

**NEWBERG CITY COUNCIL MINUTES
FEBRUARY 2, 2015, 7:00 PM
PUBLIC SAFETY BUILDING (401 E. THIRD STREET)**

A work session was held at 6:00 p.m. preceding the meeting. Present were Mayor Bob Andrews, Councilor Tony Rourke, Councilor Denise Bacon, Councilor Lesley Woodruff, Councilor Mike Corey and Councilor Scott Essin. Councilor McKinney entered at 6:10 p.m. Also present were City Manager Jacque Betz, City Recorder Sue Ryan and City Attorney Truman Stone, Associate Planner Jessica Pelz and Interim Building and Planning Director Steve Olson.

AP Pelz introduced the 2015 Design Stars participants. This was an annual City program for 6th graders at Mountain View Middle School. Many schoolchildren presented development proposals for a site on Springbrook and a small downtown site. The ideas included a sports mall, whole foods grocery store, downtown arcade, four elements theme park, and family care center.

Tess Fields, Rebecca Ruark, and Jay Burris of Comcast presented on Comcast's programs. Ms. Fields talked about the company's history and services. She said Comcast was the largest provider of cable entertainment and communications products and services in Oregon and southwest Washington. She provided statistics for Newberg and Dundee. Mr. Burris discussed Comcast's fiber optics infrastructure and how it worked to provide service to their customers. Ms. Ruark reviewed Comcast's video products and new operating system.

CALL MEETING TO ORDER

Mayor Andrews called the meeting to order at 7:10 p.m.

ROLL CALL

Members Present:	Mayor Bob Andrews	Denise Bacon	Mike Corey
	Scott Essin	Stephen McKinney	Lesley Woodruff
	Tony Rourke		

Staff Present:	Jacque Betz, City Manager	Truman Stone, City Attorney
	Sue Ryan, City Recorder	

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was performed.

CITY MANAGER'S REPORT: City Manager Jacque Betz said there was nothing further to report than what was in the Council packet.

CONSENT CALENDAR:

MOTION: Bacon/Corey moved to accept the Consent Calendar, including the 2015 Budget Calendar for the City of Newberg (7 Yes/0 No).

NEW BUSINESS:

Resolution No. 2015-3177: Interim Building and Planning Director Steve Olson said the request was to initiate a Code amendment regarding medical marijuana dispensaries. This would be approval to start the process and the code amendment would go to the Planning Commission in March and Council in April. He reviewed State law on medical marijuana dispensaries (MMDs), the current moratorium until May 1, 2015 and the City's zoning. The proposal was to clarify that dispensaries would be allowed in commercial zones but not industrial. MMDs would not be allowed in neighborhood commercial zones and a 1,000 foot buffer would be placed around schools and parks. He showed a map of the proposed buffer areas and the areas available for dispensaries.

CM Betz said there would be a more professional map made for the public hearings. She met with the Downtown Coalition Board and they were in support that dispensaries not be allowed in downtown.

City Attorney Truman Stone explained the difference between types of day care facilities, especially those that might be located in a commercial zone. There could be a rationale for buffering those types of facilities as well.

There was discussion on having buffering for those facilities and if it would apply to preschools or daycare facilities for children. IBPD Olson said staff focused on elementary schools through high school. They had not mapped the churches with daycare facilities or preschools but could bring back a series of maps showing the effects of adding buffers around different types of uses.

Doug Heuer, Newberg resident, said preschools and day care centers were not on the list in HB 3460 because legislators didn't think those children would go down to a dispensary and try to buy medical marijuana.

Lathen Gorbett, Oregon Business Council, said he was a consultant for people in the cannabis business. He said elementary and secondary schools were in the buffer map as a political means to pass the bill but did not think buffers gave protection. He did not think there would be changes in traffic incidences, underage use, and crime at the facilities. He said no consumption was allowed on the premises of the MMDs. He thought the regulations should include well lit areas with good drive by, available parking spaces, and on an arterial road. Many of his clients interested in recreational marijuana were looking to come to Newberg. He thought the MMDs rules were strict and it would be secure.

There was discussion on the limited amount of area for these facilities and how it would be first come, first serve. Councilor Bacon clarified if the Council did nothing with the resolution, then the City would follow state law. Councilor Corey suggested identifying licensed day care facilities. CA Stone said any amendments to the resolution needed to be made as a separate motion. Councilor Essin did not think day cares needed to be added due to the ages of the children.

MOTION: Rourke/Woodruff moved to approve Resolution No. 2015-3177, A Resolution initiating an amendment to the Newberg Development Code adding Medical Marijuana Dispensaries as an allowed use in some commercial zoning districts, not allowing them in other zoning districts, and establishing 1,000 foot buffers around schools and parks where dispensaries would not be allowed. Motion carried (6 Yes/ 1 No [Bacon]).

COUNCIL BUSINESS: CM Betz had secured a facilitator for the Council Visioning Retreat. She asked if April 24 would work for the Council.

Councilor Rourke challenged the Council to waive their compensation for January – June 2015. Even though the amount was nominal, the action would serve as an example and symbol that the Council was working to turn the City around. There was discussion on waiving the compensation, the Council Rules, whether or not Council was in support of the gesture, especially since it was a small amount compared to the entire budget and there was a need for more citizens to get involved in City government. There was not consensus to waive Council compensation; however any individual Councilor could waive their own compensation if they chose to do so. CA Stone said the court dismissed the case filed against the city challenging the marijuana tax ordinance

EXECUTIVE SESSION: Executive session pursuant to ORS 192.660 (2) (e) relating to a real property transaction for Cal Portland property. The Council entered executive session at 8:17 p.m. The Council re-entered open session at 8:44 p.m.

ADJOURNMENT: The meeting adjourned at 8:45 p.m.

ADOPTED by the Newberg City Council this 17th day of February, 2015.


Sue Ryan, City Recorder

ATTESTED by the Mayor this 18 day of February, 2015.


Bob Andrews, Mayor