

CITY OF McMinnville
MINUTES OF DINNER MEETING
of the McMinnville City Council
Held at the Kent L. Taylor Civic Hall on Gormley Plaza
McMinnville, Oregon

Tuesday, October 25, 2016, at 6:00 p.m.

Presiding: Kevin Jeffries, Council President

Recording: Melissa Grace, City Recorder

Councilors: Present Excused Absence
Remy Drabkin
Scott Hill
Kevin Jeffries
Kellie Menke
Alan Ruden
Larry Yoder

Also present were Interim City Manager Candace Haines, City Attorney David Koch, Planning Director Heather Richards, Fire Chief Rich Leipfert, Community Development Director Mike Bisset, Finance Director Marcia Baragary, and a member of the news media, Tom Henderson of the *News Register*.

DINNER

CALL TO ORDER: Council President Jeffries called the Dinner Meeting to order at 6:20 p.m.

DISCUSSION REGARDING AGENDA ITEMS: Council President Jeffries asked for a volunteer to lead the Pledge of Allegiance and Councilor Hill volunteered. It was noted that if the Webelos Scouts are in attendance for the regular meeting then they would be asked to lead the Pledge.

Council President Jeffries reviewed the agenda for the evening.

Emergency preparedness in relation to sewer and water services was discussed.

MCMINNVILLE MUNICIPAL AIRPORT: Councilor Drabkin mentioned that she has had a couple complaints regarding air and noise pollution at the airport. Community Development Director Bisset informed Councilor Drabkin that there is a complaint form on the City website that citizens may use to file complaints. He added that the online complaint form is a good way to keep track of the complaints and find out what exactly the issues are so that solutions may be determined.

PERS TRANSITION LIABILITY: Finance Director Baragary explained that the public hearing being held during the regular Council meeting is regarding the City's Oregon Public Employees Retirement System (PERS) transition liability and there is a requirement that a public hearing is held.

OREGON AMERICAN PUBLIC WORKS ASSOCIATION AWARD: Community Development Director Bisset shared that the City of McMinnville received the 2016 Environmental Project of the Year from the Oregon American Public Works Association for the Water Reclamation Facility Expansion Project.

CITIZEN ADVISORY COMMITTEE: Planning Director Richards shared that she will be providing Council with a recommendation to reconfigure the Citizen Advisory Committee during the regular meeting. Councilor Drabkin commented that she has heard from constituents concerned about Council's consideration of removing the Citizen Advisory Committee. Planning Director Richards briefly explained that one of the outcomes of the recommendation is more robust citizen involvement. She added that there has been support from the current members of the Citizen Advisory Committee as well as the Planning Commission.

PURCHASE OF A RURAL FIRE PROTECTION ENGINE: Fire Chief Leipfert mentioned that the McMinnville Rural Fire Protection District has awarded the City \$140,000 for the purchase of a rural fire engine. Furthermore, the Fire Department received a \$23,000 Federal Emergency Management Agency (FEMA) grant for the purchase of equipment and supplies for a Citizens Emergency Response Team (CERT) trailer and supplies.

INTERIM CITY MANAGER EMPLOYMENT AGREEMENT: City Attorney Koch stated that there is one small change to the Employment Agreement: Section VII, paragraph D pertaining to life insurance should be removed. He stated that he has provided a revised copy of the agreement to the Interim City Manager Haines, Council President Jeffries, and City Recorder Grace.

OTHER ITEMS: Councilor Drabkin provided a statement addressing Council President Jeffries interest in applying for the City Manager position. She expressed several concerns and stated that she does not believe he should apply for the City Manager position. She remarked that she is also concerned about the hiring timeline for a new City Manager as it is a challenging time of the year to be going through the hiring process. Council Drabkin stated she feels that the process should be delayed until a better time. Council President Jeffries thanked Councilor Drabkin for her thoughtful comments.

Council President Jeffries reminded Council that there is a vacancy on the Citycounty Insurance Services (CIS) Board of Trustees. Councilor Menke requested that the position not be filled by a new City Manager until three years after the new City Manager is hired.

Councilor Hill commented that Planning Director Richards did a great job at the State of the Downtown meeting held earlier in the day.

ADJOURNMENT: Council President Jeffries adjourned the Dinner Meeting at 6:43 p.m.

s/s Melissa Grace
Melissa Grace, City Recorder

CITY OF McMINNVILLE
MINUTES OF REGULAR MEETING
of the McMinnville City Council
Held at the Kent L. Taylor Civic Hall on Gormley Plaza
McMinnville, Oregon

Tuesday, October 25, 2016, at 7:00 p.m.

Presiding: Kevin Jeffries, Council President

Recording: Melissa Grace, City Recorder

Councilors: Present Excused Absence
Remy Drabkin
Scott Hill
Kevin Jeffries
Kellie Menke
Alan Ruden
Larry Yoder

Also present were Interim City Manager Candace Haines, City Attorney David Koch, Planning Director Heather Richards, Fire Chief Rich Leipfert, Community Development Director Mike Bisset, Finance Director Marcia Baragary, Police Chief Scales, and a member of the news media, Tom Henderson of the *News Register*.

AGENDA ITEM

CALL TO ORDER: Council President Kevin Jeffries called the meeting to order at 7:00 p.m. and welcomed all in attendance.

PLEDGE OF ALLEGIANCE: The Local Webelos Scouts led the Pledge of Allegiance.

Council President Jeffries handed out City of McMinnville pins to the Webelos Scouts.

INVITATION TO CITIZENS FOR PUBLIC COMMENT: Council President Jeffries invited the public to comment.

There were no public comments.

1. CONSENT AGENDA

1. a. Consider Minutes of the July 12, 2016 Town Hall and Joint Meeting and October 11, 2016 Dinner and Regular Meetings.

1. b. Resolution No. 2016-73: A Resolution awarding the contract for the replacement of Three Mile Lane Pump Station #3.

1.c. Resolution No. 2016-74: A Resolution amending the contract with Century West Engineering, Inc. for the Runway 4-22 Rehabilitation Project at the McMinnville Municipal Airport, Project No. 2014-1.

1.d. Resolution No. 2016-75: A Resolution approving Task Order No. 1 to the Personal Services Contract for the design of the Ford Street Sidewalk Improvements and Pedestrian Safety Improvements transportation bond measure projects.

Councilor Drabkin asked if the word “exclusionary” on page 5 of the Minutes from the October 11, 2016 should be amended to read “inclusionary”. Planning Director Richards agreed. Interim City Manager Haines added that she was not listed as an attendee in the October 11, 2016 meeting minutes although she was present.

Councilor Menke MOVED to adopt the consent agenda as amended; SECONDED by Councilor Ruden. Motion PASSED unanimously.

2. PUBLIC HEARING

2.a. Public Hearing: City’s PERS transition liability

Finance Director Baragary stated that on September 27, Council authorized the issuance of \$3.5 million in debt with the intention to pay off the PERS transition liability. When the 2016-2017 budget was adopted the retiring of the PERS debt was not anticipated. Ms. Baragary added that the budget needs to be amended so that the City can receive the proceeds and make the payment to PERS. She explained that a public hearing is required because the \$3.5 million is more than 10 percent of the fund.

Council President Jeffries opened the Public Hearing.

Mark Davis, 652 SE Washington Street, stated that he supports doing this. He shared that he wanted to make a public comment that the PERS issue has gotten politicized. He stated that this is confusing and he wants to know that there is light at the end of the tunnel. He added that he felt it would be really helpful for the City to explain how much has to do with the past and how much for the present. He would like the City to provide more information to the public. Mr. Davis stated that he is retired from the Housing Authority but is not a PERS member. He would like it to be explained more.

Councilor Hill asked about the transitional liability bringing the City up to a certain time period. Ms. Baragary explained that in 2001 the State and Local Government Rate Pool was formed allowing Cities to join into the pool, the PERS actuary determined that the City had a liability and it wouldn't be appropriate for the City's liability to be absorbed into the pool. Ms. Baragary added that the advantages of refinancing the debt include decreasing the amount the City is paying PERS and the debt service will be much lower than the interest that PERS has been charging the City.

Discussion ensued regarding the City's PERS liability being broken out from Water and Light. Ms. Baragary stated that the City is coordinating the payoff of the debt with Water and Light.

The public hearing was closed at 7:12 p.m.

3. NEW BUSINESS

3.a. Presentation of the Oregon American Public Works Association (APWA) Project of the Year Award for the Water Reclamation Facility (WRF) Expansion Project.

Community Development Director Bisset referred Council to the information included in the Council packet which explains the award. Mr. Bisset stated that the award is a significant achievement for the community and staff. It was a multi-year project which started in 2012 and construction was completed in 2016. He added that it was an extremely complex project, there was extreme weather, and although the City of McMinnville has the most stringent discharge permit in the State, the City was able to keep permit requirements with no violations throughout the project. He added that the project was a financial success as there was significant savings. Mr. Bisset stated that the genesis of the project was in the Wastewater Master Plan adopted in 2010. Mr. Bisset

added that the project included sustainable design elements. He recounted that cooperation amongst those involved in the project was remarkable. Engineering Services Manager and Project Manager, Rich Spofford was recognized as a critical part of the success of the “once in a career” project. A photograph of the award being presented at the Oregon American Public Works Association Convention was displayed.

Council President Jeffries congratulated Community Development Director Bisset on the award.

Discussion ensued regarding weather in relation to power outages and overflow at the wastewater treatment plant.

3.b. Update and Recommendation on Status of Citizen Advisory Committee.

Planning Director Richards discussed the goal of citizen involvement and the related Oregon Administrative Rule (OAR). OAR 660-015-0000(1) states that each government body that adopts and administers a Comprehensive Plan must have a Citizen Involvement Program. She further detailed the OAR explaining that there must be citizen involvement, communication, an opportunity for citizens to be involved, technical information available, feedback mechanisms in place for citizens to receive a response from policy makers, and funding for the program.

Ms. Richards stated that the City of McMinnville has a two-pronged Citizen Involvement Program consisting of an appointed Citizen Advisory Committee and Planning Commission. She commented on the duality of roles between the Citizen Advisory Committee and the Planning Commission. The history of the Citizen Advisory Committee was outlined. Ms. Richards added that there are currently three members on the Citizen Advisory Committee and there has not been a meeting since the year 2000.

Discussion ensued related to Citizen Involvement Programs in other cities. Ms. Richards stated that it is common for such committees to be project specific and have varying timelines for meeting.

Ms. Richards recommended that the City transition to an ad-hoc project specific Citizen Advisory Committee structure. She mentioned that she would like to see more representation of the various groups within the

community in the proposed structure. She also recommended adding a Technical Advisory Committee comprised of technical experts who work with City staff on providing research and support to the Citizen Advisory Committee. Ms. Richards mentioned that all three members of the current Citizen Advisory Committee as well as the Planning Commission are in support of the recommendations. Ms. Richards continued by recommending that Chapter X of the Comprehensive Plan be amended and an internal policy be developed.

The pros and cons of project specific Citizen Advisory Committees were discussed.

Councilor Ruden asked about the mandate from the State. Ms. Richards stated that the City is in compliance with the state mandates related to Citizen Advisory Committees.

Councilor Menke inquired about Planning Director Richards' experience with project specific Citizen Advisory Committees. Ms. Richards explained that this method brings a wider range of stakeholders and a fuller representation of the population and yields better results. She stated that she has seen more complex dialogue as a result of bringing more stakeholders to the table. She added that it brings engagement and support from the community.

Ms. Richards shared that 20% of the population in McMinnville is Latino and expressed her thoughts on how to engage the Latino population.

Councilor Drabkin questioned how citizens would be appointed. Ms. Richards responded by stating that the current structure in place which includes an interview before Council at a televised Council meeting is an intimidating process. Ms. Richards suggested that appointments could still be made through Council but perhaps the process should be changed so that it is not so intimidating and formal.

Councilor Drabkin suggested adding a neighborhood component to the process. She also mentioned she has heard from citizens concerned about eliminating the Citizen Advisory Committee. Planning Director Richards responded that the intent is to make citizen involvement more robust, broader and more representative of the community demographics.

Discussion ensued regarding communication to the community about opportunities for involvement.

Councilor Hill added that he is thankful for the thoughtful process that went into the recommendation. He shared his positive experience with the citizen involvement group for the bond and explained that citizens were fully engaged in the purpose they were serving. He commented on the success as a result of the citizen involvement process. Councilor Menke added that the new structure proposed by Ms. Richards adds a diversity component that is even better than before.

Councilor Yoder mentioned that he was thankful for the alternatives and appreciates the ideas brought forward.

Councilor Ruden commented that he liked the idea of bringing together many different demographics and that he appreciated the suggestion of removing the Council interview element as it may be intimidating. He remarked that removing the interview process before Council would provide for more robust participation.

Council President Jeffries suggested being flexible with the scheduling of meetings to encourage more participation. He added that he supports the recommendation and commented on the learning and insight that takes place in diverse groups with varying opinions.

Ms. Richards stated that if the Council wishes to move forward with the recommendations presented, she will initiate a public process. A recommendation would come to Council through the Planning Commission.

Councilor Drabkin MOVED to initiate the process of redefining the Citizens Advisory Committee to the ad-hoc Committees as described in the report. SECONDED by Councilor Ruden. Motion PASSED unanimously.

Council President Jeffries announced that citizens would be able to make comments on the proposed changes during a public hearing at a Planning Commission meeting and when the proposal comes before Council.

4.

RESOLUTIONS

4. a. RESOLUTION NO. 2016-76: A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR FISCAL YEAR 2016-2017 AND MAKING SUPPLEMENTAL APPROPRIATIONS FOR REDEMPTION OF THE CITY'S PERS TRANSITION LIABILITY.

Finance Director Baragary pointed out the net present value savings of refinancing the PERS debt is expected to be about \$950,000 over the next ten years.

Councilor Menke MOVED to adopt Resolution No. 2016-76 adopting a Supplemental Budget for Fiscal Year 2016-2017 and making supplemental appropriations for redemption of the City's PERS transition liability. SECONDED by Councilor Ruden. Motion PASSED unanimously.

- 4.b. RESOLUTION NO. 2016-77: A RESOLUTION AMENDING THE FISCAL YEAR 2016-2017 BUDGET AND AUTHORIZING THE EXPENDITURE OF GRANT FUNDS.

Fire Chief Leipfert mentioned that the 1982 rural fire truck was retired due to mechanical issues. He explained that the City is in contract with the McMinnville Rural Fire Protection District for fire protection services and they have authorized up to \$140,000 for the replacement of the retired rural fire truck. He stated that this should ensure the purchase of a good-quality, reconditioned engine.

Fire Chief Leipfert added a \$23,000 grant from the Federal Emergency Management Agency (FEMA) was received for a third trailer and supplies for the Community Emergency Response Team (CERT).

Discussion ensued regarding water carrying capacity, ground and driveway clearances, and off-road capabilities in rural areas of the rural fire truck.

Councilor Hill MOVED to adopt Resolution No. 2016-77 amending the Fiscal Year 2016-2017 Budget and authorizing the expenditure of grant funds. SECONDED by Councilor Menke. Motion PASSED unanimously.

- 4.c. RESOLUTION NO. 2016-78: A RESOLUTION APPROVING FUNDING AGREEMENT WITH THE MCMINNVILLE RURAL FIRE PROTECTION DISTRICT (“DISTRICT”) FOR THE PURCHASE OF A RURAL FIRE PROTECTION ENGINE.

Fire Chief Leipfert stated that Resolution No. 2016-78 authorizes the Fire Chief to enter into the Funding Agreement with the McMinnville Rural Fire Protection District to accept the funds and purchase the equipment.

Councilor Drabkin MOVED to adopt Resolution No. 2016-78 approving Funding Agreement with the McMinnville Rural Fire Protection District (“District”) for the purchase of a rural fire protection engine. SECONDED by Councilor Yoder. Motion PASSED unanimously.

- 4.d. RESOLUTION NO. 2016-79: A RESOLUTION APPROVING THE INTERIM CITY MANAGER EMPLOYMENT AGREEMENT.

City Attorney Koch mentioned that there is one change to the Interim City Manager Employment Agreement: the deletion of Section VII, paragraph D pertaining to Life Insurance. He added that the Employment Agreement has been cleared through Finance and the Interim City Manager and would be retroactive to October 3rd, 2016.

Councilor Drabkin MOVED to adopt Resolution No. 2016-79 approving the Interim City Manager Employment Agreement. SECONDED by Councilor Ruden. Motion PASSED unanimously.

5. ADVICE/ INFORMATION ITEMS

5. a. Reports from Councilors on Committee and Board Assignments

Councilor Drabkin recounted the comments she made during the Dinner meeting by stating that she thinks that Council President Jeffries is a great City Councilor and she enjoys her service with him. Councilor Drabkin stated that she sees Council Presidents Jeffries’ application for the City Manager position as problematic. She added that she does not believe that Council President Jeffries’ work on the Performance Improvement Plan (PIP) or in the review process was tainted by a desire to become City Manager; however, Council President Jeffries did serve on subcommittees that produced the documents which ultimately resulted in the resignation

of the former City Manager. She voiced her concern with public perception if Council President Jeffries were hired as City Manager. Councilor Drabkin stated that other potential candidates may be dissuaded from applying knowing that Council President Jeffries had applied. She continued by stating that if Council President Jeffries was selected as City Manager, public trust would be undermined and the public's trust should not be jeopardized. She restated that she does not believe that Council President Jeffries should apply for the City Manager position. Councilor Drabkin also addressed the timing of the hiring of the new City Manager by mentioning that Prothman had mentioned that this is a difficult time to hire because of the holidays and she is concerned that there may not be a broad spectrum of applicants. She stated that it is important to get the best pool of applicants.

Council President Jeffries responded by thanking Councilor Drabkin for her thoughtful comments.

Councilor Yoder commented that the Oregon Department of Transportation (ODOT) has agreed to begin negotiating for the purchase of land on Rex Hill for Phase II of the Bypass Project. He also pointed out that the bypass is supposed to be open a year from now and that the Parkway Committee voted to have a formal grand opening ceremony. The Committee prefers to take the lead on the grand opening ceremony and would will work in conjunction with ODOT.

Councilor Menke shared that Yamhill Communications Agency (YCOM) is moving their meetings to the second Tuesday of the month. She stated that they recently reviewed promotional material and the budget and that things are going well.

Councilor Ruden stated that the Airport Commission meeting is on November 1st and there will be an Affordable Housing Task Force meeting on October 26th. He asked Planning Director Bisset about the Alpine Avenue project with regards to a grand opening ceremony. Mr. Bisset responded that the bid opening is on Thursday and he is hoping to bring good bid award results to Council at the November 8th meeting. He added that the awarded contractor will be a big part of the grand opening ceremony.

Councilor Hill shared that there was a Visit McMinnville Board meeting October 19th where they reviewed financials and received a briefing on Social Media outcomes. He stated they are experiencing very good growth in all areas. He also shared that there is a group working on wayfinding signage in the community. He shared the various other projects that they are working on at Visit McMinnville.

Council President Jeffries mentioned that the Councilors should have received an email from the Council of Governments looking for feedback on the Local Government dinners.

5. b. Department Head Reports

Police Chief Matt Scales remarked that the Police Department recently conducted a gang awareness presentation with UNIDOS and stated that it was well attended and received. He shared that the Police Department is in the middle of recruitment and they recently added four volunteers and two to three reserve officers. He shared that he recently attended International Association of Chiefs of Police (IACP) conference and wanted to share that he believes McMinnville is in good standing with President Obama's 21st Century Policing model and in collaboration with health and mental services. Discussion ensued regarding diversity of applicants in recruitment.

Councilor Menke mentioned that the National Citizen Survey for the City of McMinnville is still being conducted but will be closing soon.

5.c. Cash and Investment Reports – July & August 2016

5.d. City of McMinnville Building Division Report for the period ending September 30, 2016.

6. ADJOURNMENT: Council President Kevin Jeffries adjourned the Regular City Council Meeting at 8:19 p.m.

s/s Melissa Grace
Melissa Grace, City Recorder