded by the State instead of privately by the Australian group.

Senator George said everyone has a new project they want to fund, but no one is addressing the long term financing of these projects. We are all looking for unique ways to fund these projects. Based on a conversation I had today, the tolling will only be used on new infrastructure.

VII. CONSENT CALENDAR

Consider a motion approving the City Council Regular Session Minutes for February 20, 2007.

MOTION: Soppe/Larson approving the City Council Regular Session Minutes for February 20, 2007, as corrected. (Unanimous) Motion carried.

VIII. PUBLIC HEARING

None.

BUSINESS MEETING SECTION

IX. CONTINUED BUSINESS

None

X. NEW BUSINESS

2. Consider a motion to adopt the conclusions and recommendations of Falconi Consulting Services to install red flashing light signals on 2nd Street and Fernwood Road and yellow flashing light signals on Springbrook Road.

This item was heard out of agenda at the discretion of the Mayor.

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

Councilor Soppe expressed his concern with the funding of this since it is related to the development of the area. He asked if the developers should have contributed to this and is the City seeing things above and beyond what the study projected.

Mr. Danicic said they have not shown that need yet and the current study supports that.

Councilor Soppe asked if we can use System Development Charges (SDC), because this is not a capacity issue and with the flashing lights we are addressing about capacity.

Mr. Danicic said, possibly, but we would have to think that through carefully for proper appropriations of funds.

Councilor Soppe asked do we have a clear idea that a large part of the problem is people not obeying the stop sign.

Mr. Danicic said that most recent accidents have been due to a failure to yield to the stop signs.

Councilor Soppe asked if rumble strips were discussed.

Councilor Larson said it was discussed and was not approved by the Traffic Safety Commission. The final approval was what is before the council.

Councilor Soppe asked why they would not consider this.

Councilor Larson said because people would drive right over them and not pay attention to the stop signs.

Councilor Boyes asked if there are rumble strips out by the golf course. He suggested using the light rumble strips. He asked if the County can help fund any more than 50 percent.

Mr. Danicic said all he has from the County is that funding would be proposed in next year's budget.

Councilor Boyes stated the last accident was on May 5, 2005. How far behind is the State in recording accidents?

Brian Casey, Deputy Police Chief, said there have been some serious accidents out there this year and one resulted in a life flight. All the information for 2006 is in the City's database and he was not sure why that was not provided.

Ms. Phyllis Busenbark said in July of last year she started working on petitions to present to the Council and the State. The residents of that area are anxious to get the light up as soon as we can. My frustration has been the lack of communication between the Commission, County and State. There needs to be more follow through. The rumble strips will do nothing to impact the traffic on Springbrook Road. The speed limit on Springbrook Road is too high. There are new businesses on that road which will only add to the traffic. Also, we have discussed a path for people to walk.

Councilor Boyes asked what was originally asked for in your proposal.

Ms. Busenbark said we originally asked for a four way stop, but the Commission said they thought it would back up traffic.

Traffic Safety Commissioner Richard Meyer said the Commission reviewed the proposal and this is the solution they decided was best for the City as far as we could see.

Councilor Soppe asked how the flashing light helps the problem of people pulling out in front of others.

Commissioner Meyer said it brings their attention that there is a stop sign there.

Councilor Rierson asked if you think a four way stop might provide a better solution for safety.

Commissioner Meyer said it did not meet the warrant for a four way stop.

Councilor Larson said the Commission and City hired Falconi as a consultant and they came up with this recommendation. They are the ones that eliminated all other options and came up with the flashing lights. I think the Falconi recommendation is a good one. This is not something we should hesitate on and the lights should be installed as quickly as possible.

Councilor Soppe asked what caused the four accidents reported in the staff report.

Chief Casey said he can find out.

Councilor Larson said he felt the flashing lights would alert the driver.

Councilor Currier said the Council needs to consider what they are trying to address; mostly being the cross traffic. Adding a new light at an intersection adds poles and adds a new hazard. A flashing light only addresses the legal driver and does not address the driver engaging in other distracting behavior. What the Council needs to do is address what is really going on out there. There is no cure for people running stop signs. Dan's comments about flashing lights around the stop sign are pertinent, but what if we considered putting a flashing red light on the back of each stop sign. We should consider putting the rumble strips down, two red flashing lights on top of the stop signs, and reducing the speed limit on Springbrook. I think we can look at it in a whole different way.

Councilor Rierson commented that he has had a number of close calls at that intersection and much of the danger comes from the high speed of traffic on Springbrook and the impatience from drivers trying to get out. I agree something needs to be done, but it needs to be the traffic slowing down.

Councilor Soppe said it is clear a flashing light is not going to change the people pulling out in front of others. I do not know if a yellow flashing light is really going to make a difference. I am much more likely to notice something that makes my car make noise. You are quite aware they are happening and I am having a hard time approving something that could be done in a cheaper way.

Councilor Boyes said this is something you are going to have to continue to monitor. If the strips do not work, then what are you going to do.

Councilor Larson said the traffic is beyond the point of rumble strips.

MOTION: Soppe to direct staff to put in rumble strips and revisit in six months to see how it is going. Failed for lack of second.

MOTION: Currier/Rierson to place rumble strips in all four directions, request to reduce the speed on Springbrook to 25 miles an hour and place flashing red lights at the top of the stop signs on Fernwood Road and Second St. (3 Yes/4 No [Andrews/Larson/Palmer/Soppe]). Motion failed.

Mr. Danicic said we can request the County to reduce the speed, but the ultimate decision lies with Oregon Department of Transportation (ODOT). We would need to do a speed study and submit it to ODOT for their consideration.

Mayor Andrews said he has been told by ODOT that they are not going to take any action until that road is brought up to standards and safety improvements are all in.

MOTION: Larson to approve the Falconi recommendation and install flashing lights. Failed for lack of second.

MOTION: Currier/Rierson to install rumble strips in all four ways and recommend to ODOT via the County to reduce the speed to 25 miles per hour on Springbrook.

Councilor Larson expressed his concern of going against what has been recommended by the Commission and Falconi.

Councilor Soppe said someone hitting a rumble strip is more effective than a light above the street. I am concerned about the logic that someone on Springbrook is going to pay more attention to a flashing light than a rumble strip.

Mayor Andrews asked, now that the City has a recommendation from the industry, if the Council fails to take action based on the recommendation, what does that set us up for in regards to liability.

Mr. Mahr said because the Council is discussing it the City has legislative immunity. The Council does not have to follow the consultant's recommendation.

Mayor Andrews asked how would the rumble strips mitigate the costs.

Mr. Danicic answered the rumble strips will be $2,000 per lane so around $8,000 total. It mitigates the potential expense of hanging a light if it reduces the accidents.

Mayor Andrews asked for Chief Casey to speak on enforcement.

Chief Casey reported the road is owned by the County with no shoulders and it is difficult to be out there enforcing it in a safe manner.

VOTE: To install rumble strips in all four ways and recommend to ODOT via the County to reduce the speed to 25 miles per hour on Springbrook. (5 Yes/ 2 No [Andrews, Larson]. Motion carried.

Mayor Andrews called a five minute break at 9:03.

1. Consider a motion approving **Resolution No. 2007-2708** authorizing the City Manager to award the contract for Mountainview Drive S-Curve Improvements Project to Elting Northwest, Inc. in the amount of $4,317,265.75.

This item was heard out of agenda order at the discretion of the Mayor.

Paul Chiu, Engineer, presented the staff report (see official record for report).

Councilor Soppe asked for clarification on Schedule Nine (9).

Mr. Chiu clarified that this includes the back fill and some soft spots.

Councilor Soppe asked if Exhibit "A" does not include the $91,000 as potential extra costs.

Mr. Chiu said yes, that is correct, and it could potentially be a change order.

MOTION: Currier/Soppe to approve **Resolution No. 2007-2708** authorizing the City Manager to award the contract for Mountainview Drive S-Curve Improvements Project to Elting Northwest, Inc. in the amount of $4,317,265.75. (Unanimous) Motion carried.

3. Consider a motion authorizing a contribution from the City of Newberg to the Yamhill Valley Passenger Rail Service Feasibility Study.

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

Mr. Matt Simek presented a PowerPoint presentation on the Passenger Rail Service (see official record for presentation). I have read Newberg's Comprehensive Plan amendments and I applaud your efforts at including rail services.

Councilor Currier asked why the rail service will increase property tax revenue.

Mr. Simek answered rail developments increase property value faster than non-rail developments.

Councilor Soppe asked what was the amount asked for from Grand Ronde.

Mr. Simek said we have asked for $15,000.

Councilor Soppe asked if the Chamber is offering any money in support of this.

Councilor Palmer said the Chamber Board endorsed the feasibility study.

Councilor Soppe asked what are you hoping to do with the $30,000.

Mr. Simek answered to prepare the feasibility report.

Councilor Palmer asked what were the conditions McMinnville City Council tied to its pledge of money and did Sherwood have any conditions.

Mr. Simek said McMinnville wanted to make sure that freight was involved and Sherwood did not make any conditions.

MOTION: Soppe/Rierson to authorize a $5,000 contribution to the preparation of a feasibility study for Yamhill Valley Passenger Rail Service. (5 Yes/ 2 No [Boyes, Currier]) Motion carried.

XI. COUNCIL BUSINESS

Councilor Currier reported he has been working with the VFW relocation group. Keeping in mind that the City may want to purchase the current VFW site, we have looked at two different sites. The VFW is a lot more open minded then before. I have suggested they maybe need a new building instead. It would be more economical to get a new building. We talked about the EDRLF fund possibly being available. I brought up the possibility of a land swap somewhere along the line. I think the idea to have a building with partitions so they can rent it out and make some income is a good one. They have thrown out some figures to see what they think their building is worth. They are saying it is worth over $350,000. They are thinking of putting the building on the market at $500,000. At this point, I have been doing a lot of communication through Mr. Ed Savage. Ed is turning the shovel over to someone else. I think we are gaining ground and are open to additional discussions.

Mayor Andrews requested this topic of discussion be scheduled for the next quarterly study session.

XII. EXECUTIVE SESSION

None.

XIII. ADJOURNMENT

MOTION: Palmer/Boyes adjourn at 10:35p.m. (Unanimous). Motion carried.

ADOPTED by the Newberg City Council this 16th day of April, 2007.

JH Bennett

James H. Bennett, City Recorder

ATTEST by the Mayor this 19th day of April, 2007.

Bob Andrews

Bob Andrews, Mayor