

COUNCIL MEETING MINUTES JULY 11, 2011

0:00 **DATE** **COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN,
COUNTY OF MARION, STATE OF OREGON, JULY 11, 2011.**

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

ROLL CALL

Mayor Figley	Present
Councilor Cox	Present
Councilor Loneragan	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, Finance Director Palacios, Police Captain Alexander, Building Official Krieg, City Planner Dolenc, Recorder Shearer.

0:00 **ANNOUNCEMENTS**

A. Basset Games

0:02 **COMMUNITY/GOVERNMENT REPORTS**

- A. Woodburn School District – Superintendent David Bautista recognized outstanding 2011 graduating students.
- B. Woodburn Downtown Unidos – Erubio Valladares, President of Woodburn Downtown Unidos provided an update on Unidos events and activities.

0:10 **PRESENTATIONS**

Relay for Life – City of Woodburn Sponsorship Plaque

0:11 **CONSENT AGENDA**

- A. Approve Woodburn City Council minutes of June 13, 2011,
 - B. Approve Woodburn City Council minutes of June 27, 2011,
 - C. Accept Woodburn Planning Commission minutes of May 26, 2011, and
 - D. Accept Woodburn Planning Commission minutes of June 9, 2011.
- McCallum/Loneragan...** adopt the Consent Agenda. The motion passed unanimously.

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0:11

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

Council elected to leave this item on the table.

0:12

PUBLIC HEARING

LEGISLATIVE AMENDMENT 2011-01, AMENDMENTS TO SECTIONS 1,4, AND 5 OF THE WOODBURN DEVELOPMENT ORDINANCE

Mayor Figley declared the hearing open at 7:12 pm for the purpose of hearing public input on Legislative Amendment 2011-01. Economic & Community Development Director Hendryx provided an overview of the proposed changes. Councilor Cox stated that the committee's intent was to provide a quicker, more builder/developer friendly process while applying existing standards. Council discussed when a Design Review Board would be necessary. Unless Council elects to create a Design Review Board, Planning Commission will continue to serve in that capacity.

Councilor Schmidt had a question regarding the standards for measuring trees associated with significant trees and new trees to be planted pursuant to new development. Director Hendryx stated that he does not know what the historical purpose for the graduated standard is. He indicated the standard could be simplified, if that was Council's preference. Councilor Cox clarified that the policy in question is to ensure that sufficiently mature trees are planted. Councilor Cox and Director Hendryx clarified that none of the proposed changes trigger a Measure 56 notice; all revisions result in less stringent regulation than is currently in place. Councilor Pugh had a concern regarding the applicability of the standard to existing properties. Staff and Councilor Cox clarified that it applies to new development only. Councilor Schmidt responded that it also applies to "significant trees" under the ordinance and was concerned about the cost implications. Mayor Figley suggested that staff survey other jurisdictions to evaluate the existing and proposed standard.

Mayor Figley invited members of the public who wished to speak in favor of the Legislative Amendment. Richard Jennings, 595 Filbert St Woodburn and focus group member, spoke regarding intent of the focus group and the planning commission. He stated that their sole goal was to make it easier for developers to understand and apply the ordinance. Durrell Crays, 167 N Settlemier spoke in favor of the Legislative Amendment. He also spoke of his concern regarding tree attrition in Woodburn.

Mayor Figley invited members of the public who wished to oppose the Legislative Amendment. No one wished to speak in opposition. Mayor Figley declared the hearing closed at 8:05 pm.

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Cox/Schmidt ... direct staff to prepare an ordinance incorporating the provisions submitted to Council as corrected, except for the portion addressing tree standards. The motion passed unanimously.

1:05

COUNCIL BILL NO. 2873 – 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

McCallum introduced Council Bill 2873. Recorder Shearer read the two readings of the bill by title only since there were no objections from the Council. Councilor Cox commented that although these are substantial increases in fees they appear to be well supported by staff analysis. Councilor Morris has concerns about impacts to individual homeowners. Councilor Pugh questioned whether analysis regarding neighboring cities fees for these services. Director Hendryx responded that an analysis was performed, but such analysis is difficult given that some cities subsidize this function with General Fund funding and the City of Woodburn does not. Building Official Krieg directed Council to the analysis provided in the Council packet. Councilor Cox pointed out that Building fund reserves have been drawn down to the point where additional resources are necessary. Councilor McCallum commented that he does not like raising fees in good times or bad times, but believes that this program should be self sustaining and provides a necessary protection service to the community. Mayor Figley pointed out that in the absence of the Building Inspection program, many routine projects would need to be cleared through Marion County, which may not be less expensive. Councilor Schmidt is supports the Building Inspection program but is opposed to the fee increases and would prefer that General Fund subsidies be used to provide the additional funding necessary. Councilor Pugh appreciates the staff analysis and points to the enterprise zone as providing incentives that would offset the potentially negative impact of the increased fees. On roll call vote for final passage, the vote was 5-1 with Councilor Schmidt voting no. As this is an ordinance, this bill will be taken up again at the next Council meeting.

1:17

COUNCIL OF GOVERNMENTS AGREEMENT FOR WARD BOUNDARY ADJUSTMENT SERVICES

Pugh/McCallum...authorize the City Administrator to execute an agreement with the Mid-Willamette Valley Council of Governments to update Woodburn's Councilor Ward Boundaries, according to the established reapportionment criteria, and to develop boundary options in an amount not to exceed \$6,000. The motion passed unanimously.

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1:18 **CANCELLATION OF AUGUST 22, 2011 COUNCIL MEETING**

McCallum/Cox... cancel the August 22, 2011 Council Meeting. The motion passed unanimously.

1:19 **CITY ADMINISTRATOR'S REPORT**

City Administrator Derickson reviewed his Summer Projects list with Council which includes:

- Approved Arborists/Tree Experts for tree removal. Also consider ideas such as an increased tree deposit and supply a voucher for a replacement tree from the approved list, or provide a partial refund upon completion of tree replacement.
- Clarify the nuisance abatement ordinance applicability to City-owned property to reflect the varying regulations and standards applied to City property.
- Public restrooms for the Downtown area
- Bridge for the Greenway culvert
- Increased code enforcement related to signs
- Explore options for Police Department landscaping
- Budget Policies
- Library Coffee Shop idea
- Highway 214 median landscaping
- Police department will begin summer downtown patrols on Friday, July 15.

1:23 **MAYOR AND COUNCIL REPORTS**

- Councilor Lonergan reported that a former City Councilor, Bob Post, recently passed and wanted to recognize his service.
- Mayor Figley would like the air conditioning in Council chambers to be looked at to see if the noise can be eliminated.
- Councilor Schmidt asked about the Mill Creek Greenway path around the pond. He also had a suggestion regarding the bridge for the culvert that may not require a permit.
- Councilor Morris commended staff on the July 4th event.
- Councilor Morris also questioned whether the City has a noise ordinance and staff indicated that violations should be reported to the Police Department for code enforcement action.

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1:27

ADJOURNMENT

McCallum/Lonergan... meeting be adjourned. The motion passed unanimously.
The meeting adjourned at 8:30 p.m.

APPROVED _____

KATHRYN FIGLEY, MAYOR

ATTEST _____

Christina M. Shearer, Recorder
City of Woodburn, Oregon