



**City of
McMinnville**

**Kent Taylor Civic Hall
Council Chambers
200 NE Second Street
McMinnville, OR 97128**

City Council Meeting Agenda

Tuesday, July 27, 2021

5:30 p.m. – Level 10 Meeting

7:00 p.m. – Regular Council Meeting

7:00 p.m. – Joint City Council & Budget Committee Meeting

Welcome! The public is strongly encouraged to participate remotely but there is limited seating at Civic Hall for those who are not able to participate remotely. However, if you are not feeling well, please stay home and take care of yourself. With the mask mandate removed, we are recommending those who have not been fully vaccinated please wear a mask while in the building.

The public is strongly encouraged to relay concerns and comments to the Council in one of three ways:

- *Email at any time up to 12 p.m. the day of the meeting to Claudia.Cisneros@mcminnvilleoregon.gov;*
- *If appearing via telephone only please sign up prior to the meeting by emailing the City Recorder at Claudia.Cisneros@mcminnvilleoregon.gov as the chat function is not available when calling in zoom;*
- *Join the zoom meeting; send a chat directly to City Recorder, Claudia Cisneros, to request to speak and use the raise hand feature in zoom to request to speak, once your turn is up we will announce your name and unmute your mic.*

*You can live broadcasts the City Council Meeting on cable channels Xfinity 11 and 331,
Frontier 29 or webstream here:*

www.mcm11.org/live

Level 10 Meeting:

You may join online via Zoom Meeting:

<https://mcminnvilleoregon.zoom.us/j/81864705703?pwd=K2tZZ3JOckZ5WE9PQ3ZkcjkhQ24rZz09>

Zoom ID: 818-6470-5703

Zoom Password: 266534

Or you can call in and listen via zoom: 1-253- 215- 8782

ID: 818-6470-5703

CITY COUNCIL REGULAR MEETING AND

JOINT CITY COUNCIL & BUDGET COMMITTEE MEETING:

You may join online via Zoom Meeting:

<https://mcminnvilleoregon.zoom.us/j/88420001666?pwd=RTJabndrME9SL041YUVhYjh5RjA0dz09>

Zoom ID: 884-2000-1666

Zoom Password: 819314

Or you can call in and listen via zoom: 1-253- 215- 8782

ID: 884-2000-1666

5:30 PM – LEVEL 10 MEETING – VIA ZOOM & COUNCIL CHAMBERS

1. CALL TO ORDER
2. REVIEW CITY COUNCIL LEVEL 10 MONTHLY TEAM MEETING AGENDA
3. ADJOURNMENT

7:00 PM – REGULAR COUNCIL MEETING – VIA ZOOM & COUNCIL CHAMBERS

1. CALL TO ORDER & ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. INVITATION TO COMMUNITY MEMBERS FOR PUBLIC COMMENT – *The Mayor will announce that any interested audience members are invited to provide comments. Anyone may speak on any topic other than: a matter in litigation, a quasi-judicial land use matter; or a matter scheduled for public hearing at some future date. The Mayor may limit comments to 3 minutes per person for a total of 30 minutes. The Mayor will read comments emailed to City Recorded and then any citizen participating via Zoom.*
4. **JOINT MCMINNVILLE CITY COUNCIL & MCMINNVILLE BUDGET COMMITTEE MEETING**
 - a. Call to Order
 - b. RESOURCES AND SUSTAINABLE CITY SERVICES DISCUSSION
 - c. Adjournment of Joint Meeting
5. ADVICE/ INFORMATION ITEMS
 - a. Reports from Councilors on Committee & Board Assignments
 - b. Department Head Reports
 1. Legal – Consider Appeal of Yamhill County Approval of Docket No. M-01-20/SDR-20-20.
6. ADJOURNMENT OF REGULAR MEETING

McMinnville City Council Level 10

Date: 7/27/2021

Time: 5:30-7pm

Attendees:

Meeting Chair:

Meeting Purpose:

- (1) Agree to the top 5-7 principles that will be refined and utilized as guiding principles for the City Council going forward

Materials Included in the Packet:

- (1) Agenda
- (2) Current City Council Working Agreement

Suggested preparation for this meeting:

- (1) Thinking Time exercise: Preparation for the opening exercise
- (2) Thinking Time exercise: Preparation for the IDS work
 - (a) Required materials: pen, notebook, timer
 - (b) Review the City Council Working Agreement and select the top 5 statements that you think are critical in guiding the work of the City Council. They do not need to be in ranked order.
 - (c) In your notebook, take each of the statements that you have chosen and for a minimum of five minutes each statement write the answers to the following questions about each statement.
 - (i) What does this statement mean to you?
 - (ii) Why do you consider this one of the top five principles that should guide City Council work?
 - (iii) What would happen if a body did not follow this principle?
 - (iv) What would it look like to have a Council in alignment with this principle across all members of the body?
- (3) Review the meeting agenda
- (4) Complete any action items from the previous meeting and be prepared to report on the status of completion of the action item during the meeting.

Agenda:

Opening: TBD

Scorecards: (0 min)

Rocks: (0 min)

To be added in future meetings

Last Meetings Action Items: (5 Min)

- (1) Internal City Council Focus on Strategic Plan
 - (a) (Wendy) Complete the Vision Traction Organizer process to break down the focus for the City Council around the strategic plan priority and institutionalize the focus on the Vision Traction Organizer **In process, status:**
 - (i) Goals adopted **Done**
 - (ii) Why exercise will contribute to drafting the Purpose for this team for approval on the docket for the July City Council Leadership meeting. **Not done, keep**
 - (iii) Once we have these two items, we will draft a VTO and present to the Council **Not done, keep**

New Actions:

Identify/Discuss/Solve Issues: 70 Min

(Wendy or Scott) Introduction to process for refining the operating agreement:

(Remy) Review collaborative decision making principles.

Refining process: In this meeting, we will prepare to vote on our top 5-7 principles that we will carry forward to the next step where we will refine and finalize specific language of those principles.

Meeting Recap: 5 min

- Meeting Recap
- Cascading messages
- Meeting rating

Criteria:

1. Did the meeting start and end on time.
2. Did you follow the L10 meeting agenda.
3. Is everyone on the same page.
4. Did 80% of the to-do's get done.
5. Did you solve the most important issues.

Anything below an 8 ask "What could we do to make the meeting a 8 or higher for you next time?"



CITY COUNCIL GROUP AGREEMENT

1. I will individually support the collective decision-making of the Council. If I disagree with the decision made by the council, I will exercise my convictions without personalizing the issue and without eroding the collective reputation of the council. Once the decision is made, I will respect that decision.
2. I will respect other members of the Council, even if we disagree philosophically, by articulating my view, listening openly to their perspectives and rationale, sharing my position and intended actions with the Council in a timely manner
3. I will present my rationale for my points of view and when asked for a rationale, I will act positively and offer my data for my conclusion.
4. If I am asked to respond or give my rationale to an issue and I am unready, I will say so, but will provide an approximate time when I will be.
5. I will say what I mean with no underlying messages in a positive manner.
6. I will not personalize issues or decisions.
7. If I have a concern or issue with another Council member or Mayor, I will go to that person first and in a positive, private, and timely manner, and share that concern. I will present my feelings and how those feelings affect me.
8. I will focus on the present and the future and use the past only as data for the present and the future.
9. If I am approached by someone, I will be open and positive and do my best to respond to his/her concerns.
10. I will not blame others for situations that I have opportunity to resolve.
11. I will recognize that the Council's role is to set policy and not to be administrators.
12. I will give other Council members and the Mayor advance notice through the City Manager of significant matters to be introduced at Council meetings so as to preclude stressful surprises at Council meetings. "Advance" means at least time to review the data.
13. I will engage in a robust dialogue with the community in a constructive and inclusive manner.
14. I will follow the intention and the law concerning doing Council business outside of Council meetings.

July 27, 2021

To the City Council Members of McMinnville and esteemed guests,

I prayed before writing this that I be given the appropriate words to convey accurately the needs of the homeless in this city from my perspective, and after many conversations with those here now. How does one reach the hearts and minds that will bring about change for this growing population of the homeless that is occurring for a variety of circumstances?

Private Citizens that are here, I also understand your frustration, anger, and anxiety given the current situation. So I seek to persuade you of the council and private citizens to believe there is a good outcome for all involved. We can follow examples already employed in other cities dealing with similar issues. We can learn from their mistakes and increase our potential for long term success.

Currently, basic human rights are being denied in the inability for those homeless to access fully and as needed, restrooms, water, and hygiene to preserve one's dignity. Our proposal below is a dream to be realized, and I believe possible. McMinnville, will be recognized for treating those in dire circumstances humanely and with respect deserved of human beings. The success of this venture will be measured by the return of many residents to the work force and to be self-sustaining.

From what I have observed much time and resources are spent on part of the police, rescue squad, mental health agencies, and hospital in relationship to the homeless population. What we propose below will assist in these areas and free up these resources in large part.

We would like to have a tent city and/or tiny home village for rehabilitation of the homeless person's current situation. Persons that are accepted as residents after a screening process, the signing of drawn up agreement to be drafted, needs identified to return to the work place, will reside there for a period of 6 months to one year once gainfully employed. This period of time will allow them to save up

for their future needs prior to leaving. A gainful employment of some form will be required unless for good reason this cannot occur. Those persons will be assisted dependent on their needs to be addressed and time of stay will be flexible here.

Those in the community of McMinnville I feel will be enthusiastic in assisting in these measures to free up their neighborhoods and do a good deed. My conversations with some residents shows they have good hearts but dealing daily with homeless issues that occur, has left them bitter and resentful. They do not know the backstories often of those they feel should just go get a job, not fully understanding what they are suggesting if one cannot even become presentable to find and keep employment.

My statements and requests noted below are not meant to be presumptuous to those reading. I firmly believe one must act as if the approval has already been given. I also speak on behalf of many and relate as we have agreed in conversation on these points or ideas.

This let's call it, retreat site, will be self-governed and managers of site voted in once, the community has been selected that will initiate this. The homeless population is well aware of many of their "fellow travelers" weaknesses and strengths so they will select well so all will benefit and not risk this process and opportunity.

Residents will be allowed one pet as long as there are no issues of safety.

There will be security staff selected and trained by police for the basics in safety around threat or aggression. This will be in place 24 hours a day. The police will be called only if security cannot manage and goes beyond site issue.

No overt intoxication leading to disruption or aggression will be tolerated. Security will be trained in the use of Narcan and Narcan will be kept on site. No illegal drugs permitted on site. If found it is cause for dismissal.

There will be staff also trained in first aid and CPR and advanced training if Fire Department willing such as fire potentials.

Staff selected for site will be scheduled to speak with other similar community leaders to learn from their experience.

We request that the bus utilized by city make it a routine stop so those residents with employment can get to their jobs. We ask this be a free service.

Residents once employed will pay rent an amount relevant to other programs and follow already established effective results.

We plan to have a site where NA, AA, and mental health groups will meet

We plan to have a fully functioning kitchen with the help of community and a restrooms with showers and laundry facilities.

Those with skills on site such that may benefit others whether for social enjoyment, or acquiring skills leading to employment will be utilized. We have hopes that community members of McMinnville will come get to know us and share skills in the writing of resumes, improving interviewing skills, carpentry skills to teach basics for employment, art, music, cooking etc.

Our meeting area will provide the basics of heat and air conditioning during weather extremes. It will also be a gathering area with games, a library, music, and a stage for plays or productions. These are important outlets for mental health and enjoyment which has been missing for many.

We need this area fully gated for security. Outside of this gate there will be space for vehicles/RVs. Number will be dependent on space if any. They also must do the same application and screening process as other residents. Their time frames may vary to allow others to access resources.

Residents will also all have site responsibilities they will be responsible for given their ability. We will have gardens to raise our own produce, but we will need food donations as well from food stores in place.

If the above is for some reason denied, we ask at a minimum that access of some sort be established portable toilets in accessible areas, some sort of easily accessible water resources, and to open access to showers at specified locations more frequently than at present. This is more important if restrictions are again put into place around Covid.

I appreciate your time and review of what you may perceive as a delusion or impossibility. It was written as a simple outline of what could work. I know that

when people come together in a common good to benefit others, that generosity of heart is returned ten-fold.

We are in a time that calls for our compassion of one another and seeing behind the grime of those that live daily living on the streets. We want to be returned to a state of being seen greater than, less than worthy. We are willing to put in the work to lift ourselves up, but we cannot do it without the assistance of those in better circumstances they have been afforded. My gratitude.

The population of the homeless attending this City Council meeting.

Mark Davis

McMinnville, OR 97128

July 25, 2021

McMinnville City Council
230 NE Second Street
McMinnville, OR 97128

Dear Mayor Hill and Members of the Council:

The Council's decision at the July 21st work session to move forward with a new annexation process was disappointing on several levels. Most obviously, you made that decision in a closed session that did not allow anyone from the public to comment. Not that the public could have commented about the documents under discussion anyway, since they were provided to the Council the day before work session but not made available to the public until the day after you met.

I realize you can hold that legal fig leaf in front of yourselves and righteously say you haven't made a legally binding decision so you don't have to invite the public to address you. But from a psychological perspective you have committed to very specific results from this process and such prior commitments are very hard to change even if compelling information is later provided at the required public hearing.

Despite Goal One declarations about the importance of public participation, it is hard for individual citizens who lack professional standing to be taken seriously during the formal land use hearing process. The proposal you agreed to on Wednesday evening removes even that citizen's right to be heard by turning annexation requests from land use hearings into administrative matters settled in private by staff and rubber-stamped by the Council.

The State Legislature removed our right to vote on annexations. The City Council is now proposing to take away our right to even testify about specific elements of annexation proposals and appeal misapplications of the law to the Land Use Board of Appeals (LUBA). Yes, that does happen. In 1996 I appealed approval of a city annexation to LUBA based on inadequate public infrastructure, a decision that was ultimately remanded to the city.

At the heart of the discussion about how to handle annexations is a basic philosophy of how government makes important decisions that impact the entire community. One method is to allow appointed bureaucrats with professional expertise to make those decisions subject to approval of the governing body; at the other end of the political spectrum is permitting the public to vote on those decisions.

Given our 20-year experiment with voting on annexations, I think it is instructive to look at what happened in the community before and after the implementation of voting on

annexations in the mid-90s. The early 90s was a period of rapid growth that overwhelmed our aging public infrastructure. Long-time residents complained bitterly about the increase in traffic, and the main sewer line from the west side of town was broken and leaking directly into Cozine Creek near Linfield, a situation exacerbated whenever it rained and stormwater leaked into the sewer system overwhelming its capacity.

Citizens including myself repeatedly asked the Council and Planning staff to slow the annexation process down to allow for infrastructure improvements to handle future growth. The response varied between claiming there was nothing they could do (land use law forced them to keep annexing more property) and claiming all this growth was really good for the community.

This response led directly to the voter approval of the charter amendment to require a vote on annexations. To my recollection the only annexation ever defeated at the ballot box was the proposed 172-acre Shadden Claim annexation. All other annexation votes for smaller additions to the UGB were approved, including later attempts by other developers to bring smaller chunks of the Shadden Claim property into the city limits.

Voters clearly had a vision of slow, steady growth of the community in line with our capacity to support that growth. Supporters of the defeated Shadden Claim proposal lamented the loss of the huge planned subdivision, but the developer insisted on developing it out within 5 years which would have had a dramatic impact on population which was already surging.

All this was taking place during the initial planning for a new UGB expansion that used a population projection growth rate of 3 percent. Had this vision of Shadden Claim and continued rapid population growth been realized we would have had a population of 45,000 in 2020 and be heading for 85,000 residents in 2040. Voting on annexations slowed things down so we could get the sewer infrastructure updated and new roads constructed. I personally believe that the community benefited greatly from the gentle braking that annexation votes put on what was becoming runaway growth.

That is not to say the proposal you considered on Wednesday night was without merit. I like the idea of annexations not being the automatic process that they have been. Property owners entering the city limits are being granted access to city infrastructure and services worth millions of dollars. They should be asked set aside land for parks and affordable housing. The current system puts them in the city with a few minor fees and reduced system development charges and then the expectation is that the existing taxpayers will pay the difference.

I think we currently have a good, dedicated Planning Director. I also think we have conscientious, public-spirited City Council. Having watched people come and go over the past few decades, I don't believe public policy should be based on assuming both of those things are always going to be true. However you decide to proceed with annexations, I think you should provide some ability for the public to inspect the details

of the process and maintain the right of public to appeal to LUBA those decisions lacking in legality.

I would also request that when the Council is going to look at draft planning documents and make decisions about whether they are acceptable or not that you provide them for the public to look at and allow the public the opportunity to comment on them. Work sessions are being used to avoid your Goal One responsibilities.

Thank you for considering my viewpoint on these matters.

Sincerely,

//S//

Mark Davis

From: [Tynan Pierce](#)
To: [Claudia Cisneros](#)
Subject: Public Comment
Date: Tuesday, July 27, 2021 11:32:30 AM

This message originated outside of the City of McMinnville.

Hello Claudia,

I would like to enter the below email for the public comment record.
Please, let me know if you have any questions.

Thank you as always for your time and consideration.
-Tynan

Hello Everyone,

As a follow up to my public comments last meeting and the ongoing dialogue about building more healthy and just communities...

Chris Bean's situation, and now the handling of the Miller's trailer parking, are not isolated incidents. These are symptoms of the foundational issues at play here in McMinnville and around the country. In my discussions with local housing advocates over the past few weeks, they estimate that between 50-75 other members of our under served community have had similar code/compliance infractions brought against them. Specifically, but not limited to, the camping ordinances.

We need to do better. We all know the facts by now:
USA leads the world in incarceration while also ranking first in police spending as government expenditure and yet a shameful placing of 128th for public safety. We need something new. If criminalization worked...we would be the safest country on Earth. Just as we learn that our city has received grant money to help fund programs like Project Turnkey, schedule presentations from CAHOOTS(Eugene) and Community Response United(Salem), and we also learn that Mac PD has started a new Crime Response Unit (CRU). Many of us have been asking the city to develop municipal funded services alternatives to police and as such I was looking forward to learning what this new unit in town was tasked with... however, it's seems our cities version is just more of the same. Criminalization instead of compassionate care. This sort of cognitive dissonance is frustrating to watch unfold.

The repressive state apparatus being brought to bear on our most under served of the community is the opposite of what is being called for in this moment in time. Within moments of the forming of this new unit in McMinnville, Chris Bean was arrested by MacPD for violating our city's camping ordinances. His shelter was confiscated as evidence and he received a \$1250 fine. Despite court precedence of cases like Martin v. Boise and Blake v. Grants Pass and legislation such as HB 3115.. How is this community care? What does this actually solve? What a shameful act. For sure there will be some "those are the rules." "If you break the rules you get what's coming to you" At a certain point it becomes our collective moral imperative to NOT uphold discriminatory rules. Just because something is a rule does not mean it is right. In fact, many of the 'rules' throughout our cities and country are

founded in discrimination of the 'have nots' and protectionism of the haves and here the action must shift to making the necessary systemic changes to address these issues.

Similarly, community members stepped up to fill the gaps in our civic system to give people like the Millers a place to park their camper. Isn't this what is needed? If the city decides not to fund and implement solutions for these types of issues, wouldn't we want individuals to try and solve it themselves? However, it seems that the host family was served a warning of a coming fine for being in violation of some other city code/ordinance and then where do people like the Millers go? Now other community members feel confused as to whether they can offer up their own property to assist others without similar consequences. Would it not be possible to, using guidance set forth by HB 2423 and SB 391, get creative about where people can park their trailer and encourage more tiny home style solutions?

Now, I know that this year there have already been presentations to the council in regards to discriminatory coding and compliance that have historically been built into the ways that most cities operate. I also have heard from council that both the Affordable Housing and the DEI Committee have been looking into McMinnville's codes and ordinances to see what can/should be adjusted. Have the camping and trailer ordinances made their way into these conversations yet? And if so, what are the plans for adjusting them? And if not, how soon can they be?

Some of you have shared that your intentions are, indeed, to address these issues. That it just takes time, and longer time than you would hope. However, given how we have seen the quickness and flexibility that has occurred this past year to adapt and respond to Covid, it seems perhaps more red-tape could be cut to deal with other pressing issues. Even at the last meeting there was another example of council choosing to be nimble and flexible by passing resolution 2021-47 for the City State of Emergency for solid waste disposal. Again, showing that when you choose to, you can address certain situations with more speed and creativity than normally done.

Would not collective experiences such as our housing crisis and our climate crisis demand similar modes of action? Especially as we know that it is those that are already the most underserved and marginalized of our communities that will feel the brunt of this crisis first and most? With ARP funding on the table this seems a unique moment of magnification and clarity to address systemic issues. I remain hopeful that you will work together to build the necessary framework for a healthy, resilient, compassionate and thriving community that can meet the challenges of our times and those that come after us.

Thank you for your time.

-Tynan

Tynan Pierce





Resource Options Information

The following is a road map on the Resource Options to be discussed by Council and Budget Committee as a continuation of the 7/13/2021 work session at the 7/27/2021 Council Meeting. Most of the info is based on Eugene's analysis from 2014 and 2019 as it grappled with a similar gap between their available resources and providing sustainable city services expected and needed by the community. Obviously the calculations on receipts are associated with that much larger city, but the information will nevertheless be helpful background for the discussion.

The goal for the next discussion is to zero in on some resource options that the group would like staff to research more fully in the McMinnville context.

The referenced Meeting packet can be found here:

https://www.mcminnvilleoregon.gov/sites/default/files/fileattachments/city_council/meeting/packets/22350/joint_packet_07.13.21.pdf

Inventory of Resource Options	Meeting Packet, page X of 144
Slide 23 – property tax	LOC 141-142 of 144
Special Districts	Eugene alternatives, p89-91 of 144
Local Option Levy	Eugene alternatives, p55-56, 107 of 144
Slide 23 – income tax	
Payroll Tax	Eugene's recommendation, began this year. Described p.22-24, 67-69, 107, 110-114 of 144
Personal Income Tax	Eugene alternatives, p71-73, 107 of 144
Corporate Activity Tax	Eugene alternatives, p37-38, 107 of 144
Corporate Income/ Business License Tax	Eugene alternatives, p49-50, 107 of 144
Pay Ratio Surtax (CEO tax)	LOC table, 16 of 144 NEW info https://www.portlandoregon.gov/citycode/article/663142

Arts Tax	NEW info https://www.portlandoregon.gov/revenue/article/422384
Slide 24 – sales/excise tax	
Admissions/ Amusements Tax	Eugene alternatives, p31-32 of 144
Local motor vehicle fuel tax	LOC 138 of 144
Utility Consumption Tax	Eugene alternatives, p95-96, 107, 117-119 of 144
Prepared Food, Bev., Restaurant Tax	Eugene alternatives, p79-81, 107 of 144
Motor Vehicle Rental Tax	Eugene alternatives, p59-60 of 144
Retail sales tax particular goods services	LOC table, 16 of 144
Slide 24 – sales/excise tax possibly legal	
Sales Tax	Eugene alternatives, p83-85 of 144
Commuter Tax	Eugene alternatives, p47-48 of 144
Luxury Tax	Eugene alternatives, p57-58 of 144
Slide 25 – fees for service	
Service Fee	Eugene alternatives, p43-45, 107, 114-116 of 144
Utility Service Fee	LOC 143 of 144
Business License Fee	Eugene alternatives, p39-41 of 144; LOC 135 of 144
Construction Excise Tax	LOC 136 of 144
Parking Tax/Benefit District	Eugene alternatives, p63-65, 107 of 144
Improvement Districts (like existing McMinnville Downtown Association assessment)	LOC 138 of 144
Technology Service Fee	
Slide 26 – review existing	
Transient Room Tax	Eugene alternatives, p93-94 of 144; LOC 139-140 of 144
Cost recovery levels on user and service fees	Eugene alternatives, p97-99 of 144

Franchise Fees	LOC 137 of 144
System Development Charges	LOC 144 of 144
OLCC Liquor Lic Fees	
Slide 26 – non-fee option	
Internal financing for capital investments	Brief description on Slide 26
Slide 27 – miscellaneous	
Parking meters	NEW info https://www.cityofsalem.net/Pages/parking-meters.aspx
Red light cameras	Eugene alternatives, p75-78 of 144
Bicycle registration fee	Eugene alternatives, p33-35 of 144
Clean Energy Surcharge	NEW info https://www.portlandoregon.gov/citycode/article/763615
Hazardous substance user fee	NEW info https://eugene.municipal.codes/EC/03_HazardousSubstances