

CITY OF McMinnville  
MINUTES OF CITY COUNCIL MEETING  
Held via Zoom Video Conference and at the Kent L. Taylor Civic Hall on Gormley Plaza  
McMinnville, Oregon

Tuesday, July 28, 2020 at 7:00 p.m.

Presiding: Scott Hill, Mayor

Recording Secretary: Claudia Cisneros

Councilors:	Present	Absent
	Remy Drabkin	
	Adam Garvin	
	Kellie Menke, Council President	
	Wendy Stassens	
	Zack Geary	
	Sal Peralta	

Also present were City Manager Jeff Towery, City Recorder Claudia Cisneros, Planning Director Heather Richards, Police Chief Matt Scales, Finance Director Jennifer Cuellar, Information Technology Director Scott Burke, Fire Marshal Debbie McDermott, Code Compliance Officer Nic Miles, Building Official Stuart Ramsing, Code Compliance Officer Claudia Martinez, and Jerry Eichten, McMinnville Community Media.

1. CALL TO ORDER: Mayor Hill called the meeting to order at 7:08 p.m. and welcomed all in attendance in person and via Zoom.
  
2. PROCLAMATION
  - 2.a. National Health Center Week

Mayor Hill read the proclamation declaring August 9-15, 2020 as National Health Center Week.

Serena Cruz, Executive Director of the Virginia Garcia Memorial Foundation, discussed their work with underserved populations during the Covid-19 crisis.
  
3. INVITATION TO CITIZENS FOR PUBLIC COMMENT: Mayor Hill invited the public to comment.

None
  
4. ADVICE/ INFORMATION ITEMS
  - 4.a. Reports from Councilors on Committee & Board Assignments

Council President Menke reported on Visit McMinnville and travel statistics, contract with the City, and DEI training. She also attended a Middle Modern Housing webinar. She discussed YCAP's moteling project, rental relief funds, and OHA grant. She and Planning Director Richards met to discuss housing equity.

Councilor Drabkin said the Affordable Housing Task Force would meet tomorrow to discuss housing equity as well.

Councilor Geary said the Landscape Review Committee was meeting next week to review landscape code. McMinnville Community TV had put together a video for high school graduation. Mac Pac would be discussing facility space.

Councilor Stassens said MURAC would meet next week and Level 10 meetings would begin next month.

Councilor Peralta said the Mid Willamette Valley Council of Governments established the Mid Willamette Homeless Alliance. They were also starting to advertise for the Executive Director position.

Councilor Garvin said Century West Engineering had started repaving work at the airport.

Mayor Hill reported on the McMinnville Water & Light Commission meeting where cyber risk and increase in water rates was discussed. The water main project on Lafayette was completed. Water manhole covers on 99W would be coordinated with ODOT. The hospital was in good shape with PPE and capacity. McMinnville leadership met twice per month and Yamhill County leadership met twice per week. The Governor's recent address dealt with school closures.

Council President Menke encouraged the Council to attend the League of Oregon Cities zoom conference.

4.b. Department Head Reports

Planning Director Richards said the City received funds from Business Oregon for emergency business assistance grants.

Finance Director Cuellar said another Audit Committee meeting would be held next week to continue to discuss the City's reserves. She was working to close the fiscal year and getting started on the audit process. Remote court continued to roll along.

Parks and Recreation Director Muir said they were wrapping up Parks and Recreation Month. They had a few weeks of the Stars program left. They would also be discussing fall programs with the School District.

City Manager Towery was planning to take some time off.

5. CONSENT AGENDA

a. Consider the Minutes of the December 10, 2019 City Council Work Session and Regular City Council Meeting and Consider the Minutes of the January 14, 2020 City Council Regular Meeting.

b. Consider Resolution No. 2020-48: A Resolution for City of McMinnville, Oregon Extending the City's Declaration of State of Emergency Expressed in Resolution 2020-18, Resolution 2020-28 and Resolution 2020-43.

*Councilor Geary MOVED to adopt the consent agenda as presented; SECONDED by Councilor Stassens. Motion PASSED unanimously.*

6. ORDINANCES

6.a. Consider second reading of **Ordinance No. 5093**: An Ordinance Repealing And Replacing Title 15 Of The McMinnville City Code, Specific To Buildings And Construction, Amending Section 2.50.510, Specific To Code Compliance - Applicability, And Sections 8,10.250, Health And Safety – Motor Vehicles, And Section 8.10.035, Health And Safety – Storage.

No Councilor present requested that the Ordinance be read in full.

City Manager Towery read by title only Ordinance No. 5093, An Ordinance Repealing And Replacing Title 15 Of The McMinnville City Code, Specific To Buildings And Construction, Amending Section 2.50.510, Specific To Code Compliance - Applicability, And Sections 8.10.250, Health And Safety – Motor Vehicles, and Section 8.10.035, Health And Safety – Storage.

Planning Director Richards said after the last meeting, there was an article in the paper that generated a lot of social media discussion and comments about the code changes. One of the concerns raised was a misunderstanding about the right of entry. This was for the Building Official to access a building when there were no permits and there were life safety issues. The property owner was notified before entry. There was also a misunderstanding that code compliance officers had right of entry onto private property, which this code did not do. They could only view property from the public right-of-way and gain entry if invited by a property owner or through a court administered warrant. Another issue had to do with the public nuisance code and screening discarded motor vehicles. She recommended an amendment, to allow screened discarded motor vehicles in a yard, and delete the word “backyard.”

There was some confusion about the storage provisions and what was considered junk and debris. She clarified what would be allowed.

Councilor Peralta asked when a code requirement was triggered. Right now it happened with a change of use, was that still the same? Building Official Ramsing said yes, that would remain the same.

Councilor Peralta asked if these changes had any effect on how non-compliance was enforced. Planning Director Richards said they would not have an effect on that.

Councilor Geary clarified these changes looped everything in the zoning code into the purview of code compliance. Planning Director Richards said that was correct.

Councilor Garvin was not in favor of Section 305. He thought it was overreaching and made code compliance more like HOA officers. Planning Director Richards thought it clarified things for code compliance in terms of what wasn't junk or debris.

Councilor Peralta thought this section would reduce the risk of arbitrary enforcement.

*Councilor Peralta MOVED to approve the second reading of Ordinance No. 5093, repealing and replacing Title 15 of the McMinnville City Code, specific to buildings and construction, amending Section 2.50.510, specific to Code Compliance - Applicability, and Sections 8.10.250, Health And Safety – Motor Vehicles, and Section 8.10.035, Health And Safety – Storage as amended; SECONDED by Council President Menke. Motion PASSED 5-1 by the following vote:*

*Aye – Councilors Drabkin, Geary, Stassens, Peralta, and Menke  
Nay – Councilor Garvin*

- 6.b. Consider first with possible second reading of **Ordinance No. 5094:** Ordinance Amending Section 17.03 Of The McMinnville Municipal Code, Zoning Ordinance, General Provisions.

No Councilor present requested that the Ordinance be read in full.

City Manager Towery read by title only Ordinance No. 5094, An Ordinance Amending Section 17.03 Of The McMinnville Municipal Code, Zoning Ordinance, General Provisions.

Planning Director Richards said this was housekeeping in Section 17 to make it correlate with the new Chapter 2.50, code compliance administrative process. There was clean up of the general provisions and new violation language was added. She suggested removing subsection E in 17.03.090.


*Councilor Drabkin MOVED to pass Ordinance No. 5094 to a second reading; SECONDED by Councilor Garvin. Motion PASSED unanimously.*

City Manager Towery read by title only for a second time Ordinance No. 5094.

*Councilor Stassens MOVED to approve the second reading of Ordinance No. 5094, amending Section 17.03 of the McMinnville Municipal Code, Zoning Ordinance, General Provisions as amended; SECONDED by Council President Menke. Motion PASSED 6-0 by the following vote:*

*Aye – Councilors Drabkin, Garvin, Geary, Stassens, Peralta, and Menke  
Nay – None*

7. ADJOURNMENT: Mayor Hill adjourned the meeting at 8:08 p.m.



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Claudia Cisneros, City Recorder