

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
September 8, 2015 at 6:00 p.m.

Presiding: Rick Olson, Mayor

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

Also present were City Manager Martha Meeker, City Attorney Candace A. Haines, Planning Director Doug Montgomery, Chamber of Commerce President Nathan Knottingham, and a member of the news media, Don Iler of the *News Register*.

DINNER

CALL TO ORDER: Mayor Olson called the Dinner Meeting to order at 6:30 p.m. and welcomed all in attendance. He gave a brief overview of the Public Hearing regarding early sales of marijuana. He noted that if an ordinance is voted on and the vote is tied, there will be a Special City Council Meeting to be held on September 29, 2015 for the second reading of the ordinance.

BRIEF AGENDA OVERVIEW: Mayor Olson briefly overviewed the agenda and noted that the Council would receive a report from the McMinnville Downtown Association Manager Cassie Sollars; there would be a presentation from UNIDOS - Bridging Community; and a Library presentation on the Summer Reading program. He advised that there was one resolution on the Council's agenda - awarding the contract for the Steel Mill Cured-in-Place Pipe sewer lining Project.

CHAMBER OF COMMERCE: Chamber President Nathan Knottingham gave a brief update on Chamber activities in McMinnville and advised that the organization has been working with two potential business incubators.

ADJOURNMENT: Mayor Olson adjourned the Dinner Meeting at 6:47 p.m.

Rose A. Lorenzen, Recording Secretary

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, September 8, 2015 at 7:00 p.m.

Presiding: Rick Olson, Mayor

Recording: Rose A. Lorenzen, Recording Secretary

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

Also present were City Manager Martha Meeker, City Attorney Candace A. Haines, Community Development Director Mike Bisset, Planning Director Doug Montgomery, Police Chief Matt Scales, Library Director Jenny Berg, Librarian III (Children's) Kimbre Chapman, Librarian II (Children's) Becky Pearson, and members of the news media, Don Iler of the *News Register* and Dave Adams of KLYC Radio.

AGENDA ITEM

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

PLEDGE OF ALLEGIANCE: Councilor Drabkin led in the recitation of the Pledge of Allegiance.

INVITATION TO CITIZENS FOR PUBLIC COMMENT: Mayor Olson asked for comments from the audience regarding items not on the evening's agenda.

J. W. Milligan, 340 NE Ford Street, advised the City Council that he would be moving three businesses related to stocks, investment banking, and assistance in the development of new businesses into town. He thanked the City Council for the compassion they show and the manner in which the body conducts business.

Anthony Taylor, 1510 SW Friendly Court, discussed traffic flow within the City and suggested that it would be good if there was a way to keep traffic from turning left against oncoming vehicles. He also noted that it would be very beneficial if the pedestrian sidewalks and traffic signal at the intersection of Highway 99W and Fellows Street could be reconfigured. Additionally, he suggested that traffic not be allowed to turn left into the 7-11 store from Fellows Street.

On a second matter, Mr. Taylor asked the City Council to consider revising the nuisance ordinance to disallow

"baying-still" hunting dogs in the City. He noted that it does not matter if the dogs are inside of a house; their baying can be heard for a long distance.

Mayor Olson thanked Mr. Taylor for his comments and advised that Highway 99W is a state highway and all construction/reconstruction plans must come through the Oregon Department of Transportation (ODOT). He asked Community Development Director Bisset for his comments. Mr. Bisset stated that the City does have jurisdiction on Fellows Street as it regards the Fellows Street traffic loops and the relocation of cross walks. He advised that he would pass along Mr. Taylor's concerns to ODOT officials.

NEW POLICE OFFICER INTRODUCTIONS: Mayor Olson recognized Police Chief Matt Scales who introduced three of the Department's four new Police Officers - Chris Powell, Patrick Vaughn, and Brett Rudolph. Each of the new Officers gave a brief biography. Mayor Olson and each of the City Councilors welcomed the new officers into the City's "family."

CONSIDER MINUTES OF THE JULY 14, 2015 DINNER AND REGULAR MEETINGS: Councilor Hill MOVED to approve the minutes of the July 14, 2015 Dinner and Regular City Council Meetings as submitted; SECONDED by Councilor Menke. Motion PASSED unanimously.

1

PUBLIC HEARING

1 a

7:00 P.M. PUBLIC HEARING REGARDING THE EARLY SALES OF RECREATIONAL MARIJUANA: Mayor Olson opened the public hearing at 7:15 p.m. and announced that the public hearing would be legislative in nature. He requested a staff report.

City Manager Meeker reviewed the several pieces of legislation that were passed by the Oregon State Legislature this past July. She noted that one of the laws passed was to allow early sales of marijuana at existing medical marijuana dispensaries prior to the OLCC putting its rules and regulations into place. She explained that unless the Council takes action to ban early sales, the early sales will go into effect on October 1, 2015. She further explained that the Council can ban early sales without affecting the City's ability to add the three percent sales tax at a later date. The proposed ordinance can be voted on immediately following the public hearing; later in the meeting; or the Council can wait until a later date.

PUBLIC TESTIMONY: Mayor Olson called for public testimony.

Jim Galba, 524 SW Drumwood Avenue, briefly discussed the long and ambiguous journey of his medical marijuana dispensary. He explained that it had been difficult to

meet the State requirements; however, they have been audited by the State of Oregon and have been found to be in compliance. He noted that he was "all in" with the cannabis industry and his business employs six individuals full time with insurance benefits. He stated that as the industry grows, he could foresee hiring six additional people and perhaps adding a retirement package. He encouraged the Council to move forward with the early sales of recreational marijuana.

Mr. Galba also spoke about his "grow site" that has come under recent scrutiny. He advised that his attorney sat on the Oregon Legal Advisory Committee and it would take a court order to make him stop growing marijuana at its current location on an industrially-zoned property.

Greg Bogh, 2399 Nuttree Lane, stated that he recently opened a marijuana dispensary. He advised that there is a strong interest in accessing recreational marijuana. He pointed out that the public did not care about regulations; they simply wanted access to the product. He felt that early sales would mitigate black market sales and would give law abiding citizens the ability to access recreational marijuana legally. He pointed out that the populace embraces recreational alcohol which enjoys a wonderful commerce and has brought many jobs to the area. He believed that recreational marijuana would do the same. Mr. Bogh said that every aspect of the legalized cannabis industry provides good jobs with good incomes. Some people will always be against the legalization of cannabis; however, the product is legal and has been accepted by the majority. He urged the City Council to not over-regulate the industry. He pointed out that people are looking for safe access to take cannabis to their homes - not to go and use it and then drive home. He urged the Council to get cannabis out of the hands of the children and into the hands of the business people.

Adam Garvin, 2940 NE Lafayette Avenue, advised that he was not in attendance to discuss whether recreational marijuana is legal; rather, he was in attendance to voice his opinion that because recreational use is here and legal, people should be able to purchase it here and then drive home. He also encouraged the City Council to consider the amount of tax revenue the City could receive from the booming industry. He opined that people who drink wine, eat cheese and also smoke marijuana.

Anthony Taylor, 1510 SW Friendly Court, stated that as President of Compassionate Oregon, he advocates for patients' rights. He is also a member of the Oregon Liquor Control Commission (OLCC) subcommittee regarding rules and packaging of recreational marijuana. He pointed out that because the OLCC has advised it would not be available for marketing for an as-yet-to-be-determined period of time, Senate Bill 460 was created in a rush and now OLCC must

implement regulations. Cities and counties must decide whether to allow early sales of recreational marijuana.

Mr. Taylor echoed earlier testimony regarding the immediate and significant impact on the black market if early recreational sales are allowed. Additionally, many types of businesses will benefit from the sale of recreational marijuana, including businesses that sell security systems, nursery supplies, and others. He stated that the voters passed Measure 91 in McMinnville and voters expect the City Council to do the same. He urged the City Council to follow the City of Dundee's lead and take no action.

CLOSE PUBLIC HEARING: Mayor Olson closed the public hearing at 7:44 p.m. and asked for Council discussion.

Councilor Hill offered the following points: The voters passed Measure 91 in McMinnville and he believed the medical marijuana dispensaries have done an admirable job. He felt that from his perspective, there should be no ban.

Councilor Drabkin agreed with Councilor Hill and added that as far as she could tell, no one had asked them to limit early sales and she believed there was no benefit to banning early sales.

Councilor Ruden agreed. He noted that he was impressed with the two business owners who moved through the medical marijuana guidelines despite all of the challenges that had been presented.

Councilor Menke advised that overall, she was pleased with how the medical marijuana sales had been implemented. She noted she had not received communication from anyone asking that early sales be banned.

Councilor Jeffries disagreed with his fellow Councilors. He agreed that the medical marijuana sales are functioning well; however, once recreational sales begin, the door will never close. He added that the City was getting ahead of itself in terms of federal and state law. The state of Oregon is not yet ready to regulate recreational sales.

Mayor Olson thanked Councilor Jeffries for his thoughtful points and agreed that the state is not yet ready to address the recreational sales regulations. However, he felt that if the City were to ban early sales of recreational marijuana, it would only be "kicking the can down the road" and it would only be a matter of time before that City had to readdress the matter.

Mayor Olson asked City Attorney Haines to read the ordinance by title only.

City Attorney Haines read by title only Ordinance No. 4993 declaring a ban on the sale of recreational marijuana by medical marijuana dispensaries, 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. 4993 FAILED by a majority roll-call vote. (AYE: Jeffries - NAY: Drabkin, Hill, Menke, Ruden.) Mayor Olson advised that because the vote failed, early sales of recreational marijuana would be allowed in the City.

2 OLD BUSINESS

2 a REPORT BY THE McMinnville Downtown Association (MDA) ON ITS TRANSIENT LODGING TAX WINE AND CULINARY GRANT: MDA Manager Cassie Sollars and Creative Company President Jennifer Larsen Morrow thanked the City Council for allowing them time to discuss the Taste Mac Wine and Culinary Campaign.

Ms. Morrow presented a PowerPoint program that depicted the manner in which the branding for the campaign came about. She pointed out that when they completed the count of culinary and tasting rooms in McMinnville, they noted that within a 14-block area, there were 34 restaurants, 17 tasting rooms and wineries, and 7 tap rooms and breweries. Thus the brand was born. The print media campaign included advertising in the *Discover Yamhill Valley* publication, and 11 additional publications in magazines and other print materials. The target audience included "foodies and wineaus." She noted that the campaign reviews have been stellar and the goal is simply to encourage people to come to McMinnville so they can see what is offered and so they will want to stay. Sip, taste, stroll, and discover in McMinnville, Oregon's favorite Main Street."

They also created a mobile-friendly website that can be used like an "app" on a smart phone.

Following the presentation and a brief question and answer period, Mayor Olson and each of the Councilors thanked Ms. Sollars and Ms. Larsen Morrow for developing an outstanding brand and marketing tool.

III OLD BUSINESS

III a INTRODUCTORY PRESENTATION TO THE CITY COUNCIL BY UNIDOS - BRIDGING COMMUNITY: Mayor Olson welcomed UNIDOS - Bridging Community representatives Sally Godard and Miriam Corona.

Ms. Godard and Ms. Corona explained that one of UNIDOS' missions is to bridge community by being together and united and to advocate for Latino immigrant families and individuals. They gave a brief PowerPoint presentation that demonstrated the manner and methods the organization uses to spread its message - including education, advocacy, and immigration support. Ms. Corona stated that the organization hosts three to four citizenship classes throughout the year. The members endeavor to enter into

intentional shared relationships to bring both Latino and non-Latino communities together.

Following their presentation, there was extensive discussion and a question and answer period. Each of the Councilors present thanked Ms. Godard and Ms. Corona for the presentation. Ms. Godard and Ms. Corona invited the Mayor and Council to a community dinner of posole to be held on September 25, 2015 at the McMinnville Cooperative Ministries. The purpose of the dinner is to celebrate the Latino and Anglo heritages.

3 b

LIBRARY SUMMER READING SUCCESS!: Library Director Berg and Children's Division Librarian II Becky Pearson thanked the Mayor and Council for the opportunity to discuss the recently completed 2015 Summer Reading Program at the Library. They noted that from the end of May until school re-starts in the fall, the Library was abuzz with 24 different children's programs. The programs included science, technology, engineering, and math (STEM) with emphasis in creating three different programs - the Fem STEM, Science Explorers, and Science Mania. They also put together an Ultimate Reading Challenge and the Teen Volunteer Program. They pointed out that these summer programs help bridge the gap from when students complete the school year in the spring and when they return to school in the fall. As a finale to their presentation, they showed a video which highlighted some of the many bright spots of the summer programs.

The Mayor and City Council thanked Ms. Berg and Ms. Pearson and the balance of the Library staff for the work they do each and every day.

5

RESOLUTION

5 a

AWARDING THE CONTRACT FOR THE STEEL MILL CURED-IN-PLACE-PIPE (CIPP) SEWER LINING PROJECT, PROJECT 2015-9:
Community Development Director Bisset referred to the memorandum in the Council's information packet and noted that the following single bid for the cured-in-place-pipe project had been received in a timely manner:

<u>BIDDER</u>	<u>BID AMOUNT</u>
Michels Corporation	\$62,169.00

The bid was checked for completeness and it was noted that the bidder had completed all items in a complete and proper manner. The bid should be considered the lowest responsible bid for the project.

Councilor Drabkin MOVED to adopt Resolution No. 2015-42 awarding the contract for the Steel Mill Cured-In-Place-Pipe (CIPP) sewer lining project, Project 2015-9; SECONDED by Councilor Ruden. Motion PASSED unanimously.

6

ADVICE / INFORMATION ITEMS

6 a and b

COUNCIL AND DEPARTMENT REPORTS: Each Councilor and Department Head present gave a brief report.

7

ADJOURNMENT: Mayor Olson adjourned the meeting at 8:47 p.m.

Rose A. Lorenzen, Recording Secretary