

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, September 12, 2017 at 6:00 p.m.

Presiding: Scott Hill, Mayor

Recording Secretary: Erica Thomas

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

Also present were City Manager Jeff Towery, City Attorney David Koch, Planning Director Heather Richards, and Associate Planner Chuck Darnell.

DINNER

CALL TO ORDER: Mayor Hill called the Dinner Meeting to order at 6:13 p.m. and welcomed all in attendance.

DISCUSSION:

Mayor Hill asked for a volunteer to lead the Pledge of Allegiance and Council President Menke volunteered.

The agenda for the regular meeting was reviewed.

City Attorney Koch noted that he has been in touch with Winco as they have been non-complaint with the Bag Restriction Ordinance for seven days. Discussion ensued regarding the Bag Restriction Ordinance.

Council President Menke mentioned that there are many vacation rentals in her ward and many complaints have been coming in. Discussion ensued regarding vacation rentals and if there is a sunset clause for the vacation home rentals. Planning Director Richards stated that the Planning Commission will discuss further.

The McMinnville Economic Development Partnership (MEDP) bylaws were discussed. It was noted that Planning Director Richards is on the MEDP board. Executive Director Jody Christensen and Ms. Richards discussed the process of reviewing the bylaws. Discussion ensued regarding funding entities. Ms. Christensen noted that the MEDP will act more formally.

Associate Planner Darnell provided a status update on the sign amortization project. He discussed the types of properties impacted and reviewed noncompliant signs. He provided some options for moving forward to the Council.

ADJOURNMENT: The Dinner Meeting adjourned at 7:01 p.m.

s/s Erica Thomas
Erica Thomas, 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 12, 2017, at 7:00 p.m.

Presiding: Scott Hill, Mayor

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

Also present were City Manager Jeff Towery, City Attorney David Koch, Planning Director Heather Richards, Associate Planner Chuck Darnell, Parks and Recreation Director Susan Muir, Information Systems Director Scott Burke, and Captain Rhonda Sandoval.

AGENDA ITEM

1. CALL TO ORDER: Mayor Hill called the meeting to order at 7:04 p.m. and welcomed all in attendance.
2. PLEDGE OF ALLEGIANCE: Council President Menke led the Pledge of Allegiance.
3. PROCLAMATION
- 3.a. McMinnville MADE Day in conjunction with the National Manufacturing

Mayor Hill proclaimed October 6, 2017 as MADE DAY in conjunction with the National Manufacturing Day. Mayor Hill presented the proclamation to Jody Christensen, Executive Director of the McMinnville Economic Development Partnership.

4. PRESENTATION
- 4.a. McMinnville Industrial Promotions (MIP)

Doug Hurl, President of McMinnville Industrial Promotions provided a brief background of MIP. He noted that they have received numerous questions regarding the sign ordinance. Mr. Hurl added that all of the companies they lease space to have signs that meet the standards of the

current sign ordinance. He stated that he believes a sign ordinance is the right thing to do and they are looking for a balance.

Tom Tankersley, MIP Attorney, explained that they would like to see a sign ordinance that works better for everyone. He asked that the Council consider some refinements to the ordinance in order to achieve more balance between the legitimate concerns of businesses and citizens.

Mr. Tankersley provided examples of the costs to a couple local companies if they were to bring their signs into compliance with the current sign ordinance. He discussed a proposed change to the sign ordinance that would allow non-conforming signs that were in compliance prior to the ordinance to stay until the owner made a significant change. He also asked that Council consider new variance language that specifically speaks to signs.

Council President Menke provided a history of the sign ordinance noting that the ordinance has been in place for many years, public hearings were held before the ordinance was adopted and there was an amortization program for businesses to come into compliance. She expressed her puzzlement for this just now being presented as an issue.

Councilor Garvin stated that he felt it would be advantageous to see some signs allowed a variance or grandfathered into the program as the cost to the business owners may be burdensome. He also noted that he would like to see enforcement of the sign ordinance and businesses have had several years to come into compliance.

Councilor Jeffries agreed with Council President Menke and Councilor Garvin and stated that he feels the spirit of the ordinance has not been met. He noted that nothing has changed and he would like to see signs come into compliance and he is willing to be flexible. He stated that it is a good time to be strict with the ordinance.

Councilor Ruden shared that he hoped that they could reach common ground. He added that he was in favor in looking at the sign ordinance again.

Councilor Stassens commented that she was on the Planning Commission when the sign ordinance was being put together and explained it was a very thoughtful process. She stated that she is favor gathering feedback to look at the implementation aspect.

Planning Director Richards recommended a year timeframe to give the appropriate response needed to look at sign ordinance revisions.

Discussion ensued regarding extending the amortization deadlines for compliance and evaluating the sign ordinance.

Planning Director Richards stated that the Planning Department will look at a couple options and bring recommendations back up for discussion at a future Council Meeting.

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

Mark Davis, 652 SE Washington Street, stated that all of the issues raised by MIP have been discussed thoroughly nine and ten years ago through a public process. He expressed his frustration to wait another twelve months to consider revisions to the ordinance. Mr. Davis stated that the need for signs is not as great as it used to be. He also expressed concern for the impact it will have on the Planning Commission and the Planning Department to go through a lengthy process of revisiting the sign ordinance. He mentioned that the City is going to stop growing if the Urban Growth Boundary is not expanded. He felt that the Planning Commission and Planning Department should be focused on the list of things necessary for growth and not rehashing conversations regarding what the community wants signs to look like. Mr. Davis added that the signs that are out of compliance are ugly and are the visual equivalent of yelling in public. He stated that it is time to enforce what was put in place years ago.

Shawn Rollins, McMinnville Citizen and Business Owner, asked Council why they are making things hard on business owners. He asked Council to not enforce signs that predate the sign ordinance. Mr. Rollins shared that he feels the City is trying to be like Lake Oswego and trying to change too much. He noted that he is a worker who was born and raised in McMinnville and wants to stay in the community where he grew up. He commented that many of the people that want this change are not from McMinnville but chose to move here. He stated that many of the signs were compliant and then the rules changed and are changing again. He felt that it was ridiculous. He stated that Council should not expect business owners to pay for their signs to be fixed in order to come into compliance and that if Council wants them to change their signs then the City should pay for it.

Mariann Deering, Commercial Property Manager representing McMinnville Plaza mentioned that the Plaza has been losing customers. Ms. Deering noted that they are in negotiations with a big national tenant and that signage is important to acquiring new tenants. She said that the number one thing that tenants ask for is “how much signage do we have?” She stated that she would like to see that new signs and new tenants

should have to comply with the sign ordinance but existing signs would not unless something happened to them. She explained that it is difficult to get national clients to come to smaller towns like McMinnville. She asked that there is a 12-month extension and noted that they will be more involved.

Julie VanDyke White, 835 SW Blaine, stated that she has been in her house for 30 years and worked very hard on it. She noted that the neighborhood has fallen to drugs and prostitution. She stated drug deals are constantly going down and in the last two weeks she has been threatened and nearly run down. She stated that she does not want to be run out of her neighborhood. She believes that the trouble is coming out of the rentals. She commented on problems with vehicles parked on the street and that it looks cluttered.

Mayor Hill asked that Code Enforcement get in touch with Ms. VanDyke White.

Orion Wise, Property Manager of McMinnville Town Center, stated that they and their tenants are impacted by the sign ordinance. He commended Chuck Darnell for his friendly assistance. He noted that sign ordinance can be problematic for landlords as their leases obligate a certain amount of signage to the tenants. He explained that it can be difficult to attract a new business or taking down signage for existing businesses. He asked that the City take some of the recommendations from earlier in the meeting.

6.

CONSENT AGENDA

- a. Consider the Minutes of the June 13th, 2017, July 11th, 2017, August 8th, 2017, and August 22nd, 2017 Dinner and Regular City Council Meetings.
- b. Consider OLCC Liquor License application for a Winery located at 2803 NE Orchard Avenue (King's North Winery).
- c. Consider OLCC Liquor License application for off-premises sales related to a Change of Ownership for Paradise Circle K.

Councilor Ruden MOVED to adopt the consent agenda; SECONDED by Councilor Stassens. Motion PASSED unanimously.

7.

RESOLUTION

7.a.

Resolution No. 2017-61: A Resolution approving system development charge exemptions and reduced building and planning permitting fees in excess of \$75,000 for a 16-unit affordable housing project at 1944 NE Baker Street. The total SDC exemptions and permit reductions is \$104,304.25.

Planning Director Richards explained that Resolution No. 2017-61 would allow for a development fee exemption for an affordable housing project at 1944 NE Baker Street in the amount of \$104,304.25. She noted that in the Fall of 2016 Council approved an Ordinance that exempts qualifying affordable housing projects from system development charges. There was a threshold included of \$75,000 annually and that anything over that amount would come to the City Council for decision making. Ms. Richards reviewed qualifications for affordable housing. She explained that the project is a 16-unit apartment complex being built by TDJC LLC, a local developer, and the tenant will be Yamhill County Health and Human Services. They will be providing housing for individuals managing significant mental health issues and maintaining a household income of 50% or less of area median income (AMI). She noted at there will be an on-site manager and that the tenants will be income-certified by the Housing Authority of Yamhill County. The project is exempt from property taxes as it is a county project funded with public funds and projects exempt from property taxes need to demonstrate how the incentives are passed on to the end user.

Ms. Richards noted that building permit levels are trending down. Ms. Richards continued by reviewing the estimated impact to City Programs as follows (based on 65 units):

Permit Fees

Building	\$4,793.55
Planning	\$527.50
Total Permit Fees Forgone	\$5,341.05

System Development Charges

Transportation Fund	\$19,175.20
Wastewater Fund	\$33,888.00
Parks Fund	\$45,920.00
Total SDCs Foregone	\$104,304.25

She commented that she notified the Department Directors that would be impacted by this and that Community Development Director Mike Bisset felt that the Wastewater Fund was in a good place to handle the impact. Parks and Recreation Director Susan Muir shared with Ms. Richards that she has some concerns.

Discussion ensued regarding exemptions for additional projects. Planning Director Richards explained that Habitat for Humanity also has three projects they are getting ready to pull permits on.

Ms. Richards reviewed the options for City Council.

Council expressed their concerns with going over the \$75,000 limit as well as giving the entire amount to one project. They noted they would like to see what alternatives are available.

Councilor Ruden felt that this is a very worthy affordable housing project.

Mayor Hill reiterated that Council wants affordable housing.

Planning Director Richards stated that she will do some additional research and analysis and come back to Council with more information at a future City Council Meeting.

8. ORDINANCE

- 8.a. First reading with possible second reading of **Ordinance No. 5036**: An Ordinance approving a zone change from R-1 (single-family residential) to R-4 (multiple-family residential) on approximately 0.22 acres of land and a planned development amendment to expand an existing Planned Development Overlay to encompass two parcels for a total of 1.11 acres of land.

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

City Attorney Koch read by title only Ordinance No. 5036.

Associate Planner Chuck Darnell explained that the request is for a zone change and an amendment to an existing planned development for a property located at 1730 SW 2nd Street. He noted that it is very close to the intersection of Cypress and SW 2nd Street. The zone change is for the northern parcel and the planned development amendments are for both parcels. He displayed a map showing the current zoning.

Mr. Darnell provided the background on the existing planned development noting that Ordinance 4097 adopted in 1980 rezoned the southern parcel to R-4 and adopted the planned development overlay which required no more than five dwelling units based on sewer capacity at the time and included requirements for infrastructure improvements and easements.

Mr. Darnell reviewed the zone change review criteria as outlined in the McMinnville Municipal Code Section 17.74.020 and the planned

development review criteria as outlined in the McMinnville Municipal Code Section 17.74.070. He discussed the findings of fact and findings for approval. He noted that the property is unique size lot and that there are no sewer capacity issues.

Council expressed their liking of the infill project.

Discussion ensued regarding concerns heard by the Planning Commission, parking, livability and accessibility for emergency vehicles.

Council President Menke MOVED to pass Ordinance No. 5036 to a second reading; SECONDED by Councilor Ruden. Motion PASSED unanimously.

City Attorney Koch read by title only for a second time Ordinance No. 5036.

Councilor Garvin MOVED to approve Ordinance No. 5036 approving a zone change from R-1 (single-family residential) to R-4 (multiple-family residential) on approximately 0.22 acres of land and a planned development amendment to expand an existing Planned Development Overlay to encompass two parcels for a total of 1.11 acres of land; SECONDED by Council President Menke Ordinance No. 5036 PASSED by a unanimous roll-call vote.

- 8.b. First reading with possible second reading of **Ordinance No. 5037**: An Ordinance approving text amendments to Chapter X, citizen involvement and plan amendment, of the McMinnville Comprehensive Plan.

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

City Attorney Koch read by title only Ordinance No. 5037.

Planning Director Richards stated that the ordinance amends Chapter X by adding a goal, amending three policies, adding four policies and adding two proposals. She stated that it ensures McMinnville is compliant with state law, provides for a more diverse citizen involvement program and requires annual evaluation of the citizen involvement program. Ms. Richards reminded Council that Oregon Land Use Goal #1 is Citizen Involvement and explained that this will be achieved through:

- Appointing a citizen involvement committee.
- Assuring two way communication with citizens.
- Providing the opportunity for citizens to be involved.
- Assuring that technical information is available.
- Citizens will receive a response from policy makers.
- Insuring there is funding for the citizen involvement program.

Ms. Richards stated that the added goal is “To make every effort to engage and include a broad cross section of the community by maintaining an active and open citizen involvement program that is accessible to all members of the community and engages the community during development and implementation of land use policies and codes”.

Ms. Richards continued by sharing that Policies 190.00, 191.00 and 192.00 would be amended to reflect that the Planning Commission serves as the Committee for Citizen Involvement for the City of McMinnville.

The additional four policies include:

193.00 The City of McMinnville shall continue to engage citizens in community advisory positions for input on the major elements of the comprehensive plan by creating special advisory bodies and ad-hoc committees comprised of volunteers representing a broad cross-section of the community to provide input on every major comprehensive planning effort and other related land use planning matters.

194.00 The City of McMinnville shall strive to include youth members on City Committees involved in land use planning, and work with the McMinnville School District, local private schools and service groups to encourage youth involvement in land use planning activities.

195.00 The City of McMinnville shall assure that technical information is available to citizens in an understandable form and when needed provide translations of information to non-English speaking members of the community.

196.00 The City of McMinnville shall allocate adequate human, financial and informational resources for the citizen involvement program.

Ms. Richards shared the two proposals to be added as follows:

40.00 Periodically evaluate the City’s Citizen Involvement Program and make adjustments as needed to improved its effectiveness.

41. 00 Have the Committee for Citizen Involvement report at least annually to the City Council to evaluate the effectiveness of the City’s citizen involvement efforts.

Ms. Richards shared the recommendation for the Project Advisory Committee:

There would be a Citizen Advisory Committee made up of a liaison from impacted commissions/ committees, families, accessibility community members, youth representatives, retirees, singles, partners (Chamber of Commerce, McMinnville Economic Development Partnership, McMinnville Downtown Association, McMinnville School District, Friends of Yamhill County), and community demographics would be represented. The Technical Advisory Committee would be made up of staff experts, partner agency experts and regional experts.

Discussion ensued regarding ADA compliance and a future transition effort.

Councilor Ruden MOVED to pass Ordinance No. 5037 to a second reading; SECONDED by Council President Menke. Motion PASSED unanimously.

City Attorney Koch read by title only for a second time Ordinance No. 5037.

Council President Menke MOVED to approve Ordinance No. 5037 approving text amendments to Chapter X, citizen involvement and plan amendment, of the McMinnville Comprehensive Plan; SECONDED by Councilor Stassens. Ordinance No. 5037 PASSED by a unanimous roll-call vote.

9. ADVICE/ INFORMATION ITEMS

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

Council President Menke mentioned there was a Affordable Housing Task Force Homeless subcommittee meeting and that things are coming together.

Councilor Stassens stated that there was a McMinnville Urban Advisory Committee meeting and that the parking study presentation will be on September 19th.

Councilor Ruden stated that the Historic Landmarks Committee met recently and he was very impressed with the Committee and the work they are doing.

Mayor Hill shared that the Bypass Celebration would be taking place on Saturday September 23rd. He also noted that he attended City Club with City Manager Towery and shared a State of the City presentation.

9.b.

Department Head Reports

City Manager Towery noted that the City Club event was well attended and there was an opportunity for citizens to ask questions.

Parks and Recreation Director shared that the Community Center administratively adopted a behavior and code of conduct policy. She also mentioned that volunteers from McMinnville 1st Ward helped clean up Discovery Meadows Park and that it has been a 13-year tradition. She thanked the volunteers for their time.

Scott Burke, Information Systems Director stated that things are going well in the Information Systems Department. He shared that Yamhill County will be doing some work to the phone systems that will result in an outage of City phones for approximately 12 hours over the weekend. He noted that arrangements have been made to make sure everything runs smoothly.

Planning Director Richards shared that a Building Inspector, a temporary part-time plumbing inspector and a Building Official have been hired. Ms. Richards highlighted Building Official Bob Poskin's hard work and commitment to the City.

Councilor Ruden commented on Bob Poskin's service to the City and noted that it has been a pleasure to work with him and that he has done a remarkable job.

City Manager Towery shared that the new Public Affairs position in Community Development has been filled. He also stated that the Employee Handbook needs to be updated and that former City Attorney and Interim City Manager Candace Haines is being hired to complete the project.

10.

ADJOURNMENT: Mayor Hill adjourned the Regular City Council Meeting at 9:24 p.m.

s/s Melissa Grace
Melissa Grace, City Recorder