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**City of Newberg  
City Council  
January 21, 2020**

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**WORK SESSION**

Meeting called to order at 6:00 p.m.

Councilors Present: Mayor Rick Rogers, Councilors: Stephanie Findley, Elizabeth Curtis Gemeroy, Elise Yarnell Hollamon, Gene Piros, and Patrick Johnson.

Councilors Absent: Denise Bacon

Staff Present: City Manager Pro Tem David Clyne, City Attorney Truman Stone, City Recorder Sue Ryan, Community Development Director Doug Rux, Finance Director Matt Zook, Public Works Director Jay Harris, Library Director Will Worthey, and Information Technology Director Dave Brooks.

District 2 Candidate Interviews:

**Question #2**

Why are you interested in serving as a Councilor?

Todd Enzor had been a Newberg resident for 22 years and had deep connections to the community. He cared about the direction of the city and wanted to improve livability and engage citizens as best he could.

Kathryn Menninger had lived in the City for four years and was interested in serving because she wanted to be a more active community member. She saw the Council position as liaison between the community and decision makers. She wanted to help make this a place where she wanted to live.

Julia Martinez Plancarte was interested in serving to represent the Hispanic community in town, especially in her district. Representation was important, and having someone who was involved in the community on different boards and commissions. She wanted to serve as a role model for her nieces and nephews. She had a passion for service and had overcome a lot of barriers and obstacles. Her mentors here in Newberg helped her to thrive and she wished to give back.

Mayor Rogers announced Sarah Grider had withdrawn her application and Tod Looney was not in attendance.

Stephen McKinney was interested because of his service on the previous Council for 10 years and his work as a minister for 30 years. He was always looking for opportunities where he could help. He represented a large community in Newberg, retired people. There was a learning curve that was substantial and he was familiar with every issue that the Council was dealing with and trying to resolve. He thought he would be a great value and help to the Council and wanted to increase communication with the public.

#### Question #4

What is your understanding of the role of a Councilor and what has prepared you to be a Councilor?

Julia Martinez Plancarte said the role was to represent the community, set policies and goals, and to listen and learn from the diverse community. A Councilor also collaborated with the rest of the Council to bring their views together to make decisions. What had prepared her to be on Council was her work with Unidos Bridging Community. She had connections with churches and community members and she could further relationships with the Hispanic community that had not been done before. She participated in two cohorts in the Capaces Leadership Institute in Woodburn. The purpose was to increase representation on public bodies. She also had a mentor helping guide her through all of the process.

Stephen McKinney said a City Councilor learned that they were classified as a City father and the buck stopped with them. City staff received their direction from you and you must lead, not follow. You must trust in terms of people you've appointed to directorships to do their jobs and if something came up where that trust was fractured, then you must bring your energies to find out what happened. From time to time you had to dismiss people or endorse a dismissal. The voters were depending on you to make the right decisions. Sometimes in your role you are persecuted, but you can address it if it was untrue. You also represent the City at County and State functions. The role is continually developing and you need to think ahead. You can't be afraid to speak your mind on difficult issues.

Kathryn Menninger saw the role of a Councilor as a liaison, representing first your district and then the whole community. You need to be a listener and a defender of decisions that were made. She had taken many leadership roles throughout her career. She participated through Virginia Garcia Clinic in their RISE program which was a leadership seminar to get employees involved in the community and mentor/mentee relationships. She was paired with someone in Hillsboro and they had regular meetings where she learned about what it meant to be a City Councilor. She was currently one of the site medical directors for her organization and there were seven of them that met monthly. When she was in the room and working with that group, she was a representative of her site and the providers in the clinic. She made sure their needs were met and to be a voice for them. When she was back at the clinic site, she was a voice for the administration and their decisions. They had terms they used in their meetings, dissent and commit. When they were in the room making decisions they had the ability and right to dissent and have discussion, but once they as a group came to a decision and left the room they were committed to that decision and supported it. She thought that was what happened at the City Council as well.

Todd Enzor said in reading through the City Charter, the role of the Council was quite weighty. It came with many responsibilities and challenges. He saw it as a front line representative of the City and the last line in making the hard decisions. The Charter stated the Council appointed and removed when necessary three of the key positions. They also implemented laws that affected everyone in town. It was a struggle to balance the needs of the City, your own feelings of right and wrong, and come together to make decisions to benefit the City. A Councilor must grow a thick skin and make difficult decisions. In his career, he was a teacher abroad in Honduras and Mexico. He was also a wildland firefighter and crew leader for two seasons and had to make crucial decisions. He also worked with his church and Cub Scouts making decisions that affected a large group, working with people, and doing what was best for the citizens of the community.

#### Question # 5

Share with us your assessment of any recent decision of the City Council

Todd Enzor thought the decision to approve the funds for Visit Newberg was a great decision as it promoted tourism, jobs, and industry. He was also in support of the first responders communications upgrade to make them more reliable and accessible to the community. He was in favor of the Council working to partner with faith based organizations for distribution of emergency supplies.

Julia Martinez Plancarte said the Council recently chose a City Manager. She said it was a more transparent process than in the past and people were able to come discuss their concerns and ask questions of the candidates. With some of the issues going on right now, it was important to foster trust with the community. She was on the stakeholder panel interview and was able to ask questions about diversity, equity, and inclusion. It was a good process and she applauded them for making it so transparent.

Kathryn Menninger said overall the Council was doing a lot of visioning and making decisions about the future of Newberg. The biggest issue, however, was choosing a City Manager. The City had undergone a lot of trauma. When they looked at moving through a trauma response, the most resiliency that people had was through support and open communication. She had been impressed with the deliberate movement from the City Council in how they were making the decision and the transparency of the reasons why the previous manager had to leave. They were all human and mistakes were made, and together they needed to be moving forward. The City Manager was what they really needed to move the City forward. She thought the decision making process was impressive.

Stephen McKinney said the decision on the new City Manager was something the Council put a lot of time into and had all agreed on. When they decided to go with WCCCA, they also assumed a substantial financial responsibility to upgrade the communications system. He also supported the continuing support of the Council regarding a Cascadia event including involving faith based organizations. It was an example of a continuing commitment made by previous administrations. Past and current administrations needed to have agreement so that things kept moving in the correct direction.

Mayor Rogers let all of the candidates have a two minute wrap up.

Stephen McKinney thought the Council should develop relationships with builders and developers who would be willing to invest in Newberg. Affordable housing was still a goal to be met. They must be successful at meeting housing needs at all levels. There were still concerns regarding the UGB, URA, etc. The Council either made it impossible or possible. He didn't want to be perceived as someone who had been there, done that. He wanted to remain teachable as the world changed and to help the Council to their achieve goals.

Todd Enzor would bring passion and desire to make improvements where necessary and to listen. As they heard feedback in a lot of previous meetings, they needed to listen. He thought the City was taking steps in the right direction and he would like to be a part of that. Through the crime watch in his community he had been in contact with people all over the City to help connect them to get the help they needed. He and his wife made their home here and he intended to stay. He was self-employed and had the time to devote to it.

Julia Martinez Plancarte said since she had lived here from age 5 on Main Street as an immigrant and native Spanish speaker, she never thought she would have the opportunity to apply for the Council. It showed a lot of progress that Newberg had made already. It was very important as an immigrant to help hold the door open to others who were following after her. She was very passionate about her community and giving a voice to underserved populations.

Kathryn Menninger said as someone who grew up in the area (Gaston), she had seen the area grow dramatically. There were many different levels of wealth in the community and she was hoping to represent the different levels and to open doors to those who had not been involved before. She worked with underrepresented communities and understood the wide range of citizens in Newberg. As an extrovert, it would be easy for her to be involved in different events, meetings, and being a voice for people.

Mayor Rogers thanked all of the candidates and encouraged those who were not selected to volunteer on a City Committee. The decision would be made at the Business Session.

#### **CITY MANAGER'S REPORT:**

City Manager Pro Tem Clyne reported on his activities including Saturday's goal setting session and Diversity, Equity, and Inclusion training. The goals would be fleshed out into a strategic plan that could be considered with the new City Manager when he arrived on February 24. He had received a resignation from Anna Lee, Human Resources Director.

Council Committee Reports – Mayor Rogers reported on the MLK event, State of the City address at the City Club, and meeting with the Downtown Coalition.

Councilor Johnson reported on the Bypass meeting with ODOT regarding the short session of the legislature and moving to the next phase of construction.

The Work Session was adjourned at 7:10 p.m.

## **BUSINESS SESSION:**

Meeting called to order at 7:30 p.m.

Councilors Present: Mayor Rick Rogers, Councilors: Stephanie Findley, Elizabeth Curtis Gemeroy, Elise Yarnell Hollamon, Patrick Johnson, and Gene Piros.

Councilors Absent: Denise Bacon

Staff Present: City Manager Pro Tem David Clyne, City Attorney Truman Stone, City Recorder Sue Ryan, Library Director Will Worthey, Information Technology Director Dave Brooks, Community Development Director Doug Rux, Finance Director Matt Zook, Public Works Director Jay Harris, Police Chief Brian Casey, Associate Planner Keith Leonard, and Stormwater Engineer Kristin Scvirovich (sp ?).

## **PRESENTATIONS:**

Dave Huber and Dean Kampfer from Waste Management gave an overview of the company, services they provided to Newberg, current state of the recycling market, and recycling programs and technology. To improve recycling material quality, they were proposing to start assessing a contamination fee, and on the commercial side it would be \$15.25 per yard per incident for containers and \$6.35 per cart; and on the residential recycling and yard debris it would be \$6.35 per cart. They also planned to implement a drop box recycling service fee. This would be a haul fee of \$117 per haul and a mixed recycling or glass processing charge per ton at the current market value.

They then discussed program improvements, such as increasing residential recycling frequency, moving it to weekly instead of every other week. The associated costs would be \$3.59 per month added to the current fee structure. The other was a residential food waste program, which was the largest component in the waste stream today. This was for the full spectrum of foods. Portland started it in 2011. They explained how the program worked. The associated costs would be an added \$0.71 per month or \$3.31 per week to the current rates.

Discussion on the options, impact of the contamination recycling fee, processing center for food waste, larger community discussion on costs, next steps, and how it would move forward. The first two items Waste Management saw as housekeeping and what they must do. The other two were something the City would have to support. Due to the franchise system they could agree to change the service agreement at any time.

The Council would need to decide if they wanted to make any changes and what type of outreach process they would do.

## **COUNCIL APPOINTMENTS: District 2**

Action: Appoint Julia Martinez Plancarte to District 2 vacancy for a term of February 3, 2020 to December 31, 2022.

Motion: Councilor Findley  
Second: Councilor Curtis Gerneroy  
Vote: 6 Yes, 0 No, 1 Absent [Bacon].

### **PUBLIC COMMENTS:**

Michael Gunn, Newberg resident, discussed news articles about Anna Lee's departure from the City. She was an at-will employee and he thought she should have been fired sooner. He read from the Employee Handbook about at-will employment. He wanted to know what the severance package was when she resigned. He also questioned the due diligence that was done for the new City Manager and the purpose of CMPT Cline going to Colorado to meet with the new City Manager after he had already been hired.

Rebecca Wallis, Newberg resident, spoke about the outcome of her public records request process and offered constructive criticism including creating a fillable form designed by staff with examples. She would like staff and Council to respond to public comments and thought that the issue tracker should be put on earlier in the agenda.

There was consensus to put the public records request process on the issue tracker. The Council would discuss the personnel requests in Executive Session.

Shannon Buckmaster announced Elise Yarnell Hollamon won the 2019 Chamber Citizen of the Year Award.

### **ACTION ITEMS- Consent Calendar**

1. a) Resolution 2020-3639, A Resolution authorizing the City Manager Pro Tem to appoint recommended candidate to position [Christopher Kratochvil, Asset Management Specialist, and Dakota Jackson, Engineering Intern – GIS].

Action: Approved consent calendar items as presented.  
Motion: Councilor Findley  
Second: Councilor Curtis Gerneroy  
Vote: 5 Yes, 1 No [Johnson], 1 Absent [Bacon].

### **PUBLIC HEARINGS:**

1. Order 2020-0040, Appeal of PAR19-004

Hearing on the record – Quasi Judicial but no additional testimony.

Mayor Rogers opened the public hearing. No declarations of abstentions, bias, ex parte contacts, or objections to jurisdiction.

CA Stone read the hearing guidance statement.

Staff Report: Community Development Director Rux said this was an appeal of the approval of a two lot partition application on E Third Street.

Action: Approved Order 2020-0040, An Order approving the requested partition file PAR 19-0004 and denying the appeal for APLG19-0002 and affirming Planning Commission Order 2019-09 for property located at 712 and 714 E. Third Street, Yamhill County Tax Lot R3219AD 01500.

Motion: Councilor Johnson  
Second: Councilor Yarnell Hollamon

Discussion: Councilor Curtis Gemeroy had empathy for the appellants and thought there needed to be a more transparent process for Type I and II decisions. The applicant had gone through the correct process and there was a proper time when the application could have been appealed but it was not. This was not the time to change the process, and they needed to go forward with this order. She would like this on the issue tracker for future review.

Councilor Findley agreed. After reviewing the material, she believed she had to approve it but was conflicted. While the letter of the law was followed, the spirit of the law was not. The process needed to be looked at so people who were impacted could be better informed in the future.

Councilor Johnson had looked at the Code and the arguments on both sides. He agreed the notice for ADUs should be more robust. The harsh reality was if you have a larger lot in a medium density zone, then you can partition it. If affordable housing was their goal then they needed to encourage developers to come up with creative solutions. He thought this was a creative solution to provide more housing in the downtown core.

Mayor Rogers stated the code for ADUs was well intentioned and was state mandated. It was concerning, but the applicant met the requirements.

Vote: 6 Yes, 0 No, 1 Absent [Bacon].

2. Ordinance 2020-2855, Water Management Conservation Plan

Staff Report: CDD Rux said this was a Comprehensive Plan text amendment to incorporate the 2019 Water Management Conservation Plan into the Comprehensive Plan.

Engineer Scivarovich introduced herself and gave an overview of the Water Management Conservation Plan.

CDD Rux reviewed the proposed language changes to the Comprehensive Plan. All of the applicable standards and rules had been met. Staff recommended approval.

Mayor Rogers opened the public hearing.

Proponents: None  
Opponents: None  
Undecided: None

Mayor Rogers closed the public hearing.

Deliberation: The Council liked the water conservation kits.

Action: Waived the second reading of Ordinance 2020-2855

Motion: Councilor Johnson  
Second: Councilor Piros  
Vote: 6 Yes, 0 No, 1 Absent [Bacon]

Action: Approved Ordinance 2020-2855, An Ordinance incorporating the 2019 Water Management and Conservation Plan into the Newberg Comprehensive Plan to be read by title only.

Motion: Councilor Curtis Gemeroy  
Second: Councilor Johnson  
Vote: 6 Yes, 0 No, 1 Absent [Bacon]

3. Ordinance 2020-2851, Fee In Lieu Program within C-3 zoning district.

Staff Report: Associate Planner Leonard spoke about residential parking requirements within the C-3 zoning district. He discussed the parking study that was done in 2016 for on-street and off-street parking availability. The study showed there was not a parking problem at this time. The new fee in lieu program would allow developers the option to pay a fee in lieu instead of having to meet the required parking. The fee could only be used for parking projects. He had done a survey of Portland metro cities, and none of them had a fee in lieu program, however Bend did have one. He explained the Engineering Department's cost estimates for Newberg per parking space. The recommended code amendments would add three options for developers, to put in all the parking required on site, put in less than the required on site parking and pay the fee in lieu for the remainder, or pay the fee in lieu to cover all parking required. The amendments would also allow an agreement with another parking lot within 400 feet of the development site to use those parking spaces. Staff recommended approval.

Discussion: accuracy of the parking study, how the fee in lieu would work, and how it would apply to George Fox University for new dormitories in this corridor.

CDD Rux said if they wanted to include dormitories into the program, it would require bringing the ordinance back to the next meeting. This would only apply to the C-3 zone.

Mayor Rogers asked why none of the surrounding communities had this type of program. CDD Rux said Bend's was set to address building parking structures not surface parking like Newberg's was.

Mayor Rogers opened the public hearing.

Proponents: None  
Opponents: None  
Undecided: None

Mayor Rogers closed the public hearing.

Deliberation: Councilor Curtis Gemeroy planned to vote yes, but was worried about the development community not being happy about this. However, the Downtown Coalition supported it and this would help with the parking issues.

Mayor Rogers was interested in a parking survey update. If this would help with development of more housing downtown, he was in favor.

Councilor Yarnell Hollamon asked what would happen if the new data showed a different outcome than the 2016 study. CDD Rux said they planned to do a new survey in the fall of 2020. If the circumstances had changed, they could reconsider this program.

Councilor Johnson was in support because it was another tool in the toolbox for using the land as sufficiently as possible and bringing development downtown.

Action: Waive the second reading of Ordinance 2020-2851

Motion: Councilor Curtis Gemeroy  
Second: Councilor Johnson  
Vote: 6 Yes, 0 No, 1 Absent [Bacon]

Action: Approved Ordinance 2020-2851, An Ordinance amending the Newberg Municipal Code Title 15 Development Code to create a fee-in-lieu parking program within the C-3 zoning district to be read by title only

Motion: Councilor Findley  
Second: Councilor Curtis Gerneroy  
Vote: 6 Yes, 0 No, 1 Absent [Bacon].

**NEW BUSINESS:**

1. Resolution 2020-3637, initiation of Code amendment

CDD Rux said they had received a request to modify the requirements for street lights in regards to partitions as it added costs to housing. This resolution would initiate a code amendment process that would be brought back to the Planning Commission and City Council.

Councilor Johnson asked where this project would go on the priority list.

CDD Rux said there were other legislative items that would come first. He would need to review the list at some point and have Council indicate what the priorities should be. This would not be setting a timeframe.

Councilor Findley was concerned about the need for the lighting and safety.

Councilor Yarnell Hollamon thought safety was important, and they should keep the current requirements.

Action: Approved Resolution 2020-3637, A Resolution initiating an amendment to the Newberg Municipal Code, Title 15 Development Code, 15.505.030 U Street Lights related to partition land divisions.

Item died for lack of a motion.

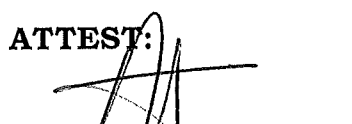
**COUNCIL BUSINESS: -**

1. Willamette Falls Locks – This item was tabled to a later date.
2. Issue Tracker – a survey regarding Waste Management services, Facebook recap of Issue Tracker, Council/staff responding to public comments, Executive Session discussion on the Anna Lee resignation, and past contributions to the Bypass were added to the tracker. Type I and Type II land use application procedures and public records request procedures would be future Work Session items. Councilor Piros volunteered to serve on the Pension Subcommittee.

Meeting adjourned at 10:12 p.m.

  
Sue Ryan, City Recorder

**ATTEST:**

  
Rick Rogers, Mayor