

**CITY OF NEWBERG CITY COUNCIL MINUTES
MAY 4, 2009
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM
401 EAST THIRD STREET**

Work Session was held prior to the meeting. A presentation on the Making Room to Read Campaign was given and a discussion on the Clean Water State Revolving Fund Project occurred. No decisions were made.

I. CALL MEETING TO ORDER

Mayor Bob Andrews called the meeting to order at 7:07 PM.

II. ROLL CALL

Members

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

Staff

Present:	Daniel Danicic, City Manager	Terrence Mahr, City Attorney
	Barton Brierley, Planning and Building Director	Elizabeth Comfort, Finance Director
	Howard Hamilton, Public Works Director	Norma Alley, City Recorder
	David Beam, Senior Engineer	Jennifer Nelson, Recording Secretary

Others

Present: Mike Soderquist, Lynette Hammon, Phillip Smith, Roger Grahn

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

Mr. Daniel Danicic, City Manager, reported the Utility Bill Assistance Program was up and running. The Housing Fair will be held on May 16th at George Fox University from 10:00 AM to 2:00 PM. May 5th is the South Industrial Area open house at the Public Safety Building (PSB) at 5:30 PM. May 12th will be the Town Hall meeting held at the PSB at 7:00 PM on the Public Safety Fee. The application period for recruiting a new Finance Director has closed, interviews are scheduled for May 18th. Ms. Janelle Nordyke, Assistant Finance Director, has been appointed to serve as the Interim Finance Director. He discussed precautions the City is taking to prevent the possible spread of the Swine Flu.

V. PUBLIC COMMENTS

Mr. Mike Soderquist, representing Harris Thermal, spoke of the businesses reputation and of recent permit fees paid by the company (\$45,000) to the City of Newberg when they expanded their production facilities. He asked for relief for the charges the City plans to charge the company (\$4,000) in fees for the improvements to the S. Springbrook Road frontage improvements and widening of the road, especially since they donated ten feet of property required to complete the widening. The company

considers the fees punitive and cites recent fee reductions for a local builder and asked the City Manager be authorized to waive the fees. Written testimony was submitted (see official meeting packet for full report).

Mayor Andrews directed staff to prepare recommendations.

VI. CONSENT CALENDAR

1. Consider a motion approving **Resolution No. 2009-2841** authorizing the city manger to purchase a new ambulance.
2. Consider a motion approving **Resolution No. 2009-2842** adopting Federal Red Flag Rules for the City's Identity Theft Protection Policy.
3. Consider a motion approving City Council Minutes for April 6, 2009.

MOTION: Larson/Shelton to approve **Resolution No. 2009-2841, Resolution No. 2009-2842,** and the City Council Minutes for April 6, 2009 as amended. (7 Yes/0 No) Motion carried.

VII. PUBLIC HEARING

1. Consider a motion approving **Resolution No. 2009-2831** approving Supplemental Budget #2 for the fiscal year ending June 30, 2009.

TIME – 7:20 PM

Mayor Andrews called for any conflicts of interest or abstentions. None were stated.

Ms. Elizabeth Comfort, Finance Director, presented the staff report (see official meeting packet for full report).

Mayor Andrews opened and closed public testimony. Staff recommended adoption.

MOTION: Larson/Witherspoon to approve **Resolution No. 2009-2831** approving Supplemental Budget #2 for the fiscal year ending June 30, 2009. (7 Yes/0 No) Motion carried.

VIII. NEW BUSINESS

1. Consider a motion approving **Resolution No. 2009-2840** initiating an evaluation of the City's sign ordinance regarding animated signs and establishing a pilot program to evaluate the effect of potential changes.

TIME – 7:27 PM

Mr. Danicic presented the staff report (see official meeting packet for full report).

Councilor Bob Larson asked if the businesses currently owning reader boards would be able to make changes immediately. Staff stated they would.

Councilor Witherspoon asked about how the reader board will be used to generate statistical information for the pilot program. Staff replied the efforts to collect data would be collaborative.

Mayor Andrews opened public testimony.

Ms. Lynette Hammon represented a group of parents with children at Mountainview Middle School, describing the current inability to use the sign effectively. She spoke of the various items the school offers information on for the parents by using the reader board and how that communication is hindered by the ten minute rule; they have approximately twenty-five things going on each week that cannot get out because each item must be displayed for ten minutes at a time. She discussed the benefits of the sign as a tool and the fact that it was not purchased by the district, but rather by the parents.

Councilor Stephen McKinney stated he had spoken to the school's principal who verified no citations had been received, but the City has approached them about the size of sign. He asked if it was true they were only using two thirds of the sign currently and it can only be seen from the parking lot. He asked if other schools are considering using reader boards as well.

Ms. Hammond stated this was correct and it could only be read if you are sitting directly in front of it. She stated other schools are interested in doing this as well, but they are waiting to see what happens with this one to see if it will be worth it.

Councilor McKinney said based on his conversations with members of the community the imposed rules make it difficult to best serve the public using these reader boards. He is pleased staff was able to come up with way to make them more useful. He stated he was supportive of improving the sign code.

Mayor Andrews proposed increasing the time period for evaluation to 18 months to give enough time to complete the work if needed.

Councilor Witherspoon said he supports the idea; however, he is uncomfortable with the process. He would like to see more specific data standards and timelines to ensure the data collection is not based on anecdotal research alone. Staff replied they can attempt to create something more structured and come back with that information.

Councilor Bart Rierson stated he also supported the proposal but he wanted to remind everyone of the considerable amount of public testimony and work by the Planning Commission (PC) to consider public safety issues, aesthetics, and the image desired for old town Newberg. He also mentioned the difficulty of limiting content of the signs because of the strong protections of freedom of speech in Oregon. He was happy the ordinance was not being repealed entirely.

Councilor Marc Shelton said he supported the intent and suggested the City Manager get communications from the existing businesses by the May 18th meeting about data collection. He also felt there should be distinctions made between businesses in high traffic areas vs. those intended for more informational purposes rather than marketing.

Councilor Denise Bacon spoke of her support and how people get their information is changing.

MOTION: Larson/Rierson to approve **Resolution No. 2009-2840** initiating an evaluation of the City's sign ordinance regarding animated signs and establishing a pilot program to evaluate the effect of potential changes including 18 month change. (7 Yes/0 No) Motion carried.

2. Consider a motion approving **Resolution No. 2009-2843** accepting the Newberg Affordable Housing Action Plan.

TIME – 7:55 PM

Mr. Phillip Smith, Affordable Housing ad-hoc Committee Chair, made some opening statements and pointed out that several members of the committee were present. Additional written changes were distributed (see official meeting packet for full report).

Mr. David Beam, Economic Development Coordinator/Planner, presented the staff report (see official meeting packet for full report).

Councilor Shelton commented on Action 4.2 and the need to pay attention to on street parking. Although it has been argued as a speed reduction strategy, it does restrict emergency access. Staff spoke of other communities doing this and the intent to interview them to see what works and what does not. Councilor Shelton also recommended a small grammatical change to change “multiple responsible party’s” to “responsible parties” throughout the document.

Other minor typographical corrections were suggested on page 53 from “this are” to “that are”; resolves cap 5 “committee’s” to “committees”; and page 51 changing “this” to “that” under the executive summary after “appropriate for the Newberg community...”.

Mayor Andrews opened public testimony.

Mr. Roger Grahn still did not think this plan is going to help. He spoke of the difficulties he has had building affordable housing and felt it would not really happen unless we build up with apartments. He spoke of Portland using bonuses for density, police protection, and sound amenities, etc. He felt the Urban Growth Boundary (UGB) created the high housing costs and that more bureaucratic rules inhibit builders and developers. He said System Development Charges (SDCs) for apartment projects need to be drastically reduced to achieve this goal of affordability.

Mayor Andrews closed public testimony.

MOTION: Rierson/Shelton to approve **Resolution No. 2009-2843** accepting the Newberg Affordable Housing Action Plan. (7 Yes/0 No) Motion carried.

Discussions followed about maintaining the current ad-hoc committee members for each phase, rather than changing the group; as long as the current members were willing to continue.

Mayor Andrews recessed at 9:05 pm for five minutes before entering into the Executive Session.

X. EXECUTIVE SESSION

Executive Session pursuant to ORS 192.660(2)(d) relating to labor negotiations.

TIME – 9:11 PM

Executive Session was held and recorded. No decisions were made.

IX. COUNCIL BUSINESS

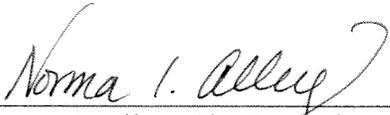
TIME – 9:55 PM

Mayor Andrews spoke of his upcoming prayer breakfast, the status of the transportation bill that would include the Newberg-Dundee Bypass, and developing a clean-up program to Adopt-A-Neighborhood.

XI. ADJOURNMENT

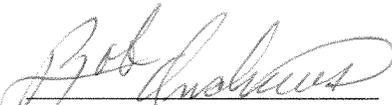
MOTION: Larson/Rierson to adjourn at 10:12 PM (7 Yes/0 No) Motion carried.

ADOPTED by the Newberg City Council this 1st day of June, 2009.



Norma I. Alley, City Recorder

ATTEST by the Mayor this 4th day of June, 2009.



Bob Andrews, Mayor