

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, January 24, 2017, at 6:00 p.m.

Presiding: Scott Hill, Councilor

Recording: Melissa Grace, City Recorder

Councilors:	<u>Present</u>	<u>Excused Absence</u>
	Remy Drabkin	Kellie Menke
	Adam Garvin	
	Kevin Jeffries	
	Alan Ruden	
	Wendy Stassens	

Also present were Interim City Manager Candace Haines, City Attorney David Koch, Community Development Director Mike Bisset, Planning Director Heather Richards, and Tom Henderson of the *News Register*.

DINNER MEETING: Mayor Hill called the Dinner Meeting to order at 6:27 p.m. and welcomed all in attendance.

DISCUSSION:

Mayor Hill asked for a volunteer to lead the Pledge of Allegiance and Councilor Ruden volunteered.

Mayor Hill reviewed the agenda for the evening.

RESOLUTION NO. 2017-05: City Attorney Koch stated that there currently is not a level of authority for the City Manager to approve contracts without Council's approval. He commented that City Council approved Ordinance No. 5009 that adopted public contracting rules; however, the Ordinance did not delegate public contracting authority. The proposed Resolution delegates certain powers and responsibilities for public contracting to the City Manager. He shared that a survey was conducted with local cities and the proposed Resolution is consistent with public contracting law and is similar to many surrounding cities.

RESOLUTION NO. 2017-06: Community Development Director Bisset discussed Ordinance No. 4980 which includes provisions for imposing sanitary sewer, transportation, and parks and recreation system development charges (SDCs). He stated that historically, these charges are adopted by Council. He added that the last time the sanitary sewer SDCs and parks and

recreation SDC were adjusted was in 2007. He further commented that Oregon Revised Statutes and the Municipal code allow for the SDCs to be adjusted annually. The revised SDC rates would take effect July 1<sup>st</sup>, 2017.

RESOLUTION NO. 2017-07: Community Development Director Bisset explained that a sanitary sewer rate analysis and equity review was conducted in 2015. He added that in order to mitigate the short-term impacts on ratepayers, the implementation of the rate equity portion of the study is a four-year transition period. The revised sanitary sewer user fees would take effect July 1<sup>st</sup>, 2017.

REQUEST FOR A WAIVER OF THE CITY'S NOISE ORDINANCE FROM WALT GOWELL: Interim City Manager Haines reviewed the request for a waiver of the City's noise ordinance. Ms. Haines stated that Mr. Gowell's son is getting married on August 19<sup>th</sup>, 2017 and they would like to have a live band from 8-11 p.m.

URBAN RENEWAL AGENCY/ URBAN RENEWAL BOARD JOINT MEETING: Planning Director Richards reviewed the items on the agenda for the evening:

- Presentation of the McMinnville Urban Renewal Projects
- Presentation of the Five Year Strategic Plan
- Resolutions
  - Authorizing the City Manager or designee to contribute \$8,000 towards the McMinnville Wayfinding Study.
  - Accepting the Annual Financial Report for the McMinnville Urban Renewal Agency for Fiscal Year Ended June 30, 2016, per Oregon Revised Statute 457.060.
  - Approving the development of a Property Development Assistance program to be used in the Urban Renewal Area per the McMinnville Urban Renewal Plan.

Discussion ensued regarding wayfinding and how branding creates a sense of place. Deliverables were discussed as well as funding concerns.

ADJOURNMENT: Mayor Hill adjourned the Dinner Meeting at 7:02 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, January 24, 2016, at 7:00 p.m.

Presiding: Scott Hill, Mayor

Recording: Melissa Grace, City Recorder

Councilors: Present                      Excused Absence  
Remy Drabkin                      Kellie Menke  
Adam Garvin  
Kevin Jeffries  
Alan Ruden  
Wendy Stassens

Also present were Interim City Manager Candace Haines, City Attorney David Koch, Community Development Director Mike Bisset, Planning Director Heather Richards, Police Captain Tim Symons, and members of the news media, Tom Henderson of the *News Register* and Dave Adams of KLYC radio.

AGENDA ITEM

CALL TO ORDER: Mayor Hill called the meeting to order at 7:07 p.m. and welcomed all in attendance.

PLEDGE OF ALLEGIANCE: Councilor Ruden led the Pledge of Allegiance.

INVITATION TO CITIZENS FOR PUBLIC COMMENT

Jack Reed, 1610 SE Queenborough Court stated that we was concerned about a drug house in his neighborhood. He mentioned that the house has been without water and electricity for some time. He stated that he has voiced his concerns and nothing has been done. He asked that the City to condemn the property. He stated that the house in question is involved in a bankruptcy and the bank is not taking any action.

Discussion ensued regarding the Queenborough property and City Attorney Koch asked that Mr. Reed come to the City offices the following day for a meeting to discuss the issue further.

Isobel Flores, Queenborough Court stated that he is the neighbor to the house in question. He shared his concerns with the visitors and occupants of the house. He stated that there have been issues for years.

1. PROCLAMATION

Mayor Hill shared that former City Councilor Dick Windle recently passed away and the City would like to honor him with a Proclamation. Mayor Hill asked former City Manager Kent Taylor to share some comments regarding Mr. Windle. Mr. Taylor shared his thoughts and read remarks from former Mayor Ed Gormley.

Mayor Hill shared his experiences with Mr. Windle and read the Proclamation declaring January 24<sup>th</sup> as “Dick Windle Day”.

2. PUBLIC HEARING: Bag-it-better

Mayor Hill called on representatives from Zero Waste to present a report. Ramsey McPhillips provided a history of their efforts and research related to single use plastic bag ordinances in other cities. Mr. McPhillips stated that he has contacted local city managers and grocery managers that have implemented similar ordinances to the one being presented and that he has been told that it has been good for business, has saved money, and the outcome has been positive.

Council discussion ensued regarding exemptions, the phase-in timeframe, and process for applying for hardship exemptions.

*Councilor Jeffries left the room at 7:50 p.m. and returned at 7:51 p.m.*

Mayor Hill shared that ten written testimonies have been received.

Mayor Hill then requested that comments be limited to four minutes per person.

Dan Hilbert, 875 NE 19<sup>th</sup> Street, expressed his concerns and opposition to the proposed restriction on plastic bags.

Margaret Cross, 1102 SW Russ Lane, shared her support for the proposed restriction on plastic bags.

Ann Adams, SW Briedwell Road, expressed her opposition to the proposed restriction on plastic bags.

Annelly Germaine, 820 NW Wallace Road, stated that she was in favor of the proposed restriction on plastic bags.

Gerry Hunter, 103 SE Baker Street, stated that he is a local vendor and expressed his favor to the proposed restriction on plastic bags.

Linda Hays, 103 SE Baker, stated that she owns a retail business and is in support of the restriction on plastic bags.

Mahlon Wirfs, 1372 SW Darci Drive, expressed his strong opposition to the restriction on plastic bags. He stated that this is not an issue for the Council to address.

Mark Davis, 652 SE Washington, expressed his support for the proposed restriction on plastic bags.

Emily Kerrigam, 2461 SW Howard Drive, shared her support for the proposed restriction on plastic bags.

Judy Spinner, 1800 NE Elm Street, stated that she is very much in favor of the proposed restriction on plastic bags.

Saige & Aiden Bassitt, 5455 NE Riverside Drive, shared that they went on a five-minute walk and found many items, but no plastic bags. They expressed their opposition to a restriction on plastic bags.

Tawna Parker, 6605 NE Riverside Drive, expressed her support for the proposed restriction on plastic bags.

Jim Kreatzbeader, 1317 NE 9<sup>th</sup> Avenue, shared his support for the proposed restriction on plastic bags.

Ron Olisar, 3300 NW Hill Road, articulated his support for the proposed restriction on plastic bags.

Patricia Wirfs, 1372 SW Darci Drive, voiced her opposition to the proposed restriction on plastic bags.

John Harbor, 21830 Westview Road, shared his support for the proposed restriction on plastic bags.

Mayor Hill closed the Public Hearing at 8:38 p.m. and thanked the citizens of McMinnville for sharing their thoughts.

The Council thanked the citizens for presenting compelling issues on both sides and expressed their appreciation for the public discourse. The consensus of the Council was to consider an Ordinance restricting the use of plastic bags at the February 14<sup>th</sup> City Council Meeting.

Discussion ensued regarding implementation timelines, hardship exemptions, charges, and the definition of carryout bag.

3. CONSENT AGENDA: Mayor Hill asked the Council if there were any items on the Consent Agenda that Council wished to discuss or have removed.

There were no such requests.

- 3.a. Resolution No. 2017-04: A Resolution of the City of McMinnville accepting the Annual Financial Report for the McMinnville Urban Renewal Agency for Fiscal Year Ended June 30<sup>th</sup>, 2016, per Oregon Revised Statute 457.460.

Councilor Jeffries MOVED to approve the Consent Agenda as presented. The motion was SECONDED by Councilor Ruden. Motion PASSED unanimously.

4. RESOLUTIONS

- 4.a. Resolution No. 2017-05: A Resolution delegating public contracting authority to the City Manager.

City Attorney Koch presented. He stated that the Resolution is part housekeeping and part efficiency in government. He provided a background of Ordinance 5009 which was approved on August 9<sup>th</sup>, 2016 and adopted public contracting rules.

He discussed public contracting law and explained the various processes and requirements related to public contracts.

He stated that the Resolution allows the City Manager to award contracts as long as the amount of the public contract is included within the City's adopted budget for the fiscal year in which the funds will be spent. He added that this process is consistent with several other cities. In addition to allowing the City Manager to approve certain public contracts, there would be a tiered system for approving contracts within the City.

City Attorney Koch stated that all contracts would still be reviewed by the City Attorney.

Discussion ensued regarding the contract approval process, the state procurement process, and when Council would be notified.

It was noted that the authority is given only when the amount has been approved and adopted in the budget for a particular purpose and that this empowers the City Manager to execute their work more efficiently.

Councilor Stassens MOVED to adopt Resolution No. 2017-05 delegating public contracting authority to the City Manager; SECONDED by Councilor Jeffries. Motion PASSED unanimously.

- 4.b. Resolution No. 2017-06: A Resolution establishing revised System Development Charges (SDCs) pertaining to parks and recreation, sanitary sewer, and transportation, and repealing Resolution No. 2007-4 and Section 2 of Resolution No. 2015-24.

Community Development Director Bisset explained that System Development Charges (SDCs) are currently imposed in McMinnville for transportation, sanitary sewer and parks and recreation. He stated that the purpose of SDCs is to impose an equitable share of the public costs of capital improvements that increase system capacity upon those developments that create the need for, or increase the demands on capital improvements.

He stated that the City's Ordinance relating to SDCs allows for an annual adjustment of the charges to reflect the increase in construction costs. The Ordinance requires that the City Engineer calculate the adjustments based upon changes in the Engineering News Record Construction Index (ENR Index) for Seattle, Washington. Mr. Bisset shared that the index for January 2017 has been issued, and the index grew by 2.2% for the calendar year 2016. He stated that they have applied the 2.2% increase to the three system development charges and the new fees would begin July 1, 2017.

Mr. Bisset displayed a chart with the SDC rates and the proposed increases. The sanitary sewer SDC would increase \$63 for a single family home; the parks and recreation SDC would increase \$46 per dwelling unit; and the transportation SDC would increase \$47 per PM peak hour trip.

Councilor Ruden commented that the charges have not be increased in roughly ten years as a result of the recessionary times.

Discussion ensued regarding the recent increase in construction costs.

J.W. Millegan, 624 NE Second, shared that he feels that SDCs are too high in McMinnville and commented that perhaps all of the charges should be re-evaluated. He stated that the fees were based on what other cities charge, not based on the cost to the City of McMinnville. He also voiced concerns with affordable housing and SDCs.

Discussion ensued regarding long term impact recovery.

Mark Davis, 652 SE Washington, stated that he feels the SDC charges in McMinnville are very reasonable. He stated that the costs are generating more than what the City is recovering from the SDCs. He feels that this is at a minimum what the City should be doing and added that he is happy that the City is doing something about refunding some or all of SDCs for affordable housing.

Councilor Ruden MOVED to adopt Resolution No. 2017-06 establishing revised System Development Charges (SDCs) pertaining to parks and recreation, sanitary sewer, and transportation, and repealing Resolution No. 2007-4 and Section 2 of Resolution No. 2015-24; SECONDED by Councilor Garvin. Motion PASSED unanimously.

- 4. c. Resolution No. 2017-07: A Resolution establishing revised sanitary sewer user fees, and repealing Resolution 2016-3.

Community Development Director Bisset presented. Mr. Bisset stated that in 2015, the City of McMinnville adopted a sanitary sewer rate analysis and equity study which laid out a financial plan for the wastewater system. The adopted analysis anticipates 2.8 percent rate increases for the next several fiscal years. The rate analysis also included a four year transition to equity among the various customer classes from Fiscal Year 2016 through Fiscal Year 2019.

The Resolution presented adopts the sanitary sewer user fees with a 2.8 percent increase effective July 1, 2017.

Councilor Jeffries discussed managing the costs by managing the amount of water coming into one's home.

Discussion ensued regarding equity among commercial versus residential use and the testimony that was heard as methodology was decided upon.

Councilor Ruden MOVED to adopt Resolution No. 2017-07 establishing revised sanitary sewer user fees, and repealing Resolution 2016-3; SECONDED by Councilor Garvin. Motion PASSED unanimously.

- 5. NEW BUSINESS

- 5.a. Request for waiver of the City's noise ordinance from Walt Gowell.

Interim City Manager Haines stated that she received a request from Walt Gowell for a variance to the City's noise ordinance. His son is getting married on August 19<sup>th</sup> and they would like to have a live band. They estimate that the music will start around 8:00 p.m. and finish around 11:00 p.m. Ms. Haines shared that the City has an Ordinance that states that



anytime music is amplified outdoors, one must have approval of the Council. Within thirty days of the wedding ceremony Mr. Gowell will notify the neighbors.

Discussion ensued regarding enforcement of the noise variance.

Mr. Gowell was present to answer questions. He shared that they will be inviting neighbors to the live music. Mr. Gowell also noted that his neighborhood is very noise friendly neighborhood as it abuts a school and football field.

Councilor Drabkin MOVED to direct the interim City Manager to approve the request for a waiver from the City's noise ordinance from Walt Gowell for August 19, 2017; SECONDED by Councilor Stassens. Motion PASSED unanimously.

6. ADVISE/ INFORMATION ITEMS

6. a. Cash and Investment Report – November 2016

6.b. Reports from Councilors

Council President Jeffries reminded Council of the upcoming Mid-Willamette Valley Council of Governments Dinner.

Councilor Ruden reminded Council that the Affordable Housing Task Force meets tomorrow at 10 a.m.

6.c. Department Head Reports

Police Captain Tim Symons apologized for his late arrival, stating that there had been a robbery at a local bank.

6.d. Monthly Building Division Report

7. ADJOURNMENT: Mayor Hill adjourned the Regular City Council Meeting at 9:40 p.m.

s/s Melissa Grace  
Melissa Grace, City Recorder