

**CITY OF NEWBERG CITY COUNCIL MINUTES
TUESDAY, FEBRUARY 16, 2010
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM
401 EAST THIRD STREET**

Work Session was held prior to the meeting. A discussion on Council goals occurred. No decisions were made.

I. CALL MEETING TO ORDER

Mayor Bob Andrews called the meeting to order at 7:03 PM.

II. ROLL CALL

Members

Present:	Mayor Bob Andrews	Denise Bacon	Bob Larson
	Stephen McKinney	Bart Rierson	Marc Shelton
	Wade Witherspoon		

Staff

Present:	Daniel Danicic, City Manager	Terrence Mahr, City Attorney
	Barton Brierley, Planning and Building Director	Norma Alley, City Recorder
	Howard Hamilton, Public Works Director	Jennifer Nelson, Recording Secretary

Others

Present: Kris Bledsoe

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

Mr. Daniel Danicic, City Manager, gave updates on the Hess Creek fencing project stating that engineering staff is in the process of contacting other fencing companies for bids. Finally, he announced the Fire Department will be hosting the Chamber of Commerce Greeters meeting on March 19th.

Councilor Marc Shelton wished to discuss possible fencing or barriers ideas to protect the new downtown Newberg sign because of a recent occurrence of a vehicle almost hitting it. Mr. Danicic stated some solutions were explored, but none that were both attractive and effective.

V. PUBLIC COMMENTS

Ms. Kris Bledsoe, Yamhill Basin Council, discussed some of the services performed by the watershed council mentioning it is an independent council that does not report to the County Commissioners. It is a state funded and mandated body, partially funded by the Oregon Water Enhancement Board (OWEB); the remaining funds come from grant activity and donations from the involved cities or counties. Their purpose is to protect the quality and quantity of the water in the county and they do this by testing the water quality in streams, restoring habitats threatened by improper clearing or temperature increases, and educating the public. She wished to commend the work of two City staff members and their service on the board.

Mr. Danicic mentioned \$1,000.00 of the storm water budget is contributed annually to the water council and they are assisting with the Hess Creek project.

VI. CONSENT CALENDAR

1. Consider a motion approving **Resolution No. 2010-2888** approving the City's participation in the Oregon Public Works Emergency Response Cooperative Assistance Program and authorize the city manager to execute the agreement.
2. Consider a motion approving **City Council Minutes** for January 19, 2010.

MOTION: Shelton/Larson approving the Consent Calendar including **Resolution No. 2010-2888** approving the City's participation in the Oregon Public Works Emergency Response Cooperative Assistance Program and authorize the city manager to execute the agreement and the City Council Minutes for January 19, 2010. (7 Yes/0 No) Motion carried.

VII. PUBLIC HEARING

Consider a motion to continue the Public Hearing on **Order No. 2010-0023** to March 1, 2010.

TIME – 7:15 PM

MOTION: Shelton/Larson to continue the Public Hearing on **Order No. 2010-0023** to March 1, 2010. (7 Yes/0 No) Motion carried.

VIII. COUNCIL BUSINESS

TIME – 7:17 PM

Mayor Andrews asked a group of citizens why they were attending the meeting this evening. The Scout Master for Boy Scout Troop 293 replied they were here to observe the meeting in order to work towards a merit badge.

Ms. Norma Alley, City Recorder, spoke to the Council about some concerns that came from the previous meeting regarding the acceptance of written testimony from the public. She emailed and presented them with language drafted and placed on the City's website to inform the public of the deadline for submitting written testimony and the intent to also be included on the written agendas. She asked for feedback to ensure they were comfortable with the language and how it is being posted.

Councilor Rierson wished to include similar language into agendas and on the website for the Planning Commission as well since they also have had a long standing tradition of not accepting last minute written testimony, too. He said he likes having the discretion to accept items submitted or not although he prefers it all to be submitted ahead of time; but, if it is a single page and it can be reviewed quickly than he likes having the opportunity to accept it.

Mayor Andrews mentioned the language comes from the Council Guidelines and Rules and if there were any desires to change how this is done then amendments may need to be made.

Councilor Wade Witherspoon also likes having the discretion, but he felt the Council is potentially setting themselves up for criticism if they do not have specific criteria to refer to when deciding whether to accept a document or not, such as the number of pages. He said he is uncomfortable with the subjectivity of the process.

Councilor Denise Bacon agreed that testimony could be accepted if the speaker would be discussing the same material in their verbal testimony, but if an extensive packet of material is submitted at the last moment which is meant to be educational that is different.

Councilor Stephen McKinney liked having the flexibility in the rules but he felt consistency was also necessary in order to be fair.

Discussions followed with the City Attorney regarding possible scenarios and different options the council has to ensure they are not making arbitrary decisions when accepting written testimony. Suggestions were made to place the topic onto the city attorney website to see how other cities deal with this issue

MOTION: Shelton/Bacon accepting the language as proposed for the website and agenda concerning the submission deadline of written testimony on an interim basis which is subject to review. (6 Yes/1 No [Witherspoon]) Motion carried.

MOTION: Shelton/Bacon to review the Council Guidelines and Rules document, last updated in 2007, to be brought before the Council for approval at the first Council meeting of July, 2010. (6 Yes/1 No [Rierson]) Motion carried.

Mr. Danicic asked about interest for a United Way presentation at an upcoming Work Session as well as the participating in the Providence Newberg Hearts of Gold luncheon.

Councilor McKinney mentioned another opportunity to support another ministry of the hospital through a Faith in Action event. Mayor Andrews asked him to return to the Council with more information as there was some interest expressed.

Mr. Howard Hamilton, Public Works Director, gave updates on the new Animal Shelter Request for Proposal (RFP); the nine received will be narrowed down to three for interviews and the contract awarded on March 15th and the intended completion for the project is December 2010.

Councilor Rierson requested to participate as a representative of the Animal Shelter Sub-Committee during the final selection. It was requested to work with staff to determine if the entire sub-committee would participate or just the Chair.

Councilor Witherspoon asked staff if green construction standards were included within the RFP for the Animal Shelter in order to uphold the Council goals. Staff replied the wording was put into the scope of the project.

Mr. Hamilton also gave updates on the RFP process for the 2nd Street Improvement project. The City Attorney has been in communications with the property owner and her attorney to negotiate the dedication of land. They are trying to avoid a change order and attempting to meet deadlines to include it as an addendum.

Councilor Bacon requested an amendment to Resolution 2009-2857 concerning the establishment of the Affordable Housing Action Committee and the requirement for the majority of its members to be Newberg residents. She presented a brief report.

MOTION: Bacon/Rierson directing staff to bring to the Council an amendment to Resolution No. 2009-2857 regarding the Affordable Housing Ad Hoc Committee Membership Criteria. (6 Yes/1 No [McKinney]) Motion carried.

Councilor McKinney mentioned several discussions he has had with citizens who are unsure the money they pay in water, storm-water, and public safety fees are actually spent for those items. He mentioned a federal statute concerning the co-mingling of funds and asked that this information be passed along to the citizens in there next utility bill.

Councilor Rierson added a request for staff to prepare a press release and posting to the website as well as sending it in the bill. He also asked for an update on the existing animal shelter property.

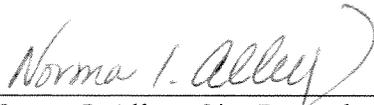
Mr. Danicic stated two very different RFP's were received, one for two single family affordable housing units and another for an apartment complex. Staff is preparing an analysis to be presented to Council.

Councilor Shelton mentioned the solar speed limit signs and their implications on the upcoming budget discussions. Staff replied this would be discussed in the upcoming budget prioritization.

IX. ADJOURNMENT

The meeting adjourned at 8:26 PM.

ADOPTED by the Newberg City Council this 15th day of March, 2010.



Norma I. Alley, City Recorder

ATTEST by the Mayor this 18th day of March, 2010.



Bob Andrews, Mayor