

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, October 10, 2017 at 6:00 p.m.

Presiding: Scott Hill, Mayor

Recording Secretary: Melissa Grace

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, Community Development Director Mike Bisset, Planning Director Heather Richards, and Finance Director Marcia Baragary.

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 Garvin volunteered.

Planning Director Richards stated that the Affordable Housing Task Force recently reviewed the request from the County for the System Development Charge (SDC) exemptions related to Affordable Housing. Habitat for Humanity and Community Homebuilders were present at the meeting and they expressed concerns with all of the monies being used by one entity. County Commissioners voted to reduce their request to \$50,000. The program will be reviewed and brought back for revisions.

The agenda for the regular meeting was reviewed.

Finance Director Baragary noted that in 2014 voters approved \$24 million of general obligation debt with proceeds to be used for transportation projects. She explained that the City has issued

approximately \$16 million in general obligation bonds in April 2015, and that the City is at a point where it is appropriate to issue the remaining bonds.

Community Development Director Bisset discussed the vacation process. He noted that abutting property owners have not agreed to the Edmunston Street vacation. Community Development Director Bisset noted that there were eight responses received in opposition of the vacation. Councilor Jeffries shared that he will be recusing himself from the Edmunston Street vacation agenda item since the applicant is his Uncle.

Discussion ensued regarding Marijuana Tax Collection revenues.

ADJOURNMENT: The Dinner Meeting adjourned at 6:46 p.m.

s/s Melissa Grace
Melissa Grace, 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, October 10, 2017, at 7:00 p.m.

Presiding: Scott Hill, Mayor

Recording Secretary: Melissa Grace

Councilors:	<u>Present</u> Remy Drabkin Adam Garvin Kellie Menke, Council President Kevin Jeffries Alan Ruden Wendy Stassens	<u>Excused Absence</u>
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Also present were City Manager Jeff Towery, City Attorney David Koch, Planning Director Heather Richards, Community Development Director Mike Bisset, Finance Director Marcia Baragary, Parks and Recreation Director Susan Muir, Information Systems Director Scott Burke, and Police Chief Matt Scales.

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 Garvin led the Pledge of Allegiance.

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

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Tim Cross, 1102 SW Russ Lane, displayed a map of the residences surrounding Edmunston. He noted a line of trees that divides the two properties and stated that he has been maintaining the trees surrounding his property as it provides a vegetative wall. He displayed a map of the topography. He shared that trees overhang his property and that they have been trimming the limbs. He noted that if the property was vacated they would have to walk additional 1/3 of a mile to get into town or the library. He felt Mr. Anderson has not shown any injury that needs to be remedied. Mr. Cross also stated that he would incur considerable, immediate and

significant damage immediately as a result of the loss of the ability to maintain the forested natural area.

Mary Cross, 1102 SW Russ Lane, she stated that her house was designed so that it would have a natural screen. She stated the screen of trees are integral to her home and that the value of her home would be significantly diminished if the trees were replaced with a wall. Ms. Cross stated that she has been reassured before they bought and since that time that a vacation could not take place without 2/3 of the adjacent property owners agreeing to a vacation of the right of way. She added that they relied on that information as they have invested a lot of money into their home and property. Ms. Cross felt that if Planning and Zoning knew that there was something special about the property, they had an obligation to tell them. She stated that the right of way serves a definite public good; it gives the neighbors a shortened walk where they do not have to go on a busy street and that it provides a wildlife habitat. Ms. Cross added that she thought the process felt extremely intimidating. She shared that Mr. Anderson came to her home with Councilor Jeffries and that they were unaware that he was coming. She stated that Councilor Jeffries disclosed that he was related to Mr. Anderson by marriage and that she was then told that they should sign papers. She then shared that a mediation took place and she was very uncomfortable when City Attorney Koch and Community Development Director Bisset were present at the mediation. She expressed concern that the process did not feel good and that they were very intimidated and that they felt it was a done deal. She added that it maybe a perception on their part that's unfair but that's what it felt like. She noted that she does respect the City government and employees but wanted to let Council know that the process did not feel good.

Jose Rodriguez, 1116 SW Russ Lane, stated that he and his wife moved to McMinnville four years ago. They found their property which was beautiful and perfect and he stated that it was disclosed to them at that time that the house had been through a vacation process before and that the Council decided against vacation. He said that information was instrumental in their decision to buy the property. He shared that they have invested money into upgrading their home and that he feels that their home will be devalued if a vacation were to take place. He stated that he does not know what Mr. Anderson's intentions are because it has not been disclosed to him. He felt that he has committed himself to the City of McMinnville and that he serves on non-profits and volunteers in the community. He stated that the vacation process has been distasteful and that the City Council has gone through a process before and that the prior decision should be upheld. Mr. Rodriguez stated that he will be impacted if the property is vacated.

Mary Ann Rodriquez, 1116 SW Russ Lane, expressed her opposition to Resolution 2017-66. She stated that she and her husband are adjacent property owners and that they will have substantial loss to their property if the City vacates the property. She described the landscape and natural beauty setting. She expressed her concerns for not knowing what the use would be for the property and she stated that her property would possibly be devalued. She told that Council that as of 2015 it became the City's responsibility to have damages assessed. She said she was guaranteed by the Planning Department and Realtors that the property in question would not be vacated without a 2/3 vote of the adjacent property owners in favor of the vacation. She said that it is a top down approach rather than having the neighbors work together to find a solution. She felt that it is a different kind of feel to the government than she has experienced in McMinnville. She asked the Councilors to consider how it will impact the community which they serve.

Jan Iverson, 1033 SW Courtney Laine Drive, noted that she lives in a gated community. She stated that Russ Lane is very intimate to Forest Glenn. She stated that they like the agreements that both neighborhoods have worked out. She stated that it is a gentle and inclusive area. She shared that Edmunston Street provides a nice walk that eliminates having to walk on busy streets.

Richard Anderson, 960 SW Edmunston Street, shared that he is the person requesting the street vacation. He provided the history of the property. He stated that there is no possibility that the City will use it as a City Street. He stated that he's asking the City to recognize that and that there is a sequence of rules spelled out in law that would be followed. He stated that he would be removing weeds and blackberries which he has already been doing. He noted that there would be a maintained public path and more native plants. He stated that there would be no vehicles. He felt that the worries of his neighbors are unfounded. Discussion ensued regarding a possible retaining wall.

Jose Rodriquez, 1116 SW Russ Lane, noted that Councilor Jeffries has a personal relationship with Mr. Anderson.

4. PRESENTATION

4.a. Mid-Willamette Valley Council of Local Governments (MWVCOG)

Councilor Jeffries, MWVCOG member introduced the representatives present from the MWVCOG.

Mr. O'Day, Executive Director of the MWVCOG shared a history of his experience and explained the work of the MWVCOG. He explained that

the MWVCOG is a public entity formed in 1957 and is governed by an Intergovernmental Agreement. He shared that the primary services are community development, transportation/ GIS, Business Lending and Member Services. Mr. O'Day reviewed the membership, revenues by source, and how revenues are spent.

Renata Wakeley, Community Development Director, discussed the Economic Development District and the Mid-Willamette Valley Regional Comprehensive Economic Development Strategy (CEDS). She shared that they provide land use planning assistance, assistance with grant applications and administration, housing rehabilitation, Urban Renewal Area/ Plan Development, ADA Assessments, economic development staff meetings and Planning Commissioner trainings.

Karen Odenthal, Senior Planner at MWVCOG reviewed the transportation planning services and their roles with the Metropolitan Planning Organization (SKATS) and the Mid-Willamette Area Commission on Transportation (MWACT).

Kim Sapunar, Transportation Planner and GIS Specialist, reviewed the various services provided and the projects that MWVCOG have worked on related to Yamhill County. She noted that MWVCOG has done the redistricting for the City of McMinnville.

Mr. O'Day reviewed the small business loan program. He noted that they have access to all major government loan programs. They also help cities administer local revolving loan programs. He shared that they have a very active loan program.

Mr. O'Day continued discussing the member services: executive level recruitments and background check services, evaluations for positions that report to the City Council such as the City Manager and City Attorney, goal setting/ facilitation for Councils, Charter review and update assistance, customized training, new Councilor Orientation, Technical Assistance, CEO evaluation Coordination, and other services as requested. He shared future services that may be expanded based on a listening tour Mr. O'Day recently conducted including human resource services, enhanced training, legal services, enhanced grant services and regional advocacy. He stated that he will be taking feedback back to the MWVCOG Board.

Discussion ensued regarding the MWVCOG lending program, outreach to members, and a strategic planning coordinator shared position which will be housed at the COG and will be shared and paid for by specific jurisdictions.

Mayor Hill noted that the flowers at the dais were provided by Hands and Words are not for hurting.

5. RESOLUTIONS

- 5.a. **Resolution No. 2017-65:** A Resolution of the City of McMinnville, Yamhill County, Oregon authorizing the issuance, sale and delivery of general obligation bonds; designating an authorized representative; authorizing execution of the bonds and related matters.

Finance Director Baragary stated that in November 2014, the McMinnville voters approved \$24 million of general obligation debt with proceeds to be used for street improvement projects. She stated that the City issued \$16,085,000 in general obligation bonds in April 2015. The Bond proceeds are being spent on design and construction of a number of projects, including 1st and 2nd Street pedestrian improvements, street resurfacing, and 2nd Street, 5th Street, and Alpine Avenue improvements.

Kieu-Oanh Nguyen, Municipal Advisor at pfm stated that there are \$7,915,000 remaining in general obligation debt to be issued. Ms. Nguyen shared that rates are still favorable. She explained the two options of public sale versus bank placement. She stated that the two methods were comparable and noted that if the City were to do a public sale an offering statement would need to be conducted, more staff time would required and these funds are being received very well right now. She explained that she estimates that the premium would be \$647,000.

Discussion ensued regarding staff time that it would take to prepare the official statements. Finance Director Baragary stated that there would be time required for gathering information for the official statement but with the help of staff and advisors this work could be done. Community Development Director Bisset shared that they will get the projects completed within their budgets and constraints and if there are additional resources available there are other projects that may come in higher than anticipated that they could use the funds on.

Discussion ensued regarding ratings. Ms. Nguyen stated the City was well positioned for good financing.

Councilor Garvin MOVED to adopt Resolution No. 2017-65 authorizing the issuance, sale and delivery of general obligation bonds; designating an authorized representative; authorizing execution of the bonds and related matters; SECONDED by Councilor Ruden. Motion PASSED unanimously.

5.b.

Resolution No. 2017-66: A Resolution initiating the proceedings and setting a date and time for a public hearing to vacate a portion of SW Edmunston Street (RV 2-17).

Councilor Jeffries recused himself from the discussion stating a conflict of interest. He stepped away from the dais.

Community Development Director Bisset explained the processes for vacation of public right of way. He stated that Richard Anderson has requested that the City Council initiate the vacation of a portion of the SW Edmunston Street right of way west Cozine Creek, and a portion of an unnamed right of way south of SW Edmunston Street.

Mr. Bisset stated that public notice went to the area residents. He noted that there were 22 pages of testimony from neighbors in opposition of the vacation.

Council Garvin asked about the best public interest.

Mr. Bisset explained that the best public interest requirement is only under the citizen initiated process. He reviewed the City-initiated process.

Discussion ensued regarding the vacation process for returning property as outlined in statute. He explained how Mr. Anderson could do a boundary line adjustment.

City Attorney Koch explained that the Council would determine if it is in the public interest to vacate. Mr. Bisset added that the Council may also consider future interest.

Councilor Drabkin noted that Mr. Anderson brought this before the City approximately two years ago. She stated she was taken off-guard by the amount of comments by surrounding property owners. She expressed her concerns. She felt that it is a neighborhood disagreement that the City does not need to interject itself in at this time. She stated that she does not see the greater good.

Discussion ensued regarding possible erosion Mr. Anderson is experiencing and the topography of the property.

Councilor Ruden MOVED to adopt Resolution No. 2017-66 initiating the proceedings and setting a date and time for a public hearing to vacate a portion of SW Edmunston Street (RV 2-17); SECONDED by Council President Menke. AYES: Council President Menke and Councilor Ruden. NAYS: Councilor Drabkin, Councilor Garvin and Councilor Stassens. The motion FAILED by a vote of 3-2.

6. CONSENT AGENDA

- a. Consider the Minutes of the September 12, 2017 - Dinner and Regular City Council Meeting, September 18, 2017 -Special Called City Council Meeting and September 26, 2017 - Dinner and Regular City Council Meeting.
- b. Consider OLCC Liquor License application for winery “second location” for Oregon Synergy Partners, LLC (Retour Wine Company) located at 336 NE Davis Street.
- c. Consider OLCC Liquor License application for limited on-premises sales for The Blue Quail located at 701 NE 3rd Street.
- d. Consider OLCC Liquor License application for winery “no consumption” for Gusty Farm Estate Vineyard and Winery, LLC located at 2803 NE Orchard Ave.

Councilor Jeffries MOVED to adopt the consent agenda; SECONDED by Councilor Garvin. Motion PASSED unanimously.

7. REPORT ON STRATEGIC PLANNING

City Manager Towery provided a rough timeline of the Strategic Planning process and noted that the economic development strategy scope of work Request for Proposals (RFP) went out yesterday and that the RFP would go out for the Strategic Planning portion would go out soon. He felt that it is reasonable to assume that Consultants would be hired by the end of the year. Mr. Towery discussed the stakeholder feedback process. He encouraged Council to be thinking about who they would like to be on the Project Advisory Committee and what their involvement would look like.

Mayor Hill shared that stakeholder involvement is a good place to begin and expressed his confidence in the outlined process.

8. ADVICE/ INFORMATION ITEMS

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

Councilor Drabkin stated that the Housing for Homeless subcommittee of the Affordable Housing Task Force met yesterday. They are advancing a couple of plans and also received an update from a group that is working on relieving homeless Veterans. The Affordable Housing Task Force met two weeks ago and that progress is being made with Cottage codes, Accessory Dwelling Units, and Emergency Shelter programs.

Council President Menke noted that there is a possibility that a Teen Center may be opened.

Councilor Ruden stated that there is a possibility of eliminating the individual utility services for Accessory Dwelling Units. He stated that the Historic Landmarks Committee is a vibrant committee.

Councilor Stassens shared that the McMinnville Urban Renewal Advisory Committee (MURAC) recently met and reviewed the loan agreement with Atticus Hotel, they received an update on Alpine Avenue and cost effective solutions that may address parking discoveries. She discussed the streetscape plan for the Alpine area.

Councilor Garvin noted that the Yamhill Communications Agency (YCOM) has not met in a few months but will be meeting next week. The CAD upgrade project is moving forward and is the largest agency project since 2008. He shared that it is expected to go live October 2018. He shared that YCOM is still working on text capabilities for 911 services. He stated that there will be text capabilities once the upgrade is complete. Councilor Garvin also noted the Downtown Safety Task Force that was recently formed will be meeting soon.

Council President Menke shared that Visit McMinnville received a \$20,000 Travel Oregon grant for website updates. She shared the other grants received and noted that Visit McMinnville received a lot more money than they expected from Transient Lodging Taxes.

Mayor Hill provided an update on the Parkway Committee and shared that they are working on the funding gap for the next phase of the bypass. He shared that the Landscape Review Committee is a long-standing committee with a lot of expertise. The Yamhill Community Emergency Management group meets soon and an expert will be coming in to discuss preparedness related to weather events. McMinnville Water and Light is in the process of hiring a General Manager. McMinnville Water and Light is also in negotiations with the City of Lafayette for water services.

8.b.

Department Head Reports

Police Chief Scales noted that Rhonda Sandoval was promoted to Captain. Two officers graduated from the Police Academy last Friday. A conditional offer has been extended to a Park Ranger for a full time position. He shared that the US Secretary of Education will be in town tomorrow and the Police Department and the Police Department has been

preparing the last couple of days. The Downtown Safety Task Force will be meeting soon.

Parks and Recreation Director Muir shared data related to the Shower Voucher Program at the Community Center: 1,600 showers took place from January to August. She noted that the Community Center provides a clean and safe shower in the community.

Information Systems Director Burke described a security project that his department is working on with the Police Department.

Planning Director Richards shared that an RFP was sent out for historic preservation work based on a grant that was received. She noted that they selected a well-known consultant and a historic preservation plan will be created. She shared that it will be a community-wide effort. She also shared that the Planning Department is also applying for a grant with the Department of Land Conservation and Development to get funds to conduct a housing needs analysis and buildable land inventory. She noted that this should be updated every five years and are the foundation of long-term planning and is also one of the actions in the Affordable Task Force action plan.

City Manager Towery shared that he will be out of town October 19th – 25th for the annual International City Managers Association (ICMA) conference. It will be his last meeting as an ICMA Executive Board Member.

9. ADJOURNMENT: Mayor Hill adjourned the Regular City Council Meeting at 9:12 p.m.

s/s Melissa Grace
Melissa Grace, City Recorder