

**CITY OF NEWBERG COUNCIL MINUTES**  
**JUNE 18, 2012**  
**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 Police Department and demonstration of the new police vehicles was given. All Councilors and the Mayor were present; no action was taken and no decisions were made.

**I. CALL MEETING TO ORDER**

Mayor Bob Andrews called the meeting to order at 7:00 PM.

**II. ROLL CALL**

Members

Present:	Mayor Bob Andrews	Denise Bacon	Ryan Howard	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 I. Alley, City Recorder
	Sonja Johnson, Environmental Specialist	Jennifer Nelson, Deputy City Recorder
	Jason Wuertz, Project Manager	

**III. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was performed.

**IV. CITY MANAGER'S REPORT**

Mr. Daniel Danicic, City Manager, spoke about the Newberg Farmers' Market and Tunes on Tuesday, encouraging everyone to attend. He discussed the League of Oregon Cities (LOC) legislative priorities and the intention to discuss them during an upcoming work session to submit their top four priorities for Newberg. The Local Government Dinner hosted by the City of Dayton will be held this Thursday, June 28, 2012, as well as Public Works Day at the Library and the Library's Summer Reading Kick-off will be held on June 20, 2012.

**V. PUBLIC COMMENTS**

Mayor Andrews opened and closed the public testimony; no citizens appeared.

**VI. CONSENT CALENDAR**

1. Consider a motion approving **Resolution No. 2012-3007** authorizing the city manager to execute an Intergovernmental Agreement with CPRD to allow for inclusion of city streets in the Heritage Trail system for the purpose of signage.
2. Consider a motion accepting the Chamber of Commerce's 3<sup>rd</sup> Quarter Report for the Visitor Information Center.

<b>MOTION:</b> Bacon/Rierson approving the Consent Calendar including <b>Resolution No. 2012-3007</b> and the Chamber of Commerce's 3 <sup>rd</sup> Quarter Report for the Visitor Information Center. Motion carried (7 Yes/0 No).
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## VII. PUBLIC HEARINGS

1. Consider a motion adopting **Ordinance No. 2012-2751** adopting revised findings for the South Industrial UGB amendment and revisions to the Economic Opportunities Analysis.

TIME – 7:05 PM

Mayor Andrews introduced the legislative hearing in the fifth reading and called for any conflicts of interest or abstentions; none appeared.

Mr. Barton Brierley, Planning and Building Director, presented the staff report and recommended adoption (see official meeting packet for full report).

Mr. Terry Mahr, City Attorney, said a request was received from 1000 Friends of Oregon for additional time to respond to documents and two council members informally requested additional time to review documents. He added if new evidence is introduced they are obligated to reopen the record for a week. He suggested postponing the hearing until the August 6, 2012, to allow staff time to include information for the packet and because he will not be attending the second Council meeting in July.

Councilor Shelton said the material has been repackaged and asked if it is mostly what the Council has looked at before. Staff replied yes, other than the double underlined items; there are changes beyond pages 19-20, but yes all has been seen by Council.

Councilor Bart Rierson said if the information is mostly a reconsolidation, he recommends leaving it out of the record. If it is just a summary of what they have looked at before, he would like to move this process forward; otherwise more written testimony will be submitted every time staff puts in something they want to respond to. He would prefer to leave out the most recent staff report so they do not have to accept the request and delay the process any longer.

Councilor Stephen McKinney said with such a late date of receipt and some Council not being able to peruse all 250 pages he is prepared to postpone.

Councilor Ryan Howard agreed there is a lot in the repackage but there were several substantive changes and he would understand the need and desire for more time, so he would be willing to accept that.

Councilor Shelton replied he felt the need to limit the response to the double-underlined issues because the content of letters was not new; one was just reprinted from a previous date. He also felt the response should be limited to give the city a chance to respond.

Mayor Andrews said he was willing to accept the letter.

**MOTION: Howard/Bacon** to accept the letter requesting additional response. Motion carried (6 Yes/1 No [Shelton]).

**MOTION: McKinney/Rierson** to postpone the hearing on **Ordinance No. 2012-2751** until August 6, 2012, leaving the record open for response to be submitted until June 25, 2012 by the close of business. Motion carried (6 Yes/1 No [Shelton]).

2. Consider a motion approving **Ordinance No. 2012-2754** adopting a Stormwater Management Program requiring measures to control construction site runoff, illicit discharges, and post-construction stormwater.

TIME – 7:19 PM

Mayor Andrews introduced the legislative hearing in the first reading and called for any conflicts of interest or abstentions; none appeared.

Ms. Sonja Johnson, Environmental Specialist, presented the staff report and recommended adoption (see official meeting packet for full report).

Councilor Howard asked where did the proposed language come from.

Ms. Johnson replied they took examples with comparable city codes from McMinnville, West Linn, Keizer, Woodburn, and the cities from 15,000 up to 33,000 in population. They meshed them together for the initial code and brought it before the Stormwater Ad-hoc Committee and Planning Commission.

Councilor Howard expressed concern with the exemption for increases in impermeable surfaces in areas less than 500 square feet. He asked if there was anything to prevent a parking lot from being put in 500 square feet at a time. Ms. Johnson replied there was one part of the code stating if it is part of a larger project, then it will adhere to regulations as if it was whole, so it cannot be piecemealed.

Mayor Andrews opened and closed the public testimony as no citizens appeared to testify. Staff recommended adopting the code. Mayor Andrews asked if the Council wished to consider the ordinance in the first reading.

**MOTION: McKinney/Rierson** to waive the second reading and go into discussion. Motion carried (7 Yes/0 No).

**MOTION: Rierson/Bacon** approving **Ordinance No. 2012-2754** adopting a Stormwater Management Program requiring measures to control construction site runoff, illicit discharges, and post-construction stormwater, read by title only. Motion carried (7 Yes/0 No).

4. Consider a motion approving **Resolution No. 2012-2994** adopting new monthly water rates effective January 1, 2013.

TIME – 7:34 PM

Mayor Andrews introduced the administrative hearing as a series of resolutions dealing with water, wastewater, and stormwater rates and called for any conflict of interest or abstentions; none appeared.

Mr. Danicic presented the staff report and recommended adoption of all three rates (see official meeting packet for full report).

Mayor Andrews thanked the Citizens' Rate Review Committee (CRRC) for the great deal of discussion and new insights brought to the committee. He said they had a good, sound product benefiting the city and laying groundwork for the future.

**MOTION: Shelton/Bacon** approving **Resolution No. 2012-2994** adopting new monthly water rates effective January 1, 2013. Motion carried (7 Yes/0 No).

5. Consider a motion approving **Resolution No. 2012-2995** adopting new monthly wastewater rates effective January 1, 2013.

TIME – 7:40 PM

**MOTION: Bacon/Witherspoon** approving **Resolution No. 2012-2995** adopting new monthly wastewater rates effective January 1, 2013. Motion carried (7 Yes/0 No).

6. Consider a motion approving **Resolution No. 2012-2996** adopting new monthly stormwater rates effective January 1, 2013.

TIME – 7:41 PM

**MOTION: Rierson/Bacon** approving **Resolution No. 2012-2996** adopting new monthly stormwater rates effective January 1, 2013. Motion carried (7 Yes/0 No).

3. Consider a motion approving **Resolution No. 2012-3008** adopting the 2012-2013 Budget and including election to participate in the State Revenue Sharing Program.

TIME – 7:42 PM

This item was heard out of agenda order. Mayor Andrews introduced the administrative hearing and called for any conflicts of interest or abstentions; none appeared.

Ms. Janelle Nordyke, Finance Director, presented the staff report and recommended adoption (see official meeting packet for full report).

Mayor Andrews opened and closed the public testimony as no citizens appeared to testify. Staff recommended approval.

**MOTION: Shelton/McKinney** approving **Resolution No. 2012-3008** adopting the 2012-2013 Budget and including election to participate in the State Revenue Sharing Program. Motion carried (7 Yes/0 No).

## VIII. NEW BUSINESS

1. Consider a motion approving **Resolution No. 2012-3010** accepting an interim financing loan from Clean Water State Revolving Fund in the amount of \$14,484,130.00 for the Wastewater Treatment Plant Repair, Renovation and Expansion Project.

TIME – 7:50 PM

Mr. Jason Wuertz, Project Manager, and Ms. Nordyke presented the staff report; passed out an updated chart regarding the repair, renovation, and expansion of the Wastewater Treatment Plant; and recommended adoption of the resolution (see official meeting packet for full report).

Councilor McKinney asked what the length of these loans is. Ms. Nordyke replied 20 years.

Mayor Andrews asked if it was based on revenue and it is really a line of credit. Staff replied this was correct.

Mayor Andrews asked staff if they wish to have Exhibit “A” in the resolves since it was referred to in the recitals. Ms. Nordyke replied they do not; it is incorporated and does not need to be adopted.

**MOTION: Shelton/Howard** approving **Resolution No. 2012-3010** accepting an interim financing loan from Clean Water State Revolving Fund in the amount of \$14,484,130.00 for the Wastewater Treatment Plant Repair, Renovation and Expansion Project. Motion carried (7 Yes/0 No).

2. Consider a motion approving **Resolution No. 2012-3011** authorizing the city manager to negotiate Change Order #2 for the construction of Fire Station #20 Remodel Project.

TIME – 7:58 PM

Mr. Wuertz presented the staff report and recommended approval (see official meeting packet for full report).

Councilor Shelton asked staff for a reminder of the previous change order. Mr. Wuertz said Change Order #1 was approved before unforeseen site conditions were discovered post demolition. Scope was added to increase the value because the bid was lower than originally budgeted. As of late, necessary architectural clarification to the plans occurred, which the contractor could not financially assume. Staff discussed the value of the project with the additional grant money. Councilor Shelton appreciated the value, but was concerned with low bids really being competitive when they are not actually saving money.

**MOTION:** **Howard/Bacon** approving **Resolution No. 2012-3011** authorizing the city manager to negotiate Change Order #2 for the construction of Fire Station #20 Remodel Project. Motion carried (7 Yes/0 No).

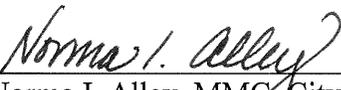
## IX. COUNCIL BUSINESS

None.

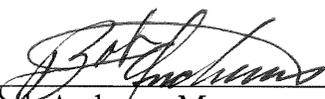
## XII. ADJOURNMENT

The meeting adjourned at 8:09 PM.

**ADOPTED** by the Newberg City Council this 6<sup>th</sup> day of August, 2012.

  
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Norma I. Alley, MMC, City Recorder

**ATTEST** by the Mayor this 9<sup>th</sup> day of August, 2012.

  
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Bob Andrews, Mayor