

CITY COUNCIL
AGENDA
NOVEMBER 1, 1982
7:30 P.M.
COUNCIL CHAMBERS

- I. CALL MEETING TO ORDER.
- II. ROLL CALL
- III. CONSENT CALENDAR:
 - 1. Approve Minutes of Special Council Meeting on October 18, 1982.
 - 2. Report by City Attorney regarding Hospital Law Institute and appointment as a director of the Oregon Society of Hospital Attorneys.
 - 3. Communication from Senator Hatfield RE: Senate Bill 2172, the Cable Telecommunications Act of 1982.
- IV. REQUESTS FROM FLOOR AND COMMUNICATIONS:
 - 1. Request by Mary Merritt, Public Relations/ Safety Director of A.A.A. to present Pedestrian Safety Citation Award.
 - 2. Communication from County Commissioner Hamblet RE: Disbursement of Dog Control money.
- V. REPORTS FROM CITY ADMINISTRATOR:
 - 1. Report on possible Council retreat.
 - 2. Report and update on Newberg Centennial Redevelopment Commission.
 - 3. Report and update on current and proposed Sewage Treatment Plant.
- VI. OLD BUSINESS:
 - 1. Sidewalk for Presbyterian Church
- VII. NEW BUSINESS:
 - 1. Approve Accounts Payable.
 - 2. Report on Yamhill County review of Mineral Aggregate Areas in Newberg Vicinity.
 - 3. Report on Christmas Holiday Parking.
- VIII. RESOLUTIONS:
 - 1. Resolution authorizing implementation of Regional Library Service
 - 2. Confirming Resolution on Hotel Feasibility Study.
- IX. ORDINANCES:
 - 1. Ordinance prohibiting parking in certain areas on North Main St. and Hancock St. and providing handicap parking space on River St.
 - 2. Ordinance providing for an offense of willful detention of Library property.
 - 3. Ordinance providing provisions for sidewalk on Mission St. (RE: Item VII-1)

ACCOUNTS PAYABLE
NOVEMBER, 1982

11/82

Aswella

Al's Drive In	15.10	Lanier Business Prod.	177.74
Arco Publishing, Inc.	46.11	League of Oregon Cities	773.00
Armex International <i>Shunt</i>	228.00	Little Fire Equip.	15.00
Baldwin Shoes	41.95	Manning, Gregory	600.00
Ben-Ko-Matic <i>Street Sweeper</i>	225.20	Martin & Wright Paving	380.49
Brass Key	7.05	Marty's Chevron	52.50
Bristow Glass	60.00	Metro-West Oil	107.98
Brodart, Inc.	21.65	Naps IGA	18.51
Bunn, Stan	150.00	Newberg Auto Parts	26.77
Bur. of Govt. Research	1.74	Newberg Community Hospital	146.06
Burroughs Corp.	1,133.15	Newberg Family Practice	38.00
Butler Chevrolet	16.54	Newberg Graphic	14.46
Buy-Wise Drugs	5.92	Newberg Human Resources	1,000.00
Callaghan & Co.	145.00	Newberg Lock & Key	173.75
Camera Quarters	9.95	Newberg Police Reserves	1,000.00 ✓
Case Power	15.08	Newberg Ready Mix	100.00 *
Chehalem Valley Sr. Citizens	1,525.34	Newberg River Rock	134.75
Coast to Coast	76.62	Newberg Thriftway	69.40
Code 3 Equipment	56.95	NW Natural Gas	762.09
Consolidated Supply	82.66	Nudelman Bros.	328.00
Copy Office Products	388.27	Oregon Meter Repair	90.50
Crabtree Rock	136.75	Pacific Photocopy	123.85
Crowell Auto Parts	26.12	Pacific Safety Supply	336.50
Culligan	28.00	Pacific Water Works	34.52
D & D Tools	31.20	Pitney Bowes	13.04
Dave's Trophy Shop	33.15	Portland Electrical	31.23
David Turpen Construction	182.00	PGE	643.33 ✓
Dents	58.55	PGE	1,800.00 *
Disposal Industries	10.50	Power Rents	710.50
Doubleday & Co.	80.22	Prevention	11.97
Farmer's Cooperative Oil	120.00	Quill Corp.	10.06
FarmGro	46.00	R. R. Bowker	152.64
Feenaughty	48.25	S.D. Leasing	312.00 ✓
Ferguson Fexall Drugs	27.00	Seventeen	11.95
Ferron Janitorial	682.06	Showcase of Flowers	15.00
Fox Union	25.00	Smith, Marilyn - Tax Collector	40.00
Fowler Tire	38.30	Sunset	12.00
Gaylord Bros.	49.50	Timberline	91.98
General Electric	98.00	Time	20.80
General Telephone	676.08	Thomas Bouregy	39.00
George Fox College	126.00	Utilities Supply	544.62
Goodyear Tires	292.28	W. R. Grace	405.05
H.W. Wilson Co.	22.00	Waide's Mobil	5.00
Harris Uniforms	98.14	Water, Food & Research	78.00
Highsmith Co.	27.01	Western Auto	16.45
Home Laundry	40.80	Westside Automotive	208.66
Impressions by Stram	54.35	Willamette Ind.	42.93
Irwin-Hodson Co.	550.00	World Press	19.95
Johnson Furn. & Hdwe.	53.86	Yamhill Co. Sheriff's Dept.	109.96
Jones Chemicals <i>Chlorine</i>	6,623.75		
Kilham Stationery	9.34		
Krohn's Appliance	3.90		
		TOTAL:	26,308.40

Pay deferred County billing
Mtn Encl 12/6/82

ACCOUNTS PAYABLE
NOVEMBER, 1982

Eleven

Al's Drive In	15.10	Lanier Business Prod.	177.74
Arco Publishing, Inc.	46.11	League of Oregon Cities	773.00
Armex International	228.00	Little Fire Equip.	15.00
Baldwin Shoes	41.95	Manning, Gregory	600.00
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Bristow Glass	60.00	Metro-West Oil	107.98
Brodart, Inc.	21.65	Naps IGA	18.51
Bunn, Stan	150.00	Newberg Auto Parts	26.77
Bur. of Govt. Research	1.74	Newberg Community Hospital	146.06
Burroughs Corp.	1,133.15	Newberg Family Practice	38.00
Butler Chevrolet	16.54	Newberg Graphic	14.46
Buy-Wise Drugs	5.92	Newberg Human Resources	1,000.00
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Code 3 Equipment	56.95	NW Natural Gas	762.09
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Copy Office Products	388.27	Oregon Meter Repair	90.50
Crabtree Rock	136.75	Pacific Photocopy	123.85
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Culligan	28.00	Pacific Water Works	34.52
D & D Tools	31.20	Pitney Bowes	13.04
Dave's Trophy Shop	33.15	Portland Electrical	31.23
David Turpen Construction	182.00	PGE	643.33
Dents	58.55	PGE	1,800.00 *
Disposal Industries	10.50	Power Rents	710.50
Doubleday & Co.	80.22	Prevention	11.97
Farmer's Cooperative Oil	120.00	Quill Corp.	10.06
FarmGro	46.00	R. R. Bowker	152.64
Feenaughty	48.25	S.D. Leasing	312.00
Ferguson Fexall Drugs	27.00	Seventeen	11.95
Ferron Janitorial	682.06	Showcase of Flowers	15.00
Fox Union	25.00	Smith, Marilyn - Tax Collector	40.00
Fowler Tire	38.30	Sunset	12.00
Gaylord Bros.	49.50	Timberline	91.98
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H.W. Wilson Co.	22.00	Waide's Mobil	5.00
Harris Uniforms	98.14	Water, Food & Research	78.00
Highsmith Co.	27.01	Western Auto	16.45
Home Laundry	40.80	Westside Automotive	208.66
Impressions by Stram	54.35	Willamette Ind.	42.93
Irwin-Hodson Co.	550.00	World Press	19.95
Johnson Furn. & Hdwe.	53.86	Yamhill Co. Sheriff's Dept.	109.96
Jones Chemicals	6,623.75		
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J.K.
AA

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NOVEMBER, 1982

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Culligan	28.00	Pacific Water Works	34.52
D & D Tools	31.20	Pitney Bowes	13.04
Dave's Trophy Shop	33.15	Portland Electrical	31.23
David Turpen Construction	182.00	PGE }	? { 643.33
Dents	58.55	PGE }	? { 1,800.00 *
Disposal Industries	10.50	Power Rents	710.50
Doubleday & Co.	80.22	Prevention	11.97
Farmer's Cooperative Oil	120.00	Quill Corp.	10.06
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Kilham Stationery	9.34		
Krohn's Appliance	3.90		
		TOTAL:	26,308.40

2100 HAG

7/15

City of Newberg

TOTAL	I certify that the votes correctly summarize the indicated.
ABSTRACT OF VOTE SPECIAL ELECTIONS	
Votes cast for Governor	

YAMHILL COUNTY OREGON - GENERAL ELECTION NOVEMBER 2 1982
CHARLES STERN YAMHILL COUNTY CLERK

CITY OF NEWBERG

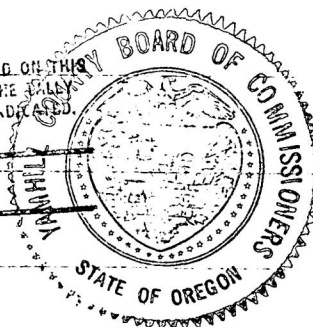
PAGE 1 OF 3

PRECINCT NUMBER	MAYOR EVERN HALL	UNDER VOTE	OVER VOTE	TOTAL VOTES
2	568	244	0	312
3	590	264	0	854
4	382	169	0	551
5	563	181	0	744
31	530	270	0	800
TOTAL	2,633	1,128	0	3,761

I CERTIFY THAT THE VOTES RECORDED ON THIS
ABSTRACT CORRECTLY SUMMARIZE THE BALANCE
OF VOTES CAST AT THE ELECTION INDICATED.

Charles Stern
SIGNATURE OF COUNTY CLERK

11-4-82
DATE OF ABSTRACT



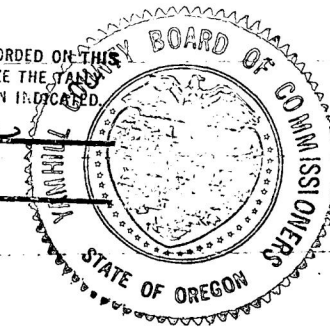
YAMHILL COUNTY OREGON - GENERAL ELECTION NOVEMBER 2 1982
CHARLES STERN YAMHILL COUNTY CLERK

PAGE 2 OF 3

CITY OF NEWBERG

PRECINCT	COJNGILPERSON	4 YEAR TERM	VOTE FOR 4						
NUMBER	DAYNE	ROGER	HAROLD	ALAN	JOHN	TOMMY	UNDER	OVER	TOTAL
	BOHLBY JR	GAND	GROBEY	HALSTEAD	POET	TUCKER	VOTE	VOTE	VOTES
2	231	356	305	349	429	323	1,231	24	3,248
3	295	438	325	426	385	411	1,120	16	3,416
4	147	268	191	279	258	263	744	44	2,204
5	242	347	321	369	316	338	1,019	24	2,976
31	236	349	298	356	380	337	1,216	28	3,200
TOTAL	1,151	1,758	1,440	1,779	1,778	1,672	5,330	136	15,044

I CERTIFY THAT THE VOTES RECORDED ON THIS
ABSTRACT CORRECTLY SUMMARIZE THE TALLY
OF VOTES CAST AT THE ELECTION INDICATED.
Charles Stern
SIGNATURE OF COUNTY CLERK:
11-4-82
DATE OF ABSTRACT



YAMHILL COUNTY OREGON - GENERAL ELECTION NOVEMBER 2 1982
CHARLES STERN YAMHILL COUNTY CLERK

PAGE 3 OF 3

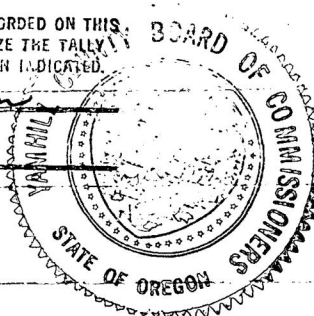
CITY OF NEWBERG

PRECINCT NUMBER	51 CHARTER AMENDMENT		UNDER VOTE	OVER VOTE	TOTAL VOTES
	YES	NO			
2	385	167	260	0	812
3	399	225	230	0	854
4	220	149	182	0	551
5	337	190	217	0	744
31	375	205	219	1	800
TOTAL	1,716	936	1,108	1	3,751

I CERTIFY THAT THE VOTES RECORDED ON THIS
ABSTRACT CORRECTLY SUMMARIZE THE TALLY
OF VOTES CAST AT THE ELECTION INDICATED.

Charles Stern
SIGNATURE OF COUNTY CLERK:

11-4-82
DATE OF ABSTRACT



CITY OF NEWBERG -- VACATION AND SICK PAY REPORT

DEPT: FINANCE OFFICE

10 OCT 31,82

PAGE 4

EMPL. NO.	NAME	PART TIME	NOT ELIG	ANIV. MONTH	---- V A C A T I O N D A Y S ---- AVAILABLE RATE LIABILITY	---- S I C K P A Y D A Y S ---- DYS-MNTH AVAILABLE RATE LIABILITY
27121	RICHARD DUANE FAUS			05	10.50 / 11.3200 1,168.86	1.00 8.50 / 11.3200 946.22
28154	MARILYN L. FERGUS			82	48.5200	1.00 10.00 48.5200 485.20
34223	FLORENCE JEAN JONES			08	9.00 48.5200 436.68	1.00 13.87 48.5200 673.22
25138	M. PAULINE MABEN			06	13.00 56.2000 730.60	1.00 65.71 56.2000 3,693.39
30140	REBECCA J. MANNING			01	5.00 50.9600 254.80	1.00 21.43 50.9600 1,092.46
29217	ARVILLA L. PAGE			01	17.00 98.6000 1,676.20	1.00 105.00 98.6000 10,353.00
32266	JUDITH C. PETERSON			01	7.00 53.4800 374.36	1.00 52.87 53.4800 2,827.76
37252	SANDRA K. WAIDE			11	7.50 53.4800 401.10	1.00 26.31 53.4800 1,407.19
55250	MICHAEL WARREN			01	6.50 / 48.3200 964.08	1.00 25.37 / 48.3200 3,763.62
DEPARTMENT TOTALS -- FINANCE OFFICE					75.50 6,006.68	336.24 25,950.75 25,242.06

Council Papers

11/2/82

Abstract of Vote

To Council 11/10/82

11/2/82

Monday, 5:00 p.m.

October 18, 1982

A SPECIAL MEETING
OF THE CITY COUNCIL

Council Chambers

Newberg, Oregon

The meeting was called to order by Mayor Elvern Hall.

ROLL CALL:

Present:	Maybelle DeMay	C. Eldon McIntosh
	Roger Gano	Quentin Probst
	Harold Grobey	Richard Rementeria
	Alan Halstead	Tommy Tucker

Absent: None

Staff Present: Richard Faus, City Attorney
Herbert Hawkins, Chief of Police
Arvilla Page, City Recorder/Finance Officer

Mr. Faus reported, he and the City Recorder had gone to Portland to the offices of Ragan, Roberts, O'Scannlain, Robertson and Neill and at 2:00 this date, had received and opened three bids for the \$127,664 Bancroft Bond Issue for the Sitka Project. The bids and the net effective interest rates were as follows:

U.S. National Bank - 8.73434, First Interstate Bank - 8.9355
and the Oregon Bank - 9.1916.

Our Bond Consultants Moore, Breithaupt and Associates were also present at the opening. All present at the bid opening agreed that the bids received were excellent. It is recommended that the City accept the bid of U. S. National Bank at 8.73434 and a discount of 1.8%.

Motion: Tucker-McIntosh to read Resolution No. 82-955 accepting the bid of U. S. National Bank for the Sitka Improvement Bancroft General Obligation Bonds. Carried unanimously. The Resolution was then read.

Motion: Halstead-McIntosh to adopt the resolution. Carried unanimously.

Chief Hawkins reported on bids for a new Police car. Three bids were received. Two of the bids were for used cars and the third was more expensive but was for a later model and a new car. Chief Hawkins stated that he and the City Administrator recommend purchasing the new car from Gateway Ford. The bid includes a trade in allowance for the old vehicle of only \$300 and they recommend that the bid be accepted without the trade provision. The old vehicle can either be put in the auction, sold outright or he himself would guarantee at least \$300 for the vehicle.

Motion: Grobey-Gano to accept the bid of Gateway Ford for a new vehicle without the trade in. Carried unanimously.

Liquor License Application, change of ownership, Bowmans Restaurant. Chief Hawkins stated the Police Department has no adverse report to give on the application. The applicants are from out of state but a check has revealed no criminal record and no bad driving record.

Motion: Tucker-Probst to grant approval of the liquor license application for David and Lucy Almond for Bowmans Restaurant. Carried unanimously.

Mr. Faus reported that the request to approve emergency repairs at the Sewage Treatment Plant Digester listed on the agenda will not be necessary. At the time it was placed on the agenda quotes for the repairs had been received but would have required approval of the Council under the public contracting law. Since that time, the City crews have been able to do some of the labor and provide some of the material. In addition, the City will issue purchase orders for the material required and the quote for labor will not require the approval of the Council or contract review board.

Motion: Halstead-Rementeria to adopt the consent calendar - approval of the minutes of the October 4, 1982 City Council meeting. Carried unanimously.

Motion: Halstead-Rementeria to adjourn. Carried unanimously.

11/1/82 antg

MEMO TO: Mike Warren, City Administrator
FROM: Rick Faus, City Attorney
DATE: October 7, 1982
SUBJECT: The Oregon Society of Hospital Attorneys

From October 3rd to October 5th I attended the Hospital Law Institute in Seattle sponsored by the American Society of Hospital Attorneys of the American Hospital Association. This was an extremely valuable institute with over 180 hospital attorneys from around the nation participating. I, of course, participated as attorney for Newberg Community Hospital.

I have been a member of the Oregon Society of Hospital Attorneys for nearly 3 years. The Oregon Society of Hospital Attorneys, which is an organization sponsored by the Oregon Association of Hospitals, has a membership of approximately 75 attorneys who serve Oregon hospitals. The organization's governing board consists of three officers and six directors.

* At the annual members meeting of the Oregon Society of Hospital Attorneys on October 3rd I was elected as one of the six directors of the Oregon Society of Hospital Attorneys. I am looking forward to taking on the duties of this office and I expect that with the legislative session fast approaching, either we as directors of the organization or through Pierre Flisner, the Chief Lobbyist for the Oregon Association of Hospitals will be actively commenting on legislation and pursuing legislation which will be of benefit to hospitals statewide.

I feel that the Hospital Law Institute in Seattle was highly informative and successful and, in fact, has been viewed as one of the most successful institutes put on by the American Society of Hospital Attorneys in the nation. This institute was organized in large part by members of the Oregon Society of Hospital Attorneys and particularly through the efforts of Ray Mensing and Pete Flisner of the Oregon Association of Hospitals. Successful events such as this are typical of the high quality of program offered by the Oregon Association of Hospitals.

RDF:fj

11/1 mfg

October 14, 1982

Mr. Elvern Hall
Office of Mayor and City Council
414 E. 1st Street
Newberg, Oregon 97132

Dear Friends:

Thank you for your recent letter concerning S. 2172.

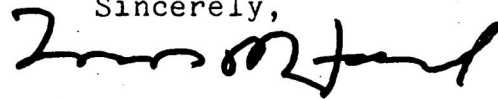
Senator Goldwater introduced S. 2172, the Cable Telecommunications Act of 1982, in March. It was referred to the Senate Committee on Commerce, Science, and Transportation, and was reported to the Senate in late July. I have decided to support this legislation because, after careful reading of the committee report, I believe the interests of both the municipalities and the cable operators are protected. This is accomplished through flexibility, and the competitive elements of the legislation. I understand the concerns of the interested groups in this controversy and I feel this bill is an equitable compromise.

As you are probably aware, Congress is faced with a lame duck session upon its return in November. Because of pressure to complete action on appropriations bills, it is unlikely this legislation will be passed.

Thank you again for writing. I appreciate your taking the time to share your views with me.

Kind regards.

Sincerely,



Mark O. Hatfield
United States Senator

MOH/jaw
23704



• safety

September 14, 1982

Mayor Elvern Hall
City of Newberg
414 East 1st Street
Newberg, OR 97132

Attn: Mike Warren

Dear Mike:

This is to confirm Monday, November 1 as the date set to present the city of Newberg with the Pedestrian Safety Citation award from the Automobile Club of Oregon.

I have included a copy of a press release and an OREGON MOTORIST for you to review for more information regarding the award.

If there is a change in schedule, please notify me.

Sincerely,

A handwritten signature in cursive script, reading 'Mary Merritt', written in dark ink.

Mary Merritt
Public Relations/Safety Director
222-6749

Enclosures

IV 1



NEWS

RELEASE

600 S.W. MARKET STREET • PORTLAND, OREGON 97201

Contact: Mary Merritt
(503) 222-6749

August 16, 1982

NEWBERG RECEIVES SPECIAL RECOGNITION BY AAA FOR ITS PEDESTRIAN SAFETY RECORD

For five consecutive years, the city of Newberg has been recognized by the American Automobile Association for its excellent record of having no pedestrian fatalities.

Since 1974, Newberg has been evaluating and recording pedestrian and traffic accident statistics and submitting the results to the AAA Pedestrian Protection Program for evaluation.

Now in its 43rd year, the AAA Pedestrian Protection Program provides cities throughout the United States a means to record traffic/pedestrian accidents and then evaluate their city's strengths and weaknesses in the areas of: maintenance of accident records, safety legislation, enforcement, traffic engineering, traffic safety organization, quality of school traffic safety programs and public information and education programs.

The purpose of the program is to help cities focus on the special needs of pedestrian safety and to stimulate local interest in the development of pedestrian-related programs to meet their needs.

Newberg participated in this year's program with 22 other Oregon communities; 12 receiving special recognition from the American Automobile Association.

YAMHILL COUNTY

Oregon

11-1-82
m
BOARD OF COMMISSIONERS

October 7, 1982

Michael Warren
City Administrator
City of Newberg
414 E. First
Newberg, Oregon 97132

RECEIVED

OCT 11 1982

CITY OF NEWBERG, ORE,
OFFICE OF RECORDER

Dear Mike:

This letter will serve as conformation of the Board's agreement with the three elements of our plan for disbursements of Dog Control money. As I informed you verbally on October 6, I made a mistake on the budgeted amount for payments to cities. I apologize. The correct amount for each city should be \$1650.00.

In your September 8th letter, element 1 was listed as money for licensing of dogs in each city. The correct reason for this payment was to share some of the license money with you to help offset your dog control costs. Any revenue due you for license enforcement will be a 50/50 split on the \$25.00 late fee, (your element two).

One part of element three that we never specifically spelled out was the exact split of any excess funds. I proposed a 25-25-50 split to the Board and they agreed.

25% McMinnville

25% Newberg

50% Dog Control carry-over

This split would be in effect until both cities had received their \$5,000.

I hope all of this is satisfactory.

Sincerely,

Robin J. Hamblet
Robin J. Hamblet
County Commissioner

RJH:bjo

IV 2

MEMO

TO: City Council
FROM: City Administrator
SUBJECT: City Council Retreat

DATE; October 25, 1982

Last year the City Council, the City Adminsitrator and the Department Heads discussed procedures and goals for the upcoming year. Many of the City goals or priorities have been met and others are planned for the future. One of the Council's directions was to bring the subject of a City Council Retreat up again for consideration.

I believe that with the advent of Ballot Measure 3, word processing coming, computer, redevelopment, etc. it becomes timely for the City Council to once again give direction to the City Administrator on where we want to be in 1983.

It is my recommendation that the City Council begin considering a date, time and place to meet with the City Administrator and discuss some general topics.


Michael Warren
City Administrator

MW/bjm

MEMO

TO: City Council

DATE: October 25, 1982

FROM: City Administrator

SUBJECT: Newberg Centennial Redevelopment Plan

Two important steps have been taken to date in the area of redevelopment. First the Newberg Centennial Redevelopment Commission has heard ideas, proposals, etc. from staff and has developed a plan. This plan has gone through the hearing process of the Planning Commission with the attached recommendations by the Planning Commission. The next step is that the City Council participate in public hearing process and review of the Plan.

The Newberg Centennial Redevelopment Commission will meet on Wednesday, October 27 at which time the Planning Commission recommendations will be presented and discussed by the Redevelopment Commission. The Redevelopment Commission should come to a formal conclusion relating to the recommendations presented by the Planning Commission so that the Redevelopment Plan may be forwarded to you (City Council).

Either the Chairman of the Agency or myself will present the document and provide an overview to the City Council at the November 1, 1982 meeting.

In all, the Newberg Centennial Redevelopment Commission has met seven times and the Newberg Planning Commission has met four times to review the document. There have been a total of five drafts to date with the possibility of a sixth draft due to the recommendations of the Planning Commission.

The City Council has scheduled a joint meeting with the Redevelopment Commission to review the Plan in more detail.


Michael Warren
City Administrator

MW/bjm

Enc.

V 2

12m

MEMORANDUM
October 25, 1982

TO: Mike Warren, City Administrator
FROM: Clay Moorhead, Planning Director *cm*
RE: Newberg Centennial Redevelopment Plan

The first hearing before the City Council relating to the adoption of the Newberg Centennial Redevelopment Plan is scheduled for the November 1, 1982 regular meeting. The Newberg City Planning Commission has now completed their review of the Redevelopment Plan and have determined that the Plan does not conflict with the Newberg Comprehensive Plan and made some additional recommendations, primarily relating to the goals and objectives section. Specifically, the Planning Commission recommends the following changes and additions.

1. Add to Section 400, A-1-c...*"Promote a variety of retail sources to meet the community's total shopping needs."*
2. Add to Section 400, A-3-c...*"The location of these structures should be considered in conjunction with the location of the civic center and major retail areas."*
3. Add/Change Section 400, E to read...*"1. Provide for the development or redevelopment of buildings which will compatibly accommodate housing units and commercial activities in the Project Area. 2. Consider the use of rehabilitation loans or grants to improve existing housing units which will benefit very low, low and moderate income households within the Project Area. 3. Promote a mixture of housing types and cost ranges to accommodate people of all income levels. 4. Encourage the development of mid-rise housing (3-6 stories) near the Uptown Area."*
4. Add to Section 200 under definition of Redeveloper...*"Redeveloper" means any individual or group which acquires property from the Development Commission or which receives financial assistance for the physical improvement of privately or publicly held structures and land from the Development Commission.*
5. Add to Section 900, C....*"In the event of such amendment, the Text and/or Exhibits of this Urban Renewal Plan shall be changed accordingly by a duly recorded Resolution of the Development Commission at the next regular business meeting."*

In addition, the Planning Commission felt a definition of "Blight" should be included which indicates it corresponds to the Oregon Revised Statutes definition of "Blight".

MEMO

TO: City Council
FROM: City Administrator
SUBJECT: Sewage Treatment Plant

DATE: October 25, 1982

The attached memorandum from the Public Works Director updates the City Council and offers some encouraging words in the fifth paragraph. The Public Works Director and I will be working diligently toward moving up on the list through an innovative or alternate process design. The reason for this is in our discussions with Kramer, Chin and Mayo we found out that innovativeness carries a great deal of weight and could possibly get us some grant money.

Some additional information is that the Public Works Director and myself have hired a consultant to take a good look at our Sewage Treatment Plant and what has been done to the plant toward increasing capacity in the past year and one half. We both feel that it is best that an outsider take a look at our plant and use his objectivity in describing the current operation of the plant and the future capacity.

During budget hearings it was mentioned that we will be spending a good deal of money on the Sewage Treatment Plant as opposed to past years. Is it worth it? Will it add more capacity? Will the plant become more efficient? All of these questions and more will be answered in the consultant's report. I look for this to be completed by the end of November.

Michael Warren
Michael Warren
City Administrator

MW/bjm

Enc.

TAR

MEMORANDUM
October 25, 1982

TO: MIKE WARREN, CITY ADMINISTRATOR

FROM: BOB SANDERS, DIR. OF PUBLIC WORKS *BS*

SUBJECT: NEW SEWAGE TREATMENT PLANT

At last month's Council meeting, there was a letter from the Chamber of Commerce encouraging the Council to proceed as rapidly as possible with the plans for the new sewage treatment plant.

I felt it appropriate at this time to update you on the status of planning for the new plant. As you recall, City Council directed several months ago that we proceed with selection of a consultant to begin the planning phase of the new sewage treatment plant.

As you are aware, over the past several months I have been very much involved with two other consulting projects, the Water Master Plan, and the Financial Management Plans. Both of these projects have been in the planning stage for almost a year, with the contracts signed just recently. These two projects have a very significant part in the long range planning of the City's sewer and water funds. I have felt that it is extremely critical to proceed with these two projects prior to getting underway with the new sewage treatment plant. Part of this decision is based on the fact that the financial management plans will play a key role in determining the proportion of the new sewage treatment plant that can be financed through the rate structure. Getting this study underway as quickly as possible will allow good coordination to be done with the planning phase of the new sewage treatment plant.

In view of the possibility of Ballot Measure No. 3 passing, it is very possible that we will have to take a good look at a different concept for the new sewage treatment plant than what has previously been planned of building a plant with bond funds which has a approximately a 20 year design life. One concept may be starting with a satellite plant and expanding under a phase construction sequence as capital improvement funds are generated through the rate structure.

X One avenue which has not been completely explored is the possibility of moving up on the grant priority list by proposing an innovative or alternative process design which is given special priority. This could be one of the functions the consultant performs in the planning phase as a treatment process is selected. You and the City Council will also need to be involved to apply the necessary political pressure.

It was the Council's decision that we have a bond levy ready for the March election date for the new sewage treatment plant. If Ballot Measure 3 does not pass it appears that it may be difficult to meet this date. However, if Ballot Measure does pass, preparing a financial plan will be much more involved and take considerably more time.

Page 2

I will be proceeding within the next couple of weeks to begin the consultant selection process for the planning phase of the new sewage treatment plant. By this time the requests for proposals will be prepared from the standpoint of the outcome of the November 2 election.

Please advise me if you have any comments regarding the above report, or the direction I am proceeding in.

MEMO

TO: City Council

DATE: October 25, 1982

FROM: City Administrator

SUBJECT: Sidewalk for First Presbyterian Church

The attached memorandum from the Public Works Director indicates the recommendation by the Public Works Committee to approve the request which require the Church to complete the sidewalk by October 31, 1984 at the latest.

Complying with Ordinance 929 as the Council recommended at the last meeting, would have been easier for both the City and the Church, but if the Church feels strongly on this issue then I can find no reason why we should not comply with their request.



Michael Warren
City Administrator

MW/bjm

Enc.

MEMORANDUM
October 25, 1982

TO: MIKE WARREN, CITY ADMINISTRATOR
FROM: BOB SANDERS, DIR. OF PUBLIC WORKS *BS*
SUBJECT: SIDEWALK FOR FIRST PRESBYTERIAN CHURCH

Representatives of the church met with the Public Works Committee on October 19 to discuss the subject sidewalk. The church representatives again requested a delay in construction of the entire sidewalk along Mission Drive. The new request was based on a commitment that the church would have the entire sidewalk constructed by October 31, 1984 without any further request or delay from that date. The church felt they could acquire the necessary funds by that date and have the work completed.

The Public Works Committee approved the request based on an amendment to the sidewalk ordinance No. 929 which will require the church to complete the sidewalk by the above date without any delay, or complete the sidewalk with the extension of Mission Drive, or with any future building permit which ever occurs first.

The Public Works Committee discussed the impact that this extension would have on future development in other areas and stipulated that the reason for the delay in construction of the sidewalk was that at the present time there is not adequate walkways provided along College Street of which the Mission Drive would be connected to. This was felt to be the predominant reason for the exception to the existing ordinance, and a time delay at this point.

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 929 PASSED AND APPROVED ON JULY 2, 1940 AS AMENDED PROVIDING REVISIONS TO REQUIRE A SIDEWALK ON MISSION DRIVE.

WHEREAS, Ordinance No. 929 of the City of Newberg requires concrete sidewalks be constructed with a building modification of a value of \$5,000 or more as directed by the City Engineer, and

WHEREAS, The First Presbyterian Church is constructing a building valued at \$173,000 under Building Permit No. 2517, and

WHEREAS, The First Presbyterian Church petitioned the City Council to delay the sidewalk construction adjacent to the church on Mission Drive.

WHEREAS, The Public Works Committee has recommended delay of the sidewalk construction adjacent to the church on Mission Drive under the condition that the sidewalk construction be completed prior to October 31, 1984, or the sidewalk be constructed at the time Mission Drive is extended west, or the sidewalk be constructed with any additional building permit, regardless of the value, whichever occurred first, and

WHEREAS, It is in the best interest of the public to amend Ordinance No. 929 passed and approved July 2, 1940 as amended by the City of Newberg to require construction of the sidewalk on Mission Drive in a timely manner.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

Section 1. That Ordinance No. 929, passed and approved July 2, 1940 as amended is hereby amended by adding a new Section 31 which reads as follows, to-wit: "Section 31. Construction of Sidewalk along the North Side of Mission Drive. It is hereby made the duty of the property owner of Tax Lot No. 3218DB-800, The First Presbyterian Church, to either:

1. Construct a portland cement concrete sidewalk adjacent to the church prior to October 31, 1984, or

2. Construct a portland cement concrete sidewalk adjacent to the church in the event Mission Drive is extended westerly, or

3. Construct a portland cement concrete sidewalk adjacent to the church with any additional building or site improvements which require a City building permit or planning action, regardless of the value,

whichever event occurs first. If the sidewalk is not in place by this date, the City Engineer shall proceed with construction in accordance with Sections 24 and 26 of this ordinance and Section 4C of Ordinance 1348 of the City of Newberg.

PASSED by the Council this 1st day of November, 1982 by the following votes:

Ayes:

Nays:

Absent:

Arvilla Page-Recorder

APPROVED by the Mayor this 1st day of November, 1982

Elvern Hall-Mayor

VI 1

SIDEWALK AGREEMENT

The undersigned, owners of the following described real property located in the City of Newberg, Yamhill County, Oregon,

Tax Lot 3218DB-800
First Presbyterian Church

Hereby agree as follows:

That the undersigned owners wishing to construct a fellowship building under Building Permit No. 2517, which stipulates that a sidewalk shall be constructed along the entire frontage on Mission Drive, and in lieu of constructing said sidewalk, do hereby agree that either:

1. The sidewalk shall be constructed prior to October 31, 1984, or
2. The sidewalk shall be constructed in the event Mission Drive is extended westerly, or
3. The sidewalk shall be constructed with any additional building permits issued, regardless of the value,

whichever occurs first.

That the undersigned owners do hereby agree that the said property, Tax Lot 3218DB-800, shall be counted in favor of and agrees not to remonstrate against a sidewalk local improvement district (L.I.D.) initiated by the City Council of the City of Newberg in accordance with Section 4C of Ordinance 1348 of the City of Newberg.

This agreement is for the benefit of the City of Newberg and owner and shall run with the above described land and all successors in interest.

Dated this _____ day of _____, 1982.

First Presbyterian Church

On the _____ day of _____, 1982 personally appeared the above named individuals and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary Public for Oregon
My Commission Expires: _____

VI 1

MEMO

TO: City Council

DATE: October 25, 1982

FROM: City Administrator

SUBJECT: Yamhill County Review of Mineral Aggregate Areas, in
Newberg Vicinity

Yamhill County is looking for some input on the proposals that are before you tonight. Two of the proposals offer no change, one proposal offers a slight increase in land and another proposal offers a dramatic decrease in the property to be used for a quarry.

Although somewhat controversial I have discussed this with the Planning Director who feels that the proposals do not present environmental or planning problems. Also we must realize that the product coming out of these quarries is used for purposes that benefit the general public. A good example would be rock that we use on our highways.

Michael Warren
Michael Warren
City Administrator

MW/bjm

Enc.

Jim

MEMORANDUM
October 25, 1982

TO: Mike Warren, City Administrator

FROM: Clay Moorhead, Planning Director *cm*

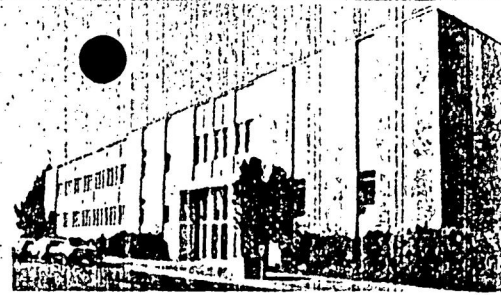
RE: Yamhill County Review of Mineral Aggregate Areas,
Newberg Vicinity

Yamhill County has been reviewing the mineral aggregate areas throughout the County to determine whether or not changes should be made relating to how large each individual quarry site should be. Pursuant to the Newberg Urban Area Management Agreement, the County has referred four sites to the Newberg City Council for recommendations relating to the size of each site and their corresponding plan and zoning designations. Of these four sites, only one exists within the Newberg Urban Growth Boundary. The remaining three mineral aggregate sites are located in or near the Newberg "Area of Influence" which extends a distance of one mile outside the Newberg Urban Growth Boundary. Any significant land use matter which occurs within these areas are referred from Yamhill County to the Newberg City Council for recommendations pursuant to the management agreement which was initially adopted in 1979.

I have attached the Yamhill County Staff Reports relating to each of the sites for your review. It is my understanding that a staff member from the Yamhill County Planning Department will attend the Newberg City Council meeting to further explain the review process and staff reports relating to these sites. The City Council should review these matters and make a recommendation relating to the proposed action on each site identified within the Staff Report.

YAMHILL COUNTY

Oregon



COUNTY PLANNING COMMISSION
Department of Planning &
Development

TO: *Clay Morrhead*
Newberg City Council

IN REFERENCE TO: *6-77-81*
#24- within Newberg UGB
#21, #22, #23- "Area 3 Influence"

The enclosed material has been referred to you for your information, study and official comments. Your recommendations and suggestions will be used to guide the Planning Commission/Hearings Officer when reviewing this proposal. If you wish to have your comments on the enclosed material considered please return the attached copy of this form by _____. The Planning Commission/Hearings Officer will hold a public hearing to consider these matters on 11/16 : 11/18 at 7:30 P.M., Room 32, County Courthouse, McMinnville, Oregon.

Your prompt reply will help to facilitate the processing of this application and will insure prompt consideration of your recommendations. Please check the appropriate spaces below:

- | | |
|---|---|
| 1. _____ We have reviewed the proposal and find no conflicts with our interests. | 4. _____ Please contact our office immediately. |
| 2. _____ Additional time is necessary for our board or commission to act upon a recommendation. | 5. _____ We would like to suggest some changes to the proposal. |
| 3. _____ A formal recommendation is under consideration and will be submitted to you by _____. | 6. _____ Please refer to the enclosed letter. |

COMMENTS:

VII 2

Signed _____

Title _____

SITE #21

REX HILL QUARRY

Current:

Plan Designation - Q(8.04 Acres)
Zone Designation - MR(8.04 Acres)

Proposed:

Plan Designation - Q(8.04 Acres)
Zone Designation - MR-1(8.04 Acres)

Location

Approximately 2 miles east of the City of Newberg, north of Highway 99W, in the NE 1/4 of Section 15, T3S-R2W, Tax Lots 2315-200 and 3215AA-100, 200 and 300.

Site Description

1. This 8 acre parcel contains a gravel pit of approximately 5 acres, which has operated for many years. Scattered pines and brush surround the site.
2. The subject property is approximately 1/8 mile from the Washington County boundary to the east.
3. Land to the north, west and east is Plan designated AFLH and zoned AF-20. Land south of Highway 99W, which forms the southern boundary of the subject site is Plan designated AFSH and zoned AF-10 (Code Area 1.12).
4. The configuration of the property is such that it extends into the parcel on the west, which has a dwelling on a bluff above and back from the quarry.
5. The gravel pit is visible from several dwellings across Highway 99W.
6. The quarry face and property line nearly coincide along a major portion of the quarry's west side, where some gradual surface erosion may occur along the upper edge of the quarry face. Such erosion would be limited, and cease when the slope of the eroded soil approaches 2:1.
7. The quarry walls have been sloped by benching during extraction operations. Provided those slopes are maintained if the quarry is deepened further from its present 80-90 foot depth, there should be no threat to the westerly adjacent property. Such erosion could be corrected by the construction of a berm and drainage ditch to collect surface water runoff from the adjacent property and divert it around the quarry wall.
8. There are no major surface water drainage channels through the quarry site.

REX HILL QUARRY

Page 2

9. The operator does expect to deepen the quarry floor while maintaining the existing rock slopes.
10. The quarried material is basalt overlain by two to three feet of Laurelwood silt loam and Yamhill silt loam. The agricultural capability outside the quarry pit is Class III and IV.
11. Access to the subject property is by the winding Quarry Road (County Road No. 49), which extends around the perimeter of the quarry.
12. Rock stockpiles and a crusher are located on the site. A portable hot batch plant has been located on the site in the past.

Resource Information

1. Basaltic material extracted from the rock quarry on this site is used for fill or embankment, and topping.
2. The site was included in the 1981 DOGAMI Inventory (#54), which recorded a past production of 320,000 cubic yards.
3. Estimated reserves of 40,000 cubic yards were noted in that report.

Land Use and Operating Permits

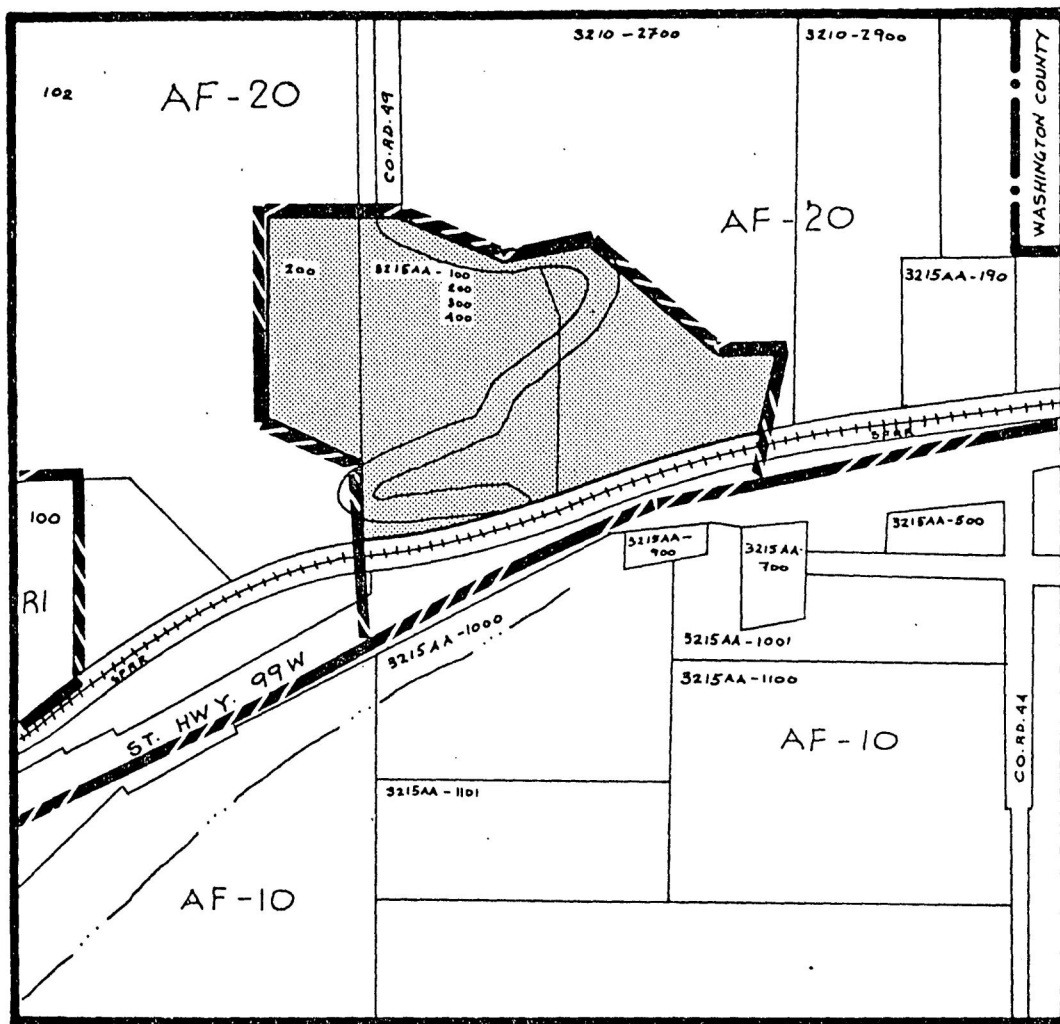
1. The subject quarry operates under DOGAMI permit (I.D. No. 36-0009), with a Limited Exemption from a reclamation plan, as operations began prior to July, 1972.
2. A reclamation plan would be required by DOGAMI if the perimeter of the pit were to be expanded.
3. The quarry site was most recently inspected by DOGAMI staff in September, 1979 at which time it was recommended that there be no steepening of the existing slope.
4. In response to complaints from the owner of the parcel adjacent to the quarry on the west, the site was inspected in June, 1982, by the County's Acting Planning Director, who concluded that the quarry was operating in conformance with the requirements of the County MR zoning district, the DOGAMI permit, and the Board of Commissioners' conditions relating to roadway safety.

Goal 5 Analysis

The County considered Goal 5 criteria in 1976 when the zone change was approved. The subject property has been used for many years as a quarry site, and an MR designation was deemed necessary and appropriate to be placed on the site in 1976.

Staff Recommendation

Staff recommends that the Quarry Plan designation and MR zone be affirmed for this 8.04 acre parcel. In that the batching plant is used on occasion, an MR-1 zone would be appropriate.



NORTH
SCALE: 1"=400'

LEGEND:



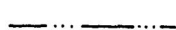
Site Currently Plan-Designated "Q" and Zoned "MR"



Zoning District Boundary



County Line



Stream

VII 2

Site No: 21, Rex Hill Tax Lot No: 3215-200, 3215AA-100, 200, 300, 400
Total Acreage: 8 Ac

Current: Plan Designation: Q Acreage: 8 Ac
Zone Designation: MR Acreage: 8 Ac

Proposed: Plan Designation: Q Acreage: 8 Ac
Zone Designation: MR-1 Acreage: 8 Ac

SITE #22

RENNE QUARRY

Current:

Plan Designation - Q(25.3 Acres)
Zone Designation - MR(25.3 Acres)

Proposed:

Plan Designation - Q(29.1 Acres)
Zone Designation - MR-1(29.1 Acres)

Location

Approximately 3 miles southeast of the City of Newberg, northeast of the junction of County Road No. 5 (Ladd Hill Road) and County Road No. 45 (Wilsonville Road) in the southeast 1/4 of Section 22, T3S-R2W, Tax Lots 3222-1500, 1600 and 1700.

Site Description

1. The primary extraction and processing activities occur on Tax Lot 1700 and on the eastern half of Tax Lot 1500. In total, approximately 5-7 acres are devoted to quarrying, with another approximately 3 acres serving as a stockpile and loading area.
2. Outside the perimeter of the quarry and stockpile areas, the vegetation is a mix of fir and deciduous trees. The elevation ranges from about 300 feet at the western edge of the property to 500 feet at the quarry site itself. The slope of the property ranges from 7-50 percent.
3. Trucks, a small trailer and rock stockpile are located in the 3 acres which serve as a loading area (about 350 feet elevation). An access road goes from this area northerly and then easterly to the actual quarry site at the higher elevation.
4. The quarry site has one wall located in a northeasterly direction. The wall itself extends past the north property line of tax lot 1500 and into Tax Lot 1400, which is Plan designated VLDR and zoned AF-20.
5. The properties immediately adjacent to the subject property to the east and west are Plan designated AFLH and zoned AF-20/EF-40. Site #23 (Bollinger) is located immediately to the south.
6. The southern tip of Exceptions Code Area 1.3 is located about 1/4 mile due north of the subject property. This Code Area, zoned VLDR 2 1/2, is characterized by 5 to 10 acre parcels and many rural residential dwellings.

7. Orchards, small forested tracts, pasture and small farms characterize the land uses in the higher elevations surrounding the subject site. Larger agricultural tracts in grain and pasture are predominant to the west at the lower elevations.
8. The City of Newberg is visible from the quarry site. Conversely, the quarry wall is visible traveling eastward on the Wilsonville Road.
9. One dwelling is located on Tax Lot 1700. Another residence is located along the Wilsonville Road where the access road starts to the loading area.
10. Soils on the subject parcel consist of Jory clay loam, Nekia clay loam, Yamhill silty loam and Willakenzie clay loam. These soils are Class III, IV and VI in agricultural capability.

Resource Information

1. The aggregate is composed of small diced basalt 2 to 4 inches in diameter. The rock is heavily mixed with soil. Its uses are for fill or embankment and for topping.
2. The site is identified as #57 in the DOGAMI Inventory.
3. Past production is estimated at 350,000 cubic yards, according to the DOGAMI Inventory.
4. Estimated reserves are 1,500,000 cubic yards.
5. The site was first mined in 1923.

Land Use and Operating Permits

1. The subject property was designated Quarry on the Plan Map in 1974 and zoned MR in 1976.
2. A DOGAMI Surface Mining permit (I.D. No. 36-0018) was issued to Dayton Sand and Gravel Company in April, 1979 and again in December 1981. These permits were both Total Exemptions; both permits stated that less than one acre was to be mined and less than 2,500 cubic yards was to be removed.
3. A DOGAMI Surface Mining permit (I.D. No. 36-0019) was first issued for the main quarry site in 1974. This permit was for a Limited Exemption due to mining activity prior to July, 1972.
4. In 1980 the operator submitted a reclamation plan to DOGAMI in conjunction with a request to mine 6 acres out of the previously mined area. The reclamation plan was approved and a bond of \$500 per acre was posted.

5. The planning staff noted in the 1980 DOGAMI referral concerning the 6-acre expansion that a zone change to MR or a conditional use permit was required for that portion of the expansion area which encroached on Tax Lot 1400. No further action was taken by the County or the landowner to appropriately zone the expansion area.
6. The most recent DOGAMI on-site inspection occurred in January, 1982. The inspection report cited no significant changes to the quarry walls, noted the need for grading and better sloping of the mined-out area, and stated that although runoff from the north end was "somewhat murky" the discharge point was well-removed from water ways and was well-vegetated.
7. Testimony was given by adjacent landowners at the Mineral Aggregate hearings in 1981 concerning siltation problems on adjacent properties due to quarry site runoff. This problem was noted in the 1980 DOGAMI on-site inspection report.
8. The reclamation plan for the site indicates a need for expansion northwards in order to establish proper, stabilized slopes after extraction ends.

Goal 5 Analysis

The quarry site has a large quantity of aggregate suitable for pit run. Its location near to a rural residential area has posed no conflict, due to topographic features which screen the site. Quarry operations have resulted in some siltation problems on adjacent properties. The site also has been expanded outside the MR zone boundary without appropriate review.

Staff Recommendation

Because the direction of future quarry extraction is to the north, staff recommends that the Quarry Plan designation be altered to exclude 10 acres of Tax Lot 1600 and 1400; and to include all of Tax Lot 1700, a portion of Tax Lot 3223-1500 extended to the eastern boundary of Section 22, the eastern portion of Tax Lot 1500 and 11.4 acres of Tax Lot 1400. This totals 29.1 acres.

Staff also recommends that an MR-1 zone be adopted for the property described above.

SITE #23

BOLLINGER QUARRY

Current:

Plan Designation - Q(35.8 Acres)
Zone Designation - MR(35.8 Acres)

Proposed:

Plan Designation - Q(35.8 Acres)
Zone Designation - MR-1(5 Acres)
AF-20(20 Acres)

Location

Approximately 3 miles southeast of the City of Newberg, on the east side of County Road No. 45(Wilsonville Road) in the NE 1/4 of Section 27, T3S-R2W, Tax Lot 3227-100.

Site Description

1. The actual quarry site occupies 2-3 acres at the southern end of the larger 35-acre parcel. It is located on flat pasture land at about 300 feet elevation. From the quarry site, the land slopes gently northward, reaching an elevation of 350 feet at the north property line. The northern one-third of the larger parcel is forested.
2. The quarry site itself is overgrown with grass; pines and blackberries surround the quarry floor. A small berm shields the quarry from view on the Wilsonville Highway. No recent mining activity is apparent.
3. Surrounding parcels to the east, west and south are Plan designated AFLH and zoned EF-40/AF-20. To the east, the land rises sharply to form the west slope of Parrett Mountain.
4. Site #22 (Renne) abuts the subject parcel to the north.
5. The southern tip of Exceptions Code Area 1.13 is located about 1/4 mile due north of Site #22. This quarry site itself is not visible from Code Area 1.13.
6. Surrounding land uses include small forested tracts, grazing land and small orchards in the higher elevations. Large agricultural tracts in grain and pasture dominate the land at the lower elevations.
7. The quarry site is visible from 5 or 6 dwellings located at the higher elevations. No dwellings are located on the subject parcel.
8. Soils on the subject parcel are Willakenzie silty clay loam, Class III agricultural capability.

Resource Information

1. The resource is composed of small diced basalt 2 to 4 inches in diameter. The rock is mixed with soil. It is suitable for fill or embankment and for topping.

2. The site is identified as #58 in the DOGAMI Inventory. An estimated 16,000 cubic yards has been the past production, according to the Inventory.
3. Estimated reserves are 100,000 cubic yards according to DOGAMI.
4. Mining began in 1966.

Land Use and Operating Permits

1. The 35-acre parcel was Plan designated Quarry on the 1974 Plan Map and zoned MR on the 1976 Zoning Map.
2. The site has a DOGAMI Surface Mining permit (I.D. No. 36-0001) for a Limited Exemption due to mining activity prior to July, 1972. The latest permit expires March, 1983.
3. The latest DOGAMI on-site inspection report (1981) indicated that expansion beyond the present 2 1/2 acres would require the operator to submit reclamation plans.
4. According to DOGAMI records, no material has been removed since 1978.

Goal 5 Analysis

The DOGAMI Inventory indicated a large reserve of aggregate suitable for pit run. The extraction activity, however, has been intermittent and of low level through the years. The extraction site could easily be reclaimed for a dwelling site or pasture land.

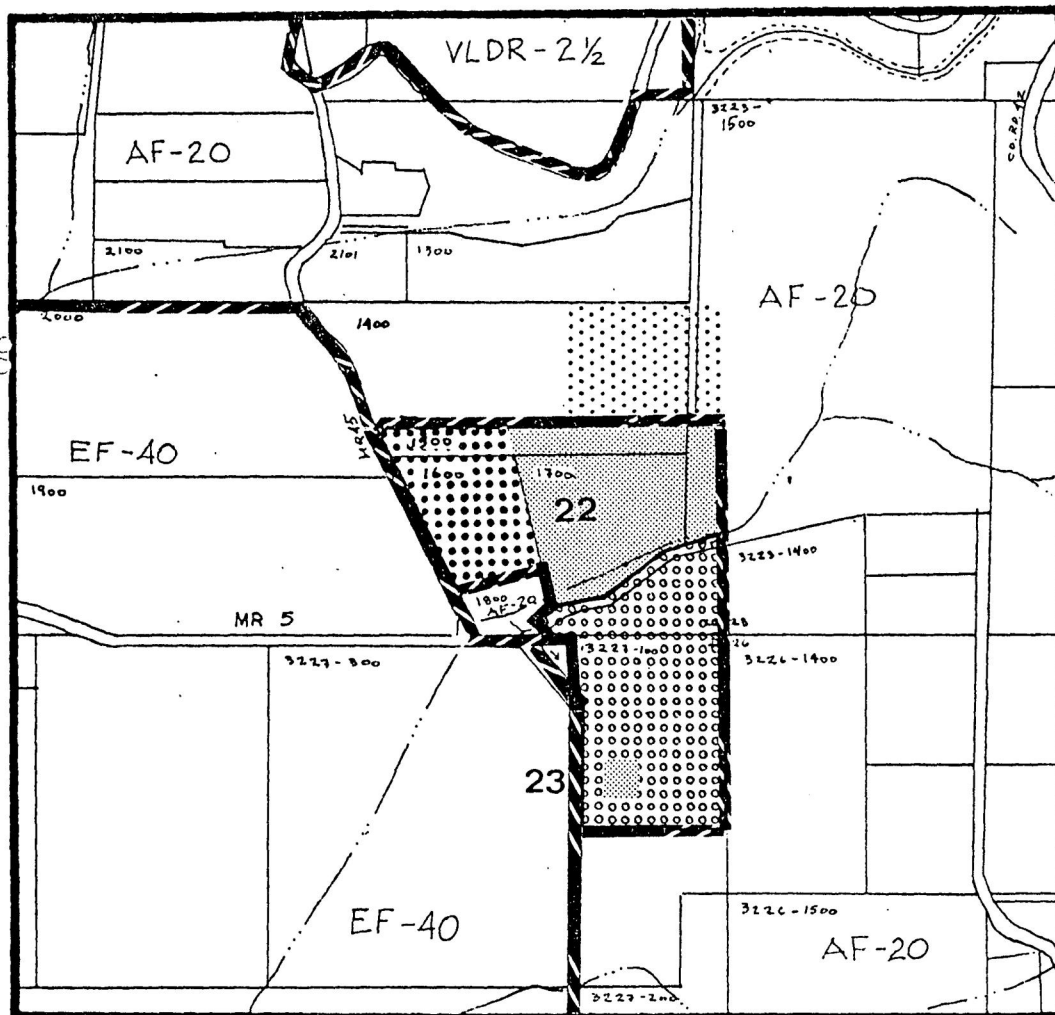
Staff Recommendation

Staff recommends that the Quarry Plan designation be affirmed on the 35-acre parcel because of the large reserve of aggregate and the parcel's tie with Site #22 to the north.

Due to the minimal amount of extraction activity at this site,, staff recommends that an MR-1 zone be designated for 5 acres of the quarry site, and that the remainder of the 35 acres be zoned AF-20.

Site No: 22 Location: T₃ S-R₂W, Section 22

Site No: 23 Location: T₃ S-R₂W, Section 27



NORTH
SCALE: 1"=1000'

LEGEND:

- Site Currently "Q" Plan-Designated and "MR" Zone-Designated
- Proposed Expansion Area Recommended for "MR" Zone-Designation & "Q" Plan-Designation
- Site Proposed for "AFLH" Plan-Designation and "AF-20" Zone-Designation
- Site Proposed for "AF-20" Zone-Designation
- Zoning District Boundary
- Stream

Site No: 22, Renne Tax Lot No: 3222-1400, 1500, 1600
1700

Total Acreage: 27 Ac

Current: Plan Designation: Q Acreage: 25 Ac
Zone Designation: MR Acreage: 25 Ac

Proposed: Plan Designation: Q Acreage: 29 Ac
Zone Designation: MR-1 Acreage: 29 Ac

Site No: 23, Bollinger Tax Lot No: 3227-100

Total Acreage: 35.8 Ac

Current: Plan Designation: Q Acreage: 35.8Ac
Zone Designation: MR Acreage: 35.8Ac

Proposed: Plan Designation: Q Acreage: 35.8Ac
Zone Designation: AF-20/MR1 Acreage: 30.8/5Ac

MACAULAY

Current:

Plan Designation - Q(20.18 Acres)
Zone Designation - MR(20.18 Acres)

Proposed:

Plan Designation - Q(20.18 Acres)
Zone Designation - MR-1(20.18 Acres)

Location

Approximately one-half mile south of the city limits of the City of Newberg, northeast of the Newberg Sanitary Landfill, east and south of County Road No. 65, in the NE 1/4 of Section 30 and the NW 1/4 of Section 29, T3S-R2W, Tax Lot 3230-100.

Site Description

1. The 20.18 acre parcel is used as a processing site for sand and gravel. The land is on two levels - the floodplain along the river, and a higher shelf.
2. The land use pattern in the area of the subject property includes a number of industrial and quasi-industrial uses. To the north and east of the property are the sewage treatment plant for the City of Newberg and the Publisher's Paper Plant. Also to the east is a boat launching ramp leased by the County. To the south and west is the Newberg Sanitary Landfill, and to the west an orchard.
3. The subject property is included in the Newberg Urban Growth Boundary and is designated for industrial use on the Newberg Comprehensive Plan Map.
4. The parcel immediately to the north of the subject property is presently zoned AF-10, but is also designated for future industrial use.
5. Properties to the south and east are presently zoned PWS, while those on the west are zoned VLDR-5/PWS. All this area is designated future industrial use on the Newberg Comprehensive Plan Map.
6. A compact grouping of dwellings lies along River Street, the access road to the property is from Highway 99W. Processing activity is approximately 700 feet from the nearest dwelling.
7. The subject property is bounded on the southeast by the Willamette River and is partially within the Willamette Greenway and Flood Hazard District.
8. Soils on the subject property are Newberg silt loam, with a Class II agriculture capability.

Resource Information

1. The subject property has been used since 1975 as a base for processing sand and gravel for concrete production. Dredging from the river is done by the owner/operator.
2. Office buildings and truck storage are accommodated on the upper level of the property; while conveyors, crushing operators and stockpiles of aggregate materials are located near the river. Provision is also made for a portable concrete batching plant on the floodplain.
3. This site was not included in the 1981 DOGAMI Inventory as there are no reserves of aggregate resource at this location.

Land Use and Operating Permits

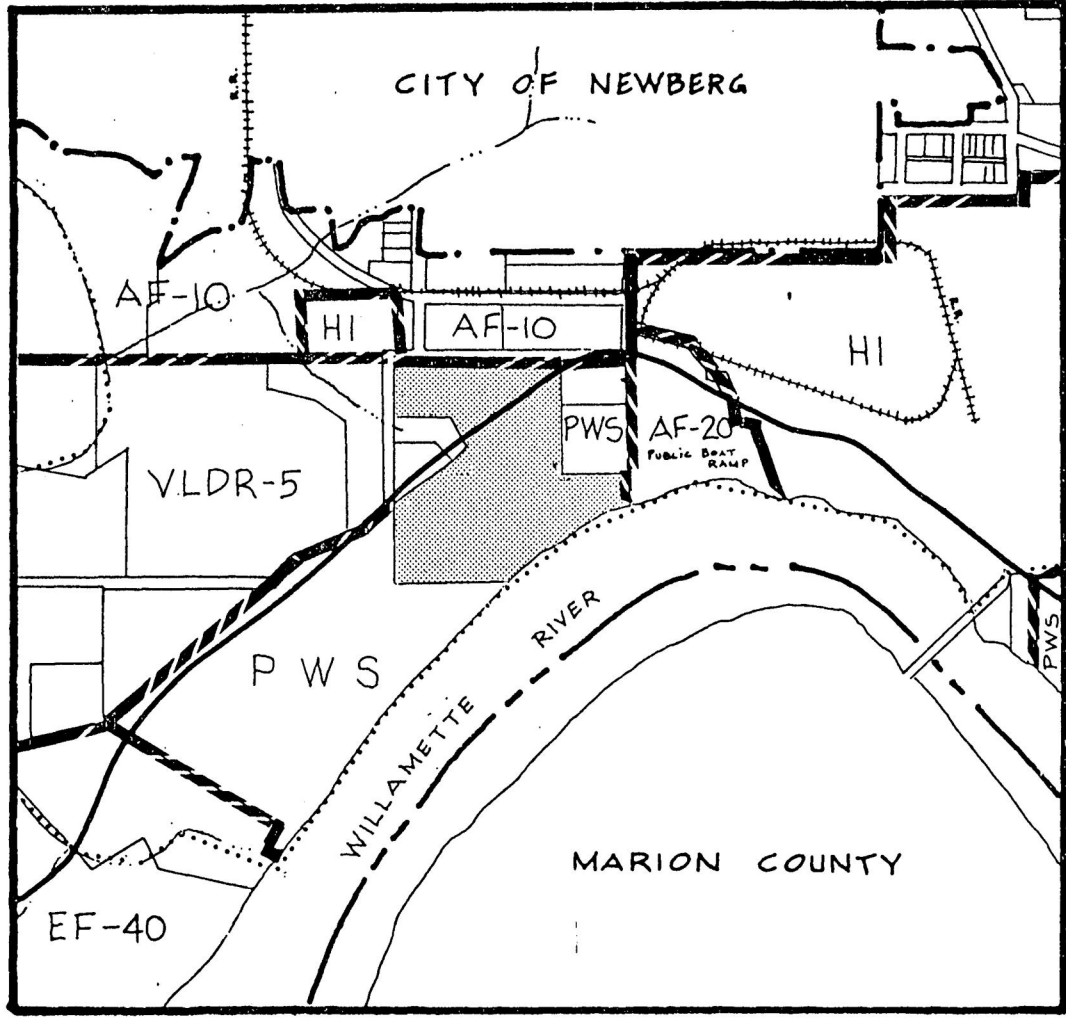
1. A conditional use permit (C-93-73) was issued in July, 1973 for a sand and gravel operation at this location.
2. The County initiated and approved a zone change from AF-20/AF-10 to MR for the subject property in February, 1976 (Z-89-76). This docket was initiated in order to bring consistency to the zone and Quarry Plan designation.
3. In July, 1980 the owner/operator requested a conditional use permit (C-387-80/CFP-18-80) to allow placement of a concrete batching plant within the Willamette River Greenway and Flood Hazard District on the subject property.
4. The County approved the conditional use permit July 28, 1980, with four conditions, some applying to river flooding:
 - That tanks of chemicals must be stored on moveable equipment;
 - The batch plant must remain readily portable;
 - Truck washing be done out of the floodplain area;
 - Conformance with certain traffic routing requirements.
5. The approved conditional use permit was appealed August 7, 1980 by a nearby property owner; but the decision was sustained August 27, 1980 by the Board of Commissioners.
6. A current DSL permit (#2035) for this property allows dredging in the River.

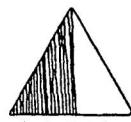
Goal 5 Analysis

The County considered Goal 5 criteria in 1976 when the zone change was approved. The subject property had been used for several years as a sand and gravel operation, and an MR designation was deemed necessary and appropriate in order to ensure ongoing use of this property as a mineral aggregate processing site.

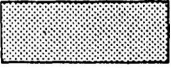
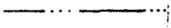
Staff Recommendation

Staff recommends that the Quarry Plan designation be affirmed for this 20.18 acre parcel, and that the present MR zone be specified MR-1 in order to provide for a full range of processing of the aggregate resources.




NORTH
SCALE: 1"=1000'

LEGEND:

-  Site Currently Plan-Designated "Q" & Zoned "MR"
-  Zoning District Boundary
-  Willamette Greenway Boundary
-  Urban Growth Boundary
-  County Line
-  City Limits Boundary
-  Rail-Road
-  Stream

Site No: 24, Macaulay Tax Lot No: 3230-100
 Total Acreage: 20.18 Ac
 Current: Plan Designation: Q Acreage: 20.18Ac
 Zone Designation: MR Acreage: 20.18Ac
 Proposed: Plan Designation: Q Acreage: 20.18Ac
 Zone Designation: MR-1 Acreage: 20.18Ac

MEMO

TO: City Council
FROM: City Administrator
SUBJECT: Christmas Holiday Parking

DATE: October 25, 1982

In past years it has been the practice to eliminate the Parking Enforcement during the Christmas holiday shopping season.

The Chief has recommended that we eliminate enforcement commencing Friday, December 10, 1982 effective through Friday, December 24, 1982.

This provides a two week period of time including two weekends prior to Christmas day which has been the tradition in the past.

While this could be done administratively, I'd like to bring this to the City Council's attention for any input that you may have.

Michael Warren
Michael Warren
City Administrator

MW/bjm

DATE: October 25, 1982



This yearly procedure implements the inter-governmental contract for Regional Library Services. This particular agreement for 1982-83 has been adjusted for 3/4 of a years service.

While it may be the last year for this service, by signing this agreement it will provide the service through June 30, 1983.

Michael Warren
City Administrator

Enc.

RESOLUTION NO.

WHEREAS, the Mayor, City Administrator, and Librarian have reviewed the Intergovernmental Contract for Regional Library Services to be entered into between Chemeketa Community College District and the City of Newberg; and

WHEREAS, it is recommended that the City of Newberg, through its established public library facility enter into this agreement with Chemeketa Community College District to provide the services set forth in the agreement for the fiscal year 1982-1983.

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

1. The Mayor and the City Recorder are authorized and directed to execute the agreement on behalf of the City of Newberg.
2. A copy of the agreement is attached to this Resolution and made a part hereof as Attachment Number 1.

ADOPTED by the Council of the City of Newberg, this 1st day of November, 1982.

Arvilla Page - City Recorder

MEMO TO: Mike Warren, City Administrator
FROM: Doreen Turpen, Librarian ^{LD}
DATE: Oct. 7, 1982
SUBJECT: Intergovernmental contract for Regional Library Services

Attached is the contract for CCRLS service for 1982-83. Please note that the contract fee has been adjusted for 3/4 of a year service.

The contract calls for adoption by resolution of the City Council. I would like to have this included on the November agenda and recommend that it be adopted.

VIII 1

INTERGOVERNMENTAL CONTRACT FOR REGIONAL LIBRARY SERVICES

THIS AGREEMENT, made and entered into by and between Chemeketa Community College District, a community college established pursuant to ORS 341, hereinafter referred to as the "COLLEGE" and the City of Newberg, an Oregon municipal corporation, hereinafter referred to as NEWBERG,

WHEREAS, NEWBERG, by resolution of its governing body has participated with the COLLEGE for the past four years in the Chemeketa Cooperative Regional Library Service, an intergovernmental public library service to residents of Yamhill County, hereinafter referred to as the "SERVICE"; and

WHEREAS, the first year of a three-year serial tax levy to finance the SERVICE from September 27, 1982 to June 30, 1983 was approved by the COLLEGE District voters on September 21, 1982;

WHEREAS, the most economical and effective provision of the SERVICE has been demonstrated to be through contract with established public library facilities; and

WHEREAS, the COLLEGE and the CITY are each willing and able to provide part of the SERVICE as hereinafter set forth;

NOW, THEREFORE, in consideration of the mutual promises of the parties hereto and by virtue of the authority granted by the provisions of Chapters 190 and 357.451 of the Oregon Revised Statutes, the parties hereto mutually agree as follows:

ARTICLE I: Duties and Responsibilities of the Parties

A. The Duties and Responsibilities of the COLLEGE shall be as follows:

1. Provide for fiscal and administrative management of the SERVICE.
2. Maintain (a) the Chemeketa Regional Library Service Advisory Committee, hereinafter referred to as the "CCRLS ADVISORY COMMITTEE", through which recommendations on policies of the SERVICE can be expressed, and (b) an ongoing liaison with the PYM Library Association (or their designated executive committee) through which recommendations on procedures and their implementation can be expressed. Exhibit "A" as attached, includes the present membership of the CCRLS Advisory Committee.
3. Coordinate an audio visual service by providing rented or purchased audio-visual programs.

4. Provide regular courier service between the participating libraries.
5. Provide free reciprocal borrowing privileges to patrons of the SERVICE, subject to the existing rules and procedures of the COLLEGE library.
6. Provide a monthly accounting of all expenditures under this program to the CCRLS Advisory Committee.

B. The Duties and Responsibilities of NEWBERG shall be as follows:

1. Provide free borrowing privilege to card holding residents of the COLLEGE District subject otherwise to the existing rules and procedures of the NEWBERG library.
2. Provide reference and information services to patrons of the participating libraries in cooperation with the COLLEGE and the other participating libraries.
3. Provide for the regular participation of the NEWBERG library director in meetings of the Polk, Yamhill and Marion librarians and as may be necessary in meetings of the CCRLS Advisory Committee.
4. Provide an accounting to the COLLEGE's Service Coordinator of the number of NEWBERG's 1981-82 non-resident library cards issued on a quarterly basis.
5. Pay to the COLLEGE the sum of \$2,365 by January 15, 1982 as payment for participation in the SERVICE in lieu of taxes since Newberg is outside the area taxed to provide this SERVICE. This amount is prorated because of the shortened fiscal year.

ARTICLE II: Time of Performance

This contract shall commence October 1, 1982 and shall terminate on June 30, 1983.

ARTICLE III: Amendments

This contract may be amended only by joint agreement of the parties herein.

ARTICLE IV: Termination

Either party may terminate this contract upon the other party's material breach of any of the terms and conditions hereof, by giving written notice of termination to the other party at least sixty days in advance of the effective date of termination. Cure of the breach by the party in default within the sixty day period shall void the effect of the termination date.

Upon termination or expiration of this contract, NEWBERG shall assist the COLLEGE by delivering all necessary records or materials needed for the SERVICE to be continued in an orderly manner.

IN WITNESS WHEREOF, the COLLEGE has, by direction of its Board of Education, caused this contract to be signed in its name by its President; and NEWBERG, by resolution of its City Council, has caused this contract to be executed the same by its Mayor, this ____ day of _____, 19 ____.

CITY OF NEWBERG

Elven Hall
Mayor

Coren H. Jensen
Department Head

Wm. H. Tamm
City Attorney
Approved as to form:

Arnold Page
City Recorder
Attest:

CHEMEKETA COMMUNITY COLLEGE

Arthur Binnie
President

Lowell Ford
CCRLS Coordinator

Green B. ...
College Attorney
Approved as to form:

EXHIBIT A

CCRLS ADVISORY COMMITTEE

Lay Members:

John McLurg
Polk County

Ann Evers
Yamhill County

Howard Smith
Marion County

Richard Lutz
Marion County

Ex-Officio Members:

Kay Grasing
Oregon State Library

Alan Hershey
Mid-Willamette Valley
Council of Governments

Donna Carver
CCRLS Secretary

Lowell Ford
Coordinator, CCRLS
Chemeketa Community College
PO Box 14007
Salem, OR 97309
399-5119

Professional Members:

George Happ
Salem Public Library

Sharon Russell
Stayton Public Library

Norman Sams
Dallas Public Library

Doreen Turpen
Newberg Public Library

Keith Harker
Chemeketa Community College Library

MEMO TO: Mike Warren, City Administrator

FROM: Rick Faus, City Attorney

DATE: October 21, 1982

SUBJECT: Resolution for November Council meeting authorizing Hotel
Feasibility Study

Attached is a resolution authorizing the City to enter into a contract with Laventhol and Horwath of Seattle, Washington to do hotel feasibility study. The reasons for this study and the process used in choosing Laventhol and Horwath are well stated in your memo to the Council of October 1, 1982 and the purpose of this resolution is to confirm the authorization to enter into a consulting agreement for the hotel feasibility study which was given by the Council at its October 4th Council meeting.

RDF:fj

VIII 2

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SIGN A CONSULTING CONTRACT WITH LAVENTHOL AND HORWATH TO PERFORM A HOTEL/MOTEL FEASIBILITY STUDY FOR A TOTAL AMOUNT NOT TO EXCEED \$7,500.

WHEREAS, the City Administrator and parties interested in the development of a hotel/motel complex in the City of Newberg met with two top consulting firms in the area of hotel/motel feasibility studies and after evaluation which is outlined in the City Administrator's memorandum to the City Council dated October 1, 1982 which is attached hereto as Exhibit "A" and made a part hereof. It was determined that the firm of Laventhol and Horwath would provide to the City of Newberg the best professional services in development of a hotel/motel complex in the City of Newberg; and

WHEREAS, the City of Newberg has secured as grant funds for this project the amount of \$7,500., from two sources, earmarked for the purpose of developing such a study; and

WHEREAS, the City Council of the City of Newberg at its October 4, 1982 regular meeting authorized the City Administrator to proceed with an agreement for this study.

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

1. That the agreement to employ consultants to assist the City and others in studying the financial feasibility of a hotel or motel complex in the City of Newberg is an agreement for personal services and not subject to public contracting and purchasing laws, though, in this case, the procedure followed would comply with such laws were they to be applied.

2. That the City Administrator is hereby authorized to execute an agreement on behalf of the City to employ the firm of Laventhol and Horwath as consultants for the development of a financial feasibility study for a hotel/motel complex in the City of Newberg, Oregon. Based upon the evaluation outlined in Exhibit "A", referred to above and attached hereto.

3. That the City's liability under such an agreement shall not exceed the sum of \$7,500.

ADOPTED by the Council of the City of Newberg this 1st day of November, 1982.

Arvilla Page - City Recorder

VIII 2

MEMO

TO: City Council
FROM: City Administrator

DATE: October 25, 1982

SUBJECT: Parking Ordinance Changes

The Public Safety Committee and the Public Works Committee have both discussed the general information contained in the attached ordinance. The ordinance provides for the elimination of three parking spaces on the south side of Hancock Street east of the southeast corner of Hancock Street and North Main Street and one parking space on the west side of North Main Street north from the northwest corner of North Main and Hancock Streets pursuant to recommendations of the Public Works Committee and Public Safety Committee. In addition the ordinance provides for a limited parking, a handicap parking space on the west side in the first parking space on River Street north of Second Street based on the recommendation of the Public Safety Committee. The handicap parking space has been requested for handicap parking at the Minthorn House.

Members of the Public Works Committee can best describe the situation and the need for it and the feelings of the people in the surrounding area.


Michael Warren
City Administrator

MW/bjm

IX 1

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ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 902 OF THE CITY OF NEWBERG, PASSED AND APPROVED MARCH 25, 1940, AS AMENDED BY PROHIBITING PARKING IN CERTAIN AREAS ON NORTH MAIN STREET AND HANCOCK STREET AND BY LIMITING PARKING TO HANDICAP PARKING IN A CERTAIN PARKING SPACE ON THE WEST SIDE OF RIVER STREET AND DECLARING AN EMERGENCY.

WHEREAS, the Public Works Committee met on October 19, 1982 and recommended elimination of certain parking spaces on North Main Street and Hancock Streets to provide for safe truck turning radiuses; and

WHEREAS, the Public Safety Committee met on October 21, 1982 and agreed with the recommendation of the Public Works Committee with regard to elimination of parking spaces on Hancock Street and North Main Street and additionally recommends the establishment of a handicap parking space on the west side of River Street to provide for handicap parking at the Minthorn House; and

WHEREAS, it is in the best interests for the health, safety and welfare of the people of the City of Newberg to provide for prohibited parking on Hancock and North Main Streets to allow a better truck turning radius and to provide for a handicap parking space at the historic Minthorn House location that an emergency should be declared to make said parking restrictions immediately enforceable.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

Section 1. That Ordinance No. 902 of the City of Newberg, Oregon, passed and approved March 25, 1940, as amended, be and the same hereby is amended by adding thereto two new sections to be known as sections 57 and 58 to read as follows:

"Section 57. It shall be unlawful for any driver or other person in charge of a motor vehicle, bicycle or any other vehicle of any description to park the same on the following described portions of Hancock Street and North Main Street within the corporate limits of the City of Newberg, Yamhill County, Oregon:

(a) On the south side of Hancock Street easterly for a distance of 88 feet from the southeast corner of the intersection of North Main Street and Hancock Street.

(b) On the west side of North Main Street northerly for a distance of 46 feet from the northwest corner of the intersection of Hancock Street and North Main Street.

Section 58. It shall be unlawful for any driver or other person in charge of a motor vehicle, bicycle or any other vehicle of any description to park the same on the following described portion of River Street within the corporate limits of the City of Newberg, Yamhill County, Oregon:

(a) All but handicapped parking is prohibited in a parking space designated as a handicapped parking space located on the west side River Street from a point beginning 35 feet from the northwest corner of the intersection of River Street and Second Street in a northerly direction from this point for 18½ feet."

Section 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Whereas, there is an immediate need for these restrictions of parking, due to the need for better truck turning radius on Hancock and North Main Streets and for a handicapped parking space near the Minthorn House, that it is necessary for the peace, health and safety of the people of Newberg that this ordinance should be immediately effective. 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 1st day of November, 1982 by the following votes:

Ayes:

Nays:

Absent:

Arvilla Page - City Recorder

APPROVED by the Mayor this 1st day of November, 1982.

Elvern Hall - Mayor

IX 1

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TO: City Council DATE: October 25, 1982

FROM: City Administrator

SUBJECT: Ordinance relating to willful detention of Library property.

This subject matter has been discussed by the Library Board in their meeting of September 28 and, in fact, the review of the ordinance was a part of that discussion. The result is before you at tonight's City Council meeting.

Basically it puts an already established state law into the hands of the City. The City Attorney feels that were we not to adopt this ordinance the violation would have to be prosecuted in the District Court by the District Attorney which would be "time consuming, cumbersome and awkward."

The ordinance revision makes a City Ordinance violation of willful detention of library property and would allow for prosecution in our Municipal Court. Should the City Council have any questions the Librarian will be at the November 1 City Council meeting.


Michael Warren
City Administrator

MW/bjm
Enc.

AN ORDINANCE AMENDING ORDINANCE NO. 1703, PASSED AND APPROVED AUGUST 20, 1973, AS AMENDED, BY ADDING A NEW SECTION 39 THERETO TO PROVIDE FOR A NEW OFFENSE OF WILLFUL DETENTION OF LIBRARY PROPERTY.

WHEREAS, Oregon State Law, specifically ORS 357.975 and 357.990 provide for the offense of willful detention of library property to provide a penalty in addition to payment of the value of books which are not returned to libraries in the Oregon State Library System; and

WHEREAS, the enforcement of the State Statute would have to be carried out by filing a complaint in District Court in McMinnville by the District Attorney's office, whereas, if the city incorporated this offense into the ordinance as did the City of Silverton this offense and it's penalties could be more efficiently enforced in the Municipal Court for the City of Newberg.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

Section 1. That Ordinance No. 1703, passed and approved August 20, 1973, as amended is hereby amended to add a new Section 39 which reads as follows:

"Section 30. Willful detention of library property. It shall be unlawful for any person willfully or maliciously to detain any library materials belonging to the City or lawfully in the City Library's possession, for 30 days after notice in writing from the Librarian of the City Library is given after the expiration time, which by regulations of such City Library such materials may be kept. The notice shall bear, upon its face, a copy of this section.

(a) The person borrowing a book from the City Library shall be responsible for its return and if not returned upon receiving 30 days written notice, whether willfully detained or not, the person in whom the City Library books was entrusted shall be responsible for the value thereof.

(b) Violation of this ordinance shall be punishable, upon conviction, by a fine of not less than \$5.00 nor more than \$25.00 plus in addition thereto, restitution to the Library for the value of the article not returned. Such conviction, payment of fine and payment of restitution shall not be construed to relieve the person convicted of any obligation to return to the Library such material."

PASSED by the Council of the City of Newberg, Oregon this 1st day of November, 1982 by the following votes:

Ayes:

Nays:

Absent:

Arvilla Page - City Recorder

APPROVED by the Mayor this 1st day of November, 1982.

Elvern Hall - Mayor

IX 2

MEMO TO: Rick Faus, City Attorney

FROM: Doreen Turpen, City Librarian

DATE: October 7, 1982

SUBJECT: Draft Ordinance relating to Willful detention of Library Property

The Library Board, in their meeting of September 28, discussed the draft of the City ordinance No. 1703 Section 39. They support the adoption of the ordinance with a few changes.

The Board felt that the first paragraph was too wordy and recommended following the wording of ORS 357.975, that is, deleting the phrase "including but not limited to, any books, newspapers, magazines, pamphlets, manuscripts or other materials"

They also questioned (in relation to (b)), whether it was possible to enforce the section that says "payment of restitution shall not be construed to relieve the person convicted of any obligation to return to the Library such material." This is an addition to the wording of ORS 357.990.

I am hoping we can bring this before the Ordinance Committee at its next meeting and have it on the November Council meeting agenda.

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 1703, PASSED AND APPROVED AUGUST 20, 1973 AS AMENDED, BY ADDING A NEW SECTION 39 THERETO TO PROVIDE FOR A NEW OFFENSE OF WILLFUL DETENTION OF LIBRARY PROPERTY.

WHEREAS, Oregon State Law, specifically ORS 357.975 and 357.990 provide for the offense of willful detention of library property to provide for a penalty in addition to payment of the value of books which are not returned to libraries in the Oregon State Library System; and

WHEREAS, the enforcement of the State Statute would have to be carried out by filing a complaint in District Court in McMinnville by the District Attorney's office, whereas, if the city incorporated this offense into the ordinances as did the City of Silverton this offense and it's penalties could be more efficiently enforced in the municipal court for the City of Newberg.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

Section 1. That Ordinance No. 1703, passed and approved August 20, 1973, as amended is hereby amended to add a new Section 39 which reads as follows:

"Section 39. Willful detention of library property. It shall be unlawful for any person willfully or maliciously to detain any library materials ~~including but not limited to, any books, newspapers, magazines, pamphlets, manuscripts or other materials~~ belonging to the City or lawfully in the City Library's possession, for 30 days after notice in writing from the Librarian of the City Library is given after the expiration of time, which by regulations of such City Library such materials may be kept. The notice shall bear, upon its face, a copy of this section.

(a) The person borrowing a book from the City Library shall be responsible for its return and if not returned upon receiving 30 days written notice, whether willfully detained or not, the person in whom the City Library Books was entrusted shall be responsible for the value thereof.

(b) Violation of this ordinance shall be punishable, upon conviction, by a fine of not less than \$5.00 nor more than \$25.00 plus in addition thereto, restitution to the Library for the value of the article not returned. Such conviction, payment of fine and payment of restitution shall not be construed to relieve the person convicted of any obligation to return to the Library such material."

PASSED by the Council of the City of Newberg, Oregon this day of , 1982 by the following votes:

Ayes:

Nays:

Absent:

Arvilla Page - City Recorder

APPROVED by the Mayor this day of , 1982.

Elvern Hall - Mayor

IX 2