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**City of Newberg  
City Council  
June 15, 2020**

Meeting held electronically due to COVID-19 pandemic

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**WORK SESSION**

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

Councilors Present: Mayor Rick Rogers, Councilors: Gene Piros, Julia Martinez Plancarte, Patrick Johnson, Denise Bacon, Stephanie Findley, and Elise Yarnell Hollamon.

Staff Present: City Manager Dan Weinheimer, City Attorney Truman Stone, City Recorder Sue Ryan, Community Development Director Doug Rux,

**PRESENTATIONS:**

Alexandra Hendgen, Yamhill Community Action Partnership, gave a background on community action agencies and YCAP. Their response to Covid-19 included assistance for food, weatherization, utility bills, youth outreach, housing, shelters, and rent. Moving forward they would be working on satellite offices, hiring two new directors, and working with affordable housing groups.

CDD Rux said the Economic Opportunities Analysis was one requirement for the Urban Growth Boundary expansion. He reviewed the committee's work, the purpose of the analysis, Statewide Goal 9 requirements, goals in the existing Vision and Economic Development Strategy, key economic trends, employment in Newberg, commuting patterns, employment forecast assumptions and projections, potential growth rates, mix of employment, definitions of land classifications, numbers of undeveloped and developed land for commercial, mixed use, and industrial and site sizes, allowed uses in Sportsman Airpark, site needs for target industries, and Newberg's competitive advantage SWOT analysis. There was discussion on the need for adequate housing and next steps.

**BUSINESS SESSION:**

Councilors Present: Mayor Rick Rogers, Councilors: Gene Piros, and Julia Martinez Plancarte, Patrick Johnson, Denise Bacon, Stephanie Findley, and Elise Yarnell Hollamon

Staff Present: City Manager Dan Weinheimer, City Attorney Truman Stone, City Recorder Sue Ryan, Community Development Director Doug Rux, City Engineer Kaaren Hofmann, Planner Keith Leonard.

Meeting called to order at 7:00 p.m. The Council held 8 minutes and 46 seconds of silence to honor the passing of George Floyd, who died after being taken into police custody in Minneapolis, Minnesota.

**CITY MANAGER REPORT:**

City Manager Weinheimer read a statement regarding comments he received about policing and the Police Chief search. He reported on hanging the PRIDE flag in City Hall, Feel Good Friday newsletter, opening of the Library, implementing the Riverfront Master Plan, grants for housing initiatives, diversity training, meeting with Unidos, promotion of Officer Hagen to Sergeant, Cartegraph program, seismic resiliency study, safe routes to schools planning, water line breaks, stormwater line cleaning, constructing a carport at the Public Safety Building, disinfectant process for fleet vehicles, water quality report, replacing the pump and motor of well #5, and sale of compost.

**COMMITTEE APPOINTMENTS:**

- Action:
- 1) Suzanne Meenahan to the Library Board for a term of July 1, 2020 to July 30, 2024 for position # 2.
  - 2) Colin Bolek to the Planning Commission for a term of June 2020-May 2021 to fill the student commissioner seat.
  - 3) Kaspar Czuk to the Traffic Safety Commission for a term of June 2020-May 2021 to fill the student commissioner seat.
  - 4) John Ehrlich to the Traffic Safety Commission for a term beginning now until December 31, 2021.
  - 5) Asher Tatsumi to the Historic Preservation Commission for a term of June 2020-May 2021 to fill the student commissioner seat.
  - 6) Robert Sherry to the Planning Commission for a term beginning now until Dec. 31, 2022.

Motion: Councilor Findley  
Second: Councilor Bacon  
Vote: 7 Yes 0 No

**PUBLIC COMMENTS:**

Elizabeth Nunez, Newberg resident, discussed the discrimination and racism her husband had experienced in the community and with the Police Department.

Kristen Stoller, Newberg resident, suggested creating a citizen review committee for the Police Department to help improve accountability, promote higher standards of police service, and increase public confidence.

Jared Jones, Newberg resident, thought new policies should be implemented to decrease police violence and discrimination.

City Recorder Ryan reviewed the written public testimony that had been received.

**CONSENT CALENDAR:**

Action: 1) Resolution 2020-3678, A Resolution to authorize the City Manager to enter into a construction contract with Cedar Mill Construction Company LLC for the Public Safety Building roof strengthening seismic retrofit project in the amount of \$365,000.

2) Resolution 2020-3664, A Resolution to authorize the City Manager to enter into an amendment to the existing professional services agreement with Murraysmith, Inc. to design the City's North College Street waterline improvement project.

Motion: Councilor Findley  
Second: Councilor Martinez Plancarte  
Vote: 7 Yes 0 No

**PUBLIC HEARINGS:**

1. Ordinance 2020-2862, Transit Plan

Mayor Rogers read the hearing script. He asked for any conflicts of interest or abstentions. There were none.

Associate Planner Leonard said this was a request to approve Comprehensive Plan and Municipal Code amendments to implement appropriate recommendations found in the Yamhill County Transit Area Transit Development Plan. He gave a background on the plan, explained the proposed amendments, and discussed how the amendments met Statewide Planning and Comprehensive Plan Goals.

Mayor Rogers opened the public hearing.

Public Comments – None

Mayor Rogers closed the public hearing.

Action: Waive second reading of Ordinance 2020-2862.

Motion: Councilor Findley  
Second: Councilor Bacon  
Vote: 7 Yes 0 No

Action: Approve Ordinance 2020-2862, An Ordinance amending the Newberg Comprehensive Plan and Municipal Code to implement appropriate recommendations found in the Yamhill County Transit Area Transit Development Plan to be read by title only.

Motion: Councilor Johnson

Second: Councilor Martinez Plancarte

Deliberation: Councilors discussed the correlation between setbacks and transit and the Fair Housing Council's letter regarding parking and setback regulations effect on housing.

Vote: 7 Yes 0 No

## 2. Resolution 2020-3655

Mayor Rogers read the hearing script. He asked for any conflicts of interest or abstentions. There were none.

CDD Rux explained the new agreement for Visitor Center services in the amount of \$75,000; exemption for the solicitation method by the authority of the City Council as the Contract Review Board, and approving the one year Business Plan.

Mayor Rogers opened the public hearing.

Public Comments: Shannon Buckmaster, Chehalem Valley Chamber of Commerce, said the one year contract would allow them to reexamine their priorities and use of the City's funds. She explained their role in economic recovery due to Covid-19. They would also be returning to Downtown with an ADA accessible facility near parking. She discussed how they were focusing on community communication and expanding regional connections and partnerships.

Mayor Rogers closed the public hearing.

Action: Approve Resolution 2020-3655, A Resolution entering into an agreement with the Chehalem Valley Chamber of Commerce for Visitor Center services, approving exemption for the solicitation method by the authority of the City Council as the Contract Review Board, and approving the one year business plan.

Motion: Councilor Johnson

Second: Councilor Bacon

Deliberation: Councilors discussed the need to have a Work Session about the Council's strategy for tourism and Visit Newberg and the Chamber, the Chamber's move to downtown, and the Chamber's role in tourism.

Vote: 7 Yes 0 No

## **NEW BUSINESS:**

### 1. Resolution 2020-3682

CDD Rux said this resolution would initiate amendments to implement the Riverfront Master Plan.

Action: Approve Resolution 2020-3682, A Resolution initiating an amendment to the Newberg Comprehensive Plan and Map, Newberg Municipal Code, Title 15 Development Code 15.05.110 Adoption of zoning map and 15.300-15.500 for regulations related to the Riverfront Master Plan.

Motion: Councilor Bacon

Second: Councilor Piros

Vote: 7 Yes 0 No

### 2. Resolution 2020-3679

CDD Rux said this resolution would endorse the process for managing public art in the City.

CR Ryan said Molly Olson submitted written comments in support.

Action: Approve Resolution 2020-3679, A Resolution endorsing the Newberg Committee for Public Art Standards, Procedures and Guidelines

Motion: Councilor Findley

Second: Councilor Martinez Plancarte

Deliberation: Councilors discussed how this had been a long time coming.

Vote: 7 Yes 0 No

### 3. Resolution 2020-3681

City Engineer Hofmann gave a background on the Elliott Road sidewalks and bike lanes project. Elliott Road bike lanes connected to the neighborhood and that it would be part of the larger system but they had to do one project at a time. This project would implement Goal 2 of the Visioning document and the Transportation System Plan and would provide additional safety in the City. The funding for the project would be through gas tax revenues, System Development Charges, and Stormwater funds. These funds could not be spent on any other non-transportation or non-stormwater projects. She discussed the design alternatives. The Council had requested staff talk to the neighbors again about the design and staff held a neighborhood meeting and did several public outreaches. She explained the suggestions made by the public. The compromises to the design were to eliminate the planter strip where the right-of-way was affected and to reduce impacts to trees, to install curb extensions at the intersections to encourage safer speeds, to consider an alternative curb extension concept similar to the golf course entrance on Fernwood, and to change the light pole/fixtures. The preferred alternative would have buffered bike lanes, planter strips would be removed where right-of-way acquisition was required or to protect healthy trees, and staff

would review the alternative curb extension designs. Staff recommended Council select a preferred alternative and authorize the acquisition of right-of-way and easements.

Councilor Johnson asked about people parking in the bike lanes. CE Hoffman said the Police Department would have to enforce that, and there could be signage and education.

Public Comments:

CR Ryan discussed the public comments that had been received.

Gary Black, Newberg resident, discussed the current safety issues with pedestrians and bicycles on the street and the current problems of cars parking on the street. He was in favor of the project to improve safety and beautification. He was concerned about children crossing the street.

Tyler Smith, attorney for Mr. D'Hondt, requested postponing the decision on the resolution due to the proposed design changes and vetting them with his client. There were no speed reduction elements proposed, the road was not dilapidated, there was not much support for the bike lanes, and the sidewalks and bike lanes could be reduced. He pointed out exhibits showing how this project would cut into neighboring properties.

Dan D'Hondt, Newberg resident, said there were some fundamental issues that still needed to be addressed. He was frustrated that staff was not interested in having a serious dialogue about the design elements.

CE Hoffman said this was a conceptual design and the details could still be worked out through the design process. Staff recommended moving forward with the preferred alternative.

Action:	Approve Resolution 2020-3681, A Resolution selecting a Preferred Alternative and authorizing the acquisition of Right-of-Way and easements for the N. Elliott Road sidewalks and bike lanes project.
Motion:	Councilor Johnson
Second:	Councilor Martinez Plancarte
Deliberation:	Councilors discussed the group meeting with the affected property owners, possible litigation, modifying the cross section to lower the width of the roadway to 46 feet, environmental impacts of paving, safety of the bike path to the high school, over-engineering safety, narrowest point on the road, shared sidewalk/bike path, providing transportation for marginalized populations, support for the preferred alternative, and postponing to allow staff to further negotiate.
Vote:	5 Yes 2 No [Bacon, Rogers]

**COUNCIL BUSINESS:**

Councilor Johnson announced his resignation from the Council District 4 seat for health issues and to spend more time with his family.

The Council said they would miss Councilor Johnson and thanked him for his time.

**EXECUTIVE SESSION pursuant to ORS 192.660 (2) (e) Real Property**

Start: 10:09 p.m.

Stop: 10:15 p.m.


Topic: Butler Property

Staff: CM Weinheimer, CDD Rux, CA Stone.

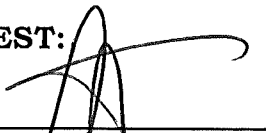
Council Present: Mayor Rogers, Councilors Bacon, Findley, Yarnell Hollamon, Martinez Plancarte.

Council Absent: Councilors Johnson & Piros.

Meeting adjourned at 10:15 p.m.

  
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Sue Ryan, City Recorder

**ATTEST:**

  
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Rick Rogers, Mayor

4. Resolution 2020-3670

CDD Rux said this was a request to release an access easement on NE Springbrook Road. He gave a history of the easement. The applicant thought the City should extinguish the easement because the City did not have the authority to require an access easement and the requirement was a violation of land use law. This was a County decision. The City did not request an easement but the applicant at the time had proposed one for a future road network. There was a new property owner who wanted to build a home in the location of the easement. Staff recommended denial of the release request. There had been discussions regarding adjusting the location of the easement.

Jessica Cain, representing the applicant, discussed what the City recommended to the County for conditions. One of them was to require dedication of a public access and slope easement over the future public road crossing for parcels 1 and 2 as shown on the shadow plat. They did not list as a requirement an easement for parcel 3, which was the subject parcel. The County's land use decision did not include required easements for any of the parcels. On the proposed plat there were shadow easements and she thought they were recorded by mistake. The City did not ask for an easement on parcel 3, the County had not required it, and it had no practical use for the City. They were asking for release of the easement.

Action: Approve Resolution 2020-3670, A Resolution denying a request to release an access easement on the property located at 15665 NE Springbrook Road (Yamhill County Tax Lot Number R3209 00903).

Motion: Councilor Findley  
Second: Councilor Martinez Plancarte

Vote: 7 Yes 0 No

5. Resolution 2020-3680

CM Weinheimer said this was a resolution in support of the program to provide financial support to those who were not eligible for federal relief for Covid-19 due to immigration status.

Action: Approve Resolution 2020-36, A Resolution declaring support for the Oregon Workers Relief Fund.

Motion: Councilor Martinez Plancarte  
Second: Councilor Bacon

Vote: 7 Yes 0 No