

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

Tuesday, May 8, 2018 at 6:15 p.m.

Presiding: Mayor Scott Hill

Recording Secretary: Melissa Grace

Councilors: Present
Remy Drabkin
Adam Garvin
Kellie Menke, Council President
Sal Peralta
Alan Ruden
Wendy Stassens

Also present were Police Chief Matt Scales, Planning Director Heather Richards, Associate Planner Chuck Darnell and Parks and Recreation Director Susan Muir.

1. CALL TO ORDER

Mayor Hill called the meeting to order at 6:15 p.m. Mayor Hill recognized Boy Scouts in attendance and welcomed them to the meeting.

2. DISCUSSION ON CITY PARKING GARAGE/ CITY PARKING LOTS CODE OF CONDUCT.

Police Chief Scales explained that the City parking structure and City owned surface lots have been identified as a critical piece of the City's parking supply, and a critical piece of infrastructure by Rick Williams Consulting (who completed a comprehensive City funding parking study).

He stated that part of the City's mission is to provide a safe and livable community. He stated that there are two main purposes in mind: the safety and security of those who utilize the city owned parking lots and moving forward with the recommendation of Rick Williams Consulting that the City needs to ensure that the underutilized and aging public parking structure needs to support the economic vitality of the downtown.

Police Chief Scales stated that the Police Department continues to receive complaints related to the parking structure. The complaints have been shared with staff and council. The Police Department has also seen an increased demand in calls for service to the

parking structure. He noted that the Public Works Department has also been inundated with complaints and clean-up of garbage, human feces, and drug paraphernalia (needles) on a weekly if not daily basis.

Police Chief Scales stated that whether it is criminal conduct or aggressive behaviors in the parking structure or parking lots, the issue remains clear, the City of McMinnville has no rules of conduct for the facility, and no way to exclude those who are using the parking structure in an unacceptable manner.

Police Chief Scales stated that Rick Williams Consulting summarized McMinnville as one of Oregon's top destination cities with a bustling and historic downtown and wine tourism. As such McMinnville is likely to face new pressure on its parking supply. One recommendation from the parking study, was that given the proximity of the 5th street parking structure to the downtown core, upgrading the parking garage would set a new standard for parking in McMinnville. The study further suggested the City explore other options for the parking structure, such as valet and/or City required permitting for overnight parking within the structure.

He stated all of these recommendations from the parking study are excellent ideas to explore, however the City first must get control of how the current parking structure is being used. It is widely recognized there are growing safety and health concerns taking place in the City of McMinnville's parking structure.

Police Chief Scales stated that the last two years the parking structure has become a "call for service driver" for the McMinnville Police Department, as well as the Public Works Department. There have had dozens of complaints from residents, business owners, employees of the Yamhill County courthouse, and those who frequent the downtown core area using the parking structure to park their vehicles.

The complaints have ranged from fights, criminal mischief, drinking in public, use of narcotics, urinating in public and defecation, and sleeping in parking stalls. All of these activities have occurred in the parking structure over the years, but never to the degree seen over the last 24 months. Information pulled from the Police Department's computer aided dispatch system provided the following information about the calls for service.

Police Chief Scales noted that the number of calls for service are not acceptable. He stated based on 2018 projections, if you calculate that each call for service takes a minimum of 30 minutes per call, that's 11,700 minutes or 190 man hours per year at cost of a minimum \$10,900 a year to the City.

Police Chief Scales stated that in speaking with the Public Works Department, from February 2016 through January 2018, they have tracked time spent cleaning up the parking structure. Their data estimates that roughly 7% of a full time employee's (FTE) time is spent removing human excrement, trash, camping debris, drug use debris (needles), abandoned belongs, sleeping bags, mattresses in excess of their normal routine maintenance of the parking structure.

Public Works has tracked the contracted costs for extra sweepings of the structure, as well pressuring washing to clean/disinfect areas where urine and feces were deposited. In addition to the 7% of an FTE's time having been spent there, it cost an additional \$2,955 above and beyond normal maintenance costs.

Police Chief Scales stated that they will continue to see the same persons and vehicles parking in the parking structure, and causing problems for patrons who wish to use the structure for its intended use. Currently there are no rules of conduct for the city owned parking structure or city owned surface street parking lots. This allows for those repeat offenders to return to these locations and continue to engage in repeated unwanted behavior without the risk of exclusion. He stated that these facts, in addition to the associated costs, cause me to believe we are continuing to simply "chase our tails", with no current long term solution to these issues.

He noted that the parking structure is a necessary and critical piece to our downtown parking supply we must protect it and its intended purpose.

Police Chief Scales suggested that a code of conduct be established for the parking structure and city owned surface parking lots. He stated that he has researched other parking lot codes of conduct and propose a code of conduct that is utilized by the City of Portland. Utilizing this code of conduct, will authorize the Chief of Police to develop and enforce rules of conduct for the parking structure and surface lots located within the city limits of McMinnville. Any person who fails to comply with the rules of conduct for the parking garage and surface parking lots may be excluded for a period of time, and a return to the location could result in arrest for criminal trespassing.

He also asked if the Council desires to explore moving to no overnight parking within the parking structure, with the exception of permitted parking. This would require setting up a permitting system for resident or businesses who wished to use the parking structure overnight. It would also require engaging with the McMinnville Downtown Association and local businesses and residents.

Police Chief Scales asked Council for approval to move forward with the introduction of a Code of Conduct Ordinance that will provide rules and guidelines for the use of the parking structure and city lots for their intended design and use.

Police Chief Scales displayed pictures of the parking garage and reviewed the draft rules of conduct.

Councilor Stassens asked about trash and personal belongings. Police Chief Scales noted that offensive littering is addressed in the Code. He stated that it could be added to the code of conduct. Councilor Stassens also asked about including a no smoking rule to the code of conduct. Several Councilors expressed their interest in adding the no smoking rule. Discussion ensued regarding whether or not to include surface parking lots in the no smoking rule.

Councilor Ruden noted that the pictures that were displayed were chilling.

Discussion ensued regarding how officers know who is in the exclusion zone.

Mayor Hill noted that there should be another work session to discuss the parking garage.

Councilor Drabkin stated that the discussion reminded her of a past memo discussing using the built environment as a deterrent. She noted that she had not heard of any of these items used. Councilor Drabkin stated that some of the rules are broad and there are some redundancy within the rules. She shared that she had some concerns with the lack of specificity in some of the rules.

Council President Menke stated that she likes the proposed code of conduct. She noted that the parking garage is there for business purposes not to be a recreation area.

City Attorney Koch stated that he prefers being specific rather than overly broad. He did not want to put officers in a position of having to criminally cite someone into court in order to provide for an exclusion related to conduct that's not appropriate. He noted that this is a similar process as used in the Park system.

Councilor Garvin stated that he thought the proposed code of conduct was good. He felt that it is better to exclude someone from an area rather than cite them.

3. ADJOURNMENT

Mayor Hill adjourned the Work Session at 6:59 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, May 8, 2018 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	
	Sal Peralta	
	Alan Ruden	
	Wendy Stassens	

Also present were City Attorney David Koch, Planning Director Heather Richards, Community Development Director Mike Bisset, Associate Planner Chuck Darnell, Police Chief Matt Scales, and Dave Adams, KLYC Radio.

AGENDA ITEM

1. CALL TO ORDER

Mayor Hill called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Council President Menke led the pledge of allegiance.

3. INVITATION TO CITIZENS FOR PUBLIC COMMENT

Mayor Hill invited the public to comment.

Jacob Miller, McMinnville Resident, stated he would like to discuss the code of conduct of McMinnville Police Officers. He stated that there have been an increased enforcement with lots of officers. He stated that officers have had an antagonistic or agitating type of behavior. He felt it should be brought to the Council's attention because they would be liable for the officer's conduct. Mr. Miller stated that he has been accused of being confrontational himself. He stated that when Officers came to his RV they were caught unlawfully searching his RV. He stated that he confronted them. He noted that it was

wrong. He stated it lead to next steps of him asking for the Officer's supervisors information. He stated what happened was more armed officers came. He stated that then they were more antagonistic because they began spray painting people's property, from the ground up the center of their wheels. He felt these behaviors were very antagonistic and bring forth confrontation. He felt that it was not reasonable behavior for those who have taken sworn oaths to protect people. He noted that the next time they came to his RV they brought more armed officers. He stated that when he is protecting his rights he might get unreasonable. He felt that the main agitator was the Police Department. He stated that when he is protecting his rights, he may get defensive and may be confrontable. He stated that the Council may want to take note of the unethical behavior. He stated that this is going into deprivation of rights and conspiring against rights instead of protecting them. He stated that he is very concerned about that.

Sean Rollins, McMinnville Resident, stated that he cleans the parking structure for pressure washing. He commented on the variety of safety measures and supplies he must use in order to clean it. Mr. Rollins stated that he donates many of the supplies. Mr. Rollins stated there is a severe problem at the parking garage and highly recommends putting up cameras. He stated that he is concerned about the health problems. He stated that half of the people in the parking structure right are people he has trespassed off other properties in town. Mr. Rollins noted that pushing them around is not working and he stated that something needs to be done. He added that they are normally not confrontational when asked to leave. He stated that their level of frustration is getting high and he is getting more and more bad vibes from the people in the RVs. He stated that knocking on the RV in the middle of the night can be nerve-racking. He stated that he does everything he can to not have to call the police. He asked if there is something that can be done to help these people and if there is anything that can be done for mental health. He stated that these people have rights, homeless or not.

Caroline O'Brien, 1591 SW Wright Street, commented on a situation she saw take place at the Library regarding a male committing a hate crime against a women. She stated that she has been trying to figure out how this has slipped through the cracks. She stated that because he threatened a woman it wasn't considered a hate crime. She has been trying to figure out how to get the man charge. She stated there has to be a way for a citizen to file a complaint and stated that there is a hole in the system. She has given a police officer a statement and he is following up with the parole officer.

Jerry Lyn Green-Lopez asked what to do when you have a silent stalker. She asked what to do when you have a stalker pushing you around that you can't identify and it is silent. May it be a town, or a computer or a person. She asked where to go to get help.

4. PROCLAMATIONS

a. National Public Works Week

Mayor Hill read the Proclamation and presented it to the Engineering Department Staff: Larry Sherwood, Roy Markee, Lauren Blincoe, Katie Land, Rich Spofford, Jeff Gooden.

b. National Police Week

Mayor Hill read the Proclamation and presented it to Police Chief Scales. Police Chief Scales stated that he appreciates the Council and Staff's support.

c. Historic Preservation Month

Mayor Hill read the Proclamation and presented it to Associate Planner Chuck Darnell. Associate Planner Darnell shared that the Historic Landmarks Committee typically meets a couple of times of week. He shared some recent and upcoming activities of the Historic Landmarks Committee.

5. CONSENT AGENDA

- a. Consider Resolution No. 2018-21: A Resolution appointing Heather Sharfeddin to the Historic Landmarks Committee

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

6. RESOLUTION

- a. Consider **Resolution No. 2018-20**: A Resolution awarding the Personal Services Agreement contract for Environmental, Design, and Bidding services for the Apron Rehabilitation Project, Project 2017-10.

Community Development Director Bisset stated that this project includes the next amount of work that the FFA-AIP grant is going to fund the reconstruction of almost 10,000 square yards of aircraft apron.

One proposal was received from Century West. The cost of their contract is \$276,205.00.

Councilor Garvin asked when the work will take place. Mr. Bisset stated that the work will take place a little over a year from now.

Councilor Garvin MOVED to adopt Resolution No. 2018-20; awarding the Personal Services Agreement contract for Environmental, Design, and Bidding services for the Apron Rehabilitation Project, Project 2017-10; SECONDED by Councilor Ruden. Motion PASSED unanimously.

7. ORDINANCE

- a. Consider second reading of **Ordinance No. 5052**: An Ordinance amending Title 17 (zoning) of the McMinnville City Code, specific to Chapter 17.06 and Chapter 17.62, to update definitions and the regulation of nonconforming signs.

No Councilor objected to having the Ordinance read by title only.

City Attorney Koch read by title only for a second time Ordinance No. 5052.

There were no public comments or Council discussion.

Councilor Peralta MOVED to approve Ordinance No. 5052 amending Title 17 (zoning) of the McMinnville City Code, specific to Chapter 17.06 and Chapter 17.62, to update definitions and the regulation of nonconforming signs; SECONDED by Council President Menke. Ordinance No. 5052 PASSED by a unanimous roll-call vote.

8. **ADVICE/ INFORMATION ITEMS**

a. Reports from Councilors on Committee & Board Assignments

Councilor Peralta stated that the first meeting of the Council of Governments will be taking place this month. Councilor Peralta suggested that they bring forward the legal framework for overnight camping and sleeping. He noted that he has brought the proposal up to the Task Force. He stated that he has a draft that is similar to the Eugene Ordinance.

Councilor Drabkin stated that the program has been launched out of the subcommittee for homelessness and that the Affordable Housing Task Force has met and staff is working on a proposed ordinance that will be coming before Council.

Councilor Ruden shared that there were three applications for Historic Preservations Awards that were recognized. He stated that they were great projects. He noted that they will be seeing good things happening related to preservation.

Councilor Drabkin noted that the next subcommittee for homelessness is coming up.

Councilor Stassens shared that the Alpine Avenue opening was a huge success and highly attended. She stated that people are asking what is next. She shared that the Urban Renewal Agency Committee are looking at putting together a targeted building project and keep the momentum going.

Mayor Hill shared that he recently attended a Humanity of Technology event through MEDP. He stated that they went out to TTR and he stated that it was interesting to him that they are already needing to expand. At Linfield there was a panel discussion about the advancement of technology and how it is going to play a greater role in cities.

Mayor Hill stated that Visit McMinnville is moving in the right direction.

Mayor Hill stated that the Bypass Committee met and that the language that the senate changed that allows the use of the funding for preparing for shovel readiness. They are making plans and utilizing the lobbyists to keep the interests in the bypass.

b. Department Head Reports

Police Chief Scales stated that there are three officers at the academy. He stated that they promoted Steve McCartney to Sergeant. He reviewed the award recipients from the Recent Guns and Hoses Awards Event noting that there were four outstanding awards received: Tom Heidt received the lifesaving award, Amy Kepler was awarded Employee of the Year, Sergeant Josh Sheets was awarded Supervisor of the Year, and Taylor Wynn received volunteer of the Year Award.

Planning Director Richards stated that there are budgeted funds for the parking garage from the McMinnville Urban Renewal Committee.

City Manager Towery stated that the Budget Committee will be meeting next Wednesday, May 16th.

9. ADJOURNMENT

Mayor Hill adjourned the meeting at 7:40 p.m.

s/s Melissa Grace
Melissa Grace, City Recorder