



**City Council Meeting Agenda
Tuesday, March 14, 2023
7:00 p.m. – City Council Regular Meeting**

Welcome! The public is strongly encouraged to participate remotely but there is 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.

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. on Monday, March 13th** to claudia.cisneros@mcminnvilleoregon.gov*
- *If appearing via telephone only please sign up prior by **12 p.m. on Monday, March 13th** 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 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 will need to provide your First and Last name, Address, and contact information (email or phone) to the City.***

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

mcm11.org/live

CITY COUNCIL REGULAR MEETING:

You may join online via Zoom Meeting:

<https://mcminnvilleoregon.zoom.us/j/87447051585?pwd=UjEwbzJaREpxbkhHQ1JKRS8xaVJHZz09>

Zoom ID: 874 4705 1585

Zoom Password: 840566

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

ID: 874 4705 1585

7:00 PM – REGULAR COUNCIL MEETING – VIA ZOOM AND SEATING AT CIVIC HALL

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. ADVICE/ INFORMATION ITEMS

- a. Reports from Councilors on Committee & Board Assignments**
- b. Department Head Reports**

5. CONSENT AGENDA

- a. Consider **Resolution No. 2023-11**: A Resolution authorizing the approval of an intergovernmental agreement between the city of McMinnville and the city of Toledo Oregon regarding Municipal Judge appointments.
- b. Consider the Minutes of the January 10, 2023 City Council Work Session & Regular Meeting.
- c. Consider the Minutes of the January 14, 2023 City Council Goal Setting Meeting.
- d. Consider the Minutes of the February 28, 2023 City Council Work Session & Regular Meeting.
- e. Consider the request from Ricochet Wine Company, LLC for Winery Primary Location, OLCC Liquor License located at 1400 NE Alpha Drive.
- f. Consider the request from Leah Jorgensen Cellars dba: LJC Wine Co. LLC for Winery 2nd Location, OLCC Liquor License located at 1400 NE Alpha Drive.

6. ADJOURNMENT OF REGULAR MEETING



STAFF REPORT

DATE: March 14, 2023
TO: City Council
CC: Arnold Poole, Municipal Court Judge and Jason Carbajal, Municipal Court Supervisor
FROM: Jennifer Cuellar, Finance Director
SUBJECT: Municipal Judge IGA with City of Toledo

Strategic Priority and Goal



CITY GOVERNMENT CAPACITY

Strengthen the City's ability to prioritize & deliver municipal services with discipline and focus.

Report in brief

The McMinnville Municipal Judge works part time for the City of McMinnville and also serves other cities as their municipal court judge.

The purpose of this Intergovernmental Agreement (IGA) is for each city to acknowledge awareness that Judge Poole is serving more than one jurisdiction and to protect the Judge from allegations of "dual office holding" under the Constitution.

At the February 28, 2023, Council meeting, concern was raised that in the resolution and IGA, the description of the employment status of the Judge used slightly different terms. After consulting with City Attorney Walt Gowell, the resolution and IGA are fine to move forward as is because "there are no functional differences between the various descriptions of the judge position."

Discussion

In the Circuit Court for Columbia County, a sitting municipal court judge has been challenged as being in violation of the dual office holding prohibition in the Oregon Constitution. An Intergovernmental Agreement pursuant to ORS 221.335 will protect the Judge from similar allegations.

The IGA with the City of Toledo establishes that court staff will work together to address any scheduling concerns that may arise from Judge Poole working for more than one court. As a practical matter, the standing dates for court sessions in McMinnville and Toledo are different so we are not anticipating difficulties in maintaining McMinnville's court calendar or the need for much coordination in this area.

The City of McMinnville employment contract with the Judge is for part time

services and does not prohibit him from working as a judge in other jurisdictions.

Options for Council Action

Approve the IGA – this will protect the Judge from the issue of dual office holding as well as the City of McMinnville to the extent that the organization would be exposed to liability in this area. (staff recommendation)

Decline to enter into the IGA – this will increase risk to the Judge, and potentially the city as well.

Attachments

1. Resolution No. 2023-11
2. IGA between the Cities of McMinnville and Toledo

RESOLUTION NO. 2023 - 11

A Resolution authorizing the approval of an intergovernmental agreement between the city of McMinnville and the city of Toledo Oregon regarding Municipal Judge appointments

RECITALS:

The City of McMinnville employs a municipal judge part time by contract.

The City of Toledo also employs the same person to be its part time municipal judge.

The schedules of the two courts allow that the activities of each will not generally come into conflict with each other. In the event that scheduling issues arise, the municipal court supervisors will resolve them to the mutual satisfaction of both courts.

An intergovernmental agreement pursuant to ORS 221.335 will protect the judge and jurisdictions from being in violation of the dual office holding prohibition in the Oregon Constitution.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMINNVILLE, OREGON, as follows:

1. That entry into an agreement with the City of Toledo acknowledging that both jurisdictions employ the same person to act as Municipal Court Judge in both jurisdictions is approved.
2. The Mayor is hereby authorized and directed to sign the agreement between the City of Toledo and the City of McMinnville.
3. That this resolution shall take effect immediately upon passage and shall continue in full force and effect until modified, revoked, or replaced.

Adopted by the Common Council of the City of McMinnville at a meeting held the 14th day of March 2023 by the following votes:

Ayes: _____

Nays: _____

Approved this 14th day of March 2023.

MAYOR

Approved as to form:

Attest:

City Attorney

City Recorder

**INTERGOVERNMENTAL AGREEMENT
FOR MUNICIPAL COURT JUDGE
The City of McMinnville, Oregon and the City of Toledo, Oregon**

This Agreement is entered into this _____ day of _____, 2023 by and between **THE CITY OF MCMINNVILLE**, Oregon, and **THE CITY OF TOLEDO**, Oregon.

RECITALS

A. ORS 190.010 permits units of local government to enter into intergovernmental agreements for the performance of any or all functions and activities that a party to the agreement has authority to perform; and

B. ORS 221.355 expressly provides that one City may enter into an intergovernmental agreement with another City for the provision of judicial services; and

C. ORS 221.355 further provides that such exercise of jurisdiction under an intergovernmental agreement shall not constitute the holding of more than one office in violation of Article II, Section 10 of the Oregon Constitution; and

D. The City of Toledo pays Judge Arnold W. Poole ("the Judge") a flat fee as an independent contractor as its Municipal Court Judge; and

E. The City of McMinnville has since hired a new Municipal Court Judge, Judge Poole; and

F. In the Circuit Court for Columbia County, Oregon, a sitting municipal court judge has been challenged as being in violation of the dual office holding prohibition in the Oregon Constitution. CIS is defending; and

G. An Intergovernmental Agreement pursuant to ORS 221.335 will protect the Judge from allegations of "dual office holding" under the Constitution.

NOW, THEREFORE, in consideration for the mutual covenants contained herein the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **RECITALS.** The recitals set forth above are true and correct and are incorporated herein by this reference.

2. **DURATION.** [ORS 190.020(1)(e)]. This Agreement shall be effective upon approval and execution by both City of McMinnville and the City of Toledo. The term of this Agreement shall commence December 1, 2022 and shall terminate on November 30, 2027, unless administratively extended in writing as provided for herein. The McMinnville City

Manager may extend this Agreement by twelve (12) months by indicating in writing to the City of Toledo that an extension of the Agreement is sought under the same terms and conditions of this Agreement. The extension shall also be effective upon receipt of a document from an authorized representative of the City of Toledo that the City of Toledo agrees to the extension under the same terms and conditions.

3. **FUNCTIONS OR ACTIVITIES.** [ORS 190.020(1)]. The City of Toledo shall make available to the City of McMinnville, its independent contractor, not employee, Arnold W. Poole (the Judge) to act as Municipal Court Judge for the City of McMinnville on those dates and at those times as are agreed upon between the Judge and the City of McMinnville, provided such dates and times do not conflict with the City of Toledo Municipal Court proceedings. The Judge's calendar shall be accordingly coordinated through the respective Municipal Court Clerks. Generally, in Toledo, Municipal Court is conducted the 4th Thursday of each month (about one 3 hour period per month).

The Toledo Municipal Court Judge providing services to McMinnville pursuant to this Agreement shall have all judicial jurisdiction, authority, powers, functions, and duties of the Municipal Court of the City of McMinnville under the Charter and laws of McMinnville with respect to any and all violations of the Charter, Oregon Statutes, or City ordinances.

4. **PAYMENT.** [ORS 190.020(1)(a)]. The City of McMinnville pays the Judge directly as a contract employee, for an average estimated 15 hours per week. In addition, the City of McMinnville will report hours worked for the City of McMinnville to PERS and make any PERS payment, if any, required based on the Judge's eligibility based on the aggregate number of hours worked in different jurisdictions. The City of McMinnville is not responsible for payment to PERS for hours worked in other jurisdictions. Notwithstanding the above, it is the Judge's responsibility to ensure that all employers are reporting / paying PERS should his aggregate hours of service qualify. However, notwithstanding the preceding sentence, the City of Toledo will continue to pay the Judge as an independent contractor. No payment shall be required to the City of Toledo from the City of McMinnville. The City of Toledo and the City of McMinnville reserve the right to negotiate and amend their respective and separate employment contracts and /or terms with the Judge without the consent of the other City.

5. **REVENUE.** [ORS 190.020(1)(b)]. All fines, costs, assessments, receipts, and forfeited security deposits collected shall be paid to the respective prosecuting city, as shall be disbursed as required by statute. No revenues are contemplated to be shared. There are no revenues expected to be derived pursuant to this Agreement which need to be apportioned between the parties.

6. **PERSONNEL.** [ORS 190.020(1)(c)]. No employees will be transferred pursuant to this Agreement but the Parties consent and agree to the Judge performing services under this Agreement for both jurisdictions. The parties will separately contract as an independent contractor / employ the Judge under terms and conditions to be agreed upon by the

respective parties. With the exception of any hours of PERS eligible work, the parties are not required to share information.

The City of Toledo and the City of McMinnville remain subject employers under ORS Chapter 656, and shall procure and maintain current valid workers compensation insurance coverage for all subject workers throughout the period of this Agreement as required by law. This Agreement does not change the status of any employee, independent contractor or officer of the respective Cities.

7. **REAL OR PERSONAL PROPERTY.** [ORS 190.020(1)(d)]. There shall be no transfer of title or possession to any real or personal property pursuant to this Agreement.

8. **TERMINATION.** [190.020(1)(f)]. This Agreement may be terminated by mutual consent by both parties; or unilaterally by either party at any time, upon ninety (90) days notice in writing, and delivered by certified mail or personal service. Such termination shall be without prejudice to any obligations or liabilities of either party accrued prior to such termination.

9. **INDEMNITY / HOLD HARMLESS.**

9.1 Subject to the limitations of the Oregon Constitution, and the Oregon Tort Claims Act, the City of McMinnville shall hold harmless, defend and indemnify the City of Toledo from any and all claims, demands, damages or injuries that anyone may have or assert by reason of any error, act or omission of Party for claims arising out of or in any way associated with the Judge in the performance of the Judge's duties as Municipal Court Judge for the City of McMinnville. Subject to the limitation of the Oregon Constitution and the Oregon Tort Claims Act, the City of Toledo shall hold harmless, defend and indemnify the City of McMinnville from all claims, demands, damages or injuries that anyone may have or assert by reason of any error, act or omission of Party for claims arising out of or in any way associated with the Judge in the performance of the Judge's duties as Municipal Court Judge for the City of Toledo. The Parties shall not be held responsible for any claims, actions, costs, judgments or other damages, directly and proximately caused by the criminal or wanton acts of the other Party's employees or the negligence of such employees. Such indemnification shall also cover claims brought against any Party under state or federal employees' compensation laws. It is the intention of the parties, to be solely responsible for the actions of the Judge acting with full judicial power of the respective Cities within or for their local jurisdiction pursuant to this Agreement. If any aspect of this indemnity shall be found to be illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this indemnification.

9.2 A Party nor any attorney engaged by a party may not defend a claim in the name of another party, nor purport to act as legal representative of the other Party without

consent of the other Party's attorney. Parties may not settle any claim on behalf of another Party without the approval of the other Party.

9.3 The Parties agree that they are not agents of each other and are not entitled to statutory indemnification and defense under ORS 30.285 and ORS 30.287.

10. **METHOD AND PLACE OF GIVING NOTICE, SUBMITTING BILLS, AND MAKING PAYMENTS.** All notices, bills, and payments shall be made in writing and may be given by personal delivery or by mail. Notices, bills, and payments sent by mail should be addressed as follows:

City of McMinnville
Attn: Jeff Towery, City Manager
230 NE 2nd Street
McMinnville, OR 97128
Phone: (503) 434-7302
Jeff.Towery@mcminnvilleoregon.gov

City of Toledo
Attn: Judy Richter, City Manager
P.O. Box 220
Toledo, Oregon 97391
Phone: 541-336-2247
judy.richter@cityoftoledo.org

and when so addressed, shall be deemed given upon deposit in the United States Mail, postage prepaid. In all other instances, notices, bills, and payments shall be deemed given at the time of actual delivery. Changes may be made to the names and addresses of the person to whom notices, bills, and payments are to be given by providing notice pursuant to this paragraph.

11. **MERGER.** This writing is intended both as the final expression of the Agreement between the parties with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement. No modification of this Agreement shall be effective unless and until it is made in writing and signed by both parties.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in two (2) duplicate originals, either as individuals, or by their officers, thereunto duly authorized.

Dated this _____ day of _____, 2023.

City of McMinnville, Oregon

City of Toledo, Oregon

By: _____
Remy Drabkin, Mayor

By: _____
Rod Cross, Mayor

Approved as to Form:

Approved as to Form:

City Attorney

City Attorney

CITY OF McMinnville
MINUTES OF CITY COUNCIL WORK SESSION
Held via Zoom Video Conference and at the Kent L. Taylor Civic Hall on Gormley Plaza
McMinnville, Oregon

Tuesday, January 10, 2023 at 6:00 p.m.

Presiding: Remy Drabkin, Mayor

Recording Secretary: Claudia Cisneros

Councilors: Present Absent
Adam Garvin, Council President
Kellie Menke
Zack Geary
Chris Chenoweth
Sal Peralta
Jessica Payne

Also present were City Manager Jeff Towery, City Recorder Claudia Cisneros, Public Works Director Anne Pagano, Wastewater Services Manager Leland Koester, Public Works Operations Superintendent David Renshaw, Parks & Recreation Director Susan Muir, Finance Director Jennifer Cuellar (via zoom), Library Director Jenny Berg (via zoom), Human Resources Manager Vicki Hedges (via zoom), and members of the News Media – Phil Guzzo, McMinnville Community Media.

1. CALL TO ORDER: Mayor Drabkin called the meeting to order at 6:00 p.m.

2. PUBLIC WORKS ADMINISTRATION SPACE NEEDS ANALYSIS

Public Works Director Pagano introduced the agenda topic stated there was a request for proposals (RFP) issued in January of 2022 for a consulting firm to evaluate the administrative facility needs for the Public Works operations facilities and the Water Reclamation facility. Introduced Leland Koester, Wastewater Services Manager as lead staff of the project and Mike McCann from Jacobs Engineering as lead consultant for the project.

Mr. McCann presented a PowerPoint. Provided update of the current facility, some alternative concepts, and next steps.

McMinnville Water & Light General Manager John Dietz provided an about the similar assessment he's working on in his facility. Expressed concerns relating to supply chain and outgrowing the facility.

There was discussion about shared used facilities with other organizations such as the Yamhill County, McMinnville School District, and McMinnville Water and Light.

Wastewater Services Manager Koester talked about future stormwater master planning with Jacobs and including total maximum daily loads (TMDL) requirements and including national pollutant discharge elimination system (NPDES) permit system.

There was discussion about the condition of the Public Works Operations building and it being categorized as no return on investment from the facility needs assessment report as well as four other buildings.

3. ADJOURNMENT: Mayor Drabkin adjourned the Work Session at 6:56 p.m.

Claudia Cisneros, City Recorder

CITY OF McMinnville
MINUTES OF CITY COUNCIL MEETING
Held via Zoom Video Conference and at the Kent L. Taylor Civic Hall on Gormley Plaza
McMinnville, Oregon

Tuesday, January 10, 2023 at 7:00 p.m.

Presiding: Remy Drabkin, Mayor

Recording Secretary: Claudia Cisneros

Councilors: Present Absent
Adam Garvin, Council President
Kellie Menke
Zack Geary
Chris Chenoweth
Sal Peralta
Jessica Payne

Also present were City Manager Jeff Towery, City Recorder Claudia Cisneros, Public Works Director Anne Pagano, Wastewater Services Manager Leland Koester, Public Works Operations Superintendent David Renshaw, Parks & Recreation Director Susan Muir, Community Development Director Heather Richards, Finance Director Jennifer Cuellar (via zoom), Library Director Jenny Berg (via zoom), Human Resources Manager Vicki Hedges (via zoom), Police Chief Matt Scales (via zoom), and members of the News Media – Phil Guzzo, McMinnville Community Media, and Scott Unger, *News Register* (via zoom).

1. CALL TO ORDER: Mayor Drabkin called the meeting to order at 7:01 p.m. and welcomed all in attendance.
2. PLEDGE OF ALLEGIANCE: Council President Garvin led the pledge of allegiance.
3. OATH OF OFFICE – Councilor Sal Peralta, Councilor Zack Geary, and Councilor Jessica Payne

Councilor Peralta, Councilor Geary, and Councilor Payne read the Oath of Office and were sworn in by Municipal Court Judge Poole

4. ELECTION OF COUNCIL PRESIDENT:

Councilor Menke suggested Councilor Garvin remain the Council President. There were no further nominations.

Councilor Menke MOVED to nominate Councilor Garvin for Council President; SECONDED by Councilor Peralta. Motion PASSED unanimously.

5. INVITATION TO CITIZENS FOR PUBLIC COMMENT: Council President Garvin invited the public to comment.

Carley Bushart, McMinnville resident asked for the consideration of making the City of McMinnville a quiet zone with the Federal Railroad Administration by removing the requirement for railroad Engineers to sound a horn or whistle at railroad crossings. Ms. Bushart outlined the process the City would need to take for this requirement.

Mark Davis, McMinnville resident stated his support in everything Ms. Bushart had asked for.

6. CONSENT AGENDA
- a. Consider the request from Scenic Woods LLC. dba: Scariano for Winery Primary Location, OLCC Liquor License located at 707 NE 5th Street.
 - b. Consider Resolution No. **2023-01**: A Resolution Ratifying Billing Services Agreement with McMinnville Water and Light.
 - c. Consider Resolution No. **2023-02**: A Resolution establishing a role for the Affordable Housing Committee in conducting outreach and making recommendations to City Council for use of Affordable Housing Construction Excise Tax (AHCET) Funds.
 - d. Consider the request from Jose's Taquiera for Limited on-premises, OLCC Liquor License located at 1259 SW Booth Bend Rd.

Councilor Geary MOVED to adopt the consent agenda as presented; SECONDED by Councilor Peralta. Motion PASSED unanimously.

7. RESOLUTIONS

- 7.a. Consider Resolution No. **2023-03**: A Resolution deciding on the appeal of the Planning Commission's denial of a short-term rental permit for 790 NW 21st Street.

Mayor Drabkin stated Resolution No. 2023-03 was removed from the agenda .

8. ADVICE/ INFORMATION ITEMS

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

Councilor Peralta said Historic Landmark Committee held a public hearing on January 5th, 2023 to consider the demolition of three historic buildings on Third Ave and replaced with a new hotel and since no decision has been made he's been advised by the contract City Attorney not to provide further details. Reported on Mid-Willamette Council of Governments (MWVCOG) was a reminder for the February 15th, 2023 Annual Meeting with board presentation and award ceremony. Asked to see a representation of Executive Team and Council members at the event.

Councilor Payne had nothing to report.

Councilor Menke had nothing to report.

Councilor Chenoweth had nothing to report.

Councilor Geary stated McMinnville Urban Renewal Agency (MURAC) will meet on February 1st, 2023. Diversity, Equity, and Inclusion Advisory Committee (DEIAC) will meet on Thursday to discuss working on beta testing the department assessment tool. The Parks and Open Spaces Master Plan is efforts are continuing and asked everyone to take part in the survey found at www.mcminnvilleparksplan.com.

Council President Garvin reported Airport Commission met last week and Willy, Airport Administrator will be doing Hanger Inspections before the March meeting. Yamhill Communications Agency (YCOM) met today and received updates on legislative bills. Fire Chief, Union President Godfrey and he are continuing to make Fire District presentations and has an upcoming second public hearing with the County. Reminded the Council about the upcoming Budget Committee meeting to talk about the taxing authority and having that meeting be an open dialogue.

Mayor Drabkin said will have a Budget Committee meeting to discuss the taxing Authority and getting the information out to the public to participate. Acknowledge the seven hour and nineteen minutes public hearing the Historic Landmark Committee meeting had. Is looking forward to the upcoming Council Retreat, she and Council President Garvin have spent many months planning the retreat. Mentioned Senator Wyden and Congresswoman Salinas will be coming to McMinnville for a Town Hall. The Council will also be attending City Day at the Capital at the end of the month.

8.b. Department Head Reports

City Manager Towery confirmed the Joint Meeting with the McMinnville School District School Board will be on Wednesday, March 22nd, 2023. Have scheduled City Attorney interviews for January 20th, 2023.

Public Works Director Pagano had nothing to report.

Community Development Director Richards had nothing to report.

Susan Muir restated the webpage address for the survey www.mcminnvilleparksplan.com and the survey is a new technology using a geographic based survey. Stated there will be a System Development Charges work session on February 28th, 2023. Stated the survey closes on February 5th, 2023.

City Recorder Cisneros had nothing to report.

Library Director Berg invited all to the Friends of the McMinnville public library book sale on Friday, January 13th at the Library from 9am – noon and proceeds go to support library programs.

Finance Director Cuellar reported Municipal Court has resumed doing arraignments at the jail. Stated in late December the Governor issued an Order of remission which affects some McMinnville drivers who have gone to court and have a driver licenses suspension. Will be working through about 150 cases listed in the Governor's order. In Finance they received a clean audit report for the City's financial statements, Federal audit and Urban Renewal Area. Budget is kicking off and having staff wide budget kick off meeting on Thursday. One change this year will be two budgets, one will be status quo with the Fire Department and the second one will be with no Fire Department. Provided update on the City Services charge.

Police Chief Scales gave a staffing update.

Human Resources Manager Hedges restated City Attorney interview invitations will be sent tomorrow.

9. ADJOURNMENT: Mayor Drabkin adjourned the meeting at 7:42 p.m.

Claudia Cisneros, City Recorder

CITY OF McMinnville
MINUTES OF CITY COUNCIL GOAL SETTING
Held via Zoom Video Conference and at the Police Department Training Room
McMinnville, Oregon

Saturday, January 14, 2023 at 9:00 a.m.

Presiding: Remy Drabkin, Mayor

Recording Secretary: Claudia Cisneros

Councilors: Present Absent
Adam Garvin, Council President
Kellie Menke (left @ 12:38pm)
Zack Geary
Chris Chenoweth
Sal Peralta
Jessica Payne

Also present were City Manager Jeff Towery, City Recorder Claudia Cisneros, Police Chief Matt Scales, Fire Chief Rich Leipfert, Finance Director Jennifer Cuellar (left at 12:48pm), Parks & Recreation Susan Muir, Community Development Director Heather Richards, Library Director Jenny Berg, Human Resources Manager Vicki Hedges, Information Technology Director Scott Burke, Communications & Engagement Manager Noelle Amaya, Public Works Operations Superintendent David Renshaw and Scott Unger, *News Register* (via zoom).

1. CALL TO ORDER: Mayor Drabkin called the meeting to order at 9:14 a.m. and welcomed all in attendance.

Mayor asked all to participate in an interactive exercise.

3. GOAL SETTING WITH SCOTT DADSON OF MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENT (MWVCOG)

Scott Dadson from Mid-Willamette Valley Council of Government (MWVCOG) outlined the agenda for the day. Attendees briefly introduced themselves.

Mr. Dadson went through each of the five goals in an interactive group activity by splitting the attendees and having each group discuss each goal one at a time, answer questions and report them back to the group. The questions to answer and report back were:

- 2 objectives to develop internal and external communication.
- What are the priorities?
- What else is left?
- What else needs to be done that needs to be a priority of the City moving forward?
- Right sizing city services.

Mr. Dadson went through a final exercise with the group of answer the question of what hasn't been said or seen during today's goal setting that needs to be considered?

Mr. Dadson stated he will work on a final memo back to City Manager Towery and the 2023 goals will be refined and presented for adoption at a City Council Meeting in the near future.

4. ADJOURNMENT: Mayor Drabkin adjourned the Goal Setting at 2:06 p.m.

Claudia Cisneros, City Recorder

CITY OF McMinnville
MINUTES OF CITY COUNCIL WORK SESSION
Held via Zoom Video Conference and at the Kent L. Taylor Civic Hall on Gormley Plaza
McMinnville, Oregon

Tuesday, February 28, 2023 at 6:00 p.m.

Presiding: Adam Garvin, Council President

Recording Secretary: Claudia Cisneros

Councilors:	<u>Present</u>	<u>Absent</u>
	Kellie Menke	Remy Drabkin, Mayor
	Zack Geary	
	Chris Chenoweth	
	Sal Peralta (via zoom)	
	Jessica Payne	

Also present were City Manager Jeff Towery, City Recorder Claudia Cisneros, Community Development Director Heather Richards, Parks & Recreation Director Susan Muir, Finance Director Jennifer Cuellar (via zoom), Public Works Director Anne Pagano (via zoom), Library Director Jenny Berg (via zoom), and members of the News Media – Kyle Dauterman, McMinnville Community Media, and Scott Unger, *News Register* (via zoom).

1. CALL TO ORDER: Council President Garvin called the meeting to order at 6:00 p.m.
2. PARKS AND OPEN SPACE MASTER PLAN – WORK SESSION ON SYSTEM DEVELOPMENT CHARGES (SDC’S)

Parks & Recreation Director Muir introduced the agenda topic and introduced Michaela Jellicoe consultant Senior Economist with Community Attributes Inc. to help update the SDC methodology. Ms. Jellicoe presented a PowerPoint.

There were discussions about park exemptions in SDCs.

Councilor Geary asked about change of use in staff report and the fees for the change of use. Ms. Jellicoe recommended to work with Planning Department for the implementation of this.

Parks & Recreation Director Muir stated will be bringing back for policy direction at the next presentation. Will bring back different options using comparable cities in sizing and using an equitable lenses.

3. ADJOURNMENT: Council President Garvin adjourned the Work Session at 6:45 p.m.

Claudia Cisneros, City Recorder

DRAFT

CITY OF McMinnville
MINUTES OF CITY COUNCIL MEETING
Held via Zoom Video Conference and at the Kent L. Taylor Civic Hall on Gormley Plaza
McMinnville, Oregon

Tuesday, February 28, 2023 at 7:00 p.m.

Presiding: Adam Garvin, Council President

Recording Secretary: Claudia Cisneros

Councilors:	<u>Present</u>	<u>Absent</u>
	Kellie Menke	Remy Drabkin, Mayor
	Zack Geary	
	Chris Chenoweth	
	Sal Peralta (via zoom)	
	Jessica Payne	

Also present were City Manager Jeff Towery, City Recorder Claudia Cisneros, Community Development Director Heather Richards, Parks & Recreation Director Susan Muir, Finance Director Jennifer Cuellar (via zoom), Public Works Director Anne Pagano (via zoom), Library Director Jenny Berg (via zoom), Public Works Director Anne Pagano (via zoom), and members of the News Media – Kyle Dauterman, McMinnville Community Media, and Scott Unger, *News Register* (via zoom).

1. CALL TO ORDER: Council President Garvin called the meeting to order at 7:00 p.m. and welcomed all in attendance.
2. PLEDGE OF ALLEGIANCE

Councilor Geary led the pledge of allegiance.
3. PROCLAMATION
- 3.a. Women’s History Month Proclamation

Council President Garvin read the proclamation.
4. INVITATION TO CITIZENS FOR PUBLIC COMMENT: Council President Garvin invited the public to comment.

There were no public comments.
5. ADVICE/ INFORMATION ITEMS

5.a.

Reports from Councilors on Committee & Board Assignments

Councilor Chenoweth said McMinnville Economic Vitality Leadership Council (MEVLC) met and voted chair and vice chair in. There was a presentation covering potential business licensing fee. Parkway met and covered the bypass updates the focal point was what will happen with McDougal corner and the funding for projects.

Councilor Geary had nothing to report.

Councilor Payne said Landscape Review Committee had a long meeting and appointed a new chair. Work session on code amendments.

Councilor Menke reported Affordable Housing Committee sworn in a number of new members and selected chair and vice chair. Reporting on construction exercise tax. CET recommendation to use funding to improve affordable housing.

Councilor Peralta said Mid-Willamette Council of Governments (MWCOG) had their annual meeting and thanked those in attendance. Award given for stratus village. Legislative committee meets tomorrow.

Council President Garvin stated Airport Commission meets tomorrow. Yamhill Communications Agency (YCOM) hasn't met. At last Council meeting stated would be bringing a letter regarding the Fire District to this meeting but will need to bring the letter to the first meeting in March. Asked if Councilor will be missing the meeting to let him know. He and Union President Godfrey continue their speaking tour on the fire district and feedback has been positive.

5.b.

Department Head Reports

City Manager Towery said not able to reach agreement on City Attorney. Will be leaving town next Tuesday, March 7, 2023.

Community Development Director Richards sent out a postcard mailing to 12,000 property owners regarding upcoming public hearing if anyone has questions call the Planning Department to walk members through that. There was an article in paper regarding Natural Hazards program, and have screening lots of questions. Planning Commission will be holding a public hearing on April 6th and mailer will go out. Went to Yamhill County Board of Commissioners for homelessness in Yamhill County regarding Governor Kotek's Executive Order for homelessness resources. Believes the Yamhill County data meets the order and the county is considering this order at their Thursday meeting.

Susan Muir reported on summer registrations opening tomorrow.

Claudia Cisneros had nothing to report.

Anne Pagano had nothing to report.

Jennifer Cuellar said is at a conference in Seaside but keeping an eye on the weather for municipal court tomorrow. Thanked those in the streets operations department for all they do to keep the streets safe.

Noelle reported on the show the love campaign.

6.

CONSENT AGENDA

a. Consider **Resolution 2023-11**: A Resolution authorizing the approval of an intergovernmental agreement between the city of McMinnville and the city of Toledo Oregon regarding Municipal Judge appointments.

b. Consider **Resolution 2023-12**: A Resolution Appointing Members to the Diversity, Equity, and Inclusion Committee.

c. Consider the Minutes of the November 22, 2022 City Council Regular Meeting.

d. Consider the Minutes of the December 13, 2022 City Council Regular Meeting.

e. Consider the Minutes of the January 24, 2023 City Council Regular Meeting.

f. Consider the Minutes of the February 14, 2023 City Council Regular Meeting.

Councilor Payne requested to remove agenda Item a.

Councilor Geary MOVED to adopt the consent agenda except for Item a; SECONDED by Councilor Menke. Motion PASSED unanimously.

6.

ITEMS REMOVED FROM THE CONSENT AGENDA

6.a.

Consider **Resolution No. 2023-11**: A Resolution authorizing the approval of an intergovernmental agreement between the city of McMinnville and the city of Toledo Oregon regarding Municipal Judge appointments.

Councilor Payne asked the Resolution states Judge Poole is employed as a part time Judge in Toledo and City Judge by contract in McMinnville but the Intergovernmental Agreement states Judge is a contract person for both Toledo and City of McMinnville and looking for clarification.

Item was tabled and will be brought back to Council at the March 14, 2023 City Council Regular Meeting.

7. NEW BUSINESS

7.a. Potential Council action regarding the writ of mandamus.

Community Development Director Richards introduced the topic and shared the recommend language for the motion of action.

Councilor Menke MOVED to authorize entry of order in Circuit Court case – LaGow v. City of McMinnville – 23CV00844 as recommended by staff with one revision – an amendment to Condition 3.G requiring the name and “contact information” of the emergency contact be provided to the Community Development Office, subject to no fees or costs, including attorney fees, to be sought by either party, SECONDED by Councilor Chenoweth. Motion PASSED 6-0.

ADJOURNMENT: Council President Garvin adjourned the meeting at 7:27 p.m.

Claudia Cisneros, City Recorder

Liquor License Recommendation

BUSINESS NAME / INDIVIDUAL: Ricochet Wine Company, LLC
BUSINESS LOCATION ADDRESS: 1400 NE Alpha Drive
LIQUOR LICENSE TYPE: Winery: Primary Location

Is the business at this location currently licensed by OLCC

Yes No

If yes, what is the name of the existing business:

Hours of operation: N/A
Entertainment: N/A
Hours of Music: N/A
Seating Count: N/A

EXEMPTIONS:
(list any exemptions)

Tritech Records Management System Check: Yes No
Criminal Records Check: Yes No
Recommended Action: Approve Disapprove



Chief of Police / Designee

City Manager / Designee

LIQUOR LICENSE APPLICATION

Page 1 of 4

Check the appropriate license request option:

New Outlet | Change of Ownership | Greater Privilege | Lesser Privilege | Additional Privilege

Select the license type you are applying for.

More information about all license types is available [online](#).

Full On-Premises

- Commercial
- Caterer
- Public Passenger Carrier
- Other Public Location
- For Profit Private Club
- Nonprofit Private Club

Winery

- Primary location
- Additional locations: 2nd 3rd 4th 5th

Brewery

- Primary location
- Additional locations: 2nd 3rd

Brewery-Public House

- Primary location
- Additional locations: 2nd 3rd

Grower Sales Privilege

- Primary location
- Additional locations: 2nd 3rd

Distillery

- Primary location
- Additional tasting locations: 2nd 3rd 4th 5th 6th

Limited On-Premises

Off Premises

Warehouse

Wholesale Malt Beverage and Wine

INTERNAL USE ONLY

Local Governing Body: After providing your recommendation, return this application to the applicant.

LOCAL GOVERNING BODY USE ONLY

City/County name:

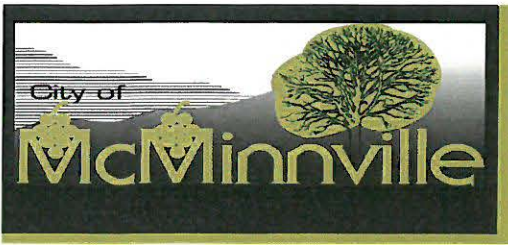
Date application received: 2/8/2023

Optional: Date Stamp

- Recommend this license be granted
- Recommend this license be denied

Printed Name

Date



City Recorder Use	
Final Action:	
<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved

Liquor License Recommendation

BUSINESS NAME / INDIVIDUAL: Leah Jorgensen Cellars dba: LJC Wine Co. LLC
 BUSINESS LOCATION ADDRESS: 1400 NE Alpha Drive
 LIQUOR LICENSE TYPE: Winery 2nd location

Is the business at this location currently licensed by OLCC

Yes No

If yes, what is the name of the existing business:

Hours of operation: N/A
 Entertainment: N/A
 Hours of Music: N/A
 Seating Count: N/A

EXEMPTIONS:
 (list any exemptions)

Tritech Records Management System Check: Yes No
 Criminal Records Check: Yes No
 Recommended Action: Approve Disapprove

Chief of Police / Designee

City Manager / Designee

LIQUOR LICENSE APPLICATION

Page 1 of 3
11-7-22 RE

Check the appropriate license request option:

[New Outlet](#) | [Change of Ownership](#) | [Greater Privilege](#) | [Lesser Privilege](#)

Select the license type you are applying for.

More information about all license types is available [online](#).

Full On-Premises

- Commercial
- Caterer
- Public Passenger Carrier
- Other Public Location
- For Profit Private Club
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Winery

- Primary location
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Brewery-Public House

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Grower Sales Privilege

- Primary location
- Additional locations: 2nd 3rd

Distillery

- Primary location
- Additional tasting locations: 2nd 3rd 4th 5th 6th

Limited On-Premises

Off Premises

Warehouse

Wholesale Malt Beverage and Wine

INTERNAL USE ONLY

Application received:

9-14-22

Minimum documents acquired:

9-14-22

LOCAL GOVERNING BODY USE ONLY

City/County name:

Date application received: 2/9/2023

Optional: Date Stamp

- Recommend this license be granted
- Recommend this license be denied

Printed Name

Date

Return this form to:

Investigator name:

Roslyn Espinosa

Email:

roslyn.espinosa@oregon.gov

Leah Jorgensen Cellars, 1400 NE Alpha Dr,
McMinnville, OR 97128

12-2-22 RE

McMinnville City Council
Version: **Final**
Word Count: 195
Measure 36-227
Order # 5
Furnished by:
Paid for by:

The McMinnville City Council is committed to building a vibrant community where citizens can live, work and play. Reliable fire and emergency medical services are critical when it comes to keeping our community safe and achieving that goal. For years, the city has struggled to provide the City Fire Department with the funding necessary to keep pace with the growing service demands.

A Fire District will provide our community with a higher level of service, more firefighters, and additional fire stations which will improve emergency response times in our city and rural areas allowing you and your family to rest assured that help will be there when you need it most.

We support the formation of a fire district in McMinnville because we believe it is the best way to provide the higher level of fire and emergency medical service that our citizens expect and deserve.

This is the right thing to do, and this is the right time to do it.

Join us and **VOTE YES** on measures 36-226 & 36-227

McMinnville Mayor Remy Drabkin
Council President Adam Garvin
Councilor Chris Chenoweth
Councilor Zack Geary
Councilor Kellie Menke
Councilor Jessica Payne
Councilor Sal Peralta