

CITY OF McMinnville  
MINUTES OF CITY COUNCIL REGULAR SESSION  
Held at the Kent L. Taylor Civic Hall on Gormley Plaza  
McMinnville, Oregon

Tuesday, March 9, 2021 at 7:00 p.m.

Presiding: Scott Hill, Mayor

Recording Secretary: Claudia Cisneros

Councilors:	<u>Present</u>	<u>Excused Absence</u>
	Remy Drabkin	Sal Peralta
	Adam Garvin	
	Zack Geary	
	Kellie Menke	
	Chris Chenoweth	

Also present were City Manager Jeff Towery, City Attorney Amanda Guile-Hinman, Police Chief Matt Scales, City Recorder Claudia Cisneros, Finance Director Jennifer Cuellar, Planning Director Heather Richards, Parks and Recreation Director Susan Muir, Human Resources Manager Kylie Bayer, Library Director Jenny Berg, Community Development Director Mike Bisset, Information System Director Scott Burke, Fire Chief Rich Leipfert, Fire Operations Chief Amy Hanifan, Assistant Chief/Fire Marshal Debbie McDermott, Community Engagement Specialist Noelle Amaya, and *members of the News Media Phil Guzzo, McMinnville Community Media and Dora Totoian, News-Register.*

1. CALL TO ORDER: Mayor Hill called the meeting to order at 7:01 p.m. and welcomed all in attendance.
2. PLEDGE OF ALLEGIANCE  
  
Councilor Chenoweth led the pledge of allegiance.
3. PROCLAMATIONS & AWARDS
  - 3.a. Women’s History Month Proclamation  
  
Mayor Hill read the proclamation declaring March 2021 as Women’s History Month.
  - 3.b. Fire Department Response Recognition Award Presentation

Fire Chief Leipfert recognized public safety partners and fire fighters who responded to an apartment fire in November. He presented Fire Department Meritorious Service, Fire Department Outstanding Service, and Fire Department Life Saving Awards.

The Council congratulated these fire fighters.

4. INVITATION TO CITIZENS FOR PUBLIC COMMENT

Mayor Hill recognized a written public comment from Andrea Kennedy Smith regarding parking violations.

5. ADVICE/ INFORMATION ITEMS

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

Councilor Geary reported on MacPac who approved the Pool and Library subcommittees recommendations. He also reported on the digital open house for the Active Transportation Concept Plan.

Councilor President Drabkin reported on the DEI Advisory Committee and Affordable Housing Committee meetings.

Councilor Garvin reported on the Airport Commission and YCOM meetings.

Mayor Hill read the memo from the governor about Yamhill County moving from high to moderate risk for Covid guidelines. He reported on the MURAC meeting, letter regarding HB 2001, funding for the Bypass, and campaign financing ordinance.

There was consensus for staff to report back on the pros and cons of the ordinance.

5.b. Department Head Reports

Finance Director Cuellar said she was working on the FY20 audit and FY22 budget process. She had attended the Government Finance Officers Association bi-annual meeting.

Human Resources Manager Bayer discussed the first DEI Advisory Committee meeting.

Parks and Recreation Director Muir discussed the facilities that were now open.

Planning Director Richards discussed the Active Transportation Concept Plan for 99W.

City Manager Towery reported on the General Fund budget, funding shortfall, and upcoming budget process.

City Attorney Guile-Hinman would be attending a continuing education seminar on ADA compliance, conducting training to the HLC and DEI Committees, and attending another seminar on local government law. She discussed a settlement agreement of QM vs. City of McMinnville.

Councilor Chenoweth MOVED to authorize the City Manager to execute the release and settlement agreement on behalf of the City of McMinnville; SECONDED by Councilor Menke. Motion PASSED unanimously.

6. PUBLIC HEARINGS

6.a. Public Hearing regarding the Planning Fee Schedule; Resolution 2021-12: A Resolution adopting a Planning Fee Schedule and repealing all previous resolutions adopting planning fee schedules at the time this fee schedule becomes effective.

6.b. Public Hearing regarding the Building Fee Schedule; Resolution 2021-13: A Resolution preliminarily approving a Building Fee Schedule and repealing all previous resolutions adopting building fee schedules on the effective date of this fee schedule.

Mayor Hill opened the public hearings and read the hearing statement.

Planning Director Richards presented the staff report. These resolutions would update both the planning fee schedule and building fee schedule which would take effect July 1, 2021. The planning fee was proposed to increase by 13% except for sign permits and appeals, which would provide full cost recovery catch-up directed by Council in 2018 plus CPI. She discussed current cost recovery and comparison with other cities. The building fee was proposed to increase by 3% due to the costs of inflation to deliver the program. She discussed comparison with other cities, affordable housing, public engagement, and next steps.

There was discussion regarding financing SDCs, the difference between ordinances and resolutions, and Council direction for cost recovery catch-up.

There was no public testimony.

Mayor Hill closed the public hearings.

7. RESOLUTIONS

- 7.a. Consider **Resolution No. 2021-10**: A Resolution Establishing Revised System Development Charges (SDCs) Pertaining to Parks and Recreation, Sanitary Sewer, and Transportation; and Repealing Resolution No. 2020-14.

Community Development Director Bisset said this was an annual adjustment to the SDCs that reflected recent construction costs. It would be a 6% increase in the transportation, sanitary sewer, and parks SDCs. There were some recent projects where they allowed deferred payment of the SDCs until occupancy and the code allowed financing of the SDCs over a period of time, but it had not been used before. They waived transportation and wastewater SDCs for affordable housing projects.

There was discussion regarding adding park SDCs on commercial projects in the new Parks and Recreation Master Plan.

*Councilor Menke MOVED to approve Resolution 2021-10: A Resolution Establishing Revised System Development Charges (SDCs) Pertaining to Parks and Recreation, Sanitary Sewer, and Transportation; and Repealing Resolution No. 2020-14; SECONDED by Councilor Geary. Motion PASSED unanimously 5-0.*

- 7.b. Consider **Resolution No. 2021-11**: A Resolution Amending the Contract for Personal Services to Century West Engineering, Inc. for the Apron & Taxilane Rehabilitation Project at the McMinnville Municipal Airport, Project No. 2017-10.

Community Development Director Bisset said the existing contract took the City through the bidding of the project, and this amendment would carry them through to the end of construction. They had a federal grant to completely fund the project, and there were specific requirements related to the construction. Century West was an expert on those requirements. They had done an independent fee estimate of the scope of services which had been approved by the FAA. No wildlife had been identified near this area of the airport and he did not expect any delays.

There was discussion regarding bird and butterfly species that were protected at the airport.

*Councilor Chenoweth MOVED to approve Resolution 2021-11: A Resolution Amending the Contract for Personal Services to Century West Engineering, Inc. for the Apron & Taxilane Rehabilitation Project at the*

*McMinnville Municipal Airport, Project No. 2017-10; SECONDED by Councilor Garvin. Motion PASSED unanimously 5-0.*

- 7.c. Consider **Resolution No. 2021-12**: A Resolution adopting a Planning Fee Schedule and repealing all previous resolutions adopting planning fee schedules at the time this fee schedule becomes effective.

Planning Director Richards suggested two amendments to the planning fee schedule. One was for appealing a Planning Commission decision and the proposed fee should be \$1,033 and the other was the land use compatibility statement for marijuana which should be \$1,931.25 to capture the 3% CPI.

Councilor Chenoweth pointed out another amendment regarding the subdivision fees. There was no fee for 10 lots, it just said less than or more than 10 units had a certain fee. It should say 10 units or more would be a certain fee.

There was discussion regarding staff time to review the land use compatibility statements for marijuana.

*Councilor Menke MOVED to approve Resolution 2021-12: Resolution adopting a Planning Fee Schedule and repealing all previous resolutions adopting planning fee schedules at the time this fee schedule becomes effective. as amended; SECONDED by Council President Drabkin. Motion PASSED 3-2 with Councilors Chenoweth and Garvin opposed.*

- 7.d. Consider **Resolution No. 2021-13**: A Resolution preliminarily adopting approving a Building Fee Schedule and repealing all previous resolutions adopting building fee schedules on the effective date of this fee schedule.

Planning Director Richards said this would be a standard 3% increase to the building fee schedule.

*Council President Drabkin MOVED to adopt Resolution 2021-13: A Resolution preliminarily adopting approving a Building Fee Schedule and repealing all previous resolutions adopting building fee schedules on the effective date of this fee schedule; SECONDED by Councilor Menke. Motion PASSED unanimously 5-0.*

8. ORDINANCES

- 8.a. Consider first reading with possible second reading of **Ordinance No. 5101**: An Ordinance Amending Ordinance No. 4131 As Amended by Ordinance 4572, Three Mile Lane Planned Development Overlay For Drive-Up Signage In Zone 2.

- 8.b. Consider first reading with possible second reading of **Ordinance No. 5102**: An Ordinance Approving TML 2-20, A Three Mile Lane Design Review For Drive-Up Signage At 225 Ne Norton Lane, McDonald's Restaurant.

Planning Director Richards presented the staff report for both Ordinance 5101 and 5102 to add a second drive-thru lane to the McDonalds on Norton Lane. She explained the land use applications, City Council process, and project request to amend the planned development overlay ordinance for Zone 2 to allow additional freestanding signs for businesses that employed drive-up service. She reviewed Ordinance 4131 which was adopted in 1981 and created the planned development overlay for the Three Mile Lane area, Comprehensive Plan Map and Zoning Map for the Three Mile Lane area, Ordinance 4572 which was adopted in 1994 that created three zones in the planned development overlay, Zone 2 affected area, amended language to allow additional freestanding signs in Zone 2, and applicable criteria. The Planning Commission voted unanimously to recommend approval of the zoning text amendment.

The second request was the Three Mile Lane design review to allow for the signage to add the second drive-thru service lane, which could only be approved if the zoning text amendment was approved. She described the existing site, proposed site plan, proposed signage, public testimony, and traffic impact. The Planning Commission voted unanimously to recommend approval of the Three Mile Lane Design Review.

City Attorney Guile-Hinman asked if any Councilor had ex parte contacts to declare. There was none.

There was discussion regarding review by the Landscape Review Committee, how the improvement was needed, and whether this should go to a public hearing or first reading. There was consensus to go to first readings.

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

City Attorney Guile-Hinman read by title only Ordinance No. 5101 amending Ordinance No. 4131 as amended by Ordinance 4572, Three Mile Lane Planned Development Overlay for drive-up signage in Zone 2.

City Attorney Guile-Hinman read by title only Ordinance No. 5102 approving TML 2-20, a Three Mile Lane Design Review for drive-up signage at 225 NE Norton Lane, McDonald's Restaurant.

*Councilor Geary MOVED to pass Ordinance No. 5101 and Ordinance No. 5102 to a second reading; SECONDED by Councilor Garvin. Motion PASSED unanimously 5-0.*

City Attorney Guile-Hinman read by title only for a second time Ordinance No. 5101.

*Councilor Menke MOVED to adopt Ordinance No. 5101 amending Ordinance No. 4131 as amended by Ordinance 4572, Three Mile Lane Planned Development Overlay for drive-up signage in Zone 2; SECONDED by Council President Drabkin. PASSED by a unanimous roll-call vote of 5-0.*

City Attorney Guile-Hinman read by title only for a second time Ordinance No. 5102.

*Councilor Chenoweth MOVED to adopt Ordinance No. 5102 approving TML 2-20, a Three Mile Lane Design Review for drive-up signage at 225 NE Norton Lane, McDonald's Restaurant; SECONDED by Councilor Menke. PASSED by a unanimous roll-call vote of 5-0.*

9. ADJOURNMENT: Mayor Hill adjourned the Regular City Council Meeting at 9:18 p.m.

*Claudia Cisneros*

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Claudia Cisneros, City Recorder