

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, November 14, 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, Planning Director Heather Richards, and Finance Director Marcia Baragary.

DINNER

CALL TO ORDER: Mayor Hill called the Dinner Meeting to order at 6:19 p.m. and welcomed all in attendance.

DISCUSSION:

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

It was noted that Ordinance No. 5042 would be pulled from the agenda so that a public hearing could be held on the November 28<sup>th</sup> meeting. Ordinance No. 5042 will be considered on November 28<sup>th</sup> after the public hearing.

Finance Director Baragary explained the reasoning for the lease/ loan for police cars. She noted that the City will own the vehicles free and clear in the end. She explained that the City is working with Ford Credit on the lease and that the Bond Counsel reviewed the lease agreement.

Planning Director Richards explained that Ordinance No. 5041 updates a part of the City Code that has not been updated since 1973 related to the Planning Commission.

City Attorney Koch shared that there will be an additional statement added in Ordinance No. 5041 noting that it is repealing Ordinance No. 3688.

City Manager Towery proposed that City Council begins meeting for work sessions on the third Wednesday of each month at 5:30 p.m after January 1<sup>st</sup>

Planning Director Richards shared that the Holiday Tree lighting has fallen on City Staff. The City is contracting with a vendor to install lights on the 175-foot sequoia.

ADJOURNMENT: The Dinner Meeting adjourned at 6:49 p.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, November 14, 2017 at 7:00 p.m.

Presiding: Scott Hill, Mayor

Recording Secretary: Melissa Grace

Councilors:	<u>Present</u>	<u>Excused Absence</u>
	Remy Drabkin	
	Adam Garvin	
	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, Finance Director Marcia Baragary, Parks and Recreation Director Susan Muir, Information Systems Director Scott Burke, and Police Chief Matt Scales and members of the News Media – Dave Adams, KLYC Radio, and Tom Henderson, *News Register*.

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. PROCLAMATION: Small Business Saturday

Mayor Hill presented the proclamation to members of the McMinnville Downtown Association (MDA) and the MDA Board President Jenny Berg. Jamie Corff, Promotions and Events Manager noted that Small Business Saturday is on November 25, 2017. She urged community leaders and members to visit shops downtown.

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

Donnie Mason, 20901 SW Caleb Payne Road, shared his book “Screwed, Blued, Tattooed, and Sold Down the River”. He thanked the Council for their service. He shared that the information in his book could be appreciated and used and also shared a brief history of his life as well as a story about while he was in boot camp. Mr. Mason stated that he left a copy of his book at the library.

Mark Davis, 652 SE Washington stated he is asking for more information from Recology in order to make better decisions. He stated that he does not have any issue with Recology and is not suspicious of them, he only wants to make sure certain questions are asked. He would like to see more information provided related to general administrative costs as it is a significantly large number. He also would like to see Recology provide additional information regarding note 5 in their financial documents from June. There was an amount of \$4 million dollars for related party transactions. He stated that the public has a right to know about those allocations. Mr. Davis stated that with regards to part 6. 1. A of the Franchise Agreement related to the determination of rates he would like to see information provided related to revenue from recycled items. With regards to information that the Council can request – Article 7 of the Franchise Agreement, Mr. Davis noted that the franchise is to provide backup for any allocated expenses and expenses with any affiliated company. He asked Council to ask for this information and see if the numbers are reasonable.

JW Millegan, 624 NE Second Street told the Council to not believe what they read in the paper. He felt that Jeb Bladine has a personal agenda that is not the truth and not for the benefit of the community. He stated that the process to grant free money to the Atticus Hotel was not transparent and that the waived system development charges were never discussed publically. He felt that there should have been a public notice of the review criteria and said he was not noticed as he was promised. He stated that he was not noticed as promised. He asked that the public hearing for the review criteria be re-opened. He stated that the criteria needs to be transparent, measurable and public. He suggested that the definition of full-time jobs should be added to the criteria and should be defined under standard FTE requirements of 35-40 hours per week. He also felt that the jobs at the Odd Fellows building should not be considered in the job count. He stated that public jobs were displaced (at least 3-4 jobs). He stated that he has never opposed the project however, he has a problem with the transparency surrounding its use of public money.

Ramsey McPhillips, 13000 SW McPhillips Road, updated the City on the status of the landfill expansion. He shared that there was a hearing in front of the Supreme Court and stated that it went very well. He stated that the landfill expansion will remain stalled in terms of the large landfill

expansion. He noted that they have challenged vertical and horizontal expansions. Mr. McPhillips warned Council that they are actively pursuing the legal remedies to stop both the vertical and horizontal expansions meaning that there may not be a place for McMinnville to send the garbage regardless of their upcoming decision and if garbage is placed on the landfill they will be asking for it to be removed. He asked Council not to get involved in the legal quagmire and that they move on to a less conflicted disposal system.

5. PRESENTATION

5.a. Historic Landmarks Committee (HLC) Annual Report

Joan Drabkin, Historic Landmarks Committee Chair and Associate Planner Chuck Darnell presented. Mr. Darnell provided a review of the HLC roles stating that they administer and manage the City's historic preservation program, serve as an advisory role to City Council, and are a decision-making body for some land use decisions related to the downtown area and some historic resources.

The HLC's responsibilities include:

- Managing historic resources inventory.
- Review of alternations to historic resources.
- Conduct surveys and studies related to historic resources.
- Raising public awareness of historic resources.

The current HLC members are Joan Drabkin, John Mead, Mary Beth Branch, and Cory Schott. There is currently one vacant position.

Mr. Darnell reviewed the accomplishments of the HLC for 2017. The HLC:

- Established a monthly meeting. As of the end of 2017 ten meetings were held.
- Developed a work plan which helped assist in securing a \$12,000 CLG grant.
- Revised previous surveys to identify areas to conduct upcoming Intensive Level Survey.
- Updated the City's historic preservation regulations which resulted in the adoption of the Historic Preservation Chapter in the McMinnville Zoning Ordinance.
- Reviewed five land use applications.

Mr. Darnell previewed the work planned for 2018 which includes:

- Overseeing development of Intensive Level Survey and Historic Preservation Plan.

- Will provide a high level of documentation of 6-12 historic resources.
- Will provide recommendations and an implementation plan for the future of the City's Historic Preservation Program.
- Outreach during National Preservation Month.
- Reestablish the Historic Preservation Award Program.
- Develop Walking Tour Brochure.
- Use ILS to explore potential Historic District.
- Explore potential zoning text amendments to preserve existing historic residential structures surrounding the downtown historic district.

HLC Chair Joan Drabkin complemented the Council and the Planning Department on a job well done. She shared that she is very impressed with the staff. She noted that they are energetic, thoughtful and hardworking. She reiterated that the Planning Staff is doing an excellent job and they should be commended. She asked Council if they have any comments or questions. Council President Menke shared that she attended one of the meetings and she was impressed with the work the HLC is doing.

Ms. Drabkin shared that Rebecca Quandt has resigned from her position and the vacant position is being advertised.

Mayor Hill thanked Ms. Drabkin and the Historic Landmarks Committee for their work.

## 6. CONSENT AGENDA

- Consider the Minutes of the March 14, 2017 and July 25, 2017 Dinner and Regular City Council Meetings.

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

## 7. WORK SESSION: Recology

Carl Peters, General Manager of Recology proposed that the City use Cowlitz County Landfill. He stated that it is a county-run landfill that is well-run and well-managed. The cost implication of a transition to another landfill would be a 10% fee increase. Mr. Peters noted that the transfer station is complete and they are only waiting on results of the recent City inspection. He stated that with the 10% increase they would not propose any rate changes for 2018.

Councilor Jeffries asked about longevity of other landfills. Mr. Peters shared that the amount of landfill capacity is substantial. He stated that finding something will not be too difficult. He noted that the focus will be on finding something that well-run and managed.

Councilor Stassens asked that Mr. Peters bring the information on how the landfill was selected to the public hearing. She asked that the information that Mr. Davis asked about be also be presented at the public hearing.

Mayor Hill asked for a motion to schedule a public hearing for November 28<sup>th</sup> at 7:00 p.m. on the matter to redirect disposal of solid waste and to accelerate the implementation of the franchise administration fee adjustment. Council Drabkin MOVED; SECONDED by Councilor Stassens. Motion PASSED unanimously.

## **ADD ITEM**

## **PRESENTATION**

Mayor Hill shared that he received a letter from the Governor congratulating the McMinnville Downtown Association as a 2017 accredited Main Street. He presented the letter to Ms. Berg, Ms. Croft, Ms. Drabkin and Mr. Darnell. Mayor Hill noted that McMinnville is known for one of the best Downtowns in America.

## **8. RESOLUTION**

### **8.a. Resolution No. 2017-68: A Resolution of the City of McMinnville, Oregon Authorizing the execution and delivery of one or more Lease Purchase, Loan or similar Financing Agreements.**

Finance Director Baragary stated that during the budget discussions last year, the Police Chief noted that three police vehicles would be needed. It was determined that the lease-purchase method would be the best method for acquiring the vehicles. She explained that the City will have the title to the asset and that it is not legally debt as there is no multi-year obligation. The amount being financed is approximately \$137,000. It is a tax-exempt instrument that the Bond Counsel reviewed. The Bond Counsel drafted the resolution required to execute the lease.

Councilor Jeffries asked if the City was precluded for shopping around for the rates. Finance Director Baragary explained that the cars are purchased on State bid and that she did some inquiries. It was noted that Landmark won the State Bid. Councilor Garvin asked about the lifetime of the vehicle. Police Chief Scales shared that the vehicles are expected to last six years. It was noted that the price also includes the equipment. The vehicles are the Ford Explorers; one will be outfitted for a K-9 unit.

Discussion ensued regarding how the life-expectancy of a vehicle is determined.

Councilor Garvin MOVED to adopt Resolution No. 2017-68; authorizing the execution and delivery of one or more Lease Purchase, Loan or similar Financing Agreements; SECONDED by Council President Menke. Motion PASSED unanimously.

9. ORDINANCES

9.a. **Ordinance No. 5041:** An Ordinance amending the McMinnville City Code, Chapter 2.32, specific to the McMinnville Urban Area Planning Commission and repealing and replacing Ordinance No. 3688.

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

City Attorney Koch read the title of Ordinance No. 5041.

Planning Director Richards shared that the proposed Ordinance moves the Planning Commission to section 2.32 so that it will be found with the other City Committees.

Ms. Richards explained that the Planning Commission is advisory to City Council and they are a Quasi Judicial decision making body. She stated that their main purpose is to plan for growth and development in an orderly fashion with adequate resources for housing, business, industry, transportation, recreation, culture, comfort, health and welfare of McMinnville residents so that residents and businesses enjoy a high quality of life.

Ms. Richards reviewed the portions that are derived for the old code and Oregon Revised Statute 227 related to the responsibilities and powers of Planning Commissions.

She added that the Planning Commission serves as the Citizen Involvement Committee. She noted that they will be putting together a Citizen Involvement Plan. They will be evaluating the effectiveness of the Citizen Involvement Committee annually at its October meeting. Ms. Richards reviewed the makeup of the Commission noting that it is made of up nine members, 2 representatives from each ward and three at-large representatives. It is intended to represent a cross-section of citizens. She stated that they are appointed for four-year terms and they are allowed to serve three full terms. Ms. Richards recommended the addition of an ex-officio youth member. She reviewed the officers provided in the code: a chairperson, vice-chairperson, secretary, office support. She stated there would be an addition of an annual report to the City Council.



Council expressed their thanks to the Planning Commission for the great work they are doing and the direction that they are taking.

Council President Menke MOVED to pass Ordinance No. 5041 to a second reading; SECONDED by Councilor Ruden. Motion PASSED unanimously.

City Attorney Koch read by title only for a second time Ordinance No. 5041.

Councilor Stassens MOVED to adopt Ordinance No. 5041 mending the McMinnville City Code, Chapter 2.32, specific to the McMinnville Urban Area Planning Commission and repealing and replacing Ordinance No. 3688; SECONDED by Councilor Drabkin. Ordinance No. 5041 PASSED by a unanimous roll-call vote.

10. ADVICE/ INFORMATION ITEMS

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

Councilor Garvin shared that a contract has been signed by Yamhill Communications Agency (YCOM) with TriTech for the infrastructure update. The Downtown Safety Task Force has met twice.

Council President Menke shared that there is still possibility of a Teen Center.

Councilor Drabkin noted that the last Affordable Housing Task Force (AHTF) meeting was tremendous. The Oregon Housing and Community Services spoke with the County and Committee. She shared that there were state representatives, community members and partners present. It was informative for all parties. She stated that the subcommittee of the AHTF met regarding a youth outreach program and a variety of action plans. Councilor Drabkin shared that a VISTA volunteer has been made available to work full time on homelessness in the City and there has been a real boost in productivity having the designated resource.

Councilor Ruden stated that a non-aviation event was discussed at the Airport Commission meeting. The proposed event is a car race. Konect Aviation gave a report on the financial adverse affect of the airstrip delay.

Mayor Hill stated that the Wayfinding Committee met yesterday. They have made decisions on design and colors. They have been discussing policy and implementation. He shared that Kem Carr of McMinnville

Water and Light has retired and that today was proclaimed Kem Carr Day in the City of McMinnville.

10.b. Department Head Reports

Police Chief Scales noted that there are a couple lateral hires that are in the background process which will help fill up vacancies. Applications are being taken for the Code Enforcement position. An internal sergeant will be promoted to fill Captain Sandoval's position.

City Manager Towery shared that proposals are being reviewed for the Strategic Planning process and the Economic Strategy.

11. Executive Session

Mayor Hill noted that the City Council would be entering into executive session under the following Statutes. He stated that they were not expected to take any action.

Executive Session: Pursuant to ORS 192.660(2)(D) to conduct deliberations with persons designated to carry out labor negotiations.

Executive Session: Pursuant to ORS 192.660(2)(H) to consult with Legal Counsel concerning legal rights and duties regarding current litigation or potential litigation.

12. ADJOURNMENT: Mayor Hill adjourned the Regular City Council Meeting at 8:29 p.m.

s/s Melissa Grace  
Melissa Grace, City Recorder