

**CITY COUNCIL WORK SESSION
OCTOBER 21, 2013
6:00 PM
NEWBERG PUBLIC SAFETY BUILDING
401 EAST THIRD STREET**

WORK SESSIONS ARE INTENDED FOR DISCUSSION. NO ACTION WILL BE TAKEN ON THE AGENDA ITEMS AND NO DECISIONS WILL BE MADE. NO ORAL OR WRITTEN TESTIMONY WILL BE HEARD OR RECEIVED FROM THE PUBLIC.

I. CALL MEETING TO ORDER

II. ROLL CALL

III. REVIEW OF COUNCIL AGENDA AND MEETING

1. Presentation on the Wastewater Treatment Plant Project Overview by Civil Engineer Jason Wuertz.
2. Presentation on the Villa Road Sidewalk Improvements by Interim Public Work Director/City Engineer Jay Harris. (Pgs. 3-13)

IV. COUNCIL ITEMS

V. ADJOURNMENT

ACCOMMODATION OF PHYSICAL IMPAIRMENTS:

In order to accommodate persons with physical impairments, please notify the City Recorder's Office of any special physical accommodations you may need as far in advance of the meeting as possible and no later than 48 business hours prior to the meeting. To request these arrangements, please contact the city recorder at (503) 537-1283. For TTY service please dial 711.

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MEMORANDUM
ENGINEERING SERVICES
DEPARTMENT

To: Newberg City Council
From: Jay Harris, City Engineer
cc:
Subject: 517 Villa Road Sidewalk Discussion
Date: October 2, 2013

Council:

Last spring, Councilor McKinney requested that staff review the potential of completing approximately 50 feet of sidewalk located at 517 Villa Road. The missing sidewalk will complete the sidewalk connectivity on the west side of Villa Road from 99W to Fulton Street.

Attached is a PowerPoint presentation that describes the existing conditions, proposed improvements, and approximate cost for the City to complete the project. Also included is Newberg Municipal Code Sections 12.05.040 to 12.05.070 that describes the process for construction and repair of sidewalks in the City.

Please do not hesitate to contact me if you have any questions regarding the information.

Thanks,

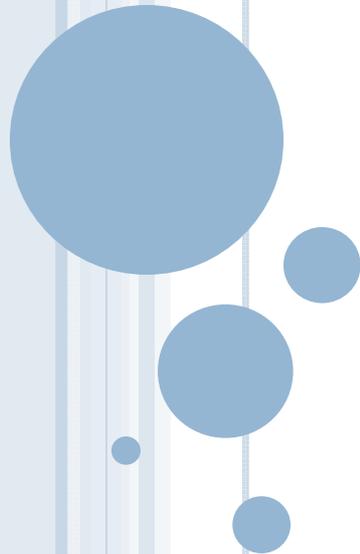
James (Jay) O. Harris
City Engineer
City of Newberg
503-537-1211, Fax 503-537-1277
jay.harris@newbergoregon.gov

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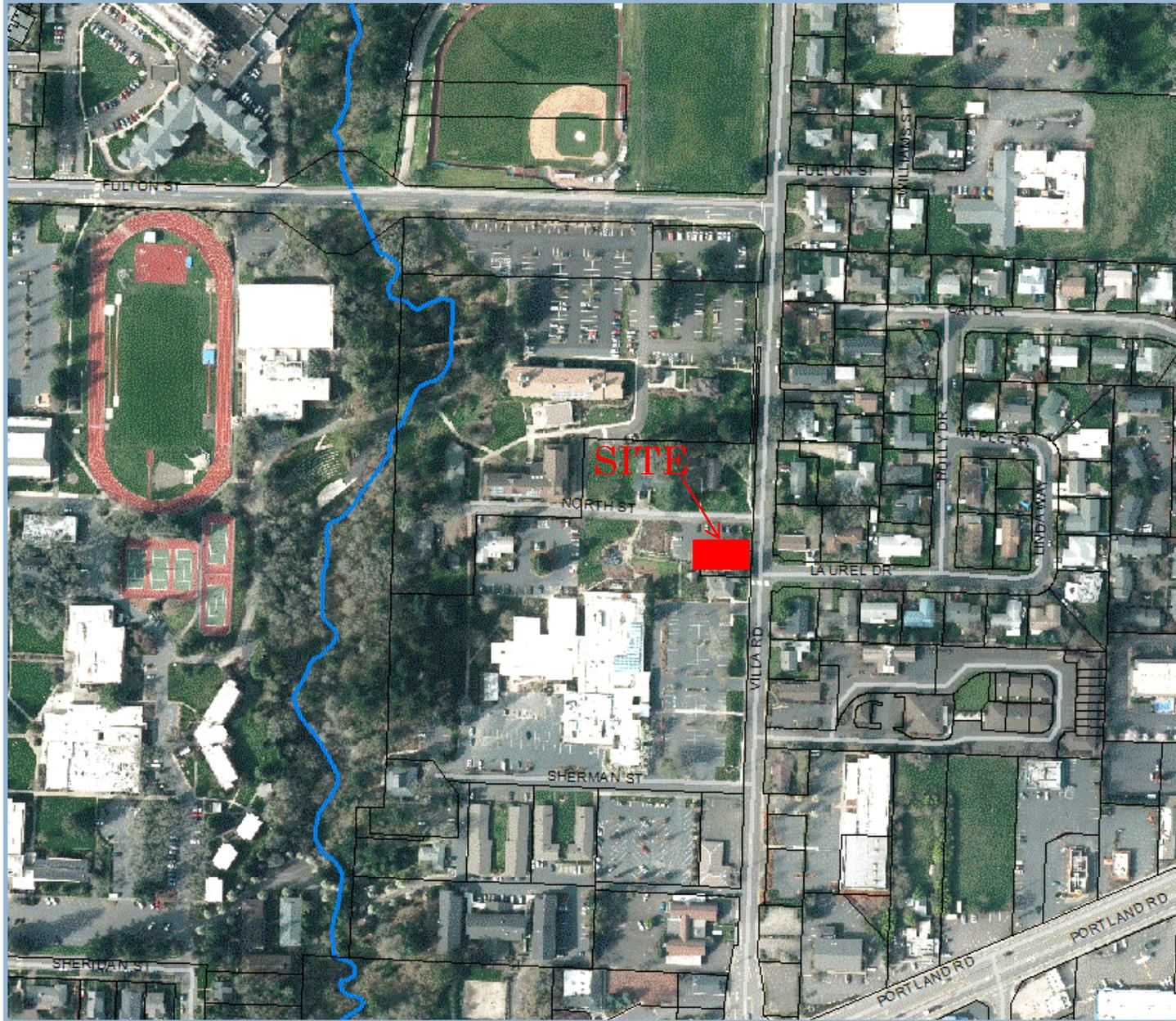
517 VILLA ROAD SIDEWALK IMPROVEMENT PROJECT

CITY COUNCIL WORK SESSION PRESENTATION

OCTOBER 21, 2013



SITE LOCATION MAP



EXISTING CONDITIONS

517 Villa Road (Looking North)

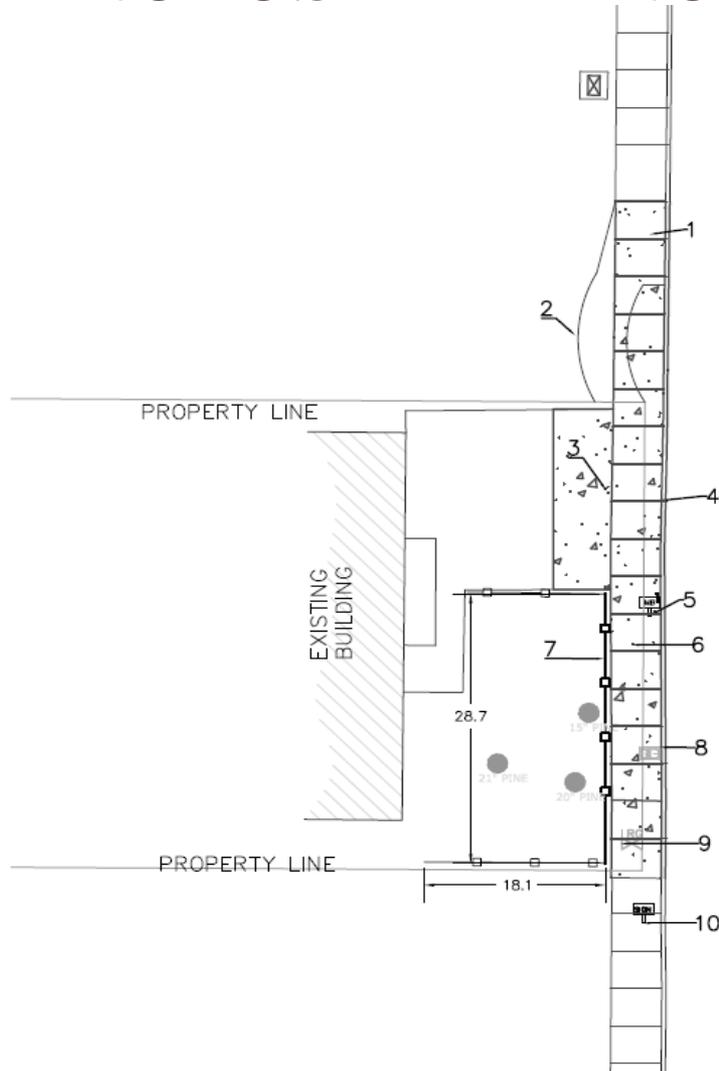


CONSIDERATIONS

- ADA requirements
- Pedestrian Safety
- Neighborhood Connectivity
- Nearby Areas of Interest
 - George Fox University
 - Medical Offices
 - 99W Businesses
 - Sports & Recreation Facilities



PROPOSED IMPROVEMENTS



NOTES

1. INSTALL 5 FOOT SIDEWALK REFER TO DETAIL 504 ON SHEET 5.
2. REMOVE EXISTING SIDEWALK.
3. SAW CUT DRIVEWAY AND REMOVE AND REPLACE 6 FEET OF EXISTING CONCRETE.
4. INSTALL DRIVEWAY APRON CURB CUT REFER TO DETAIL #1 AND ALSO TO DETAIL #509 ON SHEET 6.
5. RELOCATE MAILBOX APPROXIMATELY 6 FEET SOUTH OF WHERE DRIVEWAY DROP BEGINS TO SLOPE.
6. INSTALL 5 FOOT SIDEWALK REFER TO DETAIL 504 ON SHEET 5.
7. RECONSTRUCT EXISTING FENCE 1 FOOT BEHIND EDGE OF SIDEWALK.
8. INSTALL NEW WATER METER BOX WITH LID. TOP OF METER LID SHALL BE LEVEL WITH SIDEWALK ELEVATION. REFER TO DETAIL #307 ON SHEET 6.
9. PROPERTY OWNER TO RELOCATE EXISTING IRRIGATION VALVE.
10. RELOCATE EXISTING SIGN JUST BEHIND EDGE OF SIDEWALK. REFER TO DETAIL 525A ON SHEET 7. UPDATE SIGN MATERIALS PER DETAIL 524B ON SHEET 6.

VILLA RD



ESTIMATED COSTS

(FOR A PUBLIC/CITY PROJECT)

○ Right-of-way acquisition (+/-250 sf)=	\$ 2500
○ Temporary Construction Easements=	\$ 850
○ Sidewalk Construction=	\$ 850
○ Relocate Fence/ Landscape=	\$ 1500
○ Relocate Mailbox and Sign=	\$ 650
○ Driveway & Driveway Approach=	\$ 1800
○ Misc. Costs (staff time, permits, etc.)=	\$ 3500
○ Surveying=	\$ 650
○ Total Cost (Preliminary)=	<hr/> \$12,300



NEWBERG MUNICIPAL CODE (NMC):

12.05.040 Construction and maintenance of sidewalks.

It shall be the duty of the owners of land adjoining any street or highway within the city to construct a portland cement sidewalk when directed by the city engineer. It shall be the duty of the city engineer to serve written notice to the property owner in accordance with NMC 12.05.050. It shall be the duty of the owners of land adjoining any sidewalk or curb, if the two are integral, to maintain both the sidewalk or curb in good repair to provide safe public access. [Ord. 2089, 7-7-82; Ord. 929, 7-2-40. Code 2001 § 96.04.]

12.05.050 Notice.

If the owner of any such land adjoining any street in the city shall fail to have and keep in good repair the sidewalk and/or curb in front of, along and abutting upon such land and/or where no sidewalk or curb exists and in the opinion of the city engineer a sidewalk and/or curb or both is needed, the city engineer shall post a notice of such land describing the sidewalk to be constructed, repaired or reconstructed by termini or otherwise and directing such owner, owner's agent or the occupant of such land to immediately construct, reconstruct or repair such sidewalk in a good and substantial manner and in accordance with the provisions of this chapter. Such notice shall describe such land by street number or otherwise shall state the date of posting same, shall require such owner, occupant or agent to complete such construction, reconstruction and/or repair within 90 days after such date of posting and shall state that a lien may be levied and assessed upon such land for the cost of the construction, reconstruction and/or repair of such sidewalk and that such owner, occupant or agent may be subjected to the penalties provided by this chapter in the event of failure to so construct, reconstruct and/or repair said sidewalk within the time specified by said notice. Said notice shall also set forth the provisions of NMC 12.05.080 as amended. The city engineer shall file with the city an affidavit of posting stating the date and place of such posting and send a similar notice by mail to the owner of such land if known or to the agent of such owner if known, directed to the last known post office address of such owner or agent. A mistake in the name of the owner or agent or a name other than that of the true owner or agent of such property shall not render void such notice, but in such case, the posted notice shall be sufficient. [Ord. 2733 Att. A, 2-7-11; Ord. 2048, 3-2-81; Ord. 1145, 2-1-54; Ord. 929, 7-2-40. Code 2001 § 96.05.]



NEWBERG MUNICIPAL CODE (NMC):

12.05.060 Repair permits and enforcement.

Before reconstructing and/or repairing any such sidewalks, such owner, agent or occupant shall obtain a permit from the city engineer describing the nature and type of construction, repair and/or reconstruction which is to be done, together with the materials and specifications, and the name of the contractor who will do the work, all in accordance with the provisions of this chapter. Said owner, agent or occupant shall proceed to complete such construction, repair and/or reconstruction in accordance with such permit in this article within the said period of 90 days of posting such notice. If the owner, agent or occupant of such land shall fail, neglect or refuse to so complete such construction, repairs and/or reconstruction within said time, the city engineer shall make and complete the same keeping an accurate record and account of cost of labor and materials for the work done on the sidewalk or sidewalks in front of or abutting each parcel of land. The city engineer shall report to the city council the cost of such construction, repairs and/or reconstruction, segregated as to the sidewalk or portion of the sidewalk in front of, adjacent or abutting upon each separate lot or parcel of land. Said report shall also describe each lot or parcel of land in a manner sufficient for identification. [Ord. 2048, 3-2-81; Ord. 1145, 2-1-54; Ord. 929, 7-2-40. Code 2001 § 96.06.]

12.05.070 Assessment.

The city council shall exercise general supervision and authority over all sidewalk construction, repairs and/or reconstruction within the city, and it shall inspect and examine all reports of sidewalk construction, reconstruction and/or repair made by the city engineer and if it deems the cost of the construction, reconstruction and/or repair to be reasonable, it shall approve the same. Thereafter, the city council shall assess each lot, tract or parcel of land fronting on or abutting or adjoining such sidewalk so constructed, repaired and/or reconstructed in accordance with state law the cost of such construction, repairs and/or reconstruction as approved by the city council, together with the additional sum of 15 percent of such cost to defray cost of notice, engineering and advertising. Such assessment shall be entered on the docket of the city liens and collected in the same manner as is provided for special assessments for street improvements. [Ord. 2048, 3-2-81; Ord. 1145, 2-1-54; Ord. 929, 7-2-40. Code 2001 § 96.07.]



FINAL COMMENTS

- In the past, George Fox University and the City have unsuccessfully spoke to the property owner (John Newman) about constructing the sidewalk in their behalf.
- Newberg Municipal Code 12.05.040 to 12.05.070 sets forth the process for the repair and/or construction of sidewalks in the City.
- Other similar situations exist City-wide and may require future Council attention.
- Council Questions and Comments?

