

COUNCIL MEETING MINUTES JULY 25, 2011

0:00 **DATE** **COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN,
COUNTY OF MARION, STATE OF OREGON, JULY 25, 2011.**

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, City Attorney Shields, Economic & Community Development Director Hendryx, Public Works Director Brown, Police Captain Garrett, Recorder Shearer.

0:00 **ANNOUNCEMENTS**

A. Woodburn Fiesta Mexicana

0:00 **COMMUNITY/GOVERNMENT REPORTS**

- A. Woodburn Chamber of Commerce – Elida Sifuentes spoke regarding the Woodburn Fiesta organizers. Don Judson, Executive Director discussed the Chamber’s role in organizing this year’s Fiesta.
- B. Woodburn Unidos – Erubio Valladares, President, updated Council on the activities of the Woodburn Downtown Unidos, especially their efforts to conduct meetings bilingually.

0:00 **PROCLAMATIONS**

A. National Night Out 2011

0:13 **PRESENTATIONS**

- A. Chamber of Commerce – Tourism Report: Kelly Lemmings, Tourism Coordinator for Woodburn Area Tourism presented the Tourism Work Plan for 2011-2012 (appended to agenda packet).
- B. Budget Policies & Reduction Strategy – City Administrator Derickson gave a presentation on a proposed Budget Policy and Reduction Strategy to address potential funding challenges. Administrator Derickson reviewed the recent fiscal history of the City and outlined some of the challenges he is expecting in the coming years. Councilor Cox had a question regarding street maintenance funding and the decline of General Fund support for streets. Administrator Derickson discussed the challenges of street funding and the limitations on use of Street SDC funds.

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Council discussed the purpose of the General Fund contingency (currently set at 10% of General Fund expenditures). Councilor Cox questioned under what circumstances the contingency would be used and how it would be replenished. Councilor Schmidt is supportive of the contingency and would be opposed to a reduction of the contingency. Mayor Figley clarified that contingency would be used for one time expenses or opportunities and the expectation is that it would be replenished in the next budget year.

Administrator Derickson discussed the impacts of wage and benefit cost increases. To address the escalation of these costs, policies regarding wages & benefits have been developed. Councilor Cox pointed out that significant changes in benefit levels would need to be bargained with the unions; Administrator Derickson agreed.

Councilor Pugh commended staff on the foresight and effort that went into developing this proposal. Councilor McCallum agreed that this supports the goal of transparency for government actions.

Council also discussed the prioritization of Programs and Services relative to reduction strategies. All agreed that prioritization is important for planning purposes but recognize cuts may come from a combination of programs & services. Mayor Figley pointed out that simply having the discussion is valuable. Councilors Schmidt and Cox felt that across the board cuts are more fair than prioritized cuts. Councilor Morris pointed out that the City's prioritization of programs and services may not align with the public's priorities. Councilor McCallum asserts that this works as a decision framework, rather than a final decision.

1:36

BUSINESS FROM THE PUBLIC

Garry LaPoint of 850 Lawson Ave, (AM/PM) has a complaint regarding the .01/gallon gasoline tax. He feels that it places him at a competitive disadvantage. He also had concern about access exiting/entering I-5. He also is not happy with the Front Street improvements. In addition, he would like the school zones to be consistent. Finally, he had a suggestion regarding a fee for street funding (appended to agenda packet).

1:59

CONSENT AGENDA

- A. Approve Woodburn City Council minutes of July 11, 2011,
- B. Accept Woodburn Planning Commission minutes of June 23, 2011, and
- C. Accept the crime statistics report for June 2011.

McCallum/Cox... adopt the Consent Agenda. The motion passed unanimously.

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2:00

TABLED BUSINESS

COUNCIL BILL NO. 2870 – A RESOLUTION AGREEING TO THE PERMANENT CLOSURE OF THE MILL STREET RAILROAD CROSSING PURSUANT TO AN ORDER TO BE ISSUED BY THE OREGON DEPARTMENT OF TRANSPORTATION, RAIL DIVISION

McCallum/Lonergan... remove Council Bill No. 2870 from the table. Motion passed unanimously.

Public Works Director Brown provided as staff report regarding the status of the agreement between Wilbur-Ellis and Union Pacific. City Administrator Derickson discussed the agreement between the City and Wilbur-Ellis for fencing once the closure was complete. Councilor Cox is opposed to this Resolution because Wilbur-Ellis had indicated it would relocate the business if the crossing was closed and Council wished to preserve the business within the community. He feels that the City has invested a significant amount of staff time and resources and does not feel Council should “bless” this action. He also feels that additional investments of public funds (approximately \$18,000) necessary to complete the closure is not appropriate and does not provide a public benefit. Councilor McCallum asked what the ramifications of a no vote would be. He also questioned what Union Pacific’s motives for the closure are. Director Brown replied that there were many motives in play, including a move to increase train speeds through Woodburn and the associated safety concerns. He also stated that if the City takes a position opposing the closure, the closure would move into a contested case process. Councilor Cox suggested that the City take a neutral position, neither opposed or in favor of closure. Councilor Schmidt reiterated that the City’s involvement in this issue was on behalf of Wilbur-Ellis and does not support further action by the City that will incur additional costs of staff time or funds.

Public Works Director Brown clarified the sequence of events and the standing of the parties involved. City Administrator Derickson added that it was the City’s threat of contesting the closure that lead to the agreement between Wilbur-Ellis & Union Pacific that will allow Wilbur-Ellis to continue to operate in Woodburn after the Mill Street crossing closure. Staff also clarified the City and ODOT Rail roles in the closure.

Council & staff discussed the options for the resolution and the existing closure order objection. Councilor Morris also is opposed to expending more funds for this closure. Council also discussed the future Hardcastle realignment project and how it fits into this issue. Council also ensured that there were no adverse unintended consequences that would occur should this measure fail.

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On roll call vote for final passage, the bill failed with all Councilors voting against the resolution. **McCallum/Pugh...** notify ODOT Rail and all other stakeholders that the City is withdrawing its opposition to the Mill Street closure order. The motion passed unanimously.

2:40 **COUNCIL BILL NO. 2873 – (SECOND READING) AN ORDINANCE
ADOPTING BUILDING DIVISION FEES FOR INCLUSION IN THE MASTER
FEE SCHEDULE; REPEALING ALL BUILDING FEES AND CHARGES THAT
ARE INCONSISTENT WITH THIS ORDINANCE; AND SETTING AN
EFFECTIVE DATE**

Recorder Shearer re-read the second reading of the bill by title only since there were no objections from the Council. On roll call vote for final passage, the vote was 5-1 in favor, with Councilor Schmidt voting no. Mayor Figley declared Council Bill No. 2873 duly passed.

2:42 **CLARIFYING THE DEFINITION OF CALIPER FOR TREES LEGISLATIVE
AMENDMENT 2011-01 (WOODBURN DEVELOPMENT ORDINANCE)**

Councilor Cox clarified the applicability of this action to significant trees.

Cox/McCallum... direct staff to return with an ordinance amending sections 1.4 & 5 of the Woodburn Development Ordinance, as previously approved by the City Council making the staff suggested change to the definition of “caliper”. Motion passed unanimously.

2:45 **CITY ADMINISTRATOR’S REPORT**

- National Night Out: Police staff will accompany Council members to attend National Night Out events if Council wishes.
- Another E-Blurb will be issued soon
- Rotary fundraiser for the Fall Classic at the Woodburn Dragstrip September 17/18. Tickets are available from the City Administrator

2:47 **MAYOR AND COUNCIL REPORTS**

- Councilor McCallum would like to congratulate Councilor Morris on his election to Chair of the Woodburn School Board.

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ADJOURNMENT

Schmidt/Lonergan... meeting be adjourned. The motion passed unanimously.
The meeting adjourned at 9:50 p.m.

APPROVED _____

KATHRYN FIGLEY, MAYOR

ATTEST _____

Christina M. Shearer, Recorder
City of Woodburn, Oregon