

COUNCIL MEETING MINUTES SEPTEMBER 10, 2012

0:00 **DATE** COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, SEPTEMBER 10, 2012

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

0:00 **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, City Attorney Shields, Public Works Director Brown, Police Chief Russell, Associate Planner Dolenc, Police Captain Garrett, Human Resources Director Hereford, Acting Finance Director Shearer, Assistant Recorder Pierson

0:00 **COMMUNITY/GOVERNMENT REPORTS**

- A. Woodburn Chamber of Commerce- City Administrator Derickson updated the Council on the final numbers from the Fiesta. He also let the Council know that Greeters has started up again and the Chamber Auction dinner is coming up soon.
- B. Woodburn School District – Superintendent Bautista let the Council know that the number of kindergartners has increased this year and that the high school graduation will take place on May 31, 2013. Superintendent Bautista thanked City Staff for their help in getting the modules set up at the high school. He also let the Council know that the students at Nellie Muir School were the Summer Reading Olympics winners out of over 1,400 schools.

0:06 **CONSENT AGENDA**

- A. Woodburn City Council minutes of August 13, 2012
 - B. Woodburn Planning Commission minutes of July 26, 2012
 - C. Woodburn Recreation and Park Board minutes of July 17, 2012
 - D. Crime Statistics through July 2012
 - E. Additional Privilege –Winery
- Councilor McCallum asked if the winery at Harry and David is strictly an indoor tasting room. Chief Russell answered that the tasting room is indoors and that if they had a special event where wine tasting would take place outside they would have to get permission. **McCallum/Lonergan...** approve the consent agenda as presented. Motion passed unanimously.

0:08 **PUBLIC HEARING**

- A. Woodburn Ambulance Franchise Ordinance. City Administrator Derickson provided a

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staff report. Shawn Baird with Woodburn Ambulance, 1040 N. Boones Ferry Rd, provided a year in review presentation to the Council. Councilor Schmidt asked if any of the franchise fees have changed and Mr. Baird answered that they are staying the same. City Attorney Shields gave a brief overview of the changes made to the franchise. No members of the public wished to speak in either support or opposition of the Woodburn Ambulance Franchise Ordinance. Mayor Figley declared the hearing closed at 7:29 pm. Councilor McCallum stated that Woodburn is very fortunate to have Woodburn Ambulance as a service and it is vital to the community. Councilor Lonergan stated that he is in favor of the franchise.

Lonergan/Pugh ... accept the Woodburn Ambulance Franchise Agreement as presented and bring it to the next meeting. The motion passed unanimously.

0:29 **COUNCIL BILL NO. 2901- AN ORDINANCE ADOPTING THE HIGHWAY 99E CORRIDOR PLAN; MAKING TEXT AMENDMENTS TO THE WOODBURN COMPREHENSIVE PLAN; AMENDING THE WOODBURN COMPREHENSIVE PLAN MAP; AMENDING THE WOODBURN TRANSPORTATION SYSTEM PLAN; MAKING TEXT AMENDMENTS TO THE WOODBURN DEVELOPMENT ORDINANCE; AMENDING THE OFFICIAL ZONING MAP; AND DIRECTING THE ECONOMIC AND DEVELOPMENT SERVICES DIRECTOR TO ADMINISTRATIVELY INCORPORATE AND IMPLEMENT THESE ACTIONS**

McCallum introduced Council Bill 2901. Assistant Recorder Pierson read the two readings of the bill by title only since there were no objections from the Council. On roll call vote for final passage, the bill passed unanimously. Mayor Figley declared Council Bill No. 2901 duly passed.

0:31 **COUNCIL BILL NO. 2902- AN ORDINANCE AMENDING ORDINANCE 2328, THE PORTLAND GENERAL ELECTRIC COMPANY FRANCHISE, TO EXTEND SAID ORDINANCE UNTIL JUNE 30, 2013.** **McCallum** introduced Council Bill No. 2902.

Assistant Recorder Pierson read the two readings of the bill by title only since there were no objections from the Council. On roll call vote for final passage, the bill passed unanimously. Mayor Figley declared Council Bill No. 2902 duly passed.

0:33 **COUNCIL BILL NO. 2903-A RESOLUTION WAIVING APPLICATION OF ORDINANCE 2312 (THE NOISE ORDINANCE) FOR CONSTRUCTION ACTIVITY ASSOCIATED WITH THE WOODBURN INTERCHANGE AND TRANSIT FACILITY IMPROVEMENT PROJECT AND PROVIDING FOR CERTAIN CONDITIONS.** **McCallum** introduced Council Bill 2903. Assistant Recorder Pierson read the bill by title only since there were no objections from the Council. Councilor Lonergan stated that he is concerned about the back- up alarm being disabled and only using a spotter. Director Brown stated that it is an OSHA approved alternative to the back-up alarm and is commonly used during night time work. Councilor McCallum asked if it would only be at night and Director Brown answered that yes, it would only be at night. Councilor Schmidt also shared his safety concerns with disabling the alarm. Councilor Cox stated that people are going to have to understand that this is going to be a nuisance. On roll call vote for final

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passage, the bill passed unanimously. Mayor Figley declared Council Bill No. 2903 duly passed.

0:40 **INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF NEWBERG**

Lonergan/Cox... authorize the City Administrator to sign an Intergovernmental Agreement with the City of Newberg for structural/mechanical inspections and plan reviews. The motion passed unanimously.

0:40 **FY 2012/13 AMENDED FINANCIAL PLAN Lonergan/Pugh...** adopt the attached FY 2012/13 amended financial plan. Councilor McCallum mentioned that Councilor Pugh should be thanked for this amendment and that staff did a nice job of capturing some of his concerns. The motion passed unanimously.

0:41 **PLANNING COMMISSION APPROVAL OF CASES SUB 2012-01, VAR 2012-02, AND EXCP 2012-01 FOR KALUGIN ESTATES SUBDIVISION, LOCATED SOUTH OF HARDCASTLE AVENUE, BETWEEN DUNN COURT AND ORCHARD LANE**

Councilor McCallum stated that he is not going to call this up himself but that he has some concerns about this, he remembers that they approved a nine lot subdivision and now we see a 14 site one with three variances. Councilor Cox also stated that he is concerned about it but is reluctant to call it up if he and Councilor McCallum are the only ones concerned with this. He also stated that it bothers him that there are so many variances and that it may set a bad example. Councilor Pugh added that he is concerned about how we spend money in time versus the ability of that particular money and there is nothing in here about when and how. Councilor Schmidt stated that he has concerns about it too. Councilor Morris asked what calling it up means and was told that there would be a de novo hearing on it. Councilor Cox is concerned that the public will not get any additional benefit from this. Councilor Lonergan stated that he also has concerns about this and mentioned that this type of development brings kids in and questions whether the schools will be able to handle that. **McCallum/Pugh...** to call this up for further review by Council. The motion passed unanimously

0:50 **CITY ADMINISTRATOR'S REPORT**

The City Administrator let the Council know that the Chamber Fall Auction Dinner will take place on October 13, 2012 at Wellspring and that tickets can be purchased at the Chamber office.

0:51 **MAYOR AND COUNCIL REPORTS**

Councilor Schmidt thanked the Police Department for catching the people who had done the graffiti in the City of Woodburn.

Councilor Morris thanked the Police Department for their efforts last week and appreciates their support.

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0:52 **EXECUTIVE SESSION**

Mayor Figley entertained a motion to adjourn into executive session under the authority of ORS 192.660(2)(d) and ORS 192.660 (2)(i). For the record, City Attorney Shields waived his right to an open hearing for his evaluation. **Lonergan/Pugh....** to move into executive session. The Council adjourned to executive session at 7:52 pm and reconvened at 8:51 pm. Mayor Figley stated that no action was taken by the Council while in executive session.

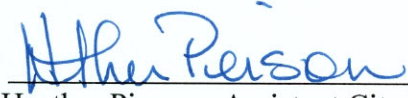
1:51 **ADJOURNMENT**

Lonergan/Morris... meeting be adjourned. The motion passed unanimously. The meeting adjourned at 8:51 p.m.

APPROVED


KATHRYN FIGLEY, MAYOR

ATTEST


Heather Pierson, Assistant City Recorder
City of Woodburn, Oregon