

COUNCIL MEETING MINUTES
April 12, 2010

HR:MN

0:00 **DATE: COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, APRIL 12, 2010.**

CONVENED: The meeting convened at 7:00 p.m. with Mayor Figley presiding.

ROLL CALL:

Mayor	Figley	Present
Councilor	Cox	Present
Councilor	Lonergan	Present
Councilor	McCallum	Present
Councilor	Morris	Present
Councilor	Pugh	Present
Councilor	Schmidt	Present

Staff Present: City Administrator Derickson, Assistant City Administrator Stevens, City Attorney Shields, Police Chief Russell, Police Captain Garrett, Public Works Director Brown, Economic & Community Development Director Hendryx, City Recorder Shearer.

0:01 **PROCLAMATIONS:**
A. Mayor Figley declared April 24, 2010 Day of the Child.

0:02 **COMMITTEE REPORTS:**
A. Don Judson, Executive Director of the Woodburn Chamber of Commerce updated Council on Chamber and tourism promotion activities.
B. Councilor Morris provided an update on School District upcoming events including the Mr. Bulldog event.

0:14 **BUSINESS FROM THE PUBLIC**
A. Craig Mikkelsen, 107 S. Molalla Ave, Molalla, an attorney representing All-Around Towing made a statement regarding previous testimony before Council concerning the services provided by All-Around Towing. Mr. Mikkelsen provided additional information to Council regarding the circumstances of the towing service and informed the Council that an investigation performed by Chief Russell resulted in no changes to All-Around Towing's status on the City's towing rotation and recommended no further action.

0:29 **CONSENT AGENDA**
A. approve the Woodburn City Council minutes of March 22, 2010;
B. accept the Community Services Department Statistics for January 2010;
C. accept the Community Services Department Statistics for February 2010.
McCallum/Lonergan... adopt the Consent Agenda. The motion passed unanimously.

COUNCIL MEETING MINUTES

April 12, 2010

HR:MN

0:30 **TABLED BUSINES:**

Council Bill 2814 – A Resolution modifying the Business Assistance Loan Program guidelines remained on the table.

0:30 **PUBLIC HEARING – FIFTH STREET IMPROVEMENT PROJECT**

Mayor Figley declared the hearing open at 7:30 pm for the purpose of hearing public input on the Fifth Street Improvement Project. Public Works Director Brown provided a staff report and answered clarifying questions of Council. The design acceptance package document is incorporated into the record by reference.

1:30 Mayor Figley invited the proponents Fifth Street Improvement Project to address Council. Two members of the public (names and addresses incorporated by reference) wished to speak in favor of the project and the reasons for their support are summarized as follows:

- Improvement of traffic flow and travel efficiency
- Improved connectivity for vehicles and pedestrians
- Reduction of traffic and congestion in the area
- Increasing neighborhood safety via sidewalks and street lighting
- Improved public safety response time

1:33 Mayor Figley invited the opponents of the Fifth Street Improvement Project to address Council. There were numerous members of the public that wished to speak in opposition (names and addresses incorporated by reference). The reasons for their opposition are summarized as follows:

- Concern about benefits not outweighing the project cost
- Air quality and noise pollution affects on students at St. Luke Catholic School
- Impacts on the educational environment of St. Luke Catholic School
- Concern that previous poor access design for development cannot be overcome by this project
- Impacts on the residential properties along Fifth Street, such as reduced parking and encroachment of right of way on existing residential properties.
- Emphasis on Fifth Street connection to Highway 214 as the basis for justifying the construction of a traffic signal on Highway 214 at Fifth Street is inappropriate and unnecessary.
- Lack of public demand for the project
- Proposed improvements are out of scale from existing surrounding streets
- Concern that the Citizen's Advisory Committee was not a real opportunity for public comment/input; that staff had a predetermined decision in mind
- Increased traffic for Fifth Street residents
- Project does not adequately address parking issues
- Concern that traffic signal may still not be warranted even with the opening of Fifth Street

COUNCIL MEETING MINUTES

April 12, 2010

HR:MN

In addition, a petition with approximately 2,000 signatures opposing the project was submitted by St. Luke Catholic Church and written testimony in opposition was provided by Peppi Kosikowski of Woodburn. In addition, council has requested that all correspondence received by Council and staff be included in the hearing record. These documents are incorporated into the minutes by reference.

2:21 The Public Hearing was closed at 9:25 pm. Council discussed the testimony received and asked further clarifying questions of staff. Council debated the merits of options other than the staff recommended option, such as the one-way couplet and no-build options. **Morris/Cox**... modify the design acceptance package to select the no-build option. After additional discussion ensued, Mayor Figley called for a vote. On a roll call vote the motion failed 1-5, with Councilor Morris voting Aye and Councilors Pugh, Lonergan, McCallum, Schmidt, & Cox voting Nay. **McCallum/Cox**... accept the design acceptance package as presented by staff. The motion passed 5-1 with Councilors Pugh, Lonergan, McCallum, Schmidt, & Cox voting Aye and Councilor Morris voting Nay.

3:20 **COUNCIL BILL NO. 2826 – A RESOLUTION DIRECTING THAT SEVEN “NO PARKING” SIGNS BE INSTALLED ON THE WEST SIDE OF BROWN ST. BETWEEN BROWN COURT AND BRIDLEWOOD LANE**
McCallum introduced Council Bill No. 2826. Recorder Shearer read the bill by title only since there were no objections from the Council. Councilors Cox and Schmidt expressed concern that impacted residents may not have received adequate notice of the proposed resolution. **Schmidt/Pugh**... table Council Bill No. 2826 pending notification of residents. The motion passed unanimously.

3:29 **ACCEPTANCE OF BANCROFT BOND APPLICATIONS**
Councilor McCallum declared a potential conflict of interest and did not participate in this item. **Cox/Lonergan**...accept the Bancroft Bond applications submitted by property owners within the Ironwood Subdivision Local Improvement District which were filed after the initial 10-day filing period. The motion passed unanimously.

3:29 **AWARD OF PROFESSIONAL SERVICES CONTRACT FOR WOODBURN TRANSIT SYSTEM PLAN UPDATE**
Lonergan/Pugh ...City Council, acting as the Local Contract Review Board, authorize the City Administrator to enter into a Professional Services contract with Nelson/Nygaard Consulting Associates to provide professional services for preparation of the Woodburn Transit System Plan Update. The motion passed unanimously.

3:37 **AWARD OF CONSTRUCTION CONTRACT FOR THE NORTH TRUNK SEWER IMPROVEMENT PROJECT**
Cox/Pugh ...City Council, acting as the Local Contract Review Board, award the construction contract for the North Trunk Sewer Improvements to Northstar Assoc., LLC in the amount of \$67,567. The motion passed unanimously.

COUNCIL MEETING MINUTES
April 12, 2010

HR:MN

3:40 **CITY ADMINISTRATOR'S REPORT:**

- A. Officer Mikkola is recovering well and is at home.
- B. Reminder that Statements of Verified Interest are due to the State by April 15, 2010
- C. Another E-Blurb will be issued soon

3:41 **MAYOR AND COUNCIL REPORTS:**

- Councilor McCallum reminded the Mayor of the Kiwanis Mayor's prayer breakfast at Wellspring in May.
- Council discussed upcoming budget committee meetings.

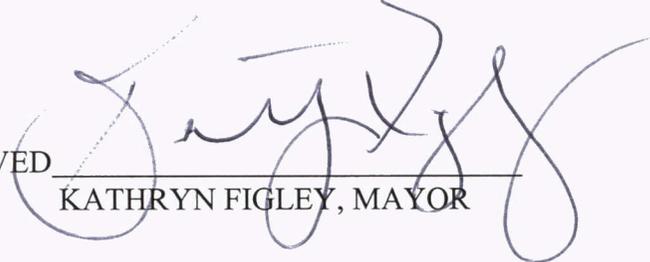
3:46 **EXECUTIVE SESSION:**

Mayor Figley announced that the Executive Session has been cancelled.

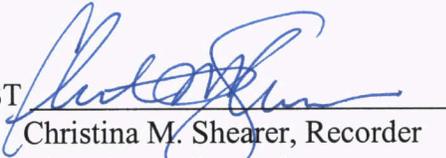
3:46 **ADJOURNMENT:**

McCallum/Lonergan... meeting be adjourned. The motion passed unanimously.
The meeting adjourned at 10:55 p.m.

APPROVED


KATHRYN FIGLEY, MAYOR

ATTEST


Christina M. Shearer, Recorder
City of Woodburn, Oregon