

**CITY COUNCIL MINUTES
JANUARY 7, 2013
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)**

Executive Session was held with all councilors, the mayor, city manager, and city attorney present; no action was taken and no decisions were made.

I. CALL MEETING TO ORDER

Mayor Bob Andrews called the meeting to order at 7:02 PM.

II. ADMINISTRATION OF OATH OF OFFICES

Judge Terry Mahr swore in councilor-elects Lesley Woodruff and Mike Corey.

III. ROLL CALL

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| Members Present: | Mayor Bob Andrews | Denise Bacon | Ryan Howard |
| | Bart Rierson | Lesley Woodruff | Mike Corey |
| | Stephen McKinney | | |

Members Absent:

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| Staff Present: | Daniel Danicic, City Manager | Terrence Mahr, City Attorney |
| | Lee Elliot, Assistant City Manager | Jessica Nunley, Acting City Recorder |
| | Mandy Dillman, Minutes Recorder | |

Others Present: Jackie Lang, Riverbend Communications Director

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

V. CITY MANAGER'S REPORT

Mr. Daniel Danicic, city manager, reported great things are in store for the coming year and he is looking forward to what 2013 will bring for Newberg.

VI. PUBLIC COMMENTS

Mayor Andrews opened and closed the public testimony as there was no one to testify.

VII. ELECTION OF COUNCIL PRESIDENT

Consider a motion electing a Council President from among the City Council.

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| MOTION: Howard/Bacon electing Bart Rierson as Council President. Motion carried (7 Yes/0 No). |
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VIII. CONSENT CALENDAR

Consider a motion approving the October 22, 2012, November 26, 2012, December 3, 2012, and December 10, 2012, City Council meeting minutes.

MOTION: Rierson/Howard approving the October 22, 2012, November 26, 2012, December 3, 2012, and December 10, 2012, City Council meeting minutes. Motion carried (7 Yes/0 No).

IX. PUBLIC HEARINGS

Mayor Andrews opened and closed public hearings as there was no one to testify.

X. NEW BUSINESS

1. Consider a motion adopting **Resolution No. 2012-3028** approving the Public Works Collective Bargaining Agreement.

TIME – 7:17 PM

Mr. Terrence Mahr, city attorney, explained the process which will take place when the motion is adopted. Tonight's decision is just tentative and then the motion would come before council again in February for signatures and approval.

Councilor Ryan Howard expressed concern with the expectations of the bargaining unit. He will approve the concept as a two year agreement, but in the future he sees the need to cut services or raise rates in order for the city to continue functioning appropriately.

Mayor Bob Andrews explained he has expressed concern about some of the verbiage before; however, he has no issue with the fiscal side of the contract and will be approving the motion. He asked Mr. Mahr if they will not be adopting the resolution but only their agreement of the concept. Mr. Mahr replied he was correct.

MOTION: McKinney/Bacon to approve the agreement between the city and the Public Works Union represented by AFSCME in concept and direct staff to return the final written contract for formal approval and signature on February 4, 2013. Motion carried (7 Yes/0 No).

2. Waste Management, Inc. and Riverbend presentation.

TIME – 7:23 PM

Jackie Lang, Riverbend Communication Director, handed out materials and gave a presentation (see official meeting packet for full report).

Councilor Howard asked how many pounds of recycling they receive at Riverbend. Ms. Lang replied they receive 500,000 pounds of recycling per year. She mentioned it is an improvement and most trash goes through a recycling program. She explained they are working with the Department of Environmental Quality (DEQ) and others to make community education programs, fliers in multiple languages that are easy to understand, and good, convenient containers to make recycling easy in schools and homes.

Councilor Howard asked how much money is set aside for closure of the landfill and when they will stop funding the closure. Ms. Lang said that \$12,000,000.00 is in a series of funds set aside by law to make sure the closure happens, to protect the environment. Resources will be used to manage the site for thirty years after the closure. Councilor Howard inquired about what maintenance will be done over the thirty years. Ms. Lang replied resources will be spent to cap the landfill, add soil and grass to blend it into the natural terrain, and to get the gas and water out of the landfill. Once they reach the thirty year mark they will consult with DEQ to decide

if it will need future management. Councilor Howard asked if there will continue to be volatile impacts on the environment after the thirty year mark. Ms. Lang assured the council they will be following standard requirements and expectations and the landfill will be inert after thirty years with little or no risk to the environment in the future. Councilor Howard mentioned several e-mails from concerned citizens and asked Ms. Lang if their understanding of the landfill project is not correct and if their concerns are valid. Ms. Lang replied that she has been speaking with one citizen in particular and several experts to explore their concerns. This citizen discovered incorrect paperwork, which was very helpful, and mostly they are in disagreement on interpretations. They have dedicated significant resources in expertise to better understand citizen concerns.

Councilor Denise Bacon asked how many years the proposed berm will give the landfill. Ms. Lang replied they are expecting two years, however it depends on diversion. Councilor Bacon expressed concern about the amount of money being spent for an extension of just two years. She asked what type of new technology they are putting into the project to get them two extra years. Ms. Lang said the proposed \$12,000,000.00 will do much more than just cover the cost of the berm. Two years is a short amount of time but it is intended to be a bridge to new technology and will help clarify a longer extension that has not been proposed yet.

Mayor Andrews asked about the recycling portion. Ms. Lang replied they have received important feedback about the Riverbend project and are hearing they are not doing enough to make recycling readily available or easy at the landfill. They have corporate funding now and a brand new public drop off recycling area at the landfill. Mayor Andrews asked where the money from landfill usage fees is placed. Ms. Lang said historically it goes into the solid waste budget; however, this year Yamhill County commissioners will put it into the general fund as well as other areas.

Ms. Ilsa Perse, president of Waste Not of Yamhill County, the official arm of the Stop the Dump Coalition, thanked the mayor for allowing her to speak. She explained 40% of the garbage in Yamhill County is recycled, which means 60% more could be. She feels there should be no work done on the landfill until the new recycling center is built in order to keep recyclables out of the landfill. She noticed only 1% of the proposed project is on planned diversion and Yamhill County has no push for recycling except a couple of dumpsters. Ms. Perse explained her main concern is the viability of the berm when a future earthquake happens. The berm is only rated for an 8.5 earthquake and recent data shows the next large one will be 9.0 or larger. She has sent a letter to DEQ to urge them to get on board with agencies talking about the large earthquake. Councilor Howard asked what concerns they face should the earthquake destroy the berm. Ms. Perse explained the berm faces Highway 18 and is holding back millions of tons of garbage which will have a huge liquefaction issue when the infrastructure collapses. Councilor Howard asked how they propose waste be diverted and mentioned that pulling recycling out of the garbage requires a lot of extra work. Ms. Perse said it depends on what is legally required. She gave an example of the Bay Area where 75-85% of waste is recycled; garbage rates are higher which drives people to recycle more. Another example she gave was New York, where garbage is stored in clear bags so you can see what is being thrown away and citizens are charged for throwing away recyclables. She also explained green energy made from landfills is a conundrum because the methane created by the garbage and used for energy is bad for the environment. (See official meeting packet for handout).

Ms. Susan Meredith, member of Waste Not Stop the Dump Coalition, read a statement on Waste Management's website saying DEQ had approved the berm and public comment was underway. She was shocked because their coalition is in direct conversation with DEQ and had not been notified it was approved. When they called DEQ they were informed the statement was not true. She wondered who gave consent for Waste Management to write untrue statements.

XI. COUNCIL BUSINESS

TIME – 7:55 PM

1. Letter to city council from Newberg Historical Society.

Mayor Andrews summarized the letter is asking the council to take action on having Newberg become a Certified Local Government. Mayor Andrews asked staff to follow up and determine exactly what they are asking. Councilor McKinney mentioned a similar petition years ago which complicated zoning laws and he suggested overlays could possibly help correct zoning issues. Mr. Danicic replied he thought it might be related to the Main Street Program which does not require establishing zoning for structures, but does require establishing standards for developments.

2. Letters from Chehalem Valley Middle School students.

Mayor Andrews brought up a concern about students using abbreviated names instead of their full name when writing persuasive letters to the council and Mayor. He mentioned he will be contacting the school to use the letters as a teaching instrument for the students.

3. Notice of town hall meeting.

Mr. Danicic informed the council Senator Ron Wyden will be coming to Station 20 at 9:00 AM on January 10, 2012.

4. Coastal Parkway.

Councilor McKinney mentioned he had received many phone calls lobbying about the alternate bypass proposal. He said he responded briefly to them.

XII. ADJOURNMENT

TIME – 8:21 PM

ADOPTED by the Newberg City Council this 4th day of February, 2013.



Daniel Danicic, City Recorder

ATTEST by the Mayor this 7th day of February, 2013.



Bob Andrews, Mayor