

NEWBERG CITY COUNCIL MINUTES
REGULAR SESSION
September 4, 2018, 7:00 PM
PUBLIC SAFETY BUILDING (401 E. THIRD STREET)

A work session was held at 6:00 p.m. preceding the meeting. Present were Mayor Andrews, Councilors Patrick Johnson, Scott Essin, Denise Bacon, Mike Corey, and Stephen McKinney. District 1 Council seat was currently vacant. Staff present were City Manager Joe Hannan, City Attorney Truman Stone, City Recorder Sue Ryan, and Police Chief Brian Casey.

Council Rules Discussion: Councilor Johnson presented on proposed changes to the Council Rules. A new section was added, Rule 3.10, Ethics and Etiquette, stating Council would not disclose confidential information or express an opinion opposite of the Council without letting the other Councilors know, and they would conduct themselves in a respectful manner. When a Councilor represented the City, they would need to be approved by the Council to speak for the body, and Council would need to approve their comments. If a Councilor shared a personal opinion, they must state that. There was discussion on Rule 3.8c, Official Viewpoint versus Personal Opinion. There was further discussion on this rule being based on the League of Oregon Cities model rules. City Attorney Stone said the Council would not be giving up their First Amendment rights. The concern that was whether someone was giving an official position of the City or a personal or opinion.

Councilor Johnson discussed changes to Rule 3.11, City Manager/Management. Council would not interfere with day-to-day administration of City business, not undermine the authority of the City Manager and management staff, limit individual inquiries and requests for information, inform the City Manager about complex questions, and share any significant information obtained from management staff with the rest of the Council. He discussed changes to Rule 3.12, City Attorney/Legal Staff, which included requests to the City Attorney were allowed if it didn't take more than two hours. For longer requests, there had to be concurrence from the Council. The Mayor would not screen Council interaction with City staff, however, the Mayor should be advised of significant issues forwarded to personnel.

Councilor Johnson reviewed Rule 4.7, Executive Session - three Council members and the presiding officer could request an Executive Session. There was discussion on whether the Council President could also request an Executive Session. CA Stone read from the City Charter regarding the role. The Council had to follow the Charter as it was adopted by the voters but Council Rules were self-imposed procedural agreements and guidelines for how the Council would operate. If the Council felt the rules were too restrictive and not in the public's interest, they did not have to follow them.

For Rule 5.6, Public Comment, proposed changes included public guidelines on providing electronic presentations plus extension of the public comment period. Another change was Council could, upon recognition of the Mayor or presiding officer, ask questions of the speakers during public comment. Mayor Andrews said there had been a request from staff to change the time to submit written testimony for Council meetings from Mondays at noon to the Thursdays just before the meetings. City Manager Hannan explained that this would allow staff to get the information prepared on Fridays for the Monday meetings. There was discussion regarding the time change request.

Councilor Johnson said for Rule 7, Procedures for Meetings, Council and staff guidelines had been added. For Rule 7.8, Debate, every Councilor would be allowed to speak before a Councilor spoke a second time. The Council would have a time limit of five minutes each time they spoke. There were only to be questions during staff presentations, not comments, and they were to be respectful. The Councilor or Mayor who made the motion would start and close the debate. For Rule 7.9, Cross Talk, this applied both verbally and electronically. All communications in a meeting were public record. No electronic messages should be sent between

Councilors during a meeting, and no passing of notes. Regarding Rule 7.19, How to Testify, there was a procedure for how to testify and definitions for the types of hearings. It also outlined how Council should regard the public who testified and included an exhibit that gave the public guidelines in an easy to read format. For Rule 8, Enforcement of Council Rules, there was a procedure if the Mayor or Council President were absent and there were consequences for violating the Council Rules. There was also an outline for Executive Sessions for discussion of violations of Council Rules with Council members. Councilor Johnson said the Council could review these changes and discuss them in another Work Session.

Councilor Corey brought up items under Council Business. He asked if any Town Halls had been scheduled regarding the budget. CM Hannan said he would be coming back to Council on October 1 regarding the budget and WCCCA decisions and then the Town Halls would be scheduled.

CALL MEETING TO ORDER

Mayor Andrews called the business session to order at 7:05 p.m.

ROLL CALL

Members Present:	Mayor Bob Andrews	Denise Bacon	Stephen McKinney
	Patrick Johnson	Scott Essin	Mike Corey

Members Absent: **District 1 Council Seat vacant*

Staff Present:	Joe Hannan, City Manager	Truman Stone, City Attorney
	Sue Ryan, City Recorder	Keshia Owens, Assistant Planner
	Brian Casey, Police Chief	Cheryl Caines, Senior Planner

CITY MANAGER'S REPORT: City Manager Hannan reported on his activities including attending the George Fox dedication of their new facility, attending the Riverfront Master Plan meeting, setting up a meeting with Senator Wyden regarding the waterfront, writing letters of support for grants, attending the ribbon cutting and opening of Villa Road, and creating a label for Marionberry jam for anyone turning 100 years old. He announced Representative Bonamici was holding a Town Hall meeting on September 20.

PUBLIC COMMENTS: Mayor Andrews said he had received requests to speak on an item where the record had been closed. It was up to the Council to decide to reopen the public hearing or not.

Nancy Angelo, Newberg resident, thought Newberg would benefit from having a sizable park near the waterfront that would include hiking trails and covered areas for events. Newberg was at an important juncture in making land use decisions. A large park near the waterfront could be a destination and would be well used. Councilor Corey explained the City was working on a Riverfront Master Plan. The committee was meeting regularly and green space and trails were part of the discussion. Councilor McKinney said Chehalem Parks and Recreation District had a plan for walking trails and he encouraged her to contact them as well.

CONSENT CALENDAR:

MOTION: Bacon/Johnson moved to approve the Consent Calendar including the Council Minutes from August 6, 2018. Motion carried (6 Yes/0 No/0 absent *District 1 Vacant).

CONTINUED BUSINESS: 2nd reading of Ordinance 2018-2839, Illinois Street Rezoning:

Mayor Andrews explained this was the second reading of the Ordinance. A public hearing had been held on this item, and it had been closed at the last Council meeting. CA Stone said they were on Step 9 of the public hearing procedures, Deliberation by Council.

Mayor Andrews said there were four people who had signed up to speak on this mobile home park issue. One person brought in material they wanted to submit into the record. The record was closed so in order to accept the testimony there would need to be Council approval.

MOTION: Essin/McKinney moved to reopen the record and allow further testimony. Motion failed (2 Yes/4 No [Bacon, Corey, Johnson, and Andrews]).

Deliberations:

Mayor Andrews saw this as a step for some future action by amending the Comprehensive Plan to allow higher density on this property. It was not going to happen immediately. The evolution of housing in Newberg may mitigate the concerns. Councilor Essin was concerned that a good portion of the City's affordable housing was in mobile home parks, and this action would be a precedent for other mobile home parks to do the same. He asked if this change met the City's goals.

Senior Planner Caines replied there were overall reaching goals for housing at all levels. The City had looked at this move from lower to higher density from a need standpoint for the entire City. This site could be redeveloped with many different types of housing, and it could be affordable or market rate housing. They were looking for opportunities and sites to meet those needs, and to change codes to better meet affordable housing in different locations.

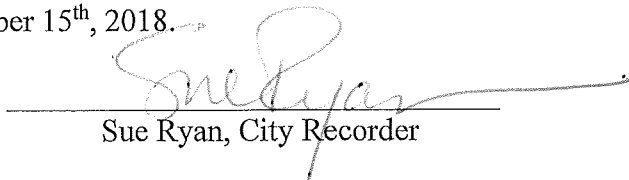
Councilor Essin said rents were going up faster than incomes and affordable housing was difficult to find. Councilor Bacon said the law was clear. The decision had to be based on the findings and she found nothing that let her vote with her heart. She must vote with the law. Councilor McKinney was also torn on this issue and was sympathetic to the residents. He would be voting in favor because of the findings. Councilor Corey said the findings demonstrated the need for high density in the City. Building more affordable housing was a Council goal. Councilor Johnson said his biggest concerns were transportation, the intersections on Illinois, and different types of affordable housing. Manufactured homes were part of the affordable housing mix. They also had to balance those with the best fit for the community and following the land use rules. The application met all of the criteria, and he would be in support. Councilor Essin would be voting no because they were taking affordable housing off the market.

MOTION: Corey/Bacon moved to approve Ordinance 2018-2839, An Ordinance amending the Comprehensive Plan map designation from Medium Density Residential (MDR) to High Density Residential (HDR) and amending the zoning designation from R-2 (Medium Density Residential) to R-3 (High Density Residential) for a property located at 501 and 507 E. Illinois Street, Yamhill County tax lot R3218DB-03900 and R3218DB-03800 to be read by title only. Motion passed (5 Yes/1 No [Essin]/0 Absent *District 1 Vacant).

COUNCIL BUSINESS: None

ADJOURNMENT: The meeting was adjourned at 7:50 p.m.

ADOPTED by the Newberg City Council this day of October 15th, 2018.


Sue Ryan, City Recorder

ATTESTED by the Mayor this 18th day of October, 2018.


Bob Andrews, Mayor

