

CITY OF McMinnville  
MINUTES OF THE DINNER MEETING of the McMinnville City Council  
Held at the Kent L. Taylor Civic Hall on Gormley Plaza  
McMinnville, Oregon  
June 23, 2015 at 6:00 p.m.

Presiding: Kevin Jeffries, Council President

Recording: Rose A. Lorenzen, Recording Secretary

Councilors:	<u>Present</u>	<u>Excused Absence</u>
	Remy Drabkin	Kellie Menke
	Scott Hill	Alan Ruden
	Kevin Jeffries	Larry Yoder
		Mayor Rick Olson

Also present were City Manager Martha Meeker, City Attorney Candace A. Haines, Fire Chief Rich Leipfert, Police Chief Matt Scales, McMinnville Rural Fire Protection District Board Chair (outgoing) Ray Fields and McMinnville Rural Fire Protection District (MRFPD) Board Chair (incoming) Steve Leonard, and members of the news media, Don Iler of the *News Register* and Dave Adams of KLYC Radio.

DINNER

CALL TO ORDER: Council President Jeffries called the Dinner Meeting to order at 6:20 p.m. and welcomed all in attendance. He advised that Mayor Olson had been excused from the evening's meetings.

McMINNVILLE RURAL FIRE PROTECTION DISTRICT: Council President Jeffries welcomed outgoing MRFPD Board Chair Ray Fields. Mr. Fields advised that he had served as the MRFPD Board Chair for 16 years and was leaving the District in good financial shape. He thanked the Council and staff for the City's cooperation. Mr. Fields introduced incoming District Board Chair Steve Leonard. Mr. Leonard thanked Mr. Fields and the Council for their excellent leadership skills and advised that especially because of Mr. Fields' outstanding stewardship, the District will be able to maintain the financial successes that Mr. Fields built and everything should operate smoothly as they move into the future.

Council President Jeffries extended his and the Council's thanks to Chair Fields for his exceptional service to the community.

BRIEF AGENDA OVERVIEW: Council President Jeffries briefly overviewed the Regular Meeting's agenda.

ORDINANCES: Councilor Ruden advised that he would recuse himself from any discussion and vote on the ordinance amending the McMinnville Planned Development Ordinance NO. 4953 because of an actual conflict of interest.

City Attorney Haines and Police Chief Scales reported on the need to repeal Chapter 9.22 and Section 9.24.050 of the McMinnville Municipal Code. They explained that because of the passage of Measure 91, on July 1, 2015, it would no longer be illegal to possess limited amounts of marijuana. Consequently, the provisions of the McMinnville Municipal Code would no longer be applicable. Chief Scales explained that moving forward, it would be in the City's best interest to repeal Chapter 9.22 and rely on state law.



submitted; SECONDED by Councilor Ruden. Motion PASSED unanimously.

1 PROCLAMATION - Fill the Boot Days: Fire Chief Leipfert introduced Firefighter Lucas Slavens and stated that last year the Department raised over \$15,000 in the fight against Muscular Dystrophy and all neuromuscular diseases. Their goal for this year is \$17,000. Council President Jeffries read the Fill the Boot Days proclamation into the record and presented it to Firefighter Slavens. Firefighter Slavens then passed the boot for donations.

2 PROCLAMATION - National Parks and Recreation Month: Council President read the National Parks and Recreation Month proclamation into the record. He presented the proclamation to Parks and Recreation Director Pearson.

3 NEW BUSINESS

3 a REPORT AND RECOMMENDATION BY GARY EASTLUND OF HAGAN-HAMILTON TO APPROVE THE 2015 - 2016 PROPERTY, LIABILITY, WORKERS COMPENSATION, AND AUTO INSURANCE COVERAGES: Council President Jeffries welcomed the City's insurance agent of record, Gary Eastlund of Hagan-Hamilton Insurance.

Mr. Eastlund thanked the Mayor and Council for the opportunity to discuss the City's insurance rates with them. He referred to his letter located in the Council packet and noted that, excluding workers compensation, the City's proposed annual contribution for the CIS insurance package was \$365,010.36, representing an increase of approximately 7.8 percent over last year's contribution. He pointed out that the increase was slightly higher than the average member increase of 6.04 percent, due to the addition of a fire truck and three police cars during the past year. Mr. Eastlund advised that workers compensation renewal cost decreased slightly from an experience modification factor of .91 to .86. Additionally, up until this year Water and Light was included in the City's work-comp. As of July 1, 2015, Water and Light will be provided a separate work-comp policy.

Mr. Eastlund discussed the City's Airport Owners and Operators liability coverage and advised that the renewal premium for the Airport Liability policy is the same as the expiring policy term at \$5,675.

Mr. Eastlund looked to future years and said that it was difficult to predict where insurance premiums would be in the next few years, although he expected to see the impact of catastrophic losses on future premiums. He pledged to keep the Council informed of any changes as soon as they came to his attention.

Council President Jeffries thanked Mr. Eastlund for his report and by consensus the Council accepted Mr. Eastlund's recommendation.

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ORDINANCES

4 a

AMENDING McMINNVILLE PLANNED DEVELOPMENT ORDINANCE NO. 4953 TO ALLOW SETBACK REDUCTIONS FOR THE BUNGALOWS AT CHEGWYN VILLAGE DEVELOPMENT: Council President Jeffries asked if any of the Councilors had conflicts of interest regarding this land use application. Councilor Ruden advised that he did have an actual conflict of interest and recused himself from the discussion and the vote on this matter.

Planning Director Montgomery stated that the Planning Commission held a public hearing on May 20, 2015, to consider a request from Alan Ruden, Inc. to amend Planned Development Ordinance No. 4953; which, if approved, would allow future phases of the Bungalows at Chegwyn Village residential subdivision to have setback standards similar to those approved for the development's two prior phases. He noted that following the public hearing, the Planning Commission voted unanimously to recommend the City Council approve the requested amendment.

City Attorney Haines read by title only Ordinance No. 4990 amending Section 2 of the McMinnville Planned Development Ordinance No. 4953 to allow certain setback reductions for the Bungalows at Chegwyn Village development. (No Councilor present requested that the ordinance be read in full.) The title of the ordinance was read for a second time.

Ordinance No. 4990 PASSED by a unanimous roll-call vote. (ABSTAIN: Ruden).

4b

REPEALING McMINNVILLE MUNICIPAL CODE (MMC) CHAPTER 9.22 AND SECTION 9.24.050 AND DECLARING AN EMERGENCY: City Attorney Haines reminded the City Council that Measure 91, legalizing the recreational use of marijuana, passed in November 2014. Currently, the City's Municipal Code is in direct conflict with state law. The proposed ordinance will repeal Chapter 9.22 and Section 9.24 050 from the Municipal Code.

City Attorney Haines read by title only Ordinance No. 4991 repealing McMinnville Municipal Code (MMC) Chapter 9.22 and Section 9.24.050 and declaring an emergency. (No Councilor present requested that the ordinance be read in full.) The title of the ordinance was read for the second time.

Ordinance No. 4991 PASSED by a unanimous roll-call vote.

5

RESOLUTIONS

5 a

ADOPTING A SUPPLEMENTAL BUDGET FOR FISCAL YEAR 2014-15, MAKING SUPPLEMENTAL APPROPRIATIONS, AND MAKING BUDGETARY TRANSFERS: Finance Director Baragary explained that the proposed resolution includes a supplemental budget for both the Telecommunications Fund and the Transient Lodging Tax

Fund due to revenues in both funds exceeding the amounts budgeted. Adoption of the supplemental budget allows for the additional franchise fees in the Telecommunications Fund to be passed through to McMinnville Community Media and allows for an appropriate portion of the additional Transient Lodging Taxes to be transferred to the General Fund.

Councilor Menke MOVED to adopt Resolution No. 2015-26 adopting a supplemental budget for fiscal year 2014-15, making supplemental appropriations, and making budgetary transfers; SECONDED by Councilor Yoder. Motion PASSED unanimously.

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ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2015; TO MAKE APPROPRIATIONS; TO IMPOSE PROPERTY TAXES; AND TO CATEGORIZE PROERTY TAXES: Finance Director Baragary outlined the changes in the Proposed Budget since the Budget Committee met and recommended approval of the 2015-16 budget. Changes included an increase of \$11,000 in community contributions; an increase in the Fire and Ambulance personnel services due to toe new Collective bargaining Agreement between the International Association of Fire Fighters, Local 3099 and the City of McMinnville; salary survey adjustments of an additional 2.5 percent for most General Service employees; a reduction of \$13,000 in health insurance costs; an increase in YCOM member contributions for dispatch services of three percent (down from a budgeted amount of six percent); and appropriations for projects which will not be completed in 2014-15 will be carried forward to 2015-16, including \$600000 for projects carried forward in the Wastewater Capital Fund.

Councilor Hill MOVED to adopt Resolution No. 2015-27 adopting the budget in the total amount of \$103,496,138 for the fiscal year beginning July 1, 2015; to make appropriations in the amount of \$62,454,834; to impose and categorize the City of McMinnville's permanent property tax rate of \$5.02 per \$1,000 assessed value for general operations and \$2,851,740 for debt service; SECONDED by Councilor Menke. Motion PASSED unanimously.

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DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES: Finance Director Baragary advised that this proposed resolution and the next one are both housekeeping resolutions required by ORS 221.770 enabling the City to receive state revenues.

Councilor Menke MOVED to adopt Resolution No. 2015-28 declaring the City's election to receive certain state shared revenues; SECONDED by Councilor Drabkin. Motion PASSED unanimously.

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CERTIFYING PROVISION OF MUNICIPAL SERVICES BY THE CITY OF McMINNVILLE AS REQUIRED BY ORS 221.760: Finance Director Baragary explained that once a county reaches a total population of greater than 100,000 inhabitants, cities

within the county must provide four or more municipal services in order to qualify to receive revenues from cigarette, gas, and liquor taxes.

Councilor Drabkin MOVED to adopt Resolution No. 2015-29 certifying provision of municipal services by the City of McMinnville as required by ORS 221.760; SECONDED by Councilor Yoder. Motion PASSED unanimously.

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EXTENDING THE CITY OF McMINNVILLE'S WORKERS COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF McMINNVILLE AND REPEALING RESOLUTION NO. 2014-25: Finance Director Baragary advised that the resolution will extend workers' compensation to the City's volunteers and is required by the City's insurance carrier, CityCounty Insurance Services.

Councilor Yoder MOVED to adopt Resolution No. 2015-30 extending the City of McMinnville's workers' compensation coverage to volunteers of the City of McMinnville and repealing Resolution No. 2014-25; SECONDED by Councilor Hill. Motion PASSED unanimously.

5 f

ADOPTING A NEW RATE SCHEDULE FOR MUNICIPAL COURT FEES AND REPEALING RESOLUTION NO. 2012-2: City Attorney Haines stated that fees in Municipal Court have not increased since 2015 and the Court has fallen behind on some items. The proposed resolution includes some fee increases and adds a "deadline extension fee" and updates and clarifies the "safe driver program fee."

Responding to an inquiry posed by Councilor Ruden, Ms. Haines explained that although the Court works closely with a collection agency that does a superb job, the Court is seeing more and more people who are repeat offenders who are coming in with more serious offenses. The more serious offenses run up the offenders' court costs so high that they do not seem to be able to see their way clear of the debt.

Councilor Ruden MOVED to adopt Resolution No. 2015-31 adopting a new rate schedule for Municipal Court fees and revoking Resolution No. 2012-2; SECONDED by Councilor Menke. Motion PASSED unanimously.

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ADOPTING A NEW FEE SCHEDULE FOR AMBULANCE SERVICES PROVIDED BY THE CITY OF McMINNVILLE AND REPEALING RESOLUTION NO. 2014-26: Fire Chief Leipfert stated that the proposed resolution will increase ambulance service rates by 2.1 percent and an increase of one dollar (\$1) to the mileage rate. He explained that the estimated increase in annual revenues is \$40,000.

Councilor Menke MOVED to adopt Resolution No. 2015-32 adopting a new fee schedule for ambulance services provided by the City of McMinnville and repealing Resolution No.

2014-26; SECONDED by Councilor Hill. Motion PASSED unanimously.

5 h PROVIDING FOR AND APPROVING A FORM OF CONTRACT BY AND BETWEEN THE CITY OF McMinnville, Oregon AND THE McMinnville Rural Fire Protection District: Fire Chief Leipfert advised that the proposed resolution will include a three percent fee increase from last year's contract. He noted that the total contract for the 2015-16 year is \$337,200.

Councilor Yoder MOVED to adopt Resolution No. 2015-33 providing for and approving a form of contract by and between the City of McMinnville, Oregon and the McMinnville Rural Fire Protection District; SECONDED by Councilor Menke. Motion PASSED unanimously.

5 i AWARDING THE CONTRACT FOR THE DESIGN OF THE 5<sup>TH</sup> STREET AND ALPINE AVENUE TRANSPORTATION BOND MEASURE PROJECTS: Community Development Director Bisset referred to his memorandum in the Council packets and reminded the Council that at its April 14, 2015 meeting, the City Council adopted Resolution No. 2015-18 which established a list of firms qualified to provide consulting services related to the design and construction of the street improvement and repair bond projects. HDR Engineering, Inc. was selected from the qualified list to provide design services on the 5<sup>th</sup> Street / Alpine Avenue project. He pointed out that this is the first project in the transportation bond and the first capital project that will go to construction.

Councilor Drabkin MOVED to adopt Resolution No. 34 awarding the contract for the design of the 5<sup>th</sup> Street and Alpine Avenue transportation bond measure projects; SECONDED by Councilor Ruden. Motion PASSED unanimously.

5 j AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE 2015 STREET OVERLAY, PROJECT 2015-6: Community Development Director Bisset referred to his memorandum in the Council packets and advised that on June 2, 2015, bids were received, opened, and publicly read for the construction of the 2015 Street Overlay project. The following five bids were received:

<u>BIDDER</u>	<u>BID AMOUNT</u>
H & H Paving	\$1,408,763.32
North Santiam Paving	\$1,459,373.50
Brix Paving	\$1,467,000.00
Baker Rock	\$1,555,943.00
Kodiak Pacific	\$1,635,000.00

Mr. Bisset responded to questions regarding quality control measures for the pavement work. He noted that the construction specifications are modeled from the Oregon Department of Transportation and the American Public Works. A warm asphalt mix, which is a more sustainable mixture, is used. The warm asphalt mixture is better for the environment and for the workers and it is also less

expensive. He assured the City Council that City staff is trained for pavement inspections and the two Project Engineers and the new Engineering Technician will all be inspecting the pavement projects. He noted, however, that in future years as staff becomes busier with larger projects, it may be necessary to contract for inspectors.

Councilor Hill MOVED to adopt Resolution No. 2015-35 awarding the contract for the construction of the 2015 Street Overlay, Project 2015-6; SECONDED by Councilor Ruden. Motion PASSED unanimously.

5 k APPROVING AN ASSIGNMENT OF CONTRACT (GREENSTONE FINANCIAL REPORTING): Finance Director Baragary advised that the next three resolutions addressed various actions with the City's new destination marketing organization, Visit McMinnville. The contracts will be assigned to Visit McMinnville effective July 1, 2015.

Councilor Menke MOVED to adopt Resolution No. 2015-36 approving an assignment of a contract; SECONDED by Councilor Hill. Motion PASSED unanimously.

5 l APPROVING AN ASSIGNMENT OF A CONTRACT (LA PLACA): Councilor Menke Moved to adopt Resolution No. 2015-37 approving an assignment of a contract; SECONDED by Councilor Yoder. Motion PASSED unanimously.

5 m APPROVING ENTERING A CONTRACT WITH VISIT McMINNVILLE, INC.: City Manager Meeker stated that this is the final action after a long journey of creating the new destination marketing organization. She pointed out that Mayor Olson, and Councilors Menke, Hill, and Yoder had all attended the start-up meetings and gave excellent advice to the group. The resolution will give the destination marketing organization the authorization it needs to operate.

Councilor Hill MOVED to adopt Resolution No. 2015-38 approving entering a contract with Visit McMinnville, Inc.; SECONDED by Councilor Drabkin. Motion PASSED unanimously.

6 ADVICE / INFORMATION ITEMS

6 a REPORTS FROM COUNCILORS ON COMMITTEE AND BOARD ASSIGNMENTS: Each Councilor present gave a brief report.

6 b DEPARTMENT HEAD REPORTS: Each department head present gave a brief report.

7 ADJOURNMENT: Council President Jeffries adjourned the meeting at 8:00 p.m.

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Rose A. Lorenzen, Recording Secretary