

CITY COUNCIL MINUTES
JANUARY 22, 2013
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)

A work session was held prior to the meeting. A presentation was given by Dave Huber and Kirk Duncan from Waste Management (WM) regarding glass recycling. All Councilors and the Mayor were present; no action was taken and no decisions were made.

I. CALL MEETING TO ORDER

Mayor Bob Andrews called the meeting to order at 7:00 PM. Mayor Andrews presented Ms. Becky Green with a plaque recognizing her service of 35 years to the city of Newberg.

II. ROLL CALL

Members Present:	Mayor Bob Andrews Bart Rierison Stephen McKinney	Denise Bacon Lesley Woodruff	Ryan Howard Mike Corey
Staff Present:	Daniel Danicic, City Manager Leah Griffith, Library Director Les Hallman, Fire Chief Janelle Nordyke, Finance Director Jay Harris, City Engineer	Terrence Mahr, City Attorney Brian Casey, Chief of Police Joseph Falbey, IT Support Specialist Barton Brierley, Planning and Building Director Jessica Nunley, Acting City Recorder Mandy Dillman, Minutes Recorder	
Others Present:	Dave Huber, WM District Manager, Kirk Duncan, WM Senior District Manager, Becky Green, Sid Friedman, Lee Does, Vicki Shepherd		

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

Mr. Daniel Danicic, city manager, reported about a fundraiser being held for Newberg Music on January 27th. Newberg Music is adjacent to Critter Cabana, which suffered a fire last month. Newberg Music is in need of some repairs as well due to smoke damage sustained from the fire. The safety committee is receiving a wellness grant which will be used for the city health and wellness fair, among other things. Fiscal year 2013-2014 budgeting will begin soon and budget committee meetings will begin at the end of April.

V. PUBLIC COMMENTS

Mayor Andrews opened and closed public comments as there was no one to testify.

VI. CONSENT CALENDAR

1. Consider a motion adopting **Resolution No. 2013-3032** revising the Newberg Public Library Fine and Fee Schedule.

2. Consider a motion adopting **Resolution No. 2013-3030** authorizing the city to purchase property located at 2716 Wynyoski Road.

MOTION: **Howard/Bacon** adopting **Resolution No. 2013-3032** revising the Newberg Public Library Fine and Fee Schedule and adopting **Resolution No. 2013-3030** authorizing the city to purchase property located at 2716 Wynyoski Road. Motion carried (7 Yes/0 No).

4. Consider a motion approving the December 17, 2012, City Council meeting minutes.

The December 17, 2012, minutes are postponed to the February 4th, 2012, City Council meeting.

VII. PUBLIC HEARINGS

1. Consider a motion adopting **Ordinance No. 2013-2759** adopting a revised population forecast for the Newberg Urban Area.

(Legislative Hearing)

TIME – 7:09 PM

Mr. Barton Brierley, planning and building director, presented the staff report accompanied by a PowerPoint presentation (see official meeting packet for full report).

Councilor Ryan Howard commented the estimate is a conservative number and is not assuming any radical high or low changes. He asked if the conservative number was more likely toward the lower end. Mr. Brierley replied it was not clear and there was only one number for the conservative forecast which means they may not be assuming a lot of changes in population trends in the future.

Staff recommends adopting Ordinance No. 2013-2759.

MOTION: **McKinney/Rierson** adopting **Ordinance No. 2013-2759** adopting a revised population forecast for the Newberg Urban Area. Motion carried (7 Yes/0 No).

VIII. CONTINUED BUSINESS

Consider a motion to endorse a letter to the Yamhill County Commissioners requesting they adopt the South Industrial UGB amendment.

TIME – 7:22 PM

Mr. Barton Brierley, planning and building director, presented the staff report accompanied by a PowerPoint presentation (see official meeting packet for full report).

Councilor Denise Bacon stated she believes presenting the plan in two pieces per the Commissioner's request sends mixed messages. She feels it shows the other acres are not as important if they are absent from the proposal and make it feel as though the city is not fully committed.

Ms. Vicki Shepherd, who works for one of the largest hazelnut orchards in Oregon, came to support 1000 Friends of Oregon and the letter they wrote to the city asking them to protect the farmland from the UGB.

Mr. Sid Friedman, testifying as a member of Friends of Yamhill County and 1000 Friends of Oregon, said he sent a letter to the council urging them to reconsider and amend the UGB proposal. He feels the city is not using proper site characteristics, is being inflexible, and their interests do not allow for compromise. He

thanked the council for amending the population forecast to reflect the county's adopted forecast, but expressed his disappointment in their rejection of amending the UGB proposal to remove the farmland east of the highway. Mr. Friedman remembers last spring when 1000 Friends of Oregon met with city members to discuss alternatives to the UGB, and the council agreed to look at a compromise. He believes staff misrepresented information from the potential compromise meetings between the city and 1000 Friends by giving a PowerPoint presentation containing incorrect information about what was said, including maps having nothing to do with the compromise proposal, and giving incorrect information stating the only option was scattered sites without another area large enough to provide the acreage. Mr. Friedman remembers the compromise proposal including an area that was large enough and met all site characteristics. Mr. Friedman thinks the county is giving Newberg great advice to reconsider and divide the UGB proposal, and they seem to be serious since they remanded the city's proposal.

Councilor Bacon said she was at the spring compromise meetings and remembers the compromise including one large piece of property, but also several smaller pieces around the city in order to reach their acreage number. Mr. Friedman replied there were several sites they could have rezoned, but the city objected to their plan, so they suggested taking in area within the UGB outside city limits and urban reserve. Mr. Friedman restated he remembers the compromise differently.

Mr. Lee Does mentioned the letter sent to the council by 1000 Friends and is hoping they all give it serious consideration. He feels the solution to this issue is within reach and is encouraging the council to take the suggestion that 1000 Friends of Oregon has made and the county agrees with. He feels the process is being delayed because city staff is refusing to work within the rules and laws. The longer it is dragged out the more employers Newberg loses and the more resources and money the people of Newberg lose.

Councilor Howard mentioned he is not in favor of sending the letter to the county as it is, because the plan was developed almost a decade ago and needs some reconsideration. The laws in relation to the UGB are ambiguous for when you can build on prime farmland. He believes there are better ways to move forward and would like to do what is right for citizens.

MOTION: Rierson/Bacon endorsing a letter to the Yamhill County Commissioners requesting they adopt the South Industrial UGB amendment.
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Councilor Rierson said decisions and agreements cannot be made by only a few council members, such as those present at the spring meeting. He understands 1000 Friends of Oregon's alternative plan; however, they are not the only opponents of the UGB and agreeing to their suggestions will only make a small portion of opposition happy. Having the industrial properties spread throughout the city is not cost effective and having them in inappropriate areas is not a good idea either. He thinks the plan is very well thought through.

Councilor Corey asked which other properties would need to be added to reach the entire amount of acreage, since the alternative area 1000 Friends of Oregon is suggesting looks like one large area, not several smaller ones. He also questioned what the legal requirements are to turn farmland into industrial land.

Councilor Howard answered in order to get all the acreage into one area they need to follow the city's current UGB plan. He further explained farmland cannot be changed to industrial land unless there are no other acceptable lands available. However, it is a point of contention as to what the requirements are for industrial land. Councilor Howard also mentioned some industrial uses such as software companies could be next to residential or other areas and not need a buffer of space like a heavier industrial company would.

Mr. Danicic added the 1000 Friends of Oregon's map showed an area not discussed before. The city's proposed UGB land is next to the bypass corridor and is kept away from residential land. The area suggested by 1000 Friends of Oregon needs a large amount of work before it could be used for industrial purposes.

Councilor Corey asked why the county sent back the letter. Mr. Danicic replied the county feels if the city split the acreage or chose another area we may avoid litigation.

Councilor McKinney added he thinks litigation will more than likely happen no matter how they present the UGB. Mr. Terrance Mahr, city attorney, restated there are conflicting rules with protecting farmland but this proposal must include some farmland to get the full acreage. He added that Mr. Brierley knows the rules and has done studies. Mr. Mahr remembers the meetings in the spring and that they never came to a solid decision because the groups fell apart before one could be made.

MOTION: **Rierson/Bacon** endorsing a letter to the Yamhill County Commissioners requesting they adopt the South Industrial UGB amendment. Motion carried (4 Yes/3 No).

IX. NEW BUSINESS

Consider a motion adopting **Resolution No. 2013-3031** authorizing the city manager to waive the competitive purchasing requirement for the purchase of screw press dewatering system components.

TIME – 8:19 PM

Mr. Jay Harris, City Engineer, presented the staff report accompanied by a handout (see official meeting packet for full report).

Staff recommends adopting **Resolution No. 2013-3031**.

Discussion commenced on what types of machines they need, how many will be purchased, and how the machines function.

MOTION: **Rierson/McKinney** adopting **Resolution No. 2013-3031** authorizing the city manager to waive the competitive purchasing requirement for the purchase of screw press dewatering system components. Motion carried (7 Yes/0 No).

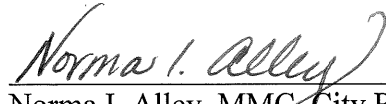
X. COUNCIL BUSINESS

No items for discussion.

XI. ADJOURNMENT

The meeting adjourned at 8:32 PM.

ADOPTED by the Newberg City Council this 19th day of February, 2013.


Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 21st day of February, 2013.


Bob Andrews, Mayor