

COMMUNITY RELATIONS COMMITTEE MINUTES

Tuesday, April 30, 1996, noon
Newberg Fire Department

COMMITTEE

MEMBERS PRESENT: Chairperson Bob Weaver, Councilor Debbie Sumner, Marge Stiefbold, Bruce Jaqua, Jerry Fisher, Johann May.

MEMBER ABSENT: Bill Larson

STAFF PRESENT: Mayor Donna Proctor, City Manager Duane Cole, City Attorney Terry Mahr, Fire Chief Michael Sherman, Library Director Leah Griffith, Police Chief Robert Tardiff, and Mary Newell, Recording Secretary.

VISITORS: Dick Meyer and Tim Hyatt

1. CALL MEETING TO ORDER:

Bob Weaver welcomed new Committee Member Bruce Jaqua. Mayor Proctor introduced Tim Hyatt, who has expressed an interest in serving on the Community Relations Committee. Mayor Proctor will have Becky Manning send the appropriate Committee application form to Mr. Hyatt.

Motion: Stiefbold/Fisher to approve the minutes of March 26 as written. Motion carried.

2. OLD BUSINESS:

2.1 Pavilion Update

For the benefit of the new committee member(s), City Manager Duane Cole provided a brief background on the history of the pavilion to date. He advised that a volunteer was recruited to prepare the final design plan. Once the plan is complete it will take approximately three weeks to get through the Design Committee. At this time the project is on target for the end of June, but this target date is dependant on completion of the final design plans. Completion of the final design is contingent on the volunteer's schedule. The pavilion will be used for a variety of activities with Chehalem Park & Rec coordinating the reservations.

Other improvements discussed:

- PGE will donate old fashioned lights
- Fred Meyer will provide park benches
- Newberg ReadyMix will be contacted for cement work

- Lumbermen's is making a donation towards lumber costs
- Jerry Fisher will provide labor to assist with the internal wiring. Yamhill County will have to approve the work.
- Donna Proctor is seeking donors to provide landscaping

Bob Weaver suggested a plaque be located on the pavilion to publicly recognize the companies and individuals who contributed to the building of the pavilion.

Johann noted there is some opposition to the building of the pavilion.

2.2 Francis Square Update

Duane Cole reported that work on Francis Square has proceeded pretty steadily since last fall. There have been lots of offers for assistance with the project. A volunteer has offered to do some excavating, to remove the rock and fill with soil and gravel. Plans include installing the new sidewalks and brick within the near future. A lawn area and planters will follow. \$20,000 has been put into the City budget to help fund the project.

City Staff has been working with Mr. Monka who has interest in obtaining a 10-foot easement as part of his remodeling project. Terry Mahr indicated that according to building officials, commercial use has a different set back than residential. Cole indicated it might be beneficial to front Monka's building on the Square.

Jaqua suggested selling monogrammed bricks as a means of funding, similar to the method used by Portland's Pioneer Square.

Noting it was done in a Portland retail store, Johann May suggested some stone inserts be etched with proverbs or sayings and installed between/within the brick walkways.

3. NEW BUSINESS:

3.1 Everybody's Market, Nafisa Mahmood, OLCC License Renewal Application

Noticed for the meeting were: applicant Nafisa Mahmood, Everybody's Market; and neighboring businesses, J & R Tax Service and Excaliber.

City Attorney Terry Mahr outlined the process for liquor license renewal applications. The OLCC requires persons holding a liquor license to obtain a recommendation from the local city government on whether the liquor license should or should not be approved. According to Ordinance No. 89-1377, the process begins by authorizing the City Manager to approve OLCC liquor license applications within the City of Newberg. If the City Manager decides not to give an endorsement for renewal, the matter is referred to the Community Relations Committee for recommendation. Following the

recommendation of the Community Relations Committee, if the City Manager does not recommend renewal of the license, the matter is placed on the City Council agenda.

Regarding Nafisa Mahmood, Everybody's Market, 2113 Portland Road, for renewal of their OLCC liquor application, the City Attorney indicated there have been a number of questions concerning the establishment over the past three years. Last year the City of Newberg did not recommend renewing the license due to questions of ownership and currently no alcohol is being sold. Nafisa Mahmood's brother, Whid Mahmood, has been prohibited from the property but still continues to operate the business. The OLCC has set a hearing on Nafisa Mahmood's license renewal application for May 8-9, 1996.

The City has been unable to make contact with Nafisa Mahmood. Of the two individuals Fakeer Rahim and Habib Naseri who profess to be buying an interest in the store, Fakeer Rahim has been cited into court for selling alcohol to a minor but has not been convicted. However, there is no doubt that he was untruthful to police officers and continued to operate at the premises. Tobacco has been sold to underage persons.

City Attorney Terry Mahr recommended the license not be renewed based on the following reasons: (1) unable to determine ownership; (2) tobacco has been sold to minors; (3) the background of the new operators are in question; and (4) supervision by the new owners is lacking.

Following his report, the City Attorney provided Committee with an opportunity for questions.

City Councilor Debbie Sumner supports denial of the renewal because the City has tried to work with the individuals involved at Everybody's Market in the past but feels they have reached an impasse because the issue of ownership cannot be cleared.

Responding to a question from Bob Weaver, Terry Mahr indicated that Nafisa Mahmood is not going to be the new owner although she made application for the liquor license renewal. A problem exists that Nafisa Mahmood has left the country and signed the business over to Whid Mahmood who cannot operate the store because he was denied access. The store apparently is being sold to Fakeer Rahim and Habib Naseri. Rahim was cited for selling alcohol to a minor.

Terry Mahr indicated that Everybody's Market has no liquor license violations for the past year but they had not been selling liquor since the denial of their liquor license in 1995.

Marge Stiefbold indicated that the sale of the store had not been reported to the OLCC as required.

Motion: Stiefbold/Jaqua to deny approval of the liquor license renewal application of Nafisa Mahmood, Everybody's Market, based on the following reasons: (1) question of ownership, (2) tobacco being sold to minors; (3) the backgrounds of the new operator(s) are in question; and (4) supervision by the new owners is lacking.

Chairman Bob Weaver confirmed that a YES vote would deny the application and a NO vote would

approve the application.

The question was called for and a roll call vote taken:

Stiefbold
YES

May
YES

Fisher
YES

Jaqua
YES

Weaver
YES

Sumner
YES

The motion passed unanimously.

3. NEW BUSINESS:

Chief Tardiff raised the issue of whether or not the Community Relations Committee is the appropriate forum for liquor license applications and renewals. He indicated the process requires the Chief of Police investigate the applicant, with the City Manager reviewing the application based on information presented. He questioned the need for another step before going to the City Council.

Terry Mahr agreed that the burden should probably be put on the applicant to appeal and not an automatic appeal by the City. He said it seems appropriate to let the City Manager make the decision and appeals go directly to the City Council. It would require a change in the resolution for the appeal to go directly to the City Council.

Discussion followed. The City Manager will prepare a resolution for review at the next meeting of the Community Relations Committee.

4. Other Information Sharing

Johann reported that Jim Morrison said the MS Walk was a great success, collecting \$3800. Next year, more advertising will be done and Domino's Pizza will again provide pizza to participants.

Terry Mahr advised that videos on the various public issues are being aired on cable television.

City Club is sponsoring a forum on the annexation issue. Both sides will make presentations. The public forum is open to anyone who would like to attend.

5. REPORTS:

Police

Chief Tardiff advised that a video tour of the police department is available for review. An informational flyer has been prepared for the public.

The Police Department is reviewing their policy on vehicle lockouts. Adopted as a goal in the Community Policing Plan, the current policy takes away from local businesses and requires too much officer time. Being considered is establishing an on-call locksmith program for participating locksmiths and tow companies. Committee members should expect comments from the public.

Library

Turn Off Your TV Week was very successful.

The Senior Center Library Project, although not totally set up, has been very well received.

The Senior Center is sponsoring a spaghetti feed to help fund a new van. Leah would welcome comments or concerns from citizens relating to the senior facility.

Fire

Mark your calendars for the annual Firemens' Breakfast scheduled for May 5th.

Motion: Sumner/Fisher to adjourn. The meeting adjourned at 1:10 p.m.



Mary Newell, Recording Secretary

Meeting Notice and Agenda

COMMUNITY RELATIONS COMMITTEE

Date: Tuesday, April 30, 1996

Time: 12:00 Noon

Location: Newberg Fire Department
414 E. Second Street
Newberg, OR 97132

AGENDA

1. **CALL MEETING TO ORDER:**
 - 1.1 Review and approve minutes of March 26, 1996
2. **OLD BUSINESS:**
 - 2.1 Pavilion Update
 - 2.2 Francis Square Update
3. **NEW BUSINESS:**
 - 3.1 Everybody's Market, Nafisa Mahmood, OLCC License Renewal Application
4. **OTHER:**
 - 4.1 Information Sharing
 - Mayor Proctor
 - Committee Members
5. **REPORTS:**
 - 5.1 Monthly Departmental Reports
 - Fire Department
 - Police Department
 - Library
6. **ADJOURN:**
 - 6.1 Adjourn to next meeting date

ACCOMMODATION OF PHYSICAL IMPAIRMENTS:

In order to accommodate persons with physical impairments, please notify the Office of the Chief of Police of any special physical or language accommodations you may need as far in advance of the meeting as possible and no later than 48 hours prior to the meeting. To request these arrangements, please contact Mary Newell at (503) 537-1221.