

**NEWBERG CITY COUNCIL MINUTES  
REGULAR SESSION  
JANUARY 4th, 2016, 7:00 PM  
PUBLIC SAFETY BUILDING (401 E. THIRD STREET)**

The work session was held at 6:00 p.m. preceding the meeting. Present were Mayor Bob Andrews, Councilors Lesley Woodruff, Stephen McKinney, Scott Essin, Denise Bacon, Mike Corey and Tony Rourke. Also present were City Manager Pro Tem Stephen Rhodes, City Attorney Truman Stone, City Recorder Sue Ryan and Finance Director Matt Zook.

**REVIEW OF COUNCIL AGENDA:** No changes were suggested.

**COUNCIL ITEMS:** Councilor Rourke had an item to add under Council Business.

**PRESENTATION ON COURT AMNESTY PROGRAM:** Finance Director Zook said the Amnesty Program offered forgiveness for a portion of court fines that were maxed out for failure to appear or failure to pay on a contract arrangement that were two years or older. These were traffic fines or code violations. The defendant would pay 50% of the outstanding balance and the City would waive the other 50%. The program would run from February 15 to May 15. He explained how the program would be advertised. The current balance of eligible fines was \$2.7 million. Part of the reason this amount was so high was that if a defendant failed to appear or failed to pay, the Municipal Judge raised the amount of the fine to the maximum amount. The program was held in 2012 and the City received \$85,000 and 315 court cases were closed and in 2011 and the City received \$75,000. He expected similar numbers for this year's program. The City Manager and Municipal Judge were in favor of the program and the results would be brought back to the Council in June.

There was discussion regarding advertising for the program, how the program would work with the collection agency, fines that were older than two years, who instigated the program, and if the program incentivized people to wait to pay their fine.

City Attorney Stone explained the court fine structure. Typically those who maxed out the fines blew everything off and incurred multiple violations. Some offenders reached a point where they wanted to change and pay their fines.

**OTHER:**

Councilor Rourke announced he would be starting with the Ford Family Foundation Yamhill County Cohort.

Dave Adams, KLYC Radio, said video streaming of Council meetings would begin at the next Council meeting. It would not cost the City anything. It would be a backup recording of the meetings and would increase transparency in government.

Councilor Essin discussed the difficulties of former military personnel and why they were not paying their fines. He thought this kind of program would help in these situations and was in favor of the program. Councilor Bacon explained she also supported the amnesty program due to the needs of low income families.

**CALL MEETING TO ORDER**

The Mayor called the meeting to order at 7:00 p.m.

**ROLL CALL**

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

Staff Present:	Stephen Rhodes, City Manager Pro Tem	Sue Ryan, City Recorder
	Truman Stone, City Attorney	
	Doug Rux, Community Development Director	



**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was performed.

**CITY MANAGER PRO TEM'S REPORT:** City Manager Pro Tem Stephen Rhodes said the City had made it through the storm incident without too much trouble.

The Mayor acknowledged Troop 265 who was in attendance to earn their Citizenship and Community Badge.

**PUBLIC COMMENTS:** None.

**ELECTION OF COUNCIL PRESIDENT:**

Councilor Corey nominated Tony Rourke for Council President. He declined.

Councilor Rourke nominated Denise Bacon. She accepted.

**MOTION: Essin/Rourke** moved to close the ballot and have a unanimous election of Denise Bacon as Council President for 2016. Motion carried (7 Yes/0 No).

**CONSENT CALENDAR:**

**MOTION: Rourke/Corey** moved to approve the minutes from December 7, 2015. Motion carried (7 Yes/ 0 No).

**NEW BUSINESS:**

**Council Priorities:**

CMPT Rhodes said the Council had a strategy session in October to develop mid-range strategic priorities to serve on an interim basis until a permanent City Manager was hired. These were items to be completed in one to three years and were precursors to a strategic plan and visioning process. He explained areas identified by Council as priorities: visioning, technology, funding/fiscal, project planning, communications, and staffing. Staff would develop work plans for each priority and bring them back to Council. Mayor Andrews asked for a quarterly report on the priorities.

**MOTION: Bacon/Woodruff** moved to adopt City Council Strategic Priorities including:

**Visioning** – In 3 years, complete a community visioning process.

**Technology** – Within 3 years obtain functional software/hardware that reduces redundancies and duplications through the integration of departmental systems. Within one year the City will develop a technology plan that addresses the long-term equipment and software needs of all departments. The plan focus should be on the judicious use of funds to meet long-term needs rather than applying short-term “band-aid” fixes.

**Funding/Fiscal** – Within 12 – 19 months develop a 5-year financial plan to guide long term fiscal health for the City. Within one year create a fiscal policy that addresses use of debt, preservation of contingencies and reserves and insures that fee structures are consistent with service levels. These policies will be used to help develop the financial plan.

**Project Planning** – In 3 years the Council will have a schedule for reviewing of existing Master and Long Range plans. These will include acknowledgement of inter-departmental dependencies and demonstration a mitigation of redundancy. The intent of this is to have a strategic approach for the Council to review existing plans in a scheduled manner to make sure that the original intentions and targets are being achieved. It is not intended that the council reviews the details of all the documents.

**Communications** – In 3 years the City will have a consistent feedback mechanism to ensure that City communications are meeting community and staff needs. Within 12 months develop a communications plan, including staffing and training, that establishes an outreach process to the community and a method to obtain feedback.

**Staffing** – In 18 months, we will create a fully functional and operational HR function to meet city-wide staffing goals as defined in a staffing plan.

And to direct staff to bring back quarterly reports on the Council priorities.

Motion carried (7 Yes/0 No).



**RESOLUTION 2016-3248:**

CDD Rux said Council heard from staff in September on Recreational and Medical marijuana and a subcommittee was formed to discuss and make recommendations. The subcommittee recommended Council initiate the process to amend the Code to add place and manner regulations for Recreational marijuana producers and processors. This would allow the Planning Commission and the public to provide input and to come back for Council approval in March.

**MOTION: Rourke/Bacon** moved to approve Resolution 2016-3248, A Resolution initiating an amendment to the Newberg Municipal Code, Title 15 Development Code for Time, Place and Manner Regulations for Recreational Marijuana producers and processors. Motion carried (7 Yes/0 No).

**RESOLUTION 2016-3247:**

CDD Rux said Habitat for Humanity was proposing to build a new ReStore at 801 N. Meridian Street. It would be a little more than 8,000 square feet for the store and 2,000 square feet for an attached shed. They were requesting to waive SDCs for the project. A 2007 Council adopted a policy for waiving SDCs. The criteria for the waiver was that the organization had to be a non-profit, had to principally serve low to moderate income families, and only waive transportation, water, wastewater, and stormwater SDCs. Habitat met the criteria and was not looking for a waiver for stormwater, but was requesting a waiver for the others. The total waived would be \$68,393. There was some discrepancy in the transportation SDC numbers, which the applicant would address. The impact of the SDC funds would be minimal. Staff recommended approval. The Council could do the full waiver, a partial waiver, or no waiver.

Councilor Corey would like to hear about the discrepancy in the numbers. Were the numbers in the material accurate? CDD Rux said the City had estimated \$72,000 for transportation, but Habitat's Traffic Engineer came up with \$52,000 due to looking at a different category in the ITE Manual. Habitat based their count on the ReStore being open two to two and a half days per week. There was further discussion regarding how the transportation number was calculated and what the City did for low income housing.

Rick Rogers, Newberg Habitat for Humanity Director, said the question came down to whether they philosophically thought the Council should support the development of affordable housing in the community. Previous Councils had been in favor. By supporting the ReStore, they were supporting affordable housing as 61% of the revenue went toward building affordable housing. It was Habitat's largest fundraising tool. They were not a stand-alone discount store that had a certain amount of trips per day but were a specialty retail center with a lower rate of trips. It would be costly to do a traffic study and the ITE Manual did not have ReStores as a category. He encouraged support of the waiver.

Doug Pugsley requested support for the resolution. The hundreds of volunteers in the community needed Council's approval to waive these fees and he encouraged them to follow the example of previous Councils.

Ron Wolfe, Habitat Board Member, said with the benefit of the waived fees, they planned to put that money back to use in building additional affordable housing. He appreciated Council's support.

**MOTION: Corey/Rourke** moved to approve Resolution 2016-3247, A Resolution waiving System Development Charges for Water, Sewer and Transportation for construction of the Newberg Habitat ReStore at 801 N. Meridian Street. Motion carried (7 Yes/0 No).

**COUNCIL BUSINESS:** None.

**EXECUTIVE SESSION # 1- pursuant to ORS 192.660 (2) h**

Council entered into Executive Session # 1 at 7:51 p.m. Staff present included: City Manager Pro Tem Steve Rhodes and Labor Attorney Todd Lyons.

They discussed an employment related claim.

Council exited Executive Session # 1 at 8:50 p.m.



**EXECUTIVE SESSION # 2 - pursuant to ORS 192.660 (2) h**

Council entered into Executive Session # 2 at 8:56 p.m. Staff present included: City Manager Pro Tem Steve Rhodes and City Attorney Truman Stone.

They received an update on a worker's compensation claim.

Council exited Executive Session at 9:10 p.m.

**ADJOURNMENT:** The meeting was adjourned at 9:11 p.m.

**ADOPTED** by the Newberg City Council this 19<sup>th</sup> day of January, 2016.

  
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Sue Ryan, City Recorder

**ATTESTED** by the Mayor this 21<sup>st</sup> day of January, 2016.

  
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Bob Andrews, Mayor

