

**MINUTES OF THE NEWBERG CITY COUNCIL
TUESDAY, JANUARY 20, 2004
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
Bob Larson
Doug Pugsley**

**Roger Currier
Mike McBride
Robert Soppe**

Others

**Present: James Bennett, City Manager
Terrence D. Mahr, City Attorney
Mike Soderquist, Community Development Director
Bob Tardiff, Police Chief**

III. PLEDGE OF ALLEGIANCE - GUESTS: BOY SCOUT TROUPE #269

Mayor Stewart welcomed Boy Scout Troup #269 who assisted the Mayor in the pledge of allegiance.

PUBLIC MEETING SECTION

IV. PUBLIC COMMENTS

Darlyn Adams, 131 Johanna Court, Newberg Animal Shelter Friends, reviewed the status of the organization. Receipts include funds from the Old Fashioned Festival, Christmas Open House, brick campaign, donation containers and First Federal's contributions. On December 18, 2003, they reached \$101,418.62 surpassing the \$100,000 anticipated amount. They will be celebrating their 4th anniversary at the next general meeting.

There was some discussion of the plans for the new animal shelter. Jack Kriz is no longer architect and they switched to an architect from Eugene. Mr. Kriz was doing the work pro bono and the cost of the new architect is \$2500. Ms. Adams said the Board was happy with the new architect

1. Presentation by Rod Brown representing CIS (City County Insurance Services) and OAA (Oregon Accreditation Alliance).

Mr. Brown presented the history of the Accreditation Alliance. Their law enforcement standards have been adopted by finest law enforcement agencies in the world to rise above the established standards. There are about 150 law agencies in Oregon. There are 9 that have completed the process. Six percent have reached this level of professionalism. They are supported by CCIS who reports the accreditation to the underwriter to lower premiums relating to law enforcement.

There are 148 standards to comply with including finance, training, patrol, investigations, internal affairs, prisoner transportation, communications, records and evidence. He has been present in all 9 on-site assessments and he has participated on the international level. He said this was probably the best on-site assessment he has conducted. The City did well and should be proud. When the assessor arrives, it is not just a superficial review and they look at every aspect of the organization. He presented to the City and Police Department the certification that they have met the level of requirements. This is not a one-time effort. Every year they will be contacted to do a reassessment.

Chief Tardiff recognized Deputy Chief Brian Casey (Accreditation. Manager) and noted that without his hard work it would not have been made possible to receive this.

V. CONSENT CALENDAR

1. Approve minutes from Regular Council meeting held on November 3, 2003, November 17, 2003, December 1, 2003, December 15, 2003, and January 5, 2004.

MOTION: Larson/Currier to approve the minutes except for the January 5, 2004 which will be reviewed for further clarification/correction. Changes duly noted by Recording Secretary Peggy Hall. (Unanimous). Motion carried.

VI. PUBLIC HEARING

None.

BUSINESS MEETING SECTION

VII. CONTINUED BUSINESS

None.

VIII. NEW BUSINESS

1. Adopt **Ordinance No. 2004-2582** authorizing changes to be made to the Code by incorporating ordinances that were erroneously omitted.

Mayor Stewart called for abstentions, conflicts or ex parte contact. There were none.

City Attorney Mahr - There were missing ordinances and now all are accounted for. These are special ordinances, but it would be nice to have them listed in the ordinance record to account for all ordinances. These special ordinances do not involve policy changes.

MOTION: Pugsley/Larson to read **Ordinance No. 2004-2582** by title only. City Attorney Mahr read the ordinance by title only. (Unanimous). Motion carried.

2. Adopt **Ordinance No. 2004-2583** authorizing amendment to the Code pertaining to fine amounts for Municipal Court Fine Schedule.

Mayor Stewart called for abstentions, conflicts or ex parte contact. There were none. Terry Mahr said that Dawn Wilson (paralegal) reviewed the Municipal Court Fine Schedule in the Code and found some discrepancies and brought them to his attention. These have been reconciled and are just a housekeeping measure.

Councilor Currier noted "scate" boards should be "skate" boards. Mr. Mahr noted such correction.

MOTION: Currier/Larson to approve **Ordinance No. 2004-2583** by title only.

Councilor Soppe asked for clarification of the three exhibits attached to the staff report. Discussion followed that they were trying to get the fees in line with the rest of the state and with officer recommendations .

Councilor Currier asked about the things that were omitted such as the penalty provision for assault. Mr. Mahr said when they cite from state statute, the prosecutor can prosecute as a violation up to \$2500. The City Attorney will prosecute classes 1, 2, 3 and 4 under state statutes.

Councilor Soppe referred to Exhibit C and asked if the fine schedule will end up using the fines in the Code or the fines recommended by the officers. Mr. Mahr said it will be the fines listed under officer recommendation.

Councilor Andrews said that obstruction of building is listed as a Class 1 fine of \$1,000 in the ordinance. Does the Code as adopted control and take precedent over the ordinance? It puts trespass at \$100 rather than \$1000? Mr. Mahr said that they originally listed it as \$1,000 in Section 134.106 which provided for penalty provisions. American Legal designated it as \$100 which was incorrect. Now it is corrected.

Councilor Larson said the fiscal impact shows a decrease in revenue. The wrong code provisions were put in place and have been in effect and this was done inadvertently. The City needs to be in compliance with state law.

Councilor Currier said Exhibit B is a worksheet. Mr. Mahr said that when he and Dawn Wilson set out to review this, there was quite a bit of paperwork involved and that it was time to come into alignment.

Councilor Andrews noted that the corrections to Exhibit C in the Code reflect the correct ordinances with certain exceptions where officer recommendation is greater or less than what was proposed and they are adopting the recommendations. The ordinance column will prevail exclusive of the concurrence. Mr. Mahr said the ordinance column remains. Discussion was held concerning clarifying the intent of the corrections through the use of the scheduler.

ROLL CALL ON MOTION: City Attorney Mahr read the Ordinance by title only with the noted corrections. (Unanimous) Motion carried.

3. Motion to fill two of the three Newberg Downtown Revitalization Committee member vacancies.

Dave Daniels

David Mehler

Community Development Director Mike Soderquist presented the staff report concerning the vacancies. Three terms expired and two of the incumbents have reapplied and request to continue on the committee. The terms will run from 01/01/2004 - 12/31/06. They are hoping to fill the third vacancy.

MOTION: Currier/Andrews to approve the reappointment of Dave Daniels and David Mehler to the Newberg Downtown Revitalization Committee. (Unanimous). Motion carried.

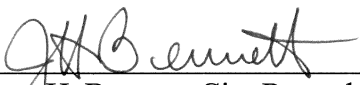
MOTION: Currier/McBride to adjourn at 7:45 p.m. (Unanimous). Motion carried.

IX. EXECUTIVE SESSION

None.

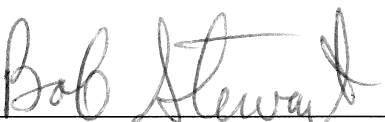
X. ADJOURNMENT

APPROVED by the Council this 15th day of March, 2004.



James H. Bennett, City Recorder

ATTEST by the Mayor this 18 day of March, 2004.



Bob Stewart, Mayor