

**CITY OF NEWBERG CITY COUNCIL MINUTES  
JULY 19, 2010  
7:00 P.M. MEETING  
PUBLIC SAFETY BUILDING TRAINING ROOM  
401 EAST THIRD STREET**

An Executive Session pursuant to ORS 192.660(2)(h) was held during the Work Session to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. No decisions were made.

**I. CALL MEETING TO ORDER**

Mayor Bob Andrews called the meeting to order at 7:29 PM.

**II. ROLL CALL**

Members

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

Staff

Present:	Terrence Mahr, City Attorney	Larry Fain, Senior Engineer/CIP Manager
	Dain Eichel, Acting Public Works Director	Norma Alley, City Recorder

Others

Present:	Pat Haight and Hank Grum	Jennifer Nelson, Recording Secretary
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**III. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was performed.

**IV. CITY MANAGER'S REPORT**

Mr. Terrence Mahr, City Attorney, replied the City Manager will be back tomorrow and tonight's agenda was intended to be light because he was not going to be here.

**V. PUBLIC COMMENTS**

Ms. Pat Haight was concerned about the recent advertisement to replace the Public Works Director and the fact that it was not required the applicant live in Newberg; she asked what the logic is behind that.

Mr. Mahr stated the City Manger hires the Public Works Director and not the Council and in the past it was a requirement that department heads live within the city, but that is no longer a requirement.

Ms. Haight also asked about the funding to maintain the streets the City is accepting jurisdiction over in Resolution No. 2010-2913. She asked about the \$77,000.00 being given to the City by the County, wondering if it was a loan, and how they can accept the responsibility of maintenance on more roads when there is no money to maintain the current ones.

Mayor Andrews replied the County is givings the \$77,493.00 to the City as payment for not accepting responsibility for the roads, it is not a loan. The acceptance of maintenance is for future repairs, none are needed currently.

Ms. Haight also wanted to know more about the 2<sup>nd</sup> Street project and the change order in Resolution No. 2010-2914. She spoke of the streets being torn up for a month now and the inconvenience for all the residents living in that area; she felt this was not planned properly if there have to be two change orders.

Mr. Larry Fain, Senior Engineer/CIP Manager, explained there were challenges with the project because of an abundance of underground utilities, particularly with some high pressure existing gas lines that interfered with the project and had to be dealt with in immediate manner. Even though the lines were located and marked on the surface, but it was difficult to determine the exact elevation of the pipes; location estimates are not always completely accurate and this change in cost had to be accounted for.

Councilor Marc Shelton noted they are still under the original budgeted amount even with the change order.

Ms. Haight still felt there was a lack of communication regarding this project and felt the City should be doing a better job of informing the public of why the project is taking so long.

Councilor Bart Rierson spoke of the largest cost increase being because of the sidewalks put in on south side and asked if staff could do a press release to offer an explanation and ease frustrations.

## VI. CONSENT CALENDAR

1. Consider a motion approving **Resolution No. 2010-2913** accepting jurisdiction over Sandoz Road and a portion of Springbrook Road.
2. Consider a motion approving **Resolution No. 2010-2914** authorizing the City Manager to execute 2<sup>nd</sup> Street Improvement Project contract change order #2 to increase the contract price to \$457,121.85.
3. Consider a motion approving **City Council Minutes** for June 7, 2010.

*The City Council Minutes for June 21, 2010, were removed from the Consent Calendar to address changes requested by a citizen, Mr. Hank Grum.*

**MOTION: Rierson/Shelton** approving the Consent Calendar including **Resolution No. 2010-2913** accepting jurisdiction over Sandoz Road and a portion of Springbrook Road; **Resolution No. 2010-2914** authorizing the City Manager to execute 2<sup>nd</sup> Street Improvement Project contract change order #2 to increase the contract price to \$457,121.85; and the City Council Minutes for June 7, 2010. (7 Yes/0 No) Motion carried.

## VII. PUBLIC HEARING

Consider a motion to continue **Ordinance No. 2010-2728** approving the final assessments for the Columbia Drive (Group B) Local Improvement District until August 16, 2010.

TIME – 7:50 PM

Mr. Fain presented the staff report requesting a postponement of the ordinance until August 16, 2010, in order to address some issues with the City Manager (see official meeting packet for full report).

**MOTION: McKinney/Witherspoon** to continue **Ordinance No. 2010-2728** approving the final assessments for the Columbia Drive (Group B) Local Improvement District until August 16, 2010. (7 Yes/0 No) Motion carried.

## VIII. COUNCIL BUSINESS

TIME – 7:51 PM

Ms. Norma Alley, City Recorder, gave updates on the League of Oregon Cities (LOC) Annual Conference and spoke about applying for scholarships and room reservations. She said the signed Bypass options letter also went out in the mail today and distributed worksheets for Council Compensation to be checked and signed.

Councilor Shelton asked about budget meetings; staff replied they do not qualify as compensated meeting according to state law.

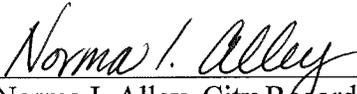
Councilor Rierson spoke about the Animal Shelter action plan not being completed in time for the Old Fashioned Festival and wished to follow up with the City Manager regarding the pursuit of right of ways for sidewalks similar to the Columbia Drive at College Street area for other areas in the city were future projects could be completed with or without grant funds.

Mr. Mahr discussed and reviewed possible changes to the Council Guidelines & Rules regarding the submittal of written testimony and late submissions; multiple readings of action items with substantial changes to printed material; limited vs. public forum; the process of electing Planning Commission and Traffic Safety Commission members and for replacing City Council vacancies; establishing tie-breakers; adoption and standardizing of hearing formats; and evaluations of the City Manager, City Attorney, and Municipal Judge.

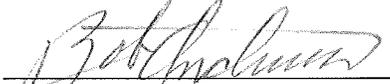
## IX. ADJOURNMENT

The meeting adjourned at 8:42 PM.

**ADOPTED** by the Newberg City Council this 16<sup>th</sup> day of August, 2010.

  
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Norma I. Alley, City Recorder

**ATTEST** by the Mayor this 19<sup>th</sup> day of August, 2010.

  
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Bob Andrews, Mayor