

CITY OF McMINNVILLE
MINUTES OF DINNER MEETING
of the McMinnville City Council
Held at the Kent L. Taylor Civic Hall on Gormley Plaza
McMinnville, Oregon

Tuesday, July 25, 2017 at 6:00 p.m.

Presiding: Scott A. Hill, Mayor

Recording: Melissa Grace, City Recorder

Councilors:	<u>Present</u>	<u>Excused Absence</u>
	Remy Drabkin	Kevin Jeffries
	Adam Garvin	Alan Ruden
	Kellie Menke, Council President	
	Wendy Stassens	

Also present were City Manager Jeff Towery, City Attorney David Koch, Fire Chief Rich Leipfert, Community Development Director Mike Bisset, and members of the news media, Tom Henderson of the *News Register*, and Dave Adams of KLYC radio.

DINNER

CALL TO ORDER: Mayor Hill called the Dinner Meeting to order at 6:25 p.m. and welcomed all in attendance.

DISCUSSION:

Mayor Hill asked for a volunteer to lead the Pledge of Allegiance and Councilor Drabkin volunteered.

Mayor Hill reviewed the agenda for the evening.

Community Development Director reviewed the two resolutions on the agenda.

It was noted that Councilor Jeffries would like a resolution against the use of the Riverbend Landfill by the City.

ADJOURNMENT: The Dinner Meeting was adjourned at 6:43p.m.

s/s Melissa Grace
Melissa Grace, City Recorder

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, July 25, 2017, at 7:00 p.m.

Presiding: Scott A. Hill, Mayor

Recording: Melissa Grace, City Recorder

Councilors:	<u>Present</u>	<u>Excused Absence</u>
	Remy Drabkin	Kevin Jeffries
	Adam Garvin	Alan Ruden
	Kellie Menke, Council President	
	Wendy Stassens	

Also present were City Manager Jeff Towery, City Attorney David Koch, Community Development Director Mike Bisset, Police Chief Matt Scales, Fire Chief Rich Leipfert, Planning Director Heather Richards, Parks and Recreation Director Susan Muir, Library Director Jenny Berg, Information Systems Director Scott Burke, and members of the news media, Tom Henderson of the *News Register*, and Dave Adams of KLYC radio.

AGENDA ITEM

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

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

3. PRESENTATION

a. Citizen and Employee Recognition

Fire Chief Leipfert noted that a variety of people were being recognized for an event that occurred on June 2. A group of students were participating in soccer practice at the High School. One of the teammates collapsed and the coach started CPR along with a few other bystanders. Another person called 911 and dispatch sent out units to the call. The patient was transported to the hospital and the patient survived and was

now home. Advanced life support measures were taken warranting official recognition. He recognized the civilians who helped, Dr. Topping, Jory Shene, Nicole Boyer, Josh Eitzen and Fausto Gomez. He presented them with the Lifesaving Award. This was an award for actions that were directly responsible for saving a life.

Police Chief Scales called Officer Justin Zemlicka forward. He explained that three minutes after the call, Officer Zemlicka arrived on scene. He utilized the defibrillator from his patrol car to shock the patient and restarted his heart. Because of his quick, decisive actions this person's life was saved. He presented Officer Zemlicka with the Lifesaving Award.

Fire Department members who were involved in the incident were recognized next. They were Lieutenant Amy Hanifan, Firefighter Lucas Slavens, Firefighter Dan Sparrow, Firefighter Dave Barsotti, Firefighter Chris Carnett, Lieutenant Daniel Cummins, and Battalion Chief Luke Loomis. They were awarded the Unit Combination Ribbon for performing services in a highly commendable manner.

Emergency Medical Dispatcher Stephanie Jensrud, and Communications Supervisor Chris Featherston were presented with a Fire Department Chain of Survival Coin. This was for individuals involved in successful resuscitation of cardiac arrest victims. Communications Trainer Lindy Labunski, Josh Tyson, who made the 911 call, and the family of the patient, were also recognized.

4. INVITATION TO CITIZENS FOR PUBLIC COMMENT: Mayor Hill invited the public to comment.

It was noted that there would be a five-minute limit per speaker.

Rebecca Quandt, Executive Director of the McMinnville Downtown Association, stated that the MDA was not attacking or criminalizing homelessness. She noted the following concerns: unsanitary conditions, urban blight, graffiti, skateboarding and biking on sidewalks, public defecation and urination, public use of illegal drugs, verbal and physical harassment and intimidation, public nudity, camping in public spaces, vandalism, trespassing, public safety, littering, disrespect for public spaces, condoms and syringes in public places, and overtaking of public right-of-ways by either sleeping or obstructing wheelchair access on sidewalks. They wanted to approach this issue as a partnership with the City.

Sylla McClellan was representing the Downtown Association and herself as a business and property owner. She noted that 3rd Street Books was currently running a program called Where's Waldo. Participating

businesses on Third Street got a Waldo to hide in their store for customers to find. This was an annual program and it was the sixth year of the program. This was the first year she had people who were reluctant to participate and did not want their kids to walk around Third Street alone due to safety concerns. A few weeks ago she had an employee at another business she owned, Yamhill Valley Dry Goods, that was harassed in the store. She had been asked by locals and tourists about what was being done to address the issue. The back of her building smelled of urine and multiple washings with bleach was not making a difference. Some of her employees were uncomfortable walking to their cars in the evenings after work. When she parked by City Hall, she was often asked for money, sometimes in an aggressive manner. She no longer parked there to avoid the interactions. They had all worked hard to create a wonderful, vibrant downtown corridor. These behaviors needed to be addressed.

Patrick Vala, owner of Tommy's Bikes and member of the Downtown Association, stated that he had owned the bicycle shop for 39 years. He noted that in the past two years he had physically put himself between drunken, belligerent, and panhandling men and women and his customers. His daughter was verbally harassed and threatened when handing out candy this past Halloween. Something needed to be done to protect their co-workers, friends, and livelihoods. The business owners could use some help. He suggested a police officer to walk 3rd Street on a regular beat. He noted that in Houston, Texas they had a no smoking ordinance downtown. If they did not want to do something like that, he suggested designating the covered benches as City parks that would be subject to park ordinances where no smoking and no camping were allowed. They needed to deal with the threatening and unacceptable behaviors now.

Ms. Quandt noted that many Oregon cities had ordinances such as no overnight camping, no smoking ordinance downtown, panhandling ordinance, etc. She thought they should look at what other cities were doing and what had worked and had not worked for them. She suggested looking into a loitering ordinance, no overnight camping within 1,000 feet of where children congregated, code violations for rubbish or blight, no smoking ordinance downtown, expansion of the exclusionary zone, panhandling ordinance, and disorderly conduct ordinance. She also asked for increased police presence downtown. The Park Rangers were a help, but they did not have the ability to cite or arrest for any illegal behaviors. She asked for a task force to be established to research ordinance possibilities and to educate the public on the legalities behind the City's ordinances. She also asked that the Council establish a work plan and timeframe to address these concerns. She would like any roadblocks to be

shared and to keep the public informed of the progress and decisions. They were the Council's champion, and were asking to be given something to champion.

Councilor Drabkin shared her concerns about creating ordinances that targeted a micro population like the homeless. There was a meeting last year where these safety concerns were brought up. At that time a number of recommendations were provided by the Police Department. In addition to the Park Ranger program, they suggested increasing natural surveillance and using better lighting, landscaping, and walkways. The Park Ranger program was increased to address First, Second, and Third Streets. MDA could help fund that program. She also noted that Officer Heidt had been assigned to the downtown areas where people were congregating. She thought that some of the work that was being done was not being acknowledged. The Council was working on establishing a task force to deal with these public safety concerns. The City had been working very diligently on reducing homelessness in McMinnville. The homeless numbers per the 2017 Yamhill Count Point had gone down approximately 10% over the last year. She added that homelessness was more visible in the spring and summer.

Mayor Hill noted that the Council and City was listening and this was a partnership.

Jason Willoughby, representing pastors in McMinnville and Creekside Community Church, was an MDA member and had an office across the street from the bike shop. He noted that there were a lot of new leaders in the community and some of the progress that had been made did not make it through the transition. When the merchants met with the Police Department, they asked for a list of things that were constitutionally protected behaviors and things not to call the police about. He thought that list should be publicized again. Also the community was lacking a point person who was leading this effort. He noted that communication was critical. It would have been nice to have a heads up that the parking garage was going to be cleaned up and to have a plan for where the squatters would go. They could also eliminate certain beverages that combined alcohol and high energy drinks from being sold in the City limits.

Mary Marten, Hillside Manor resident, stated that there seemed to be a division of them versus us mentality. She served the homeless at the First Baptist Church, which was about 65-75 people. There was a criminal element among the homeless, but she did not want to label all homeless. She noted that the minimum wage did not provide enough money for a

place to live. The community needed to find a place where people could find safety and shelter. She asked for a different outlook on the homeless.

Phyllice Bradner, McMinnville resident, stated that she was a co-owner of a business on 3rd Street. She had suffered no financial hardship or disturbances by the homeless. As a resident near the homeless gatherings, it was different. Cars had been broken into, she heard loud fighting and police activity, and things were strewn along the street. There needed to be multiple solutions that worked for the diverse needs of the people on the streets. She described different populations of homeless and provided solutions including low income or fully subsidized housing, a community jobs program, using unoccupied buildings for shelters, and designate a campground for the homeless with bathrooms, showers, and cooking facilities and a designated overseer. They needed to keep all citizens safe and to remember these were members of the community and should be treated with compassion.

Caleb Livka, GM of the Oaks, stated that terming these as nuisance behaviors was disingenuous. The behaviors were more than nuisances, especially late at night. Also they needed to recognize that comorbidity was rampant in the homeless population.

Linda Hays, owner of Hopscotch Toys, noted that the neighborhood had changed a lot in the last 10 years. The churches in the area had made a huge effort to provide outreach and services to the most at risk people in the community and she was in full support of their work. She was currently converting some of the upper units in her building to rental accommodations and the outside perception of the vagrancy issue was of concern. She planned to make one unit a low income unit. She shared a story of a homeless couple that she helped by allowing them to pitch a tent behind her property. They were there while they waited for transitional housing to become available and were eventually placed in shelters. They believed the free meals were a disservice because they allowed people not to be desperate and do what needed to be done to better their situation. She thought that was probably true for some, but not for others. She was looking for solutions that addressed the needs of the individuals as the blanket support for the homeless as a population was contributing to the problem. The concept of ordinances seemed like a tidy cleanup, but when you talked to those on the streets some were in town because they were charged with petty crimes and had to stay for court dates. They needed to figure out how to get them through the court system faster. She gave a story of her sister who with mental health issues compounded with drug abuse led her to a life on the streets. Another thing to be addressed was the

predatory individuals that hung around encampments. She didn't feel threatened but was concerned about the harm homeless people perpetuated on each other. She would like to see these folks get the help that they needed individually. Many homeless were traumatized and continued to traumatize each other. The visual impact of the vagrant population and the perception of danger that they represented to families and seniors that supported her business had a negative impact to her staying in business.

Rick Weidner, soon to be McMinnville resident, stated that from an outsider's perspective Third Street was unique with its development as a sense of place. He visited Third Street two years ago and bought a piece of land there that was being developed. He had been a volunteer with the Salvation Army for 35 years and had more recently helped those who had been on the street or had been convicted felons. He thought the word homeless was derogatory to those who were in temporary need of help. Downtown McMinnville was fragile and tourism was important to creating jobs as jobs were what kept the community vibrant. He did not think giving everyone a home was the solution. He thought temporary facilities that required clean and sober behavior was the better solution. He was willing to help as he was retiring to McMinnville.

Anthony Bell, McMinnville resident, wanted to introduce the idea that there were services that were essential to the homeless. One of those was sanitation. They needed to provide sanitation services for homeless. He suggested that the City provide port-o-potties scattered throughout the City. He had been hosting two homeless people for about a year.

Joan Drabkin, McMinnville resident, brought an article from the *Oregonian* regarding homelessness and the business community working together with City government to shelter them on a temporary basis with unoccupied buildings. She stated that the City of Portland was partnering with local business owners to help solve the homeless problem. The City of Portland was also hiring homeless to clean up the business corridors. They could team up with a social service agency or business owners or find money in the budget to create a similar program in McMinnville. Dealing with mental health and addictions would require a different solution. Those who allowed their unoccupied buildings to be used for shelters could receive development waivers when it came time to redevelop the building in exchange for the use of their buildings. It stabilized people when they had a shelter.

Mark Riche, McMinnville resident, stated he started a petition three years ago to ban fortified liquor in downtown McMinnville and it still had not been done. He had also come to the Council regarding the homeless issue

and how they needed a place to be. Homelessness must be treated constitutionally. They could not be told where to go, how to go, and what time to go there. They could give them a place to be and set up a permanent homeless camp with 100 beds and move them from downtown. Once they had a place with showers and beds and a place to cook, he thought they would be willing to stay there. They must be treated like human beings.

Renee Carr, McMinnville resident, stated she had worked for 25 years with WIC, DHS, Oregon Food Bank, SNAP, and the Salvation Army. She was a cheerleader to encourage the Council to continue having open dialogue on this issue. She delivered a letter to Mayor Hill and Council President Menke as well as the Yamhill County Commission.

McMinnville was known for its efforts to help the homeless. She tried to visit the Farmers Market and was not able to go because she was harassed. The County Commissioners and the City needed to work together to find solutions to this situation. She asked to keep the dialogue open and let citizens know how they could help.

Amanda Pewonka, McMinnville resident, was a new business owner, the owner of the Blue Quail. A few weeks ago some boys came into her store and threw a product across the room and ran out laughing. They were not homeless. She thought a police presence on the street would be beneficial. This was not just a homeless problem downtown.

Michael Lee stated that he was in between housing at the moment and was homeless. He knew from experience that people could change if they wanted to as he was 18 years clean. He had been in contact with several churches regarding ideas on how to get rid of negative situations. He was fighting for a better place for the people around him. He noted that he had to move his car away from downtown because he was being victimized for sharing information with police. He also donated his time to various organizations. He was trying to show how someone from the streets could try to be a better person. If they wanted to know what it was like, then they should join the homeless on the streets for a time.

Gerry Hunter, McMinnville resident, owned Third Street Pizza and stated that he was concerned with his daughter walking a few streets between his home and business. While the homeless might not be the root cause of the problems, their gathering places were the center of the behaviors that were the issue. He had tried to help many of these individuals gain an understanding of acceptable public behaviors in his business. He had been vandalized many times in return. He did not want to have to be an intimidator or enforcer to protect his employees. He had not seen Officer

Heidt walking downtown. He thought that a downtown police presence would be beneficial. He was in full support of a no-smoking ordinance.

Erin Hunter, McMinnville resident, stated that young people should not be growing up in fear of their own streets. She had been verbally harassed and the portion of the population that was troublesome had a negative effect on the younger people of this community. The situation needed to be corrected immediately while still lending a compassionate hand to those who needed it. These people needed individual help and could not be swept under the rug by being given a place to hang out and talk about their problems instead of fixing them.

Israel Sanchez was homeless and had been homeless for seven years. He had been volunteering to help the homeless at the First Baptist Church. He also cleaned the church and he treated everyone the same there. They needed to find ways to help people think differently and to understand that they could get better and could get a job and a place to live. There was a solution and we needed to work together. He was trying to be a role model to the people he was helping. He asked for more help from the community. He stated that there were more people in McMinnville than there was housing for. He asked for the community to show love.

Scott Cunningham, owner of Community Plate and president of the McMinnville Downtown Association (MDA), stated that the Park Ranger program was a partnership between the City and the MDA. The MDA had contributed thousands of dollars to help support the program including \$6,000 this year. He noted that he had seen a roll-back of Park Ranger services even though they were still paying their share. The business community was supported by the citizens and visitors. In return, the businesses gave back to the community including Community Plate. They were committed to creating a vibrant downtown. He was asking for a plan to deal with the safety issues. The plan needed to include ways to raise more funds to give the police and fire departments the support they needed. There also needed to be a cap on VRBOs to help with more housing for community needs.

Councilor Drabkin had been told the \$6,000 from the MDA had not been received for FY16-17. The Council had tried to communicate about this issue. They held a Work Session on their action plan and timeframe on affordable housing and homelessness and only one person came. They were working on these things diligently and wisely. They were working with the County and working on finding additional revenue sources to increase police staffing. In 2016, there were 1,200 homeless in McMinnville and in 2017 that number had been reduced to 1,000.

Mr. Cunningham stated that he was concerned about safety and the roadblocks to doing business. He was asking for solutions from Council for the roadblocks.

Laura Van Houte was one of the homeless due to decisions her husband had made. She was working with services and it took time. The shelter was only open two nights per week. The places where people were camping were deemed illegal and they had come downtown. It was scary being downtown as a single woman. If there was a place for them to be then there wouldn't be a need for additional policing. It was not just homeless who were drinking downtown and being rude. She was asking for a place to stay until she was able to get housing.

Howie Harkaman, McMinnville resident, was an advocate for the homeless. He thanked Council for the interaction and explained that there were many different types of solutions and that it took the whole community to rally together to make them happen. They all wanted a peaceful environment to live, play, and work. Every sizable town and city across the US was dealing with this issue. Oregon was not supporting the homeless population as there was a lack of sheltering programs in the state. Everyone needed to come together with the State, County, and City to find solutions that would work. Division would not allow this to happen. There were many factions within the homeless population and all needed to be addressed.

Will Rogers, McMinnville resident, noted that in 2002 they had the same issues as they did in 2017.

Roselyn Stone had an office across from Red Fox Bakery. She agreed this had been an issue for a long time and every time they would get close to solutions there would be a roadblock. She had been interviewing people and getting their stories. She encouraged them not to harden themselves. She thought there should be a plan. They needed to have courage and help make a difference. She provided a handout for the Council that had some of the stories she compiled.

Brenda Flanders, McMinnville resident, stated that people should be able to enjoy their businesses and homes and there should be a certain level of respect for one another. She was concerned about the poor behaviors that affected her sense of safety and quality of life. They had fixed up their house and raised their children there. She and her family had worked with the homeless and different social programs. People had parked their cars in front of her house and camped in their cars for ten days at a time. They did drug deals out of their car. She had found needles in the grass. She was

awakened in the middle of the night with fighting and foul language. This was a multi-faceted problem and she appreciated the help provided by the church. This was a much bigger problem than the church could handle. If this problem went away from Third Street where commerce happened, it was still in the community and people would still be affected.

Laurie, Yamhill County resident, volunteered for the Saturday morning breakfast at the co-op. She worked in disability services. One of the best reinforcers for behaviors was positive reinforcement. Creating ordinances and regulations and increased police presence was not the way to go about it. She spent three weeks living with the homeless population to see what was going on. A lot of the issues the business community were facing were not coming from the homeless living on the streets. They needed to provide opportunities for them to rise to whatever level they were capable of. It would make a huge difference for businesses on Third Street. The issue was organization. There were a lot of opportunities to get involved and they needed to connect those opportunities with the people who cared. She suggested that the City create a social media forum to provide information about meetings, ways to help, and how to get involved.

Mayor Hill thanked the audience for coming out and speaking. He shared that there were several committees that had brought more players to the plate that would get to the root of the problems. He noted that the City would need to be careful about separating behavior and homelessness. The Council had been involved in many community organizations and in giving back to the community. There was no all-in-one solution. It was an individual approach and he was confident they would solve this. There had been a lot of learning from listening. The Council tried to be transparent and communicate. By the end of the year Yamhill County Rescue Gospel Mission would have 70 beds. The Mayor listed the areas the Council was working on with partners to address the issues. They would continue the process and try to communicate more with the public about what was being done.

There was a ten minute recess that began at 9:20 pm. The meeting was reconvened at 9:31 p.m.

5. CONSENT AGENDA

- 5.a. Consider request from Allegory Brewing for a Brewery Public House license at 777 NE 4th Street.

Council President Menke MOVED to adopt the consent agenda;
SECONDED by Councilor Drabkin. Motion PASSED unanimously.

6. RESOLUTIONS

- 6.a. **Resolution No. 2017-54:** A Resolution awarding the Personal Services Contract for design services for the Old Sheridan Road Improvements Project, Project 2017-6.

Community Development Director Bisset said staff recommended awarding the contract to Harper Houf Peterson Righellis in the amount of \$284,120.

Councilor Stassens MOVED to adopt Resolution No. 2017-54 awarding the Personal Services Contract for design services for the Old Sheridan Road Improvements Project, Project 2017-6; SECONDED by Council President Menke. Motion PASSED unanimously.

- 6.b. **Resolution No. 2017-55:** A Resolution approving the acquisition of property for the Hill Road transportation bond project.

Community Development Director Bisset noted that the proposed properties needed to be purchased for the Hill Road project. It would be five parcels totaling \$43,650 plus closing and escrow costs.

Councilor Garvin MOVED to adopt Resolution No. 2017-55 approving the acquisition of property for the Hill Road transportation bond project; SECONDED by Council President Menke. Motion PASSED unanimously.

7. ORDINANCE

- 7.a. First reading with possible second reading of **Ordinance No. 5033:** An Ordinance amending Ordinance 4904, relating to the Solid Waste Collection Franchise.

City Attorney Koch said this item would be considered at the next Council meeting.

8. ADVICE/ INFORMATION ITEMS

- 8.a. Reports from Councilors on Committee and Board Assignments

Councilor Garvin said at the August YCOM meeting they should have all of the numbers for the new system.

Council President Menke announced Visit McMinnville would be launching a feasibility study.

Councilor Drabkin stated that the Affordable Housing Task Force would meet tomorrow at the Community Development Center at 10 a.m. Mayor Hill said MEDP moved into the Community Development office last week. He had attended a Greeters Open House. He noted that the legislative session produced a \$21 million award for Phase 2 of the Bypass. There was still \$90 million needed for right-of-way acquisition and design work.

8.b. Department Head Reports

Police Chief Scales announced the National Night Out on August 1.

Planning Director Richards reminded Council that a design charrette was being hosted at Evergreen on Saturday. The Wayfinding Committee Public Forum would be held on Thursday.

8.c. Cash Investment Report

9. ADJOURNMENT: Mayor Hill adjourned the Regular City Council Meeting at 9:39 p.m.

s/s Melissa Grace

Melissa Grace, City Recorder