NEWBERG CITY COUNCIL MINUTES
SEPTEMBER 19, 2005
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

Councilors Present:	Mayor Bob Stewart	Bob Andrews	Mike Boyes
	Roger Currier	Dawn Nelson	Mike McBride
	Robert Soppe		

Staff Present:
James Bennett, City Manager
Terrence Mahr, City Attorney
Bob Tardiff, Police Chief
Bob Knorr, Engineer-in-Training
Barton Brierley, Planning and Building Director
Kathleen Bochart, Recording Secretary

Others Present: Glen Post - Redflex, Darlyn Adams, Grace Schaad, Leslie Lewis, Jessica Cain.

III. *PLEDGE OF ALLEGIANCE*

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

Jim Bennett, City Manager, presented his report to the Council regarding the use of barbed wire in the city and efforts to raise funds for the victims of Hurricane Katrina.

PUBLIC MEETING SECTION

VIII. PUBLIC COMMENTS

Darlyn Adams, Newberg Animal Shelter Friends, reported that Newberg Animal Shelter Friends is collecting stuffed animals of all sizes for the children affected by Hurricane Katrina until October 30, 2005 with a goal of 200 stuffed animals. Ms. Adams stated that there is now $187,134 in the building fund. The dinner and silent auction has been canceled due to the late yard and plant sale. Newberg Animal Shelter Friends will be present at Community Night October 18, 2005 at Newberg High School and will conduct two workshops. The next meeting of the Newberg Animal Shelter Friends will be held on September 29, 2005 at the Public Safety Building.

VI. CONSENT CALENDAR

1. Consider approving City Council Regular Session Minutes with amended correction for September 6, 2005.

2. Consider approving a proclamation declaring October as Disability Employment Awareness Month.

3. Consider approving a proclamation declaring October 2-8, 2005, as Head Start Awareness Week.

Bruce Huffman, Head Start, thanked the City of McMinnville, the City of Newberg, Ken and Joan Austin who donated land for a new site, and also the volunteers who have helped make Head Start a success.

MOTION: Andrews/McBride to approve Consent Calendar including the minutes as corrected. (Unanimous) Motion carried.

VII. PUBLIC HEARING

1. Consider approving **Ordinance No. 2005-2622** removing the historic district designation from property located at 1200 S. Springbrook Rd. **(Quasi-Judicial Hearing)**

Terrance Mahr, City Attorney, stated the rules and regulations of a Quasi-Judicial Hearing.

Mayor Stewart called for ex-parte contact. None were stated.

Barton Brierley, Planning and Building Director, presented the staff report and a power point presentation and recommended adopting **Ordinance No. 2005-2622.**

Councilor Soppe asked if there had been any record of communications to or from the property owner in the past.

Mr. Brierley stated that there had been two letters from the City to the property owner, one in 1986 and one in 1990.

Leslie Lewis, Yamhill County Commissioner, stated that the house is outside of the city limits and therefore the city does not have jurisdiction over the house. Ms. Lewis presented legislative history relating to removing historical landmark designations.

Mayor Stewart asked Ms. Lewis what her objective was.

Ms. Lewis stated that prior to 1995 cities were allowed to impose historical landmark designations on buildings. Now, owners can ask to be off of the Historical Landmark Designation List. She believed that, because it is the owner's choice to be on the Historical Landmark Designation List, Ms. Maze should be allowed to remove the house from the list.

Jessica Cain, attorney representing Patricia Maze, stated that according to Newberg's Code, the City does not have jurisdiction over land that is not within the city limits. Ms. Cain stated the criteria for a historical landmark and how the house does not meet the criteria. In 1984 Ms. Maze received a letter that was addressed to a Ms. Gettmann in care of P. and D. Maze. Ms. Maze was informed of the option to remove her house from the Historical Designation Landmark List and contacted the City with a letter stating that future letters be sent to an Alaskan address. In 1984 Ms. Maze did receive a second letter but was not contacted later.

Discussion was held on the City Codes.

Mr. Mahr discussed the jurisdiction issue and stated why he believes the house is within the city's jurisdiction.

The Council discussed jurisdiction over the house.

Grace Schaad spoke in favor of preservation of the McKern House. Ms. Schaad suggested that land could be found to which the house could be moved. The house would be good for dances, receptions, etc.

Jessica Cain stated that Ms. Maze does have an offer to develop the property.

Mayor Stewart closed the public testimony.

Jessica Cain stated that Ms. Maze waived the 7 day public testimony period.

MOTION: Soppe/McBride to approve **Ordinance No. 2005-2622** removing the historic district designation from property located at 1200 S. Springbrook Rd.

MOTION: Soppe/Nelson to reconsider the application fee. (Unanimous) Motion carried.

The Council discussed waiving and refunding the fee to the applicant.

MOTION: Soppe/Nelson to waive the fee resulting in a refund of the fee to the applicant. (Unanimous) Motion carried.

2. Consider approving **Ordinance No. 2005-2623** vacating a public access, utility and open space easement at Rose Industrial Park II. **(Quasi-Judicial Hearing)**

Barton Brierley, Planning and Building Director, presented the staff report and recommended adopting **Ordinance No. 2005-2623.**

The Council discussed the request.

Mayor Stewart closed the public hearing, as there was no public testimony.

MOTION: Soppe/Andrews to approve **Ordinance No. 2005-2623** vacating a public access, utility and open space easement at Rose Industrial Park II. (Unanimous) Motion carried.

Mayor Stewart called a five-minute break at 9:30 p.m.

BUSINESS MEETING SECTION

VIII. NEW BUSINESS

1. Consider approving **Resolution No. 2005-2597** authorizing the City Manager to enter into a contract with Redflex Traffic Systems, Inc. to install and operate red light running systems in Newberg.

Glen Post presented a power point presentation from Redflex Traffic Systems, Inc.

Councilor Soppe asked Mr. Post about the option of purchasing the equipment.

Glen Post indicated that the numbers listed were incomplete and should not be used to weigh this option.

Councilor Soppe objected to the lack of accurate information presented for the choice of purchasing the equipment outright.

Glen Post said that Redflex would be willing to allow the City to change the lease/purchase decision one year into the contract.

The Council discussed the red light running system.

MOTION: Currier/McBride to approve **Resolution No. 2005-2597** authorizing the City Manager to enter into a contract with Redflex Traffic Systems, Inc. to install and operate red light running systems in Newberg. (Unanimous) Motion carried.

2. Consider approving **Resolution No. 2005-2598** authorizing the City Manager to enter into an Intergovernmental Agreement with Washington County Consolidated Communications Agency for assistance and establishing procedures to be followed during re-banding.

Bob Tardiff, Police Chief, presented the staff report and recommended adopting **Resolution No. 2005-2598.**

MOTION: McBride/Andrews to approve **Resolution No. 2005-2598** authorizing the City Manager to enter into an Intergovernmental Agreement with Washington County Consolidated Communications Agency for assistance and establishing procedures to be followed during re-banding. (Unanimous) Motion carried.

3. Consider approving **Resolution No. 2005-2599** authorizing the City Manager to enter into an Intergovernmental Agreement with other units of government to establish terms and conditions related to the delivery of mutual aid and assistance among law enforcement agencies.

Bob Tardiff, Police Chief, presented the staff report and recommended adopting **Resolution No. 2005-2599**.

MOTION: McBride/Currier to approve **Resolution No. 2005-2599** authorizing the City Manager to enter into an Intergovernmental Agreement with other units of government to establish terms and conditions related to the delivery of mutual aid and assistance among law enforcement agencies (Unanimous) Motion carried.

4. Consider approving **Resolution No. 2005-2601** authorizing the City Manager to enter into an Intergovernmental Agreement with Regional Automated Information Network for sharing of criminal justice information, pool technology resources, and to minimize he costs of information management.

Bob Tardiff, Police Chief, presented the staff report and recommended approving **Resolution No. 2005-2601.**

MOTION: Currier/Nelson to approve **Resolution No. 2005-2601** authorizing the City Manager to enter into an Intergovernmental Agreement with Regional Automated Information Network for sharing of criminal justice information, pool technology resources, and to minimize the costs of information management. (Unanimous) Motion carried.

IX. CONTINUED BUSINESS

None.

X. EXECUTIVE SESSION

None.

XI. ADJOURNMENT

MOTION: Currier/Nelson to adjourn at 10:25 PM. (Unanimous) Motion carried.

ADOPTED by the Newberg City Council this 17th day of October, 2005.

James H. Bennett, City Recorder

ATTEST by the Mayor this 20th day of October, 2005.

Bob Stewart, Mayor