

CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
February 7, 1983
7:30 P.M.

I. CALL MEETING TO ORDER

II. ROLL CALL

III. CONSENT CALENDAR

1. Approve Minutes of January 3, 1983
2. Communications from cities of Dayton and Lafayette regarding Cable T.V. Commission (See Ordinance, Section X)
3. Communication from League of Oregon Cities regarding Nation's Cities Weekly article
4. Notice from Oregon State Speed Control Board regarding Speed Zone on Hillsboro Highway
5. Communication from City of Dundee appointing Carol Wheeler to Cable T.V. Commission
6. Communication from Newberg Family thanking Santa Claus for gifts
7. Communication from Ruth Gilman thanking Council and Staff for honor of resolution
8. Report on Stop Signs at 7th and 8th at Meridian
9. Communication from Stan Kern, M.D., commending Officer Rick Dutton for a job well done

IV. APPOINTMENTS BY THE MAYOR

V. REQUESTS FROM FLOOR AND COMMUNICATIONS

1. Liquor License Renewal Application requests by Safeway Stores, Shaws, Rocky's Delicatessen, Inc., The Grocery Express, Abby's, Springbrook Thriftway, Newberg Thriftway, Ninth Street Grocery, The Barn Door, and Ye Olde Pizza Shoppe
2. Request for Liquor License by Payless Drug Stores, Springbrook Plaza
3. Communication from Mr. & Mrs. Ackerman regarding Bypass and Redevelopment
4. Communication from Liberty Cable Updating City Council on Occurrences

VI. PUBLIC HEARINGS:

VII. REPORTS FROM CITY ADMINISTRATOR:

1. 1982 List of Accomplishments
2. Report from Police Captain on attendance at F.B.I. Academy
3. Reminder of Council Seminar, February 10, 1983 at 7:00 P.M.
4. Report on Emergency Power Procedures
5. Update on Projects and Services at Public Library
6. Update on 1982-83 Tax Receipts

VIII. OLD BUSINESS:

IX. NEW BUSINESS:

1. Approve Accounts Payable
2. Report on Condition of Sewage Treatment Plant
3. Report on Restricted Parking on First and School Street
4. Report on Newsstands in Right-of-Way

X. RESOLUTIONS:

1. Resolution approving Contingency Transfers between funds
2. Resolution approving Petty Cash for Library

XI. ORDINANCES:

1. Sewer Discharge Ordinance and Communication from President of Technical Images, Inc.
2. Ordinance amending Cable T.V. Commission Ordinance increasing membership on Commission
3. Ordinance allowing loan from Sewer Fund to Redevelopment Fund
4. Ordinance prescribing certain trial, jury, witness and attorney fees in the Municipal Court

Arvilla

Jan. 27, 1983

TO: City Administrator, Mike Warren

FROM: Librarian, Doreen Turpen

SUBJECT: Establishment of a Petty Cash fund for the Library

The Finance Committee this morning approved a request for the establishment of a Petty Cash fund for the Library.

Current practice has been to use the fines and non-resident fee receipts for the purchase of incidentals. A record of each purchase has been made and turned in to the city; a check is then issued to the library and it is redeposited to the city as a receipt. The establishment of a petty cash fund would enable us to keep receipts and expenditures separated. It provides us with the format to keep better records and to follow transactions more closely than we do with the current system.

I am currently working with Arvilla to review our procedures for handling money at the Library. The establishment of the Petty Cash fund is just one aspect of this project. When completed we will have written procedures for the various transactions handled by our staff.

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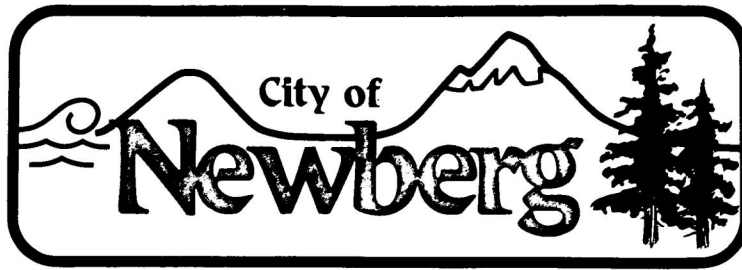
cc: Finance Officer

ACCOUNTS PAYABLE
JANUARY, 1983

Original

ATI Distributing	173.90	Midget Motors	289.95
Alexander Oil	11.95	Mid Willamette Valley COG	1,000.00
Allen Machinery	58.20	Naps IGA	24.04
Al's Drive In	23.83	Nasco West, Inc.	47.91
American Public Works Assn.	9.86	National Geographic Soc.	12.85
Amps Co.	254.80	New York Review of Books	25.00
Baker's TV Center	5.80	Newberg Auto Parts	36.24
Barker's Auto Supply	11.49	Newberg Comm. Hosp.	500.00*
Brass Key	9.40	Newberg Graphic	16.88
Brown's Trophy Shop	45.00	Newberg Human Resources	1,000.00
Bunn, Stan	150.00	Newberg River Rock	1,289.75
Butler Chevrolet	42.17	NW Business Systems	160.10
Buy Wise Drugs	26.03	NW Law Enforcement	514.02
CTR Business Systems	141.46	NW Logging Supply	26.30
Camera Quarters	148.22	NW Natural Gas	1,739.96?
Carson City	5.21	NW Review	8.00
Cascade Architectural	126.84	Nudelman Bros.	593.50
Chehalem Animal Clinic	87.00	Nurnberg Scientific	186.11
Chehalem Valley Sr. Cit.	1,525.34?	Nu-Way Oil	96.25
Chevron, Inc.	30.00	Newberg Steel	33.55
Coast to Coast	164.31	Oregon Historical Society	270.68
Conrey Electric, Inc.	15.00	Oregon Meter Repair	214.00
Consolidated Supply	446.45	Pacific Water Works	425.95
Copy Office Products	143.02	Platt Electric	36.80
Crabtree Rock	280.50	Payless Drugs	59.88
Crowell Auto Parts	143.39	Power Transmission Products	223.82
Culligan	268.00	Prevention Magazine	11.97
Dawn Metal Fab	207.00	Quality Office Machines	53.70
Dents	74.49	PGE Co.	17,088.77
East-West Learning Corp.	134.60	Ranger Rick	10.50
Engineered Control Prod.	291.38	Rice Safety Equip.	106.25
Farmers Co-op Oil	413.72	Roberts Rent-All	2.00
FarmGro Supply	42.40	Rogers Machinery Co.	165.52
Ferron Janitorial Systems	718.56	S.D. Leasing	312.00
Fisher Electric	392.87	Short Story International	30.00
Fowler Tire	22.50	Spec Industries	391.30
Fox Union	50.00	Standard Electric Motor Serv.	99.80
Gainers Floral Shop	81.00	Stouffer's Dept. Store	75.99
Gaylord Bros.	122.80	Timberline	31.59
General Telephone	1,242.75	Tigard Paints	768.10
GFC	53.20	Umpqua Research	225.00
GoodYear Tires	1,192.42?	W.R. Grace	613.66
Hall's Heating	96.95	W.W. Grainger, Inc.	131.69
Helfrich Equip. Co.	47.50	Waide's Mobil	100.00
Home Laundry	36.35	Ward Harris, Inc.	378.24
Industrial Gasket, Inc.	174.67	Western Auto	45.54
Interarms	339.75	Westside Automotive	132.93
Johnson Furn. & Hdwe.	60.71	Willamette Ind.	55.05
Krohn's Appliance	28.00		
Les Schwab Tires	14.89		
London's Lawn & Garden	1.80		
Mahr, Terrence	142.50		
Meter Box Equip.	590.00		
Metro-West Oil	515.09		
		TOTAL:	41,096.21

[Handwritten signatures and initials]



Police Department
Herbert Hawkins
Chief of Police

February 7, 1983

414 E. First St.
Newberg, Oregon 97132
(503) 538-8321

Mike Warren
City Manager
City of Newberg
414 East First St
Newberg OR 97132

Dear Mike:

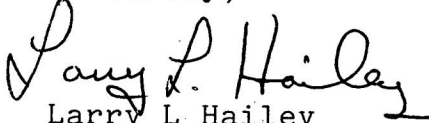
I would like to take this opportunity to express my appreciation for yours and the councils support in my attending the F.B.I. National Academy.

The F.B.I. Academy, in my opinion as well as other professionals, is the elite of all law enforcement schools in the nation.

I am very optimistic that the training received at the Academy will benefit both the Police Department and the citizens of Newberg in many varied ways, (I might add that it contributed towards my personal development as well.)

Again, I would like to express my thanks for what I feel was truly an opportunity of a lifetime.

Sincerely,


Larry L Hailey
Captain

LLH/mr
cc/City Council



Home of Old Fashioned Festival

ORDINANCE NO. 2108

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF IN THE CITY OF NEWBERG; AND REPEALING ORDINANCE NO. 1386, PASSED AND APPROVED OCTOBER 5, 1964, AS AMENDED.

The City of Newberg ordains as follows:

ARTICLE I
GENERAL PROVISIONS

SECTION 101. INTENT AND PURPOSE. The intent and purpose of this ordinance is to provide for the orderly functioning of the publicly owned wastewater collection and transport system and associated treatment works: to set forth uniform requirements for direct and indirect contributors to the wastewater collection and treatment system for the City of Newberg; and to enable the City to comply with applicable state and federal laws, particularly the Clean Water Act of 1977 (and Amendments thereto) and the general pretreatment regulations (40 CFR Part 403).

SECTION 102 OBJECTIVES. The objectives of this Ordinance are:

- A. To provide control of construction and use of the City Sewerage System:
- B. To prevent the introduction of pollutants into the municipal wastewater system which will interfere with the operation of the system or contaminate the resulting sludge:
- C. To prevent the introduction of pollutants into the municipal wastewater system which will pass through the system, into receiving waters or the atmosphere or otherwise be incompatible with the system; and
- D. To improve the opportunity to recycle and reclaim wastewaters and sludges from the system.

In achieving the objectives of this ordinance, it shall be the policy of the City to actively promote the health of the industrial community through accommodation, assistance and cooperation; consistent with the City's responsibility to protect

the waters of the state from pollution and to secure the health, safety and welfare of the residents of the community. To that end, this ordinance shall be implemented using good professional judgement; with associated decisions taking all known facts into consideration.

This ordinance provides for the regulation of direct and indirect contributors to the municipal wastewater system through the issuance of permits to certain nondomestic users, and through enforcement of general requirements for all users; authorizes monitoring and enforcement activities; assures that existing customers' capacity will not be preempted; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the programs established herein.

SECTION 103 ABBREVIATIONS AND DEFINITIONS

A. For the purpose of this ordinance, the following abbreviations mean:

1. BOD5 - Biochemical Oxygen Demand (five day)
2. CFR - Code of Federal Regulations
3. COD - Chemical Oxygen Demand
4. DEQ - Oregon Department of Environmental Quality
5. EPA - U.S. Environmental Protection Agency
6. l - Liter
7. mg - Milligram
8. mg/l - Milligrams per liter
9. NPDES - National Pollutant Discharge Elimination System
10. OSPSC - Oregon State Plumbing Specialty Code
11. POTW - Publicly Owned Treatment Works
12. RCRA - Resource Conservation and Recovery Act
13. SIC - Standard Industrial Classification
14. SWDA - Solid Waste Disposal Act, 42USC 6901, et. seq.
15. TSS - Total Suspended Solids
16. USC - United States Code

B. Unless the context specifically indicates otherwise, the following terms and phrases, as used in this ordinance, shall have the meanings hereinafter designated:

1. Act or "the Act". The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC 1251, et seq.

2. Authorized Representative of Industrial User. An authorized representative of an industrial user shall be:

(a) A principal executive officer of at least the level of vice-president, if the industrial user is a corporation;

(b) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; or (c) An agent of the industrial user who is responsible for the overall operation of the facilities from which the discharge originates.

3. Available Sewer. Any sewer that can be used without the need to acquire easements and sufficient grade exists to serve the property.

4. Biochemical Oxygen Demand (BOD-5). The quantity of dissolved oxygen utilized in the biochemical oxidation of organic matter over a period of 5 days at a temperature of 20 degrees Centigrade (as described in the American Public Health Association publication, Standard Methods for the Examination of Water and Wastewaters, current edition, or Guidelines Establishing Test Procedures for the Analysis of Pollutants, contained in 40 CFR 136.) This may be expressed in terms of either weight or concentration.

5. Building Drain. That part of the lowest horizontal piping of a building drainage system which receives the discharge from soil, waste, and other drainage pipes within or adjoining the building or structure, and conveys the same to the building sewer.

6. Building Official. The Building Official for the City of Newberg, Oregon, or his or her duly authorized representative or agent.

7. Building Sanitary Sewer. That part of the horizontal piping of a wastewater drainage system beginning five (5) feet or more from any building or structure, and which receives the discharge of the building drain and conveys it to a public sewer, private sewer, individual sewage-disposal system or other point of disposal.

8. Building Storm Sewer. That part of the piping of a storm water drainage system which begins at the connection to the building storm drain at a point five feet outside the established line of the building or structure, and conveys stormwater, surface water, and other unpolluted water to the public storm sewer, street, or other point of disposal.

9. Categorical Pretreatment Standards. National pretreatment standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced into a public sewerage system by specific industrial categories. These standards are promulgated in accordance with Section 307 (b) and (c) of the Act (33 U.S.C. 1347).

10. City or City of Newberg. The municipality of Newberg, Oregon, a municipal corporation of the State of Oregon, acting through the City Council or any board, committee, body, official or person to whom the Council shall have lawfully delegated the power to act for or on behalf of the City. Unless a particular board, committee, body, official or person is specifically designated in these rules and regulations, wherever action by City is explicitly required or implied herein, it shall be understood to mean action by the Director of Public Works of Newberg, Oregon or his or her duly authorized representative or agent.

11. Collection System. Facilities maintained by the City of Newberg for collecting, pumping, conveying and controlling wastewater.

12. Combined Sewer. A sewer receiving both surface runoff and wastewater.

13. Commercial User. The occupant or lessee of any premise used for commercial or business purposes which is not an industrial user as defined in this ordinance.

14. Compatible Pollutant. The pollutants of biochemical oxygen demand, suspended solids, pH, and fecal coliform bacteria, plus additional pollutants which the City treatment works may be specifically designed to treat.

15. Composite Sample. A series of samples mixed together so as to approximate the average strength of discharge to the sewer. A composite sample for one day shall consist of a pool of twenty-four samples, each taken hourly; unless special conditions warrant otherwise and the Director of Public Works designates an alternative acceptable procedure.

16. Control Manhole. A manhole installed as required by the Director of Public Works under the provisions of this ordinance; or if no manhole has been so installed, the term "control manhole" shall mean such point, as shall be determined by the Director of Public Works to which non-domestic wastes produced on the premises and discharged into a sanitary sewer are accessible for testing.

17. Cooling Water. The water discharged from any use to which the only pollutant added is heat.

18. Direct Discharge. The discharge of treated or untreated wastewater directly to the waters of the State of Oregon.

19. Director of Public Works. The Director of Public Works of the City of Newberg, Oregon, or his or her duly authorized representative or agent.

20. Discharge. The deposit of pollutants into the City Sewerage System.

21. Domestic Sewage. The liquid and water borne wastes derived from the ordinary living processes, free from industrial waste, and of such character as to permit satisfactory disposal without special treatment, into the public sewer or by means of a private sewage disposal system.

22. Domestic User. Any person who discharges only domestic sewage.

23. Drainage Water. Storm water, ground water, surface drainage, subsurface drainage, spring water, well overflow, roof drainage or other like drainage other than sewage or industrial wastewater.

24. Dwelling Unit. A facility designed for permanent or semi-permanent occupancy and provided with minimum kitchen, sleeping, and sanitary facilities for one family.

25. Environment. Any naturally occurring river, stream, creek, or other waterway, any land mass, the atmosphere, or any subsurface water, aquifer or ground water or any man made ediface directly or indirectly connected to waterways, land masses, atmosphere, or ground water as herein listed.

26. Flow. The daily total of wastewater flow from an industrial, commercial, or domestic user.

27. Garbage. Solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

28. Grab Sample. A wastewater sample which is taken from a waste stream on a one-time basis without regard to the flow in the waste stream and without consideration of time.

29. Holding Tank or Septic Tank Waste. Waste from chemical toilets, campers, trailers, septic tanks, tank trucks or other vessels.

30. Industrial Discharger/User. Any non-residential discharger who discharges industrial wastewaters directly or indirectly into the City sewer system.

31. Industrial Wastewater Discharge Permit. A permit to discharge industrial wastewaters into the City sewer system issued under the authority of this ordinance and which prescribes certain discharge requirements and limitations.

32. Industrial Wastewater. Any nondomestic liquid or semisolid from any producing, manufacturing, or processing operation of whatever nature (as distinct from sanitary sewage), and the contents of chemical toilets, septic tanks, and wasteholding tanks.

33. Institution. Any building or group of buildings used as a hospital, correction facility or university, publicly or privately owned.

34. Interference. The inhibition or disruption of the City wastewater collection and transport system, treatment processes or operations.

35. Lateral Sewer. Any side lateral off a sewer main line which is in the public right-of-way or easement, operated and maintained by the City and to which a building sewer connects or may connect.

36. Multifamily Dwelling. A building or portion thereof designed for occupancy by two or more families, living independently of each other.

37. National Pollutant Discharge Elimination System (NPDES) Permit. A permit issued pursuant to Section 402 of the Act (33 USC 1342).

38. National Prohibitive Discharge Standard or Prohibitive Discharge Standard. Any regulation developed under the authority of Section 307 (b) of the Act and 40 CFR, Section 403.5.

39. Natural Outlet. Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

40. OSPSC. The current edition of the Oregon State Plumbing Specialty Code, as adopted by the Oregon Department of Commerce.

41. Parameter. A characteristic of wastewater that may be measured or calculated and is used in this ordinance as a discharge limitation.

42. Person. Any individual, company, enterprise, partnership, corporation, association, society, or group, and the singular term shall include the plural.

43. pH. The negative logarithm (base 10) of the hydrogen ion concentration. The concentration is the weight of hydrogen ions in moles per liter of solution. It is a measure of the acidity or alkalinity of the wastewater. Neutral water, for example, has a pH of 7 and a hydrogen concentration of 10^{-7} .

44. Pollutant. Any spoil, waste, residue, sewage, garbage, sludge, munitions, chemicals, biological materials, radioactive materials, heat, rock, sand, dirt, soil, agricultural, municipal, or industrial material discharged into water.

45. Pollution. The degradation of the chemical, physical, biological or radiological quality of ground, surface, subsurface, or storm drainage waters by man, or the activities thereof.

46. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the City sewerage system.

47. Private Collection System. A privately owned and maintained lateral sewer system normally six or eight inches in diameter, installed to serve multiunit structures on single ownership properties, which cannot legally be further divided, such as apartments, mobile home parks, and schools. A single family residence with an unattached garage or shop with sanitary facilities is exempt from this definition.

48. Properly Shredded Garbage. The wastes from the preparation, cooking and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2-inch in any dimension.

49. Public Sewer. Any sewer in public right-of-way or easement operated and maintained by the City.

50. Publicly Owned Treatment Works (POTW). A treatment works as defined by Section 212 of the Act, (33 USC 1292) which is owned by the City.

51. POTW Treatment Plant. That part of the POTW designed to provide treatment to wastewater.

52. Residential User. The occupant or lessee of a dwelling unit as defined in this ordinance. Said dwelling unit may be a single family dwelling, or a portion of a multi-family dwelling.

53. Sanitary Sewer. A sewer which carries sanitary sewage and industrial wastewater and to which storm, surface and ground waters are not intentionally admitted.

54. Settleable Solids. Those solids that are capable of being settled in a standard Imhoff cone as outlined in Standard Methods.

55. Sewage. The wastewater derived from human habitation and use of buildings for domestic, commercial, institutional, or industrial purposes and free from industrial waste or drainage water.

56. Sewer. A pipe or conduit for carrying either sewage and industrial wastewater, or storm and surface waters and drainage.

57. Sewerage System. The entire sewage collection and treatment system, exclusive of building sewers. This includes all conduits, pumps, treatment equipment and any other components involved in the collection, transportation, treatment, and disposal of sanitary and industrial wastewater and sludge.

58. Sewer User. Any person using a City sewer; or who has a residence, multi-family, or commercial building, institutional building, industrial building, or other structure containing plumbing, requiring connection to a sanitary sewer as outlined by this ordinance.

59. Shall is mandatory; may is permissive.

60. Side Sewers. The City sewer between the property line and main or trunk sewer of the City sewer system, also called a lateral sewer.

8

61. Significant Industrial User. Any industrial user of the City POTW who:

- a) has a discharge which exceeds five percent (5%) of the capacity of the POTW treatment plant;
- b) is subject to promulgated National Categorical Pretreatment Standards;
- c) requires pretreatment in order to comply with the discharge limitations in this ordinance;
- d) is found by the Director to have significant impact, either singly or in combination with other contributing industries, on the collection or treatment system, the quality of sludge, the system's effluent quality or air emissions generated by the system.

62. Single Family Dwelling. Any residential building designed for occupancy by only one family.

63. Slugload. Any substance released in a discharge at a rate and/or concentration which causes interference to the POTW.

64. Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972; as amended from time to time.

65. Standard Methods. The examination and analytical procedures set forth in the most recent edition of Standard Methods for the Examination of Water and Wastewater, published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

66. Storm Drain. That portion of the storm drainage system that is within the public right-of-way or easement operated and maintained by the City. This may include, but is not limited to pipes, culverts, ditches, waterways or any other appurtenances used for the removal or transportation of rainwater or other unpolluted water.

67. Storm Sewer. A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastewater.

68. Suspended Solids. The total suspended matter that either floats on the surface or is in suspension in water or wastewater, and that is removable by laboratory filtering (as described in Standard Methods for the Examination of Water and Wastewaters, current edition, or Guidelines Establishing Test Procedures for the Analysis of Pollutants, contained in 40 CFR 136, as published in the Federal Register and referred to as nonfilterable residue.)
69. Superintendent. The person designated by the city to supervise the operation of the POTW, or a duly authorized representative thereof.
70. Toxic Pollutant. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA.
71. Trunk Sewer. A sewer ten inches or larger to which other lateral sewers connect. May in some cases serve as a lateral sewer.
72. Unpolluted Water. Water to which no sewage or industrial wastewater has been added; or water which has been used in such a manner that no pollutants have been introduced to the flow.
73. Upset. An exceptional incident in which a user unintentionally and temporarily is in a state of noncompliance with the discharge requirements set forth in this ordinance due to factors beyond the reasonable control of the user; and excluding noncompliance to the extent caused by operational error, improperly designed pretreatment facilities, inadequate pretreatment facilities, lack of preventive maintenance, or careless or improper operation thereof.
74. User or Users. Any person using the POTW.
75. Wastewater. Liquid or water-carried pollutants including any ground water, surface water, and storm water that may be present, whether treated or untreated, which is contributed into or permitted to enter the POTW.
76. Watercourse. A channel in which a flow of water occurs, either continuously or intermittently.
77. Water User. Any person using water through the facilities of the municipal water systems.

ARTICLE II
SEWER CONNECTIONS

SECTION 201. USE OF PUBLIC SEWERS REQUIRED.

- A. It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the City of Newberg, or in any area under the jurisdiction of said City, any human or animal excrement, garbage, or other objectionable waste.
- B. It shall be unlawful to discharge to any natural outlet within the City of Newberg, or in any area under the jurisdiction of said City, any sanitary sewage, industrial wastewaters or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance and as approved and specifically permitted as necessary by the Oregon Department of Environmental Quality.
- C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.
- D. The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the City of Newberg and abutting on any public street, alley or easement in which there is now located or may in the future be located a public sanitary sewer of the City, is hereby required at his expense to install suitable toilet and plumbing facilities therein and to connect such facilities directly with the proper side sewer in accordance with the provisions of this ordinance. Such connection shall be made within 90 days after the date of the official notice to do so; provided, that said public sewer is within 100 feet of any property line. For the purposes of this section, notice shall be deemed to have been received upon the mailing of said notice in accordance with Section 602 of this ordinance.
- E. Upon failure of said owner, lessee, or occupant to connect said premises to a public sewer, within the stipulated time, the Director, after giving said owner, lessee, or occupant an opportunity to be heard, may proceed to connect the premises to a public sewer, and the cost thereof shall be charged and become a City lien upon said property.

SECTION 202. PRIVATE SEWAGE DISPOSAL.

- A. Where a public sanitary sewer is not available under the provisions of Section 201D, the building sewer shall be connected to a private sewage disposal system complying with

the provisions of this article and with requirements of the OSPSC, Yamhill County Sanitarian, and the rules and regulations of the Oregon Department of Environmental Quality.

- B. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by a representative of the Oregon Department of Environmental Quality. That permit must also be signed by the Director for any proposed installation within the City's adopted Urban Growth Boundary.
- C. The type, capacities, location and layout of a private sewage disposal system shall comply with the requirements of the Oregon Department of Environmental Quality.
- D. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 201D, a direct connection shall be made to the public sewer in compliance with this ordinance; including payment of all connection and development fees. Any septic tanks, cesspools and similar private sewage disposal facilities shall be removed or abandoned and filled with suitable material as required by the Oregon Department of Environmental Quality. When public sewer service is obtained, the connection or connections to the premises being served shall be made ahead of the private disposal system. No connections shall be made to the effluent side of existing septic tanks or cesspools.
- E. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, including routine pumping, at no expense to the City. Evidence of untreated or partially treated wastewater on the ground surface shall be proof of an improperly functioning private sewage disposal facility.
- F. The provisions of this article shall be in addition to and not in derogation of the requirements of general law.

SECTION 203. SEWER CONNECTION PROCEDURES.

- A. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Director. Said permit shall specify the location where the connection (or other approved work) shall be made, the manner of making the connection, the nature of the waste to be discharged to the sewer, the name and address of the owner, and the name of the sewer installer who will be doing the work. No permit shall be issued unless the sewer to which connection is requested has been accepted as a part of the public or commonly maintained private sewer system. No permit shall be issued without payment of all appropriate connection and development fees,

including any delinquent assessments against the owner of the property.

B. There shall be two types of building sewer permits:

Type 1. for residential and commercial service, and

Type 2. for service to establishments producing industrial wastes.

There shall be the following classes of industrial users under the Type 2 sewer permit:

Class 1: Canneries, including food and animal processing

Class 2: Industrial users of water in the processing or monitoring of products

Class 3: All other industrial users

Additional classes of industrial users may be established by the City as needed.

In any case, the owner or his agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgement of the Director. Permit, connection and inspection fees for residential, commercial and industrial building sewer permits payable to the Director shall be in such amounts as provided for herein. All permit, connection, development, and inspection fees shall be paid to the Director at the time the connection application is filed.

C. Industrial and institutional users shall not use the public sewer for the discharge of industrial or any other wastes either directly or indirectly without first obtaining an industrial wastewater discharge permit as provided in Article IV of this ordinance.

D. Every establishment providing facilities for the emptying of sewage holding tanks on trailers shall obtain a permit to do so. Such facilities shall be maintained in a clean and sanitary condition and shall be so constructed that surface drainage cannot enter the sewer. Plans for such dumping facilities constructed after the effective date of this ordinance shall be approved by the Director prior to construction. The permit fees shall be the same as that required for a sewer connection and shall be in addition to the appropriate connection and developemnt permit fees.

E. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or

damage that may directly or indirectly be occasioned by the installation of the building sewer.

- F. 1. That on and after December, 5, 1979, the charges for sewer connections for Type 1 and Type 2 permits (residential, commercial, institutional, and industrial services as defined in Section 203B) shall be as follows, to-wit:

Size of Service	Charges
4"	\$525.00
6"	550.00
8"	575.00
10" and larger	Cost + 150.00

The foregoing charge shall include tapping the sewer main and the first forty (40) lineal feet of service lateral from the sewer main to the property line. Extension of the sewer main and/or the sewer lateral greater than forty (40) lineal feet shall be charged to the property owner at the rate of the City's actual cost for labor, materials, and equipment. If the service lateral to the property line exists at the time of the application for sewer service, the standard connection fee shall still be assessed; unless the service was for a previous dwelling (with authorized service) which has since been removed.

In addition thereto, there shall be added the amount of five hundred dollars (\$500.00) per dwelling unit (or for commercial or industrial users, dwelling unit equivalency thereof) as a Systems Development Charge. This charge is for the purpose of partially defraying the cost of capital improvements such as treatment plant expansions, construction of interceptor lines, and expansion of pump stations.

Dwelling unit equivalency shall have the same definition as used in Ordinance No. 1040 Section 4(2) (Water Connections). For the purpose of computation of dwelling unit equivalency for non-residential users, each six (6) sewer openings as defined herein, or any portion thereof, shall be deemed and considered a dwelling unit equivalency.

Any premises upon which a sewer connection has been made prior to the effective date of this ordinance shall upon adding additional residences or dwelling unit equivalencies thereof, pay such additional charges as shall be in effect upon the date of the issuance of the appropriate building permit.

All sewer connection and development fees shall be paid at the time the application for service is made. No building permits shall be issued or connections be made unless full payment is received; except as provided in Section 203 F6.

In the case where the sewer line or the lateral service line must be extended, the standard connection and development fees shall be paid in advance at the connection; and a statement shall be signed by the applicant agreeing to pay the additional costs of extension within thirty (30) days of the completion of work by the City.

2. Corner properties, to be used for single-family duplex construction, shall be charged on the basis of the number of service connections. The development fee shall be based on the number of dwelling unit equivalencies.

3. In the instance of commercial establishments, churches, schools, trailer courts, mobile home parks, multiple-family dwellings of three or more dwelling units, or another establishment requiring more area than an average residential lot or tract size, the fee shall be the same as in Subsection 1. hereof.

4. Each separate building or structure is hereby required to possess a sewer connection permit, irrespective of the fact that the same may be under one ownership or constructed upon one property; and the fact that the same may be connected by doorways, archways, walks or appurtenances thereto shall not alter or change this provision.

5. As used herein, the term "sewer openings" shall be defined to mean and include all lavatories, wash basins, toilets, bath tubs, showers, sinks, laundry trays, floor drains and any and all other fixtures or connections which shall provide an opening for sewage and waste to be drained into the sewer, but shall not include cleanout openings which are used solely for maintaining, repairing and/or cleaning the plumbing system on any premises.

6. Where existing premises are presently being served by a septic tank, the owner may apply for permission to pay the sewer connection and development fees in equal monthly installments, not exceeding 24 months. When aforesaid owner elects to pay said connection and development fees in monthly installments, the unpaid balance of said connection fee shall bear interest at the rate of 12 per cent per annum; and the unpaid balance of said connection and development fees, together with the interest charges thereof, shall constitute a lien upon the property until paid in full.

7. Revenue from connection fee and system development charges as defined in Subsection F1 hereof shall be paid into the sewer fund to partially defray the costs of sewage facilities improvements and construction of mains and interceptor lines.

G. Plans for all public and private sewer systems shall be reviewed and approved by the Director prior to construction.

Such plans shall conform to the requirements of the State Department of Environmental Quality, as well as City of Newberg standards prescribed by the Director. All public and commonly maintained private sewer systems shall be designed by a registered professional engineer. Although specific standards may apply in individual cases, general City standards are summarized below:

1. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Director, to meet all requirements of this ordinance.

2. The building sewer shall be cast iron pipe, ABS, PVC, or approved equal in accordance with the OSPSC. All joints and connections shall be made watertight and installed in accordance with the OSPSC. Any part of the building sewer that is located within 10 feet of a water service pipe shall be constructed of cast iron pipe. Cast iron pipe may be required by the Director where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast iron pipe; except that nonmetallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Director.

3. The size and slope of the building sewer shall be subject to the approval of the Director, but in no event shall the diameter be less than four inches. The slope of such four-inch pipe shall be not less than one-fourth inch per foot toward the point of disposal, except with the approval of the Director.

4. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. The depth shall be sufficient to afford protection from frost but in no case shall be less than one foot below the ground surface. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipes and fittings.

5. In all buildings in which any building sewer is too low to permit gravity flow to the public sewer, sanitary sewage carried by such sewer shall be lifted by approved artificial means and discharged to the building sewer.

6. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Director. Pipe laying shall be performed in accordance with pipe manufacturers recommendations. In no case shall broken or damaged pipe be used.

7. Sewer connections shall be made only to the single wye or tee branch in the lateral sewer for which the connection is designated. If no wye or tee is available, connection

shall be made by tapping the sewer main. Tapping of public sewers shall be done only by City crews or City authorized representative. The applicant shall obtain the necessary permits, make the necessary excavation and provide a safe trench in which the work can be accomplished.

8. Tapping of building sewers directly into manholes is prohibited except:

- a. Where provided for in original design and approved by the Director.
- b. When allowed by written permission of the Director because no other course is practical.
- c. Tapping shall be done only by outside drop to discharge at the base of the manhole.

9. All new construction of private sewers, including single family dwellings, shall conform to the OSPSC.

H. The drainage system of each new dwelling unit and/or building using an existing sewer shall be separate and independent from that of any other dwelling and/or building. Every dwelling and/or building under separate ownership shall have an independent connection with a public or private collection system.

I. When property being served by a private collection system is divided into two or more parcels with different ownership:

1. The private wastewater collection system may be transferred to the public system with the consent of the Director and provided the private collection system meets the current City standards, or:

2. The private collection system shall be reconstructed to meet the current City standards, or:

3. Individual sewer service connections to the public main will be provided by the private collection system owner.

J. All public or private sewer systems, whether publicly or privately constructed shall conform to current standards of design, materials, and workmanship prescribed by the Director. Failure to meet tests for water-tightness shall be grounds for refusal of acceptance. Permits to connect to such sewers will not be issued until the system is approved and accepted.

K. Reasonable notices shall be given to the Director to inspect all work in connection with the construction or reconstruction of any public sewer or connection thereof to a City sewer main while the work is still uncovered. All work shall be done according to the specifications prescribed by, and subject to the approval of the said Director.

L. It shall be the responsibility of the owner, leasee or occupant of a building to maintain said building sanitary sewer or private collection system in a free flowing and watertight condition, from the structure served to the public sewer of the property line.

M. New and existing private sewers will be periodically monitored by the City for leaks or discharges of extraneous water. This monitoring may take the form of, but is not limited to: direct visual observations; indirect measurements; television inspection; or air or water pressure tests, smoke tests or exfiltration tests.

If in the opinion of the Director, such monitoring shows a sewer to be defective, no further proof is needed for the Director to require the sewer be repaired to current standards.

Existing sewers exceeding a maximum allowable infiltration/inflow rate of more than 300 gallons per day per single detached living unit, 1,200 gallons per acre per day or 3000 gallons per day per inch-diameter mile of sewer are deemed unsafe and unsanitary and shall be repaired.

Those users who do not comply with the infiltration/inflow regulations shall have a period of time as determined by the Director, but not to exceed 90 days unless approved otherwise by the Director, to reach compliance with the regulations.

N. In every instance in which use of a septic tank or cesspool is discontinued for any reason, the septic tank or cesspool shall be pumped out and emptied of sewage and sludge, the top demolished, and refilled with clean sand or gravel.

O. 1. Before a building can be moved or demolished, a building permit must be obtained from the City Building official which requires that the sewer has been properly capped and inspected. No exceptions will be allowed.

2. All building sanitary sewers shall be capped at the public main in an approved manner by the property owner or his contractor and inspected by the City prior to closure of the excavation. EXCEPTION: If adequate proof can be given showing a sewer service is in usable condition and is to be reused, the Director may allow the service to be capped at the property line.

3. It is the Owner's responsibility to ensure that no other structure is connected to the sewer service being abandoned. If the line being abandoned is serving more than one structure, a service connection for the structure(s) still using the service must be provided, and the applicant shall relocate the sewer at his expense.

4. If the Director determines that capping at the main will cause undue hazard to the public or if a street has been recently resurfaced, a variance to this section may be granted to require that the sewer be capped as close to the main as is practical.

P. The connection of the building sewer into the public sewer shall be made in accordance with the provisions of Section 203 of this ordinance; and no person, firm or corporation shall make any sewer connection with any part of the sanitary sewer system of the City of Newberg, without complying with all provisions of this ordinance.

Q. The applicant for the building sewer permit shall notify the Director when the building sewer is ready for inspection and connection to the side sewer. The Director shall be notified at least three (3) working days prior to the date of the desired inspection.

R. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Director.

S. No direct connection shall be made between the sanitary sewer system and any opening which will drain rain runoff, surface water, or subsurface water.

T. Cleanouts shall be installed on all new building sewers. The cleanout shall be placed vertically above the flow of the pipe and at a point near the connection of the building sewer to the building drain.

U. All sewer and plumbing installations on private property to be connected with any sewer connection installed in accordance with this Ordinance, shall be installed in accordance with the provisions of the OSPSC and all ordinances, rules, and regulations of the City of Newberg applicable thereto; and said Director shall have the power to refuse to make or complete such sewer connection in the event of any failure to comply with the provisions of this paragraph.

ARTICLE III

DISCHARGE REGULATIONS

SECTION 301 GENERAL DISCHARGE PROHIBITIONS

A. No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW. Such pollutants include, but are not limited to, any of the following:

1. Waters or wastes containing substances in such concentrations that they inhibit or interfere with the operation or performance of any sewage treatment process, are not amenable to treatment or reduction by the sewage treatment process employed, or are only partially amenable to treatment such that the sewage treatment plant effluent cannot meet the requirements of any agency having jurisdiction over its discharge to the receiving waters or that prevents the use or disposal of sewage treatment plant sludge in accordance with applicable State and Federal regulations.

2. Any liquids, solids, or gases which by reason of their nature or quantity are or may be sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the operation of the POTW. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point within the system) be more than five percent (5%), nor any single reading over ten percent (10%), of the Lower Explosive Limit of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, sulfides and any other substances which the City has notified the user is a fire hazard or other hazard to the system.

3. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limit to: oil, fat, grease, garbage with particles greater than one-half inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, manure, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, glass grinding or polishing wastes, creosote, fish or fowl heads, lard, tallow, baking dough, chemical residues, paint residues or cannery waste bulk solids (i.e. solids greater than 1/2 inch in any dimension).

4. Any wastewater having a pH less than 6.0 or greater than 9.0, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW.

5. Any wastewater containing toxic pollutants in sufficient quantity, (either singly or by interaction with other pollutants), to: injure or interfere with any wastewater treatment process; constitute a hazard to humans or animals; create a toxic effect in the receiving waters of the POTW; or to exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Act.

6. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life, or are sufficient to prevent personnel entry into a sewer or pump station for maintenance and repair.

7. Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations promulgated by DEQ.

8. Any substance which will cause the POTW to violate its NPDES Permit or the receiving water quality standards.

9. Any wastewater with objectionable color not removed in the treatment process; such as, but not limited to, dye wastes and vegetable tanning solutions.

10. Any wastewater having heat in amounts which will inhibit biological activity in the POTW treatment plant resulting in interference; but in no case wastewater with heat in amounts such that the temperature at the treatment plant influent exceeds 40 degrees centigrade (104 degrees Fahrenheit). In no case shall wastewater exceeding 60 degrees Centigrade (150 degrees Fahrenheit) be introduced into the POTW.

11. Any slugload, which means any pollutant, including oxygen demanding pollutants (BOD-5, etc.) released in a single discharge episode of such volume or strength as to cause interference to the POTW.

12. Any material from a cesspool, wastewater holding tank, or septic tank. Septic tank pumpers may not discharge into the POTW, unless specifically authorized in writing by the Director.

13. Any radioactive material, except in compliance with the current "Oregon Regulations for the Control of Radiation" (OAR 333-22-150).

14. Any wastewater which causes a hazard to human life or creates a public nuisance.

15. Any unusual concentrations of settleable or suspended solids which may interfere with the operation of the POTW, or require extraordinary attention or expense to handle such material at the POTW treatment works.

16. Any unusual concentrations of dissolved solids which may interfere with the operation of the POTW; such as, but not limited to, sodium chloride, calcium chloride; and sodium sulfate.

B. When the Director determines that a user is contributing to the POTW any of the above enumerated substances in such amounts as to interfere with the operation of the POTW, the Director shall:

1. Advise the user of the impact of the contribution on the POTW; and

2. Develop effluent limitations for such user to correct the interference with the POTW.

C. 1. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof or parking lot runoff, sump pumps, subsurface discharge, or uncontaminated cooling water to a sanitary sewer.

2. Stormwater, all other unpolluted drainage, uncontaminated cooling water and any discharge permitted by DEQ, shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Director.

3. No person shall cause pollution of any water of the state or cause any waste to be placed in a location where such wastes are likely to escape or be carried into the storm drainage system and by said storm drains into the waters of the state.

4. Except as may be specifically permitted by DEQ, no person shall discharge into the storm drainage system any material listed in Section 301A of this ordinance, or any other material which may cause nuisance problems. However, this does not restrict the City from working cooperatively with any user in the user's efforts to obtain necessary discharge permits from DEQ.

D. 1. Effective with the adoption date of this Ordinance, all new restaurants employing an oil and/or grease process shall install an approved oil/grease trap before discharging to the POTW. In the case of other users (including pre-existing restaurants), grease, oil and sand interceptors shall be provided when, in the opinion of the Director, they are necessary for: the proper handling of liquid wastes containing oil or grease in excessive amounts as to cause plugging or maintenance problems within the collection system; any flammable wastes, and/or other harmful ingredients. Such interceptors shall be so located as to be readily and easily accessible for cleaning and inspection, and shall be approved by the Director prior to installation.

2. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperatures. They shall be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight.

3. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation. All cleaning residues shall be satisfactorily disposed of in an approved, environmentally acceptable manner.

SECTION 302 SPECIFIC DISCHARGE LIMITATIONS

A. It is unlawful for a discharger, who has an effective Industrial Waste Discharge Permit pursuant to Article IV of this ordinance to discharge wastes to the POTW in excess of the limitations established in the permit, or in violation of the prohibited discharge limitations in Section 301A. The Director shall establish Industrial Waste Discharge Permit limitations to the extent necessary to enable the City to:

1. comply with current National Pollutant Discharge Elimination System categorical and general pretreatment standards, and waste discharge requirements as promulgated by the U.S. Environmental Protection Agency and the Oregon State Department of Environmental Quality;

2. protect the public health and safety;

3. protect the receiving water quality;

4. protect the POTW; and

5. to comply with all other applicable Federal and State laws.

B. Unless stated in an effective waste discharge permit, or as may be amended by ordinance of the Newberg City Council to meet future needs, no person shall discharge into the POTW any wastewater containing materials in excess of the limits specified below:

Arsenic	1.0 mg/l
Boron	1.0 mg/l
Cadmium	0.5 mg/l
Chromium (Total)	5.0 mg/l
Chromium (Hexavalent)	1.0 mg/l
Copper	2.0 mg/l
Cyanide	1.0 mg/l
Lead	1.0 mg/l
Mercury	0.02 mg/l
Nickel	2.0 mg/l
Silver	1.0 mg/l
Zinc	2.0 mg/l
Phenolic Compounds (includes but is not limited to creosols and xylols)	1.0 mg/l
Total Oil and Grease (either soluble or n-hexane extractable)	100.0 mg/l

C. No user shall add or increase the use of potable or process water (or in any way attempt to dilute a discharge) as a partial or complete substitute for adequate pretreatment to achieve compliance with the standards and limitations set forth in this ordinance, or in an Industrial Waste Discharge Permit issued pursuant to this Ordinance.

D. The City reserves the right to establish by ordinance, resolution, or individual wastewater discharge permit, more stringent limitations or requirements on discharges to the POTW if deemed necessary to comply with the objectives presented in Section 102 of this Ordinance.

E. State of Oregon requirements and limitations on dischargers shall apply in any case where they are more stringent than Federal requirements and limitations or those in this ordinance.

F. Upon promulgation of federal categorical Pretreatment Standards, those standards shall supersede the limitations imposed by this ordinance if they are more stringent.

SECTION 303 FEDERAL CATEGORICAL PRETREATMENT STANDARDS

A. Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed under this Ordinance for sources in that subcategory, shall immediately supersede the limitations imposed under this Ordinance. The Director shall notify all affected users of the applicable reporting requirements under 40 CFR, Section 403.12.

B. Where the City's wastewater treatment system achieves consistent removal of pollutants limited by federal Categorical Pretreatment Standards, the City may apply to DEQ for modification of specific limits in the Categorical Pretreatment Standards. "Consistent Removal" shall mean reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system in 95 percent of the samples taken when measured according to the procedures set forth in Section 403.7(c)(2) of (Title 40 of the Code of Federal Regulations, Part 403) - "General Pretreatment Regulations for Existing and New Sources of Pollution", promulgated pursuant to the Act. The City may then modify pollutant discharge limits in the general pretreatment standards if the requirements contained in 40 CFR, Part 403, Section 403.7, are fulfilled and prior approval from the DEQ is obtained.

C. 1. Within 180 days after the promulgation of a Categorical Pretreatment Standard issued by EPA, the industrial waste discharger subject to such standard shall submit to the Director a report, as required by the EPA pretreatment regulations, which includes the following: a) the name and address of the facility and the name of the owner and operator; b) a description of all environmental control systems at the facility; c) a description of the operation; d) the average and maximum daily flow; e) the levels of the particular pollutants that are regulated in the standard; and f) a statement as to whether the applicable standards are being consistently met and, if not, what additional measures are necessary to meet them. This report shall be signed by an authorized representative of the discharger.

2. This report shall be completed in compliance with the specific requirements of Section 403.12(b) of the General Pretreatment Regulations for Existing and New Sources (40 CFR Part 403) promulgated by the Environmental Protection Agency on January 28, 1981, or any subsequent revisions thereto.

3. If the information required in Section 303C1 has already been provided to the Director, and that information is still accurate, the discharger may reference this information instead of submitting it again.

D. 1. Within 90 days following the date for final compliance with applicable Categorical Pretreatment Standards or, in the case of a New Source, before commencement of the introduction of wastewater into the POTW, any User subject to Categorical Pretreatment Standards and Requirements shall submit to the Director a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Categorical Pretreatment Standards and Requirements, and the average and maximum daily flow for these process units in the User facility which are limited by such Categorical Pretreatment Standards or Requirements. The report shall state whether the applicable Pretreatment Standards or Requirements are being met on a consistent basis and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the User into compliance with the applicable Categorical Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the Industrial User, and certified to by a qualified professional engineer.

2. This report shall be completed in compliance with the specific requirements of Section 403.12(c) of the General Pretreatment Regulations for Existing and New Sources (40 CFR Part 403) promulgated by the Environmental Protection Agency in January 28, 1981 or any subsequent revisions thereto.

3. If the information required in Section 303 D1 has already been provided to the Director, and that information is still accurate, the discharger may reference this information instead of submitting it again.

SECTION 304 PRETREATMENT REQUIREMENTS

A. Users shall provide necessary wastewater pretreatment as required to comply with this Ordinance, and shall achieve compliance with all federal Categorical Pretreatment Standards within the time limitations as specified by the federal pretreatment regulations. Any facilities required to pretreat wastewater to a level acceptable to the City shall be provided and maintained continuously in satisfactory and effective operation by the Owner, at his expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Director for review, and shall be acceptable to the Director before construction of the facility. The review of such plans and operating procedures will in no way relieve the

User from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the City under the provisions of this ordinance. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be approved by the Director prior to the user's initiation of the changes.

B. Unless specifically exempted by the Director in writing, any pretreatment requirements shall be incorporated in either: (1) an Industrial Waste Discharge Permit issued under Article IV of this ordinance and made a condition of issuance of such permit; or (2) a contractual agreement between the City and the affected facility and made a condition of the acceptance of the waste from that facility.

C. No person, by virtue of plan approval under Section 304A, shall be relieved of compliance with other laws of the City and of the State relating to construction and to permits.

SECTION 305 ACCIDENTAL DISCHARGES, SPILLS AND UPSETS

A. 1. Any user experiencing an upset in operations, or a spill, which places the discharger in a temporary state of noncompliance with this ordinance, or an Industrial Wastewater Discharge Permit issued pursuant to Article IV shall immediately notify the City of the upset or spill. Such notification shall include the location of the spill or discharge; type, concentration and volume of pollutant; any hazards which may be posed to life and/or property; and corrective actions proposed and/or being taken.

2. Within five (5) days following such an occurrence, the user shall submit to the Director a detailed written report outlining the following:

a. Description of the upset or spill, the cause thereof, and the upset's impact on the discharger's compliance status.

b. Duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance continues, the time by which compliance is reasonably expected to occur.

c. All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset or or spill, or other conditions of noncompliance.

3. A notice informing employees of the notification requirements, and containing a telephone number and/or individual to contact in the event of such an upset or spill, shall be posted in a conspicuous place, visible to all employees that may reasonably be expected to observe such a discharge.

4. Failure by any non-complying user (or employees thereof) to report such noncompliance in the manner provided above shall constitute a violation of this ordinance; and subject said user to the penalties set forth in Article VI. Each failure to report a discharge shall be considered a separate violation.

5. A documented, verified and bonafide operating upset may be considered in mitigation of any enforcement action brought by the Director under this Ordinance; provided the user complies with the notification and reporting requirements of this section.

B. Direct or indirect connections or entry points which could allow spills or uncontrolled discharges of hazardous or toxic substances or substances prohibited under Section 301A to enter the POTW shall be eliminated, labeled, or controlled so as to prevent the entry of wastes in violation of this ordinance. The Director may require the industrial user to install or modify equipment or make other changes necessary to prevent such discharge as a condition of issuance of an Industrial Waste Discharge Permit or as a condition of continued discharge into the POTW. A schedule of compliance shall be established by the Director which requires completion of the required actions within the shortest reasonable period of time. Violation of the schedule without an extension of time by the Director is a violation of this ordinance.

C. 1. Industrial or commercial users that handle, store or use hazardous or toxic substances or substances prohibited under Section 301A on their site shall prepare and submit to the Director a spill prevention plan within 90 days after receiving written notification to do so by the Director. The plan shall be directed at preventing the entrance of such substances, directly or indirectly, into the POTW. The plan shall be available for inspection at the facility during normal business hours and shall include, but not be limited to, the following elements: a) A description of the potential points of entry into the POTW; b) A description of the measures to be taken to prevent entry at the described points before a spill occurs; c) Measures to be taken to contain a spill if one occurs; and d) A description of employee training in the prevention and control of spills.

A valid Spill Prevention, Control and Countermeasure (SPCC) Plan required under the Federal Clean Water Act may be acceptable in lieu of developing a new spill prevention plan; provided the plan adequately addresses the elements required herein.

2. The Director may require revisions to an industrial waste discharger's spill prevention plan if the plan contains elements that are inadequate, as determined by the Director, or the discharger has a spill or uncontrolled discharge of a hazardous or toxic substance or a substance prohibited under Section 301A into the POTW.

ARTICLE IV

INDUSTRIAL WASTE DISCHARGE PERMITS

SECTION 401 REQUIREMENTS FOR A PERMIT

A. Except as provided in Section 401B, an industrial waste discharger shall have an Industrial Waste Discharge Permit prior to discharging into the POTW if:

1. The discharge is subject to promulgated National Categorical Pretreatment Standards; or
2. The discharge contains pollutants in concentrations or quantities that interfere or have the potential to interfere with the operation of the POTW, or increase the costs of operation of the POTW as determined by the Director; or
3. The discharge requires pretreatment, as determined by the Director, in order to comply with the discharge limitations in this ordinance; or
4. The discharge has a maximum instantaneous flow which exceeds five percent (5%) of the capacity of the POTW treatment plant.

- B.
1. Applicable dischargers that are in existence prior to the effective date of this Ordinance shall be notified in writing by the Director that an Industrial Waste Discharge Permit is required. Such existing dischargers shall be allowed to continue discharging into the POTW without an Industrial Waste Discharge Permit until a permit is issued or denied, provided the discharger files a completed application for an Industrial Waste Discharge Permit within ninety (90) days of the receipt of the notice.
 2. It is the expressed intent of this Ordinance that in the absence of a specifically identifiable problem requiring further pretreatment, existing dischargers shall retain their presently allocated discharge limits, including a reasonable margin for business growth. Such limits, however, may be subject to reduction under the provision of Section 305A of this Ordinance.
 3. Discharges that require an Industrial Waste Discharge Permit and are allowed to continue discharging without such a permit under Section 401B(1.) shall comply with Sections 301A, 302B through F, 305, 407 and 408 of this Ordinance.

SECTION 402 PERMIT APPLICATION

A. Application for an Industrial Waste Discharge Permit shall be made to the Director on forms provided by the Department of Public Works. The application shall not be considered complete until all information identified on the form is provided, unless specific exemptions are granted by the Director.

B. Completed applications for new permits shall be made within ninety (90) days after receiving the Director's written notification to do so; or longer if specifically authorized; or, for new discharges, at least ninety (90) days prior to the date the discharge is to begin. The required ninety day lead time for making application for a new discharge may be decreased by the Director if requested by the applicant for good and valid cause.

C. Existing industrial dischargers holding a current waste discharge permit shall apply for permit renewal sixty (60) days before the present permit expires. Information to be supplied by present permittees will consist of any changes from present permits that may have been made since the current permit was issued or any additional information that may be required by the Director.

SECTION 403 PERMIT ISSUANCE AND CONDITIONS

A. Industrial Waste Discharge Permits shall be issued or denied by the Director within 90 days after a completed application for a new permit is received, or within sixty (60) days after a completed renewal application is received. This time schedule may be extended by the Director if additional information or an outside consultant is needed to evaluate the application.

B. Industrial Waste Discharge Permits shall contain conditions which meet the requirements of this ordinance, as well as those of applicable State and Federal laws and regulations. Such conditions may include the following:

1. The current schedule of user charges and fees for the wastewater to be discharged to the POTW.

2. Limits on the average and maximum wastewater constituents and characteristics.

3. Limits on average and maximum rate and time of discharge or requirements for flow regulation and/or equalization.

4. Requirements for installation and maintenance of inspection and sampling facilities.

5. Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types, and standards for tests and reporting schedules.

6. Compliance schedules.

7. Requirements for submission of technical reports or discharge reports.

8. Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the Director, and affording City access thereto.

9. Requirements for notification to the City of any new introduction of wastewater constituents, or any substantial change in the volume or character of the wastewater constituents being introduced into the POTW.

10. Requirements for notification of excessive slugloads.

11. Other conditions as deemed appropriate by the Director to ensure compliance with this ordinance.

C. If pretreatment facilities are needed to meet the discharge requirements in the discharge permit, the permit shall require the installation of such facilities.

D. Whenever a discharge permit requires installation or modification of pretreatment facilities, or a process change necessary to meet discharge standards or spill control requirements, a reasonable compliance schedule shall be included which establishes the date for completion of the changes, and any appropriate interim dates. Such interim dates shall be no more than nine (9) months apart.

E. The initial permit shall be issued for one (1) year. Subsequent permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The user shall apply for permit renewal a minimum of 60 days prior to the expiration of the user's existing permit.

F. The Director may deny the issuance of a discharge permit if the discharge will result in violations of City, State or Federal laws or regulations; will overload or cause damage to any portion of the POTW; or will create an imminent or potential hazard to personnel.

SECTION 404. MODIFICATION OF PERMITS.

A. An Industrial Waste Discharge Permit may be modified for good and valid cause at the request of the permittee or at the discretion of the Director.

B. Permittee modification requests shall be submitted in writing to the Director and shall contain a detailed description of all proposed changes in the discharge. The Director may request any additional information needed to adequately prepare the modification or assess its impact.

C. The Director may deny a request for modification if the

change will result in violations of City, State or Federal laws or regulations; will overload or cause damage to any portion of the POTW; or will create an imminent or potential hazard to personnel.

D. If a permit modification is made at the direction of the Director the permittee shall be notified in writing of the proposed modification at least thirty (30) days prior to its effective date (except in the event of an emergency), and informed of the reasons for the changes. Any requirements for installation or modification of pretreatment and/or monitoring facilities, or process changes, shall include a reasonable time schedule for compliance.

E. A modification to the permittee's discharge permit must be issued by the Director before any significant change is made in the volume or level of pollutants in an existing permitted discharge to the POTW. Changes in the discharge involving the introduction of a waste stream(s) not previously included in the Industrial Waste Discharge Permit application or involving the addition of new pollutants shall be considered as new discharges, requiring application under Section 402.

F. Within nine months of the promulgation of a National Categorical Pretreatment Standard, the wastewater discharge permit of users subject to such standards shall be revised by the Director to require compliance with such standard within the time frame prescribed by such standard. Where a user subject to a National Categorical Pretreatment Standard has not previously submitted an application for a wastewater discharge permit as required by Section 401, the user shall apply for a wastewater discharge permit within 180 days after the promulgation of the applicable National Categorical Pretreatment Standard. In addition, any user subject to National Categorical Pretreatment Standards shall, within 180 days after promulgation of such standards, submit a report to the Director in accordance with Section 303C.

SECTION 405. PERMIT TRANSFER.

Wastewater Discharge Permits are issued to a specific user for a specific operation. A Wastewater Discharge Permit shall not be assigned, transferred or sold to another user, different premises, or a new or changed operation without the approval of the Director. Any succeeding user shall agree in writing to comply with the terms and conditions of the existing permit as a condition precedent to the approval by the Director of a transfer, sale, or assignment of the permit.

SECTION 406. REVOCATION OF PERMIT.

Any Industrial Waste Discharge Permit may be revoked as a result of violations of: this Ordinance, applicable state and/or federal regulations, or the conditions of the permit.

SECTION 407. PERMITTEE MONITORING AND REPORTING.

A. Any user that is required to have an Industrial Waste Discharge Permit pursuant to Section 401 shall submit to the Director during the months of June and December, unless required on other dates and/or more frequently by the Director, a report indicating the nature of the effluent over the previous six month period. The report shall include, but is not limited to, a record of the concentrations (and mass if limited in the permit) of the limited pollutants that were measured and a record of all flow measurements that were taken.

B. The frequency of the monitoring shall be determined by the Director and specified in the Industrial Waste Discharge Permit. If there is an applicable effective National Categorical Pretreatment Standard, the frequency shall not be less than that prescribed in the standard.

C. Flows shall be reported on the basis of actual measurement; provided, however, where cost or feasibility considerations justify, the Director may accept reports of average and maximum flows estimated by verifiable techniques or other method approved by the Director. However, pump timers or other indirect measurement devices will not be acceptable. The measured flows will be used to compute the sewer service charges.

D. The Director may require reporting by other users that are not required to have an Industrial Waste Discharge Permit if information and/or data is needed to: establish a sewer charge; determine the treatability of the effluent; or determine any other factor which is related to the operation and maintenance of the POTW.

E. 1. Periodic monitoring shall be performed by either the user or the City to insure compliance with this Ordinance and any associated permit. The Director may require self-monitoring by the user or, if requested by the user, may agree to perform the periodic compliance monitoring needed to prepare the periodic compliance report required under this section. Such monitoring shall be by any means appropriate to meet the requirements of this Ordinance and satisfy the needs of both the City and user.

2. If the Director agrees to perform such periodic compliance monitoring, the Director shall charge the user for the monitoring, based upon the costs incurred by the City for sampling and analyses. Any such charges shall be added to the normal sewer charge and shall be payable as part of the sewer bills.

3. The Director is under no obligation to perform the periodic compliance monitoring for a user.

4. Periodic compliance monitoring is that monitoring which is necessary to provide the information on discharge

quantity and quality required for the periodic compliance reports.

5. Samples of wastewater being discharged into the POTW shall be representative of the discharge, and shall be taken after pretreatment, if any, and before dilution by other water. The sampling method shall be one approved by the Director and one in accordance with good engineering practice.

6. Laboratory procedures used in the examination of industrial wastes shall be in accordance with those set forth in 40 CFR Part 136 and any amendments thereto. If there are no approved test procedures for a particular pollutant, then analyses shall be performed using other validated procedures approved by the Director.

F. The Director may require a user to install and maintain at the user's expense a suitable manhole in the user's building sanitary sewer, or other suitable monitoring access, to allow observation, sampling and measurement of all industrial wastes being discharged into the POTW. It shall be constructed in accordance with plans approved by the Director and shall be designed so that flow measuring and sampling equipment may be conveniently installed. Access to the manhole or monitoring facilities shall be available to City representatives at all times.

G. The flow measurement and sampling station shall be located and constructed at the user's expense in a manner acceptable to the Director. Complete plans for all phases of the proposed installation, including all equipment proposed for use, shall be submitted to the Director for approval prior to construction. Approved measuring and sampling facilities shall be installed and operating within ninety (90) days following written notification to do so by the Director. The Director may extend this schedule if specifically warranted by equipment delivery delays or construction/installation difficulties beyond the user's reasonable control.

H. All devices, access facilities and related equipment shall be installed by the user at the user's expense; and shall be maintained by said user so as to be in safe and proper operating condition at all times, and readily accessible to the Director and designated city employees or agents during the operating day.

I. The user shall keep flow and maintenance/operation records as required by the Director, and shall provide qualified personnel to properly maintain and operate the facilities.

J. Calibration of flow meters, pH recorders, and samples shall be performed annually (or as required) by a qualified technician. Maintenance and calibration adjustments shall be recorded daily and records shall be readily available to city inspectors. All costs for such calibration as well as maintenance, repair,

replacement or additional equipment needed to reliably and accurately monitor the discharge shall be the user's responsibility.

K. Bypassing pretreatment or measuring apparatus, shutting off samplers, diluting samples, or other action to defeat accurate measuring and sampling of waste discharges is prohibited.

SECTION 408. CITY INSPECTION AND SAMPLING.

A. Authorized City representatives may inspect the facilities of any user to determine compliance with the requirements of this ordinance. Facilities not having an Industrial Waste Discharge Permit shall be inspected at least annually. The user shall allow authorized City representatives to enter upon the premises of the user at all reasonable hours, for the purpose of inspection, sampling, records examination, or in the performance of any of the duties to insure compliance with this Ordinance. The City shall also have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. The right of entry includes, but is not limited to, access to those portions of the premises that contain facilities for sampling, measuring, treating, transporting or otherwise handling waste, and storing records, reports or documents relating to the treatment, sampling, or discharge of the wastes.

B. Where applicable, the user shall make arrangements with its employees so that upon presentation of their credentials, representatives from the City will be permitted to enter, without delay, for the purpose performing their specific responsibilities.

C. The following conditions for entry shall be used by City representatives:

1. The authorized City representatives shall present appropriate credentials at the time of entry;

2. The purpose of the entry shall be for inspection, observation, measurement, sampling or testing in accordance with the provisions of this ordinance;

3. The entry shall be made at reasonable times during normal operating or business hours, unless an emergency situation exists as determined by the Director.

4. All regular safety and sanitary requirements of the facility to be inspected shall be complied with by the City representative(s) entering the premises.

D. Samples that are taken by City personnel for the purposes of determining compliance with the requirements of this ordinance shall be split with the user (or a duplicate sample provided in the instance of fats, oils, and greases) if requested before or

at the time of sampling. The results of all city sample analyses and any inspection reports shall be provided to the user.

SECTION 409. CONFIDENTIAL INFORMATION.

A. Any records, reports or information obtained under this ordinance shall be available to the public or any governmental agency, unless classified by the Director as confidential. In order to obtain a classification of confidential on all or part of any records, reports or information submitted, the user shall: 1) submit a written request to the Director identifying the material that is desired to be classified as confidential and 2) demonstrate to the satisfaction of the Director that records, reports or information, or particular parts thereof, if made public, would divulge information, processes or methods of production entitled to protection as trade secrets of the user.

B. Information and data on discharge quantity and quality submitted pursuant to this ordinance shall not be classified as confidential.

C. Records, reports, or information or parts thereof classified as confidential by the Director shall not be released or made part of any public record or hearing unless such release is ordered by a court of competent jurisdiction. However, such confidential information shall, upon written request, be made available to State or Federal agencies having jurisdiction, duties or responsibilities relating to this ordinance, the National Pollutant Discharge Elimination System or State of Oregon waste disposal laws and regulations. Confidential information shall not be transmitted to any governmental agency by the Director until and unless a ten (10) day written notification is given to the user, and unless the governmental agency receiving the confidential information has procedures for safeguarding the information.

ARTICLE V

FEES

SECTION 501 PURPOSE

It is the purpose of this Article to provide for the recovery of costs from Users of the City's POTW for the implementation of the programs established by this ordinance. The applicable charges or fees shall be set forth in the City's Schedule of Charges and Fees.

SECTION 502 CHARGES AND FEES

The City may adopt, by Ordinance passed by the City Council, charges and fees which may include:

- A. Fees to fully recover the cost of operating and maintaining the POTW and its associated functions.
- B. Fees to provide appropriate development and/or depreciation funds for the replacement of major components of the POTW.
- C. Fees necessary to fulfill the city's obligations for any bonded indebtedness associated with POTW capital improvements.
- D. Fees for reimbursement of costs of setting up and operating the City's Pretreatment Program;
- E. Fees for monitoring, inspection and surveillance procedures;
- F. Fees for reviewing accidental discharge procedures and construction;
- G. Fees for permit applications;
- H. Fees for filing appeals;
- I. Fees to defray extraordinary costs associated with extra-strength industrial wastewaters.
- J. Other fees as the City may deem necessary to carry out the requirements contained herein.

These fees relate solely to the matters covered by this Ordinance and are separate from all other fees chargeable by the City.

ARTICLE VI

ENFORCEMENT

SECTION 601 HARMFUL DISCHARGES

A. The City may terminate or limit the wastewater treatment service, a wastewater discharge permit, and/or municipal water service when such termination or limitation is necessary, in the opinion of the Director, to stop an actual or threatened discharge which: presents or may present an imminent or substantial threat to the health and/or welfare of persons or the environment; causes interference or damage to the POTW; or causes the City to violate any condition of its NPDES permit.

B. Written notice of the termination or limitation shall be given in accordance with Section 602C of this Ordinance, and shall specify the date when the termination or limitation is to be effective.

C. Any person notified of a termination or limitation of the wastewater treatment service or the wastewater discharge permit shall immediately stop or limit the contribution. In the event of a failure of the person to comply voluntarily with the termination or limitation order, the Director shall take such steps as deemed necessary, including immediate severance of the sewer connection and/or termination of municipal water service, to prevent or minimize damage to the POTW or endangerment to any individual. The Director shall reinstate the wastewater discharge permit, the wastewater treatment service, and/or municipal water service, upon proof of the elimination of the noncomplying discharge. Such proof shall include a detailed written report submitted by the user in accordance with Section 305 of this Ordinance.

SECTION 602 VIOLATIONS, NOTIFICATIONS AND SHOW-CAUSE HEARINGS

A. A violation shall have occurred when any requirement of this Ordinance has not been met; or when a written request of the Director, made under the authority of this Ordinance, is not met within the specified time; or when a condition of a permit or contract issued under the authority of this Ordinance is not met within the specified time; or when permitted effluent limitations are exceeded, regardless of intent or accident; or when false information has been provided by the discharger.

B. Each day of continuing violation shall be considered as a separate violation.

C. Upon determination by the Director that a violation has occurred or is occurring, the Director may issue a written Notice of Violation to the user which outlines the violation and the potential liability. The Notice may further request correction

of the violation within a specified time and/or require written confirmation of the correction or efforts being made to correct the violation by a specified date. The Notice shall be either personally delivered to the discharger's premises or be sent certified mail, return receipt requested to the discharger's premises. If the user is a corporation, notification may be to the appropriate agent or officer. Emphasis shall be placed on resolving such violations through mutual cooperation, assistance and communication.

D. Upon determination by the Director that a violation has occurred or is occurring;

1. The Director may order the user to show cause why the proposed enforcement action should not be taken. A written notice shall be served on the user specifying the time and place of a hearing to be held by the Director regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the user to show cause why the proposed enforcement action should not be taken. Notification shall be made at least ten (10) days before the hearing, and in accordance with Section 602C of this Ordinance.

2. At any hearing held pursuant to this ordinance, testimony taken shall be recorded. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the costs thereof.

3. The Director shall forward a finding of fact and a resulting recommendation to the City Council via the City Manager. After the City Council has reviewed the evidence on the record, it may issue an order to the user responsible for the discharge directing that (following a specified time period), the sewer service be discontinued unless: a) adequate pretreatment facilities, devices or other related appurtenances shall have been installed; and/or b) existing pretreatment facilities, devices, or other related appurtenances are properly operated and maintained. Further orders and directives as are necessary and appropriate may be issued.

4. In situations that the Director determines to be emergencies (as defined in Section 603B3), the Director may order the discontinuance of sewer service in accordance with Section 603. City Council action is not required under such emergency conditions.

E. The City Council may initiate appropriate civil action through the City Attorney in a court of competent jurisdiction to enjoin a violation, and obtain corrective measures and any other appropriate relief if action under Sections 602 C and D has not satisfactorily resolved the violation.

SECTION 603 REVOCATION OF PERMIT AND/OR TERMINATION/SUSPENSION OF SERVICE

A. The Director may terminate a discharge into the POTW, revoke a permit, or suspend such discharge for a specified length of time if:

1. The discharge presents or may present an imminent and substantial danger to the health or welfare of persons or the environment, or causes interference with the operation of, or damage to, the POTW; or
2. The permit to discharge into the POTW was obtained by misrepresentation of any material fact or by lack of full disclosure; or
3. Directed by the City Council or a court of competent jurisdiction in accordance with Section 602.

B. Notice in accordance with Section 602C of this Ordinance, shall be provided to the user prior to revoking, terminating or suspending the discharge; and/or termination, revoking, or suspending the user's municipal water service.

1. In situations that are not emergencies, the Notice shall be in writing; shall contain the reasons for the revocation, termination or suspension; the effective date, and the name, address and telephone number of a City contact; shall be signed by the Director; and shall be issued no less than thirty (30) days prior to the date specified for revocation, termination or suspension.

2. In situations that are determined to be emergencies by the Director, the initial Notice may be verbal or written and shall contain the information required in Section 603B1. If verbal notice is given, it shall be followed within two (2) working days by a written notice. The effective date of the termination or suspension in emergency situations may be immediately after verbal or written notice has been given as required in this paragraph.

3. For the purposes of this section, an emergency situation is defined as a situation in which action must be taken as rapidly as possible in order to prevent or reduce an imminent and substantial danger to the health or welfare of persons, property, or the POTW.

C. Any user whose permit has been revoked, or whose service has been terminated or suspended, shall immediately stop all discharge of wastewater into the POTW. The Director may, without any liability for prosecution or damages, disconnect or permanently block from the POTW the connection of any user whose permit has been revoked, or whose service has been terminated or suspended, if such action is necessary to insure compliance with the order of revocation, termination or suspension. Similar

action to suspend the user's municipal water service may be taken if deemed necessary by the Director.

D. Except in emergency situations as defined in Section 603 B3, the filing of an appeal pursuant to Section 605 shall stay enforcement of the action by the Director under this subsection pending final administrative action on the appeal. This provision supplements and does not restrict other provisions of this ordinance, laws or regulations authorizing termination of service for delinquency in payment of fees or charges.

E. Decisions by the Director to terminate or suspend a discharge shall be made after due consideration of all known facts. Said termination or suspension may be directed to only specific, non-complying flows within a facility. This section does not universally require the termination of all user operations; particularly if some operations are not wastewater contributions.

SECTION 604 PUBLIC NOTIFICATION

The City shall annually publish in the daily newspaper any significant violations of the pretreatment standards as defined in 40 CFR Part 403.8 (f)(vii), together with a summary of enforcement actions taken. All records relating to compliance with pretreatment standards shall be made available to officials of the EPA or DEQ upon written request.

SECTION 605 APPEALS

A. Any person aggrieved by any decision or action of the Director under this ordinance may file a written request with the City Manager for reconsideration thereof within ten (10) days of notification of such decision or action. The notice of appeal shall be on a form provided by the Director and shall set forth in reasonable detail the decision or action appealed from and the facts and arguments supporting the appellant's request for reconsideration. The City Manager shall render a final written determination within ten (10) days of the receipt of such request for reconsideration. The City Manager may establish such procedures as may be deemed necessary or proper to conduct the reconsideration process. The filing of a request for reconsideration shall be a condition precedent to the right to appeal to the City Council pursuant to Section 605B. The filing of an appeal shall not stay enforcement of the action by the Director in emergency situations as defined in Section 603 B 3.

B. Any person aggrieved by the final determination of the City Manager may appeal such determination to the City Council within ten (10) days of notification by the City Manager of his final determination. Written notification of such appeal shall be filed with the City Council and City Manager (together with the payment of a fee of \$50.00) within ten (10) days after receipt of the final determination of the City Manager, and shall set forth in reasonable detail the decision or action appealed

from, and the facts and arguments supporting the appellant's request for reversal or modification of the City Manager's determination.

The City Council shall conduct a hearing on the appeal according to procedures established by the Council. Said hearing shall be conducted at the earliest possible regularly scheduled Council meeting, with final Council action being taken on the appeal within sixty (60) days after its initial filing.

SECTION 606 RECORDS RETENTION

All users subject to this Ordinance shall retain and preserve for no less than three (3) years, any records, books, documents, memoranda, reports, correspondence and any and all summaries thereof, relating to monitoring, sampling and chemical analyses made by or in behalf of a discharger in connection with its discharge. All records which pertain to matters which are the subject of any enforcement or litigation activities brought by the City pursuant hereto shall be retained and preserved by the user until all enforcement activities have concluded, and all periods of limitation with respect to any and all appeals have expired.

SECTION 607 FALSIFYING INFORMATION.

Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this ordinance or wastewater discharge permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this ordinance shall be in violation of this Ordinance, and upon conviction, be punished as established by this Ordinance.

SECTION 608 PENALTIES AND COST RECOVERY

A. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, or uncover any structure, appurtenance or equipment which is a part of the POTW. Any person violating this provision shall be guilty of a civil violation and, upon conviction thereof, shall be punished by a fine not to exceed \$1,000. Each day of continuing violation shall constitute a separate offense.

B. Any user who is found to have violated an Order of the City Council or who willfully or negligently failed to comply with any provision of this Ordinance, and the orders, rules, regulations and permits issued hereunder, shall be guilty of a civil violation and upon conviction, may be fined a maximum of \$1,000 for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the City may recover reasonable attorney's fees, court costs, court reporters' fees and other expenses of litigation by appropriate court action

against the person found to have violated this Ordinance or the orders, rules, regulations and permits issued hereunder.

- C. 1. The Director shall recover all reasonable costs incurred by the City as a result of a violation of this Ordinance. Said costs include, but are not necessarily limited to: a) work necessary to prevent and/or repair damage to the POTW; b) additional treatment and similar extraordinary measures; c) any penalties levied against the City for violation of state and/or federal permits resulting from said discharge.
2. Notification of the costs to be recovered under Section 608 C 1 shall be in accordance with Section 602 C. Such notification shall state the specific violations(s), the damages and penalties sustained by the City, the costs of those damages and penalties, and the costs the Director has determined as attributable to the discharge and, therefore, billed to the discharger.
3. The costs are due and payable by the discharger upon receipt of the letter.
4. The Director may (with the concurrence of the City Manager) terminate or suspend water service and/or discharge service for nonpayment of costs that the user has been ordered to pay by the City.
5. The City Council may, through the City Attorney, place a lien against the discharger's property for nonpayment of costs that the user has been ordered to pay by the City.

SECTION 609 SEVERABILITY

If any provision, paragraph, word, section or article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and chapters shall not be affected and shall continue in full force and effect.

SECTION 610 CONFLICT

All other Ordinances and parts of other Ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 611 REPEAL

That Ordinance No. 1386 of the City of Newberg, Oregon, entitled:

"AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM; PROVIDING PENALTIES FOR VIOLATIONS THEREOF IN THE CITY OF NEWBERG; AND REPEALING CERTAIN ORDINANCES,"

passed and approved October 5, 1964, as ammended, be and the same hereby is repealed.

PASSED by the City Council this 7th day of February, 1983.

AYES: _____	Nays: _____	ABSTAIN: _____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Arvilla Page, City Recorder

APPROVED by the Mayor this 8th day of February, 1983.

Elvern Hall, Mayor

ACCOUNTS PAYABLE
FEBRUARY, 1983

2/83 Council

Al's Family Dining	2.55	McGraw Hill	146.65
Allen Machinery	50.00	Mahr, Terrence	75.00
Alpha Office Systems	1,035.00	Martin & Wright	247.38
Amps Co.	654.15	Midget Motors	185.00
Barker's Auto Supply	15.87	Naps IGA	7.87
Bantam Books	9.69	Nessco Supply	202.00
Bearings, Inc.	90.56	Newberg Auto Parts	99.61
Brass Key	4.70	Newberg Community Hospital	937.85
Burroughs Corp.	33.00	Newberg Electronics	45.25
Butler Chevrolet	26.94	Newberg Graphic	56.05
Buy Wise Drugs	4.16	Newberg Human Resources	1,000.00
C & G Auto Repair	24.50	Newberg Lock & Key	64.75
Callaghan & Co.	76.50	Newberg River Rock	904.75
Camera Quarters	7.84	Newberg Typewriter	164.00
Chehalem Printing	171.40	Northwest Business Systems	208.05
Chehalem Valley Sr. Cit.	1,525.34	Northwest Law Enforcement	271.74
Chevron, USA	14.51	Northwest Natural Gas	1,479.89
Coast to Coast	274.98	Nurnberg Scientific	24.40
Consolidated Supply	828.06	Oregon Business	18.00
Continental Coating Corp.	185.00	Oregon Historical Soc.	132.12
Copy Office Products	2,734.17	Pacific Safety Supply	256.00
Crabtree Rock	382.50	Pay Less Drugs	72.00
Crowell Auto Parts	83.02	Platt Electric	55.20
Culligan	34.50	Portland Precision Inst.	263.44
Dawn Metal Fab	142.00	Portland General Electric	1,750.00 *
Dents	19.28	Queen Pump	64.84
Dictaphone	4,453.53	Riley Studio	35.50
Farmer's Co-op Oil	52.90	Rimkeit, Gene	611.28?
FarmGro Supply	75.95	S. D. Leasing	312.00?
Fence Master	815.00?	Sanderson Safety Supply	60.70
Ferron Janitorial	643.56	Shannon & Co.	38.82
Fisher Electric	91.70	Shari's	3.45
Fowler Tire	54.78	Spec Industries	914.08?
Fox Union	55.00	Stouffer's Dept. Store	17.49
Frames & Things	111.80	Statesman Journal	9.75
Freeman Mutuels	15.00	Tek Chemical	55.85
Gaylord Bros.	70.65	Thorndike Press	44.55
George Fox College	123.20	Tigard Paints	111.00
General Telephone	1,132.57	Traffic Safety Supply	897.85
Grolier Year Book, Inc.	17.45	Unified Sewerage Agency	145.00
Hartco Products Co.	15.50	Vulcan Binder & Cover	51.24
Home Laundry	46.50	W. R. Grace	536.29
Huser Sales & Service	50.00	W. W. Grainger	58.26
John's Electric	42.50	Waide's Mobil	25.00
Johnson Furn. & Hdwe.	123.88	Water, Food & Research	284.00?
Jones Chemicals	1,950.00?	West Publishing	32.50
Kilham Stationery	9.94	Western Auto	19.65
Lanier Business Products	177.74	Westside Automotive	253.45
Les Schwab Tires	17.50	Wilco Fire Equip.	31.45
Little Fire Equip.	52.50	Will, Rena Buck	4.75
London's Lawn & Garden	2.00	Ziprint	685.00
Lumbermen's	420.57	Brodart, Inc.	18.81
McCabe Lock & Key	50.80		
McGarvey, Len	115.64		
		TOTAL:	33,207.94

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ACCOUNTS PAYABLE
FEBRUARY, 1983

Edmond

Al's Family Dining	2.55
Allen Machinery	50.00
Alpha Office Systems	1,035.00
Amps Co.	654.15
Barker's Auto Supply	15.87
Bantam Books	9.69
Bearings, Inc.	90.56
Brass Key	4.70
Burroughs Corp.	33.00
Butler Chevrolet	26.94
Buy Wise Drugs	4.16
C & G Auto Repair	24.50
Callaghan & Co.	76.50
Camera Quarters	7.84
Chehalem Printing	171.40
Chehalem Valley Sr. Cit.	1,525.34
Chevron, USA	14.51
Coast to Coast	274.98
Consolidated Supply	828.06
Continental Coating Corp.	185.00
Copy Office Products	2,734.17
Crabtree Rock	382.50
Crowell Auto Parts	83.02
Culligan	34.50
Dawn Metal Fab	142.00
Dents	19.28
Dictaphone	4,453.53
Farmer's Co-op Oil	52.90
FarmGro Supply	75.95
Fence Master	815.00
Ferron Janitorial	643.56
Fisher Electric	91.70
Fowler Tire	54.78
Fox Union	55.00
Frames & Things	111.80
Freeman Mutuels	15.00
Gaylord Bros.	70.65
George Fox College	123.20
General Telephone	1,132.57
Grolier Year Book, Inc.	17.45
Hartco Products Co.	15.50
Home Laundry	46.50
Huser Sales & Service	50.00
John's Electric	42.50
Johnson Furn. & Hdwe.	123.88
Jones Chemicals	1,950.00
Kilham Stationery	9.94
Lanier Business Products	177.74
Les Schwab Tires	17.50
Little Fire Equip.	52.50
London's Lawn & Garden	2.00
Lumbermen's	420.57
McCabe Lock & Key	50.80
McGarvey, Len	115.64

McGraw Hill	146.65
Mahr, Terrence	75.00
Martin & Wright	247.38
Midget Motors	185.00
Naps IGA	7.87
Nessco Supply	202.00
Newberg Auto Parts	99.61
Newberg Community Hospital	937.85
Newberg Electronics	45.25
Newberg Graphic	56.05
Newberg Human Resources	1,000.00
Newberg Lock & Key	64.75
Newberg River Rock	904.75
Newberg Typewriter	164.00
Northwest Business Systems	208.05
Northwest Law Enforcement	271.74
Northwest Natural Gas	1,479.89
Nurnberg Scientific	24.40
Oregon Business	18.00
Oregon Historical Soc.	132.12
Pacific Safety Supply	256.00
Pay Less Drugs	72.00
Platt Electric	55.20
Portland Precision Inst.	263.44
Portland General Electric	1,750.00 *
Queen Pump	64.84
Riley Studio	35.50
Rimkeit, Gene	611.28
S. D. Leasing	312.00
Sanderson Safety Supply	60.70
Shannon & Co.	38.82
Shari's	3.45
Spec Industries	914.08
Stouffer's Dept. Store	17.49
Statesman Journal	9.75
Tek Chemical	55.85
Thorndike Press	44.55
Tigard Paints	111.00
Traffic Safety Supply	897.85
Unified Sewerage Agency	145.00
Vulcan Binder & Cover	51.24
W. R. Grace	536.29
W. W. Grainger	58.26
Waide's Mobil	25.00
Water, Food & Research	284.00
West Publishing	32.50
Western Auto	19.65
Westside Automotive	253.45
Wilco Fire Equip.	31.45
Will, Rena Buck	4.75
Ziprint	685.00
Brodart, Inc.	18.81

TOTAL:

33,207.94

Q.B.
AM

C.Mc

Monday, 7:30 P.M.

January 3, 1983

A REGULAR MEETING OF THE
NEWBERG CITY COUNCIL

Council Chambers

Newberg, Oregon

The meeting was called to order by Mayor Elvern Hall.

The oath of office was administered to reelected councilmembers Roger Gano, Alan Halstead and Tommy Tucker; newly elected councilmember John Poet; reelected Mayor Elvern Hall.

Roll Call:

Present -	Maybelle DeMay	John Poet
	Roger Gano	Quentin Probst
	Alan Halstead	Richard Rementeria
	C. Eldon McIntosh	Tommy Tucker

Staff Present - Michael Warren, City Manager
Alan Barnes, Building Official
Richard Faus, City Attorney
Herbert Hawkins, Chief of Police
Clay Moorhead, City Planner
Arvilla Page, City Recorder
John Paola, Fire Chief
Robert Sanders, Public Works Director
Doreen Turpen, Librarian

Also Present - Approximately 30 citizens

Mayor Hall presented his annual State of the City Address. He noted several significant events during the past year. One of the most significant events was adoption of a new, updated City Charter which creates a position of City Manager and does away with the requirement that all ordinances be read in full.

Consent Calendar: Motion: Gano-Halstead to adopt the Consent Calendar as follows:

1. Approve minutes of December 6, December 16, 1982.
2. Communication from Art Stanley regarding resignation from the Planning Commission.
3. Communication from Bud Curry, Mt. View Mobile Home Court, thanking City for assistance with drainage problem.
4. Communication from Consultants Northwest, Inc. thanking City for assistance to City of Dayton.
5. Communication from Senate Republican Leader Tony Meeker thanking Mayor for recent congratulatory letter.
7. Communication from City of Dayton regarding assistance provided by Newberg.

Motion carried unanimously.

Councilmen Gano and Halstead questioned the Finance Officer on some of the figures in the Long Range Estimate Fiscal Projection Report which was on the consent calendar as item number 6. Motion: Gano-Tucker to approve item 6 on the consent calendar. Carried unanimously.

Requests from Floor and Communications:

The City Manager reported that a request had been received from Park and Recreation and from Dave Sturdevant, President of the Newberg Horseshoe Club regarding use of City owned property adjacent to Memorial Park for horseshoe courts. The Park District is willing to maintain the horseshoe pits and willing to lease the land from the City for \$1.00 per year. The Park Board further recognizes and agrees that should the City Council approve the request, it will not cause the land to be part of Memorial Park or used for park and recreation purposes. There is a section within the City Charter called Use of Public Parks. This section requires that no construction can be done in City parks without a vote of approval by the citizens. The property in question has been purchased by the City for possible future location of a civic center. It must be clearly understood by the citizens that using this piece of property temporarily for recreation purposes does not cause it to be part of the parks. The City Manager recommended approval of the request.

Sharon Hatfield, 1306 E. Second Street, a member of the Park and Recreation Board affirmed that the Park and Recreation would maintain the horseshoe pit area along with Memorial Park. They have no intention of using this method to obtain more park land.

Mayor Hall stated that he wanted it to be very clear this property is not part of the parks and was purchased as possible future building site.

Motion: Tucker-McIntosh to approve the request with the recommendations of the City Manager. Carried unanimously.

Motion: Gano-Tucker that the Council consider adjournment at 10:00 P.M. Carried unanimously.

Public Hearing:

A public hearing on the proposed Big Fir Landfill. The Mayor set time limits of 10 minutes for the proponents and opponents on the issue.

Angus MacPhee, 2300 Alder Lane, Newberg, landfill owner and developer. Mr. MacPhee stated there has been concern voiced regarding the number of trucks moving through Newberg. There are 1,292 in the traffic count. Adding 100 more trucks per day would be an increase of 7.7%. The transfer station located in Newberg will prevent any increase in rates in Newberg. It will have to pay its own way though. There are few complaints from the City from the present operations. Not all of the proposed Big Fir site, which is 800 acres, would be landfill. A nursery will be using the majority of the land. In the future methane gas will be piped off the landfill. Mr. MacPhee stated that he had previously stated all of the needs for a local landfill.

Dick Sadler, Rt. 1, Box 679A, Dundee, spoke in opposition. He stated the landfill is a complicated issue with many concerns. Siting of a landfill is difficult and dangerous. Especially one the size of the proposed Big Fir Landfill. The proponent has not presented an operational or economic plan. The question of whether Metro would use this landfill has come up over and over again. Metro has probably made and is proceeding with a plan that does not include this site. Local needs do not require a site such as this which would be the second landfill in the county. The land use planning criteria have not been met for this site. Yamhill County is at the threshold of the next big growth push. Siting of a landfill will have negative

impact. The offer of free operation of the transfer station should not be considered as part of the landfill siting issue.

Tom Currin, Rt. 1, Box 680, Dundee, spoke in opposition stating time is of the essence. Request to site this landfill is not valid as St. John's Landfill is good for another 5 years. There is no need for Metro to haul to Newberg. It is a dangerous precedent to allow Metro to come to Newberg without true need. There is an experiment in technology going on at Riverbend Landfill. Siting of an additional landfill should be delayed until more is learned from the experiment.

Marsha Mathiason, Rt. 2, Box 251, Newberg, presented petitions in opposition to the landfill with 5,313 signatures which were gathered since December 6th in the Newberg and Dundee area. She stated it is not in the best interests of Newberg or Yamhill County to site a new landfill at this time. Proponents are not looking enough at local needs. Local need can best be served by hauling to Riverbend which is 15 miles. Beaverton is now hauling 26 miles.

Denny Brown, 800 E. North Street, Newberg, speaking in opposition stated his family owns a business, Riverwood Golf Course, adjacent to the proposed landfill. No one wants to live next to a dump. Nor does a golf course. This is more than an issue of not wanting to be located next to a landfill, there is no public need for this landfill.

Roger Worrall, 215 N. Center, Newberg, spoke in opposition. He stated the basis for need is based on 1/3 of Metro garbage. This would be 15 - 18 wheel trucks per day traveling through Newberg. The landfill is a private business and it would expand.

Richard Nilles, 209 Ione, Dundee, stated he agreed there is no need for the landfill in this area. Extra traffic in the downtown area is not needed.

No other proponents or opponents wished to be heard. Public hearing closed.

Councilman Gano asked Mr. Sadler whether he was a sanitary engineer. He stated he was not. The County ordinances set out long and involved criteria, none of these criteria have been addressed. No technical study has been done on the site to determine if it is acceptable.

Councilman McIntosh pointed out that siting of a landfill that size is potentially dangerous because of gas and ground water contamination. Also, potentially dangerous things can end up in the landfill.

Councilman Halstead asked Mr. MacPhee when the traffic study was made. Mr. MacPhee responded it was made in 1980.

Councilman Tucker questioned Mr. MacPhee about Ezra Cook's statement at the previous landfill siting hearing when he spoke of not wanting Newberg or Metro material at the Riverbend site. Also, if Mr. Cook's landfill would not pay its own way, who will pay for the landfill. Mr. MacPhee responded the Riverbend Landfill will pay its own way. The proposed Wildwood site is the only thing that Metro has under consideration. Councilman Tucker asked Mr. MacPhee if he has to pass all DEQ standards if he gets the go ahead from the County for this landfill. Mr. MacPhee responded that yes he would. He could not proceed until the DEQ approved. DEQ inspections are funded by fees charged on each ton coming into the landfills. Mr. MacPhee stated there are 60,000 yards of fill material from the Dundee/Newberg area each year.

Councilmembers asked Mr. MacPhee additional questions about how many trucks are now coming to Newberg. There are 35. How many employees he now has. There are 10. Whether consideration has been given to hauling by rail. It is not possible for several reasons such as time scheduling and cost. Does Metro have a commitment to Mr. MacPhee. Mr. MacPhee stated yes and also Washington County.

Motion: Probst-Rementeria to disapprove the siting of the Big Fir Landfill based on the reasons given in the Planning Commission report which were as follows:

1. Adverse traffic impacts would be created on our downtown core area.
2. The proposed landfill does not serve the City of Newberg's immediate community needs.
3. Alternative disposal systems may better serve the community's needs such as the use of the Riverbend site or other sites and systems more appropriate to the size of our community.

After further discussion regarding the motion and the Planning Commission's reasons for disapproving the Council voted as follows: Aye - DeMay, Probst, Rementeria; Nay - Gano, Halstead, McIntosh, Poet, Tucker. Motion failed.

Motion: Halstead-Gano to approve the Big Fir Landfill site. After further discussion of the motion and the issue the Council voted as follows: Nay - DeMay, Halstead, Probst, Rementeria; Aye - Gano, McIntosh, Poet, Tucker. The Mayor voted aye. Motion to approve passed.

Public Hearing:

Sewer User Ordinance.

The Public Works Director stated that the ordinance has been considered and reviewed several times by the Public Works Committee and by industrial users. Public hearing is not required, but because of the nature of the ordinance, a public hearing has been scheduled. DEQ regulations require that the ordinance be adopted with pre-treatment requirements by January 1, 1983. Meetings were held with the affected industries. Steve Downs, consultant, has additional recommendations.

Al Blodgett, 102 E. Fifth, Newberg, asked where does the restaurant industry fit into the ordinance. Mr. Sanders, the Public Works Director, responded that the amount of grease discharged is the concern. There is no problem at present but new restaurants will be required to install grease traps.

Public hearing was continued to February 7, 1983.

Steve Downs, Westech Engineering, Salem, reported that he had visited 3 or 4 of the industries for response. Their main concern is authority. There is provision in the ordinance for termination of sewer and water service if problems are not corrected. He stated he is recommending some modification of the language in the ordinance to address the industry's concerns about authority.

The City Manager reported that the next Council Seminar will be on January 13, 1983 at 6:30 p.m. at the Hospital.

Old Business:

Report on amusement device ordinance and fee schedule. The City Manager reported that the school liaison officer was not funded by the School District this year.

The increase in the amusement machine license was proposed as an offset of this lost revenue which supported the liaison officer position. The amusement machines license fee had not been changed since 1963. Operators protested the proposed fees stating that the economy was bad and the proposed fee was too high. They also stated they were working for state licensing. The Council decided to wait until the end of the calendar year and review the matter again. The purpose of increasing the tax is to fund a much needed service. He stated that he would recommend that there be a \$25.00 fee on each device, regardless of the number at any location.

Motion: Tucker-McIntosh to approve the recommendation of the City Manager.

Al Blodgett, stated he has two machines and agrees with the City Manager's recommendation.

Dale Goldsmith, operator of an arcade at West First Street, stated he has 19 machines. He stated he has not reached the breakeven point yet, even at the old fee of \$12.00 per machine. Other businesses are not taxed accordingly.

The City Manager stated this is not a new tax. A businessman coming to town knows that he has to pay some fee to operate the devices.

The vote on the motion to approve the recommendation of the City Manager that the fee be set at \$25.00 per machine per year carried unanimously.

Resolution No. 83-965, setting the fee schedule for amusement machines was read by the City Attorney. Motion: Gano-DeMay to adopt Resolution 83-965. Carried unanimously.

Motion: Halstead-McIntosh that the City collect the fee in a two step process in January and in July. Carried unanimously.

Status Report on Sewage Treatment Plant. The City Manager stated that this item would be reviewed at the Council Seminar.

Motion: Halstead-McIntosh to approve the Accounts Payable for December, 1982. Carried unanimously.

The Mayor made the following appointments:

All Councilmembers to retain their present committee assignments except John Poet will now be co-chairman of the Finance Committee and become a member of the Public Safety Committee. Joe Young was appointed to the Planning Commission to replace Art Stanley who has resigned. Leland Hall and Donna Proctor reappointed to the Budget Committee. Bill Dolan reappointed to the Hospital Board. Sally Adamson, John Cach and Jean Harris reappointed to the Planning Commission.

Motion: Halstead-Rementeria to approve the Mayor's appointments. Carried unanimously.

Motion: Halstead-Gano to unanimously elect Councilman Rementeria as President of the Council. Motion carried.

Motion: Gano-Rementeria to adopt Resolution No. 83-966 accepting the 1981-82 audit report. Carried unanimously.

Motion: Halstead-Tucker to adopt Resolution No. 83-967 new classified rate plan schedule. Carried unanimously.

Motion: Gano-DeMay to adopt Resolution No. 83-968 allowing City wider use of investments on idle funds. Carried unanimously.

Motion: Gano-Probst to adopt Resolution No. 83-964 honoring Ruth Gilman for her contribution to the City of Newberg. The resolution was read by Mayor Hall. Motion carried unanimously.

Motion: Probst-McIntosh to adjourn to January 13, 1983 at 6:30 p.m. at the Hospital. Carried unanimously.

CITY OF DAYTON

In the Heart of Oregon's Garden Spot

January 24, 1983

POST OFFICE BOX 338
DAYTON, OREGON 97114
Phone (503) 864-2221

RECEIVED
JAN 26 1983
CITY OF NEWBERG, ORE.
OFFICE OF RECORDER

Mr. Michael Warren, City Manager
City of Newberg
Newberg, Oregon 97132

Dear Mr. Warren:

It appears there will be some difficulty in selecting a single representative satisfactory to both the City of Lafayette and the City of Dayton to serve on the Cable Communications Commission. For that reason, the City of Dayton requests it be allowed to designate a commissioner specifically for our community.

Mr. Wayne Herring has been designated our Cable Communication Commissioner. Since the City of Lafayette has chosen not to designate Mr. Herring as their cable representative it is my request you accept Mr. Herring in the capacity of cable communications representative for the City of Dayton.

Please feel free to contact me if you have any questions.

Sincerely,


David J. Eggleston, Mayor
City of Dayton

DJE:jc

cc -- Paul O. Capron
Wayne Herring

111-2

CITY of LAFAYETTE

PHONE 864-2451

231 JEFFERSON ST. — P. O. BOX 55 — LAFAYETTE, OREGON 97127
JANUARY 25th, 1983

CITY OF NEWBERG
414 E. FIRST STREET
NEWBERG, OREGON 97132

RECEIVED
JAN 27 83

CITY OF NEWBERG, ORE.
OFFICE OF RECORDER

ATTENTION: MICHAEL WARREN
CITY ADMINISTRATOR

DEAR MR. MICHAEL WARREN.

In reference to our conversation on on Wednesday, January 19th, the City of Lafayette requests that our City have its own representative on the Cable Communications Commission. I have been in contact with the City of Dayton and they feel that they would like to have their own representative also on this commission.

If this is in agreement with you, we would like to have Larry Albertson, P.O. Box 424, Lafayette (864-3597) serve as our representative on this commission.

Thankyou very much!

Sincerely

Paul A. Capron

Paul A. Capron
Mayor



League of Oregon Cities

SALEM: Local Government Center, 1201 Court Street N.E., P.O. Box 928, Salem 97308, Telephone: (503) 588-6466

EUGENE: Hendricks Hall, University of Oregon, P.O. Box 3177, Eugene 97403, Telephone: (503) 686-5232

Salem, Oregon
January 18, 1983

RECEIVED
JAN 20 83

CITY OF NEWBERG, ORE.
OFFICE OF RECORDER

To: Selected Mayors and City Managers
From: Stephen C. Bauer, Executive Director
Subject: League Competition Publicity

I wanted to share with you the extensive article about the League competitions which was printed in the National League of Cities newspaper, Nation's Cities Weekly, January 3, 1983. The article is enclosed.

111-3

Nation's Cities Weekly January 3, 1983

Oregon league honors its outstanding cities

by Nancy C. Hiett

Six Oregon cities have won awards from the League of Oregon Cities for outstanding achievements in community and economic development, housing development, energy conservation, public-private cooperation and community festivals.

The awards, presented at the League's 57th annual convention in November, went to Eugene, Weston, Ashland, Newberg and Hermiston.

The city of Weston received the Award for Outstanding Programs in Economic Development for promoting economic growth by encouraging public/private partnership. This was accomplished by negotiating with the Milton-Freewater Bank of Commerce to lease Weston's city hall and open a branch bank.

The bank also agreed to renovate the building to its former condition, which now serves as the cornerstone of the Weston Commercial Historic District. This redevelopment has also encouraged other retail businesses and a community activity center to open in this historic district in previously vacant downtown buildings.

Weston is also working with the Weston Chamber of Commerce and the chambers of Athena and Milton-Freewater to promote tourism and attract suitable industries in the Northeastern Umatilla County area.

Outstanding Achievement in Reduced Housing Costs was presented to Eugene for adapting former housing concepts such as cottage units and shared housing to meet the current housing needs of its citizens.

The use of cottage units and shared housing were the primary building blocks to ensure affordable housing units, opportunities for renters and owners, rapid expansion of the housing supply, and private sector financing.

The cottage unit concept creates a new, separate tax lot at the rear of a single-family dwelling; and, while it increases the density of the neighborhood, its essential character remains unchanged. Shared housing allows single-family homes with at least 1,500 square feet to create an independent accessory apartment in their homes, with separate entrance, bath, and kitchen for future occupancy.

Adopting and implementing city-wide performance standards development and solar access ordinances requiring local developers, builders, and citizens to consider the sun in siting their developments earned the city of Ashland the Outstanding Achievement Award in Energy Conservation.

The new draft site review ordinance requires people to consider energy use before obtaining a building permit by requiring commercial, industrial, and residential developers of three or more units to submit plans for the method and type of energy to be used and an explanation of its use.

SMALL CITIES

Ashland's new Justice Center was designed for passive solar space heating and daylighting. The City has also implemented conservation programs by installing over 700 water heater insulation wraps on commercial and residential electric water heaters and has converted or retrofitted over 500 mercury vapor lights to high-pressure sodium lights in the city. Free shower flow restrictors were also provided to all residential and commercial customers. With assistance from a local community action group, Ashland's new low-income weatherization program will allow eligible low-income customers to weatherize their homes at no cost to them.

The Award for the Outstanding Program of Public/Private Cooperation was bestowed upon the city of Eugene for creation of the Business Assistance Team (BAT). This team assists local businesses by providing regulatory assistance and referral information and uses public and private resources to help improve the city's image as an attractive place to do business.

The BATeam has worked with over 200 business contracts by researching permit and license information, investigating the use of low-interest loans and grants, providing demographic information, and making referrals to other community resources who provide assistance in financial planning and management expertise.

The BATeam is an innovative approach which effectively utilizes public and private resources to show that Eugene is a good place to do business. With contributions of \$20,000, existing staff, office space, and data processing services from the city; \$5,000 and a team of advisors from the Eugene Area Chamber of Commerce; and advisors from both the University of Oregon and Lane Community College, the community of Eugene is working closely to ensure a prosperous climate.

The BATeam is also planning a marketing strategy to attract new firms to Eugene.

The Award for Outstanding Community Festivals and Community Spirit Activities is shared by the city of Newberg for its annual activity, the Old Fashioned Festival, and the city of Hermiston for its 75th Anniversary celebration. Both cities have made a serious commitment to citizen involvement which resulted in increased community spirit and pride.

Mayor Elvern Hall of Newberg appointed a task force to represent various local groups involving more than 400 citizens to investigate community concerns and its future plans and to identify goals for Newberg to be presented at two town hall meetings. Capitalizing on the enthusiasm of its citizens, Newberg sponsored a city letterhead contest determining citizens' choices by calling in their selection to the local newspaper.

To upgrade their previous annual festivals, a festival committee was formed and appointed subcommittees for each event of the Old Fashioned Festival. A volunteer group of merchants and citizens donated and planted 50 trees along Newberg's streets.

The idea of building a 2,500-seat outdoor amphitheatre and using volunteer actors and actresses to dramatize the history of Oregon's government became a reality with the assistance and support of the city for this occasion.

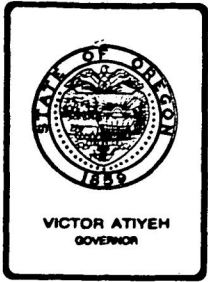
The activities and events of the four-day Old Fashioned Festival attracted thousands of people from the entire state and various parts of the West. Newberg's efforts resulted in the citizens approving a \$1 million tax base, approximately 10

times the previous one. By improving the pride and spirit of its residents, Newberg's Old Fashioned Festival will continue as an annual event.

Hermiston held a three-day celebration marking its 75th Anniversary. This celebration began with a dedication of a recently completed band stand in the center of the celebration activities. For this occasion an historical museum was organized receiving loans and donations of antiques and memorabilia for the public's enjoyment. A walking tour of the city was given consisting of 7 displays created by the Anniversary Committee with donations of cash and materials from citizens and local businesses and another 12 displays constructed by local industries.

The entire school district became involved with the students entering a logo contest to be used in promoting the celebration in the media and on anniversary memorabilia.

Several other Oregon cities recognized for their achievements in the aforementioned categories include the city of Roseburg for its Economic Development Commission; Albany's aggressive local economic development program; Eugene's six-point economic diversification program; the city of John Day's economic development program in Grant County and an industrial park developed through the partnership of a private citizen and a developer; Oregon City's promotion of local businesses to local residents thereby increasing revenues through a cooperative arrangement with a private advertising company; Weston's public/private cooperation; Beaverton's Good Neighbor Days; Ontario's Eastern Oregon Air Fair; Oregon City's Information Fair; and The Dalles' 125th Anniversary Celebration. □



Oregon State Speed Control Board

TRANSPORTATION BUILDING, SALEM, OREGON 97310

January 18, 1983

COPY

In Reply Refer to
File No.:

TRA 7-2

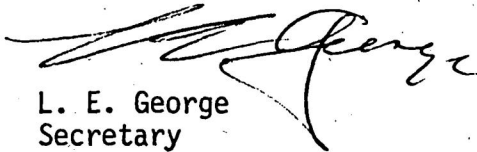
Arvilla Page
City Recorder
City of Newberg
City Hall
Newberg, OR 97132

We have received a letter from Gary L. Nelson, Sergeant, Newberg Police Department, indicating that the City concurs to the proposed speed zoning on the Hillsboro-Silverton Highway in the City of Newberg.

By authority delegated by the State Speed Control Board to act in its behalf, the Secretary has approved speed zoning on the Hillsboro-Silverton Highway as described on the enclosed Speed Zone Order.

A copy of Speed Zone Order By Delegated Authority No. 38D is enclosed for your files.

The installation of the signing for this speed zoning is the responsibility of the State Highway Division and will be cared for by them.



L. E. George
Secretary

Enclosure

cc: Gary L. Nelson

111-4

Order No 38D
County Yamhill
City Newberg
Date January 18, 1983

SPEED ZONE ORDER BY DELEGATED AUTHORITY

WHEREAS, the Oregon State Speed Control Board Secretary, as requested byCity of Newberg..... pursuant to the provisions of ORS 487.490, has caused an engineering and traffic investigation to be made for the section(s) of state highway, county highway, city highway or highway under the jurisdiction of a Federal Agency described below (Highway means every public way); and

WHEREAS, the data, facts and information obtained in connection with said engineering and traffic investigation are on file in the office of the Traffic Engineering Section of the Oregon Department of Transportation at Salem, Oregon; and

WHEREAS, based upon said engineering and traffic investigations, the Secretary has found that the speed designated in ORS 487.470 is greater than is reasonable and safe under the conditions found to exist upon the section(s) of highway for which a lesser speed is herein designated or that the speed designated in said statute is less than is reasonable under the conditions found to exist upon the section(s) of highway for which a greater speed is herein designated; and

WHEREAS, the provisions of ORS 487.490 respecting notice and hearing have been complied with:

It is THEREFORE ORDERED that the designated speed for the following section(s) of highway be as follows:

Name Hillsboro-Silverton Highway
Number No. 140 Route Number ORE219

LOCATION OF TERMINI		Designated Speed
From	To	(Miles Per Hour)
75 feet south of Foothills Drive (MP 18.52)	200 feet north of County Road No. 1026 (MP 18.75)	40
200 feet north of County Road No. 1026 (MP 18.75)	450 feet north of SPRR grade crossing (MP 19.75)	40

This rescinds Order No. 2985, dated March 15, 1978.

BE IT FURTHER ORDERED THANOregon State Highway Division..... install appropriate signs on the above section(s) of highway, giving notice of the designated speed therefor.
(Agency Responsible for Signing)

BE IT FURTHER ORDERED that signs installed pursuant to this order comply with the provisions of ORS 487.855.

BE IT FURTHER ORDERED that any previous order made by the Board of Secretary with respect to the designated speed for the above section(s) of highway which is in conflict with the provisions of this order is hereby rescinded.

BE IT FURTHER ORDERED that the Secretary of the Board is hereby delegated the authority to sign this order for and on behalf of the Board.

ORIGINAL SIGNED BY L. E. GEORGE

.....
(Secretary)

111-4

CITY OF DUNDEE

675 HIGHWAY 99W
DUNDEE, OREGON 97115
P.O. BOX 201 PHONE: 538-3922

RECEIVED

JAN 18 83

January 14, 1983

CITY OF NEWBERG, ORE.
OFFICE OF RECORDER

Michael Warren
City Manager
414 E. First St.
Newberg, Oregon

Dear Mike:

In response to your letter dated November 29, 1982 Mayor Aylor has appointed Mrs. Carol Wheeler, 225 S. W. Dogwood Drive, to serve on the Cable Communication Commission. The Mayor feels Mrs. Wheeler will be able to contribute to the Commission due to her past experience in this field.

We appreciate the opportunity of being able to work in the development of the programs for our community.

Very truly yours,



Jeanne Livengood,
Recorder

cc: Richard Faus
Carol Wheeler

111-5

1-4-82

Volunteer Fire Dept.
Newberg, Ore. 97132

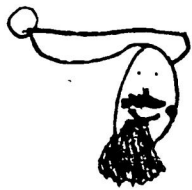
Dear Santa's Elves:

This was the first time we have ever recieved gifts from the Toy & Joy Christmas givers and I just wanted to take time out to thank-you & all of those who gave & made our kids Christmas gifts possible. I was really touched by everyones thought & kindness, it made Christmas extra special for us this year. My girls fell in love with, as I did, the dolls that looked brand new & showed how someone had lovingly taken care of them & sewn all new clothes for them. They still believe in Santa & wanted to send thank-you notes to him & I felt that you guys were surely the best Santa's around.

With much love & thanks,

Dear Santa.

thank you for the -
doll and the puppy
and now I sleep with -
them now



Love

alicia

thank you Santa

Love. ~~ECHO~~

Ho, Ho, Ho

Dear Santa;

I like my baby
doll that you gave
me. and I like
every thing else
you gave me.

Ho Ho Ho Merry Christmas

RECEIVED
JAN 14
CITY OF NEWBERG, ORE.
OFFICE OF RECORDER

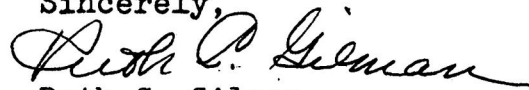
Jan. 12, 1983

To Elvern Hall, Mayor of the City of Newberg; Arvilla Page,
City Recorder; Doreen Turpin, City Librarian; and the
members of the City Council:

I wish to express to each of you my gratitude for the honor
bestowed upon me by the council at the January 3rd meeting.

It has been a pleasure to me to watch the development of the
City Library during my twenty years on the board and I have
found it very gratifying to work with the Librarians and Staff
during this period as well as with the members of the board and
of the volunteer group.

Sincerely,


Ruth C. Gilman

Original to Arvilla Page
cc: Elvern Hall
cc: Doreen Turpin

MEMO

TO: City Manager
FROM: Chief of Police
SUBJECT: Placement of Stop Signs
(Emergency Authority)

DATE: January 25, 1983

Subsequent to numerous complaints over a long period of time and a citizen's petition submitted through the Traffic Safety Committee by citizens in the concerned area, please be advised that it is my intent to place stop signs at the intersections of Seventh and Eighth Streets on Meridian.

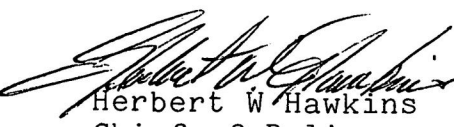
This issue has been brought before the Public Safety Committee and it is their recommendation that said installations be made on a temporary basis and that follow-up evaluations be made to determine whether permanent installation should be ordered.

All complaints and recommendations received have been based on the large volume of traffic in this particular area and the alleged high speeds of the movement of this traffic, creating hazards at the locations mentioned.

Therefore, it is my intent, unless otherwise advised, to cause stop signs to be placed on Meridian Street at its intersection with Seventh, stopping north and south bound traffic on Meridian. Further, that stop signs be placed on Eighth Street at its intersection with Meridian, stopping east and west bound traffic on Eighth Street.

The Public Safety Committee further recommends that we consider placement of a stop sign on Meridian at its intersection with Ninth Street, stopping south bound traffic. It is my intent to have a stop sign erected at this location also and it will be evaluated, with a recommendation back to the Public Safety Committee.

The above action will be taken under the emergency authority invested in me, and this will serve to give the five-day notice required as per ordinance.


Herbert W. Hawkins
Chief of Police

HWH/mr



NEWBERG COMMUNITY HOSPITAL

501 VILLA RD. NEWBERG, OREGON 97132 (503) 538-3121

Dr. Stanley Kern
Chairman, Emergency Dept.
Committee
Newberg Community Hospital

December 29, 1982

Rick Dutton, Officer
Newberg Police Dept.
414 East First
Newberg OR 97132

Dear Officer Dutton:

The Emergency Department Committee of Newberg Community Hospital would like to take this opportunity to commend you for your effort in saving Mrs. Twenge's life on November 13, 1982. Your prompt response and attention to detail in the administration of cardiopulmonary resuscitation (CPR) provided the ambulance paramedics a viable patient with whom to work. We were pleased to see Mrs. Twenge discharged from the hospital, and to this date she is doing quite well.

CPR, although unpleasant at times, offers the victim of sudden collapse a second chance. We do appreciate each officer who responds to medical emergencies and is willing to get involved. We hope that your example will be followed by others in the department. Those who do not have the necessary training should be encouraged to get it, and those who have had training in the past should be encouraged to update their skills regularly.

Again, thank you for your prompt and efficient response.

Sincerely,

Stanley Kern, M.D.

SK:SJ:kn

cc: Herb Hawkins,
Chief Newberg Police Department

JAN 05 REC'D

By

Pat

111-9

IMPORTANT: PLEASE FORWARD APPLICATION(S) AS DIRECTED BELOW.
IF THERE ARE ANY QUESTIONS CALL 657-6307

REMITTANCE ADVICE
SAFEWAY STORES INCORPORATED

504715

STORE #366

DATE January 14, 19 83

TO CITY OF NEWBERG
414 E. 1ST STREET
Newberg, oregon 97132

ENCLOSED FIND OUR CHECK IN PAYMENT OF THE FOLLOWING:

DATE, INVOICE	NO. OF INVOICE	AMOUNT	DISCOUNT
	PER STATEMENT RENDERED		
	1983-84		
	LIQUOR LICENSE		
	LOCAL ENDORSEMENT	\$25.00	
	PLEASE RETURN APPLICATION(S) TO:		
	SAFEWAY STORES, INC.		
	P.O. BOX 523		
	CLACKAMAS, OREGON 97015		
	ATTN: CONTROLLER		
		NET AMOUNT	\$25.00

140-526

REMARKS: PLEASE DO NOT FORWARD DIRECTLY TO THE STORE

V-1

OREGON LIQUOR CONTROL
COMMISSION
P. O. BOX 22297
PORTLAND, OREGON 97222

1983-84
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	C
PS	PACKAGE STORE	50.00	2		03	3629		595-203 R03488A	01 03 83	

CORRECT ANY NAME OR ADDRESS ERROR /

11 SAFEWAY STORES INC
01 SAFEWAY STORE NO 366
01 1510 E FIRST ST
NEWBERG OR

97132

MA

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF _____

RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT _____

BY _____
SIGNATURE OF OFFICIAL

TITLE _____

RENEWAL INSTRUCTIONS.....

1. YOUR LIQUOR LICENSE EXPIRES 03-31-83. YOU MUST PAY A LATE FILING FEE IF THIS COMPLETED APPLICATION IS NOT RECEIVED BY OLCC ON OR BEFORE 03-11-83.
2. COMPLETE THIS FORM FOR RENEWAL ONLY. IF THERE WILL BE ANY CHANGES NECESSARY IN YOUR NEW LICENSE, *IMMEDIATELY* CONTACT OLCC LICENSE DIVISION OR A LICENSE INVESTIGATOR FOR PROPER INSTRUCTIONS AND APPLICATIONS.
3. COMPLETE ITEMS 1, 2, 3 & 6 ON THE REVERSE.
4. OBTAIN ENDORSEMENT FROM YOUR LOCAL CITY COUNCIL OR COUNTY COURT.
5. MULTNOMAH COUNTY & PORTLAND LICENSEES ONLY...FILE COMPLETED APPLICATIONS WITH PORTLAND CITY COUNCIL OR MULTNOMAH COUNTY COURT. COMPLETE THE ENCLOSED SUPPLEMENT TO THE LICENSE APPLICATION AND SUBMIT TO OLCC WITH THE CITY OR COUNTY RECEIPT FOR ENDORSEMENT & THE CORRECT LICENSE FEE.

V-1 3)

V-1

COMPLETE ONLY THOSE ITEMS BELOW WHICH ARE INDICATED IN THE INSTRUCTIONS ON THE FRONT

1. Amount of check or money order in payment of license fee enclosed: \$ 50.00

2. Will anyone share in the profits of the business who has not signed the application? YES ☒ NO ☐

If yes, explain: SHAREHOLDERS

3. Grocery Inventory @ Cost (only PS with Gas Pumps): \$ _____

4. RMB & R
Average Monthly Gross Sales: Malt Beverages & Wines: \$ 2.5% Food Items: \$ _____ Misc: \$ _____

5. DA, DB & DC
Average Monthly Liquor Sales: \$ _____ Average Monthly Food Sales: \$ _____

Average Monthly Gross Sales: \$ _____ Percent of Food to Gross Sales: % _____

6. R. M. McKenzie R. M. McKenzie Division Controller Division Controller Division Controller

IF AN ENDORSEMENT IS REQUIRED, THE APPLICATION MUST BE ENDORSED BY THE CITY COUNCIL IF PREMISES IS LOCATED WITHIN THE LIMITS OF AN INCORPORATED CITY OR TOWN; OTHERWISE, IT MUST BE ENDORSED BY THE COUNTY COURT.

APPLICATION MUST BE IN OLCC OFFICE NO LATER THAN 30 DAYS PRIOR TO EXPIRATION DATE OF LICENSE IN ORDER TO INSURE THAT YOU ARE PROPERLY LICENSED FOR THE NEW LICENSE PERIOD.

V-1

1983-84
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
DA	DISPENSER CLASS A	400.00	2		15	3628		595-212 R02392A	01 03 83	A

CORRECT ANY NAME OR ADDRESS ERROR

11 DA-0409
12 CHANDLER ALOHA SHAW
13 LIEW WILFRED TANG-SENG
14 SHAW INDETTA G
01 THE SHAWS
01 1819 PORTLAND RD
NEWBERG OR 97132

ENDORSEMENT	
THE COMMON COUNCIL OR COUNTY COURT	
OF _____	
RECOMMENDS THAT THIS LICENSE BE	
GRANTED ☐	REFUSED ☐
DATE OF ENDORSEMENT _____	
BY _____	
SIGNATURE OF OFFICIAL _____	
TITLE _____	

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V-1

V-1

COMPLETE ONLY THOSE ITEMS BELOW WHICH ARE INDICATED IN THE INSTRUCTIONS ON THE FRONT

1. Amount of check or money order in payment of license fee enclosed: \$ 400⁰⁰
2. Will anyone share in the profits of the business who has not signed the application? YES ☐ NO ☒
- If yes, explain: _____
3. Grocery Inventory @ Cost (only PS with Gas Pumps): \$ _____
4. RMB & R
Average Monthly Gross Sales: Malt Beverages & Wines: \$ _____ Food Items: \$ _____ Misc: \$ _____
5. DA, DB & DC
Average Monthly Liquor Sales: \$ 8961 Average Monthly Food Sales: \$ 10104
Average Monthly Gross Sales: \$ 19065 Percent of Food to Gross Sales: % 52.9%

6. Indetta D Shaw Aloha S Chandler W. Fred Kier
Applicant's Signature Applicant's Signature Applicant's Signature

IF AN ENDORSEMENT IS REQUIRED, THE APPLICATION MUST BE ENDORSED BY THE CITY COUNCIL IF PREMISES IS LOCATED WITHIN THE LIMITS OF AN INCORPORATED CITY OR TOWN; OTHERWISE, IT MUST BE ENDORSED BY THE COUNTY COURT.

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V-1

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
DC	DISPENSER CLASS C	300.00	2		15	3629		595-118 R06922A	01 03 83	A

CORRECT ANY NAME OR ADDRESS ERROR

11 DC-82-C080
12 ROCKY'S DELICATESSEN INC
01 OAK TREE RESTAURANT
01 2316 PORTLAND RD
NEWBERG OR 97132 MA

ENDORSEMENT	
THE COMMON COUNCIL OR COUNTY COURT	
OF _____	
RECOMMENDS THAT THIS LICENSE BE	
GRANTED ☐	REFUSED ☐
DATE OF ENDORSEMENT _____	
BY _____	
SIGNATURE OF OFFICIAL	
TITLE _____	

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V-1 1)

V-1

COMPLETE ONLY THOSE ITEMS BELOW WHICH ARE INDICATED IN THE INSTRUCTIONS ON THE FRONT

1. Amount of check or money order in payment of license fee enclosed: \$ 300.00

2. Will anyone share in the profits of the business who has not signed the application? YES ☐ NO ☒

If yes, explain: _____

3. Grocery Inventory @ Cost (only PS with Gas Pumps): \$ _____

4. **RMB & R**

Average Monthly Gross Sales: Malt Beverages & Wines: \$ _____ Food Items: \$ _____ Misc: \$ _____

5. **DA, DB & DC**

Average Monthly Liquor Sales: \$ 2000.00 Average Monthly Food Sales: \$ 20,000

Average Monthly Gross Sales: \$ 22,000 Percent of Food to Gross Sales: % 90

6. Barbara Hansen Robert L. Hansen _____
Applicant's Signature Applicant's Signature Applicant's Signature

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V-1

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
PS	PACKAGE STORE	50.00	2	03	3624			595-203 R06624A	01 03 83	F

CORRECT ANY NAME OR ADDRESS ERROR

11 B.O.A.K. INC

01 KOZY KORNEN MARKET *The Grocery Express*

01 115 N MAIN

NEWBERG OR

97132

MA

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF

RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT

BY

SIGNATURE OF OFFICIAL

TITLE

RENEWAL INSTRUCTIONS.....

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V-1

(R)

V-1

COMPLETE ONLY THOSE ITEMS BELOW WHICH ARE INDICATED IN THE INSTRUCTIONS ON THE FRONT

1. Amount of check or money order in payment of license fee enclosed: \$ 50.00

2. Will anyone share in the profits of the business who has not signed the application? YES ☐ NO ☒

If yes, explain: _____

3. Grocery Inventory @ Cost (only PS with Gas Pumps): \$ 37,000.

4. RMB & R
Average Monthly Gross Sales: Malt Beverages & Wines: \$ ~~4,000~~ Food Items: \$ ~~23,600~~ Misc: \$ ~~7,000~~

5. DA, DB & DC
Average Monthly Liquor Sales: \$ _____ Average Monthly Food Sales: \$ _____

Average Monthly Gross Sales: \$ _____ Percent of Food to Gross Sales: % _____

6. Kathleen Ston B.D.A.K. Corp. Pres
Applicant's Signature Applicant's Signature Applicant's Signature

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V-1.

OREGON LIQUOR CONTROL
COMMISSION
P. O. BOX 22297
PORTLAND, OREGON 97222

1983-84
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
RMB	RETAIL MALT BEVERAGE	200.00	2		15	3629		595-201 R06927A	01-03-83	C

CORRECT ANY NAME OR ADDRESS ERROR

11 KOSMICKI CRAIG B
01 ABBY'S PIZZA INN OF NEWBERG
01 1913 PORTLAND RD
NEWBERG OR 97132

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF _____

RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT _____

BY _____

SIGNATURE OF OFFICIAL

TITLE _____

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V-1

V-1

COMPLETE ONLY THOSE ITEMS BELOW WHICH ARE INDICATED IN THE INSTRUCTIONS ON THE FRONT

1. Amount of check or money order in payment of license fee enclosed: \$ 200⁰⁰
2. Will anyone share in the profits of the business who has not signed the application? YES ☐ NO ☒
- If yes, explain: _____
3. Grocery Inventory @ Cost (only PS with Gas Pumps): \$ _____
4. RMB & R
Average Monthly Gross Sales: Malt Beverages & Wines: \$ 2733³⁹ Food Items: \$ 29,723¹⁷ Misc: \$ 487⁹⁸
5. DA, DB & DC
Average Monthly Liquor Sales: \$ _____ Average Monthly Food Sales: \$ _____
Average Monthly Gross Sales: \$ _____ Percent of Food to Gross Sales: % _____

6. Craig B. Kosinski _____
Applicant's Signature Applicant's Signature Applicant's Signature

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V-1

OREGON LIQUOR CONTROL
COMMISSION
P. O. BOX 22297
PORTLAND, OREGON 97222

1983-84
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
PS	PACKAGE STORE	50.00	2		02	36.28		595-203 R0-8209A	01 03 83	F

CORRECT ANY NAME OR ADDRESS ERROR

11 WILLIAM P VAUGHAN INC
01 SPRINGBROOK THRIFTWAY
01 1140 N SPRINGBROOK ST
NEWBERG OR 97132

ENDORSEMENT	
THE COMMON COUNCIL OR COUNTY COURT	
OF _____	
RECOMMENDS THAT THIS LICENSE BE	
GRANTED ☐	REFUSED ☐
DATE OF ENDORSEMENT _____	
BY _____	
SIGNATURE OF OFFICIAL	
TITLE _____	

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V-1 R)

V-1

COMPLETE ONLY THOSE ITEMS BELOW WHICH ARE INDICATED IN THE INSTRUCTIONS ON THE FRONT

1. Amount of check or money order in payment of license fee enclosed: \$ 50.00

2. Will anyone share in the profits of the business who has not signed the application?

YES



NO



If yes, explain: Howard I Marugg, Sr. / Treas

3. Grocery Inventory @ Cost (only PS with Gas Pumps): \$ _____

4. RMB & R

Average Monthly Gross Sales: Malt Beverages & Wines: \$ _____ Food Items: \$ _____ Misc: \$ _____

5. DA, DB & DC

Average Monthly Liquor Sales: \$ _____ Average Monthly Food Sales: \$ _____

Average Monthly Gross Sales: \$ _____ Percent of Food to Gross Sales: % _____

6.

Jim Vaughan
Applicant's Signature *Pres.*

Applicant's Signature

Applicant's Signature

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V-1

OREGON LIQUOR CONTROL
COMMISSION
P. O. BOX 22297
PORTLAND, OREGON 97222

1983-84
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
PS	PACKAGE STORE	50.00	2		02	3629		595-203 R03486A	01 03 83	F

CORRECT ANY NAME OR ADDRESS ERROR

11 HOWARD J MARUGG INC
01 NEWBERG THRIFTWAY
01 114 NORTH EVEREST RD
NEWBERG OR 97132

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF _____

RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT _____

BY _____

SIGNATURE OF OFFICIAL

TITLE _____

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V-1

V-1

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1. Amount of check or money order in payment of license fee enclosed: \$ 50.00
2. Will anyone share in the profits of the business who has not signed the application? YES ☒ NO ☐
If yes, explain: Howard J. Mearns, Pres.
3. Grocery Inventory @ Cost (only PS with Gas Pumps): \$ _____
4. **RMB & R**
Average Monthly Gross Sales: Malt Beverages & Wines: \$ _____ Food Items: \$ _____ Misc: \$ _____
5. **DA, DB & DC**
Average Monthly Liquor Sales: \$ _____ Average Monthly Food Sales: \$ _____
Average Monthly Gross Sales: \$ _____ Percent of Food to Gross Sales: % _____

6. *Jim Mearns* _____
Applicant's Signature Applicant's Signature Applicant's Signature
Secy Pres.

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COMMISSION
P. O. BOX 22297
PORTLAND, OREGON 97222

1983-84
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
PS	PACKAGE STORE	50.00	2		03	3629		595-203 R03483A	01 03 83	F

CORRECT ANY NAME OR ADDRESS ERROR

11 SPRAY MICHAEL R
12 SPRAY CARRIE E
01 9TH STREET GROCERY
01 1210 E NINTH ST
NEWBERG OR 97132

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF _____

RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT _____

BY _____

SIGNATURE OF OFFICIAL

TITLE _____

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V-1

V-1

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1. Amount of check or money order in payment of license fee enclosed: \$ _____

2. Will anyone share in the profits of the business who has not signed the application? YES ☐ NO ☐

If yes, explain: _____

3. Grocery Inventory @ Cost (only PS with Gas Pumps): \$ _____

4. **RMB & R**

Average Monthly Gross Sales: Malt Beverages & Wines: \$ _____ Food Items: \$ _____ Misc: \$ _____

5. **DA, DB & DC**

Average Monthly Liquor Sales: \$ _____ Average Monthly Food Sales: \$ _____

Average Monthly Gross Sales: \$ _____ Percent of Food to Gross Sales: % _____

6. _____
Applicant's Signature Applicant's Signature Applicant's Signature

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COMMISSION
P. O. BOX 22297
PORTLAND, OREGON 97222

1983-84
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
DA	DISPENSER CLASS A	400.00	2		02	3629		595-212 206867A	01 03 83	A

CORRECT ANY NAME OR ADDRESS ERROR

11 DA-1037
12 LAMP POST INC
01 THE BARN DOOR
01 2310 PORTLAND RD
NEWBERG OR 97132

ENDORSEMENT	
THE COMMON COUNCIL OR COUNTY COURT	
OF _____	
RECOMMENDS THAT THIS LICENSE BE	
GRANTED ☐	REFUSED ☐
DATE OF ENDORSEMENT _____	
BY _____	
SIGNATURE OF OFFICIAL	
TITLE _____	

RENEWAL INSTRUCTIONS.....

1. YOUR LIQUOR LICENSE EXPIRES 03-31-83. YOU MUST PAY A LATE FILING FEE IF THIS COMPLETED APPLICATION IS NOT RECEIVED BY OLCC ON OR BEFORE 03-11-83.
2. COMPLETE THIS FORM FOR RENEWAL ONLY. IF THERE WILL BE ANY CHANGES NECESSARY IN YOUR NEW LICENSE, *IMMEDIATELY* CONTACT OLCC LICENSE DIVISION OR A LICENSE INVESTIGATOR FOR PROPER INSTRUCTIONS AND APPLICATIONS.
3. COMPLETE ITEMS 1, 2, 5 & 6 ON THE REVERSE.
4. OBTAIN ENDORSEMENT FROM YOUR LOCAL CITY COUNCIL OR COUNTY COURT.
5. MULTNOMAH COUNTY & PORTLAND LICENSEES ONLY...FILE COMPLETED APPLICATIONS WITH PORTLAND CITY COUNCIL OR MULTNOMAH COUNTY COURT. COMPLETE THE ENCLOSED SUPPLEMENT TO THE LICENSE APPLICATION & SUBMIT TO OLCC WITH THE CITY OR COUNTY RECEIPT FOR ENDORSEMENT & THE CORRECT LICENSE FEE.

V-1

V-1

COMPLETE ONLY THOSE ITEMS BELOW WHICH ARE INDICATED IN THE INSTRUCTIONS ON THE FRONT

- * 1. Amount of check or money order in payment of license fee enclosed: \$ 400.00
- * 2. Will anyone share in the profits of the business who has not signed the application? YES ☒ NO ☐
If yes, explain: Herbert AND JOSE KRUSE Pres & VICE Pres
3. Grocery Inventory @ Cost (only PS with Gas Pumps): \$ _____
4. RMB & R
Average Monthly Gross Sales: Malt Beverages & Wines: \$ _____ Food Items: \$ _____ Misc: \$ _____
- * 5. DA, DB & DC
Average Monthly Liquor Sales: \$ 9,142.41 Average Monthly Food Sales: \$ 6,086.95
Average Monthly Gross Sales: \$ 15,229.36 Percent of Food to Gross Sales: % 38.95%

* 6. Robert F. Davis _____
Applicant's Signature Applicant's Signature Applicant's Signature

IF AN ENDORSEMENT IS REQUIRED, THE APPLICATION MUST BE ENDORSED BY THE CITY COUNCIL IF PREMISES IS LOCATED WITHIN THE LIMITS OF AN INCORPORATED CITY OR TOWN; OTHERWISE, IT MUST BE ENDORSED BY THE COUNTY COURT.

APPLICATION MUST BE IN OLCC OFFICE NO LATER THAN 30 DAYS PRIOR TO EXPIRATION DATE OF LICENSE IN ORDER TO INSURE THAT YOU ARE PROPERLY LICENSED FOR THE NEW LICENSE PERIOD.

OREGON LIQUOR CONTROL
COMMISSION
P. O. BOX 22297
PORTLAND, OREGON 97222

1983-84
LICENSE RENEWAL APPLICATION

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
R	RESTAURANT	200.00	2			36-9		595-205 R03484 A	01 03 83	C

CORRECT ANY NAME OR ADDRESS ERROR

11 BRADLEY DONALD S
12 BRADLEY GERALDINE A
01 YE OLDE PIZZA SHOPPE
01 2515 PORTLAND RD
NEWBERG OR 97132

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF _____

RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT _____

BY _____
SIGNATURE OF OFFICIAL

TITLE _____

RENEWAL INSTRUCTIONS.....

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3. COMPLETE ITEMS 1, 2, 4 & 6 ON THE REVERSE.
4. OBTAIN ENDORSEMENT FROM YOUR LOCAL CITY COUNCIL OR COUNTY COURT.
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V-1 1)

V-1

COMPLETE ONLY THOSE ITEMS BELOW WHICH ARE INDICATED IN THE INSTRUCTIONS ON THE FRONT

1. Amount of check or money order in payment of license fee enclosed: \$ 200⁰⁰

2. Will anyone share in the profits of the business who has not signed the application? YES ☐ NO ☒

If yes, explain: _____

3. Grocery Inventory @ Cost (only PS with Gas Pumps): \$ _____

4. RMB & R
Average Monthly Gross Sales: Malt Beverages & Wines: \$ 3000⁰⁰ Food Items: \$ 20,000⁰⁰ Misc: \$ _____

5. DA, DB & DC
Average Monthly Liquor Sales: \$ _____ Average Monthly Food Sales: \$ _____

Average Monthly Gross Sales: \$ _____ Percent of Food to Gross Sales: % _____

6. _____ Geraldine A. Bradley _____
Applicant's Signature Applicant's Signature Applicant's Signature

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V-1

CLASS SYMBOL	CLASSIFICATION	LICENSE FEE	LIC. DIST.	AREA	PBC	COUNTY CITY	ENF. DISTRICT	DPLRIN	DATE ISSUED	CD
PS	PACKAGE STORE	50.00	2		03	3629		595-203 203487A	01 03 83	F

CORRECT ANY NAME OR ADDRESS ERROR

11 PLAID PANTRIES INC
01 PLAID PANTRY MARKET NO 72
01 1012 E 1ST ST
NEWBERG OR 97132 MA

ENDORSEMENT

THE COMMON COUNCIL OR COUNTY COURT

OF _____

RECOMMENDS THAT THIS LICENSE BE

GRANTED ☐

REFUSED ☐

DATE OF ENDORSEMENT _____

BY _____
SIGNATURE OF OFFICIAL

TITLE _____

RENEWAL INSTRUCTIONS.....

1. YOUR LIQUOR LICENSE EXPIRES 03-31-83. YOU MUST PAY A LATE FILING FEE IF THIS COMPLETED APPLICATION IS NOT RECEIVED BY OLCC ON OR BEFORE 03-11-83.
2. COMPLETE THIS FORM FOR RENEWAL ONLY. IF THERE WILL BE ANY CHANGES NECESSARY IN YOUR NEW LICENSE, *IMMEDIATELY* CONTACT OLCC LICENSE DIVISION OR A LICENSE INVESTIGATOR FOR PROPER INSTRUCTIONS AND APPLICATIONS.
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5. MULTNOMAH COUNTY & PORTLAND LICENSEES ONLY...FILE COMPLETED APPLICATIONS WITH PORTLAND CITY COUNCIL OR MULTNOMAH COUNTY COURT. COMPLETE THE ENCLOSED SUPPLEMENT TO THE LICENSE APPLICATION AND SUBMIT TO OLCC WITH THE CITY OR COUNTY RECEIPT FOR ENDORSEMENT & THE CORRECT LICENSE FEE.

(OVER)

V-1

COMPLETE ONLY THOSE ITEMS BELOW WHICH ARE INDICATED IN THE INSTRUCTIONS ON THE FRONT

1. Amount of check or money order in payment of license fee enclosed: \$ 50.00
2. Will anyone share in the profits of the business who has not signed the application? YES ☐ NO ☒
- If yes, explain: _____
3. Grocery Inventory @ Cost (only PS with Gas Pumps): \$ _____
4. RMB & R
Average Monthly Gross Sales: Malt Beverages & Wines: \$ _____ Food Items: \$ _____ Misc: \$ _____
5. DA, DB & DC
Average Monthly Liquor Sales: \$ _____ Average Monthly Food Sales: \$ _____
Average Monthly Gross Sales: \$ _____ Percent of Food to Gross Sales: % _____

6.

Applicant's Signature

John Piacentini 7-12-30

Applicant's Signature

Applicant's Signature

IF AN ENDORSEMENT IS REQUIRED, THE APPLICATION MUST BE ENDORSED BY THE CITY COUNCIL IF PREMISES IS LOCATED WITHIN THE LIMITS OF AN INCORPORATED CITY OR TOWN; OTHERWISE, IT MUST BE ENDORSED BY THE COUNTY COURT.

APPLICATION MUST BE IN OLCC OFFICE NO LATER THAN 30 DAYS PRIOR TO EXPIRATION DATE OF LICENSE IN ORDER TO INSURE THAT YOU ARE PROPERLY LICENSED FOR THE NEW LICENSE PERIOD.

V-1

PAGE

1

GENERAL INFORMATION

APPLICATION FOR PACKAGE STORE LICENSE

PS

The filing of this application does not commit the Commission to the granting of the license that you are applying for, nor does it permit you to operate the business named below. If a license is granted by the Commission, you will receive a LICENSE CERTIFICATE.

No fee is collected by the OLCC until a LICENSE CERTIFICATE is to be issued.

No. P 1290

(THIS SPACE IS FOR THE OLCC OFFICE USE)

(THIS SPACE IS FOR CITY OR COUNTY USE)

CIRCLE REQUESTED ACTION:

New outlet

Lesser privilege

New licensee

New partner

New location

NOTICE TO CITIES AND COUNTIES: Do not consider this application unless it has been stamped and signed at the left by an OLCC representative.

THE CITY COUNCIL, COUNTY COMMISSION, OR COUNTY COURT OF _____

(Name of city or county)

RECOMMENDS THAT THIS LICENSE BE: GRANTED _____

DENIED _____

DATE _____

By _____

(Signature)

TITLE _____

PROCESS FEE OF 12⁵⁰ on Receipt #3782

CAUTION: If your operation of this business depends on your receiving a liquor license, OLCC cautions you not to purchase, remodel, or start construction until your license is granted.

1. Name(s) of individual applicant(s), partnership, or corporation:

(1) Pay Less Drug Stores Northwest, Inc., 9275 SW Peyton Lane, Wilsonville, OR. 97070

(Name)

(Address)

(City)

(State)

(Zip)

(2) _____

(3) _____

(4) _____

(EACH PERSON LISTED ABOVE MUST FILE AN INDIVIDUAL HISTORY AND A FINANCIAL STATEMENT.)

2. Trade name of premises Pay Less Drug Store When filed: 4/3/67

(Year name filed with Corporation Commissioner)

3. Former trade name N/A4. Premises address 1150 N. Springbrook Street, Newberg, Oregon 97132 (Yamhill)

(Number, Street, Rural Route)

(City)

(County)

(State)

(Zip)

5. Business mailing address 9275 SW Peyton Lane, Wilsonville, OR. 97070 (Main office)

(P.O. Box, Number, Street, Rural Route)

(City)

(State)

(Zip)

6. Was premises previously licensed by the OLCC? Yes _____ No X If yes, year: _____

7. If yes, to whom: _____

8. What is the local governing body where your premises is located: Newberg

(Name of city or county)

9. Will anyone else not signing this application share in the ownership or receive a percentage of profits or bonus from this business? Yes _____ No X10. OLCC representative making investigation may contact: Clyde Stone, Manager1150 N. Springbrook StreetNewberg, Oregon 97132

(Tel. No. — home, business, message)

CAUTION: The administrator of the Oregon Liquor Control Commission must be notified if you are contacted by anybody offering to influence the Commission on your behalf.

Applicant(s) Signature (1) N.B. Flynn Sr. Vice Pres.

(In case of corporation, duly authorized officer thereof) (2) _____

(3) _____

(4) _____

Original—Local government

V-2

DATE 12-27-87

RECEIVED

JAN 17

CITY OF NEWBERG, ORE.
OFFICE OF RECORDER

Richard & Joyce Ackerman
908 E. 6th
Newberg, Oregon
97132

Office of the City Manager
Attn: Mr. Mike Warren
City Hall
Newberg, Oregon 97132

Jan. 14, 1983

Dear Mr. Warren,

We would like to register our opinion concerning the 99W bypass and the redevelopment plans for the city of Newberg.

It is our hope that the city will consider plans for a "major" bypass as a top priority. We feel that the bypass could mean the difference between a vital community or a stagnating town that happens to lie on a stretch of state highway.

Concerning the redevelopment plans for the city of Newberg, keeping in mind that the city's past is the key to its charm, and is each citizen's heritage, a well planned and well executed redevelopment plan is our "only" insurance of "quality" growth.

All too often redevelopment means to remake, or to completely change a town. This is not what we are advocating. Perhaps revitalization is a term that better describes our feelings. We need an old fashion sprucing cleaning, a sprucing up. Eliminate the neon, the plastic, the noise and air pollution from highway traffic, the unkempt yards, the dilapidated buildings, but please don't throw the baby out with the wash. Give us back a city, rich in its history, its feet firmly planted in the present, but with an eye toward the future.

We would also like to take this opportunity to thank you for a very informative presentation at the Edwards Parent Group Meeting last evening. To a

good feeling to know that city government still
has time to come and explain their positions
in civic matters to the average citizen, as well
as special interest groups.

Thank You for your time
and concern,
Richard and Joyce Ackerman



Liberty Cable Television

A DIVISION OF LIBERTY COMMUNICATIONS, INC.

2502 Portland Road · P.O. Box 409 · Newberg, Oregon 97132 · 503/538-7480

January 20, 1983

RECEIVED

JAN 27 83

Mr. Mike Warren
City of Newberg
414 E. 1st
Newberg, OR 97132

CITY OF NEWBERG, ORE.
OFFICE OF RECORDER

Dear Mike:

Thank you for the time you shared with Joe DiBacco and myself on Monday the 17th.

Your comments and concerns about Public Access were well received. I am very anxious in seeing this portion of our operations developed into its fullest capabilities. The key to the success of this program will be community involvement. In regards to this, I met with Jerry Jackson and members of his staff on Wednesday, January 19 and discussed several possibilities in the use of our facilities. Next Monday I will be conducting a training session with two of his people in preparation for video taping the Newberg-McMinnville swim meet on Tuesday, January 25. I have also had several meetings with Mel Schroder of George Fox College. We will be joining efforts with George Fox in video taping their Homecoming game on January 29, 1983.

As you know, another concern was presented in our meeting. This is the reception problem that we have been having on the Portland local channels 2,6,8, and 12. Although reception of these channels for most of our subscribers has dramatically improved over their normal 'roof top' antennas, the reception as compared to the other cable channels is not good. This has generated several subscriber complaints. The picture quality of these channels, although well within the standards as set by the FCC, is not up to our standards or those of our subscribers. Therefore, in reasearching several possibilities we have concluded that an alternate signal receiving site is needed.

Preliminary tests have found a site located near Dayton, Or to be best suited for the reception of these signals. Upon final testing of this site we will set up a secondary Headend site and transport these signals, via an Express Trunk, to the Newberg Headend. Here they will be combined with the local access and origination channels and be distributed throughout the community. The end results will mean better quality pictures for our subscribers.

Thank you again for your time and assistance.

Sincerely,

A handwritten signature in cursive script that reads "Rick Schaal". The signature is fluid and written in dark ink.

Rick Schaal
System Manager

RS/je

cc: Joe DiBacco

MEMO TO: Newberg City Council

FROM: Mike Warren, City Manager

DATE: January 20, 1983

SUBJECT: City Accomplishments of 1982

1982 was a special year for the City of Newberg. The list of accomplishments that you are about to read is indicative of excellent employee morale, strong support from the community and good legislative leadership.

1. State-wide recognition through League of Oregon Cities Award for Community with the Most Spirit/Pride.
2. Adoption of Redevelopment Plan for rehabilitation and revitalization of downtown core area.
3. Adoption of Site Review to promote quality developments within the community.
4. Completion of several major island annexations.
5. Planning Department implemented bi-monthly reviews and improvement of working conditions.
6. Streamline video ordinance.
7. Corrected inaccurate population figures with Portland State University Center (increased 911 funds).
8. Termination of idle subdivision application was enacted freeing up several hundred commitments to sewer plant.
9. Planning Department sponsored second Town Hall Discussion Meeting.
10. Planning Department reviewed and updated the department filing system of all files dating back to 1970.
11. Planning, Public Works, and Building Department initiated interdepartment cooperation and cross-training programs.
12. Established citizen committee for historic preservation.
13. Passed City Tax Base by widest margin in the State of Oregon and insured high level of City services for community.
14. The City Charter was revised by an overwhelming vote of the people.
15. City Attorney prevailed at the Court of Appeals case, Roth vs. City of Newberg.
16. A Bancroft Bond Sale was completed in October at a very favorable interest rate.
17. Purchase three houses on Third Street for possible future expansion of civic center.
18. Demolished two City owned buildings adjacent to Memorial Park that were unsafe and unattractive.

19. Established guidelines for Cable Television Communications Commission.
20. City Attorney's Office implemented better filing systems, such as use of tickler indexing, centralization of contract files, etc.
21. Requested new rating for fire insurance which could save many businesses money on insurance.
22. Fire Department held technical rescue seminar in Newberg.
23. Fire Department provided toys for 445 children in Newberg.
24. Fire Department provided training program for Publishers Paper Company.
25. New city map showing water mains and hydrants was completely updated.
26. Purchase order and requisition procedures improved resulting in improved accountability.
27. Price quotes on an as needed basis for gasoline was implemented resulting in reduced costs.
28. Sitka Street improvement was completed and bonds sold.
29. Asset files in Finance Department have been updated.
30. Utilization of Payroll Service which allowed for cost savings.
31. Completed a long-term project of review and change of retirement program for employees.
32. Finance Department cross-trained most of employees resulting in better efficiency.
33. New recording equipment was purchased for City Council Chambers.
34. Police Department produced the first audio-visual program designed for the purpose of enhancing public relations within the community.
35. City received the AAA Insurance Company special award for pedestrian safety.
36. Police Department developed and implemented first physical fitness pre-entrance examination for police officers.
37. Restructuring and reorganization was completed on Newberg Police Reserve organization.
38. Police Department improved communication through implementation of special radio frequency solely for the Newberg Police Department.
- * 39. Crime was REDUCED within the City by 7.3% over previous year while increasing adult arrests by 12% and juvenile referrals by 2%.
40. Police Captain was sent to FBI Academy at Quantico, Virginia.
41. Building Department improved public relations within community.

42. Building Department has implemented a checklist for fees and permits for better efficiency and explanation.
43. Filing system in Building Department was enhanced.
44. Physical appearance of Building Department improved.
45. Adjustments in manpower resulted in significant savings in Building Department.
46. Library adopted new hours which enables the Library to be open earlier in the day (response to request from public).
47. Library adopted final step in the series of increases for non-residents bringing fees more in line with other libraries in the area.
48. Library completed the Childrens Room redecoration.
49. The Library/Carnegie Building physical problems were solved.
50. Library enhanced the audio-visual collection with tape deck and initial audio tape collection.
51. Librarian sent a staff member to the State Library for a workshop for training and new ideas.
52. City passed a new ordinance relating to overdue books which will allow for better control of violations.
53. Librarian established new registration system to keep better records on individuals who do not return books.
54. The Librarian contacted the University of Oregon School of Architecture for a design project that will study the expansion of the Newberg Library.
55. 66,000 books were checked out in 1982 which represented a 9.6 overall increase for the year.
56. Public Works Department retained consultant for Financial Management Plan of Water and Sewer Funds and for a Water Master Plan and well field exploration report.
57. City changed chlorine supplier for approximate savings of \$350. per month.
58. Public Works offices were improved for better working conditions.
59. City sold three very old public works trucks which had been advertised for two years.
60. Engineering Department was moved into new offices for better working conditions, morale, performance, etc.
61. The Engineering Department reorganized the map filing system.
62. Engineering Department provided inspection and plan review for installation of approximately 25 miles of underground television cable. Construction inspection provided on three subdivisions and installation of 1,200 feet of sanitary sewer in Hess Creek and 300 feet of water line for New Christian Life Church project.

63. A base map of the City has been prepared and updated along with a map of the City water system.
64. A study of the sewer system capacity has been in progress to identify areas of capacity difficulty which warrant larger trunk lines.
65. Construction of a bike path and storm drainage on Villa Road from Carol Ann Drive to the Hess Creek Estates was completed.
66. A 10 year old flooding problem at 9th and Blaine was resolved.
67. City cleaned up the landscape around the City flagpole on River and 99W.
68. Resolved flooding problems north of Pioneer View Subdivision by reconstruction of drainage system.
69. Continued conversion of street lights to high pressure sodium lights which results in a savings of \$11.00 per month on each light.
70. The traffic signal sensor at Villa Road and 99W was finally reconstructed.
71. Electrical controls at pump stations and treatment plants have been checked over and faulty or worn elements replaced.
72. Continuation of repairs and preventative maintenance of sewage treatment plant has resulted in more efficient use of the system.
73. City rebuilt sanitary sewer line on 99W near Eden Gate Restaurant to resolve maintenance problems.
74. Several sanitary sewer lines were extended to provide connection to houses with existing septic tank systems.
75. Tested and rebuilt 15 three inch and larger water meters including rebuilding the meter boxes.
76. Changed approximately 300 old style water meters to improve accuracy of consumption.
77. Serviced and operated all 354 fire hydrants in town.
78. Completed the replacement of water lines on Sheridan and Sherman between Main and School and on Washington between Sheridan and Franklin.
79. Extension of an eight inch water line on Villa Road from Crestview north for the New Christian Life Center.
80. Replacement of the pump and motor in Well Number 1 after 30 years of good service.
81. Completed the programmable controller at the water treatment plant.
82. The one year bridge restoration inspection confirmed that the contractor did an excellent job applying the painting system.
83. Water production in excess of 5,000,000 million a day of good water quality water from the water treatment plant during the summer months.

84. Compliance with the new water regulation from the Health Division was accomplished.
85. The appearance of the water treatment plant was improved through painting, landscaping and additional manicuring.
86. A bi-annual water meter testing program was started this year to insure accurate consumption reading.
87. Water meters were installed at all city buildings and facilities to determine water consumption.

MW:fj

MEMO

TO: CHIEF OF POLICE
CITY MANAGER
FROM: CAPTAIN
SUBJECT: FBI NATIONAL ACADEMY

DATE: January 17, 1982

From October 3 through December 17, 1982 I attended the FBI National Academy at Quantico, Virginia. While at the Academy, I received instruction in seven classes, plus firearms training and physical training.

The FBI has assembled a faculty that is highly qualified by both academic background and practical experience. The faculty at the academy consists, for the most part, of specially training and educated practitioners who are special agents for the Federal Bureau of Investigation. The academic credentials of the agent-instructors includes under-graduate and master degrees in various study, as well as doctrines and disciplines pertinent to the National Academy courses.

In addition to the regular staff at the academy, some visiting faculty were utilized in the form of distinguished speakers. These included judges, attorneys, and members of the medical profession, as well as knowledgeable law enforcement executives.

In addition to classroom instruction, I found that the exchange of information between the National Academy students very educational. Attending the academy along with me were supervising officers from 47 states, the District of Columbia, Northern Mariana Islands, as well as nine foreign countries, six US Military organizations and four Federal civilian organizations. Through this interchange with the other academy students, I realized that problems facing the law enforcement profession are basically universal. The only thing that changes in regards to these problems is the frequency of which they occur in any given jurisdiction, which has a tendency to be governed by the population of the jurisdiction.

While at the National Academy, I received classroom instruction in the following courses:

CONSTITUTIONAL CRIMINAL PROCEDURE

This was a comprehensive study of the Constitution and the Bill of Rights. During this course we examined legal principals governing law enforcement actions in the areas of arrest, search & seizure, confessions, electronic surveillance, eye-witness identifications, entrapment, the use of informants, as well as civil liability issues.

National Academy, cont.

LEGAL PROBLEMS FOR THE POLICE ADMINISTRATOR

This course was designed to give the law enforcement administrator the opportunity to analyze problems and consider legal, as well as managerial solutions relating to the hiring, training, assignment, promotion, discipline, and firing of officers under his command. This course dealt with problems related to union organizations, affirmative action plans, internal grievance procedures, and the use of organization records. In this course, we discussed the administrator's potential liability for actions of the officers under his control and possible means of protection against these liabilities.

EFFECTIVE COMMUNICATION

This course dealt with problems of oral language communication. The course focused on proper preparation and delivery of speeches to inform and speeches to persuade. The course emphasized public speaking techniques and coping with communication apprehension. The course also contained exercises that would aid the law enforcement administrator in dealing with the public media. The overall goal of this course was to help the National Academy student to become a more articulate, confident, and fluent communicator.

MANAGEMENT, PLANNING, AND BUDGET

In this course, a management and planning overview was presented. The traditional line-item budget was discussed as a basis for the development of performance and program budgets. Also, in this course, MBO (Management by Objectives) was discussed and each student had a hands-on exercise working with the line item budget.

STRESS MANAGEMENT IN LAW ENFORCEMENT

In this class, social trends in the United States were identified and discussed. The phenomenon of stress and its impact on law enforcement officers was thoroughly examined. Stressors, unique to the police officer, were identified, along with the officers reaction to those stressors. Administrative, operational, and personnel issues associated with stress were discussed, as well as potential remedies to those stressors. The police occupation was viewed with regards to personality variables in police personnel and changes that take place in their personalities due to stress. Also discussed was the impact

National Academy, cont.

that the stress in law enforcement has on the family, and the organizations responses and responsibilities in relation to the stress problem in law enforcement. (Techniques for stress management were also introduced to the students.)

INTRODUCTION TO GAMBLING TECHNOLOGY

This was an introductory course that familiarized the N.A. students with the major types of illegal gambling activities as well as the corruption of some legal gambling operations in the United States. This class provided a basis for the detection and investigation of illegal gambling operations and a basic understanding of the interpretation of gamblers records and the recognition of various items of gambling paraphernalia. This course covered sports wagering, horse betting, numbers games, illegal carnival activities, casino type gambling and general investigative techniques.

COMMAND-LEVEL TACTICAL MANAGEMENT

This course explored command level tactical management through discussion of crisis management, operational tactics and techniques and command post operations. Terrorist techniques were discussed. The students were given hands-on experience with firing stress handgun courses and various shoulder weapons.

FIREARMS TRAINING

During the course of the National Academy, I received forty hours of firearms instruction. This included the firing of the service revolver and the use of the police shotgun in combat situations. This firearms course also included instruction in the Weaver-style of shooting.

PHYSICAL TRAINING

While at the National Academy, I was required to participate in a physical training program which was designed to improve one's physical condition and to emphasize the importance of physical training and good physical condition in the law enforcement field.

National Academy, cont.

This report is intended to present a summary only of the FBI National Academy. It would be impractical, if not impossible, to put in writing the vast amount of knowledge that was imparted by the National Academy staff during the eleven-week course.

If any questions arise regarding the National Academy, I will look forward to answering them at your convenience.


Larry L Hailey
Captain

LLH/mr

MEMO

TO: Chief of Police

DATE: January 17, 1983

FROM: Captain

SUBJECT: Anticipated benefits from the National Academy

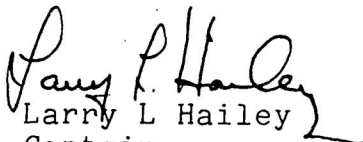
I feel that through the National Academy training, the City of Newberg will benefit in many ways, some of which I have listed below.

1. Improved officer case development in avoidance of constitutional issues and loss of evidence through the exclusionary rule.
2. I have a better understanding of legal problems that can confront law enforcement agencies in the area of:
 - A. Civil suits, as covered in Title 42-US Code-Section 1983.
 - B. Vacarious liabilities and likely tactics of attorneys filing such a suit.
 - C. Methods of protecting police personnel records from disclosure.
 - D. Police unions and ways of avoiding them.
3. Improved communication abilities between management and personnel, and between personnel and citizens/citizens groups is anticipated.
4. I now have a better working knowledge of the budgeting process and therefore I will be more effective in the preparation of the departments' budget and development of future plans for the department.
5. The police department should begin to experience a reduction in overall stress levels, which will lead to higher productivity from the officers and more citizens satisfied with the quality of contact that they experience with police officers.
6. With use of knowledge received at the National Academy in the area of firearms training, tactical management, and physical training, the departments' training programs will become more effective.
7. Due to information received at the National Academy, the department will become more effective in dealing with the public news media.

Anticipated benefits/NA, cont.

8. Through contacts established with other law enforcement administrators through the National Academy Association, the department will be better able to handle problems that carry over into many various jurisdictions.
9. It is also anticipated that there will be many an occasion where the knowledge received at the National Academy will be utilized to help solve unexpected problems.

I am looking forward to discussing these at greater length with you in hopes that we can begin or embark on implementing some of the ideas that will bring about some exciting changes within our department.


Larry L Hailey
Captain

LLH/mr

MEMO

TO: Fire Chief
Police Chief
Public Works Director

DATE: January 13, 1983

FROM: City Manager

SUBJECT: Emergency Power Outage

In the case of an emergency power outage we should be prepared for continuation of the operation of the hospital, police department, fire department, etc. The fire department has an auxiliary generator that will need to be transported to the police department for power.

In a recent staff meeting we discussed the pros and cons of having other people rather than fire personnel versed in the operation of the auxiliary generator. I felt both Captain Hailey and Chief Paola did a good job of presenting two different sides.

As you know, if there is an emergency I am ultimately responsible for providing emergency services. To this end I would like to be assured that our emergency equipment and procedures are in order.

Please plan on meeting on this subject and talking out the best procedure for an emergency. After this is done, schedule a trial run so that I can see it in action and be aware of what will be happening in the case of a power outage.


Michael Warren
City Manager

MW/bjm

cc: February City Council Meeting

MEMO

TO: City Council
FROM: City Manager
SUBJECT: Library

DATE: January 13, 1983

In a recent staff meeting one of the most interesting subjects and updates was done by the Librarian. The following is some information that will allow the City Council even greater insight into what is happening at the Library.

Circulation of books and magazines checked out at the Library was approximately 64,000 for 1982. There was a dramatic jump in March of 1982 in circulation and the overall five year increase has been an astounding 34%.

The Redevelopment Agency and the City Council have talked about future plans for a Civic Center and the need for a larger Library. Much discussion centered on expansion of the current Carnegie building or the development of a new Library.

Dan Hurbert, a professor at the University of Oregon School of Architecture has headed up a project along with his students for this semester. The "studio design project" is a class project that will evaluate the expansion of the current Library. Such bench marks as the American Library Association and the Interim Oregon Standards will be used for size, floor space, number of restrooms, study space, etc.

Consideration will be given to expanding the current facility or building a new facility. If the current facility can be expanded it will be looked at very carefully as to what direction and how far.

The Planning Department of the City and the County has provided some good backup information to begin the project and the students have already measured the building and adjoining areas.

It is expected that the project will be completed by March with a presentation at the University of Oregon. The Planning Director, the Librarian and I plan to attend the presentation.


Michael Warren
City Manager

MW/bjm

Mike
FYI

Finance Department

January 17, 1983

TAX RECEIPTS 1981 - 1982

LEVY	\$1,682,927	BUDGET	\$1,536,688 (91.3%)	
<u>Date</u>	<u>Current Year Collection</u>	<u>Percent Of Levy</u>	<u>Percent Of Budget</u>	<u>Prior Year Collection</u>
8-4-81				\$ 5,046
9-3-81				6,829
10-2-81				2,691
11-3-81	3.			3,365
11-12-81	136,295			
11-18-81	389,816			
12-4-81	487,270			
1-7-82	34,759	62.3%	68.2%	11,573
2-5-82	12,994			
2-22-82	194,907			
3-4-82	19,490			3,775
5-5-82	9,745			
6-1-82	194,907			
6-28-82	26,584			10,737
Totals	\$1,496,770	88.9%	97.4%	\$44,016

TAX RECEIPTS 1982 - 1983

LEVY	\$1,871,659	BUDGET	\$1,710,137 (91.6%)	
<u>Date</u>	<u>Current Year Collection</u>	<u>Percent Of Levy</u>	<u>Percent Of Budget</u>	<u>Prior Year Collection</u>
8-25-82	13,538			12,994
10-6-82				5,963
11-2-82	64,624			(1,347)
11-8-82	61,359			
11-17-82	613,595			
12-2-82	306,800			
1-5-83	108,299			32,880
Totals To Date	1,168,215	62.4%	68.3%	50,490 *

*Prior Year is at 98.8% of Budget projection of \$51,076.

2/7 mly

MEMO

TO: City Council DATE: January 17, 1983
FROM: City Manager
SUBJECT: Wastewater Treatment Study by CRS Group Engineers, Inc.

²
~~Eight~~ months ago I explained to the City Council that we had retained the services of CRS Group Engineering, specifically Chuck Zickefoose, to look at our Wastewater Treatment Plant. The idea behind the study was to give a quick but specific overview of where our plant is at and how improvements can be made.

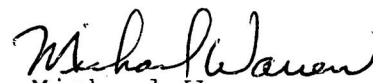
Obviously, we are not going to have a new sewage treatment plant in the very immediate future and it is critically important that our plant be in tiptop shape.

Mr. Zickefoose comes highly recommended and knows wastewater treatment plants from the bottom up. You need only talk to the people that work at the wastewater treatment plant to get a good inkling of how much knowledge and understanding Mr. Zickefoose has in this area. I am pleased with the report and I feel that there are enough recommendations and key points for us to improve upon.

I call your attention to the last page which will identify some very specific items that have costs associated with them.

I believe by reading this report you will have a very good understanding of what has occurred at the Sewage Treatment Plant, what is occurring and where we should be heading for the future. I also feel that we could take many parts of the report and use them for priorities within our Council seminars.

Mr. Zickefoose will be at tonight's Council meeting and will go over his report with the City Council. I hope this has been as useful to you as it has me in gaining a keener insight into the Sewage Treatment Plant.


Michael Warren
City Manager

MW/bjm

Enc.

MEMORANDUM
January 31, 1983

TO: Mike Warren, City Manager
FROM: Bob Sanders, City Engineer/Public Works Director *BLS*
RE: CRS Group Engineer's Report

Attached is a copy of CRS Group Engineer's brief assessment of the wastewater treatment plant prepared by Mr. Chuck Zickefoose. As I understand, Mr. Zickefoose will be at the City Council to present a brief summary of his assessment of the operation of the wastewater treatment plant and its present condition.

After Mr. Zickefoose' contact with Bob Thompson, several of the items recommended by Mr. Zickefoose have already been initiated at this time. We are currently investigating several of the low cost improvements which were recommended.

In an attempt to meet the manpower deficiency, I have transferred one man from public works on a temporary basis to assist with some of the more routine maintenance functions. The man currently on loan has no training in wastewater plant operations, which would be a real hinderance to assigning him to this position on a permanent basis. To meet the manpower requirements, I will be requesting an additional position at the wastewater treatment plant in next year's budget, which I would like to fill with a person with certification in the wastewater treatment field.

I would also like to continue the use of Mr. Zickefoose in the future as an outside resource person who can make an independant recommendation on how best to proceed with operational and system improvements at the existing facility.

WASTEWATER TREATMENT PLANT
ASSESSMENT

DECEMBER 1982

PT-N16-01-01

BY

C. S. ZICKEFOOSE
CRS Group Engineers, Inc.
5505 S.E. Milwaukie Avenue
Portland, Oregon 97202

EXECUTIVE SUMMARY

At the request of Mike Warren, City Administrator and Bob Sanders, Director of Public Works, CRS was asked to do a brief assessment of the Newberg Wastewater Treatment Plant to determine current status of equipment and processes and comment on staffing levels as well as potential remaining capacity of the plant.

The information based for this report was developed from two visits to the plant and a review of existing records and documents at the plant. Subjective evaluations were made by comparing the facility to others where we have performed similar assessments or have had hands-on experience.

The following statements are based on our observations:

1. The plant may be able to handle up to 3.7 mgd for several consecutive 24 hour periods under ideal conditions and still physically pass these flows through all treatment units. Above these levels the capacity of some units will be exceeded.
2. Presently, up to 2.5 mgd daily and 2.0 mgd monthly have been handled satisfactorily through the plant without exceeding the effluent quality limits.
3. If the plant is to be operated for sustained periods above the rated design capacity, more operational control will be necessary for collecting laboratory and process control information and providing closer surveillance on unit processes. The plant is currently operating with less than 75 percent of the manpower found in comparable area plants.
4. By monitoring certain key operation parameters it may be possible to increase the currently observed hydraulic capacity from 2.55 to 3.7 mgd during high flows under certain conditions, and still meet discharge permit limits. This will require the following approximate increase in man hours per week:

Laboratory	15
Operation	25
Maintenance	15

5. Organic and solids loading of up to 15 percent above design capacity has been observed with the plant remaining in compliance with water quality limits. By closer process control an additional 15 percent might be gained. Implementation of the industrial waste ordinance may help hold the rate of increase to a minimum, however, this will require close monitoring.

The Newberg plant is subjected to two sources of loading other than domestic in character that stress the existing capabilities, these are hydraulic during rainy weather and wastes from industrial contributors. The latter are either seasonal or year round. The influence of these two factors increases the challenge of maintaining a consistent level of treatment with the existing crew and facilities.

Report Basis

The following observations are the result of an abbreviated evaluation of the Newberg Wastewater Treatment Plant by Chuck Zickefoose, CRS Group Engineers carried out in late November and December 1982. Parts of two days were spent at the plant during which time operation procedures, plant records, and plant processes were reviewed.

The format follows the key points addressed in the Scope of Work shown in Exhibit A in our letter to the City dated November 9, 1982.

A-1. Plant Assessment

. Existing equipment

- . New comminutor - Restricts flow more than the one it replaced.
- . New primary sludge valves - Good installation, sequence of operation needs to be refined.
- . Primary effluent meter - May need to be calibrated. Flow thru Parshall flume and assumed flow thru the Muffin Monster are greater than the total recorded by the Sparling meter.
- . Primary effluent bypassing - Need defined criteria for operation of bypass valve tied to conditions downstream in the secondary process.
- . Aerators - One unit will need bearings replaced within next six months according to vibration analysis.
- . Secondary clarifiers - Need to replace or repair two RAS tube flow control devices on Clarifier No. 1--institute sludge blanket observations.
- . Aerobic digester - Supernatant return pump should have wider span for operation and run only when aerator is off. (Tie circuit to aerator motor circuit.)
- . Anaerobic digester - Hook up gas system to boiler. Install running time meters on pumps.
- . RAS pumps - Add running time meters and replace flow meter with sonic type. Install 22-1/2° V-notch weir in well influent troughs, or preferably, install a portable sonic meter for dual use for RAS and waste sludge.
- . Waste pump - Add running time meter and investigate better flow meter arrangement.
- . Samplers - Replace or repair existing samplers. Need composite samples!

A-2. Process Operation

- . Influent bypass control decisions should be based on how excess flow will influence the process.
- . Headworks flow distribution should be maximized to keep optimum flow in both channels.
- . Sludge pumping from primary clarifiers should be geared to accumulation rate by adjustment of timers.
- . Primary effluent bypassing should be geared to secondary process efficiency.

- Primary efficiency should be checked under high flow conditions. Detention time can vary from 30-150 minutes depending on capacity of units down stream.
- Aerator efficiency should be checked with 1 and 2 aerators on per tank--currently operating one per tank most of time. Check on potential accumulation of solids in tank when second unit is off (stagger operation daily to disperse if this is problem.)
- Check on ultimate true capacity of aerator--secondary clarifier system using back records and testing under varying conditions.
- Look at revising aerator flows pattern for more efficient removals.
- Check blanket levels and use for plant control.
- Devise rationale for RAS adjustment.
- Revise secondary clarifier sludge draw-off tubes to allow lower minimum rate without plugging.
- Look at RAS control using flooded RAS well and narrower band of control.
- Waste periodically from RAS line.
- Program amount to be wasted based on solids content of sludge and MCRT.
- Operate aerobic digester on controlled fill and draw, with close control of waste rate.
- Clean out chlorine contact basin on a scheduled basis.

A-3. Manpower Assessment

Information was tabulated for two area plants in the Portland vicinity and related back to man hours per week per million gallons per day. Using the current allocated staffing of a plant supervisor, laboratory person, truck driver and 16 hours per week contracted maintenance assistance, the following comparison was made:

	<u>Manhours/Week</u>	<u>Weekly Manhours (mgd)</u>
WEST SIDE		
<u>Hillsboro</u>	240 operations	
(2.0 mgd	20 maintenance	
average flow)	30 sludge hauling	
	290	145

	<u>Manhours/Week</u>	<u>Weekly Manhours (mgd)</u>
<u>Oak Lodge</u> (3.3 mgd average flow)	360 O&M 40 sludge hauling <u>400</u>	121
<u>Newberg</u> (1.5 mgd average flow)	24 laboratory 30 sludge hauling 20 administration 16 maintenance* 56 operations <u>136</u>	90

*Contract

The above comparison does not include man hours available on a loan basis from the public works department. Approximately 40 hours per week have been used for the past three months and the time has been well spent in catching up with deferred building and grounds maintenance.

The impact of low manpower levels was observed to influence the following areas of operation:

1. Laboratory information is limited to minimum tests required for DEQ reports and some control tests. More sampling and testing will be required to keep the close control necessary to meet water quality requirements during high hydraulic and organic loading periods. A minimum of 15 man hours per week should be added.
2. Development of short and medium range plans to address optimization of existing capacity is presently lacking. In addition, no training of personnel in general wastewater concepts and specific process goals for the plant is being done. The pressure of emergency responses to failure of system components (such as pump station equipment, anaerobic digester equipment, etc.) prevents the plant supervisor from addressing these areas. Additional operation assistance of up to 25 manhours per week would free up needed administrative and training time.
3. A number of deferred maintenance items have been resolved by contracting for up to 16 hours per week with a maintenance man familiar with wastewater facilities. Comparing the existing facilities with other plants of the same relative age, the plant has been partially restored to an average condition. Some recommendations for low and medium cost improvements are noted in Section B-2. It is recommended that the minimum level of 16 hours per week be continued. Included in this service is a vibration analysis which is part of the preventive maintenance program which is reducing down time of critical equipment.

4. Presently up to an average of 30 manhours per week are committed to hauling liquid sludge in a tank truck and distributing it on farmland. There are several recommendations dealing with sludge dewatering, stabilization and handling that can reduce the total amount hauled and result in net savings. It is suggested that some time committed to hauling can be devoted to optimizing activities on site to reduce the total amount hauled by assigning the responsibility to manage sludge handling activities to the truck driver. A savings of about (2¢) two cents per gallon not hauled would result.

A-4. Reserve Capacity

Plant capacity can be defined in terms of hydraulic, organic, and solids loading. Some unit processes such as the aeration basins and clarifiers have a higher hydraulic capacity than organic. The ability of the biological system to function at higher than design loading depends on the condition of the sludge and with close management the nominal 2.0 mgd capacity can be exceeded by 15 percent to 30 percent.

Previous records show that the plant has met the water quality limits at the design flow according to data on hand. More definitive composite sampling needs to be done to confirm these figures. Most recent information is based on grab sample results which do not reflect a full 24 hour period.

The attached Table A-4-1 shows a graphical representation of capacity of specific processes based on historical and design values.

Because the average flow and organic loads for several recent months have reached and exceeded design values, the plant must be viewed as being at capacity. The ability to succeed will depend on reducing the load by control of I/I and industrial wastes and operating the existing unit processes more efficiently during those periods of maximum loading. A program must be established to prepare for maximum loading periods during the months when the plant is below capacity. This can be accomplished by collecting additional data, unit process control manipulation and defining goals for specific portions of the plant to assure meeting NPDES water quality requirements.

RECOMMENDATIONS

B-1. Plant Operation

1. Increase collection of plant data and develop defined procedures for using the information for process control decisions. Specific items are noted in Section A-2 above.

TABLE A-4-1

NEWBURG WASTEWATER TREATMENT PLANT

	1.0	1.5	2.0	2.5	3.0	3.5	4.0	4.5	5.0
COMMINUTOR									
GRIT CHANNELS									
HYDRAULIC									6.0
GRIT									5.8
PRIMARY CLARIFIER									
HYDRAULIC									
SOLIDS									
AERATION BASINS									
HYDRAULIC									
ORGANIC									
SECONDARY CLARIFIER									
HYDRAULIC									
SURFACE									
CHLORINATION									
HYDRAULIC									
RAS PUMP									
HYDRAULIC									
BLOWER									
cf/GALLON									
cf/POUND									
DIGESTER									
PRIMARY ANAER.									
SECONDARY ANAER.									
AEROBIC									

NOMINAL
DESIGN

2. Establish a program to set specific goals for each unit process, define controls to meet the goals and instruct personnel in operation procedures.

B-2. Low Cost Improvements

1. Install running time meters recommended in A-1 and A-2 above.
2. Investigate potential for hooking up digester gas system to the plant boiler. Necessary gas safety equipment would need to be brought up to code.
3. Install measuring devices for RAS, waste sludge and digester gas. Sonic meters should be considered for the two sludge applications.
4. Repair or replace sampling system to assure composite sampling at primary effluent and final effluent sites.
5. Add several minor lab equipment items to allow rapid determination of waste characteristics. (Turbidimeter, centrifuge equipment, blanket finder, etc.)

B-3. Personnel

1. The present level of staffing normally assigned to treatment plant and pump station operation is three people. Weekend surveillance checks are carried out by the existing staff. Up to 16 hours per week of preventive maintenance is contracted out. To adequately meet the water quality requirements, a minimum of an additional 40 man hours per week as needed. Back up information is given in A-3 above.
2. In order to use existing and additional personnel at their maximum efficiency, the following items are recommended:
 - a. City management should define short term and long term expectations for the life of the treatment system components. (Is the existing plant scheduled to be continued in service for two years, five years, etc.?)
 - b. Internally in the plant, unit process objectives should be established and the plant personnel trained to meet the objectives. (By understanding what the potential capacity of the biological system or sludge handling facilities, more flow and loading can be handled.)

B-4. Estimated Costs

The purpose for all of the recommended additions is to improve the information gathering capabilities of the staff, increase the life of existing equipment or use existing resources to reduce operating costs.

Cost estimates are very approximate, but will give an order of magnitude.

- | | |
|---|---------|
| 1. Recommended metering equipment
(RAS and waste sludge) | \$3,000 |
| 2. Composite samplers | 1,800 |
| 3. Running time meters | 75 |
| 4. Lab equipment | 250 |
| 5. Restore gas system to use anaerobic
digester gas | Unknown |

Other process related activities that can have a financial impact on the plant are:

1. Develop process control procedures that will reduce the need to haul liquid sludge by concentrating the solids on site without impairing other unit process operation. A savings of approximately two cents (2¢) per gallon not hauled will result.
2. Increase the amount of storm flow that is treated through the plant by monitoring the secondary clarifier and defining the maximum flow that will not cause lowering the effluent quality. This will also help define maximum plant potential for normal flow conditions. The ability to treat more flow with the existing facilities increases the life of the plant and reduces the pressures imposed by DEQ for effluent quality violations. It is estimated that 15 percent more capacity can be gained by increased monitoring and process control.

DATE: December 1, 1982

SUBJECT: Restricted parking - First & School Street

According to Mr. Bruce Brightling, Manager of the bank, considerable parking problems have been created since the opening of the Velvet Carriage Restaurant in the same block. Since the parking problems undoubtedly create some traffic hazards, it appears that, in the best interest of traffic safety, this zone should be permitted.

According to City Ordinance, this designation can be made for a limited time only, not to exceed ninety days. At that time the City Council will have to decide whether to make this a permanent restricted parking space or not.

Should you have any questions or concerns, please advise.

HWH/mr



First Interstate Bank
of Oregon, N.A.
601 East First Street
P. O. Box 30
Newberg, Oregon 97132
(503) 538-8311

yes
Bruce R. Breitling
Manager

November 23, 1982

Mike Warren
City of Newberg
414 East First
Newberg, Oregon 97132

Ref: Restricted Parking

Dear Mike:

We are requesting that a limited time parking restriction be placed on the parking space immediately in front of our Bank on the corner of First Street and School Street. It is recommended that the restriction be for a ten minute period.

The purpose of this restriction is to allow our customers a place to park while using the Day and Night Teller Machine.

In the past parking has not been a problem. However, since the Velvet Carriage Restaurant has opened, adjacent to the Bank, our customers find it exceedingly difficult to find a convenient parking space and we have received numerous complaints.

We do not feel that having one parking space designated for a limited time will adversely impact the other businesses in the area.

Thank you for your consideration of our request.

Sincerely,

A handwritten signature in dark ink, appearing to read 'B. Breitling', written over the typed name.
Bruce R. Breitling
Manager

BRB:tlw

ORDINANCE # 1593

designated by sign for use by taxicabs.

(m) Traffic control device. A device to direct vehicular or pedestrian traffic or parking, including but not limited to a sign, signaling mechanism, barricade, button or street or curb marking installed by the city or other authority. [Amended by Ord. 1697, §2, passed June 4, 1973.]

(n) Traffic lane. That area of the roadway used for the movement of a single line of traffic.

(o) Vehicle. As used in subsequent sections of this ordinance, includes bicycles.

(2) As used in this ordinance, the singular includes the plural, and the masculine includes the feminine.

Administration

Section 4. Powers of the Council.

(1) Subject to state laws, the city council shall exercise all municipal traffic authority for the city except those powers specifically and expressly delegated herein or by another ordinance.

(2) The powers of the council shall include but not be limited to:

- (a) Designation of through streets.
- (b) Designation of one-way streets.
- (c) Designation of truck routes.
- (d) Designation of parking meter zones.
- (e) Restriction of the use of certain streets by any class or kind of vehicle to protect the streets from damage.
- (f) Authorization of greater maximum weights or lengths for vehicles using city streets than specified by state law.
- (g) Initiation of proceedings to change speed zones.
- (h) Revision of speed limits in parks.
- (i) Establishment, maintenance, removal or alteration of traffic control signals.
- (j) Establishment, maintenance, removal or alteration of loading zones and stops for all vehicles.
- (k) Designation of certain streets as bridle paths and prohibition of horses and animals on other streets.
- (l) Temporary blocking or closing of streets.

[Amended by Ord. 1709, §1, passed Sept. 17, 1973.]

Section 4A. Duties of the Chief of Police. The chief of police or his designate shall exercise the following duties:

- (1) Implement the ordinances, resolutions and motions of

the council and his own orders by installing traffic control devices. Such installations shall be based on the standards contained in the Oregon Manual on Uniform Traffic Control Devices for Streets and Highways.

(2) Establish, maintain, remove or alter the following classes of traffic controls:

(a) Crosswalks, safety zones and traffic lanes.

(b) Intersection channelization and areas where drivers of vehicles shall not make right, left or U-turns, and the time when the prohibition applies.

(c) Parking areas and time limitations, including the form of permissible parking (e.g., parallel or diagonal).

(3) Issue oversize or overweight vehicle permits.

(4) The chief of police shall file with the recorder as a public record a report of any action taken by him under this section.

[Added by Ord. 1709, §2, passed Sept. 17, 1973.]

Section 4B. Traffic Surveys and Investigations.

(1) The chief of police is authorized and instructed to conduct surveys and investigations for the purpose of determining and reporting to the council through the police committee of the council the best methods and procedures and appropriate measures for the control of traffic on the highways of the city.

(2) As part of such surveys and investigations, the chief of police is authorized to determine and enforce such traffic control methods and procedures as he shall see fit, from time to time, at such points as he shall determine, and to maintain such traffic control measures in force for not to exceed 90 days for each such measure, providing, installing, altering, moving and removing such temporary traffic signs and signals as he shall see fit for the purpose of advising the public of such temporary traffic control measures.

(3) The chief of police shall file with the recorder, as a public record, a statement and notice of each such temporary traffic control measure not less than five days before such traffic control measure shall be effective. Such statement and notice may contain more than one such traffic control measure, and shall fully describe each such measure and state the period of time it will remain in force, and shall be signed by the chief of police.

(4) The chief of police shall report in writing to the council through the police committee of the council giving his recommendations for permanent traffic control methods, measures and procedures, based upon the foregoing investigations and surveys, at the end of each six months after the effective date of this ordinance.

[Added by Ord. 1709, §3, passed Sept. 17, 1973.]

MEMORANDUM
January 31, 1983

TO: Mike Warren, City Manager
FROM: Clay Moorhead, Planning Director *CEM*
RE: News stands

Within the last couple of months numerous news stands have appeared upon the public streets. Initially it started when USA Today, a nationwide newspaper, began their circulation within our community. With the placement of these news stands, the Oregonian and Statesman-Journal also decided that they needed to expand their news stand circulation. We did at one time receive an objection from the Graphic because of the number of news stands located on public streets. The City does have an ordinance which restricts the use of public streets for any commercial use. It was thought that this ordinance could be used to eliminate the number and location of news stands within the community. However, there have been several Supreme Court cases which have provided special privileges to news stands. Specifically, Gannet Co. versus the City of Rochester, New York found that the first amendment protection relating to the freedom of speech are also applicable to the public distribution of newspapers and periodicals through the use of news racks or vending boxes placed on a public sidewalk and street. The Court found that a municipality may not, therefore, constitutionally foreclose all use of news racks or other newspaper vending devices on its streets and sidewalks.

An interesting note is that Gannet Co. who won the lawsuit in this case, also is the owner of USA Today and possibly the Statesman-Journal.

Because of the number of court cases on this particular matter, it does appear that the City cannot outright eliminate the location of newspaper vending boxes from public streets. There may be some way to restrict the number and location provided that there are reasonable locations provided within the community. The City of McMinnville is also looking into this matter. I will keep you apprised of any further information which develops relating to this matter.

NEWSPAPER STAND LOCATIONS
WITHIN PUBLIC RIGHT-OF-WAY

January 26, 1983

KEY:

S/W: Sidewalk
Type 1: Graphic
Type 2: News Register
Type 3: Oregonian
Type 4: Statesman-Journal
Type 5: USA Today

<u>LOCATION</u>	<u>TYPE 1</u>	<u>TYPE 2</u>	<u>TYPE 3</u>	<u>TYPE 4</u>	<u>TYPE 5</u>
Naps--S/W--middle of building First Street		1	3	1	1
Brass Key--S/W--middle of block on First Street			1	1	1
Post Office--S/W--corner of Blaine and First (N.E.)			1		
Bowmans--S/W--15ft. east of Blaine on First Street			1	1	
U.S. Bank--S/W--west end of Bank building on First Street	1				1
Newberg Drug--S/W--middle of block on First Street	1		1		1
Darby's--S/W--middle of block on First Street			1		
Newberg Graphic--S/W-front of building on School	1				
Dip-N-Donuts--S/W--corner of Main and Hancock (N.E.)					1

TO: Mike Warren, City Manager

January 31, 1983

FROM: Arvilla Page, Finance Officer

SUBJECT: Contingency Transfers 1982-1983 Budget

The Finance Committee, at their meeting January 27, approved and recommended to the full Council transfers from contingency accounts and between functions within funds and departments.

The funds and amounts for the contingency transfers were as follows:

General Fund	\$33,441
Street Fund	\$12,125
Sewer Fund	\$ 8,592
Water Fund	\$ 4,381
Redevelopment Fund	\$ 477

The majority of the transfers from contingency were to personal service.

Other transfers approved were in the Street fund from Capital Improvement to Personal Service and in the General Fund-General Government from Personal Service to Materials, Supplies & Services.

A resolution has been prepared for presentation to the full Council.


Arvilla

ap

RESOLUTION NO.

A RESOLUTION AUTHORIZING TRANSFER OF FUNDS FROM THE GENERAL FUND, STREET FUND, SEWER FUND, WATER FUND AND REDEVELOPMENT FUND, CONTINGENCY ACCOUNTS OF FUNDS TO NUMEROUS DESIGNATED PERSONAL SERVICE AND MATERIALS, SUPPLIES AND SERVICE ACCOUNTS; AND AUTHORIZING TRANSFER OF FUNDS WITHIN THE STREET FUND FROM STREET IMPROVEMENT-CAPITAL IMPROVEMENT LINE ITEM TO SALARIES-PERSONAL SERVICE LINE ITEM; AND AUTHORIZING TRANSFER OF FUNDS WITHIN THE GENERAL FUND FROM GENERAL GOVERNMENT PERSONAL SERVICE-SALARIES LINE ITEM TO GENERAL GOVERNMENT-MATERIALS, SUPPLIES AND SERVICE- DUES, MEETINGS AND TRAVEL LINE ITEM.

WHEREAS, funds must be appropriated from the General Fund, Street Fund, Sewer Fund, Water Fund and Redevelopment Fund Contingency Accounts of Funds to meet personal service and materials, supplies and service obligations; and

WHEREAS, within the Street Fund, funds must be transferred from the Street Improvements, Capital Improvements line item to Salaries, Personal Service line item to compensate for loss of gas tax funds; and

WHEREAS, funds must be transferred within the General Fund from General Government, Personal Services, Salaries line item to General Government, Materials, Supplies and Service, Dues, Meetings and Travel line item to provide for Mayor's expenses; and

WHEREAS, the Finance Committee of the City Council of the City of Newberg has met and, after due consideration, does recommend these transfers; and

WHEREAS, the Council of the City of Newberg has considered the transfer of funds from the Contingency Accounts of Funds and within the Street Fund and General Fund as set forth in the budget for the fiscal year 1982-1983 which are enumerated below and has determined that the expenditures hereinafter are necessary and that the transfer of funds hereinafter stated should be allowed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newberg, Oregon, as follows, to-wit:

1. That the following transfer of funds from the General Fund Contingency Account in the amount of \$33,441.00 are hereby authorized and expenditure of the funds are authorized for the purposes stated as follows:

<u>Fund/Purpose</u>	<u>Amount</u>
<u>General Fund</u>	
General Government:	
Materials, Supplies and Service	\$ 835.
Municipal Court:	
Personal Service	318.
Materials, Supplies and Service	150.
Administration:	
Personal Service	1,331.
Finance:	
Personal Service	800.
Legal:	
Personal Service	1,007.
Planning:	
Personal Service	74.
Police:	
Personal Service	20,116.
Materials, Supplies and Service	300.

<u>Fund/Purpose</u>	<u>Amount</u>
Fire:	
Personal Service	\$ 2,889.
Building:	
Personal Service	1,627.
Engineering:	
Personal Service	216.
City Hall:	
Materials, Supplies and Service	1,875.
Municipal Garage:	
Personal Service	599.
Library:	
Personal Service	<u>1,304.</u>
TOTAL GENERAL FUND	\$33,441.

2. That the following transfer of funds from the Street Fund Contingency Account in the amount of \$12,125.00 is hereby authorized and expenditure of the funds are authorized for the purpose stated as follows:

<u>Fund/Purpose</u>	<u>Amount</u>
<u>Street Fund</u>	
Streets:	
Personal Service	<u>\$12,125.</u>
TOTAL STREET FUND	\$12,125.

3. That the following transfer of funds from the Sewer Fund Contingency Account in the amount of \$8,592.00 is hereby authorized and expenditure of the funds are authorized for the purposes stated as follows:

<u>Fund/Purpose</u>	<u>Amount</u>
<u>Sewer Fund</u>	
Sewer Administration:	
Personal Service	\$ 621.
Sewer Plant:	
Personal Service	3,471.
Materials, Supplies and Service	<u>4,500.</u>
TOTAL SEWER FUND	\$ 8,592.

4. That the following transfer of funds from the Water Fund Contingency Account in the amount of \$4,381.00 is hereby authorized and expenditure of the funds are authorized for the purpose stated as follows:

<u>Fund/Purpose</u>	<u>Amount</u>
<u>Water Fund</u>	
Administration:	
Personal Service	\$ 621.
Plant:	
Personal Service	1,527.
Water Lines:	
Personal Service	<u>2,233.</u>
TOTAL WATER FUND	\$ 4,381.

5. That the following transfer of funds from the Redevelopment Fund Contingency Account in the amount of \$477.00 is hereby authorized and expenditure of the funds are authorized for the purpose stated as follows:

<u>Fund/Purpose</u>	<u>Amount</u>
<u>Redevelopment Fund</u>	
Personal Service	\$ 477.
TOTAL REDEVELOPMENT FUND	\$ 477.

6. That the following transfer of funds within the Street Fund Account in the amount of \$15,000.00 is hereby authorized and expenditure of the funds are authorized for the purpose stated as follows:

<u>Fund/Purpose</u>	<u>Amount</u>
<u>Street Fund</u>	
From Capital Improvement to Personal Service line item	\$15,000.
TOTAL STREET FUND	\$15,000.

7. That the following transfer of funds within the General Fund in the amount of \$2,500.00 is hereby authorized and expenditure of the funds are authorized for the purpose stated as follows:

<u>Fund/Purpose</u>	<u>Amount</u>
<u>General Fund</u>	
From General Government Personal Service, Salaries line item to General Government Materials, Supplies and Service, Dues, Meetings and Travel line item	\$ 2,500.
TOTAL GENERAL FUND	\$ 2,500.

8. That the foregoing transfers shall be made from accounts as set forth in the budget of the City of Newberg for the fiscal year 1982-83.

ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of February, 1983.

Arvilla Page - City Recorder

RESOLUTION NO.

A RESOLUTION AUTHORIZING AN INCREASE IN THE CASH ON HAND ACCOUNT OF THE GENERAL FUND OF THE CITY OF NEWBERG TO PROVIDE A PETTY CASH FUND FOR THE CITY LIBRARY.

WHEREAS, the Newberg Carnegie City Library is in need of a petty cash fund for miscellaneous library related purchases and costs; and

WHEREAS, the Finance Committee of the City Council of the City of Newberg has considered this request, and recommends to the Council that the General Fund Cash On Hand Account be increased from \$625.00 to \$650.00 to accommodate the Library's need for a petty cash source and the Council now being fully advised on the premises.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newberg, Oregon, as follows, to-wit:

1. That the General Fund of the City of Newberg, Oregon, Cash on Hand Account be and the same hereby is increased from \$625.00 to \$650.00 to provide a petty cash fund of \$25.00 for the Newberg Carnegie City Library.

2. That said funds shall be deposited and withdrawn from the General Fund Cash on Hand Account in like manner as is presently authorized for deposits and withdrawals from said account.

ADOPTED by the Council of the City of Newberg, Oregon this 7th day of February, 1983.

Arvilla Page - City Recorder

MEMORANDUM
January 31, 1983

TO: MIKE WARREN, CITY MANAGER
FROM: BOB SANDERS, DIR. OF PUBLIC WORKS *BS*
SUBJECT: SEWER DISCHARGE ORDINANCE

Over the past six months, with the assistance of Westech Engineering, I have been actively pursuing a major revision to the Sewer Discharge Ordinance which incorporates the Environmental Protection Agency's general pretreatment regulations issued in June of 1978, amended in January of 1981, and again amended in February of 1982. These regulations require the City of Newberg to have an ordinance, including the pretreatment requirements, adopted by January 1, 1983. Over the past few months several drafts have been prepared, one of which was sent to DEQ prior to January 1, 1983.

In working to meet the mandated compliance schedule for the adoption of this ordinance, several milestone dates were placed in the schedule by DEQ. One of these milestones was an industrial survey which was completed by Robert E. Meyers in 1980. A second milestone was the authorization of expenditure for preparation of the ordinance, and following this Westech Engineering was awarded a special service contract to prepare the ordinance revisions.

During the course of the ordinance preparation, an extensive public participation program has been conducted. Attached is a summary of the public participation that has occurred thus far.

At the last City Council meeting a public hearing was conducted to receive public input from those affected users. Most of the public response to date has been in written form. and was included in last month's Council packets. The public hearing was continued until the February 7 Council meeting. Also attached is a letter received from Technical Images commenting on the final draft of the ordinance. After considering any additional public testimony at the February 7 Council meeting, the public hearing should be closed, and the City Council should then take action on the ordinance.

VII. SUMMARY OF PUBLIC PARTICIPATION

The City of Newberg has conducted an extensive public participation program in conjunction with the development of their wastewater pretreatment program. The function of a public participation program is to identify opportunities for input from affected user groups and the public at large. Besides insuring citizen access to the decision making process, another important function of a public participation program is to enhance and maximize opportunities for consensus among government officials, special interest groups, and the general public.

The goals of Newberg's public participation program were to:

1. Assure that the public had an opportunity to understand the pretreatment program and that the City fully considered the public's concerns;
2. Assure that the City did not make any significant decisions without consulting interested and affected members of the public;
3. Keep the public informed about significant issues, regulations, and changes as they arose; and
4. Foster a spirit of openness and cooperation between the City and the general public.

City staff and the City's consulting engineer (Westech Engineering, Inc.) realized that the public acceptance and willingness to comply with the requirements of the pretreatment program would be enhanced if the above goals were met. Therefore, they made a concentrated effort to both disseminate information about the program, and collect feedback from affected industries and the public at large. This section summarizes those efforts.

On June 30, 1982 a representative of Westech Engineering visited individually with several representatives of the potentially affected industries. He discussed the background for the City's wastewater pretreatment program, and solicited their suggestions and comments. The main intent was to brief each industry on the thrust of EPA's pretreatment program nationwide, and the associated requirements being placed on the City of Newberg as well. The overall intent of the meetings was for introductory purposes, and to establish a two-way flow of communication.

The Newberg Chamber of Commerce has had an active industrial committee over the past several years, and has become actively involved with City staff in an effort to maintain a healthy wastewater treatment program. On September 14, 1982, representatives from the City and Westech Engineering met with representatives of the Committee to review the objectives of the pretreatment program. Committee representatives expressed a strong desire to work cooperatively in order to insure smooth adoption and implementation of an equitable program. Consequently, they sponsored a town hall informational meeting on October 19th, 1982, at the Newberg High School. Chaired by committee members Angus MacPhee and Wyn Stucky, representatives of the City and Westech Engineering presented information concerning the pretreatment program's background, objectives, and anticipated requirements. Key elements of the proposed ordinance were highlighted, including discharge regulations, industrial waste discharge permits, provisions for the establishment of fees, and necessary enforcement procedures. One question and answer period followed the presentation, one industrial representative submitted written comments; a copy of which is included at the end of this section.

The initial draft of the wastewater pretreatment program was given to City staff on July 14, 1982. Following their review, a formal draft was prepared in October 1982. This was subsequently reviewed in detail by the City's Public Works Committee during five separate meetings.

Representatives from the City and Westech Engineering then reviewed the draft program (including the proposed ordinance) during individual meetings with industry representatives on November 30 and December 2, 1982. A summary of those meetings along with industry comments and the city's proposed response, is provided at the end of this section.

The pretreatment program was formally presented to the entire City Council on December 6, 1982. The material presented was similar in format to that of the October 19 town hall meeting. Since the key element of the pretreatment program is adoption of the sewer user ordinance, a formal public hearing was scheduled for the Council's meeting on January 3, 1983.

On December 28, 1982, a representative from Westech Engineering again met individually with several industrial representatives to review the status of the program. Discussions centered on the industry's initial comments on the October 1982 draft, and the City's response and associated proposed revisions. A memorandum summarizing those discussions is included at the end of this section.

A formal public hearing was conducted by the City Council as part of its regularly scheduled meeting of January 3, 1983. The City's Director of Public Works presented information on the program's background, objectives, and overall contents. A representative from Westech Engineering summarized their recent discussions with industry representatives; and presented some proposed revisions as a result of the most recent industry comments. The Council elected to continue the public hearing until it's February 7th meeting; thereby enabling the Public Works Committee to review the proposed revisions and make a final recommendation concerning the adoption of both the ordinance and the overall pretreatment program.

The Public Works Committee discussed the proposed revisions during its January 25 meeting. The City Council accepted the Public Works Committee's recommendation, and subsequently adopted the ordinance and pretreatment program during its February 7th meeting.



TECHNICAL IMAGES, INC.

2206 MOUNTAIN VIEW DRIVE • NEWBERG, OREGON 97132

TELEPHONE 503-538-3175

RECEIVED

JAN 28 83

January 26, 1983

CITY OF NEWBERG, ORE.
OFFICE OF RECORDER

Newberg City Council
414 E. First Street
Newberg, Oregon 97132

Ref: Discharge Ordinance

Dear Council Members;

Having received a copy of the final draft of the sewer discharge ordinance, Technical Images, Inc. and I, as their president, would like to go on record as recommending its adoption by the Council.

It appears to me that the city has done an excellent job of interfacing with all the people involved and a lot of input and understanding has gone into coming up with a pretty practical and workable plan. Certainly, this whole program has opened the doors for closer cooperation between everyone; from my viewpoint, as a plant manager, just trying to do a job and to perform a function, this is a real plus.

We certainly feel that we now have a much better understanding of what we can or cannot do and in turn can start to make plans accordingly. From our viewpoint, it is equally important that rate structures be finalized as soon as possible, since this is necessary to our overall planning and our need to increase our production and our employment.

Cooperation and understanding, reasonable rules and guidelines, fair and reasonable rates; these are all factors that are so necessary to operate a business such as ours. Given the present dialogue, it appears that we could all look forward to a real advance in the business climate and for Newberg as a whole.

Thanks again for a good job.

Yours truly,

Herbert D. Rustrum
President

HDR/pa

XI-1

CIRCUIT BOARDS AND INSTRUMENT PANELS OF THE FINEST QUALITY
PRODUCTION FABRICATION AND ANODIZING

MEMO TO: Mike Warren, City Manager

FROM: Rick Faus, City Attorney

DATE: January 31, 1983

SUBJECT: Ordinance/Legislative Committee Recommendations regarding
Cable Communications Commission for Council Action 2-7-83

The Ordinance/Legislative Committee met at 7:00 a.m. at the Oak Tree Restaurant today to consider nominations to the Cable Communications Commission and recommendations for ordinance revision due to the inability of the cities of Dayton and Lafayette to agree on a joint commissioner. The Ordinance/Legislative Committee members discussed the Dayton/Lafayette situation and voted to recommend that the composition of the Cable Communications Commission be revised to provide for 4 voting commission members from the City of Newberg and 1 voting member each from the cities of Dundee, Dayton and Lafayette. The Ordinance/Legislative Committee also voted to retain the requirement that they nominate 6 persons for the commission. As a consequence, the Mayor will be choosing 4 commission members out of the list of 6 persons instead of 3.

The Ordinance/Legislative Committee directed me to prepare an ordinance for possible Council adoption at the February 7th meeting reflecting these changes. A copy of that draft ordinance is attached to this memo along with a copy of the letter from the City of Dayton dated January 24, 1983.

After considering the 11 nominees for positions on the Cable Communications Commission, the Ordinance/Legislative Committee nominated the following 6 persons for positions on the Cable Communications Commission:

<u>Name</u>	<u>Source of Nomination</u>	<u>General Interest Area</u>
1. Mel Schroder	George Fox College	Education
2. Dorothy Rogers	Newberg School District	Education
3. Richard Pratt	Library Board	Education
4. Bert C. Pennock	General Public	GTE Employee
5. Sam Whitney	Chamber of Commerce	Business
6. Jane Cummins	Newberg Community Hospital	Health Care

If the ordinance revision recommended by the Ordinance/Legislative Committee is adopted at the February 7th meeting, the Mayor should appoint 4 persons from this list of 6 to be the Cable Communications Commission members from the City of Newberg.

RDF:fj

CITY OF DAYTON

In the Heart of Oregon's Garden Spot

January 24, 1983

POST OFFICE BOX 338
DAYTON, OREGON 97114
Phone (503) 864-2221

RECEIVED
JAN 26 1983
CITY OF NEWBERG, ORE.
OFFICE OF THE RECORDER

Mr. Michael Warren, City Manager
City of Newberg
Newberg, Oregon 97132

Dear Mr. Warren:

It appears there will be some difficulty in selecting a single representative satisfactory to both the City of Lafayette and the City of Dayton to serve on the Cable Communications Commission. For that reason, the City of Dayton, requests it be allowed to designate a commissioner specifically for our community.

Mr. Wayne Herring has been designated our Cable Communication Commissioner. Since the City of Lafayette has chosen not to designate Mr. Herring as their cable representative it is my request you accept Mr. Herring in the capacity of cable communications representative for the City of Dayton.

Please feel free to contact me if you have any questions.

Sincerely,


David J. Eggeston, Mayor
City of Dayton

DJE:jc

cc - Paul O. Capron
Wayne Herring

X1-2

ORDINANCE NO.

AN ORDINANCE AMENDING SECTIONS 2 and 3 OF ORDINANCE NO. 2106 PASSED AND APPROVED DECEMBER 6, 1982 TO INCREASE THE MEMBERSHIP OF THE CABLE COMMUNICATIONS COMMISSION; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 2106 passed and approved December 6, 1982, Sections 2 and 3, provide for the membership of the Cable Communications Commission to consist of a total of 5 members, 3 members appointed from the City of Newberg, 1 member from the City of Dundee and 1 member appointed jointly by the cities of Dayton and Lafayette; and

WHEREAS, the cities of Dayton and Lafayette have been unable to agree on the appointment of a joint member and have requested that each be allowed to appoint a Cable Communications member on their own; and

WHEREAS, the Ordinance/Legislative Committee of the City of Newberg has reviewed this request and recommends that the Cable Communications Commission be increased from 5 to 7 members with 4 members being appointed from the City of Newberg and 1 member each being appointed by the Cities of Dundee, Dayton and Lafayette; and

WHEREAS, due to the need to establish the Commission and begin public access cable television activities as soon as possible, the City Council of the City of Newberg has determined that the public health, safety and welfare would be served by appointing commission members as soon as possible and that therefore an emergency should be declared to exist.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. That Section 2 of Ordinance No. 2106, passed and approved December 6, 1982, establishing a Cable Communications Commission is hereby amended to read as follows:

"Section 2. COMMISSION MEMBERSHIP. The Cable Communications Commission shall consist of seven (7) members who are not officials or employees of the cities of Newberg, Dundee, Dayton and Lafayette and 2 ex officio non-voting members who shall be a representative designated by the Grantee, Liberty Communications, Inc., and who may be an official or employee of Liberty Communications, Inc., and a member designated by the Mayor of the City of Newberg who may be an official or employee of the City of Newberg."

2. That Section 3 of Ordinance No. 2106, passed and approved December 6, 1982, establishing a Cable Communications Commission is hereby amended to read as follows:

"Section 3. QUALIFICATIONS OF COMMISSION MEMBERS. Four (4) of the Commission members shall be residents of the City of Newberg and shall be appointed by the Mayor of the City of Newberg with approval of the City Council of the City of Newberg by the following procedure: The Ordinance/Legislative Committee of the City of Newberg will nominate six (6) persons for the four (4) positions available. The Mayor will then appoint four (4) members of the commission from this list of six (6) with Council approval. One (1) member of the commission shall be appointed by the Mayor of the City of Dundee using whatever procedure is determined by the City of Dundee. One (1) member of the commission shall be formally appointed by the Mayor of the City of Dayton using whatever procedure is determined by the City of Dayton. One (1) member of the commission shall be formally appointed by the Mayor of the City of Lafayette using whatever procedure is determined by the City of Lafayette. The four (4) members appointed from the City of Newberg shall be residents of the City of Newberg. The single

member appointed from the City of Dundee shall be a resident of the City of Dundee. The single member appointed by the City of Dayton shall be a resident of the City of Dayton and the single member appointed by the City of Lafayette shall be a resident of the City of Lafayette. In making appointments to the Commission consideration should be given to representation on the Commission by persons in the fields of the arts, education, public access, government, community information and special interest groups."

3. That due to public need for the development of public access to the cable system, the Council hereby determines that it would be in best interest of the public health, safety and welfare that the Cable Communications Commission members should be appointed as soon as possible and the Cable Communications Commission begin to function.

NOW, THEREFORE, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

PASSED by the Council of the City of Newberg this 7th day of February, 1983 by the following votes:

Ayes:

Nays:

Absent:

Arvilla Page - City Recorder

APPROVED by the Mayor this 7th day of February, 1983.

Elvern Hall - Mayor

TO: Mike Warren, City Manager
FROM: Arvilla Page, Finance Officer
SUBJECT: Redevelopment Fund

January 24, 1983

The Redevelopment Fund at December 31, 1982 had Expenditures of \$29,059.63 and Revenues of \$28,002.25. Additional Expenditures are projected at \$9,524.37.

Expenditures have been and will be as projected.

Revenues will not be as projected. Contributions of \$11,000 were projected and are not expected to be received.

The Finance Committee should be advised of this situation. An additional loan could be obtained from the Sewer Fund. The present loan is \$27,584.

Action is necessary and will need to be included in the Supplemental Budget.

A loan from the Sewer Fund or any other fund will require an ordinance.

ap

ORDINANCE NO.

AN ORDINANCE LOANING TO THE "REDEVELOPMENT FUND" (#18) FROM THE "SANITARY SEWER FUND" (#6) THE AMOUNT OF \$12,000. UNTIL TAX INCREMENTS ARE RECEIVED OR IN ANY CASE TO BE REPAID TO THE "SANITARY SEWER FUND" BY THE END OF THE ENSUING FISCAL YEAR 1982-83 (ORS 294.460); AND DECLARING AN EMERGENCY.

WHEREAS, in order to establish a contingency account within the Redevelopment Fund in the amount of \$1,000. and in order to make up for \$11,000. in projected revenue from contributions which was not received, a transfer of funds from the Sanitary Sewer Fund is necessary; and

WHEREAS, the monies loaned from the Sanitary Sewer Fund to the Redevelopment Fund will be repaid from revenues derived from the projected tax increment financing revenue to be received by Redevelopment Fund and in any case shall be repaid pursuant to ORS 294.460 by the end of the ensuing fiscal year; and

WHEREAS, this fund transfer is necessary for the continued operation of the Redevelopment Fund whose tasks must necessarily continue and an emergency should therefore be declared.

NOW, THEREFORE, THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. That the "Sanitary Sewer Fund" (#6) hereby loans \$12,000. to the "Redevelopment Fund" (#18) of the City of Newberg which loan shall be repaid pursuant to the requirement of the law.

2. WHEREAS, these funds are necessary for the continued operation of the Redevelopment process.

NOW, THEREFORE, AN EMERGENCY IS HEREBY DECLARED TO EXIST and this ordinance shall be in full force and effect upon its passage by the Council and approval by the Mayor.

PASSED by the Council of the City of Newberg, Oregon, this 7th day of February, 1983 by the following votes:

Ayes:

Nays:

Absent:

Arvilla Page - City Recorder

APPROVED by the Mayor this 7th day of February, 1983.

Elvern Hall - Mayor

MEMO TO: City Council

FROM: Mike Warren, City Manager

DATE: February 1, 1983

SUBJECT: Court Costs

As I reported to the City Council, I have been reviewing the court procedures in the Newberg Municipal Court. As within the area, some things can be tightened up and cost savings can be accomplished.

One of the most obvious areas for cost savings is in court costs. Unfortunately, there are those defendants that use the court system to their advantage with total disregard for anyone else and for costs involved. This person may get a court appointed attorney and actually go from one attorney to another. The person may call for a jury trial and at the last second settle out of court with the City picking up the costs for all the jurors that are sitting and waiting for the trial to begin. There are any number of ways the defendant can and does take advantage of the system and this ordinance puts the responsibility back on the defendant's shoulder rather than the public's shoulder.


Michael Warren
City Manager

MW:fj

MEMO TO: Mike Warren, City Manager

FROM: Rick Faus, City Attorney

DATE: January 12, 1983

SUBJECT: Court Cost Ordinance

Attached is the draft of the court cost ordinance to be passed to allow the recovery of court related costs and fees. This draft is submitted for the February 7, 1983 Council meeting consideration.

RDF:fj

ORDINANCE NO.

AN ORDINANCE PRESCRIBING CERTAIN TRIAL, JURY, WITNESS AND ATTORNEY FEES IN THE MUNICIPAL COURT OF THE CITY OF NEWBERG, OREGON.

WHEREAS, the Council has determined that due to the increased demand for Court services and the attendant costs that it would be in the best interests for the peace, health and safety of the City of Newberg, Oregon that the Municipal Court of the City of Newberg, Oregon be able to recover certain court costs.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

Section 1. Schedule of Fees. In all cases where a defendant has been convicted of a violation of any city ordinance or state traffic offense presented in the Municipal Court of the City of Newberg, Oregon, the Municipal Judge of the Municipal Court of the City of Newberg, Oregon may add costs to the amount of the fine, penalty or sentence imposed upon conviction according to the following schedule:

- A. Trial Cost - \$20.00
- B. Jury Fee - \$60.00 (may be imposed if trial cancelled within 24 hours of trial time)
- C. Subpoenaed Witnesses - \$10.00 plus mileage as established by Oregon Revised Statutes
- D. Costs of Court Appointed Counsel

PASSED by the City of Newberg, Oregon this day of , 1983
by the following votes:

Ayes:

Nays:

Absent:

Arvilla Page - City Recorder

APPROVED by the Mayor this day of , 1983.

Elvern Hall - Mayor