

**MINUTES OF THE NEWBERG CITY COUNCIL
OCTOBER 20, 2003
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING - TRAINING ROOM**

I. CALL MEETING TO ORDER

Mayor Stewart called the meeting to order.

II. ROLL CALL

**Bob Andrews
Roger Currier
Doug Pugsley**

**Mike McBride
Bob Larson
Robert Soppe**

Others Present:

**James H. Bennett, City Manager
Terrence D. Mahr, City Attorney
Mike Soderquist, Community Development Director
David Beam, Economic Development Coordinator
Leah Griffith, Library Director**

III. PLEDGE OF ALLEGIANCE

The pledge of allegiance was performed.

PUBLIC MEETING SECTION

IV. PUBLIC COMMENTS

None.

V. CONSENT CALENDAR

1. Approve minutes from Regular Council meetings held on August 18, 2003 and September 2, 2003.

Changes to the minutes were duly noted by Recording Secretary Peggy Hall clarifying the roll call vote on a motion and a typographical error.

MOTION: Larson/Pugsley as amended to approve the consent calendar. (Unanimous) Motion carried.

VI. PUBLIC HEARING

None.

BUSINESS MEETING SECTION

VII. CONTINUED BUSINESS

None.

VIII. NEW BUSINESS

1. Motion to present proposed Newberg Fine Art & Craft Market request to the Newberg Downtown Revitalization Committee for evaluation.

Mr. David Beam, City Economic Development Director, presented the staff report. Mr. Beam said that Mr. and Mrs. Andrew Harper approached him concerning the activities for a Fine Art and Craft Market - similar to First Friday events in Portland and McMinnville. Exhibit A is information prepared by the Harpers. There are a couple of lists of names in support of the art and craft festival. Exhibit B is a letter in support of the project. The details of ideas have not been worked out. At this time, any sale of anything in the Francis Square is now prohibited. The rules for use of the Square were approved by the Council which could be revisited periodically. The proponents understand the importance of the creation of the details of how it would work. In achieving that goal, this proposal would be presented to a subcommittee of the Downtown Redevelopment Committee:

1. How to market;
2. Reexamine rules of operation;
3. Score other potential downtown sites;
4. Work cooperatively with Downtown Association; and,
5. Once reviewed, come back to the council for recommendations.

Councilor Larson inquired about the "first Friday of each month/weekends" language and other applicable dates.

Councilor McBride asked if there is going to be competition with the farmers' market operation. Mr. Beam said he did not feel it would be in competition.

Councilor Currier said that these people are a business venture and, in order for it to fly, they want a rider policy on the City's insurance.

Councilor Andrews asked if going to the Newberg Downtown Revitalization Committee is really a Council decision to initiate? Mr. Beam said that he would recommend a motion to have the Committee review the proposal and any rule changes that might be needed.

Councilor Larson said he talked with Ann Dolan, Executive Director of the Chamber. She is in favor of the proposal, but the Chamber has not made a formal decision. He said he is not sure about the idea, but would be open to discussion. Discussion was held concerning White Collectibles closing and the building being available. Mayor Stewart said that the Council is not approving the proposal, only initiating a review.

MOTION: Pugsley/McBride to approve as presented.

Councilor Soppe said he likes the idea of an art & craft market but is concerned about a “for profit” company making money off City property. His other concern is liability insurance. He would suggest the Committee look at those two issues. **Mayor Stewart** said insurance is a big issue and the City should not cover private parties. Discussion was held that materials and expenses incurred should be an expense borne by the participants.

Councilor Currier said that the City told the Animal Shelter group to find their own insurance. Discussion was held concerning the for profit organization taking care of their own expenses, including insurance. He would deny the motion and let the owners of the business go back and figure out some place else to hold their private business. They are going to tie up the Square for a period of time during which it would not be available for others’ use. There is also the distraction factor at a busy intersection. **Councilor Currier** said it is the wrong place and the applicants should do their business elsewhere or come back with alternatives.

Councilor McBride asked if the City’s insurance carrier has approved initially of this proposal?

City Attorney Mahr said the City is providing insurance to the Friends of the Animal Shelter as it is a subcommittee of the City. The City cannot provide insurance for a for profit group. The Friends of the Animal Shelter events are covered by the City’s insurance policy under special event coverage similar to that for the Old-Fashioned Festival.

Councilor Pugsley suggested that the Committee look at alternative sites and potential uses for a majority of the weekends that the art & craft market is proposed to be open (about 5 months).

Councilor Andrews said he is initially against the matter because of the insurance issue. He would suggest an amendment: advise Committee about the insurance issue up front. He does not support waiving any fees or absorbing costs. He has concerns about complying with the fire and noise codes (extension cords for vendors’ use).

AMENDMENT TO MOTION: Andrews/Pugsley to amend as follows:

1. The City will not provide insurance coverage for the operation of the art & craft market.
2. The City will not waive fees for operation of the art & craft market.

Mayor Stewart said that he sees the motion to be a direction to staff to work with the Committee.

Councilor Larson asked who would be collecting the fees from participants in the art & craft market. Mr. Beam said it would be the applicant.

Councilor Soppe said that he has some reservations about insurance and the potential impact on insurance premiums for the City. He is uncomfortable with the City sponsoring a for profit event. Discussion was held concerning the OFF being a non-profit and the City sponsoring it.

Councilors Andrews said that it is a for-profit organization and that, if we give them umbrella insurance, we will create a precedent. As presented to the Council, he would recommend no insurance.

City Manager Bennett said that it would be advisable to let the Downtown Revitalization Committee work on it and bring it back to the Council for review.

Councilor Currier asked about the Friends of the Animal Shelter's insurance. **Mr. Mahr** said the Friends have IRS 501(3)(c) status that allows them to apply for private foundations to get grants. They are also a subcommittee of the Council which allows the City to provide them coverage.

Councilor Currier said he was in favor of tabling the matter indefinitely. Discussion was held concerning having Mr. Beam take the matter to the Committee for further review.

MOTION: Currier/Larson to table the matter indefinitely. (5 Yes/1 No [Soppe]). Motion carried.

2. Approve Library Board member appointments with expiration on June 30, 2007: Jerry Brady-Duyn
Alan Meyer

Leah Griffith, Library Director, said that the candidates were willing to serve and that some of the applicants were not City residents.

MOTION: Currier/McBride to appoint Jerry Brady-Duyn and Alan Meyer to the Newberg Public Library Advisory Board. (Unanimous). Motion carried.

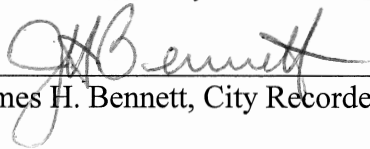
IX. EXECUTIVE SESSION

None.

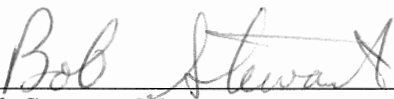
X. ADJOURNMENT

MOTION: Currier/Andrews to adjourn at 7:35 p.m. (Unanimous). Motion carried.

ADOPTED by the Newberg City Council this 17th day of November, 2003.


James H. Bennett, City Recorder

ATTEST by the Mayor this 20 day of November, 2003.


Bob Stewart, Mayor