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, May 12, 2026 at 7:00 p.m.

Presiding: Kim Morris, Mayor

Recording Secretary: Claudia Cisneros

Councilors:	Present	Absent
	Sal Peralta, Council President	
	Zack Geary	
	Chris Chenoweth	
	Scott Cunningham	
	Dan Tucholsky	
	Carson Benner	

Also present were City Manager Adam Garvin, City Recorder Claudia Cisneros, City Attorney David Ligtenberg, Chief of Police Cord Wood, Public Works Director Geoff Hunsaker, Library Director / Parks & Recreation Director Jenny Berg, Human Resources Director Vicki Hedges, Community Development Director Heather Richards, Finance Director Katie Henry, Information Technology Director Scott Burke, Airport Manager John Paskell, Senior Planner Tom Schauer, Wastewater Services Manager Erik Grimstad, Associate Planner Matthew Deppe and *members of the News Media – Kyle Dauterman McMinnville Community Media.*

1. CALL TO ORDER: Mayor Morris called the meeting to order at 7:00 p.m. and welcomed all in attendance.

2. PLEDGE OF ALLEGIANCE: Mayor Morris led the Pledge of Allegiance.

3. INVITATION TO COMMUNITY MEMBERS FOR PUBLIC COMMENT: Mayor Morris invited the public to comment.

City Recorder Claudia Cisneros noted for the record two written comments had been received via email from Matthew Bertrand and Sarah McBride, which were forwarded to the Council and will be made part of the amended packet posted tomorrow.

No members of the public present in Civic Hall or on Zoom came forward to speak.

4. NEW BUSINESS (Action Item)

4.a. McMinnville Water and Light Commission Appointment.

Mayor Morris presented the recommendation from the Water and Light Commission to appoint Andrew Anderson to fill the vacancy created by Adam Garvin, who assumed the role of City Manager. Andrew Anderson, who was present in the audience, was welcomed to the commission.

Councilor Chenoweth MOVED to approve the appointment of Andrew Anderson to fill a vacancy with a term expiration of December 31, 2027; SECONDED by Councilor Tucholsky.

AYE: Councilors Chenoweth, Benner, Geary, Cunningham, Tucholsky, Peralta
NAY: NONE

*Motion **PASSED** unanimously by a vote of **6-0***

5. PUBLIC HEARINGS

5.a. Public Hearing to consider **Ordinance No. 5180**: An Ordinance annexing to the City of McMinnville Tax Lot R4430AD00100.

Mayor Morris outlined the procedural order for the public hearing concerning Ordinance No. 5180 and opened the public hearing at 7:06 p.m. She asked if any Councilor objected to the jurisdiction of the City Council to hear this matter. There was none.

Mayor Morris asked if any Councilor needed to declare a potential conflict of interest or recuse themselves from the hearing. There was none.

Mayor Morris asked if any Councilor needed to declare any contact prior to this hearing with the applicant, or any other party involved in the hearing, or any other source of information (outside of staff) regarding the subject of this hearing. There was none.

Community Development Director Heather Richards presented the staff report. She explained that the subject tax lot is located adjacent to Cypress Lane, bounded on three sides by urbanized land within the city limits. Annexation is governed by ORS 222 and Title 16 of the McMinnville Municipal Code. An annexation agreement had previously been approved by the City Council via Resolution No. 2025-13 on April 22, 2025. Staff confirmed that all provisions of the annexation agreement and applicable legal requirements had been met, contingent upon approval of the companion land use decision (Ordinance No. 5179).

Applicant Bruce Cooley, 1525 SW Cypress Lane, provided brief testimony, noting that the property had been in the family for approximately 50 years and that he appreciated the assistance of city staff throughout the process.

No public testimony was offered in support or in opposition.

The public hearing was closed at 7:13 p.m.

5.b. Public Hearing to consider **Resolution No. 2026-20:** A Resolution Adopting a Planning and Engineering Fee Schedule for the City of McMinnville and Repealing Prior Resolutions Establishing Such Fees.

Mayor Morris opened the public hearing at 7:13 p.m and read the hearing statement. She asked if any Councilor wished to make a disclosure or abstain from participating or voting on this hearing. There was none.

Public Works Director Geoff Hunsaker presented on behalf of staff. He explained that this is an annual update to the planning and engineering fee schedule, consistent with the Council's policy of full cost recovery for development-related services. The proposed update applies the West Coast Consumer Price Index increase of 2.9% for the period of January 2025 to January 2026. No changes were made to the underlying fee methodology. The fee structure retains targeted reductions for qualifying affordable housing projects and certain resident-focused permits, with no cap on affordable housing subsidies in a given fiscal year. Staff confirmed the revised fees are incorporated into the proposed budget.

There was no public testimony.

Mayor Morris closed the public hearing at 7:16 p.m.

6. CONSENT AGENDA

a. Consider the Draft Minutes of the December 17, 2025 Joint City Council & Planning Commission Work Session Meeting.
b. Consider the Draft Minutes of the December 17, 2025 Special Called City Council Meeting.
c. Consider the Draft Minutes of the January 13, 2026 City Council Work Session & Regular Meeting.
d. Consider the request from Hundred Suns Wine LLC for Winery – Non-Consumption, OLCC Liquor License located at 1445 NE Miller Street, Unit D#1.
e. Consider **Resolution No. 2026-26:** A Resolution accepting Federal Aviation Administration and State of Oregon Department of Aviation grant awards and authorizing the City Manager to execute the grant agreements.
f. Consider **Resolution No. 2026-27:** A Resolution awarding the Airport Perimeter Fence and Supplemental Wind Cone construction project contract to Dallum Build Company.
g. Consider the request from Mano Cornuto LLC for Winery – Non-Consumption, OLCC Liquor License located at 760 NW 11th Street, Suite A.

h. Consider the request from Winderlea, LLC for Winery – Non-Consumption, OLCC Liquor License located at 829 NE 5th Street, Suite 700.

Councilor Benner requested that item 6h be removed from the consent agenda for separate consideration.

Councilor Geary MOVED to adopt the consent agenda with item 6.h. removed; SECONDED by Councilor Tucholsky.

AYE: Councilors Chenoweth, Benner, Geary, Cunningham, Tucholsky, Peralta
NAY: NONE

Motion ***PASSED*** *unanimously by a vote of* ***6-0****.*

6. ITEMS REMOVED FROM THE CONSENT AGENDA

6.h. Consider the request from Winderlea, LLC for Winery – Non-Consumption, OLCC Liquor License located at 829 NE 5th Street, Suite 700.

Councilor Benner requested this item be removed from the consent agenda who declared a potential conflict of interest and would be abstaining from voting.

Councilor Cunningham MOVED to approve the request from Winderlea, LLC for Winery – Non-Consumption, OLCC Liquor License located at 829 NE 5th Street, Suite 700; SECONDED by Councilor Geary.

AYE: Councilors Chenoweth, Geary, Cunningham, Tucholsky, Peralta
NAY: NONE
ABSTAIN: Councilor Benner

Motion ***PASSED*** *by a vote of* ***5-0*** *with Councilor Benner abstaining.*

7. RESOLUTIONS

7.a. Consider **Resolution No. 2026-20:** A Resolution Adopting a Planning and Engineering Fee Schedule for the City of McMinnville and Repealing Prior Resolutions Establishing Such Fees.

Staff offered no additional comments beyond those presented during the public hearing

Councilor Geary MOVED to adopt Resolution No. ***2026-20****, Adopting a Planning and Engineering Fee Schedule for the City of McMinnville and Repealing Prior Resolutions Establishing Such Fees; SECONDED by Councilor Tucholsky. Motion* ***PASSED*** *4-2 by the following vote:*

AYE: Councilors Benner, Geary, Cunningham, Peralta
NAY: Councilors Chenoweth, Tucholsky

7.b. Consider **Resolution No. 2026-28:** A Resolution authorizing the City Manager to execute a contract amendment to the 2024 Goods and Services Contract (Project 2024-2) with City Sweepers, LLC, to provide downtown sweeping services.

Public Works Director Geoff Hunsaker explained that while the City is preparing to bring general street sweeping in-house, downtown sweeping, covering streets, alleys, and public parking lots, would remain contracted due to the specialized, noise-reduced equipment required and the late-night schedule necessary to minimize impacts on downtown businesses. This contract amendment represents the final one-year extension of the existing two-year contract with City Sweepers, LLC. Staff confirmed the contract would be put out for new bids the following year. In response to a councilor's question about whether this service might eventually be brought in-house, Director Hunsaker noted it was possible but that the late-hour work would likely require staff overtime, and that closing downtown parking during sweeping hours was not ideal for area businesses.

*Councilor Geary MOVED to adopt Resolution No. **2026-28**, Authorizing the City Manager to execute a contract amendment to the 2024 Goods and Services Contract (Project 2024-2) with City Sweepers, LLC, to provide downtown sweeping services; SECONDED by Council President Peralta. Motion **PASSED** unanimously 6-0 by the following vote:*

AYE: Councilors Chenoweth, Benner, Geary, Cunningham, Tucholsky, Peralta
NAY: NONE

8. ORDINANCES

8.a. Consider the second reading of **Ordinance No. 5174:** An Ordinance memorializing the City Council's decision for the McMinnville Industrial Promotions appeal of the Planning Commission's approval of MP 6-25.

Community Development Director Richards provided context for this second reading. At the direction of the City Council on April 8, 2026, new findings were drafted stating that McMinnville Municipal Code Section 17.530.153, entitled "Improvement Requirements," applies only to subdivisions and not to minor partitions. These findings, contained in Exhibit A of tonight's packet, would have removed conditions of approval requiring connection to sewer, water, electrical, street improvements, sidewalks, storm drainage, and street trees (Conditions 5, 9–16) from the approved minor partition.

Outside legal counsel Missy Ryan requested that councilors disclose any ex parte communications received since the last hearing. Council President Peralta disclosed discussions with staff, which counsel confirmed are expressly carved out from the statute. No other communications were disclosed.

Several councilors expressed agreement that the applicant, McMinnville Industrial Promotions (MIP), had raised a legitimate concern, particularly regarding the timing of improvement requirements. However, the majority expressed reservations about the breadth of the revised findings. Council President Peralta argued that the ordinance went far beyond what was necessary to resolve the appeal, noting that by adopting a finding that the improvement requirements section applies only to subdivisions, the City would be creating policy precedent that could undermine its ability to require streets, drainage, sewer, water, electrical systems, and pedestrian improvements for all future minor partitions. He recommended rejecting the revised findings, adopting the Planning Commission's original findings instead, and directing staff to return with a narrower code amendment that would address the timing of surety requirements for improvements such as sidewalks under specific conditions. Councilor Geary echoed this view, noting that existing code provided mechanisms for deferral of improvements through bonding and letters of credit, and that the appeal appeared to be setting policy precedent in a manner that exceeded what the applicable criteria warranted. Councilor Tucholsky expressed sympathy for MIP's position but agreed the ordinance's broad sweep was problematic for the community as a whole.

Councilor Chenoweth maintained a contrary position, arguing that the plain language of the term "subdivider" was never intended to apply to minor partitions, and that the applicant's interpretation was linguistically and legally sound. Councilor Chenoweth also expressed confidence that other provisions of the City's code would continue to impose improvement requirements at the time of development or building permit, meaning the deletion of this section would not leave the City without tools to require infrastructure.

Outside counsel Ryan clarified that both interpretations were plausible and that whichever interpretation the Council chose would likely be entitled to deference if challenged before the Land Use Board of Appeals. She also addressed the procedural path forward, explaining that the Council could allow the second reading with the revised exhibit to fail, and then move separately to adopt Ordinance No. 5174 with the exhibit from the April 8 packet, that is, the Planning Commission's decision document, as the operative findings. Staff confirmed that the letter of credit and bonding options available to MIP under the code were automatic provisions embedded in the code and did not require a specific condition of approval to trigger.

Mayor Morris said this was the second reading of the ordinance.

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

City Attorney Ligtenberg read by title only Ordinance No. 5174 for the second reading.

*Councilor Chenoweth MOVED to **adopt** Ordinance No. 5174, memorializing the City Council's decision for the McMinnville Industrial Promotions appeal of the Planning Commission's approval of MP 6-25 with the revised findings as presented in the May 12, 2026 meeting packet; SECONDED by Councilor Tucholsky. Motion **PASSED** 4-3 by the following vote:*

AYE: Councilors Chenoweth, Cunningham, Tucholsky, Mayor Morris
NAY: Councilors Benner, Geary, Peralta

The Council subsequently directed staff to review the minor partition improvement requirements code provisions and return with recommended amendments, particularly addressing the timing and conditions under which surety for sidewalk and street tree improvements should be required.

8.b. Consider the second reading of **Ordinance No. <u>5175</u>:** An Ordinance memorializing the City Council's decision for the EMPWR appeal of the Planning Commission's denial of SE 1-25.

Community Development Director Richards explained that at the April 28, 2026 meeting, the Council had not directed staff to alter the Planning Commission's findings. Accordingly, the exhibit to this ordinance contains the Planning Commission's decision denying the requested sign exceptions. The Planning Commission had found that the proposed sign constituted a video sign that did not meet the hardship test, and further that even if classified as an electronic changeable copy sign, it did not satisfy the applicable hardship or community standards criteria. Staff confirmed that a vote to adopt this ordinance would effectively uphold the Planning Commission's denial of the sign application.

Mayor Morris said this was the second reading of the ordinance.

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

City Attorney Ligtenberg read by title only Ordinance No. 5175 for the second reading.

*Councilor Geary MOVED to **adopt** Ordinance No. 5175, memorializing the City Council's decision for the EMPWR appeal of the Planning Commission's denial of SE 1-25; SECONDED by Councilor Cunningham. Motion **PASSED** unanimously 6-0 by the following vote:*

AYE: Councilors Chenoweth, Benner, Geary, Cunningham, Tucholsky, Peralta
NAY: NONE

8.c. Consider the first reading with a possible second reading of **Ordinance No. 5179:** An Ordinance approving a Zone Change to the R-3 Medium-Density, 6000 SF Lot Residential Zone (Docket ZC 2-24) and approving a Tentative Subdivision Plan (Docket S 2-24) for Tax Lots R4430AD 00100 and R4430AD 00201 upon annexation of Tax Lot R4430AD 00100 into the City limits, with both tax lots totaling approximately 2.7 acres, located at 1465 and 1525 SW Cypress Ln.

Mayor Morris asked if any Councilor needed to declare any actual or potential conflicts of interest or recuse themself regarding this ordinance. There was none.

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

City Attorney Ligtenberg read by title only Ordinance No. 5179.

Senior Planner Tom Schauer presented the land use application to the annexation public hearing held earlier in the evening. The application involves two tax lots: one already within the city limits currently zoned R-1, and one in the urban growth boundary currently under county EF-80 zoning. Both would be rezoned to R-3 Medium-Density Residential. A tentative subdivision plan would divide the combined approximately 2.7-acre property into a nine-lot subdivision into two phases. Phase 1 would extend Emily Drive south to serve four new lots from the northerly tax lot; Phase 2 would extend the street further south into a cul-de-sac. A private alley would serve several lots and provide secondary access between Emily Drive and Cypress Lane. A bike-pedestrian easement between Emily Drive and Cypress Lane was also included as a condition of approval, as was an access and utility easement to benefit a landlocked neighboring parcel to the west. Existing homes on the property would be retained. Councilor Benner asked for clarification on access arrangements, which Planner Schauer provided in detail. A councilor raised a question about the legal basis for applying a city zone to land not yet annexed, which Director Richards and outside counsel Missy Ryan both addressed, confirming that the land use decision is contingent upon successful annexation and that it is standard practice for cities to predetermine zoning for land within the urban growth boundary prior to annexation.

The Planning Commission found all criteria satisfied and recommended approval with conditions.

*Councilor Benner MOVED to **pass** Ordinance No. 5179 to a second reading; SECONDED by Councilor Tucholsky. Motion **PASSED** 6-0 by the following vote:*

AYE: Councilors Chenoweth, Benner, Geary, Cunningham, Tucholsky, Peralta
NAY: NONE

City Attorney Ligtenberg read by title only for a second time Ordinance No. 5179.

Councilor Cunningham MOVED to ***adopt*** *Ordinance No. 5179, approving a Zone Change to the R-3 Medium-Density, 6000 SF Lot Residential Zone (Docket ZC 2-24) and approving a Tentative Subdivision Plan (Docket S 2-24) for Tax Lots R4430AD 00100 and R4430AD 00201 upon annexation of Tax Lot R4430AD 00100 into the City limits, with both tax lots totaling approximately 2.7 acres, located at 1465 and 1525 SW Cypress Ln; SECONDED by Councilor Tucholsky. Motion* ***PASSED*** *6-0 by the following vote:*

AYE: Councilors Chenoweth, Benner, Geary, Cunningham, Tucholsky, Peralta
NAY: NONE

8.d. Consider the first reading with a possible second reading of **Ordinance No. <u>5180:</u>** An Ordinance annexing to the City of McMinnville Tax Lot R4430AD00100.

Mayor Morris asked if any Councilor needed to declare any actual or potential conflicts of interest or recuse themself regarding this ordinance. There was none.

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

City Attorney Ligtenberg read by title only Ordinance No. 5180.

Councilor Chenoweth MOVED to ***pass*** *Ordinance No. 5180 to a second reading; SECONDED by Councilor Benner. Motion* ***PASSED*** *6-0 by the following vote:*

AYE: Councilors Chenoweth, Benner, Geary, Cunningham, Tucholsky, Peralta
NAY: NONE

City Attorney Ligtenberg read by title only for a second time Ordinance No. 5180.

Councilor Chenoweth MOVED to ***adopt*** *Ordinance No. 5180, annexing to the City of McMinnville Tax Lot R4430AD00100; SECONDED by Councilor Benner. Motion PASSED 6-0 by the following vote:*

AYE: Councilors Chenoweth, Benner, Geary, Cunningham, Tucholsky, Peralta
NAY: NONE

9. ADVISE/INFORMATION ITEMS

9.b. Department Head Reports

Community Development Director Heather Richards reported that the city's long-range work program goals were substantially met by end of the first and second quarters, with the exception of the Natural Resources Program. Revisions requested by the Department of Land Conservation and Development (DLCD) are being incorporated, and the final version is expected to come before the Council on July 14.

Police Chief Cord Wood reported that the YCOM budget committee met and passed a recommendation to the executive board for a vote the following week. Six police officer applicant interviews were conducted on Saturday; two candidates advanced to background investigation and a third requires an in-person follow-up interview.

Human Resources Director Vicki Hedges reported that three finalists for the Parks and Recreation Director position had been identified, with a meet-and-greet scheduled for May 22. Councilors were advised to check their email for an invitation.

Public Works Director Geoff Hunsaker reported that Meridian barriers were delivered and would be deployed on Friday for UFO Fest. He also sought two city councilors to serve on the Transportation System Plan Policy Advisory Committee (PAC); Councilor Geary and Councilor Benner were identified as the two volunteers.

Information Technology Director Scott Burke reported ongoing planning for a firewall replacement and an upcoming phone system replacement, both of which would be discussed further during the budget process.

City Recorder Claudia Cisneros noted that she would be pivoting her work to complete the annexation processing following tonight's approvals. She also noted that candidate filing for the November 3 general election opens June 3, with the candidate filing packet expected to be posted to the city website by mid-the following week.

Finance Director Katie Henry reported that the previously anticipated court software implementation had stalled, as assignment of a project contact had not translated into a confirmed schedule. Budget work remains the primary focus of the finance department.

City Manager Adam Garvin reported ongoing work on parks and recreation programming, including gymnastics space requirements and rock-climbing programming, with a presentation expected on June 23. He highlighted the All-City luncheon on May 7, where years-of-service awards were presented, including recognition of Steve Ganzer for 31 years of service prior to his retirement at the end of June. He also noted attendance at the Linfield University presidential inauguration, the McMinnville 150th planning effort (noting a logo has been developed), the MSD long-range facility planning meeting, and the Meridian barrier deployment.

City Attorney David Ligtenberg attended the Oregon City Attorneys Association Spring conference last weekend, noting valuable networking and updates on the current legal landscape.

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

Councilor Cunningham reported on the Affordable Housing Committee, noting that updated metrics for the Construction Excise Tax program had been reviewed and that the program was nearing a stage where grants could be initiated. Grant opportunities from DLCD and OHCS were also discussed. He noted that planning was underway for an expanded severe rent burden community meeting, potentially to be held in two sessions to better include Spanish-speaking residents.

Council President Sal Peralta offered an advice item, requesting that city staff review the minor partition improvement requirements in light of the Ordinance No. 5174 decision, assess whether all necessary public improvement requirements can still be achieved under the existing code, and return with recommended code amendments.

Mayor Morris reported being away on vacation and having a light report but attended Water and Light Commissioner interviews, and appointed Andrew Anderson at tonight's meeting. Yamhill County Economic Alliance discussed opportunity zones that can be applied for the county along with the City. Also attended the City's 150^{th} birthday committee meeting and joined Adam at the All-City Luncheon on the 7^{th}. On Friday Lafayette Mayor Malcolmson and she attended the assembly at the McMinnville Adventist School where they answered questions. Additionally, the winner of the McMinnville Elementary If I Were Mayor contest attends McMinnville Adventist School; they hosted a pizza party with the class. Thanked Noelle Amaya, Communications Manager, who helped. Also attended the Linfield University President Mark Blegen was honored and was able to say a few words on behalf of the city. Yesterday, met with County Commissioner Kit Johnston for monthly meeting. Also had her monthly meeting with Superintendent Kourtney Ferrua.

Councilor Geary reported that the MURAC committee met and awarded a facade improvement grant for the Piquette Hotel. A citizen-at-large vacancy on the MURAC committee remains open through May 31. He also attended the All-City luncheon and the MSD long-range facility planning event. He noted UFO Fest is approaching and that he would again be hosting the alien pet costume contest.

Councilor Chenoweth reported that personal matters had precluded committee activity during the period and thanked colleagues who had reached out regarding the personal matter.

Councilor Tucholsky reported that the Airport Commission had not yet met; the next meeting is scheduled for May 19.

Councilor Benner noted that his committee assignments were still pending. He shared observations from his onboarding tours, which included visits to the wastewater facility, public works (noting 120 miles of city roads and a new street sweeper), the airport, the police department (noting approximately 600 dog-related calls and 600–800 automated alarm calls annually, and three police canines), the aquatic center (5,000 children per year in survival swim), the senior center, and the community center. He also attended the MSD long-range facility planning event and commended the addition of page numbers to council packets.

9.c. March 2026 Cash and Investment Report (in packet)

9.d. 3rd Quarter Financial Report (in packet)

9.e. 3rd Quarter ARPA Report (in packet)

Mayor Morris noted the March 2026 cash investment report, the third quarter financial report, and the third quarter ARPA report were included in the packet.

Councilor Cunningham inquired about the Police Department appearing under budget at 67% expenditure as reported on page 548, noting a comparison to the Engineering Department's noted vacant positions. Finance Director Henry confirmed that the Police Department similarly had vacancies during the first part of the year that accounted for the lower expenditure rate. There were no other questions raised.

10. ADJOURNMENT OF REGULAR MEETING: Mayor Morris adjourned the meeting at 8:43 p.m.

s/s Claudia Cisneros
Claudia Cisneros, City Recorder