

# **AGENDA**

## **ORDINANCE/LEGISLATIVE COMMITTEE**

Sub-Committee of the Newberg City Council

Wednesday, 12:30 p.m.

NOVEMBER 15, 1995

\*\*\*\*CITY OF NEWBERG\*\*\*\*

WASTEWATER TREATMENT FACILITY

18301 WYNOOSKI STREET

Newberg, Oregon 97132

### **Members Present:**

Donna Proctor, Mayor  
Bob Engelke, Member  
T. Dan Wollam, Chairman  
Donna McCain, Council  
Shannon Stueckle, Member

Staff: Terrence D. Mahr, (TDM)  
City Attorney  
Duane R. Cole,  
City Manager  
Peggy R. Hall, Paralegal

- I. **Approval of Minutes of September 20, 1995 (included in October 18th packet) and October 18, 1995.**

|   |
|---|
| <b>MOTION:</b> Stueckle/Engelke to approve the minutes of September 20, 1995. (Unanimous).<br>Motion carried. |
|---|

- II. **Meeting with Legislators - January, 1996 "Dessert"**

TDM stated that he would talk with the legislators concerning a dessert after the first of the year. A special session is purportedly going to take place in either January or February, 1996. TDM stated that he would confirm a date and time with them and report back to the Committee.

- III. **Municipal Court - Update**

**1. Revenues/Weekly activity**

Discussion was held concerning no-shows, resets and guilty by absentia being handled in the Municipal Court. Mr. Wollam inquired about a report that would reflect bail amount and final fine amounts. Discussion was held concerning working with the Committee in obtaining information that is available without much manual accounting. Peggy Hall, Court Administrator indicated that she would provide information available in the system. Further discussion was held concerning a violations bureau which could conceivably reduce the number of people appearing in Court each week. The violations bureau would enable defendants to appear at the Municipal Court offices and settle on a scheduled amount for a fine without having to appear in Court. Peggy Hall indicated that Judge Thompson is not amenable to this type of arrangement.

- IV. **Continued Business**

**1. Discussion of pending matters**

TDM review pending matters: Judge review, official complaint procedure, municipal court fees, tobacco to minors (City Ordinance), animal control (City Ordinance), private security force, etc.

Mr. Wollam indicated that he would like to target the following at the next meeting:

1. Municipal Court Judge Review, including a process to periodically review the court and the Judge, appointment by the Council, evaluation, etc. Development of goals and objectives, what expectations are required. Compile a base line of information/concerns and create standards. Invite the Judge to sit down and review concerns prior to evaluation process. TDM stated that he would meet with the Judge and review concerns.
2. Selling tobacco to minors.
3. Video Tape Retention and Archives.
4. Municipal Court Fees.
5. Official Complaint Procedure

TDM stated that he was meeting with Bob Andrews, Chairman of the Traffic Safety Committee concerning the Council's referral of the Traffic Safety Ordinance to the Traffic Safety Committee.

## **V. New Business**

### **1. Election Law**

TDM reviewed the new election law changes and the differences between the State's election laws and City ordinance provisions for initiative and referendum issues. TDM stated that there are no current initiative or referendum actions pending at this time. Discussion was held concerning one of the main issues is that of the amount of signatures required and the costs associated with placing matters on the ballot during general and primary election times (more costs are involved if special elections are to be held). TDM stated that most cities go along with the State guidelines due to convenience. The City of Newberg's ordinances provide for a different process in some instances. Discussion was held concerning adopting the State's policy and not having to reinvent "the wheel". The matter was tabled to the next meeting.

### **2. Development Code Changes - Adult Bookstores**

TDM reviewed the Development Code changes concerning adult bookstores. TDM stated that the City cannot regulate businesses by what they sell. The City can regulate problems - not content. The City's proposal is modeled after the City of Gresham's policy. Discussion was held concerning changes to the proposed ordinance involving public drinking of alcohol, unlawful sale of tobacco or possession of same.

**MOTION:** McCain/Engelke to recommend to the Council the adoption of Ordinance No. 95-2425 relating to adult bookstores. (Unanimous). Motion carried.

## **VI. Adjournment**

The meeting was adjourned at 1:40 p.m. by Chairman Wollam.

  
\_\_\_\_\_  
Terrence D. Mahr, City Attorney

**VII. Matters that are still pending:**

- 1. Official Complaint Procedure**
- 2. Municipal Court Ordinance Including Court Fees**
- 3. Video/Audio Tape Retention Policy**
- 4. Selling Tobacco to Minors**
- 5. Animal Control Ordinance**
- 6. Pawn Shop Ordinance**
- 7. Private Security Force Ordinance**
- 8. Traffic Safety Ordinance**
- 9. Municipal Judge Review**