

**CITY OF NEWBERG CITY COUNCIL MINUTES**  
**SEPTEMBER 19, 2011**  
**7:00 P.M. MEETING**  
**PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)**

A work session was held prior to the meeting. A presentation from the Planning & Building Director Barton Brierley on Reapportioning Council Districts was given; no action was taken and no decisions were made.

**I. CALL MEETING TO ORDER**

Mayor Bob Andrews called the meeting to order at 7:04 PM.

**II. ROLL CALL**

Members

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

Members

Absent: Wade Witherspoon (excused)

Staff

Present:	Daniel Danicic, City Manager	Terrence Mahr, City Attorney
	Barton Brierley, Planning and Building Director	Jason Wuertz, Project Manager
	Dain Eichel, Interim Public Works Director	Norma I. Alley, City Recorder
		Jennifer Nelson, Minutes Recorder

Others

Present: John Trudel, Molly McDonald, Jan Floren, Rick Lipinski, Virginia Jungwirth, Barbara Lipinski, Connie VanHorn, Beckie Brown, Robert Soppe, Roger Currier, and Jeff Paren.

**III. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was performed.

**IV. CITY MANAGER'S REPORT**

Mr. Daniel Danicic, City Manager, reported he would be giving a presentation on transportation tomorrow at City Club; he and the Mayor will give a presentation at Friendsview Manor on the City next week; the Budget Committee will be meeting next Tuesday with an update on the end of fiscal year expenditures and revenues; a few Council members and some staff will be attending the League of Oregon Cities (LOC) annual conference next week; and the Oregon Department of Transportation (ODOT) will be holding a public meeting next Wednesday at the PSB to talk about the first phase of the Newberg-Dundee Bypass project.

**V. COUNCIL APPOINTMENTS**

Consider a motion appointing Kale Rogers to the Student Planning Commission position for a term expiring August 31, 2012.

Mayor Andrews stated Mr. Kale Rogers served last year and reapplied when the position was advertised; he is respected by the Planning Commission (PC) and is being reappointed for another term with council ratification.

Councilor Bart Rierson stated he heard the same from staff and the Planning Commission that he is an active member and a valuable addition; he supported the reappointment.

**MOTION:** **Shelton/Rierson** consenting to the appointment Kale Rogers by the Mayor to the Student Planning Commission position for a term expiring August 31, 2012. Motion carried (6 Yes/0 No/1 Absent [Witherspoon]).

## VI. PUBLIC COMMENTS

Mr. John Trudel presented the Council with a signed copy of his recently published book he considers Newberg as a shining example of government.

Ms. Molly McDonald, The Mailroom owner, stated she will be handling the signed books and holding a public signing during October's First Friday ARTwalk as a way to benefit her business and bring some more foot traffic to her location.

## VII. CONSENT CALENDAR

Consider a motion approving August 15, 2011, City Council minutes.

**MOTION:** **Rierson/McKinney** approving the Consent Calendar including the City Council minutes from August 15, 2011. Motion carried (6 Yes/0 No/1 Absent [Witherspoon]).

## VIII. NEW BUSINESS

1. Consider a motion approving **Resolution No. 2011-2956** adopting an official City of Newberg logo and guidelines.

TIME – 7:18 PM

Ms. Leah Griffith, Library Director, presented the staff report (see official meeting packet for the full report).

Councilor Marc Shelton discussed the benefits of standardizing the City's logo used in print and on the website. Ms. Griffith added they will have a graphic artist put the logo into different formats for use on a website and print; the main objective is to remove all the logos around the City that have been developed over the years.

Mayor Andrews asked why the only options were going to be in black and white. Staff spoke of small cost savings in printing and the difficulty to come up with a color version everyone agrees on; the removal of the border was also mentioned because it appears dated.

Councilor Rierson said he likes moving towards standardization and spoke of his business being strict about not allowing logo variations; however, he does not believe it is right to just have a monochromatic logo for uses on the internet and such. He does believe there should be a black and white version available as well as a standardized color logo.

Councilor Ryan Howard agreed with the benefits of having a color version for business cards for example and did not think they would look as good with only black and white. He felt there should be a color version as well as a black and white option; he suggested using the blue multicolor one. He is also not as concerned with the outline border looking dated; he actually prefers it. Staff stated designers said it was difficult to work with the frame.

Discussions followed regarding the outline of the logo and the various color versions within the staff report.

**MOTION:** Rierson/McKinney to postpone **Resolution No. 2011-2956** to a date uncertain with added direction for staff to work with a graphic designer to come up with an updated version of the logo recommended in both monochromatic and color options.

Councilor Howard added consideration should be taken for the concerns with the border because of the difficulty to move around a file that has transparency on the corners; but, if the entire logo is preserved when moving to a permanent location and there is no border the contrasting background may take away from the logo. Staff stated the frame just looks outdated.

**MOTION:** To postpone **Resolution No. 2011-2956**. Motion carried (6 Yes/0 No/1 Absent [Witherspoon]).

2. Consider a motion approving **Resolution No. 2011-2964** authorizing the city manager to enter into a contract with LGC Pence for the construction of the animal shelter.

TIME – 7:35 PM

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

Councilor Howard asked about the payments expected on \$22,300.00 per year being around \$2,000.00 per month and wondered about the rates of fundraising recently. Staff asked to hold this question for response from the NASF.

Mayor Andrews opened the public testimony.

Ms. Jan Floren, President of Newberg Animal Shelter Friends (NASF), read a letter of support from the NASF Board of Directors and submitted a petition (see official meeting packet for the letter and petition).

Mr. Danicic stated the intent is not for fundraising to pay the loan back, but to go towards interior improvements and ongoing operational costs. Raising money for debt is more difficult. The City will take on the responsibility for that loan based on the original idea funds raised by the shelter would be supported by some sort of financial contribution from the City.

Councilor Rierson agreed the cost estimates presented to councils over the last eleven years have been closer to \$500,000.00 for total construction, but with the costs for the frontage improvements, legal fees, and an additional \$50,000.00 for the most recent plan updates by LGC Pence, they have already reached that half million dollar mark before building has even begun; these project totals have been increasing from the beginning as things have progressed. He gave some more background on the project and spoke of filling the funding gap by getting the City to support this to just get it done.

Ms. Floren added, starting construction will stimulate fundraising.

Mr. Rick Lipinski, NASF, spoke of activities completed over the last eleven years and their long term commitment. He spoke of money being spent on furthering their goals like the new sidewalks and additional \$50,000.00 for a new plan being paid by NASF funds raised. He added there has been an understanding of partnership with the City on this and he is asking the City to recognize the efforts they have demonstrated by helping.

Ms. Barbara Lipinski, NASF, said this is a group of dedicated people who are not going to stop fundraising. She spoke of people giving money needing to see progress. If construction starts, there will be more opportunities available to raise more money and get grants to finish the inside and for ongoing support.

Ms. Virginia Jungwirth stated she agreed with all that was said so far.

Ms. Connie VanHorn stated she just learned the finances for the project are under the management of the Council and spoke of the current animal shelter looking like an old chicken coop from an abandoned farm. She said she would be embarrassed if her dog got loose and ended up sitting there in that shed. She felt once people can see what their money is going towards they will be more willing to donate and that is what they really need.

Ms. Beckie Brown suggested if the increased amount of feces she has seen in the streets is any indication of the number of dogs living in the City, then collecting license fees from all of those dogs should provide more than enough funding for five animal shelters.

Mr. Robert Soppe spoke of the impressive volunteer effort, but he is concerned about the cost. He spoke of the initial proposal and working model many years ago and the only expense for the City was to be the land and the value of the existing shelter property to go towards construction. He recalled there was not to be any annual expense in the budget to the City and was to be entirely covered by contributions; he said we are now extremely far off from that with spending \$46,000.00 for the next two to three years and \$26,000.00 for seven years with increases for utilities and additional staffing expenses. He is concerned for the City's financial situation and wondered if they could afford this and what happens if the anticipated contributions are not received. He also asked for estimates on in-kind donations and for better clarity in the budget for the shared elements out of the wastewater fund or animal shelter funds for the driveway and sewer elements. Staff answered his questions regarding interest rates being reasonable for both sides, which staff said it is. Mr. Danicic also spoke about the break down of the estimated costs for the driveway and what funds came from wastewater. Mr. Soppe wondered if Council could make an informed decision without those numbers in hand.

Mr. Rick Lipinski said he spoke with many contractors over the years and it has been difficult to get verbal commitments from contractors and suppliers until progress can be shown. He said there are many who stand ready to provide the shelter with donations and needs, and they will come when construction gets started.

Mr. Roger Currier commended the NASF for all the years of hard work and staying at it this long with a lack of progress. He mentioned an air conditioning unit donation, unsigned memos of understanding, and his being skeptical the City could not draw or build a shell for this shelter with all the expertise they pay to have. He said it is easy to write someone else's check. He asked on behalf of himself and Ms. Pat Haight, who was unable to attend, who will ultimately own the shelter, under who will insurance fall, and who does it fall to for operation costs, especially when the City is reducing its own City Hall hours to save money. He asked what happens down the road when the City cannot afford to continue operating the shelter like it is with City Hall. He also mentioned the City giving the old site to Habitat for Humanity and said that money belongs to the animal shelter people and should not be going anywhere else.

Councilor Rierson spoke of being the Chair of the Animal Shelter Subcommittee for three years now, which was started because of the frustration in the lack of progress. If it had not been for the NASF and for the vision of Darlyn Adams nothing could have happened so far. He spoke about the condition of the current shelter and his faith in the NASF to raise the funds needed to keep it going, he also spoke briefly about working with the County, collecting more dog license fees, and skilled contractors waiting to volunteer their time when the project gets underway. He hoped others would support it.

**MOTION: Rierson/Bacon approving Resolution No. 2011-2964 authorizing the city manager to enter into a contract with LGC Pence for the construction of the animal shelter including the staff revision.**

Mr. Danicic recommended amending the second resolves regarding the amount to come from water SDC funds being \$200,000.00 and not \$500,000.00.

Mayor Andrews asked a representative from LGC Pence to clarify what some of the shared costs were.

Mr. Jeff Paren, LGC Pence, said the bids are broke out by off site work and shelter work. The off site work was the \$35,000.00, plus surveying costs. He spoke of a local bid with a low base of \$84,000.00 that did not include off site work and the NASF would pay for some of the sewer, gas, and power work. He was not real sure about the cost splits for the driveway regarding grade, rock, and flatwork; but, he could find out.

Councilor Howard thanked the NASF for all of their work, but stated he could not support this tonight because he needed more time to consider the City's contribution and if that can be sustained. He is not opposed to this, just not sure if he could decide today.

Councilor Stephen McKinney supported the resolution because so many have agreed to this regardless of where the path has led. He commended the NASF for being more than a great partner.

Councilor Denise Bacon said she loves dogs more than most people and will support this resolution. She said this is the City's responsibility to provide a good shelter and the NASF has been graciously helping the City to do what should have happened a long time ago so the animals do not continue to suffer.

Mayor Andrews said he will support taking action now to build this and get it done and it is the most reasonable product that has been put before them.

**VOTE:** Approving **Resolution No. 2011-2964**. Motion carried (5 Yes/1 No [Howard]/1 Absent [Witherspoon]).

Mayor Andrews recessed at 8:59 PM and reconvened at 9:06 PM.

**MOTION:** **Rierson/Andrews** to accept the written testimony and petition as submitted by Ms. Jan Floren. Motion carried (6 Yes/0 No/1 Absent [Witherspoon]).

3. Consider a motion approving **Resolution No. 2011-2969** establishing system development charge calculations for efficiency dwelling units based on their actual impacts.

TIME – 9:08 PM

Mayor Andrews spoke about communication from Mr. Soppe via email; Councilor Rierson had not seen this.

Mr. Brierley presented the staff report assisted by a PowerPoint slideshow and recommended adoption (see official meeting packet for full report).

Mayor Andrews referred to page 23 and asked about the difference between efficiency dwelling units and apartment complexes. Staff replied they need to be small units within another larger unit, not a large unit made up of small units.

Councilor Howard asked staff to clarify fixture units. Staff said it is an attempt to quantify usage. Councilor Howard asked about the kind of scale used and incremental increases. Staff said they would charge a set price per fixture unit without a ceiling to help offset loss in revenue; the System Development Charges (SDCs) are based on a general estimate of cost of improvements and the total impact.

Councilor Rierson said he was curious of what the real market value of an accessory structure under 600 square feet would be and if funding might be lost by reducing the actual SDC fees or if they are likely to bring in more fees for more affordable projects by encouraging development that might not otherwise happen. Staff said an increase is possible by giving incentive to people to come in to permit at a cheaper rate.

Mr. Soppe expressed concern for giving discounts on one end of the system and not on the other for risk of coming up short. He said it is reasonable to adopt a philosophy based on impacts, but he wondered if building with adding plumbing is the mechanism to contribute back to the SDC system, because people may build and then add on afterwards to avoid paying the SDC. He asked them to consider a more comprehensive application to all residential units and not a specific group; otherwise he thinks it is great to come closer to measuring real burdens.

Discussions continued regarding the example of a home with nine bathrooms having higher fixture counts and higher fees and recouping additional SDCs over \$5,000.00. They spoke of people not permitting because it seems unreasonable and methods to collect additional charges when expanding and extending the burden of extra baths to the next buyers.

Councilor Shelton referred to methodologies for collecting SDCs and the benefits of having affordable housing initiatives, asking the city attorney if there were legal problems with expanding those methodologies. He was concerned if they run the risk of using staff time to recalculate methodologies without benefitting from it. Mr. Danicic clarified they are not really giving anyone a break; they are just recognizing that smaller homes have a lower impact.

**MOTION: Howard/Bacon** approving **Resolution No. 2011-2969** establishing system development charge calculations for efficiency dwelling units based on their actual impacts. Motion carried (5 Yes/1 No[McKinney]/1 Absent [Witherspoon]).

**MOTION: Rierson/Andrews** to direct staff to provide a more complete SDC methodology for wastewater, sewer, water, and transportation fees and report findings if developments are paying less than their fair share. Motion carried (4 Yes/2 No[Shelton, McKinney]/1 Absent [Witherspoon]).

## IX. COUNCIL BUSINESS

TIME – 9:51 PM

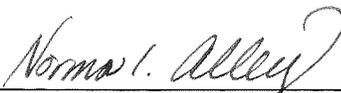
Staff distributed material on designated Veteran's parking to discuss at the next council business meeting.

Councilor Rierson gave an update on the Chehalem Paddle Launch and a Willamette River clean-up event on October 8, 2011.

## X. ADJOURNMENT

The meeting adjourned at 9:54 PM.

**ADOPTED** by the Newberg City Council this 7<sup>th</sup> day of November, 2011.

  
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Norma I. Alley, City Recorder

**ATTEST** by the Mayor this 10<sup>th</sup> day of November, 2011.

  
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Bob Andrews, Mayor