

Minutes
Ordinance/Legislative Committee
Sub-Committee of the Newberg City Council
Wednesday, 5:30 p.m.
February 23, 1994

Newberg Public Library
503 E. Hancock Street
Newberg, Oregon

Members:	<u>X</u> Donna Proctor, Mayor	Staff:	<u>X</u> Terrence D. Mahr,
	<u>X</u> Elaine Smith, Chairman		City Attorney
	<u>X</u> Dave McMullen, Vice-Chairman		<u>X</u> Duane R. Cole,
	<u>X</u> Shannon Stueckle, Member		City Manager
	<u>X</u> Bob Engelke	Guest:	<u>X</u> Michael Olberding,
			Community Service
			Coordinator
			<u>X</u> Richard Mills,
			Attorney

Bob Engelke, Mike Olberding and Richard Mills were introduced to the Committee members.

City Manager Duane Cole stated that Metro would be holding a meeting concerning Metro 2040 at George Fox College on March 22, 1994 at 7:30 p.m. Mr. Cole reviewed housing growths in Newberg and surrounding areas. Discussion was also held concerning metro services, planning corridors, garbage and transportation.

I. Approval of Minutes of January 19, 1994

MOTION: McMullen/Smith to approve the minutes of January 19, 1994. (Unanimous). Motion carried.

II. Planning Commission Ordinance re: reduction of members

Terry Mahr stated that the Ordinance be returned to the Ordinance/Legislative Committee for further review. Terry Mahr reviewed those changes:

"Section 2. Membership.

- (1) The Commission shall consist of ~~nine (9)~~ **seven (7)** members who are not officials or employees of the City of Newberg and an ex-officio non-

voting member who shall be the Mayor.

- (2) ~~Seven~~ **Six (6)** of the ~~nine~~ **seven (7)** members shall have their principal place of residency inside the City limits. **One (1) member may live within one mile of the urban growth boundary** of the City of Newberg at the time of their appointment and during the term that they serve on the Planning Commission.
- (3) No more than ~~two (2)~~ **one (1)** voting members of the Commission may engage in the buying, selling or the developing of real estate for profit as individuals or be members of any partnership or officers of any corporation that engages principally in the buying, selling or developing of real estate for profit..."

Dave McMullen stated that he agreed that it could possibly be a potential conflict of interest to have a realtor on the Planning Commission.

"Section 7. Meetings.

- "(1) Meetings. A majority of the voting members of the Planning Commission shall constitute a quorum. The Commission shall meet at least once a month unless business does not require such a meeting. In which case, the Chairman, **with the consent of the City Manager, or his/her designee**, may cancel such meeting..."

MOTION: Smith/Stueckle to approve the corrections as noted and refer the Ordinance back to the City Council for review and passage. (Unanimous). Motion carried.

III. Ordinance Compilation (Department Head Review)

Terry Mahr reviewed with the Committee issues raised and the concerns of the Department Head's in reviewing the Ordinances. Terry Mahr further advised the Committee that it is the intention of the Legal Department to convert the present Ordinance compilation into a code. Discussion was held concerning time frames to complete the codification process. Terry Mahr stated that the codification will be done in house through the services of Richard Mills. There were many changes in the comprehensive plan and zoning ordinances that have been updated, but the other City Ordinances, such as the Municipal Court ordinances, have not been updated. The Department Heads will be reviewing their particular sections and will be working with the Legal Department staff to get them updated. It is quite a long and involved process. The estimated cost is around \$15,000. The League of Oregon Cities would perform the codification services at an hourly rate. Book Publishing Company would do the codification for around \$30,000. The advantages in doing this in-house would

be that (1) the Department Heads would be working with the Legal Department in working out the problem areas and be able to offer input; (2) the City could maintain the code on an on-going basis; and (3) the code would be formatted for the City's computer system in which the Legal Department staff will be able to update quickly. Terry Mahr further stated that the City could provide a service to allow local city attorneys to purchase "on-line" services with the codification.

IV. Municipal Court Ordinances - Verbal Report

Terry Mahr stated that the state increased bail schedules across the board. Judge Thompson will be meeting with the Council the first part of April. The Ordinance/Legislative Committee could assist the Council in formulating questions or concerns (night court, Saturday court, TCI coverage, etc.) are some of the topics that could be addressed. Municipal Court staff are implementing forms and systems to help facilitate the flow of cases. Terry Mahr stated that he would be talking with Police Chief Tardiff concerning the Police Department's concerns involving the Municipal Court and the Judge. Terry Mahr further stated that judges are measured by their appeals. In Newberg, jury trials or appeals are very low.

V. Insurance Claims - Reports

Discussion was held concerning the insurance reports. Staff stated that they would advise the insurance company that Ray Buckley is deceased and that the claim should be finalized.

Topics to be discussed at next meeting:

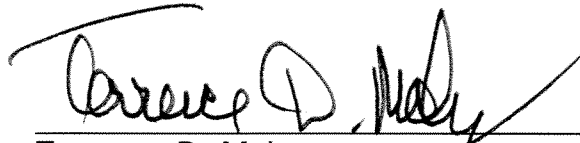
- 1. Judge Thompson's review;**
- 2. Municipal Court ordinance review - provide master fee resolution similar to sewer/water/business);**
- 3. Discussion concerning system development charges; and**
- 4. Rules of the Council - finalize.**

Elaine Smith stated that she was very concerned about the status of the systems development charges.

Shannon Stueckle advised the committee that April 23rd is the City/community cleanup. The City of Dundee is also participating.

Discussion was held concerning the Department of Transportation hearing on the Bypass would be held at George Fox College, Cap and Gown Room, on March 1, 1994, 4:00 - 8:00 p.m.

MOTION: McMullen/Smith to adjourn at 7:04 p.m. (Unanimous) Motion carried.



Terrence D. Mahr