

**CITY COUNCIL MINUTES
OCTOBER 1, 2012
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)**

A work session was held prior to the meeting. A presentation was given by Kelly Amador, ODOT, on the Newberg-Dundee Bypass Project. Mayor and Councilors were given a tour of the remodeled Fire station. All Councilors and the Mayor were present; no action was taken and no decisions were made.

I. CALL MEETING TO ORDER

Mayor Bob Andrews called the meeting to order at 7:04 PM.

II. ROLL CALL

Members Present:	Mayor Bob Andrews	Denise Bacon	Ryan Howard
	Stephen McKinney	Bart Rierson	Marc Shelton
	Wade Witherspoon		

Staff Present:	Daniel Danicic, City Manager	Terrence Mahr, City Attorney
	Brian Casey, Police Chief	Norma Alley, City Recorder
		Nicole Tannler, Minutes Recorder

Others Present: Robert Soppe, Peter Siderius, Ray Pacini, Philip White, Antoinette Marcel, and James Swanson.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. SPECIAL PRESENTATIONS

Consider a motion approving a proclamation supporting National Manufacturing Day held on October 5, 2012.

TIME – 7:05 PM

MOTION: Shelton/McKinney approving a proclamation supporting National Manufacturing Day held on October 5, 2012. Motion carried (7 Yes/0 No).
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V. CITY MANAGER'S REPORT

Mr. Daniel Danicic, City Manager, reported he just attended the League of Oregon Cities Conference and several topics included state and local governments working better together and what other cities are doing in this tough budget time. Newberg won the Gold Award from CIS Insurance Company for a low workplace injury frequency rate of 1.3%, which helps lower our insurance rates.

VI. PUBLIC COMMENTS

TIME – 7:11 PM

Mr. Robert Soppe stated there is an issue having to do with approval requirements for non-public portable signs within the public right-of-way found in Newberg Municipal Code 15.435.110. He stated that it seems

appropriate to require approval by the property owner for anyone to put a sign in front of the property, regardless of zone. Mr. Soppe believes this could be resolved with the change of a single character in the code. Mr. Soppe discussed the recent Oktoberfest Festival and the resulting street closures. The closures traditionally have prevented vehicular traffic, but have allowed pedestrians to pass; however, the recent event closed the street to vehicles and pedestrians (see official meeting packet for full testimony).

Mr. Peter Siderius, Instructor of Horticulture at Newberg High School, stated he had heard the city may be privatizing landscaping and expressed his concerns for future partnership between the City and the horticulture program. He asked the Council to consider a four year relationship and hopes to keep a strong relationship growing. Mr. Danicic responded if the City decides to contract a landscaping service, it is staff's intent to not let the horticulture program die. There is no guarantee contracting landscaping services is the route the City is going; rather, we see this as an opportunity to take a look at options to share with the Budget Committee.

Mr. Ray Pacini stated he was representing the union (AFSME) and does not believe the City is going to get the kind of dedication and value received with the previous city employee through contracting for landscaping. The bargaining union encourages consideration of these things. Mr. Pacini does not think privatization will be as safe and could cause liability issues.

Mr. Philip White testified there should be some protection given to animals, so they are not able to be euthanized after only two hours. Mr. White asked what the Council intends to do and stated he accepts there is probably an issue with feral cats, but would like to see the Council review current practices. He shared that his cat was picked up at 11:06 a.m. by animal control and euthanized within two hours, as well as being left in a van for an hour and half. Mr. White stated his main objective is to allow 72 hours before drastic measures are taken on felines. Mr. White asked if the animal control officer is qualified to make decisions on euthanizations and whether a vet should be called in for those circumstances. Councilors Howard, Rierson, and Shelton gave their condolences, thanked Mr. White for sharing his situation, shared animal welfare is important to the Council, and stated they would like to see review of the City's policy.

Councilor Shelton asked staff if the animal was injured. Mr. Danicic responded the police report indicates the cat was not injured, but did display erratic behavior. Councilor Shelton asked if there is a typical restraining mechanism used for a cat. Mr. Danicic replied for the safety of the employee there is a restraint used.

Mr. White asked will the new animal shelter have cat facilities. Mr. Danicic responded the plans for the shelter do have a distinct cat play room, a separate room for cat quarantine, and cat kennels.

Ms. Antoinette Marcel, Yamhill County Cat Coalition, stated the goal of her coalition is to reduce the cat homelessness problem by spaying and neutering. She asked the Council to please take a look at what happened to Mr. White's cat. Any cat that will sit there while being noosed is not a dangerous cat. The cat was taken to animal control, euthanized, and then scanned for a microchip, which defeats the whole purpose of microchipping animals to identify them. There is a pole for microchip scanning to allow an animal control officer to scan from a distance or put through cage bars if they believe the cat is dangerous. She is appalled at the lack of professionalism and procedure and asks the Council to take a serious look at the situation. The animal control officer had a dog in the car when the cat was being held in it. For a cat to act "hissy" is totally normal in this case. Councilor Bacon stated we do not know the details of what actually happened as we were not there; there are many things that could have gone wrong. Ms. Marcel replied it was bad procedure to not have waited 24 hours and not scan for a microchip.

Councilor McKinney stated the scan did not return the registered owner and later we were told no ownership could be determined. There needs to be some kind of linkage for microchips from out of the country. Ms. Marcel replied that it was a UK chip, but anyone who went through the effort of putting a microchip in their pet would want the cat back.

Mr. James Swanson stated he believes there is a disconnect in the public policy. He originally found out about this situation through an online news report and has found a collection of comments from readers of the report. He provided handouts with particular remarks about the animal control officer (see official meeting packet for full testimony).

VII. COUNCIL BUSINESS

TIME - 8:03 PM

Mr. Dan Danicic stated we all appreciate animals and a lot of facts have been spoken here tonight. He believes Councilor Bacon brought up a good point that only one person saw what actually happened. The City of Newberg does have a practice in place to follow the Oregon Humane Society Policy for dealing with strays, which is what the animal control officer did. The policy reads "stray cats that are housed at humane society while there is no legal holding time for cats our policy is to try to honor the 72 hour holding period used for dogs this may be shortened or not used at all if the cat is severely injured, un-weaned, sick, or obviously not tame". Mr. Danicic stated he does appreciate questions posed from Mr. White and would like to hear from council on how they would like to proceed.

MOTION: Shelton/Howard approved a motion directing the City Manager and Police Chief to work with animal shelter staff and NASF to prepare a Request for Council Action (RCA) with the facts in more detail than what we saw in email and return to Council for more discussion. Motion carried (7 Yes/0 No).

Councilor Rierson stated he supported the motion and encouraged the citizens present to work with the Police Department on the new animal shelter. We have a great advocate in the police chief and we are very fortunate to have an animal shelter in our city; it is a priority for the council. Mayor Andrews stated he has heard the concerns of the Council and believes it is unfortunate the issue had to come to our attention this way.

VIII. EXECUTIVE SESSION

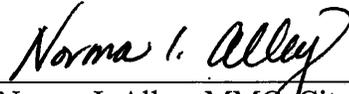
1. Executive Session pursuant to ORS 192.660(2)(d) relating to labor negotiations and ORS 192.660(2)(f) to consider information or records that are exempt by law from public inspection.
2. Executive Session pursuant to ORS 192.660(2)(e) relating to a real property transaction.

Mayor Andrews went into executive session at 8:30 PM. All Council members were present; no action was taken and no decisions were made. Executive Session was closed at 11:00 PM

IX. ADJOURNMENT

The meeting adjourned at 11:00PM.

ADOPTED by the Newberg City Council this 17th day of December, 2012.



Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 20th day of December, 2012.



Bob Andrews, Mayor