



CITY OF NEWBERG / YAMHILL COUNTY
NEWBERG URBAN AREA MANAGEMENT COMMISSION AGENDA

<https://us06web.zoom.us/j/89349979654>

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Tuesday August 23, 2022, at 6:00 PM

I. CALL MEETING TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

July 26, 2022

IV. COMMUNICATIONS FROM THE FLOOR (5 minutes maximum per person) - For items not listed on the agenda

V. REPORT OF FINAL DISPOSITION OF AGENDA ITEMS FROM PREVIOUS MEETING

1. Member At-Large Position
2. Newberg Urban Area Growth Management Agreement
3. Newberg Urban Area Management Commission Bylaws

VI. DOCKET ITEMS - NONE

VII. PUBLIC HEARINGS

1. CPMA21-0002/PA-01-21 Newberg Urban Reserve Area Expansion (Continue to October 25, 2022)

VIII. ITEMS FROM STAFF

1. Next Meeting – October 25, 2022

IX. ITEMS FROM COMMISSIONERS

X. ADJOURNMENT

ACCOMMODATION OF PHYSICAL IMPAIRMENTS: In order to accommodate persons with physical impairments, please notify the Community Development Department Office Assistant II of any special physical or language accommodations you may need as far in advance of the meeting as possible as and no later than 48 business hours prior to the meeting. To request these arrangements, please contact the Office Assistant at (503) 537-1240. For TTY services please dial 711.



NUAMC Meeting Minutes

Tuesday, July 26, 2022, 7:00 PM

(This is for historical purposes as meetings are permanent retention documents and this will mark this period in our collective history)

I. CALL TO ORDER

Chair Jeff Musall called the meeting to order at 7:00pm

II. ROLL CALL

Members Present: Kit Johnston, Rick Rogers, Maryl Kunkel,
Mary Starrett, Jeff Musall, Alan Halstead

Members Absent:

Newberg Staff Present: Doug Rux, Community Development Director
Ken Friday, Yamhill County Planning & Development Director

III. APPROVAL OF November 23, 2021, MEETING MINUTES:

MOTION: Member Mary Starrett made a Motion to approve the November 23, 2021, meeting minutes and Member Kit Johnston seconded, motion carried : 6 Yes 0 No Abstained Absent.

IV. COMMUNICATIONS FROM THE FLOOR (5 minutes maximum per person) - For items not listed on the agenda

Director Ken Friday noted that L. Woods is Lance Woods, one of the planners in his office and that he is sitting in on this meeting to observe and he will eventually be the staff person to take over this meeting.

V. REPORT OF FINAL DISPOSITION OF AGENDA ITEMS FROM PREVIOUS MEETING – None

VI. DOCKET ITEMS

1. Election of Chair and Vice Chair

Chair Jeff Musall asked for discussion or nomination of Chair.

MOTION: Member Rogers made a Motion to appoint Jeff Musall as Chair and Member Halstead seconded; motion carried : 6 Yes 0 No Abstained Absent.

Chair Jeff Musall asked for a discussion or nomination of Vice Chair.

MOTION: Member Musall made a Motion to appoint Kit Johnston as Vice Chair and Member Halstead seconded; motion carried : 6 Yes 0 No Abstained Absent.

2. Recommendations for Member-At-Large position

Chair Musall commented that the applicant in the packet was different than what was discussed at the prior meeting.



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CDD Rux informed the Members that the Jack Lyda had contacted him to let him know that they had moved out of the area as of the first of the year. This opened up the Member At-Large position again. CDD Rux had reached out to several possible candidates that were on record expressing interest, but most declined or were excluded because they were too far out of the area. A nomination for Ken Summers was received and the Bio was included in the packet. The candidate from the November meeting, David Wall, did not respond back when he was contacted about the open position, but his information is provided in the packet. There are two candidates.

Chair Musall asked to clarify that they only had the two candidates in the packet to pick from even if another Commission Member would have a nominee suggestion. CDD Rux informed him that if a Member had someone they wanted to nominate that they could table this discussion until the August 23rd meeting, give CDD Rux the nominee information for him to reach out to for the Bio information.

Chair Musall called on Ken Summers for a quick statement about himself. Ken Summers informed the Commission Members that he has been a resident of Newberg & the Newberg area for most of his entire adult life. In 1983 he began working for the City of Newberg Police Department, in 2003 he left to take an administrative role with the Sheriff's office, then went to the City of Cornelius, where he was the chief of police. He has been retired for a couple of years and is ready to be reengaged with the City of Newberg and with the County. He sees himself as a land use moderate, doesn't agree with huge mansions, but is also concerned about the proliferation of high-density housing.

Member Starrett wanted to let everyone know that she had heard from several people at the County good things about Ken Summers from the time he was there.

Member Kunkel asked Ken what he thought he could bring to the Commission if nominated. Ken Summers thought he would be able to provide a moderate perspective. He is concerned about the future of Newberg's density considering how neighboring metro areas have really embraced higher density. He is also concerned about seeing farmland built upon and completely overcome with houses. He doesn't have a radical agenda either way and is willing to listen and to learn.

Member Kunkel followed up with another question; she asked if Ken would be available for the whole 3-year term. Ken confirmed that he would be and that his family had no plans to go anywhere in the foreseeable future.

MOTION: Member Halstead made a Motion to appoint Ken Summers as Member At-Large and Member Johnston seconded; motion carried : 6 Yes 0 No Abstained Absent.

CDD Rux outlined the next steps in this process; he will forward the nomination to the Newberg City Council for their consideration. Director Ken Friday will forward the nomination on the County Board of Commissioners for their consideration. After both of those bodies do their review then CDD Rux will be back in touch with Ken Summers and hopefully, he will be on board before the next meeting in August.

3. Review of Newberg Urban Area Growth Management Agreement Amendments

CDD Rux explained that this was reviewed once before, and he went over the adjustments that were made in the document to reflect the Commissions comments from the last meeting. He pointed out that the Commission is not approving the proposed modifications to the IGA, the Commission is here to give feedback. Modifications to the IGA require review by the Newberg City Council and the Yamhill County Board of Commissioners. CDD Rux then turned it over to Director Ken Friday to speak to the County position and Memo that was included in the packet.

Director Friday informed the Commission that the County brought up only a few items. One was, what happens if City and the county don't agree even after mediation. The second item was about ownership and maintenance of roads. As noted in the memo, there's about 20 roads or portions of roads that are inside the city limits in Newberg that the City has not taken over ownership or maintenance of. These roads are currently owned and maintained by Yamhill County. There is language in the agreement, which has been



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there for a long time that says the City and County will discuss having those roads transferred over. To Director Friday's knowledge nothing has been transferred over despite the issue being brought up several times that if the property is in the city limits, then the road serving that property also ought to be in the city limits. He suggested that the modifications to Section 5 sub 1E be modified to basically say that the City will assume ownership of and maintenance responsibility for County roads within their corporate limits. He feels it would clear up any confusion for the citizens living within the City of Newberg and that it is basic fairness that if the city of Newberg is collecting tax money on a road within its city limits, then the city of Newberg should be maintaining the roads.

Chair Musall commented that he felt that what Director Friday said made sense but asked if that was something the City Council and Board of Commissioners would need to address and vote on.

Director Friday replied that it would be something for them to do. He went on to comment why would the County want to expand the urban growth boundary or urban reserve area when this continues to be an issue. For example Newell Road, which serves a subdivision is well within the city limits of Newberg and it has not been transferred to the City.

Chair Musall asked CDD Rux if he had any comments to Director Friday's statements. CDD Rux pointed out that there have been roads that the city has taken over from Yamhill County in the past such as Springbrook Road from 99 down to Highway 219. Crestview Drive, from the city limit line on its eastern edge to Springbrook Road. In addition to those roads, the City has been asking the County Public Works about Weatherly Way which was constructed as part of the Bypass. There is an IGA between ODOT and the County where ODOT is to transfer the jurisdiction of that roadway to the County, and then the County can transfer that roadway to the City. The City has been asking County public works about that for several years since the Bypass has been open and we are ready to take jurisdiction of that roadway. He has spoken to the County for a list of roads that they have within the city limits that they are requesting to be put into City jurisdiction and had not seen it yet. CDD Rux informed the Commissioners that the City Engineer has repeatedly said that we only take roads once they are improved to City standards the roads that have been accepted under the City jurisdiction have been fully improved to City standards. To implement a jurisdictional roadway transfer requires both the City and the County to have that discussion by their respective staffs.

Director Friday mentioned that they just started a subcommittee to address issues such as the roads to help get this going.

Chair Musall asked if Director Friday is looking to beef up language between the City and County regarding jurisdiction obligations.

Member Rogers commented that he would like to know some of the history between the City and County in regard to the roads at a later date. He then asked CDD Rux if the City Council has looked at the IGA yet. CDD Rux informed him that they have not, but the IGA will go before them for review.

Member Halstead mentioned that when he read the documents it is clearly stated that the City will take in the roads when it is to City standards, he felt that it was quite clear and made sense to him.

Member Starrett asked if she should recuse herself from voting on this since the Board will be voting on it also. Director Friday informed her she shouldn't have to recuse herself since others on the Commission are also on City Council.

Chair Musall called for a Motion.

MOTION: Member Halstead made a Motion to accept changes to the IGA and Member Starrett seconded; motion carried: 6 Yes 0 No Abstained Absent.

4. Review of Newberg Urban Area Management Commission Bylaws Amendments

CDD Rux reviewed the proposed changes to the Bylaws.



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Member Kunkle inquired about making adjustments to the Meetings section and if it should include the Zoom or hybrid option. CDD Rux noted that adjustment could be made.

Chair Musall called for a Motion with the amendment for the Zoom or hybrid meeting option.

MOTION: Member Rogers made a Motion to approve language as-is and with the amendment and Member Halstead seconded; motion carried : 6 Yes 0 No Abstained Absent.

VII. PUBLIC HEARINGS – None

VIII. ITEMS FROM STAFF

CDD Rux informed everyone to the additional meeting on August 23, 2022.

Chair Musall and Member Rogers asked if we could do the meeting at 6 pm instead of 7 pm because of conflicting obligations.

It was decided to move it to 6 pm.

IX. ITEMS FROM COMMISSIONERS – None

X. ADJOURN

Chair Musall adjourned the July 26, 2022, NUAMC meeting at 7:40 pm

**APPROVED BY THE CITY OF NEWBERG/YAMHILL COUNTY, NEWBERG URBAN AREA
MANAGEMENT COMMISSION (NUAMC) this August 23, 2022**

Jeffrey Musall, Chair NUAMC

Fe Bates, Recording Secretary



CITY OF NEWBERG / YAMHILL COUNTY
NEWBERG URBAN AREA MANAGEMENT COMMISSION

MEMORANDUM



TO: NUAMC

FROM: Doug Rux, Newberg Community Development Director
Ken Friday, Yamhill County Planning and Development Director

SUBJECT: CPMA21-0002 (City)/PA-01-21 (County) Newberg Urban Reserve Area Expansion

DATE: August 23, 2022

The applicant's representative, DOWL, for CPMA21-0002 (City)/PA-01-21 (County) has requested that the public hearing on the case be continued to October 25, 2022. The attached letter details the continuance request.

Recommendation

Open the quasi-judicial public hearing and continue the hearing to October 25, 2022, at 7 pm at the Newberg Public Safety Building, 401 E Third Street.

Attachment: 1. Hearing Continuance Request

Doug Rux

From: Read Stapleton <rstapleton@dowl.com>
Sent: Monday, August 15, 2022 2:38 PM
To: Doug Rux
Cc: Kathy Bellairs; Katzaroff, Kenneth; Matthew Robinson; Ken Friday
Subject: CPMA21-0002/PA-01-21: Newberg Urban Reserve Area Expansion

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Doug –

On behalf of Kathy and Brian Bellairs and Bestwick, LLC, DOWL would like to request a continuance of the Newberg Urban Area Management Commission (NUAMC) hearing scheduled for August 23, 2022. We understand that the rescheduled date for the hearing would be October 25, 2022.

I'm not sure of the protocol for a continuance request for the county component of the application, but have copied Ken Friday on this as well.

Ken – Please let me know if you need a formal request separate from this email or if this will suffice.

We will reach out in the next day to review and discuss next steps.

Thank you for all of the hard work you've put into the application to this point and we look forward to working with you in the coming weeks as we approach the October hearing.

Sincerely,

Read

Read Stapleton, AICP
Planning Group Manager

DOWL

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