



City Council Meeting Agenda

Tuesday, October 14, 2025

7:00 p.m. – City Council Regular Meeting

EXECUTIVE SESSION – to immediately follow the URA Meeting (CLOSED TO THE PUBLIC)

REVISED 10/13/2025

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 four ways:

- Attend in person and fill out a public comment card
- Email at any time up to **noon on Monday, October 13th** to CityRecorderTeam@mcminnvilleoregon.gov
- If appearing via telephone or ZOOM, please sign up prior by **noon on Monday, October 13th** by emailing the City Recorder at CityRecorderTeam@mcminnvilleoregon.gov as the chat function is not available when calling in Zoom; **You will need to provide the City Recorder with your First and Last name, Address, and contact information (email or phone) for a public comment card.**

*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 Webinar Meeting:

<https://mcminnvilleoregon.zoom.us/j/88334568366?pwd=L7MbLiHqasiNEWA3cWa6p7bKxYbckk.1>

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

Webinar ID: 883 3456 8366

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 4 minutes per person for a total of 32 minutes. The Mayor will read comments emailed to the City Recorder and then call on anyone who has signed up to provide public comment.

4. PUBLIC HEARINGS

- a. Public Hearing to consider **Resolution No. 2025-54**: A Resolution adopting a supplemental budget for fiscal year 2025-26 and making appropriation transfers.

5. PRESENTATION

- a. Old Sheridan & Cypress Safety Review Presentation

6. ADVICE/ INFORMATION ITEMS

- a. Reports from Councilors on Committee & Board Assignments

b. Department Head Reports

7. CONSENT AGENDA

- a. Consider the request from DeZordo Wines and Vineyard, LLC for WY-NC, OLCC Liquor License located at 475 NE 17th Street.
- b. Consider the request from Baker St Café, LLC dba: Baker St Café – Thai Kitchen for Limited On-Premises Sales, OLCC Liquor License located at 205 SE Baker Street.
- c. Consider the request from Oregon Wine Services and Storage, LLC dba: wineshipping for Distillery (for taxpaid bottled storage and delivery of distilled spirits), OLCC Liquor License located at 2803 NE Orchard Ave.
- d. Consider the Draft Minutes of the August 26, 2025 City Council Work Session & Regular Meeting.
- e. Consider the Draft Minutes of the August 28, 2025 Special Called City Council - Strategic Plan Review & Goal Setting Meeting.
- f. Consider the Draft Minutes of the September 09, 2025 City Council Work Session & Regular Meeting.
- g. Consider the Draft Minutes of the September 23, 2025 City Council Work Session & Regular Meeting.
- h. Consider **Resolution No. 2025-55**: A Resolution appointing members to the City's various Committees.
- i. Consider **Resolution No. 2025-56**: A Resolution Approving the 2nd Amendment to the professional services contract with Jacobs Engineering Group Inc. for the Public Works Water Reclamation Facility (WRF) and Conveyance System Master Plan Update, Project 2022-5 to include Additional Regulatory Support for McMinnville's National Pollutant Discharge Elimination System (NPDES) Permit Renewal with the Oregon Department of Environmental Quality (DEQ).

8. RESOLUTION

- a. Consider **Resolution No. 2025-54**: A Resolution adopting a supplemental budget for fiscal year 2025-26 and making appropriation transfers.
- b. Consider **Resolution No. 2025-51**: A Resolution authorizing the Interim City Manager to sign an Annexation Agreement with Yamhill Soil and Water Conservation District (property owner) and MAC Multi LLC (buyer), for the future annexation of Tax Lot R4409CD00100.
- c. Consider **Resolution No. 2025-57**: A Resolution Approving an Addendum to the Mac-Town 2032 Strategic Plan.

9. ORDINANCE

- a. Consider the first reading with a possible second reading of **Ordinance No. 5165**: An Ordinance Amending Title 17 (Zoning) of the McMinnville Municipal Code Chapter 17.57 "Landscaping" and Chapter 17.58 "Trees" and Approving the Decision, Findings, and Conclusionary Findings for Docket G 2-24.

10. ADJOURNMENT OF REGULAR MEETING

**CITY COUNCIL EXECUTIVE SESSION – IMMEDIATELY FOLLOWING THE URBAN RENEWAL AGENCY MEETING
(NOT OPEN TO THE PUBLIC) (Added on 10.13.2025)**

1. CALL TO ORDER
2. **EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(h):** To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.
3. ADJOURNMENT OF EXECUTIVE SESSION

From: [Mayor Kim Morris](#)
To: [Claudia Cisneros](#)
Subject: FW: Message from the MPA board
Date: Tuesday, October 7, 2025 11:44:08 AM
Attachments: [image001.png](#)



Mayor Kim Morris

Kim.Morris@mcminnvilleoregon.gov

From: Evan B. [REDACTED]
Sent: Monday, September 29, 2025 10:10 AM
To: Mayor Kim Morris <Kim.Morris@mcminnvilleoregon.gov>; Dan Tucholsky <Dan.Tucholsky@mcminnvilleoregon.gov>; Chris Chenoweth <Chris.Chenoweth@mcminnvilleoregon.gov>; Sal Peralta <Sal.Peralta@mcminnvilleoregon.gov>; Scott Cunningham <Scott.Cunningham@mcminnvilleoregon.gov>; Zack Geary <Zack.Geary@mcminnvilleoregon.gov>; Jessica Payne <Jessica.Payne@mcminnvilleoregon.gov>
Subject: Message from the MPA board

This message originated outside of the City of McMinnville.

Hello Mayor Morris and City Councilors,

I'm writing to you in my role as the President of the McMinnville Police Association executive board, and not in my role as an employee of the City.

I'm inclined to mention that I am able to write to you all because the required 150 days of negotiations has elapsed, which enables both parties to discuss negotiated topics outside of a negotiation (or mediation, in our current case) setting.

I'm writing to appeal to you in your positions of leadership on behalf of the McMinnville Police Association. We are in the midst of our second mediation session, and I can tell you that it feels we're approaching an impasse unless things change. It is not the Association's desire to go to arbitration, and to be honest with you I would very much like to get this contract settled for the sake of everyone involved. My fear, however, is that arbitration will be the inevitable result if the City fails to recognize the importance of this upcoming contract.

The police department is bleeding people much faster than we can hire them. We currently only have two recruits, and based upon our current track record of 50% success rate through training it's quite possible we may only solo one of them. We currently have one MPD officer who put in his two weeks notice yesterday (9/28/25) to go work at Keizer PD. We have another

officer in backgrounds with the Port of Portland. We have a third officer who has applied to another outside agency, and I just learned of a possible fourth officer that has applied to an out-of-state police agency. If all four of those officers leave McMinnville, we will have multiple squads at minimum staffing (4 people per shift, instead of the 7-person squads we had in 2018). That means no one can take any time off, including sick time, without their squad needing overtime coverage. Since patrol works 48-hour weeks, that will require officers to work 60-hour weeks on a regular basis.

This affects more than just patrol. When I was a detective assigned to the investigations unit (2019-2023) we had six detectives assigned to the division in addition to the Detective Sergeant, with the exception of a portion of my time where we operated at lower numbers while we filled vacancies from the division. Currently, Detective Mattison is coming down to patrol to cover low staffing, leaving the detectives with three detectives; half of the detectives they should have. Having worked for years in detectives I can tell you the quality of work the detectives will be able to generate operating at 50% capacity will not be what the citizens of McMinnville have come to expect, and deserve.

The association feels the strain of low staffing, and I am seeing numerous officers in various stages of burnout. Never before have we been asked to do so much with so little. Expectation emails abound as the needs of the City increase with the ever-rising transient population and crime rate in general, but we are at lowest staffing we have been in since the early 2000's. Please keep in mind that between the early 2000's and 2025 the population of the city has grown by over 10,000 residents.

There has little headway to reduce patrols workload, and quite the contrary our administration has increased our workload to support the business owners and citizens who want their needs and desires addressed, which we understand.

If something does not change, we are going to lose more people and reach critical mass. With the eve of two or three squads potentially being at minimums, we will blow our overtime budget out of the water just covering mandatory minimums on shifts. If anyone else leaves (and there is talk of it amongst every squad I visit with), we could reach a point where we are regularly *forcing* officers to come to work on their weekends, which will only continue the domino effect of people leaving.

When I first met with the City when we started negotiations in January of 2025, I told them I had crafted a proposal that was specifically designed for retention. That proposal has been rejected, countered, and whittled down to a skeleton of what it was, but Director Hedges still refuses to budge on a few key points. If you look at the major sticking points (which I'm happy to discuss with any of you) you will see that the City is unwilling to pay their senior association members (Corporals and Sergeants) their incentives at their actual pay scale. This has resulted in association members' incentives being worth less the higher they promote. Our current incentive and wage setup actually rewards new officers the most, and takes money from people should they choose to stay with Mac and promote. I challenge you to show me any private industry that rewards it's newest employees more, and gives less and less reward and preference to their senior, experienced, staff.

These are the kinds of roadblocks that have led to low morale and a skeleton crew department. Our admin is doing all they can to hire people, but are doing little to retain the people we have. That is why we are losing people faster than we can hire them, and that is why

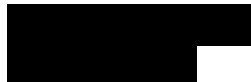
we will continue to do so until something changes.

I came and spoke to the council a few months ago during the budget crisis, and I appreciate the efforts you all made to eliminate fewer positions than originally proposed. I appeal to you now to use your influence to again help our department by showing our association they are valued, and to try and stymie the flow of people exiting our department for others that have much better staffing, more special assignments (opportunity), and higher morale.

My scope of influence is limited in my current capacity. However, more than just about anyone at the department I feel I have the best pulse on the heartbeat of the organization, which is made up primarily of bargaining unit members. I can tell you everyone is waiting to see what happens with our contract that expired months ago before making some tough decisions about their future at our department. I am doing everything I can for the association which is why I'm reaching out, and I hope you understand my motives are not to undermine the process in any way, but to give you perspective you may not ever have gotten otherwise. I am asking for you to take action and help prevent even more people from leaving McMinnville PD for greener pastures.

Thanks for your time and consideration.

Evan Burt
MPA Executive Board President



Unable to afford new sidewalk renovations at this time.

Bonnie Zachary
[REDACTED]

McMinnville OR 97128
[REDACTED]

Due to the construction project on our home, I have been made aware of the city code that requires compliance with updated sidewalk regulations. We respectfully request your attention to these important details of our plight for us to eventually, when I can afford it, conform to these new sidewalk regulations.

Key points:

- Contractor abandoned the home construction job before it was completed.
- I have had to continue the job serving as my own contractor, completing the unfinished work is taking all extra funds I had saved.
- There was miscommunication regarding our obligations with re-doing the sidewalk.
- The updated sidewalk regulations require a sloping grade of no greater than 2%, when city representatives came to consult with us, most sidewalk sections measured between 2.4-2.8%. Less than 1% grade over the regulation.
- We live on a corner lot, we have a far above average length of sidewalk on our frontage, so it will be an expensive renovation.
- We are asking for flexibility at this time to reach compliance with these sidewalk requirements.

At the end of 2023 our contractor, Jorge Dominguez, met with us to tell us he could not complete our contracted project. He claimed there was a family hardship and he had to leave to Honduras immediately. We thought we had parted amicably, however when I reached out to the companies who had been working with him to continue the project, they refused to continue working with us, and our former contractor would not respond to any calls or texts to explain the situation. I would later find out through a chance encounter with some of his employees that he had not, in fact, left to Honduras, and was still continuing other jobs in the area. He had dropped us and made it exceedingly difficult to continue the job myself. To this day he still refuses to send any of the documentation that he has that would make this job easier. For example, recently it was difficult to provide the city with the sewer scope footage we had done because Jorge would not send it to us.

Finding new carpenters, electricians, painters, and tilers, has all increased the cost of this project, as well as requiring a significant amount of my time and energy.

Regarding the sidewalk specifically, the code requiring renovations was not communicated to me by my former contractor until near the end of his time working for us. He should have been

JOHN HARRIS
CONTRACTOR - RENOVATION

aware of the code before we ever broke ground, and it would have been in the original budget in our contract. After he left and I became the contractor, I reached out to the City Planning Department for more information about how our building permits worked, as I needed to obtain a new one. I followed the information I was given as well as I could, but the information I was given about the sidewalk was incorrect. It was my understanding at the time that the sidewalks could wait until I was able to afford it, even if my building permit expired. I wouldn't incur any fees or penalties, and only if it came a time when I sold my home would I need to obtain a new permit and complete the sidewalk renovation.

It was over a year later when I found a warning notice from the city taped to my front door this ~~August~~ ^{JUNE} I immediately called to find out what the issue was, and that's when I understood that the information I had was incorrect.

This project has been a huge ordeal for me. I started it out with who I thought was the best contractor I could find, someone who would be on top of everything and make it easy. But I ended up being abandoned and left to finish it myself. I am a retired, 66 year old, single woman who is living on social security and no other income. I am also a cancer survivor who has difficulty with physical work. I have saved for over 20 years to do an addition to my home, but it has been more expensive than it should have been and drained anything extra I had left. I understand the sidewalk along my property is a few fractions of a percent past the regulation, and I am asking for the city to grant me the flexibility to make these renovations when I can afford it. Right now I would be required to apply for another ~\$600 permit tomorrow.

JOHN HARRIS

CONCRETE CONSTRUCTION

PROJECT QUOTE

OR CCB #203601

Date: Jun 25, 2023

Customer: Dominguez Construction

Project: Pinchurst sidewalks

- Removal and replacement of sidewalks to meet current ADA code
- will remove 6' of existing driveway

Total for Labor & Materials : **\$11,450**

- Payment due when work is completed.
- Pricing guaranteed for 14 days from date of quote.

Thank you.

Sincerely,

John Harris

[REDACTED]

McMinnville, OR 97128

[REDACTED]

3:17

X

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UNITED STATES
POSTAL SERVICE

We Redeliver For You!

Download Informed Delivery® APP to manage your redeliveries.

Sorry we missed you while you were out.

Date: 6-20

The item was sent by: City of McMinnville

It was sent to: Bonnie Zapp

At this address: [Redacted]

About the missed delivery:

It was a:

☐ Package ☒ Letter ☐ Large envelope

☐ USPS® Smart Parcel Locker Eligible
(Smaller than 17Hx13Wx23D)

Available for pickup date: 6-21

This is the:

☒ First attempt ☐ Final notice



To schedule a redelivery:

Scan the QR code or go to
usps.com/redelivery

Article number:

5293 0665 4786 7585

We have item/s for you which we could not deliver
because:

☐ It requires a payment of \$_____ for:

_____ Postage due _____ Customs

☐ Receptacle full/item oversized

☐ No secure location available

☐ No authorized recipient available

☒ Signature required

_____ must be 18+ years old _____ must be 21+ years old

☒ Other: Return Receipt

Please see reverse to schedule redelivery or pickup.

PS Form 3849, September 2022

Choose one option for redelivery or pickup.

1. Go online to usps.com/redelivery.
2. Let your carrier know when and where you'd like them to leave the item, then leave this form in your mailbox. (Not an option for Restricted Delivery or Adult Signature items.)

Please redeliver on this date: _____

and leave at (check one):

- ☐ Front door ☐ Back door ☐ Porch ☐ Garage
☐ Other _____

3. Go to your local Post Office™, located at:

McMinnville Post Office
650 NE 2nd St
McMinnville, OR 97128
M-F 8:30-17:30, Sat 10:00-13:00

4. Sign up to manage your redeliveries at informedelivery.com.
5. Send someone to serve as your representative: Sign below and provide the name of the person you want to pick up your item at your local Post Office™ listed in item 3. See item 2 for restrictions.

Addressee signature: _____

Name of representative: _____

6. Call us at 800-ASK-USPS (800-275-8777).

Delivery Section

Signature	
X	
Printed Name	
Delivery Address	

USPS



5293 0665 4786 7585

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PS Form 3849, September 2022 (Reverse)



**UNITED STATES
POSTAL SERVICE®**

3:18



X

IMG_7295.jpg

...

Civil Penalty Citation

Case Number. CL 119.25TO ALL RESPONSIBLE PERSONS (INCLUDING THE OWNER OR OTHER PERSON
IN CHARGE) OF THE PREMISES LOCATED AT:

On (DATE) 4/13/25 at (TIME) 3:08 PM
a Notice of Violation was issued for the premises, giving all responsible persons until
(DEADLINE) 6/23/25 to correct the violation(s). The
violation was not corrected by the Deadline, subjecting the owner and all responsible
persons to a civil penalty for each day of continuing violation. You are hereby notified
that a daily Civil Penalty has been assessed for the following violation(s):

CIVIL PENALTY per DAY OF VIOLATION

- | | |
|---|---------------|
| ☐ Trash/Debris on property | FINE \$ _____ |
| ☐ Open storage or items | FINE \$ _____ |
| ☐ Discarded vehicle(s) | FINE \$ _____ |
| ☐ Noise | FINE \$ _____ |
| ☐ Keeping of animals in a residential zone | FINE \$ _____ |
| ☐ Parking in yard | FINE \$ _____ |
| ☐ Object creating sight hazard | FINE \$ _____ |
| ☐ Weeds/grass taller than 10 inches | FINE \$ _____ |
| ☐ Object obstructing sidewalk | FINE \$ _____ |
| ☐ Damaged fence | FINE \$ _____ |
| ☐ Unpermitted work | FINE \$ _____ |

Other: Expired permit FINE \$ _____

This Civil Penalty is issued for the period: 8/15/23
totaling 1 days x (FINE) 250.00 = \$ 250.00 Civil Penalty.

THE ABOVE LISTED CIVIL PENALTY MUST BE PAID WITHIN 30 DAYS, BY CHECK OR
MONEY ORDER TO:

City of McMinnville
231 NE Fifth St.
McMinnville, OR 97128

ISSUING OFFICER D Reynolds Date 8/15/25



Lefty's Plumbing Service
PO Box 5945 Salem, OR 97304
(503) 507-9239

Invoice 18321107
Invoice Date 6/26/2023
Completed Date 6/26/2023
Payment Term Due Upon Receipt
Due Date 6/26/2023

Billing Address
Jorge Dominguez
[REDACTED]
McMinnville, OR 97128

Job Address
Addition-Pinehurst
[REDACTED]
McMinnville, OR 97128 USA

Description of work

Performed a sewer scope for city verification. There were no issues with the sewer line. No break, separation, or root intrusion. We did have to enter from the downstairs toilet to complete the task, the tank to bowl gasket was leaking, but I made an adjustment to the tank to bowl gasket and that seemed to work, then I set the toilet, and caulked the base.

Service #	Description	Quantity	Your Price	Total
ML Sewer Scope	Camera/Record with sewer scope. Video provided.	1.00	\$200.00	\$200.00

Paid On	Type	Memo	Amount
9/27/2023	Visa		\$200.00

Sub-Total	\$200.00
Tax	\$0.00
Total	\$200.00
Payment	\$200.00
Balance Due	\$0.00

Thank you for choosing Lefty's Plumbing Service.



STAFF REPORT

DATE: October 14, 2025
TO: Mayor and City Councilors
FROM: Katie Henry, Finance Director
SUBJECT: FY2025-26 Budget Amendment Resolution

Report in Brief: The Finance department has completed a soft close of the books in preparation for our annual audit and now has draft beginning balances for each fund and has identified projects that need to be rolled over into FY2025-26 budget as they were not completed prior to fiscal year end. This first budget amendment is to roll unused appropriations from FY24-25 into FY25-26 and align beginning fund balances with actual results. Other unforeseen budget amendment requests have also been included.

Discussion of Budget Amendment

1) General Fund: Carryover of approved interfund loan projects

On June 25, 2024, Resolution 2024-35 was passed authorizing several interfund loans from the Wastewater Capital Fund to the General Fund to pay for capital expenditures that had been prioritized. These were included in the FY24-25 budget. The projects that were not completed and associated interfund loans that did not occur are listed below. We are asking for approval to add these to the FY25-26 appropriation.

Purpose	Amount
City Hall Fire Alarm & Annunciator	\$ 30,000
City Hall ADA	60,000
Senior Center Exterior Lit Signage	12,500
Community Center Fire Panel	10,000
Library Fire Sprinklers	25,000
IS: Technology Investments	38,206
Total General Fund borrowing	\$175,706

2) General Fund: Projects that have been approved for use of ARPA funds have not been completed and FY24-25 budgets need to be increased to all expenditure of those funds in the current fiscal year.

Project	Amount
ADA Transition Plan	\$ 25,000
Community Center Elevator	182,585
Splash Pad Renovation	580,900
Total ARPA Projects Carryover	788,485

3) General Fund: Purchase orders and other unfinished projects

Certain projects were planned or started in FY24-25, and the associated expenditures were projected to occur before the end of the fiscal year. These were delayed and we are requesting to continue these projects as the purchase orders were rolled from one year to the next.

Project	Amount
Splash Pad Design	\$ 9,910
Community Center Elevator	12,000
Dancer Irrigation Renovation	54,336
Soper Square Lighting Repair	2,639
Long Range Planning Professional Services – Land Use Efficiencies	52,000
Innovation Campus Wastewater Analysis	20,000
Long Range Planning Professional Services – Natural Resources Planning	15,000
Police range gravel	3,810
Total Carryover Purchase orders and projects	\$169,695

4) General Fund Other:

- a. Police: a safety concern was identified with firearms that resulted in an unexpected need to expend **\$23,960** for replacement of firearms.
- b. Administration: in the preparation of the FY25-26 budget, the lighting of the Christmas tree was removed from the budget. Due to a misunderstanding, the budget for holiday lighting for city hall and civic hall were also removed from the budget. There is a request to add back **\$2,905** into the budget for these purposes.

5) IS Adjustment

Fund	Amount
01 – General Fund (see item 1)	\$38,206
08 – Affordable Housing	135
20 - Street	1,077
25 – Airport Maintenance	180
70 - Building	1,062
75 – Wastewater Services	3,767
80 – Information Systems & Services	\$44,427

6) Wastewater Services

Delay in project to replace the roof on building 50 at the water reclamation facility.
Request to roll over \$100,000.

7) Wastewater Capital

Project	Amount
Interfund borrowing projects (see item 1 above)	\$175,706
Carry over – Master Plan	460,000
Carry over – Solids Project Design	425,000
Carry over – Solids Project Construction	500,000
Carry over – WRF Admin Design	500,000
Total Wastewater Capital	2,060,706

Fiscal Impact:

This action increases appropriations in each fund as shown below:

01 General Fund	1,160,753.00
08 Affordable Housing Fund	135.00
20 Streets Fund	1,077.00
25 Airport Maintenance Fund	180.00
70 Building Fund	1,062.00
75 Wastewater Services Fund	103,767.00
77 Wastewater Capital Fund	2,060,708.00
80 Information Services Fund	44,428.00
Total all funds	3,372,110.00

Council Options:

1. Adopt the FY2025-26 budget amendment as presented. This is staff's recommendation; or
2. Remove or amend certain line items or projects within the amendment and approve as amended; or
3. Do not adopt the proposed FY2025-26 budget amendment. This would require immediate action to halt operations on several projects already in motion as the majority of the adjustments are related to carryover projects.

Documents:

1. Exhibit 1 – Account Listing
2. Exhibit 2 – Beginning Fund Balances
3. Resolution 2026-54 FY2025-26 Budget Amendment 1
4. Exhibit A

Exhibit 1 - Account Listing

Change Request	Fund	Org Sets	Account	Description	Amendment	Account Type
AUTO - 11 - Firearms Purchase	01	01-00-000-000	4090 - Beginning Fund Balance		23,960.00	Revenues
	01	01-11-046-501	7800-06 - M & S Equipment - Weapons	Equipment-verified safety concerns	23,960.00	Expenses
AUTO - 15 - Carry-over project - Roof Replacement	75	75-00-000-000	4001 - Designated Begin FB-General Fd	Carry Over -Roof Replacement	100,000.00	Revenues
	75	75-72-000-000	8800 - Building Improvements	Carry Over -Roof Replacement	100,000.00	Expenses
AUTO - 16 - Carry-over Splash Pad Renovation Construction	01	01-00-000-000	4001 - Designated Begin FB-General Fd	Construction Cost	580,900.00	Revenues
	01	01-19-000-000	9300-05 - Park Improvements - Play Equipment	Construction Cost	580,900.00	Expenses
AUTO - 17 - Carry-over Splash Pad Design	01	01-00-000-000	4001 - Designated Begin FB-General Fd	Splash Pad Design Costs	9,910.00	Revenues
	01	01-19-000-000	7750-04 - Professional Services - Grants	Splash Pad Design Costs	9,910.00	Expenses
AUTO - 18 - Holiday Lighting - City and Civic Halls	01	01-00-000-000	4090 - Beginning Fund Balance		2,905.00	Revenues
	01	01-01-011-000	8010 - Holiday Lighting	City Hall and Civic Hall lighting	2,905.00	Expenses
AUTO - 19 - Carry-over Dancer Irrigation Renovation	01	01-00-000-000	4001 - Designated Begin FB-General Fd	Dancer Park Irrigation Renovation	54,336.00	Revenues
	01	01-19-000-000	9300-05 - Park Improvements - Play Equipment	Dancer Park Irrigation Renovation	54,336.00	Expenses
AUTO - 20 - Carry-over Soper Square Lighting Repair	01	01-00-000-000	4001 - Designated Begin FB-General Fd	Soper Square Lighting Repair	2,639.00	Revenues
	01	01-19-000-000	7780-15 - Contract Services - Park Maintenance	Soper Square Lighting Repair	2,639.00	Expenses
AUTO - 21 - Community Center Elevator modernization	01	01-00-000-000	4001-90 - Designated Begin FB-General Fd - Committed		182,585.00	Revenues
	01	01-17-090-501	8800 - Building Improvements	Community Center elevator modernization (ARPA funded)	182,585.00	Expenses
AUTO - 22 - Carry-over Community Center elevator modernization (PO carry-over)	01	01-00-000-000	4001 - Designated Begin FB-General Fd	Carry-over Comm Ctr elevator modernization	12,000.00	Revenues
	01	01-17-090-501	8800 - Building Improvements	Carry-over Comm Ctr elevator modernization	12,000.00	Expenses
AUTO - 25 - LR Planning Professional Services - Land Use Efficiencies	01	01-00-000-000	4090 - Beginning Fund Balance		52,000.00	Revenues
	01	01-07-028-000	7750 - Professional Services	Land Use Efficiencies	52,000.00	Expenses
AUTO - 26 - ED Professional Services - ADA Transition Plan	01	01-00-000-000	4001-90 - Designated Begin FB-General Fd - Committed		25,000.00	Revenues
	01	01-07-035-000	7750-04 - Professional Services - Grants	ADA Transition Plan FY 25 Carryover	25,000.00	Expenses
AUTO - 27 - ED Professional Services - Innovation Campus	01	01-00-000-000	4001-01 - Designated Begin FB-General Fd - Grants		20,000.00	Revenues
	01	01-07-035-000	7750-04 - Professional Services - Grants	Innovation Campus - Wastewater Analysis (FY 25 Carryover)	20,000.00	Expenses
AUTO - 28 - LR Planning Professional Services - Natural Resources Planning - Goal 5	01	01-00-000-000	4090 - Beginning Fund Balance		15,000.00	Revenues
	01	01-07-028-000	7750 - Professional Services	Natural Resources Planning (FY 25 Carryover)	15,000.00	Expenses
AUTO - 29 - Carry Over - Master Plan	77	77-00-000-000	4090 - Beginning Fund Balance		460,000.00	Revenues
	77	77-00-000-000	7770-05 - Professional Services - Projects - Master Plan Update	Master Plan	460,000.00	Expenses
AUTO - 30 - Carry Over - Solids Project Design	77	77-00-000-000	4090 - Beginning Fund Balance		425,000.00	Revenues
	77	77-00-000-000	7770-41 - Professional Services - Projects - Solids Treatment Capacity	Solids Project Design	425,000.00	Expenses
AUTO - 31 - Carry Over - Solids Project Construction	77	77-00-000-000	4090 - Beginning Fund Balance		500,000.00	Revenues
	77	77-00-000-000	9120-41 - Sewer Construction - Solids Treatment Capacity Improv	Solids Project Construction	500,000.00	Expenses
AUTO - 32 - Carry Over - WRF Admin Design	77	77-00-000-000	4090 - Beginning Fund Balance		500,000.00	Revenues
	77	77-00-000-000	7770-59 - Professional Services - Projects - Admin Building Addition	WRF Admin Building Design	500,000.00	Expenses
AUTO - 34 - Carry-over range gravel	01	01-00-000-000	4090 - Beginning Fund Balance		3,810.00	Revenues
	01	01-11-046-577	7720-18 - Repairs & Maintenance - Training Facility		3,810.00	Expenses
AUTO - 4 - Carry-over internal borrowing project - CH fire alarm	01	01-99-000-000	6901-77 - Transfers In - Interfund Debt - Wastewater Capital	CH Fire Alarm & Annunciator	30,000.00	Revenues
	01	01-01-003-000	8800 - Building Improvements	CH Fire Alarm & Annunciator	30,000.00	Expenses
	77	77-00-000-000	4090 - Beginning Fund Balance	CH Fire Alarm & Annunciator	30,000.00	Revenues
	77	77-00-000-000	9701-01 - Transfers Out - Interfund Debt - General Fund	CH Fire Alarm & Annunciator	30,000.00	Expenses
AUTO - 5 - Carry-over internal borrowing project - CH ADA	01	01-99-000-000	6901-77 - Transfers In - Interfund Debt - Wastewater Capital	City Hall ADA	60,000.00	Revenues
	01	01-01-003-000	8800 - Building Improvements	City Hall ADA	60,000.00	Expenses
	77	77-00-000-000	4090 - Beginning Fund Balance	City Hall ADA	60,000.00	Revenues
	77	77-00-000-000	9701-01 - Transfers Out - Interfund Debt - General Fund	City Hall ADA	60,000.00	Expenses
AUTO - 6 - Carry-over internal borrowing project - Exterior Senior Ctr event sign	01	01-99-000-000	6901-77 - Transfers In - Interfund Debt - Wastewater Capital	SC exterior lit event signage	12,500.00	Revenues
	01	01-17-099-501	8800 - Building Improvements	SC exterior lit event signage	12,500.00	Expenses
	77	77-00-000-000	4090 - Beginning Fund Balance	SC exterior lit event signage	12,500.00	Revenues
	77	77-00-000-000	9701-01 - Transfers Out - Interfund Debt - General Fund	SC exterior lit event signage	12,500.00	Expenses
AUTO - 7 - Carry-over internal borrowing project - Comm Ctr fire panel	01	01-99-000-000	6901-77 - Transfers In - Interfund Debt - Wastewater Capital	Comm Ctr Fire Panel	10,000.00	Revenues
	01	01-17-090-501	8800 - Building Improvements	Comm Ctr Fire Panel	10,000.00	Expenses
	77	77-00-000-000	4090 - Beginning Fund Balance	Comm Ctr Fire Panel	10,000.00	Revenues
	77	77-00-000-000	9701-01 - Transfers Out - Interfund Debt - General Fund	Comm Ctr Fire Panel	10,000.00	Expenses

AUTO - 8 - Carry-over internal borrowing project - Library fire sprinklers	01	01-99-000-000	6901-77 - Transfers In - Interfund Debt - Wastewater Capital	Library fire sprinklers	25,000.00	Revenues
	01	01-21-000-000	8800 - Building Improvements	Library fire sprinklers	25,000.00	Expenses
	77	77-00-000-000	4090 - Beginning Fund Balance	Library fire sprinklers	25,000.00	Revenues
	77	77-00-000-000	9701-01 - Transfers Out - Interfund Debt - General Fund	Library fire sprinklers	25,000.00	Expenses
AUTO - 9 - Carry-over internal borrowing project - IS technology	01	01-99-000-000	6901-77 - Transfers In - Interfund Debt - Wastewater Capital	IS Technology Invest	38,208.00	Revenues
	01	01-01-002-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	539.00	Expenses
	01	01-01-005-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	2,277.00	Expenses
	01	01-01-008-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	359.00	Expenses
	01	01-01-012-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	539.00	Expenses
	01	01-03-013-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	1,078.00	Expenses
	01	01-05-000-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	2,455.00	Expenses
	01	01-07-001-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	225.00	Expenses
	01	01-07-025-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	1,617.00	Expenses
	01	01-07-028-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	1,034.00	Expenses
	01	01-07-031-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	359.00	Expenses
	01	01-07-035-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	180.00	Expenses
	01	01-11-040-589	8750 - Capital Outlay Computer Charges	IS Technology Invest	11,679.00	Expenses
	01	01-13-060-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	1,437.00	Expenses
	01	01-17-001-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	180.00	Expenses
	01	01-17-090-501	8750 - Capital Outlay Computer Charges	IS Technology Invest	1,078.00	Expenses
	01	01-17-087-501	8750 - Capital Outlay Computer Charges	IS Technology Invest	1,078.00	Expenses
	01	01-17-096-501	8750 - Capital Outlay Computer Charges	IS Technology Invest	359.00	Expenses
	01	01-17-099-501	8750 - Capital Outlay Computer Charges	IS Technology Invest	598.00	Expenses
	01	01-19-000-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	1,078.00	Expenses
	01	01-21-000-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	10,059.00	Expenses
	08	08-25-000-000	4090 - Beginning Fund Balance	IS Technology Invest	135.00	Revenues
	08	08-25-000-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	135.00	Expenses
	20	20-00-000-000	4090 - Beginning Fund Balance	IS Technology Invest	1,077.00	Revenues
	20	20-00-000-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	1,077.00	Expenses
	25	25-00-000-000	4090 - Beginning Fund Balance	IS Technology Invest	180.00	Revenues
	25	25-00-000-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	180.00	Expenses
	70	70-00-000-000	4090 - Beginning Fund Balance	IS Technology Invest	1,062.00	Revenues
	70	70-00-000-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	1,062.00	Expenses
	75	75-99-000-000	4090 - Beginning Fund Balance	IS Technology Invest	3,767.00	Revenues
	75	75-01-000-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	3,767.00	Expenses
	77	77-00-000-000	4090 - Beginning Fund Balance	IS Technology Invest	38,208.00	Revenues
	77	77-00-000-000	9701-01 - Transfers Out - Interfund Debt - General Fund	IS Technology Invest	38,208.00	Expenses
	80	80-00-000-000	6000-01 - Charges for Equipment & Services - General Fund	IS Technology Invest	38,208.00	Revenues
	80	80-00-000-000	6000-08 - Charges for Equipment & Services - Affordable Housing	IS Technology Invest	135.00	Revenues
	80	80-00-000-000	6000-20 - Charges for Equipment & Services - Street Fund	IS Technology Invest	1,077.00	Revenues
	80	80-00-000-000	6000-25 - Charges for Equipment & Services - Airport	IS Technology Invest	180.00	Revenues
	80	80-00-000-000	6000-70 - Charges for Equipment & Services - Building Fund	IS Technology Invest	1,061.00	Revenues
	80	80-00-000-000	6000-75 - Charges for Equipment & Services - Wastewater Services	IS Technology Invest	3,767.00	Revenues
	80	80-00-000-000	8750 - Capital Outlay Computer Charges	IS Technology Invest	44,428.00	Expenses

Exhibit 2

FY25-26 Beginning Fund Balances

Funds included in amendment	Adopted Budget	Unaudited FY24-25 ending
01-GF Undesignated	4,950,271	6,770,156
01-ARPA	2,295,050	3,318,755
08-Affordable Housing	1,168,333	1,231,605
20-Streets Undesignated	1,363,065	1,834,586
20-Streets Capital Reserve	60,000	60,000
25-Airport Maintenance	1,073,652	1,146,475
70-Building	2,100,280	2,283,227
75-Wastewater Services	2,157,944	2,860,930
77-Wastewater Capital Undes	20,971,054	27,906,434
77-PERS Refinancing Reserve	1,108,800	1,108,800
80-Information Systems	241,386	251,448
80-IS Financial System Reserve	15,075	15,075

RESOLUTION NO. 2025 - 54

A Resolution adopting a supplemental budget for fiscal year 2025-26 and making appropriation transfers.

RECITALS:

Whereas, this resolution proposes a supplemental budget for the General Fund, Affordable Housing Fund, Streets Fund, Airport Maintenance Fund, Building Fund, Wastewater Services Fund, Wastewater Capital Fund, and Information Systems and Services Fund; and

Whereas, this supplemental budget is to accommodate unknown circumstances at the time the budget was adopted based on a the soft close of the City's books and the rollover of uncompleted projects at fiscal year-end; and

Whereas, Oregon Local Budget Law allows a local government to prepare a supplemental budget when circumstances were unknown at the time the budget was prepared thus requiring a change in financial planning (ORS 294.471); and

Whereas, the General Fund's new resources that were not known at the time of the budget was adopted come from unused balances in the prior fiscal year (\$985,045), and interfund loans from Wastewater Capital fund that were approved by council in a prior year (\$175,708); and

Whereas, the Affordable Housing Fund, Streets Fund, Airport Maintenance Fund, and Building Fund amendments for information technology improvements were less than \$1,100 each and are covered by unused balances in the prior fiscal year; and

Whereas, the Wastewater Services Fund has additional beginning fund balance beyond what was originally budgeted and will use that to fund a roof replacement that has been rolled over to the new year (\$100,000) and to cover its portion of the information technology improvements (\$3,767); and

Whereas, the Wastewater Capital Fund has additional beginning fund balance beyond what was originally budgeted and will use that to fund multiple projects that have rolled over to the new year (\$1,885,000) and to transfer interfund loans to the General Fund to cover capital purchases (\$175,708); and

Whereas, the Information Services Fund will have additional revenue from the funds listed above to cover the information technology improvements (\$44,428); and

Whereas, the governing body must adopt a resolution to adopt the supplemental budget and make any necessary appropriations; and

Whereas, the supplemental budget for expenditures in the General Fund, Affordable Housing Fund, Streets Fund, Airport Maintenance Fund, Building Fund, Wastewater Services Fund, and Information Systems and Services Funds are not changed by more than 10%, and therefore a public hearing is not required for this reason; and

Whereas, any proposed adjustment that will change any fund's expenditures by more than 10% requires public hearings prior to adoption of the Council resolution; and

Whereas, the Wastewater Capital Fund increase in appropriations does exceed this statutory limit (ORS 294.473); and

Whereas, the public notice was published on October 3rd and October 6th, and the public budget hearing took place prior to the consideration of this resolution on October 14, 2025; and

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

1. **Adopt the following Budget Amendment:** The Common Council of the City of McMinnville adopts the following Budget Amendment for 2025-2026 in the General Fund, Affordable Housing Fund, Streets Fund, Airport Maintenance Fund, Building Fund, Wastewater Services Fund, Wastewater Capital Fund, and Information Systems and Services Fund
2. **Make Supplemental Appropriations:** The additional appropriations for fiscal year 2025-26 are hereby appropriated as detailed in Exhibit A.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 14th day of October 2025 by the following votes:

Ayes:_____

Nays:_____

Approved this 14th day of October 2025.

MAYOR

Approved as to form:

Attest:

CITY ATTORNEY

CITY RECORDER

EXHIBIT:

- A. Schedule of Budgetary Changes

Exhibit A - Schedule of Budgetary Changes

	Adopted Budget	Budget Adjustment	Amended Budget
General Fund			
Resources			
Beginning Fund Balance	4,950,271	117,675	5,067,946
Designated Beginning Fund Balance-Committed	2,295,050	867,370	3,162,420
Transfers In	3,067,123	175,708	3,242,831
All Other Resources	27,795,520		27,795,520
Total Resources	38,107,964	1,160,753	39,268,717

Requirements			
Administration	2,380,153	96,619	2,476,772
Finance	958,023	1,078	959,101
Engineering	1,818,832	2,455	1,821,287
Community Development	2,499,963	115,415	2,615,378
Police	12,525,945	39,449	12,565,394
Municipal Court	809,924	1,437	811,361
Parks & Recreation	3,678,467	220,378	3,898,845
Park Maintenance	2,610,763	648,863	3,259,626
Library	2,630,418	35,059	2,665,477
All Other Requirements	4,205,844		4,205,844
Subtotal appropriation	34,118,332	1,160,753	35,279,085
Ending Fund Balance	3,989,632		3,989,632
Total Requirements	38,107,964	1,160,753	39,268,717

Affordable Housing Fund			
Resources			
Beginning Fund Balance	1,168,333	135	1,168,468
All Other Resources	2,935,094		2,935,094
Total Resources	4,103,427	135	4,103,562

Requirements			
Affordable Housing Programming	4,093,024	135	4,093,159
Transfers Out to Other Funds	10,000	-	10,000
Subtotal appropriation	4,103,024	135	4,103,159
Ending Fund Balance	403		403
Total Requirements	4,103,427	135	4,103,562

Street Fund**Resources**

Beginning Fund Balance	1,363,065	1,077	1,364,142
All Other Resources	2,930,050		2,930,050
Total Resources	4,293,115	1,077	4,294,192

Requirements

Street Maintenance and Improvements	2,859,351	1,077	2,860,428
All Other Requirements	823,281	-	823,281
Subtotal appropriation	3,682,632	1,077	3,683,709
Ending Fund Balance	610,483		610,483
Total Requirements	4,293,115	1,077	4,294,192

Airport Maintenance Fund**Resources**

Beginning Fund Balance	1,073,652	180	1,073,832
All Other Resources	1,778,219		1,778,219
Total Resources	2,851,871	180	2,852,051

Requirements

Airport Maintenance and Operations	2,001,555	180	2,001,735
All Other Requirements	370,518	-	370,518
Subtotal appropriation	2,372,073	180	2,372,253
Ending Fund Balance	479,798		479,798
Total Requirements	2,851,871	180	2,852,051

Building Fund**Resources**

Beginning Fund Balance	2,100,280	1,061	2,101,341
All Other Resources	735,750		735,750
Total Resources	2,836,030	1,061	2,837,091

Requirements

Building Plan Review & Inspection	915,054	1,061	916,115
All Other Requirements	279,533	-	279,533
Subtotal appropriation	1,194,587	1,061	1,195,648
Ending Fund Balance	1,641,443		1,641,443
Total Requirements	2,836,030	1,061	2,837,091

Wastewater Services Fund**Resources**

Beginning Fund Balance	2,157,944	103,767	2,261,711
All Other Resources	12,178,617		12,178,617
Total Resources	14,336,561	103,767	14,440,328

Requirements

Wastewater Services Program	6,370,355	103,767	6,474,122
All Other Requirements	7,181,234	-	7,181,234
Subtotal appropriation	13,551,589	103,767	13,655,356
Ending Fund Balance	784,972		784,972
Total Requirements	14,336,561	103,767	14,440,328

Wastewater Capital Fund**Resources**

Beginning Fund Balance	22,079,854	2,060,708	24,140,562
All Other Resources	8,347,242		8,347,242
Total Resources	30,427,096	2,060,708	32,487,804

Requirements

Sewer Capital Improvements	6,854,170	1,885,000	8,739,170
Transfers Out to Other Funds	554,925	175,708	730,633
Contingencies	2,500,000	-	2,500,000
Subtotal appropriation	9,909,095	2,060,708	11,969,803
Ending Fund Balance	20,518,001		20,518,001
Total Requirements	30,427,096	2,060,708	32,487,804

Information Systems & Services Fund**Resources**

Charges for Services	985,589	44,428	1,030,017
All Other Resources	1,291,341		1,291,341
Total Resources	2,276,930	44,428	2,321,358

Requirements

Information Technology Services	2,011,517	44,428	2,055,945
Contingencies	75,000	-	75,000
Subtotal appropriation	2,086,517	44,428	2,130,945
Ending Fund Balance	190,413		190,413
Total Requirements	2,276,930	44,428	2,321,358



October 6, 2025

James Lofton, City Engineer
City of McMinnville
231 NE 5th Street
McMinnville, OR 97128

SUBJECT: Old Sheridan Road and SW Cypress Lane Intersection – Safety Evaluation

Executive Summary

The intersection of SW Old Sheridan Road and SW Cypress Lane has experienced an upward trend in crashes over the past decade, culminating in a pedestrian fatality in May 2025. Most crashes occurred at night, often involving drivers traveling too fast for conditions or failing to obey stop control.

Traffic counts confirm regular pedestrian activity, especially in the early morning and evening when visibility challenges are greatest. The intersection does not have marked crosswalks or protected pedestrian crossings.

To address these issues, a phased improvement strategy is recommended:

- Short-Term: Improve visibility through upgraded signage and advance warning; install marked crosswalks.
- Medium-Term: Add pedestrian Rapid Rectangular Flashing Beacons (RRFB) and reduce pedestrian crossing distance.
- Long-Term: Reconstruct the intersection as a roundabout or traffic signal.

This phased approach balances immediate safety needs with longer-term infrastructure investment.

Background

This document analyzes available crash data from 2014 to 2023, preliminary data from 2024 and 2025, and evaluates safety conditions at the intersection of SW Old Sheridan Road at SW Cypress Lane in McMinnville, OR. The study was prompted by a pedestrian fatality on May 24, 2025 when a westbound driver struck a pedestrian and her dog, who were crossing the east leg of SW Old Sheridan Road. Currently, the intersection lacks marked crosswalks or pedestrian activated devices. It is assumed poor visibility from sun glare and tree shadows contributed to the fatal collision. Speed, impairment, distracted driving, and other potential criminal actions were not a factor.

Crash History (2014-2023)

ALL CRASHES

Table 1 summarizes annual crashes within 500 feet of the SW Old Sheridan Road at SW Cypress Lane intersection from 2014 to 2023 by year. Only two crashes occurred between 2014 and 2018, while five crashes were recorded between 2019 and 2023, indicating an upward trend.

Detailed crash data for years 2024 and 2025 was not available from the Oregon Crash Analysis Reporting Unit and not included in the summary tables. However, preliminary information on fatal crashes was available and indicated a fatality at the intersection occurred on May 24, 2025.

Table 1. Number of Crashes by Year: Near Old Sheridan Road at Cypress Lane (2014-2023)

YEAR	NUMBER OF CRASHES
2014	2
2015	0
2016	0
2017	0
2018	0
2019	1
2020	1
2021	1
2022	0
2023	2
Total	7

Table 2 and Figure 1 on the following pages summarize characteristics and location of each crash between years 2014- 2023. The majority (five of seven) occurred at night. Most were fixed-object collisions, particularly along the curved segment of SW Cypress Lane, indicating challenges with roadway geometry and visibility. Contributing factors frequently include driving too fast for conditions, drowsy or careless driving, and failure to obey traffic control. While most crashes resulted in property damage only, two involved injuries. These patterns suggest that visibility, horizontal alignment, and driver error are primary contributing factors at this location.

Intersection Related Crashes

Of the seven crashes, two were intersection related, and both resulted in property damage only. Both crashes resulted from a driver failing to obey a stop sign while turning right from the south leg of the intersection to the east leg.

- September 4, 2021 (7:00 – 8:00 PM):** A driver turning east onto SW Old Sheridan Road from the south leg of the intersection struck a curb after traveling too fast for conditions and failing to obey a stop sign. The crash type was “fixed object” and did not result in a recorded injury. The crash occurred during daylight conditions. It was clear and the pavement was dry.

- November 5, 2023 (9:00 – 10:00 PM):** A driver turning east onto SW Old Sheridan Road from the south leg of the intersection struck a curb after traveling too fast for conditions and failing to obey a stop sign. The crash type was “fixed object” and did not result in a recorded injury. The crash occurred during nighttime conditions. It was raining and the pavement was wet.

May 27, 2025 Fatal Crash

On May 24, 2025, between 5:00 – 6:00 PM, a vehicle-pedestrian collision occurred at the intersection of Old Sheridan Road involving a westbound pickup with a trailer, a pedestrian, and their dog. Both the pedestrian and dog were fatally injured at the scene. The pedestrian is believed to have been walking toward Discovery Meadows Park and was crossing from the southeast corner of the intersection. Contributing conditions identified through video, response documentation, and roadway evidence include low sun position creating glare, tree cover casting long shadows, and the resulting contrast between shadowed and sunlit areas that affected visibility. The intersection lacks marked pedestrian crossings or traffic control devices. No indications of speed, impairment, distraction, or other unlawful driving behavior were present.

Table 2. Crash History at Intersection of Old Sheridan Road and SW Cypress Lane (2014-2023)

Crash ID	Date (Hour)	Severity	Type	Cause	Location (From - To)	Road Character	Lighting	Weather	Pavement Condition
1	2023-11-05 (9:00 PM)	PDO	Fixed Object	Passed stop sign or red flasher	80 ft east of intersection (SW-E)	Intersection	Darkness - no street lights	Rain	Wet
2	2023-02-04 (11:00 PM)	PDO	Fixed Object	Driving in excess of posted speed	390 ft west of intersection (Unknown)	Curve	Darkness - with street lights	Clear	Wet
3	2021-09-04 (7:00 PM)	PDO	Fixed Object	Passed stop sign or red flasher	80 ft east of intersection (SW-E)	Intersection	Daylight	Clear	Dry
4	2020-08-01 (10:00 PM)	Suspected Minor Injury	Fixed Object	Careless Driving (per PAR)	380 ft west of intersection (Unknown)	Curve	Darkness - with street lights	Rain	Wet
5	2019-11-13 (3:00 PM)	PDO	Rear-End	Followed too closely	200 ft east of intersection (E-W)	Driveway	Daylight	Clear	Dry
6	2014-05-25 (2:00 AM)	PDO	Fixed Object	Driver drowsy / fatigued / sleepy	170 ft west of intersection (Unknown)	Straight Roadway	Darkness - no street lights	Clear	Dry
7	2014-04-25 (1:00 AM)	Suspected Minor Injury	Fixed Object	Driving in excess of posted speed	370 ft west of intersection (Unknown)	Curve	Darkness - no street lights	Cloudy	Dry

Source: Oregon Crash Analysis Reporting Unit (2014-2023)

Figure 1. Crashes within 500 ft of SW Old Sheridan Road and SW Cypress Lane Intersection (2014-2023)



Source: Oregon Crash Analysis Reporting Unit (2014-2023)

Transportation Facilities

Table 3 summarizes the functional classification, jurisdiction, and existing street characteristics of SW Cypress Lane and SW Old Sheridan Road. The intersection is stop-controlled on the northbound approach. A review of Google Maps Streetview suggest visibility could be enhanced by replacing the existing sign with a larger stop sign and 'Stop Ahead' warning sign.

Table 3. Existing Transportation Roadway Facilities and Roadway Designation

ROADWAY	FUNCTIONAL CLASSIFICATION (JURISDICTION)	NUMBER OF LANES ¹	POSTED SPEED	SIDEWALKS	BICYCLE LANES	ON-STREET PARKING
SW Cypress Ln (West Leg)	Major Collector (McMinnville)	2	25 mph	Yes	Yes	No
SW Old Sheridan Rd (East Leg)	Minor Arterial (McMinnville)	2	25 mph	Yes	Yes	No
SW Old Sheridan Rd (South Leg)	Major Collector (Yamhill County)	2	40 mph	Partial	No	No

¹ SW Old Sheridan Rd has dedicated turn lanes for Northbound and Westbound approaches

Speed Data

A speed study was conducted on the east leg of the intersection on Old Sheridan Road near Cypress Street in September 2023. The posted speed limit in this residential zone is 25 mph. Data shows that the 85th percentile speed was measured at 32 mph. Average speeds were around 28 mph, and more than small but notable share of drivers (about 1%) exceeded 40 mph.

The 85th percentile speed represents the speed at or below which 85 percent of vehicles travel under free-flowing conditions. It is widely used in traffic engineering as a reliable indicator of the speed drivers perceive as safe and reasonable for roadway conditions. Collecting this measure during a speed study provides an objective basis for evaluating whether posted speed limits align with actual driver behavior.

In terms of recommendations, the elevated operating speeds reinforce the need for traffic calming and pedestrian-focused improvements. Treatments such as reducing corner radii and improving warning and visibility of the upcoming intersection would help manage speeds and enhance driver awareness.

Traffic Volumes

This section discusses how the traffic data was collected and any observations that can be drawn. Specific information regarding heavy vehicle use, pedestrian use, and bicycle use at the intersection is included.

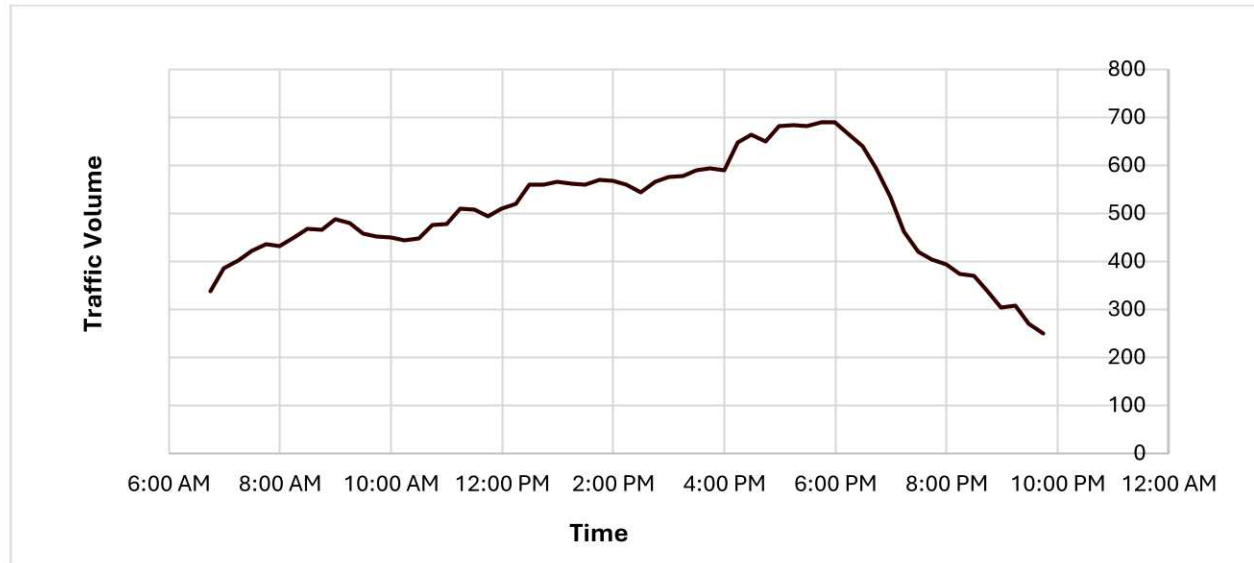
DATA COLLECTION

Mid-week turning movement counts were collected on August 13, 2025 (6:00 AM – 10:00 PM) to establish existing traffic conditions. All the counts include the total number of pedestrians, bicyclists, and motor vehicles that entered the study intersection in 15-minute intervals.

TRENDS

The daily traffic profile on SW Old Sheridan Road and SW Cypress Lane is shown in Figure 2. As illustrated in the graph, there is a small morning peak between 8:30 and 9:30. Traffic steadily increases throughout the day, with an evening peak happening at 5-6 PM. After 6 PM, traffic volumes rapidly decrease for the rest of the evening.

Figure 2. Total Entering Volume (6:00 AM – 10:00 PM; August 13, 2025)



Average Daily Traffic

To determine an estimate of average daily traffic (ADT), the 16-hour count was factored using the applicable expansion factor from Exhibit 5-7 in the Oregon Department of Transportation's Analysis Procedures Manual (Version 2, last updated May 2025). The ADT for each leg of the intersection are summarized in Table 4.

Table 4. Average Daily Traffic (August 13, 2025)

INTERSECTION LEG	VEHICLES / DAY
West	3,062
East	4,164
North	10
South	1,429

Source: Developed from turning movement count August 13, 2025.

Heavy Vehicles

Traffic count data indicates that heavy vehicles (FHWA Class 4 and above) make up approximately 4% of the daily traffic volume at the intersection of SW Cypress Lane at SW Old Sheridan Road. SW Old Sheridan Road carries the highest share, averaging 7% daily. Two peak periods were observed: westbound on SW Old Sheridan Road between 7:00 – 8:00 AM (12% heavy vehicles) and northbound on SW Old Sheridan Road between 2:30 – 3:30 PM (over 12% heavy vehicles).

Bicycle and Pedestrian Counts

Bicycle activity was highest in the morning, with 4 cyclists passing through the intersection between 9:00 – 10:00 AM. Pedestrian activity peaked twice, early in the morning and again in the evening, with 4 pedestrians recorded from 6:00 – 7:00 AM and 5 pedestrians between 7:15 – 8:15 PM. At other times of day, pedestrian volumes averaged 1-2 people per hour. Both bicycle and pedestrian volumes were lowest during the vehicular PM peak hour, as seen in Figure 3. Bike and pedestrian hourly totals are shown separately in Figure 4 and Figure 5.

Figure 3. Hourly Pedestrian, Bicycle, and Vehicle Counts (August 13, 2025)

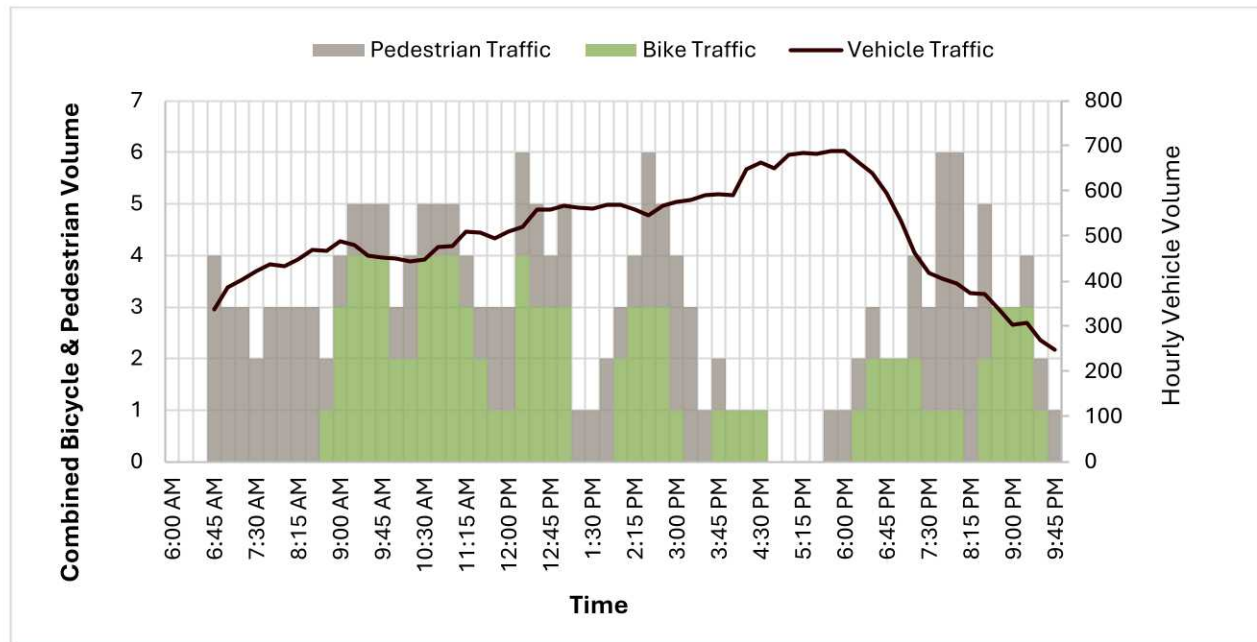


Figure 4. Hourly Pedestrian Volumes (August 13, 2025)

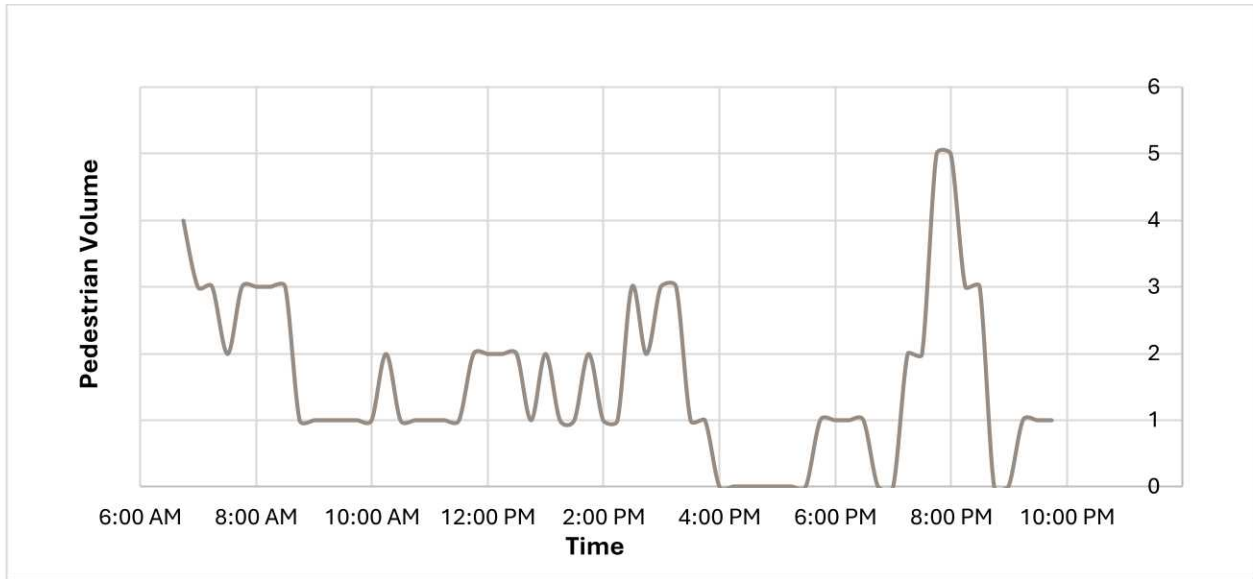
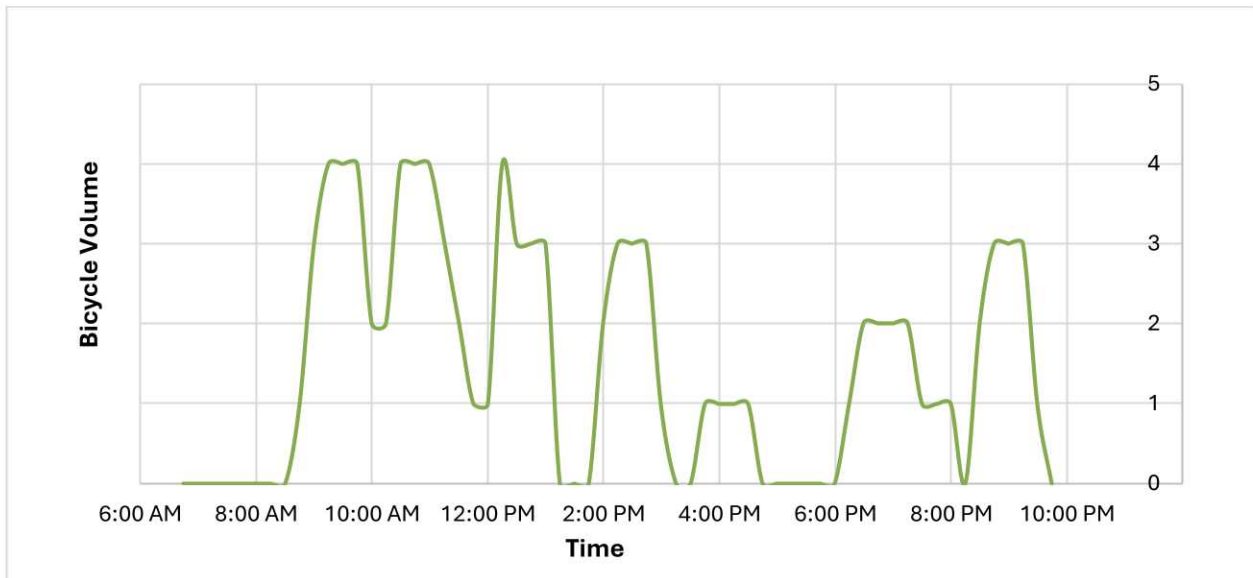


Figure 5. Hourly Bicycle Volumes (August 13, 2025)



The pedestrian count is broken down by intersection leg in Table 5 and Figure 6. The highest number of crossings happened on the north leg of the intersection, which is a driveway and experiences an ADT of 10 vehicles/day.

Table 5. Total Pedestrian Crossings by Intersection Leg (August 13, 2025)

Intersection Leg	Total Crossings
West	1
East	1
North	19
South	4

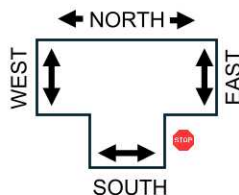
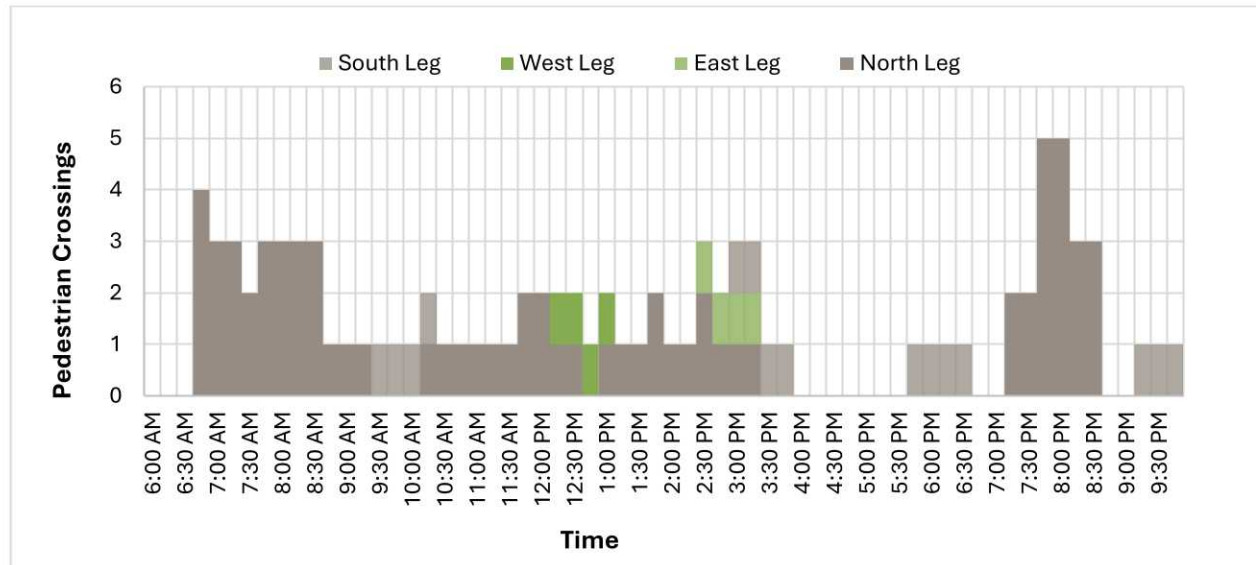


Figure 6. Hourly Pedestrian Crossings by Intersection Leg (August 13, 2025)



Findings

Based on the crash history, traffic data, and site review, the following trends are evident:

Crash Patterns: The majority of crashes (5 of 7) happened after dark. While there are streetlights at this intersection, low visibility, driving too fast for conditions, and challenging roadway geometry appear to be contributing factors to crashes.

Pedestrian Safety: Pedestrians currently cross without marked crosswalks or protection, even though counts show regular use, particularly in the morning and evening hours when visibility is more likely to be reduced.

Geometry and Sight Distance: Three of the seven crashes occurred on the curved segment of SW Cypress Lane, west of the intersection. The horizontal curve may limit sight distance for vehicles and pedestrians approaching from the south and west legs.

Posted Speeds: Although the posted speed on the east-west section of the intersection is 25 mph, the crash history indicates drivers may be traveling too fast for conditions, resulting in fixed object collisions. The south leg of the intersection is posted at 40 mph.

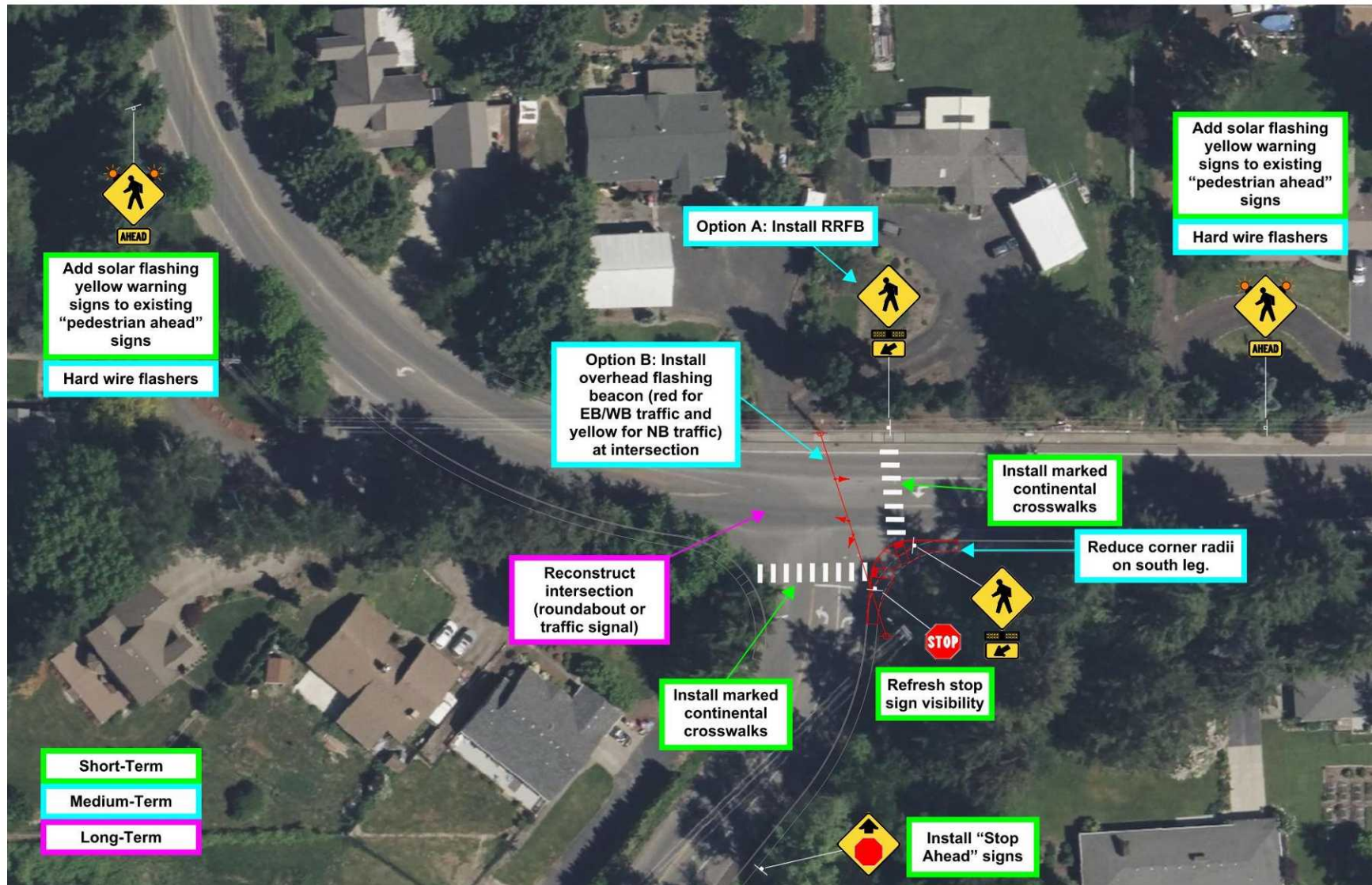
Recommendations

To improve safety at the intersection of SW Old Sheridan Road at SW Cypress Lane, Table 6 summarizes treatments and strategies and recommendations for implementation.

Table 6. Existing Transportation Roadway Facilities and Roadway Designation

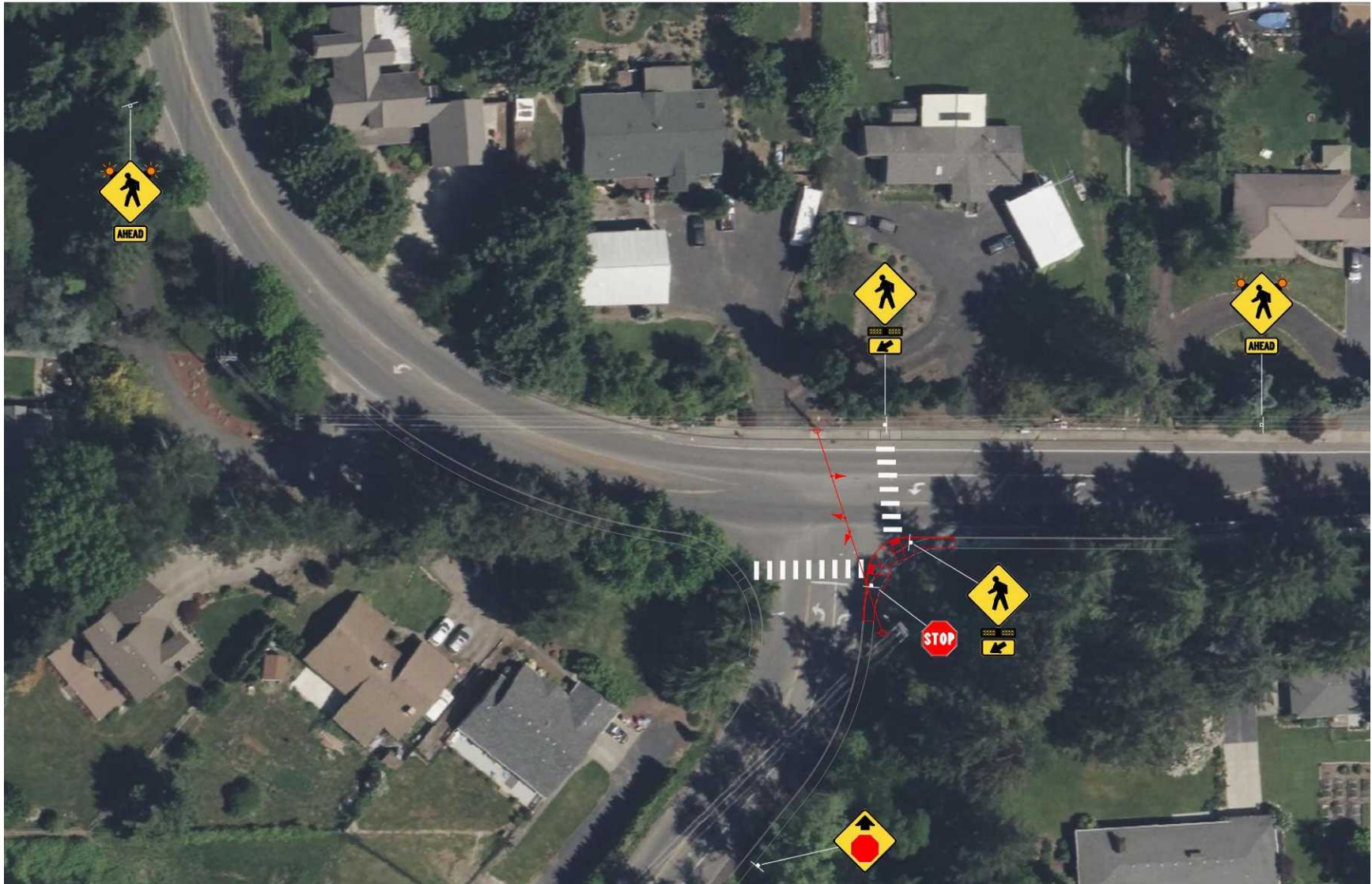
TIMING	IMPROVEMENT	PURPOSE / BENEFIT	CONSIDERATIONS
Short-Term (As soon as funding is available)	Install marked continental crosswalks.	Increase driver awareness of pedestrian crossings	East and south legs. Not recommended for the west leg; there are currently no curb cuts on north side of road and curve could limit visibility of eastbound drivers.
	Refresh stop sign visibility (larger sign face, retroreflective posts).	Improve driver compliance with stop control	Minimum 30-inch. May need to coordinate with County.
	Add flashing yellow warning signs to existing “pedestrian ahead” signs.	Increase driver awareness of pedestrian crossings	May eventually need to be hardwired into electrical (medium-term); solar is limited on west leg.
	Add another speed feedback sign east of the intersection.	Increase driver awareness of speed transition from highway to residential.	Place where it can get solar power and isn't blocked by vegetation (this applies to existing speed feedback sign as well).
	Install “Stop Ahead” signs on south leg.	Increase driver awareness before the intersection. Alert driver awareness of transition from rural to urban (40 mph to 25 mph).	Coordinate with County.
	Trim back vegetation (“daylight” the intersection).	Improve visibility for drivers and pedestrians.	City is limited to trimming vegetation within right-of-way.
Medium-Term (2-5 Years)	Reduce corner radii on south leg.	Slow turning vehicles and shorten crossing distance.	Priority would be the SE corner to support marked crosswalk.
	Option A Install RRFB on east leg at marked crosswalk.	Increase driver awareness of pedestrian crossings and provide a protected crossing for pedestrians.	If traffic increases on the east and south legs, moving the preferred pedestrian crossing to the west leg and installing a pedestrian refuge with RRFB would be preferred. Would need enhanced advance warning on the west leg.
	Option B Install flashing beacon (red and/or yellow) at intersection.	Enhance stop compliance and warn of upcoming intersection/cross traffic.	Requires structural engineering review and may reduce effectiveness of RRFB. Need as built for existing utility poles to determine if they can support additional load and coordinate with utility owner. New span pole on the north or east corners would need to thread the span wire through existing overhead wires. Could become a short-term improvement if determined existing poles can support the new traffic control.
Long-Term (5+ Years)	Reconstruct intersection (roundabout or traffic signal)	Reduce speeds, improve safety, simplify turning movements	With development.

EXHIBIT 1: Enhanced Crossing and Overhead Flashing Beacons (With Phasing Annotation)



Note: Illustrative concept only. Design development and engineering to follow.

EXHIBIT 2: Enhanced Crossing and Overhead Flashing Beacons (No Annotation)



Note: Illustrative concept only. Design development and engineering to follow.

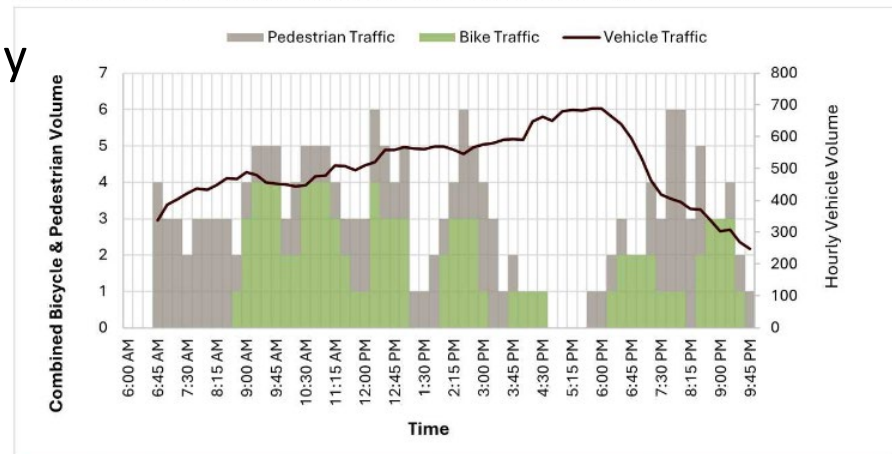
Old Sheridan Rd & SW Cypress Ln Intersection — Safety Evaluation

October 14, 2024

Introduction / Reason for Study

- Upward crash trend within 500 ft of the intersection (2014–2023), with a pedestrian fatality on May 24, 2025.
- Regular pedestrian use in early morning and evening; no marked crosswalks or protected crossing devices.
- Objective: Implement a phased set of improvements balancing immediate safety needs with longer-term investments.

Figure 3. Hourly Pedestrian, Bicycle, and Vehicle Counts (August 13, 2025)





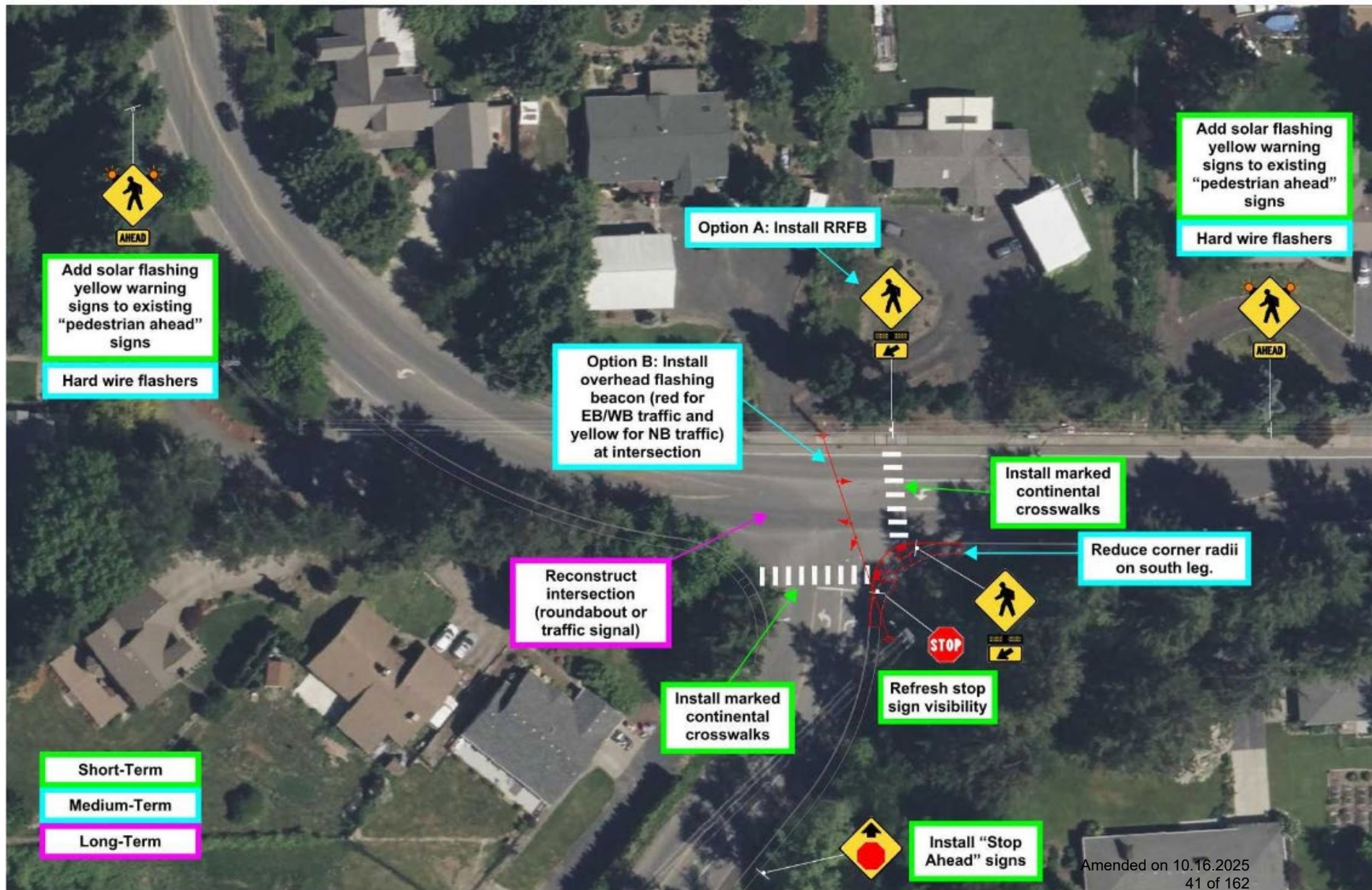
Findings — Crash & Behavior Patterns

- Seven crashes recorded 2014–2023; five occurred after dark.
- Common contributing factors: too fast for conditions, failure to obey stop control, drowsy/careless driving.
- Two crashes were intersection-related (northbound stop-controlled approach).
- Curved segment of SW Cypress Lane west of the intersection is associated with several fixed-object crashes.

Findings — Users & Operations

- Pedestrian activity peaks in early morning and evening; bicycle volumes are modest.
- Speed study: posted 25 mph (east–west), 85th percentile ~32 mph; some drivers exceed 40 mph.
- Heavy vehicles: ~4% overall, with peak periods ~12% on some approaches.
- Intersection control: northbound stop-controlled approach; speed transition on south leg (County, 40 mph to 25 mph).

Recommendations



Next Steps

- Advance pre-design, cost estimates, and implementation plan for short- and medium-term measures.
- Coordinate with Yamhill County on south-leg signage, speed transition, and corner radii adjustments.
- Evaluate feasibility of RRFB vs. overhead beacon (power, structural, utility clearance).
- Evaluate potential ultimate intersection design (roundabout or signal) with upcoming TSP and identify development trigger thresholds
- Comments or Questions?

Liquor License Recommendation

BUSINESS NAME / INDIVIDUAL: DeZordo Wines and Vineyard, LLC

BUSINESS LOCATION ADDRESS: 475 NE 17th Street

LIQUOR LICENSE TYPE: WY-NC

Is the business at this location currently licensed by OLCC

Yes

No



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

Proposed business operations:

Manufacturing/Production

Tritech Records Management System Check: Yes ☒ No ☐

Criminal Records Check: Yes ☐ No ☒

Recommended Action: Approve ☒ Disapprove ☐

Tim Symons

Chief of Police / Designee

City Manager / Designee



Local Government Recommendation – Liquor License

Per OAR 845-005-0304(3): The Commission requires an applicant for issuance of a new license issued under ORS chapter 471, to provide written notice of the application to the local government in the form of a complete, accurate, and legible Commission form.

The local government is as follows:

- (a) If the address of the premises proposed to be licensed is within a city's limits, the local government is the city.
- (b) If the address of the premises proposed to be licensed is not within a city's limits, the local government is the county.

INSTRUCTIONS:

Step 1: Applicant completes all of Section 1 (including top of Page 2).

Step 2: Applicant submits both pages of the form to the appropriate local government. NOTE: The local government may require additional forms and/or fees.

Step 3: Local government completes at least Section 2 and returns all pages of the form, or a copy thereof, to the applicant. The local government is allowed up to 45 days to complete Section 3.

Step 4: Applicant takes the form with at least Sections 1 and 2 completed and includes it with their CAMP application to meet the Local Government Recommendation document requirement. Submissions that do not have at least Sections 1 and 2 completed will not be accepted.

Step 5: The local government issues its final recommendation in Section 3 and returns the completed form to the applicant. If the applicant has already submitted their initial application via CAMP, they hold on to the final recommendation and provide it to their investigator, when requested. If they have not already submitted their application, they upload the fully completed Local Government Recommendation form with their initial application submission.

Applicants within the city of Portland ONLY: After completing the attached form, please follow these steps to complete the Local Government Recommendation process:

- Apply via the [City of Portland website](#).
- Once you have completed the application with the City of Portland, you will receive an email notifying you that your application has been accepted, usually within two business days. The email will contain an attachment titled "ABC Public Notice."
- Upload the ABC Public Notice document with your CAMP application to meet the Local Government Recommendation document requirement.

NOTE: This document only provides proof of submission. Once you receive your final recommendation from the City of Portland, you will need to provide that to your assigned OLCC investigator.



OREGON LIQUOR & CANNABIS COMMISSION

Local Government Recommendation – Liquor License

Annual Liquor License Types

Off-Premises Sales	Brewery-Public House
Limited On-Premises Sales	Brewery
Full On-Premises, Caterer	Distillery
Full On-Premises, Commercial	Grower Sales Privilege
Full On-Premises, For Profit Private Club	Winery
Full On-Premises, Non Profit Private Club	Wholesale Malt Beverage & Wine
Full On-Premises, Other Public Location	Warehouse
Full On-Premises, Public Passenger Carrier	

Section 1 – Submission – To be completed by Applicant:

License Information

Legal Entity/Individual Applicant Name(s): DeZordo Wines and Vineyard, LLC

Proposed Trade Name: DeZordo Vineyard and Wines

Premises Address: 475 NE 17th Street

Unit:

City: McMinnville

County: Yamhill

Zip: 97128

Application Type: ☒ New License Application ☐ Change of Ownership ☐ Change of Location

License Type: WY-NC ☐ Additional Location for an Existing License

Application Contact Information

Contact Name: Hyland Durant

Phone: [REDACTED]

Mailing Address: [REDACTED]

City: McMinnville

State: OR

Zip: 97128

Email Address: [REDACTED]

Business Details

Please check all that apply to your proposed business operations at this location:

☒ Manufacturing/Production

☐ Retail Off-Premises Sales

☐ Retail On-Premises Sales & Consumption

If there will be On-Premises Consumption at this location:

☐ Indoor Consumption

☐ Outdoor Consumption

☐ Proposing to Allow Minors

Section 1 continued on next page



Local Government Recommendation – Liquor License

Section 1 Continued – Submission - To be completed by Applicant:

Legal Entity/Individual Applicant Name(s): DeZordo Wines and Vineyard, LLC

Proposed Trade Name: DeZordo Vineyard and Wines

IMPORTANT: You MUST submit this form to the local government PRIOR to submitting to OLCC.
Section 2 must be completed **by the local government** for this form to be accepted
with your CAMP application.

Section 2 – Acceptance - To be completed by Local Government:

Local Government Recommendation Proof of Acceptance

After accepting this form, please return a copy to the applicant with received and accepted information

City or County Name: McMinnville

Optional Date Received Stamp

Date Application Received: September 24, 2025

Received by: Tim Symons

Section 3 – Recommendation - To be completed by Local Government:

- ☐ Recommend this license be granted
- ☐ Recommend this license be denied (Please include documentation that meets [OAR 845-005-0308](#))
- ☐ No Recommendation/Neutral

Name of Reviewing Official:

Title:

Date:

Signature:

After providing your recommendation and signature, please return this form to the applicant.

Final Action:

Approved ☐ Disapproved ☐

Liquor License Recommendation

BUSINESS NAME / INDIVIDUAL: Baker St Café, LLC dba: Baker St Café – Thai Kitchen

BUSINESS LOCATION ADDRESS: 205 SE Baker Street

LIQUOR LICENSE TYPE: Limited On-Premises Sales

Is the business at this location currently licensed by OLCC

Yes

No

☐☒

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

Proposed business operations:

Indoor consumption, outdoor consumption, proposing to allow minors

Tritech Records Management System Check: Yes ☒ No ☐

Criminal Records Check: Yes ☐ No ☒

Recommended Action: Approve ☒ Disapprove ☐

Tim Symons

Chief of Police / Designee

City Manager / Designee



Local Government Recommendation – Liquor License

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OREGON LIQUOR & CANNABIS COMMISSION
Local Government Recommendation – Liquor License

Annual Liquor License Types

Off-Premises Sales	Brewery-Public House
Limited On-Premises Sales	Brewery
Full On-Premises, Caterer	Distillery
Full On-Premises, Commercial	Grower Sales Privilege
Full On-Premises, For Profit Private Club	Winery
Full On-Premises, Non Profit Private Club	Wholesale Malt Beverage & Wine
Full On-Premises, Other Public Location	Warehouse
Full On-Premises, Public Passenger Carrier	

Section 1 – Submission – To be completed by Applicant:

License Information

Legal Entity/Individual Applicant Name(s): Baker St Cafe, LLC

Proposed Trade Name: Baker St Cafe - Thai Kitchen

Premises Address: 205 SE Baker St

Unit:

City: McMinnville

County: Yamhil

Zip: 97128

Application Type: ☒ New License Application ☐ Change of Ownership ☐ Change of Location

License Type: Limited On-Premises Sales ☐ Additional Location for an Existing License

Application Contact Information

Contact Name: Thomas Gilstrap

Phone: [REDACTED]

Mailing Address: [REDACTED]

City: McMinnville

State: OR

Zip: 97128

Email Address: [REDACTED]

Business Details

Please check all that apply to your proposed business operations at this location:

- ☐ Manufacturing/Production
- ☐ Retail Off-Premises Sales
- ☐ Retail On-Premises Sales & Consumption

If there will be On-Premises Consumption at this location:

- ☒ Indoor Consumption ☒ Outdoor Consumption
- ☒ Proposing to Allow Minors

Section 1 continued on next page



Local Government Recommendation – Liquor License

Section 1 Continued – Submission - To be completed by Applicant:

Legal Entity/Individual Applicant Name(s): Baker St Cafe, LLC

Proposed Trade Name: Baker St Cafe - Thai Kitchen

IMPORTANT: You MUST submit this form to the local government PRIOR to submitting to OLCC.
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Local Government Recommendation Proof of Acceptance

After accepting this form, please return a copy to the applicant with received and accepted information

City or County Name: McMinnville

Optional Date Received Stamp

Date Application Received: October 1, 2025

Received by: Tim Symons

Section 3 – Recommendation - To be completed by Local Government:

- ☐ **Recommend this license be granted**
- ☐ **Recommend this license be denied** (Please include documentation that meets [OAR 845-005-0308](#))
- ☐ **No Recommendation/Neutral**

Name of Reviewing Official:

Title:

Date:

Signature:

After providing your recommendation and signature, please return this form to the applicant.

Final Action:

Approved ☐ Disapproved ☐

Liquor License Recommendation

BUSINESS NAME / INDIVIDUAL: Oregon Wine Services and Storage, LLC dba: wineshipping
BUSINESS LOCATION ADDRESS: 2803 NE Orchard Ave
LIQUOR LICENSE TYPE: Distillery (for taxpaid bottled storage and delivery of distilled spirits)

Is the business at this location currently licensed by OLCC

☐ Yes

☒ No

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

Proposed business operations:

Tax paid bottled storage of distilled spirits

Tritech Records Management System Check: Yes ☒ No ☐

Criminal Records Check: Yes ☐ No ☒

Recommended Action: Approve ☒ Disapprove ☐

Tim Symons

Chief of Police / Designee

City Manager / Designee



Local Government Recommendation – Liquor License

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OREGON LIQUOR & CANNABIS COMMISSION
Local Government Recommendation – Liquor License

Annual Liquor License Types

Off-Premises Sales	Brewery-Public House
Limited On-Premises Sales	Brewery
Full On-Premises, Caterer	Distillery
Full On-Premises, Commercial	Grower Sales Privilege
Full On-Premises, For Profit Private Club	Winery
Full On-Premises, Non Profit Private Club	Wholesale Malt Beverage & Wine
Full On-Premises, Other Public Location	Warehouse
Full On-Premises, Public Passenger Carrier	

Section 1 – Submission – To be completed by Applicant:

License Information

Legal Entity/Individual Applicant Name(s): Oregon Wine Services and Storage, LLC

Proposed Trade Name: Wineshipping

Premises Address: 2803 NE Orchard Ave.

Unit:

City: McMinnville

County: Yamhill

Zip: 97128-9378

Application Type: ☒ New License Application ☐ Change of Ownership ☐ Change of Location

License Type: Distillery (for taxpaid bottled storage and delivery of distilled spirits) ☐ Additional Location for an Existing License

Oregon Wine Services and Storage, LLC has been issued a Warehouse license at this location.

Application Contact Information

Contact Name: Linda Gago-Seco, Paralegal

Phone: [REDACTED]

Mailing Address: [REDACTED]

City: San Francisco

State: CA

Zip: 94105

Email Address: [REDACTED]

Business Details

Please check all that apply to your proposed business operations at this location:

- ☐ Manufacturing/Production taxpaid bottled storage of distilled spirits
- ☐ Retail Off-Premises Sales
- ☐ Retail On-Premises Sales & Consumption

If there will be On-Premises Consumption at this location:

- ☐ Indoor Consumption ☐ Outdoor Consumption
- ☐ Proposing to Allow Minors

Section 1 continued on next page



Local Government Recommendation – Liquor License

Section 1 Continued – Submission - To be completed by Applicant:

Legal Entity/Individual Applicant Name(s): Oregon Wine Services and Storage, LLC

Proposed Trade Name: Wineshipping

IMPORTANT: You MUST submit this form to the local government PRIOR to submitting to OLCC.
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Local Government Recommendation Proof of Acceptance

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City or County Name: McMinnville

Optional Date Received Stamp

Date Application Received: October 1, 2025

Received by: Tim Symons

Section 3 – Recommendation - To be completed by Local Government:

- ☐ **Recommend this license be granted**
- ☐ **Recommend this license be denied** (Please include documentation that meets [OAR 845-005-0308](#))
- ☐ **No Recommendation/Neutral**

Name of Reviewing Official:

Title:

Date:

Signature:

After providing your recommendation and signature, please return this form to the applicant.

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, August 26, 2025 at 5:30 p.m.

Presiding: Kim Morris, Mayor

Recording Secretary: Claudia Cisneros

Councilors:	<u>Present</u>	<u>Absent</u>
	Sal Peralta, Council President	
	Zack Geary	
	Chris Chenoweth	
	Jessica Payne (via Zoom)	
	Scott Cunningham	
	Dan Tucholsky (via Zoom)	

Also present were Interim City Manager Adam Garvin (via Zoom then in person @6:14pm), City Recorder Claudia Cisneros, City Attorney David Ligtenberg, Library Director / Parks & Recreation Director Jenny Berg, Human Resources Director Vicki Hedges, Information Technology Director Scott Burke, Chief of Police Cord Wood, Public Works Director Geoff Hunsaker, Finance Services Administrator-Budget Crystal Wooldridge, Police Captain Scott Fessler, Finance Director Katie Henry (via Zoom), Airport Administrator Willy Williamson (via Zoom), and *members of the News Media – Phil Guzzo McMinnville Community Media*.

1. CALL TO ORDER: Mayor Morris called the meeting to order at 6:00 p.m. and welcomed all in attendance.

2. WORK SESSION: FINANCE DEPARTMENT:

2.a. FINANCE – INVESTMENTS

Finance Director Katie Henry with consultants Deanne Woodring, CFA, Principal, President, & Senior Advisor and Frank McDonnell, CFA, Client Advisory Director & Senior Advisor of the Government Portfolio Advisors (GPA) shared a PowerPoint presentation and discussed updating the city's investment policy, which was last reviewed in 1989. Ms. Henry recommended updating the policy to allow more diversification and long-term investments, particularly for infrastructure projects. Ms. Woodring presented her firm's expertise in managing public funds and proposed a partnership to improve the city's investment strategy. The council discussed the potential benefits and costs of this partnership, with Ms. Woodring explaining that the firm's fees would be paid from interest earnings. The council expressed interest in seeing historical data on the firm's performance with other organizations before making a decision. Council expressed unease

about the piggybacking approach. Ms. Woodring explained that the process involves extensive requests for proposals (RFPs) from other cities and confirmed GPA as the only Oregon-based firm providing this service.

2.b. FINANCE – PURCHASING

Ms. Henry shared a PowerPoint updating procurement approval thresholds, sharing data showing that most purchases fall below \$10,000. The Council agreed to review a complete procurement policy before making any decisions.

2.c. FINANCE – OPENBOOK

Ms. Henry walked through the new Transparency Portal, demonstrating its features and capabilities for viewing budget data. She explained that while the portal currently requires manual data uploads due to ongoing interface development with Tyler Technologies, it allows users to explore budget information, departmental spending, and financial graphics. The council expressed interest in seeing current-year budget projections.

3. ADJOURNMENT: Mayor Morris adjourned the meeting at 6:55 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, August 26, 2025, at 7:00 p.m.

Presiding: Kim Morris, Mayor

Recording Secretary: Claudia Cisneros

Councilors:	<u>Present</u>	<u>Absent</u>
	Sal Peralta, Council President	
	Zack Geary	
	Chris Chenoweth	
	Jessica Payne (via Zoom)	
	Scott Cunningham	
	Dan Tucholsky (via Zoom)	

Also present were Interim City Manager Adam Garvin, City Recorder Claudia Cisneros, City Attorney David Ligtenberg, Library Director / Parks & Recreation Director Jenny Berg, Human Resources Director Vicki Hedges, Information Technology Director Scott Burke, Chief of Police Cord Wood, Public Works Director Geoff Hunsaker, Special Projects Manager Jody Christensen, Police Captain Scott Fessler, PW Superintendent David Renshaw, Facilities Maintenance Coordinator Gianni Barrette, Finance Director Katie Henry (via Zoom), Airport Administrator Willy Williamson (via Zoom), and *members of the News Media – Phil Guzzo McMinnville Community Media.*

1. CALL TO ORDER: Mayor Morris called the meeting to order at 7:01 p.m. and welcomed all in attendance.
2. PLEDGE OF ALLEGIANCE

Adam Garvin, Interim City Manager led the Pledge of Allegiance.
3. INVITATION TO COMMUNITY MEMBERS FOR PUBLIC COMMENT:
Mayor Morris invited the public to comment.

There was none.
4. ADVICE/ INFORMATION ITEMS
- 4.b. Department Head Reports Continued

Library Director / Parks & Recreation Director Jenny Berg mentioned an estimate of 7,200 people participated in the programs over the summer that were put on by Library and Parks and Rec staff. Among many of the activities hosted by staff, they had a lot of partnerships working with YCCO, the School, District Nutrition Services, Fostering Hope Initiative, OSU Food Hero, 3rd Street Books, the City of Lafayette, two dogs, the MDA, and other partners. Really pleased and proud of the Parks and Recreation and Library staff for all of the fun and exciting programs that they brought to the Community over the summer. The Aquatic Center and Community Center are both closed this week for maintenance. On Monday, the Parks and Recreation Management staff held a 3-hour planning session to set goals for the upcoming months, which was well-received.

Public Works Director Geoff Hunsaker pointed out some things to note regarding the elevator contract on tonight's consent agenda. In operations with Park Maintenance, they are preparing Joe Dancer fields for the fall soccer season. Street Maintenance is about to start their annual mastic program, where they go and fill larger cracks in the street that you can't get to with crack sealing. In Engineering, the paving crews for Cypress and Fellows are scheduled to return in mid-September for the final lift. In the Wastewater Division, the biosolids hauling is still going well.

Human Resources Director Vicki Hedges is excited about the start of the new Interim City Manager and has been working on onboarding. On HR work, she sent out an updated employee handbook to all employees this week.

Mayor Morris thanked Ms. Hedges for serving as interim city manager and Mr. Burke, as backup interim city manager.

Information Technology Director Scott Burke noted the IT team completed a project last week in partnership with the finance team. They did a major upgrade of the Enterprise Resource Planning (ERP) system, the New World software, did a lot of the work on Sunday and it was really smooth on Monday. Also deploying a lot of replacements computers this fall, including a few Councilors.

City Recorder Claudia Cisneros reminded Council regarding Thursday's special-called meeting with an added executive session and revised agenda was already sent out with a start time of 11:30 am instead of 12 pm. City offices will be closed on Monday, September 1st in observance of Labor Day. If still interested in attending the League of Oregon Cities (LOC) 100th Annual Conference, it's not too late and the city still needs a voting delegate person, let the Mayor and her know.

Finance Director Katie Henry has about 25 applications for the current open position in municipal court. The position will close later this week and hopes to have someone in the position beginning of October. The Finance team will be backing up the Municipal Court to cover the front desk. Tomorrow is the last check run that will have payments for the fiscal year 2025. This means one step closer to providing some draft numbers for year-end 2025 which

one step closer to providing some draft numbers for year-end 2025 which will give the revised beginning balances for 2026. Also getting ready for auditors and launching the new budget software.

Community Development Director Heather Richards noted a position on the Planning Commission has opened up and has started advertising that. If anyone is interested contact the Planning Department. Hosted a meeting with the development community for the opportunity to meet with staff and talk about customer service delivery, lobby hours, and anything else they wanted to share. Out of about 300 emails sent to developers who had been active in the e-permitting system over the past year and a half, only four people showed up. Also working with Adam regarding forward-facing city facilities lobby hours. Two weeks ago sent out about 300 letters to property owners that could potentially have tree groves that would be impacted by the natural resources program. Responses have been really positive. Lastly, noted working on landscape code amendments to make landscape review more streamlined, easier for the community to navigate, and easier for the internal team.

Chief of Police Cord Wood said in response to the recent uptick in graffiti Officer Johnson took on the task of creating an agreement with local businesses to help abate graffiti for those who have been victims of graffiti. The department has entered into an agreement with Walmart, Sherwin-Williams, Rodda Paint, and Lowe's. When someone reports graffiti vandalism, the police department provides documentation they can take to one of these businesses to purchase necessary supplies at a reduced cost.

City Attorney David Ligtenberg noted that the consent agenda included a new prosecutor contract, which was essentially an extension of the existing arrangement with Shannon Lee Erskine, who had been the successful proposer. He also mentioned that he would be attending only one more public meeting before taking leave, has arranged for Tyler Yeoman-Millette from the Haugeberg firm to serve as interim city attorney during his six-week absence.

Interim City Manager Adam Garvin reported that his first week had been very busy with back-to-back meetings. He had scheduled meetings with all executive team members and councilors, and after goal setting would be moving on to meet with community stakeholders and partners.

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

Councilor Tucholsky had nothing to report his Commissions and Committees have not met since the last meeting.

Councilor Payne had nothing to report.

Councilor Cunningham his Committees haven't met, Historic Landmark Committee will meet during the Council's goal-setting session. A couple

attended the City-County dinner at Carlton last week and heard a presentation from Homeward Bound on the construction of the new facility.

Councilor Chenoweth attended the PNW Aeronautic Association AeroConnect Summer Social and Northwest UAV Innovation Campus Tour had 60 people attend and was the third PNAA event in McMinnville thanks to MEDP Board member Lori Robertson of Cutting Edge Metals. Later that day also attend the MEVLC meeting undertaking a round two of meeting agenda planning more to come on that. Assisted in the ultra-competitive zucchini races, had an amazing time. Attended the second meeting for the Southwest Area Plan elected a chair and vice chair and covered existing conditions reports, economic analysis report, and most importantly the upcoming September 13th Community Design Workshop. The Parkway Committee met and discussed current options for funding the next phase of the bypass and provided an update on that project.

Council President Peralta met last week with Casey Shook from Homeward Bound Pets to discuss their current operations, operational plans, and licensing as a follow-up to her presentation at the City-County Dinner.

Mayor Morris reminded Councilors to do their best to respond promptly to staff requests for information so they can move projects and tasks forward without any unnecessary delays. Councilors were reminded to follow through on city event commitments and to notify staff promptly if schedules change. She acknowledged shared responsibility and encouraged mindfulness.

Councilor Geary stated had Visit McMinnville and approved the July profit and loss financials. Reported that market performance and consumer sentiment are on the rise, reversing recent trends and indicating increased comfort with travel and activities, though future conditions remain uncertain due to ongoing volatility. A significant downturn in local tourism—94% of which is attributed to a decline in Canadian travelers—has impacted Portland particularly hard, ranking second nationally in severity. Willamette Valley remains relatively strong with 72% occupancy at a \$156 nightly average. McMinnville saw a slight increase in occupancy but a decrease in average daily rate. Visit McMinnville hosted notable media figures, including the editor-in-chief of Bon Appétit, resulting in recent media coverage. They've also launched an investment portfolio, are advancing the Art Alley mural project with a Linfield focus, and are collaborating with the mayor and chamber on a possible Day of Service around October 18. MURAC is scheduled to meet on September 3rd at 4pm. Then, providing information around the bond presented to the Chamber, McMinnville Lions, and the Downtown Association.

Mayor Morris attended the watershed tour with Councilor Cunningham, attended the EVLC meeting Councilor Chenoweth spoke about. On the 16th she and John Olson from the Chamber visited around 30 stands and tasted lemonade and the kids were great. Will be filling the board seat vacated by City Manager Towery on the Chamber Board. The Chamber Awards Dinner is scheduled for October 3rd. The Made Tour, hosted by McMinnville

Economic Development Partnership, visited Precision Analytical. Had a one-on-one with Chamber President John Olson and discussed the bond, economic drivers and committee relationships. Representative Elmer invited other state Representatives on a tour hosted by McMinnville Water & Light to see the distribution line and visited Cascade Steel. Attended her first City-County Dinner, attended the first Oregon Adoption Day at Discovery Park, which is a bill presented by Rep. Elmer, House Bill 2019. Mike and she volunteered at Cruising McMinnville and encouraged all to volunteer for the city on October 18th at Community Service Day to celebrate the birthday of McMinnville.

5.

CONSENT AGENDA

- a. Consider **Resolution No. 2025-49**: A Resolution awarding the contract for the Community Center Elevator Modernization, Project 2025-05.
- b. Consider **Resolution No. 2025-50**: A Resolution of the City of McMinnville Authorizing the City Manager to Execute a Personal Services Contract with Erskine Law Practice, LLC, to Provide City Prosecutorial Services.

Councilor Geary MOVED to adopt the consent agenda as presented; SECONDED by Council President Peralta.

AYE: Councilors Payne, Cunningham, Tucholsky, Chenoweth, Geary, Peralta
NAY: NONE

*Motion **PASSED** unanimously by a vote of 6-0.*

6.

RESOLUTION

6.a.

Consider **Resolution No. 2025-34**: A Resolution authorizing the City Manager to sign a contract with Sally Swanson Architects in the amount not-to-exceed \$300,000 for the Americans with Disabilities Act (ADA) Transition Plan project.

Council President Peralta MOVED to approve Resolution No. 2025-34, Authorizing the City Manager to sign a contract with Sally Swanson Architects in the amount not- to-exceed \$300,000 for the Americans with Disabilities Act (ADA) Transition Plan project.; SECONDED by Councilor Cunningham.

AYE: Councilors Cunningham, Chenoweth, Geary, Peralta
NAY: Councilor Tucholsky
ABSTAIN: Councilor Payne

*Resolution No. 2025-34 **PASSED** by a vote of 4-1, with one abstention.*

7. ORDINANCES

- 7.a. Consider the first reading with a possible second reading of **Ordinance No. 5163**: An Ordinance Adopting an Update to the McMinnville Municipal Code, Title 11 Airport and Aviation.

Mayor Morris asked if any Councilor needed to declare any conflict of interest or recuse themselves. There was none.

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

City Attorney David Ligtenberg read by title only Ordinance No. 5163.

*Councilor Cunningham MOVED to **pass** Ordinance No. 5163 to a second reading; SECONDED by Councilor Geary.*

*AYE: Councilors Payne, Cunningham, Tucholsky, Chenoweth, Geary, Peralta
NAY: NONE*

*Motion **PASSED** unanimously by a vote of 6-0.*

City Attorney David Ligtenberg read by title only for a second time Ordinance No. 5163.

*Councilor Payne MOVED to **adopt** Ordinance No. 5153, Adopting an Update to the McMinnville Municipal Code, Title 11 Airport and Aviation; SECONDED by Councilor Geary.*

*AYE: Councilors Payne, Cunningham, Tucholsky, Chenoweth, Geary, Peralta
NAY: NONE*

Ordinance No. 5163 was **ADOPTED** unanimously by a vote of 6-0.

- 7.b. Consider the first reading with a possible second reading of **Ordinance No. 5164**: An Ordinance Amending Chapter 2.28 of the McMinnville Municipal Code to Clarify the Airport Commission Powers and Duties, and Association with Airport Tenants.

Mayor Morris asked if any Councilor needed to declare any conflict of interest or recuse themselves. There was none.

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

City Attorney David Ligtenberg read by title only Ordinance No. 5164.

*Councilor Chenoweth MOVED to **pass** Ordinance No. 5164 to a second reading; SECONDED by Councilor Cunningham.*

*AYE: Councilors Payne, Cunningham, Tucholsky, Chenoweth, Geary, Peralta
NAY: NONE*

*Motion **PASSED** unanimously by a vote of **6-0**.*

City Attorney David Ligtenberg read by title only for a second time Ordinance No. 5164.

*Councilor Chenoweth MOVED to **adopt** Ordinance No. 5154, Amending Chapter 2.28 of the McMinnville Municipal Code to Clarify the Airport Commission Powers and Duties, and Association with Airport Tenants; SECONDED by Councilor Payne.*

*AYE: Councilors Payne, Cunningham, Tucholsky, Chenoweth, Geary, Peralta
NAY: NONE*

***Ordinance No. 5164** was **ADOPTED** unanimously by a vote of **6-0**.*

8. ADJOURNMENT: Mayor Morris adjourned the meeting at 8:13 p.m.

Claudia Cisneros, City Recorder

CITY OF McMinnville
MINUTES OF SPECIAL CALLED CITY COUNCIL –
STRATEGIC PLAN REVIEW & GOAL SETTING MEETING
Held via Zoom Video Conference and at the Police Department Training Room
McMinnville, Oregon

Friday, August 28, 2025 at 12:00 p.m.

Presiding: Kim Morris, Mayor

Recording Secretary: Claudia Cisneros

Councilors:	<u>Present</u>	<u>Absent</u>
	Sal Peralta, Council President	
	Zack Geary	
	Chris Chenoweth	
	Jessica Payne	
	Scott Cunningham	
	Dan Tucholsky	

Also present were Interim City Manager Adam Garvin, City Recorder Claudia Cisneros, City Attorney David Ligtenberg, Human Resources Director Vicki Hedges, Public Works Director Geoff Hunsaker (via Zoom), and Finance Director Katie Henry (via Zoom).

1. CALL TO ORDER: Mayor Morris called the meeting to order at 12:18 p.m. and welcomed all in attendance.
2. GOAL SETTING REVIEW/UPDATE WITH VICKI HEDGES, HUMAN RESOURCES DIRECTOR & ADAMGARVIN, INTERIM CITY MANAGER

Interim City Manager Adam Garvin began the session by explaining the goal of the meeting was to identify 3-5 clear, concise goals. He explained there were approximately 18 action items on the list that had no comments, which would not be discussed today. Instead, they would focus on reviewing items the Council wanted to remove or add, ensuring consensus on each item.

Human Resources Director Vicki Hedges, provided an overview of the MacTown 2032 strategic plan structure. She explained that the plan starts with a vision, mission, and values, followed by seven strategic priorities: city government capacity, civic leadership, community safety and resiliency, economic prosperity, engagement and inclusion, growth and development character, and housing opportunity. She clarified that the action items were intended to be 2-3 year items when created, but COVID delayed much of the work. She noted that some action items had been added after the original document was finalized through Council goal setting sessions, and some had been removed by Council vote last year.

The Council proceeded to review numerous action items, discussing whether to continue, operationalize, or remove each one. For items the Council deemed important but felt should be part of ongoing operations rather than specific goals, they created a category called "operationalized" - meaning the item would be removed from the action plan but maintained as part of standard city operations. The Council reviewed over 60 action items, discussing each in detail and making determinations about whether to continue, operationalize, or remove them. After reviewing existing items, the Council considered new items proposed by Council members.

After reviewing all items, each Council member indicated their top 5 priorities by marking them on the board using dots. The top 5 items receiving the most votes were:

1. Develop a realistic work plan for planning based on workload capacity (5 dots)
2. Implement consistent customer service hours across the city (4 dots)
3. Review recruitment strategies and guidelines for committees (4 dots)
4. Review parks and recreation SDCs on nonresidential projects (3 dots)
5. Build a new pool and community center (2 dots)

The Council clarified that the consistent customer service hours priority referred to administrative offices like city hall, planning department, and police department public-facing counters, not facilities like the pool or library. They discussed expectations for standard business hours (potentially 8-5 or 9-5) with at least one staff member available at public-facing counters during those hours. Regarding the pool and community center goal, the Council acknowledged this item was currently paused pending the outcome of a bond measure vote in November, but decided to keep it on the priority list.

The Council determined they would like monthly written updates on the 5 priority items via email, with quarterly agenda items for more in-depth discussion. They emphasized that the updates should be concise rather than elaborate reports. They also discussed Council participation in legislative priorities, with Councilor Geary expressing concern that the city's legislative priorities should be determined by the full Council rather than being driven by a single department. The consensus was to have a more comprehensive approach to developing legislative priorities that incorporated projects from multiple departments.

3. ADJOURNMENT: Mayor Morris adjourned the Goal Setting at 5:04 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, September 09, 2025 at 5:30 p.m.

Presiding: Kim Morris, Mayor

Recording Secretary: Claudia Cisneros

Councilors:	<u>Present</u>	<u>Absent</u>
	Sal Peralta, Council President	Zack Geary
	Chris Chenoweth	
	Jessica Payne	
	Scott Cunningham	
	Dan Tucholsky	

Also present were Interim City Manager Adam Garvin (via Zoom), City Recorder Claudia Cisneros, City Attorney David Ligtenberg, Community Development Director Heather Richards, Associate Housing Planner Evan Hietpas, Chief of Police Cord Wood, Public Works Director Geoff Hunsaker, Human Resources Director Vicki Hedges, Information Technology Director Scott Burke, Finance Director Katie Henry (via Zoom), Planning Manager David Berniker (via Zoom), and *members of the News Media – Kyle Dauterman McMinnville Community Media.*

1. CALL TO ORDER: Mayor Morris called the meeting to order at 5:30 p.m. and welcomed all in attendance.
2. WORK SESSION: LAND USE EFFICIENCIES (WORK TASK 2 OF SEQUENTIAL UGB WORK PLAN) – LOCAL DOCKET #G 3-24:

Community Development Director Heather Richards and Associate Housing Planner Evan Hietpas introduced the topic, noting this was the second City Council work session related to land use efficiencies for the 2021-2041 horizon growth planning work. Ms. Richards explained that the total work plan is due to the State Department of Land Conservation and Development (DLCD) by March 2026. and introduced consultants Beth Goodman, Project Director & Senior Policy Advisor of ECONorthwest and Elizabeth Decker, Principal planning consultant of JET Planning.

Ms. Goodman shared a PowerPoint presentation and presented on land use efficiency measures to address identified land deficits from previous analyses. She explained that land use efficiency measures are policies or actions that change comprehensive plans or land use regulations to quantifiably reduce land needs. Noting the city's current efforts.

Several councilors expressed concerns about the commercial land deficit timeline. After discussion, the Council directed staff to investigate whether they could pursue an Urban Growth Boundaries (UGB) amendment for commercial land needs after the March 1, 2026 deadline using the current analysis data, and report back to Council.

Ms. Decker shared a PowerPoint presentation and presented a code audit that identified potential code updates aimed at improving land use efficiency. She presented several potential amendments, including removing maximum density restrictions in certain zones, introducing minimum densities in higher-density areas, adjusting setbacks and height standards, and reducing parking requirements for multifamily developments. The staff's recommendation was to continue working with JET Planning on a more comprehensive code audit scheduled for fall, with the understanding that these proposed amendments will not be pursued as part of the land use efficiency measures work and the next steps involving adopting land use efficiency measures, amending the framework plan, and updating the airport master plan, with a package expected by November-December

3. ADJOURNMENT: Mayor Morris adjourned the meeting at 6:50 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, September 09, 2025, at 7:00 p.m.

Presiding: Kim Morris, Mayor

Recording Secretary: Claudia Cisneros

Councilors:	<u>Present</u>	<u>Absent</u>
	Sal Peralta, Council President	
	Zack Geary (via Zoom)	
	Chris Chenoweth	
	Jessica Payne	
	Scott Cunningham	
	Dan Tucholsky	

Also present were Interim City Manager Adam Garvin (via Zoom), City Recorder Claudia Cisneros, City Attorney David Ligtenberg, Community Development Director Heather Richards, Chief of Police Cord Wood, Public Works Director Geoff Hunsaker, Human Resources Director Vicki Hedges, Information Technology Director Scott Burke, Finance Director Katie Henry (via Zoom), Municipal Court Judge Poole (via Zoom), and *members of the News Media – Kyle Dauterman McMinnville Community Media.*

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

David Ligtenberg City Attorney, led the Pledge of Allegiance.
3. INVITATION TO COMMUNITY MEMBERS FOR PUBLIC COMMENT:
Mayor Morris invited the public to comment.

There was none.
4. PRESENTATION
- 4.a. McMinnville Water & Light Update Presentation – General Manager John Dietz

General Manager John Dietz shared a PowerPoint presentation noting some key projects they've been working on such as: regional water discussions, their new facility project, and the annual watershed tours.

4.b. Municipal Court Annual Presentation – Judge Arnold Poole

Municipal Court Judge Arnold Poole provided an annual update regarding some staffing challenges, discussed jail arraignments, the municipal court's partnership with Yamhill County Behavioral Health, and provided the challenges with trial scheduling.

Councilor Payne and Councilor Chenoweth expressed interest in learning the cost of adding another court day per month. Interim City Manager Garvin and Finance Director Henry committed to gathering that information and reporting back to the Council.

5. ADVICE/ INFORMATION ITEMS

5.b. Department Head Reports

Human Resources Director Vicki Hedges reported working on employee performance management and training opportunities with succession planning.

Public Works Director Geoff Hunsaker stated the Facilities staff are getting quotes to replace the dais laminate and working to optimize the HVAC system temperature. The Street maintenance crew completed 110 tons of asphalt paving and placed 13,000 pounds of mastic. There was a reported small sinkhole at Michelbook and 18th that requires some repair. Paving work on Cypress is scheduled for next week. The safety audit for the Cypress and Old Sheridan intersection has completed its analysis and is working on short-term, medium-term, and long-term solutions.

Information Systems Director Scott Burke announced a planned email slowdown on Thursday evening from 5-9 PM for system changes and noted that computers were ready for councilors who needed them.

City Recorder Claudia Cisneros noted she would amend the packet to include a letter from Loretta Johnson and reminded Council that the joint meeting with MW&L had been postponed to February 2026, but the special executive session would still occur at 6 PM next week.

Chief of Police Cord Wood said is working on the implementation of a new Records Management System, is working with IS on a system to manage incidents. Implemented a new challenge coin award program to recognize good work, Officer Kendall Johnson received the first award for his work on a graffiti abatement partnership with local businesses

Community Development Director Heather Richards reminded everyone about the Southwest Area Plan community design workshop on Saturday from 10 AM to noon. She provided an update on a code enforcement case mentioned in the meeting packet and noted they were working with the

from 10 AM to noon. She provided an update on a code enforcement case mentioned in the meeting packet and noted they were working with the property owner to clean up the site before potential city abatement on the 22nd. She also mentioned plans to formalize planning division structure and development processes in the Community Development Center

City Attorney David Ligtenberg noted announced this would be his last public meeting for about six weeks. Tyler from Haugeberg, Rueter, and Gowell will cover the next three meetings. A temporary remote staff member, Natalie Scribner, will have access to his email and calendar to help route questions and communications.

Finance Director Katie Henry reported the Municipal court software implementation is underway with weekly meetings, the Finance staff is focusing on audit preparation, and plans to review and centralize financial policies before next year's budget process.

Interim City Manager Adam Garvin noted the Goal-setting follow-up with an addendum will be coming in October, is working with community stakeholders on holiday tree lighting, is coordinating with Public Works on foliage removal near stop signs and HVAC issues, and has begun working on engagement with stakeholders and community partners.

5.a.

Reports from Councilors on Committee & Board Assignments

Councilor Geary stated MURAC received updates on the Northwest River site developer negotiations and the Downtown Master Plan.

Councilor Tucholsky reported that the Airport Commission met on September 2nd. John Paskell, former Salem Willamette Valley airport director, has started as the new airport manager. The Commission reviewed and approved revised airport fee schedules. He reminded everyone about the Canadian Snowbirds air show from September 26-28. Former Airport Manager Willy Williamson has retired for the fifth time.

Councilor Jessica Payne thanked Adam and Vicki for a productive goal-setting session and LPSCC will meet on the 24th.

Mayor Morris also thanked Adam, David, Vicki, and Claudia and the Councilors for their work on goal setting.

Council President Peralta announced several upcoming events: Linfield president's home gathering on September 10th, League of Oregon Cities conference on October 2nd-3rd, Mid-Willamette Valley Council of Governments Planners Collaborative Quarterly meeting on September 18th, and a COG legislative gathering on September 29th at the Chemeketa Agricultural Hub. He also mentioned that McRae Carmichael has been named interim executive director of the Council of Governments.

Councilor Cunningham mentioned upcoming Historic Landmarks Committee interviews tomorrow morning and MCM11 will be meeting this Thursday.

6.

CONSENT AGENDA

- a. Consider the Draft Minutes of the August 12, 2025 City Council Work Session & Regular Meeting.
- b. Consider the request from Stardance Winery LLC for Winery – Non consumption, OLCC Liquor License located at 1421 NE Alpha Drive.
- c. ~~Consider the request from Stir Crazy Cocktails for Full on premises, commercial, OLCC Liquor License located at 600 North Highway 99W.~~

Mayor Morris noted the amended minutes provided and that item 6c regarding Stir Crazy Cocktails had been removed.

Councilor Chenoweth MOVED to adopt the consent agenda as amended; SECONDED by Councilor Cunningham

AYE: Councilors Cunningham, Tucholsky, Chenoweth, Geary, Peralta
NAY: NONE

*The amended consent agenda has **PASSED** unanimously by a vote of 6-0.*

Mayor Morris stated the City Council will be going into the conference room for closed-to-the-public two executive sessions the **FIRST** pursuant to: ORS 192.660(2)(d) To conduct deliberations with person designated by the governing body to carry on labor negotiations. The **SECOND** pursuant to ORS 192.660(2)(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

Mayor Morris asked if any Councilor needed to declare an actual or potential conflict of interest or recuse themselves regarding any of these executive sessions for the record.

Mayor Morris stated had a potential conflict regarding executive session ORS 192.660(2)(e) and choosing to recuse herself for that one.

Councilor Tucholsky stated had a potential conflict regarding executive session ORS 192.660(2)(d) but will be participating.

7.

ADJOURNMENT: Mayor Morris adjourned the meeting at 8:04 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, September 23, 2025 at 5:30 p.m.

Presiding: Kim Morris, Mayor

Recording Secretary: Claudia Cisneros, (via Zoom)

Councilors:	Present	Absent
	Sal Peralta, Council President	
	Zack Geary	
	Chris Chenoweth	
	Jessica Payne (via Zoom)	
	Scott Cunningham	
	Dan Tucholsky	

Also present were Interim City Manager Adam Garvin, City Recorder Claudia Cisneros (via Zoom), Acting City Attorney Tyler Yeoman-Millette, Chief of Police Cord Wood, Public Works Director Geoff Hunsaker, Library Director / Parks & Recreation Director Jenny Berg, Human Resources Director Vicki Hedges, Information Technology Director Scott Burke, Information Services Specialist Megan Simmons, Special Projects Manager Jody Christensen, Community Development Director Heather Richards (via Zoom), Finance Director Katie Henry (via Zoom) and *members of the News Media – Phil Guzzo McMinnville Community Media.*

1. CALL TO ORDER: Mayor Morris called the meeting to order at 5:30 p.m. and welcomed all in attendance.
2. WORK SESSION: LEGISLATIVE INITIATIVE – FY25/27 OREGON ('26 SHORT SESSION) AND FY27 FEDERAL APPROPRIATIONS.

Special Projects Manager Jody Christensen, Community Development Director Heather Richards, Public Works Director Geoff Hunsaker, and Library Director and Interim Parks and Recreation Director Jenny Berg shared a PowerPoint presentation and presented on the city's 2026 legislative priorities. Ms. Christensen outlined the city's approach to legislative work, explaining that it follows best practices and is a year-round process with biweekly meetings led by the Mayor and Council President Peralta. She noted that their priority project list has evolved since 2022, informed by MacTown 2032 goals, City Council annual goals, the McMinnville Economic Leadership Council priorities, and McMinnville Water and Light strategic goals.

Doug Riggs of NWPolicy, the city's state lobbyist for four years, discussed the recent legislative session and ongoing special session focused on

transportation funding. He explained that a bill raising approximately \$15 billion is awaiting action in the Senate. He also noted that Oregon is facing budget challenges due to federal tax changes that could result in an \$800 million revenue reduction over the biennium. He advised the Council on successful approaches for securing legislative funding, recommending that they be reasonable in their requests, align with legislative priorities, and work closely with local legislators. He emphasized that work done during the interim period is crucial for success during the session

Ms. Christensen presented the city's priority projects across seven categories:

- Northeast Gateway Projects: Phase 2 of Alpine Avenue (highlighted as a priority)
- Three Mile Lane Area Projects
- Transportation Safety and Accessibility Projects
- Housing Projects
- Third Street Improvement
- Community Parks and Recreation
- Public Facilities

Staff recommended focusing on Alpine Avenue, Highway 18 frontage streets, low to moderate-income sidewalk accessibility, and supporting community housing partners for the 2026 legislative session.

The Council provided feedback on priorities. Council agreed to receive legislative updates monthly from the City Manager with more frequent updates during legislative sessions.

3. ADJOURNMENT: Mayor Morris adjourned the meeting at 6:53 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, September 23, 2025, at 7:00 p.m.

Presiding: Kim Morris, Mayor

Recording Secretary: Claudia Cisneros

Councilors:	<u>Present</u>	<u>Absent</u>
	Sal Peralta, Council President	Jessica Payne
	Zack Geary	
	Chris Chenoweth	
	Scott Cunningham	
	Dan Tucholsky	

Also present were Interim City Manager Adam Garvin, City Recorder Claudia Cisneros (via Zoom), Acting City Attorney Tyler Yeoman-Millette, Chief of Police Cord Wood, Public Works Director Geoff Hunsaker, Library Director / Parks & Recreation Director Jenny Berg, Human Resources Director Vicki Hedges, Information Technology Director Scott Burke, Information Services Specialist Megan Simmons, City Engineer James Lofton, and *members of the News Media – Phil Guzzo McMinnville Community Media.*

1. CALL TO ORDER: Mayor Morris called the meeting to order at 7:01 p.m. and welcomed all in attendance.

2. PLEDGE OF ALLEGIANCE

Mayor Morris, led the Pledge of Allegiance.

Mayor Morris announced an addition to the agenda - Resolution No. 2025-58 would be added as item 6b, which would be reflected on the agenda online and posted tomorrow.

3. INVITATION TO COMMUNITY MEMBERS FOR PUBLIC COMMENT: Mayor Morris invited the public to comment.

City Recorder Claudia Cisneros, noted for the record the 14 additional emails for public comment already emailed to the City Council and will be made part of the amended packet posted tomorrow.

Stacey Mayhew, McMinnville Community Member, expressed concerns about Council President Peralta's social media posts regarding Charlie Kirk's

assassination and called for his resignation from the Council and as Council President.

Dayna Gilbert (via Zoom), McMinnville Community Member, expressed support for freedom of speech for elected officials when they are speaking as private citizens.

Larry Weirich, McMinnville Community Member, criticized Council President Peralta's social media comments about Charlie Kirk, stating that while he has First Amendment rights, suggested potential consequences including resignation or removal from committee assignments.

Mandee Tatum, McMinnville Community Member, spoke in support of Councilor Peralta's right to free speech, emphasizing that the First Amendment protects speech that some may find controversial.

Terry Conlon, McMinnville Community Member, spoke regarding the proposed recreation center bond, expressing concerns about transparency and requesting more details on the facility components and associated costs. She asked for expanded time at the town hall meeting for questions.

Andrew Holladay, McMinnville Community Member, criticized Council President Peralta's comments about Charlie Kirk and suggested such rhetoric has no place in city governance.

Ames Bierly, McMinnville Community Member, spoke in support of Council President Peralta, describing him as considerate and measured, noting his defense of marginalized people.

Linda Hays, McMinnville Community Member, expressed concern that criticism of elected officials for expressing their views could make it difficult to recruit community leaders.

Todd Butterfield, McMinnville Community Member, called for accountability for Council President Peralta's comments, suggesting either an apology, correction, resignation, or removal from committee assignments.

Ryan Person, McMinnville Community Member, spoke in support of Council President Peralta, stating that his social media comments were candid and nuanced.

Richard Smith, McMinnville Community Member, expressed appreciation for Councilor Peralta's leadership and willingness to stand up for vulnerable community members.

Council President Peralta apologized to his colleagues and the community for his insensitive comment on social media. He acknowledged the hurt and frustration it caused and offered to make himself available for further dialogue in an appropriate forum..

Mayor Morris addressed the ongoing requests and concerns regarding Council President Peralta, explaining that his comments were his own and not those of the council. She clarified that under the city charter, the council cannot take disciplinary action against an elected official for statements protected under the First Amendment. The mayor also explained that under Section 19 of the McMinnville City Charter, the council president serves for a full two-year term unless the charter is amended or the president resigns or vacates their seat. She emphasized that elected officials are ultimately accountable to voters.

4. ADVICE/ INFORMATION ITEMS

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

Councilor Cunningham reported on MCM11, noting updates on new shows, the Saturday Film Festival wrapping up their "Mabel 23" mockumentary, their support for Henderson House's fundraising, a change in bookkeeper, and discussions on developing their sponsorship program.

Councilor Chenoweth reported on tours of Parker Meggitt on September 10th, which employs approximately 300 people in a 100,000 square foot manufacturing facility. Also attended the EVLC meeting where Heather Richards presented annual housing data. On September 13th, he participated in the Southwest Area Plan design workshop, noting there would be another opportunity for community input. On September 18th, attended the Parkway Committee meeting, where they discussed the bypass project's Phase 2A estimated for completion in summer 2027. And also toured Freelin-Wade on September 17th. Attended the celebration of life for Kent Taylor on September 20th.

Council President Peralta attended the Council of Governments quarterly meeting, noting a \$267,000 shortfall from lost federal grants. The organization is making cuts to right-size operations and has postponed the October legislative gathering. He also met with representatives from Edible Landscapes of Yamhill County and suggested they speak with staff about potentially using Bill Village Mill Park for their projects.

Mayor Morris mentioned her monthly meeting with Commissioner Johnston, attended the Economic Alliance meeting, met with Fire Chief Reed Godfrey about Station 15, and with Linfield University President Mark Blegen and VP Joseph Hunter about strengthening relationships. She participated in a guest interview with Representative Elmer, attended McMinnville made tours of Parker Meggitt and Freelin-Wade, spoke at McMinnville Kiwanis, and noted their upcoming fundraiser. She also attended Young Life's Fall into Flannel event, Yamhill County History Museum Harvest Nights, and the Hagan Hamilton ribbon cutting, and co-MCed Kent Taylor's memorial service.

rising national unemployment, and a softening labor market. Willamette Valley is at 61% occupancy (down 3.9% year-over-year) with an average daily rate of \$142 (down 2.5%). They previewed their new website. Linfield completed their addition to the Art Alley mural, upcoming events including Bike Park on October 11th and McMinnville Day of Service on October 18th, as well as Linfield's Latine Heritage celebration. Director Dan and team hosted 8 journalists including James Beard award voters, who particularly enjoyed McMinnville's farmers' market. He also attended Kent Taylor's celebration of life.

Councilor Tucholsky stated his committees have not met and had nothing to report.

4.b. Department Head Reports

City Engineer James Lofton reported that the Cypress and Fellows project was complete with new ADA ramps and asphalt. He noted they had received a 20-year warranty for the roof replacement on Building 50 at the wastewater plant. Landscaping at the Welcome to McMinnville sign near the Three Mile Lane bridge would start the following week. DEA consulting completed a preliminary draft study for Southwest Old Sheridan Road following a recent fatality, with recommendations for short-term, medium-term, and long-term safety improvements. A presentation was scheduled for October 14th

Library Director / Parks & Recreation Director Jenny Berg noted that the voters' pamphlet about the bond had been posted online. The city was waiting on approval from the Secretary of State regarding neutral language for the website and other informational materials. She noted that as a cost-saving measure, the Parks and Recreation guide was not being mailed out this year, but print copies were available at the community center, library, and senior center. Shared items from the library's "Library of Things" collection, including stadium seats, a portable hammock, and a slow-motion soccer ball.

Public Works Director Geoff Hunsaker had no additional updates beyond the engineering updates already provided

Human Resources Director Vicki Hedges reported 100% completion of the 2025 annual compliance training and was preparing for open enrollment beginning the following Monday through October 24th.

Information Technology Director Scott Burke introduced Megan Simmons, who had been with the city for 10 years. He reported on ongoing software projects with court and police, planning for a Wi-Fi upgrade project, and cybersecurity initiatives.

Finance Director Katie Henry shared an update from Communications Manager Noelle about the Southwest Area Plan Community Design Workshop on September 13th, where about 30 community members provided input. An online version of the workshop would be available soon.

She reported that court clerk interviews were scheduled for the following week with seven candidates, hoping to hire by November 1st. The city was working with Tyler Software to acquire Municipal Justice court software. The FY25 audit was underway with auditors on-site. She also mentioned drafting an RFP for new auditors with the goal of awarding in February, and designing a new budget book for next year, inviting council input on its format by November

Chief of Police Cord Wood announced that the Northwest Accreditation Alliance board had unanimously voted to reaccredit the McMinnville Police Department, marking their sixth reaccreditation.

Interim City Manager Adam Garvin noted has meetings with various community partners including Linfield President and Fire Chief Godfrey. He attended Kent Taylor's memorial service and was working with Claudia to establish a regular schedule for one-on-one meetings with executive team and council members.

5. CONSENT AGENDA

- a. Consider **Resolution No. 2025-52**: A Resolution authorizing the approval of an Intergovernmental Agreement between the City of McMinnville and the Oregon Department of Transportation (ODOT) for ADA Curb Ramp Improvements along OR99W, OR18, and OR18 Frontage Road, Agreement No. 73000-00039034.

Councilor Chenoweth MOVED to adopt Resolution No. 2025-52: Resolution authorizing the approval of an Intergovernmental Agreement between the City of McMinnville and the Oregon Department of Transportation (ODOT) for ADA Curb Ramp Improvements along OR99W, OR18, and OR18 Frontage Road, Agreement No. 73000-00039034; SECONDED by Councilor Tucholsky

AYE: Councilors Cunningham, Tucholsky, Chenoweth, Geary, Peralta
NAY: NONE

Resolution No. 2025-52 PASSED unanimously by a vote of 5-0.

6. RESOLUTION

- 6.a. Consider **Resolution No. 2025-53**: A Resolution authorizing the lease of City-owned real property at the Water Reclamation Facility to Creekside Valley Farms, LLC pursuant to ORS 271.310.

Councilor Tucholsky MOVED to approve Resolution No. 2025-53, Authorizing the lease of City-owned real property at the Water Reclamation Facility to Creekside Valley Farms, LLC pursuant to ORS 271.310e; SECONDED by Councilor Chenoweth.

*AYE: Councilors Cunningham, Tucholsky, Chenoweth
NAY: Councilors Geary, Peralta*

*Resolution No. 2025-53 **PASSED** by a vote of 3-2.*

- 6.b. Consider **Resolution No. 2025-58:** A Resolution authorizing the City Manager to execute a settlement agreement with all parties submitting claims to disputed funds erroneously paid to Fackler Construction.

Councilor Chenoweth MOVED to approve Resolution No. 2025-58, Authorizing the City Manager to execute a settlement agreement with all parties submitting claims to disputed funds erroneously paid to Fackler Construction; SECONDED by Councilor Tucholsky.

*AYE: Councilors Cunningham, Tucholsky, Chenoweth, Geary, Peralta
NAY: NONE*

*Resolution No. 2025-58 **PASSED** unanimously by a vote of 5-0.*

7. ADJOURNMENT: Mayor Morris adjourned the meeting at 8:19 p.m.

Claudia Cisneros, City Recorder

STAFF REPORT

DATE: October 14, 2025
TO: Mayor and City Councilors
FROM: Heather Richards, Community Development Director
SUBJECT: Resolution No. 2025-55: Committee Appointments

STRATEGIC PRIORITY & GOAL:



ENGAGEMENT & INCLUSION

Create a culture of acceptance & mutual respect that acknowledges differences & strives for equity.

OBJECTIVE/S: Grow City's employees and Boards and Commissions to reflect our community

Report in Brief:

This is the consideration of Resolution No. 2025-55, appointing volunteers to the Affordable Housing Committee (AHC) and the Historic Landmark Committee (HLC).

Background:

The City of McMinnville has many boards, committees and commissions that support the City's work on a volunteer basis. The City Council makes appointments to these boards, committees, and commissions to fill those positions that are being vacated by people whose terms have expired or have resigned from their position.

The City solicits applications by advertising the vacancies in the News Register, social media, and other communication opportunities. The applications are then reviewed, and interviews conducted by the Mayor and/or City Councilors, Committee Chair or Member, and city staff. All applicants are interviewed. The interview panel then makes a recommendation to the City Council for appointments.

Discussion:

The City had two positions vacant on the Affordable Housing Committee and one position vacant on the Historic Landmarks Committee.

Following is a table outlining the number of vacancies, applicants and interviews.

	<i>Affordable Housing Committee</i>	<i>Historic Landmarks Committee</i>
<i>Vacant Positions</i>	Two (2)	One (1)
<i>Applicants Interviewed</i>	Two (2)	Three (3)
<i>Recommended Appointments</i>	Two (2)	One (1)

The Mayor, committee representatives, and city staff conducted interviews for all open positions, and provided the following recommendations for appointments:

AFFORDABLE HOUSING COMMITTEE

Geoffrey Clayton

Term Expires December 31, 2028

Lisa Allen

Term Expires December 31, 2027

**Shortly after these interviews, a current AHC member resigned, meaning that there is now a new vacant position that is currently being advertised until October 6th.*

HISTORIC LANDMARK COMMITTEE

Lisa Allen

Term Expires December 31, 2026

Attachments:

- Resolution No. 2025-55

Fiscal Impact:

There is no anticipated fiscal impact to the City of McMinnville with this decision.

Recommendation/Suggested Motion:

"I MOVE TO APPROVE RESOLUTION NO. 2025 – 55."

RESOLUTION NO. 2025 – 55

A Resolution appointing members to the City's various Committees.

RECITALS:

Whereas, the City of McMinnville has several Boards, Committees, Commissions, and Task Forces made up of volunteers; and

Whereas, the City Council is responsible for making certain appointments and re-appointments per the McMinnville Municipal Code, Sections 2.30.030 and 2.31.030.

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

1. The City Council appoints the following volunteers to the various Committees as detailed below.

AFFORDABLE HOUSING COMMITTEE

Geoffrey Clayton

Term Expires December 31, 2028

Lisa Allen

Term Expires December 31, 2027

HISTORIC LANDMARK COMMITTEE

Lisa Allen

Term Expires December 31, 2026

2. This Resolution and these appointments will take effect immediately.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 14th day of October 2025 by the following votes:

Ayes: _____

Nays: _____

Approved this 14th day of October 2025.

MAYOR

Approved as to form:

Attest:

City Attorney

City Recorder



City of McMinnville
Public Works Department
3500 NE Clearwater Drive
McMinnville, OR 97128
(503) 434-7313
www.mcminnvilleoregon.gov

STAFF REPORT

DATE: October 14, 2025
TO: Adam Garvin, Interim City Manager
CC: Geoffrey Hunsaker, Public Works Director
FROM: Leland Koester, Wastewater Services Manager
SUBJECT: WRF Regulatory Support Work

Report in Brief:

This action considers a resolution approving a second amendment to the Professional Services Contract with Jacobs Engineering for the Water Reclamation Facility (WRF) and Conveyance System Master Plan Update, Project 2022-5.

Background:

In September of 2022, the City awarded a Professional Services Contract to Jacobs Engineering to complete a master plan update for the city's Water Reclamation Facility and Conveyance System. The purpose of the update is to plan for the next 20 years of operational and capital needs. The scope of work included the following:

- Collection system flow monitoring
- Collection system model update and calibration
- Collection system capacity analysis
- WRF hydraulic model update to address any changes from the collection system
- Update of existing treatment plant evaluations
- Analysis of the potential addition of BIOCHAR as a treatment process
- First Amendment: SCADA Master Plan Update

During the course of this work, the Department of Environmental Quality (DEQ) opened the City's permit and initiated the process to renew the National Pollutant Discharge Elimination System (NPDES) permit. Additional resources are required to ensure the City can adequately respond to DEQ and protect the City's ability to comply with any new requirements resulting from this process.

The estimated cost for the additional scope of work is \$ 81,525.00.

Attachments:

1. Resolution 2025-56
2. Exhibit A Scope and Fee for work
3. Second Amendment to PSA

Fiscal Impact:

Funds for the design work are included in the FY25/26 Wastewater Capital Fund (77).

Recommendation:

Staff recommends that the City Council adopt the attached resolution approving the Second Amendment to the Professional Services Contract with Jacobs Engineering for the Water Reclamation Facility (WRF) and Conveyance System Master Plan Update, Project 2022-5.

RESOLUTION NO. 2025-56

A Resolution Approving the 2nd Amendment to the professional services contract with Jacobs Engineering Group Inc. for the Public Works Water Reclamation Facility (WRF) and Conveyance System Master Plan Update, Project 2022-5 to include Additional Regulatory Support for McMinnville's National Pollutant Discharge Elimination System (NPDES) Permit Renewal with the Oregon Department of Environmental Quality (DEQ).

RECITALS:

Whereas, On September 13, 2022, Jacobs Engineering Group Inc. was awarded the Professional Services Contract for the WRF and Conveyance System Master Plan Update Project 2022-5; and

Whereas, While Jacobs Engineering was performing these services DEQ opened the City's NPDES Permit to start renewal procedures: and

Whereas, Jacobs Engineering is qualified and capable of performing these services; and

Whereas, Project funding is included in the 2025-2026 Wastewater Capital Fund (77).

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

1. That the Second amendment to the Professional Services Contract with Jacobs Engineering Group Inc. for the Public Works Water Reclamation Facility (WRF) and Conveyance System Master Plan Update to include Additional Regulatory Support work for \$81,525.00 is approved. Bringing the total not to exceed price of the contract to \$1,689,391.00.
2. 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 regular meeting held the 14th day of October 2025 by the following votes:

Ayes: _____

Nays: _____

Approved this 14th day of October 2025.

MAYOR

Approved as to form:

Attest:

City Attorney

City Recorder

EXHIBITS:

- A. Water Reclamation Facility (WRF) and Conveyance System Master Plan Update Project 2022-5 Amendment 2

Exhibit A

Agreement for Professional Services for the City of McMinnville Water Reclamation Facility (WRF) and Conveyance System Master Plan Updates Project 2022-5 Amendment 2

PROJECT DESCRIPTION

Provide additional funding for existing Task 7 – Regulatory Support to support the City’s ongoing NPDES renewal process, including development of updated Mixing Zone Study.

The work is proposed on a Time & Materials basis.

WORK APPROACH

Task 7: Regulatory Support

Under this task, Jacobs was originally scoped to provide regulatory support, technical analyses, and develop documentation under the following tasks: Task 7.1 – Regulatory Review for the Water Reclamation Facilities Plan Update; Task 7.2 – Support for NPDES Permit Renewal; and Task 7.4 – Develop Biosolids Management Plan Update. Task 7.3 – Ambient Toxics Monitoring was optional.

Amendment 2 adds Task 7.5 – Updated Outfall Mixing Zone Study Report and Task 7.6 – 2025 NPDES Renewal Support.

Task 7.5: Updated Outfall Mixing Zone Study Report

Under this task, Jacobs will develop an Updated Outfall Mixing Zone Study Report for submittal to DEQ in support of the NPDES Permit renewal now planned for 2025. The objective of this task is to develop a Level 2 outfall mixing zone study in accordance with the DEQ’s Regulatory Mixing Zone Internal Management Directive (RMZ-IMD) issued by DEQ in 2012 and 2013. This task will leverage data, documentation, and knowledge developed in 2008 and 2011 by Jacobs (as CH2M HILL) to the extent that these past data and documentation are still relevant and can be applied for use by DEQ.

Task 7.5 will be conducted to develop and document dilutions for use in the NPDES permit renewal and the Master Plan. Task 7.5 will include three subtasks to be conducted during spring and summer 2024.

Subtask 7.5.1 – Receiving Water and Effluent Data Evaluation for Modeling

Collect and apply 30+ years of South Yamhill River data from the USGS gage at McMinnville to calculate critical flow statistics required for the dilution analyses. These

critical river flow conditions will include dry and wet season 1Q10, 7Q10, and 30Q5 river flows, as well as harmonic mean flow. River gage data will be reviewed to validate data values to apply in the critical river flow statistics calculations. If erroneous or outlier gage data are identified these values will be deleted and documented.

Summarize recent 3+ years of effluent flow and temperature data to represent dry and wet season discharges and apply in dilution modeling to represent existing flows. Effluent flow statistics developed for maximum day (dry and wet seasons), maximum month average (dry and wet seasons), and annual average flow. Obtain projected 2041 or 2045 effluent flows developed in the draft Master Plan.

Subtask 7.5.2 – Dilution Analyses

Develop dilution calculation inputs and results for existing and projected 2041 or 2045 effluent flows. Apply projected 2041 or 2045 effluent flows developed in the Master Plan to represent future flows. Develop volume-based calculations (assuming 25 and 50 percent of river flow for mixing) to calculate dilution results. Summarize dilution calculations in a table that includes existing and proposed revised ZID and MZ boundaries.

Subtask 7.5.3 – Field Data Collection

Field data collections will be performed at the outfall site on the South Yamhill River during summer 2024 once river flows at the McMinnville USGS gage recede below 100 cfs to allow for measurements and outfall inspection. Because this is a Level 2 Mixing Zone Study (without field tracer measurements) it is not necessary to be performed during critical 7Q10 low river flow condition. Field data collection activities will include the following:

- Inject dye into the effluent upstream of the outfall discharge using Rhodamine dye to allow for recording photos above and below water to document the outfall condition, port functioning, and discharge plume path and width in the river.
- Conduct measurements of water depths and ambient current velocities along two river cross-sections (outfall site and RMZ boundary) to document the channel cross-section profile and current velocities. Measurements will be collected along a fixed bank to bank line from a raft using a survey rod and portable current meter.
- Document river conditions within 200 feet upstream and downstream of the outfall (photographs) and locate any downstream creek confluence.
- Compare stream flow and stage measurements at outfall site to upstream USGS gage measurements for same day.
- Field measurements of river flow and stage performed in 2008 and 2024 will document two different river flow conditions that will be used to compared to the discharge flow/stage regression plot based on USGS gage data.

Subtask 7.5.4 – Reporting and Meetings

Prepare a technical study report summarizing the updated mixing zone study of Outfall 001, including outfall and river discharge site characteristics, effluent and receiving water data used in the dilution analyses, results of dilution analyses (including revised outfall ZID

and RMZ boundaries), and environmental mapping information. Graphics of the existing and proposed revised Outfall 001 ZID and RMZ regions will be included in the report.

Updated environmental mapping information developed for the outfall site will be consistent with the requirements of DEQ'S RMZ-IMD. This information includes plan-view maps that depict environmental information near the Outfall 001 discharge location including: physical structures; other NPDES discharges; drinking water intakes; presence, habitat, and migration pathways of threatened and endangered species (based on Oregon Department of Fish and Wildlife (ODFW) records); fish spawning/rearing habitat (based on ODFW maps); cold water refugia (based on DEQ and ODFW studies); and nearby public parks and water uses.

The 2008 Outfall Mixing Zone Study Report, the 2011 DEQ Review of the 2008 Report, and the 2011 Revision to the 2008 Mixing Zone Study Report will be appended to the 2024 Updated Mixing Zone Study Report to provide complete references and data. The 2008 Report includes field data measurements and a field dye tracer study of the existing outfall, and the 2011 Revision provides corrected river flow data and associated dilutions.

An Updated Outfall Mixing Zone Study Report will be prepared and submitted to the City for review. Based on the City's comments the report will be revised and a final report will be submitted to the City for submittal to DEQ in 2025 - for use in the NPDES permit renewal. Two project review meetings will be held with the City by Microsoft Teams during this task.

Task 7.6: 2025 NPDES Renewal Support

The City's NPDES Permit No. 101062 was issued in 2004 and was scheduled for renewal by Oregon Department of Environmental Quality (DEQ) in 2024. DEQ now anticipates issuance in 2025. This task provides an allowance for Jacobs to provide additional support to the City with:

- Meeting with DEQ to coordinate on proposed NPDES changes.
- Provide support and recommendations during permit renewal communications with DEQ, including requests for information, DEQ draft RPAs, and other material.
- Review and comment on City-developed Fact Sheet in response to DEQ request.
- Review and comment on City-developed Biosolids Management Plan in response to DEQ request.
- Review draft Reasonable Potential Analyses (RPA) developed by Oregon DEQ.
- Review the Applicant Review Draft NPDES permit documents (permit, fact sheet, and public notice).
- Participate in up to 12, one-hour conference calls with the City to discuss permit renewal developments, Jacobs review comments and recommendations, and status, attended by two Jacobs project team members. At the City's direction, up to three of the one-hour conference calls with the City and DEQ to discuss permit renewal development.

Assumptions:

- *Jacobs will not communicate directly with DEQ except at the explicit direction of the City.*
- *This scope does not include development of the permit renewal application (EPA Form 2A). This was prepared by the City and submitted in 2008.*
- *Up to two versions of an agency draft RPA will be provided to the City by DEQ for review and comment.*
- *Up to two versions of the Biosolids Management Plan for review and comment.*
- *One version of the Applicant Review Draft permit documents will be provided to the City by DEQ for review and comment.*
- *The review of the draft RPA will include temperature, ammonia, chlorine, dissolved oxygen, and all toxics (pollutants of concern), for both Aquatic Life and Human Health criteria.*
- *This task does not include further evaluation of potential treatment process impacts due to regulatory changes that impact discharge requirements.*
- *NPDES renewal will complete by December 31, 2025.*

Deliverables:

- *Written comments on the draft RPAs developed by DEQ – draft, final, and (if necessary) revised final memorandum*
- *Written comments on the Applicant Review Draft Permit documents – draft, final, and (if necessary) revised final memorandum*
- *Written comments on the Public Notice Draft Permit documents.*

BUDGET

Task 7 was originally budgeted at \$79,475. Through August 2025, services associated with Regulatory Support have incurred approximately \$131,000 of charges. This Amendment provides a budget of \$51,525 to account for services previously performed and an allowance of \$30,000 for additional work to be performed in support of NPDES renewal in 2025 for a total amendment value of \$81,525.

CITY OF McMinnville
SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

Water Reclamation Facility (WRF) and Conveyance System Master Plan Update Project

This Second Amendment to Professional Services Agreement (“Second Amendment”) is effective the 14th day of October 2025 (“Effective Date”), by and between the **City of McMinnville**, a municipal corporation of the State of Oregon (“City”), and Jacobs Engineering Group INC., a Delaware corporation (“Consultant”), upon the terms and conditions set forth below.

RECITALS

WHEREAS, the City entered into a Professional Services Agreement (“Agreement”) with Consultant on September 13, 2022 relating to the Water Reclamation Facility (WRF) and Conveyance System Master Plan Update Project. (“Project 2022-5”); and

WHEREAS, the City requires additional services which Consultant is capable of providing, under terms and conditions hereinafter described; and

WHEREAS, the City and Consultant anticipate that additional time is needed to complete the Services stated in the Agreement

NOW, THEREFORE, in consideration of these mutual promises and the terms and conditions set forth herein, the parties agree as follows:

AGREEMENT

The Agreement is amended as follows:

Section 1. Term

The term of the Agreement is hereby extended to June 30, 2026.

Section 2. Additional Services To Be Provided

Consultant will perform the Additional Services more particularly described in **Exhibit A**, attached hereto and incorporated by reference herein, for the Project pursuant to all original terms of the Agreement, except as modified herein.

Section 3. Compensation

The City agrees to pay Consultant on a time and materials basis, guaranteed not to exceed EIGHTY-ONE THOUSAND FIVE HUNDRED TWENTY-FIVE DOLLARS (\$81,525.00) for performance of the Additional Services (“Additional Compensation Amount”) which, when totaled with

the Compensation Amount, equals a total not-to-exceed amount of ONE MILLION SIX HUNDRED EIGHTY-NINE THOUSAND THREE HUNDRED NINETY-ONE DOLLARS (\$1,689,391) for the performance of the Services and Additional Services (“Total Compensation Amount”). Consultant’s estimate of time and materials is attached hereto as **Exhibit A** and incorporated herein by reference.

Section 4. All Other Terms

All of the other terms and conditions of the Agreement shall remain in full force and effect, as therein written. Unless otherwise defined herein, the defined terms of the Agreement shall apply to this Second Amendment.

The Consultant and the City hereby agree to all provisions of this Second Amendment.

CONSULTANT:

Jacobs Engineering Group Inc.

By: _____

Print Name: _____

As Its: _____

Employer I.D. No. _____

CITY:

CITY OF McMINNVILLE

By: _____

Print Name: _____

As Its: _____

APPROVED AS TO FORM:

City Attorney
City of McMinnville, Oregon

STAFF REPORT

DATE: October 14, 2025
TO: Mayor and City Councilors
FROM: Heather Richards, Community Development Director
SUBJECT: Resolution No. 2025-51: For an Annexation Agreement with Yamhill Soil and Water Conservation District and MAC Multi LLC to annex Tax Lot R4409CD 00100 into the city limits.

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER
Guide growth & development strategically, responsibly & responsibly to enhance our unique character.



HOUSING OPPORTUNITIES (ACROSS THE INCOME SPECTRUM)
Create diverse housing opportunities that support great neighborhoods.

Report in Brief:

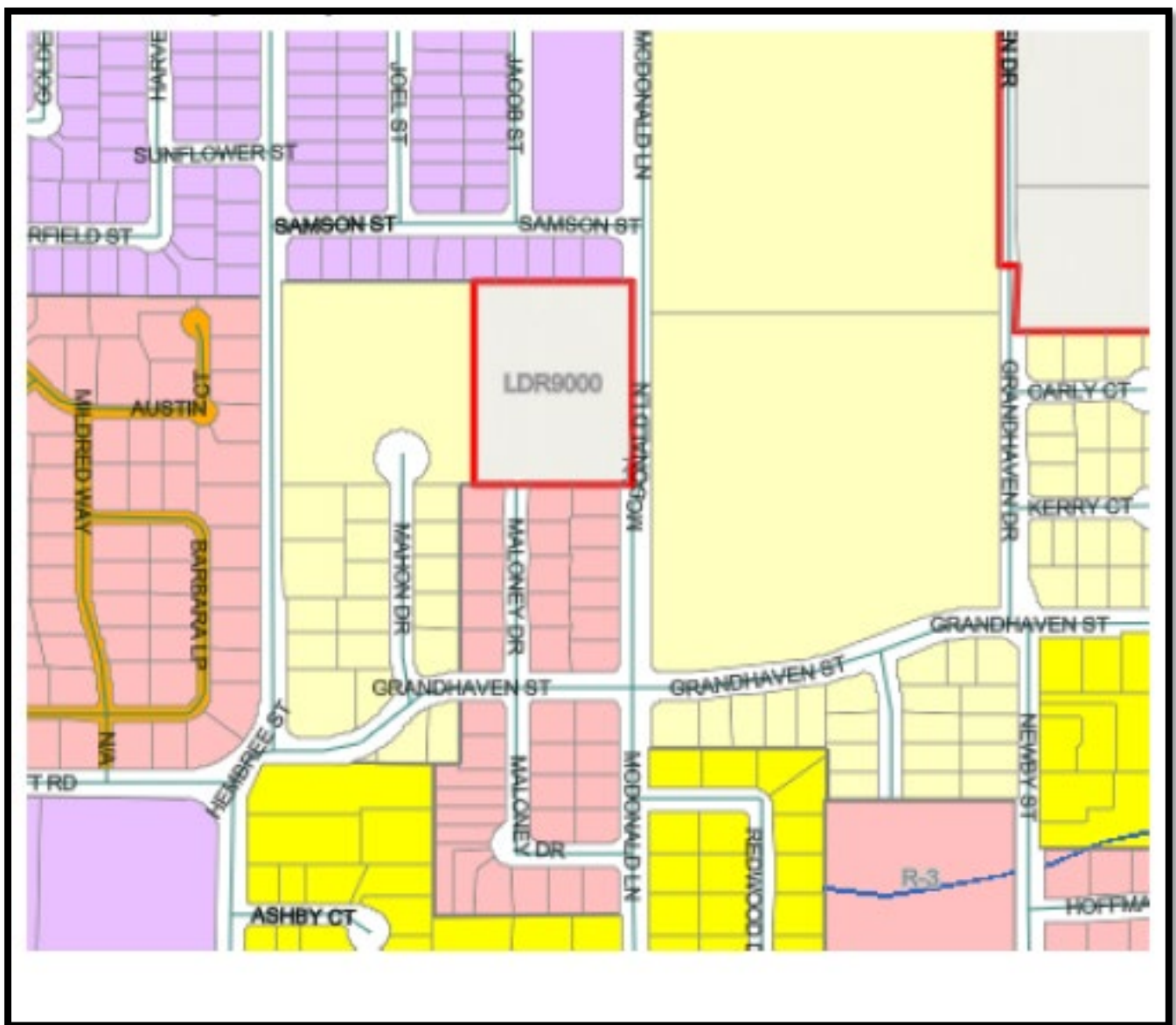
This is the consideration of Resolution No. 2025-51, authorizing the Interim City Manager to sign an Annexation Agreement with Yamhill Soil and Water Conservation District (property owner) and MAC Multi LLC (property buyer) for the consideration of annexing Tax Lot R4409CD00100 into the McMinnville city limits for a multi-family development project.



Attachments:
Resolution No. 2025-51

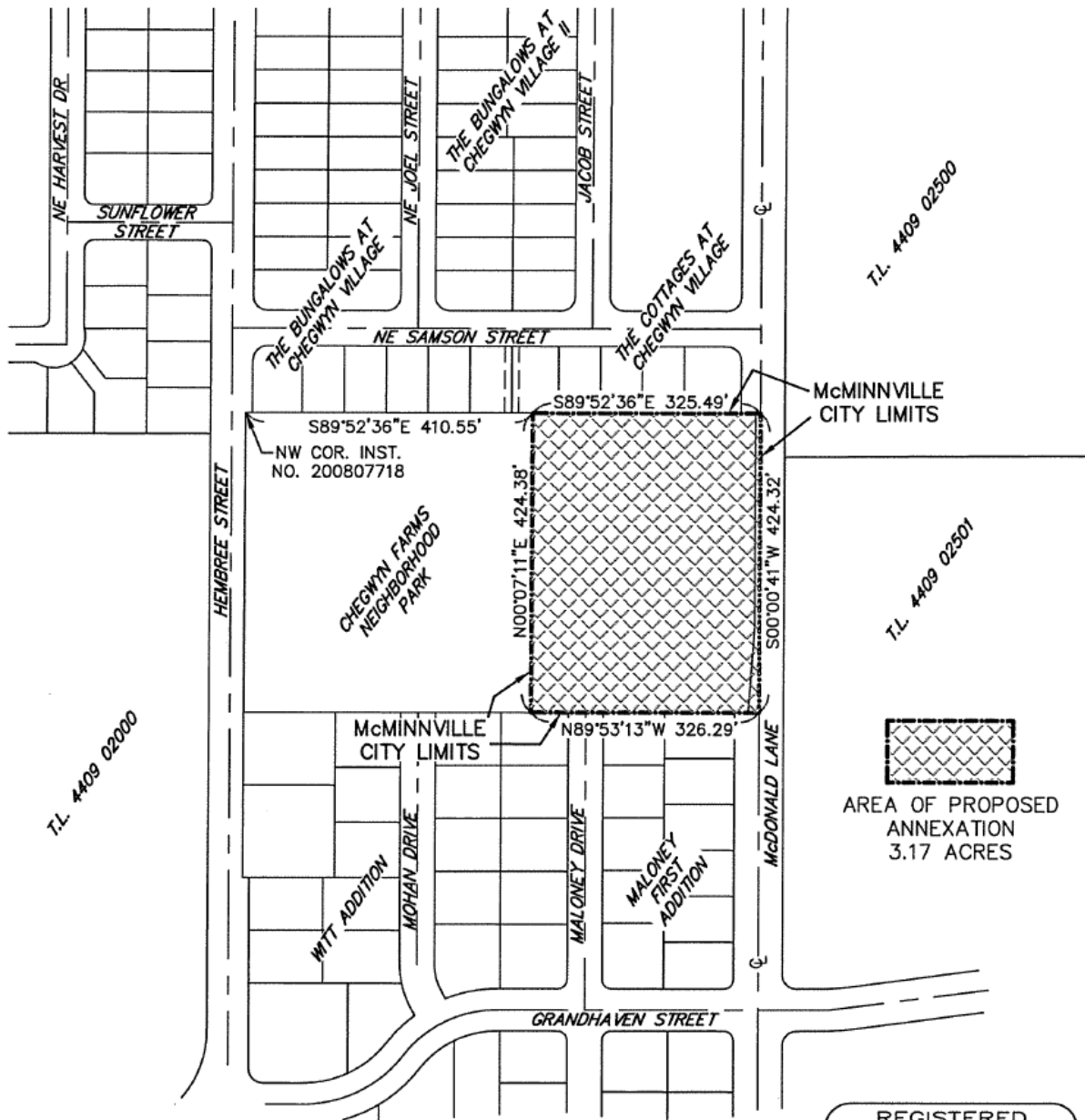
Yamhill Soil and Water Conservation District and MAC Multi LLC are proposing to annex the property (eastern portion) at 3210 NE Hembree Street into the City of McMinnville corporate limits. The subject property is approximately 3.17 acres and has street frontage on NE Hembree Street, NE McDonald Lane, NE Mahone Drive (cul-de-sac), and NE Maloney Drive (street stub) at its perimeters. Grandhaven Elementary School is located across NE McDonald Lane east of the subject property.

The western portion of the property was annexed into the city limits in July 2008 via Ordinance No. 4896 and subsequent voter approval, and then leased to the City in October 2008 for a future park. The City developed Chegwyn Farms Neighborhood Park on the annexed property. The eastern portion of the property was not annexed and remains as an unincorporated island surrounded by the city limits. The purpose of the annexation is for the future development of Parkview Apartment Living a 72-unit multi-family development.



MAP OF PROPOSED ANNEXATION

LOCATED IN THE SW 1/4 OF SECTION 9, T. 4 S., R. 4 W., W. M.,
YAMHILL COUNTY, OREGON



**BARKER
SURVEYING**

3657 KASHMIR WAY SE
SALEM, OREGON 97317
PHONE (503) 588-8800
FAX (503) 363-2469
EMAIL: GREG@BARKERWILSON.COM



0' 200' 400'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Gregory L. Wilson

OREGON
JULY 19, 1994
GREGORY L. WILSON
2687

EXPIRES: 6/30/2026

Attachments:
Resolution No. 2025-51

Background:

Annexation is the process by which a municipality, upon meeting certain requirements, expands its corporate limits.

Oregon statewide planning goals require that each city be surrounded by a boundary which is called an urban growth boundary (UGB). The UGB defines the area that the city has identified as being eligible to be included within the city limits during a 20-year planning period to accommodate growth. Annexation is the process for lands within the UGB to become part of the city limits, and thus developed to an urban intensity in compliance with the city's comprehensive plan. Lands within the UGB may be considered for annexation into the city limits consistent with ORS 222 and local ordinances. Annexations are governed by state laws (Oregon Revised Statute, Title 21, Chapter 222), City Charters, and local ordinances.

A proposal for annexation of territory to a city may be Initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed. The boundaries of a city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water, if the proposal for annexation is approved in the manner provided by the city charter or by ORS 222.111.

When the city approved Ordinance No. 5098 adopting the McMinnville Growth Management and Urbanization Plan, on December 8, 2020, the City adopted a new program for annexations in McMinnville dependent upon annexation agreements as a precursor to annexation.

That new program was codified on October 26, 2021, with the adoption of Ordinance No. 5106, establishing Chapters 16.10.00, 16.20.00, 16.30.00, and 16.40.00 of the McMinnville Municipal Code, outlining the requirements of an annexation application and the process for annexation.

The Annexation Agreement is an annexation contract between the landowner(s) and the City Council determining what is expected from both parties for the annexation to be successful.

The Annexation Agreement is the opportunity for the City to require elements of the property that the City deems is necessary for the public good associated with the annexation. This typically includes the dedication and development of necessary public Infrastructure Improvements, as well as the dedication and development of public parks and trails, and in some cities, the development of necessary affordable housing to meet the city's future housing need. The Annexation Agreement is approved by Resolution of the City Council. This action is not a land-use action. However, the Annexation Agreement does identify the land-use process that the applicant needs to follow to demonstrate compliance with the McMinnville Comprehensive Plan as well as a timeframe in which to achieve the appropriate land-use approvals, in order to annex their property into the city. This land-use process needs to be concluded prior to the annexation becoming effective.

In this case, the property owner will need to successfully navigate the land-use process for a city zoning map amendment, and provide all of the required consents identified in the MMC 16.20.020

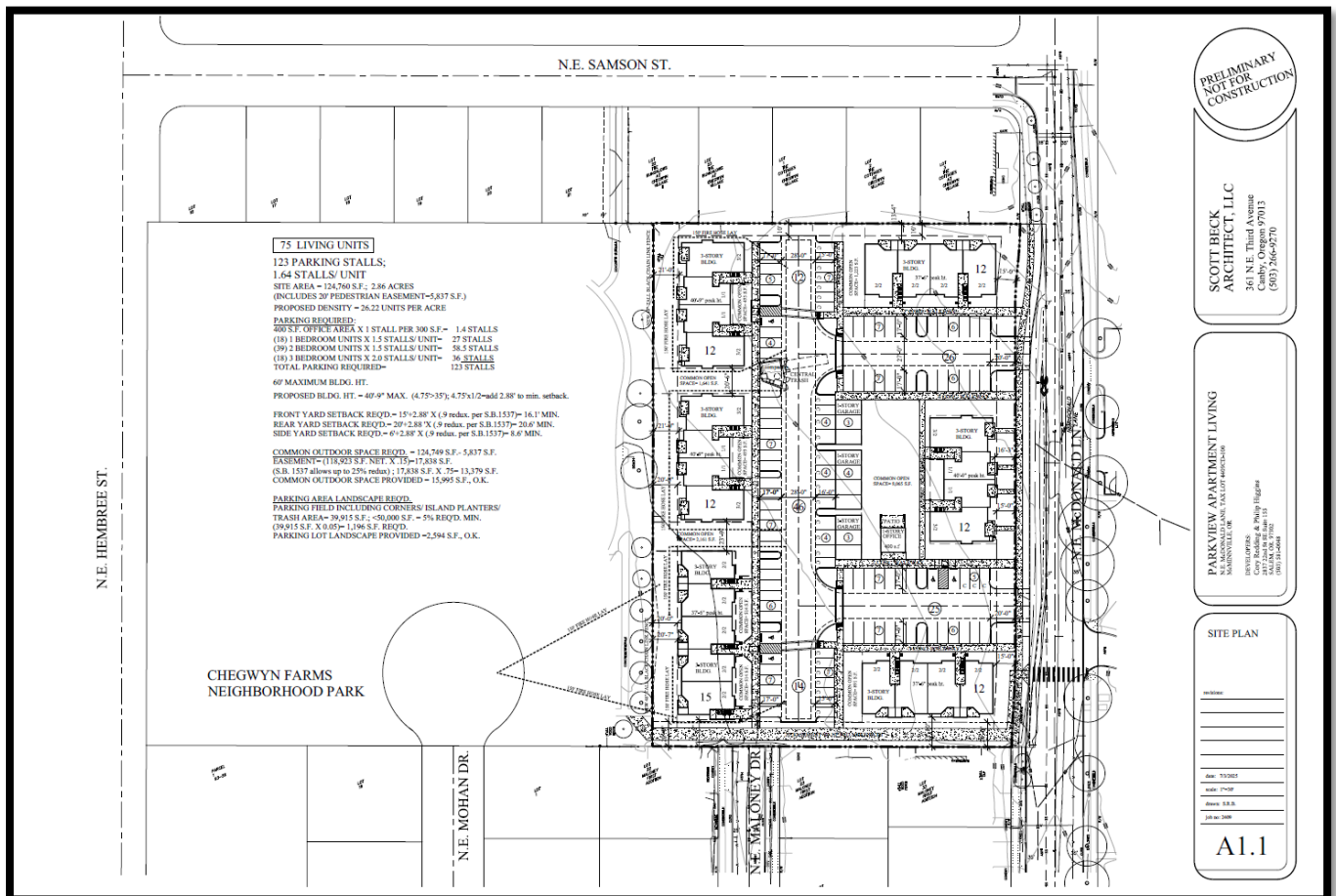
After the landowner(s) have achieved all of the performance metrics of the Annexation Agreement, the City Council then considers the annexation by ordinance. This process is conducted in adherence with ORS 222.

Discussion:

This annexation is fairly simple. It already has a residential comprehensive plan designation and does not need to be part of an area plan or master planning process. It will also remove an island of county zoned land within the city limits.

The buyer of the property has submitted an application for a zone map amendment to designate the property as R4 to build a multi-family project.

Multi-Family Project Tentative Site Plan: *(Note this still needs to be officially reviewed for development compliance and is only being provided as a concept plan for the annexation agreement).*



Attachments:
Resolution No. 2025-51

The annexation application has been reviewed by Planning, Engineering, Parks and Recreation, McMinnville Water and Light and the Fire District.

Section 4 of the Annexation Agreement describes all of the components of the project that need to be addressed prior to annexation, including but not limited to:

- Frontage improvements that include up to a half street improvement and restriping along NE McDonald Lane and minor improvements to permanently terminate NE Maloney Drive.
- Construction of a pedestrian mid-block crossing on NE McDonald Lane between NE Grandhaven Street and NE Samson Street. Design and location to be reviewed and approved by the City Engineer and will need to include the installation or replacement of the receiving ramp on the east side of NE McDonald Lane.
- Provision of connectivity from the pedestrian crossing at NE McDonald Lane with the stubbed out path on the south end of Chegwyn Park by dedicating a twenty (20) foot public utility easement (PUE) to the City and constructing a ten (10) foot concrete path within the PUE. The path should avoid vehicular/parking lot crossings and conflicts, and the two remaining five (5) feet of buffer on either side of the concrete path within the PUE shall be planted, irrigated and maintained.

Attachments:

Resolution No. 2025-51

- Annexation Agreement
- Legal Description and Site Maps

Fiscal Impact:

The property owner has paid for the application fee which is a full cost recovery fee for the review and implementation of the application.

Council Options:

1. Approve Resolution No. 2025-51
2. Modify Resolution No. 2025-51
3. Deny Resolution No. 2025-51

Recommendation:

Staff recommends approving Resolution No. 2025-51 authorizing the Interim City Manager to sign the Annexation Agreement with Stanley Bruce Cook and Nila Denise Cook Revocable Trust.

"I MOVE TO APPROVE RESOLUTION NO. 2025-51."

Attachments:
Resolution No. 2025-51

RESOLUTION NO. 2025 – 51

A Resolution authorizing the Interim City Manager to sign an Annexation Agreement with Yamhill Soil and Water Conservation District (property owner) and MAC Multi LLC (buyer), for the future annexation of Tax Lot R4409CD00100.

RECITALS:

WHEREAS, on December 8, 2020, the McMinnville City Council adopted Ordinance No. 5098 adopting the *McMinnville Growth Management and Urbanization Plan*; and

WHEREAS, on July 21, 2021, city staff hosted a work session with the McMinnville City Council to review draft amendments to the McMinnville City Code to bring the City's governing codes in compliance with state laws and the *McMinnville Growth Management and Urbanization Plan* relative to annexations; and

WHEREAS, on September 16, 2021, the Planning Commission held a duly noticed public hearing to consider the proposed amendments and the Planning Commission recommended approval of the proposed amendments; and

WHEREAS, on October 26, 2021, the City Council, being fully informed about said request, found that the requested amendments conformed to the applicable Comprehensive Plan goals and policies, as well as the McMinnville Municipal Code based on the material submitted by the Planning Department and the findings of fact and conclusionary findings for approval, adopting Ordinance No. 5106; and

WHEREAS, on March 4, 2025, Yamhill Soil and Water Conservation District and MAC Multi LLC applied for the annexation of their property (Tax Lot R4409CD00100) to be annexed into the City of McMinnville; and

WHEREAS, the City leadership team comprised of staff members from Planning, Engineering, Parks and Recreation, and the City Attorney, as well as staff members from McMinnville Water and Light and the McMinnville Fire District reviewed the annexation application and drafted an annexation agreement for the McMinnville City Council and the property owners.

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

1. That the City Council would like to enter into an agreement with Yamhill Soil and Water Conservation District and MAC Multi LLC for the annexation of their property into the City of McMinnville (Tax Lot R4409CD00100).
2. That the City Manager is authorized to sign the attached Annexation Agreement (**Exhibit A**) on behalf of the City of McMinnville.
3. This Resolution will take effect immediately upon passage.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 14th day of October, 2025 by the following votes:

Ayes: _____

Nays: _____

Approved this 14th day of October 2025.

MAYOR

Approved as to form:

Attest:

City Attorney

City Recorder

EXHIBITS:

- A. Annexation Agreement with Yamhill Soil and Water Conservation District and MAC Multi LLC for Tax Lot R4409CD00100.

After Recording Return To:

City of McMinnville
220 NE Second Street
McMinnville, OR 97128

ANNEXATION AGREEMENT

This Annexation Agreement is made and entered into this ____ day of _____, _____, by and between the City of McMinnville, Oregon, an Oregon municipal corporation (hereinafter “City”) and Yamhill Soil and Water Conservation District (hereinafter “Owner”), and Cory Redding, MAC Multi LLC (hereinafter “Buyer”).

W I T N E S S E T H

WHEREAS, Owner is the record owner of the property legally described on Exhibit 1 attached hereto and incorporated herein (hereinafter referred to as the “Property”); and

WHEREAS, Buyer has the property under contract to purchase to develop a multi-dwelling development; and

WHEREAS, the Property is within the City’s urban growth boundary, contiguous to the currently existing City limits, and is proposed to be annexed to the City; and

WHEREAS, Owner desires to have the Property annexed to the City; and

WHEREAS, Owner will submit a petition for annexation and provide the City with all required consents for annexation; and

WHEREAS, the City is willing to consider annexation of the Property on the terms and conditions, and subject to the provisions, of this Agreement; and

WHEREAS, the City will apply urban zoning upon the successful completion and approval of a land use application for a Zone Map Amendment; and

WHEREAS, the City and Owner desire to enter into this Agreement to regulate the annexation, zoning, use and development of the Property; and

WHEREAS, should a property owner who chooses not to execute the Annexation Agreement, refuses to grant a right-of-way and/or easement across his or her property in accordance with the City's Public Facilities Plans, the City may institute condemnation proceedings to effectuate such right-of-way and/or easement, or modify the Public Facilities Plans to bypass the property, in order to accommodate the orderly construction of the public infrastructure; and

WHEREAS, Council will consider this annexation agreement on October 14, 2025.

NOW, THEREFORE, in consideration of the representations, promises and mutual covenants contained herein, the City and Owner agree as follows:

1. **RECITALS:** The foregoing recitals are incorporated herein as is fully set forth in this Section.
2. **ANNEXATION**
 - a. City agrees that it will initiate an ordinance annexing the Property into the City once the following conditions are met:
 1. All required consents have been received by the City. (See McMinnville Municipal Code (MMC) 16.20.020 for a list of required consents.)
 2. A signed Annexation Agreement has been received by the City.
 3. The Owner has received a final unappealed land-use approval for city zoning on the property.
 - b. This agreement is void if the Property is not annexed to the City of McMinnville within five years after the effective date of this Agreement and after the City's receipt of all required consents.
 - c. Owner may terminate this Agreement by serving written notice to the City no less than 60 days prior to the effective date of the termination. The notice must be received by the City at least 60 days prior to the public hearings for council consideration of the annexation. If the City receives such notice, this Agreement terminates as of the effective date of the notice. After the annexation ordinance is adopted by the City, this Agreement may only be terminated or amended by written consent of the Owner and City. Pursuant to this Agreement, the City agrees that an annexation ordinance will be considered by the McMinnville City Council; however, the City cannot guarantee that the annexation ordinance will be adopted by the City Council.
3. **COMPREHENSIVE PLAN/ZONING:** Prior to the development and annexation of the property, the Owner is required to complete a land-use application for a zoning map amendment for the property in compliance with the McMinnville Comprehensive Plan and McMinnville Zoning Ordinance. Upon successful annexation and a Zone Map Amendment adoption, the City will apply the Zoning designation identified in the land-use application to the property.
4. **DEVELOPMENT:** Owner agrees as follows:
 - a. Owner shall waive and shall not assert any claim against the City that may now exist or that may accrue through the date of annexation of the Property that it may claim due to its ownership of the Property. This includes any claim arising out of any land use regulation or under Measure 37 (ORS 197.352), Measure 49, and Measure 56 (ORS 227.186).

- b. Owner agrees that any development of the property will comply with the City's Zoning Ordinance as it exists now or is later amended. In addition, the development of the Property shall comply with the applicable approved land-use decisions for the property and will incorporate and follow the City's Great Neighborhood Principles as found in the McMinnville Comprehensive Plan and McMinnville Zoning Ordinance as applicable. The Community Development Director or Hearings Body shall determine the applicability of the Great Neighborhood Principles to the subject property as necessary. All development must also comply with federal, state and city regulations.
- c. Owner agrees that it will, without any cost to the City, dedicate the necessary rights-of-way or easements for all Planned Improvements identified in the City's Public Facilities Plan and that will be necessary for the development of the property. The Public Facilities Plan includes the Wastewater Conveyance Plan, Water Master Plan, Transportation System Plan, and Parks and Recreation Plan.

All public rights-of-way to be dedicated shall be free and clear of all encumbrances or other restrictions that may interfere with their intended public use.

- d. Required frontage improvements will include up to a half street improvement and restriping along NE McDonald Lane and minor improvements to permanently terminate NE Maloney Drive. Right-of-way dedication, any necessary easement vacations, and frontage improvements are subject to review and approval by the City Engineer.
- e. Owner agrees to construct a pedestrian mid-block crossing on NE McDonald Lane between NE Grandhaven Street and NE Samson Street. Design and location to be reviewed and approved by the City Engineer and will need to include the installation or replacement of the receiving ramp on the east side of NE McDonald Lane.
- f. Owner/Buyer agrees to provide connectivity from the pedestrian crossing at NE McDonald Lane with the stubbed out path on the south end of Chegwyn Park by dedicating a twenty (20) foot public utility easement (PUE) to the City and constructing a ten (10) foot concrete path within the PUE. The path should avoid vehicular/parking lot crossings and conflicts, and the two remaining five (5) feet of buffer on either side of the concrete path within the PUE shall be planted, irrigated and maintained.

This pedestrian path should also provide connectivity to the existing sidewalks along NE Maloney Drive and a connection to the mid-block crossing on NE McDonald Drive required in Section 4(d) of this Agreement.

Path will be subject to design review and approval of the City Engineer.

Owner/Buyer agrees to construct a four to six (6) foot tall fence on the subject site between the Chegwyn Park and the development, with the only opening being twenty (20) feet wide at the path entrance. The fence must be constructed in a way that provides a physical barrier but allows clear visibility through the fence,

such as a vertical bar fence. This will be subject to the approval of the Parks and Recreation Director.

- g. Owner shall remove all water rights from Property, unless partial use is otherwise approved by the McMinnville City Council.
 - h. Owner agrees to not remonstrate against the formation of a local improvement district or reimbursement district created for the purpose of funding public improvements that will serve the Property. This waiver applies to the Property until all utility service and all required infrastructure that will service or benefit the Property is completed and accepted by City. When all of the necessary improvements are completed and accepted by the City, the remonstrance for the local improvement district is terminated.
5. **AMENDMENT:** This Agreement and any exhibits attached hereto may be amended only by the mutual written consent of both parties.
6. **SEVERABILITY:** If any provision, covenant or portion of this Agreement or its application to any person, entity, property or portion of property is held invalid, or if any ordinance or resolution adopted pursuant to this Agreement or its application to any person, entity, property or portion of property is held invalid, such invalidity shall not affect the application or validity of any other provisions, covenants or portions of this Agreement or other ordinances or resolutions passed pursuant hereto, and to that end, all provisions, covenants, and portions of this Agreement and of the ordinances and resolutions adopted pursuant hereto are declared to be severable.
7. **NO WAIVER OF RIGHT TO ENFORCE AGREEMENT:** Failure of any party to this Agreement to insist upon the strict and prompt performance of the terms, covenants, agreements and conditions herein contained, or any of them, upon any other party imposed, shall not constitute or be construed as a waiver or relinquishment of any party's right thereafter to enforce any such term, covenant, agreement or condition, but the same shall continue in full force and effect.
8. **ENTIRE AGREEMENT:** This Agreement supersedes all prior agreements, negotiations and exhibits and is a full integration of the entire agreement of the parties relating to the subject matter hereof. The parties shall have no obligations other than specifically stated in this Agreement except those of general applicability.
9. **SURVIVAL:** The provisions contained in this Agreement shall survive the annexation of the property and shall not be merged or expunged by the annexation of the property or any part thereof to the City.
10. **SUCCESSORS AND ASSIGNS:** This Agreement shall run with the land described on Exhibit B and inure to the benefit of, and be binding upon, the successors in title of the Owners and their respective successors, grantees, lessees, and assigns, and upon successor corporate authorities of the City and successor municipalities.

- 11. TERM OF AGREEMENT:** This Agreement shall be binding upon the parties and their respective successors and assigns for the full statutory term of twenty (20) years, commencing as of the date of this Agreement unless superseded by Section 2.b of this Agreement.
- 12. ENFORCEMENT:** Owner agrees that if it fails to perform as required under this Agreement, the City Council may, at the City Council's option, refuse to process any development application submitted for the Property or include as conditions of approval any requirement of this Agreement. Owner hereby waives any claim regarding such conditions of approval, whether to LUBA or to any state or federal court.
- 13. ATTORNEY FEES:** In any proceeding to enforce, apply or interpret this Agreement, each party shall bear its own attorneys' fees and costs.

IN WITNESS WHEREOF the parties hereto have executed this Agreement on the date first above written.

CITY

OWNER

Adam Garvin, Interim City Manager
City of McMinnville

Barbara Boyer, Chair of YSWCD
Yamhill Soil and Water Conservation District

BUYER

Cory Redding, MAC Multi LLC

Claudia Cisneros, City Recorder

STATE OF OREGON)

) ss.

County of Yamhill)

This instrument was acknowledged before me this ____ day of _____, _____ by Adam Garvin, Interim City Manager, on behalf of the City of McMinnville, who acknowledged that he had authority to sign on behalf of the City of McMinnville and this instrument to be the City's voluntary act and deed.

Notary Public for Oregon

STATE OF OREGON)

) ss.

County of Yamhill)

This instrument was acknowledged before me this ____ day of _____, _____ by Barbara Boyer, owner of the property at R4409CD00100, who acknowledged this instrument to be his/her voluntary act and deed.

Notary Public for Oregon

EXHIBIT 1:

Legal Description of the Property to Be Annexed:

A tract of land situated in the southwest one-quarter of Section 9, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at a point on the north line of that property described in Instrument No. 200807718, Yamhill County Deed Records, said point bears South 89°52'36" East 410.55 feet from the northwest corner of said property; and running thence:
South 89°52'36" East 325.49 feet along the north line of said property to the northeast corner thereof, said point being on the centerline of McDonald Lane;
thence South 00°00'41" West 424.32 feet along said centerline to the southeast corner of said property;
thence leaving said centerline, North 89°53'13" West 326.29 feet along the south line of said property;
thence leaving said south line, North 00°07'11" East 424.38 feet to the Point of Beginning, containing 3.17 acres of land, more or less.

Bearings are based on the Oregon Coordinate Reference System (OCRS) Salem Zone, referenced to NAD83 (2011), Epoch 2010.00.

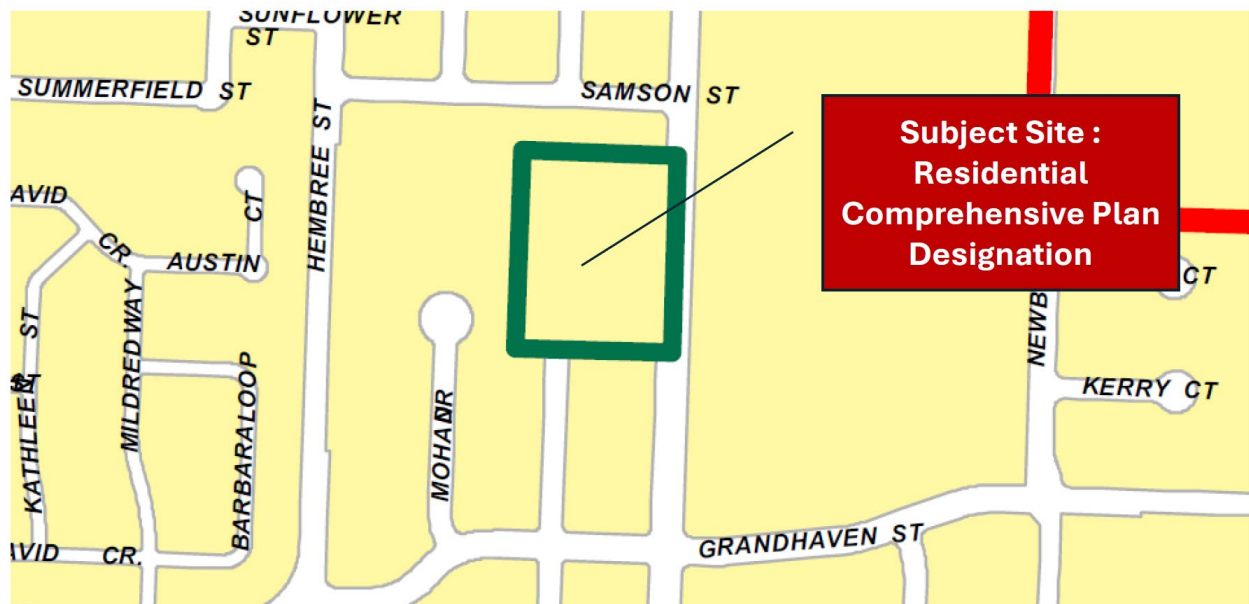
EXHIBIT 2:

Maps of Subject Site:

Aerial of Subject Site:



Comprehensive Plan Designation of Subject Site:

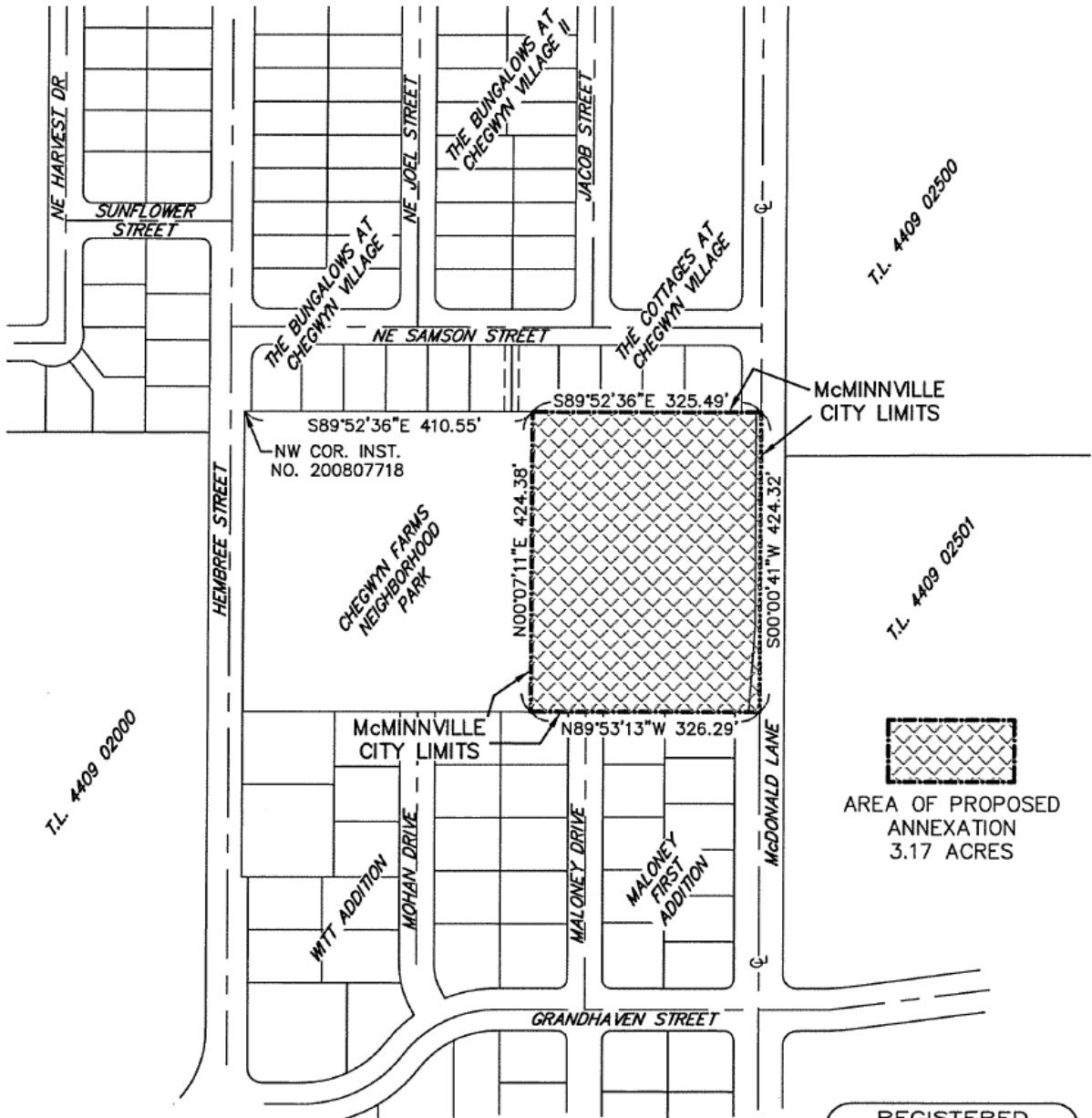


Vicinity Map:



MAP OF PROPOSED ANNEXATION

LOCATED IN THE SW 1/4 OF SECTION 9, T. 4 S., R. 4 W., W. M.,
YAMHILL COUNTY, OREGON



**BARKER
SURVEYING**

3657 KASHMIR WAY SE
SALEM, OREGON 97317
PHONE (503) 588-8800
FAX (503) 363-2469
EMAIL: GREG@BARKERWILSON.COM



0' 200' 400'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

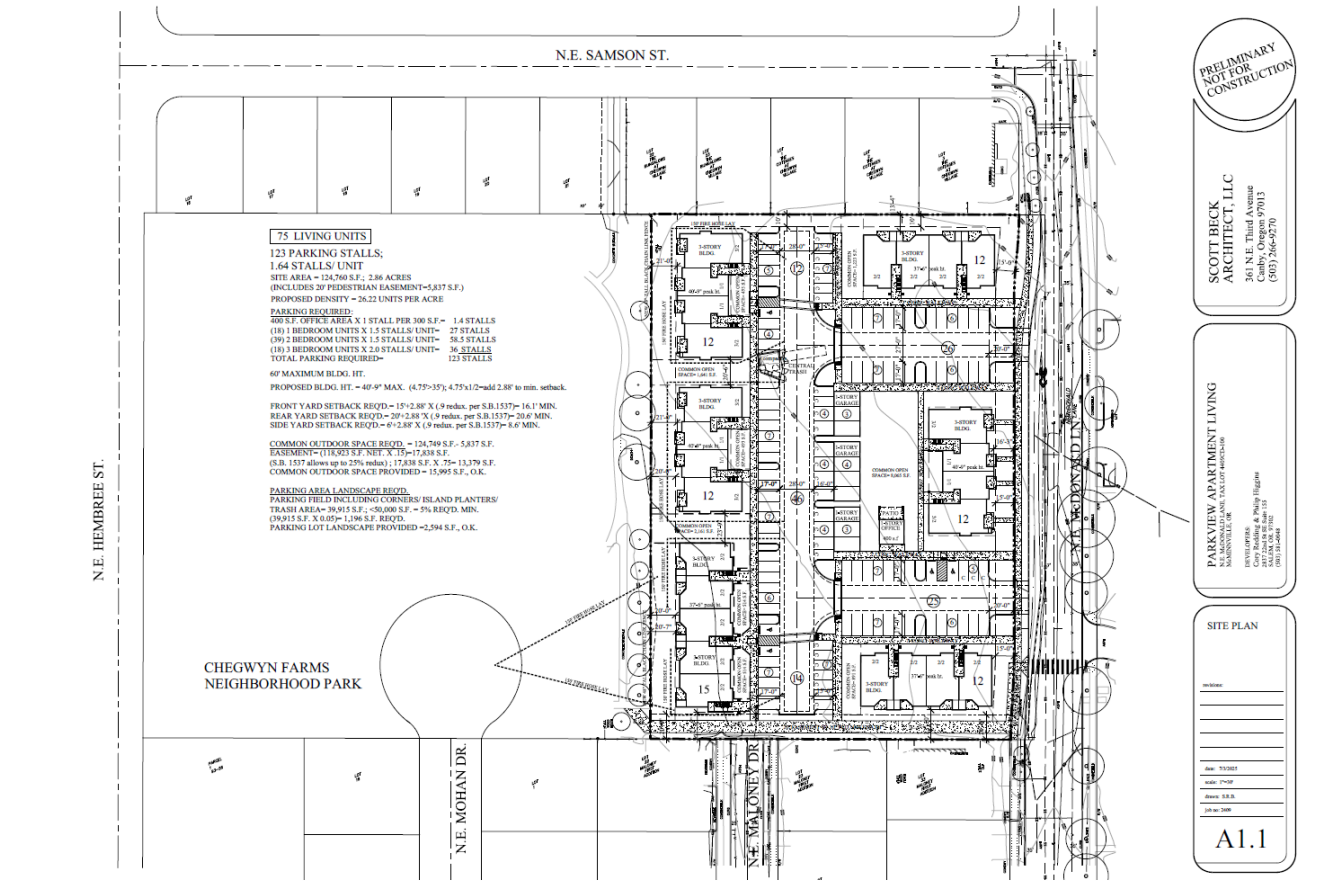
Gregory L. Wilson

OREGON
JULY 19, 1994
GREGORY L. WILSON
2687

EXPIRES: 6/30/2026

EXHIBIT 3:

Proposed Development Plan of Subject Site:



STAFF REPORT

DATE: October 14, 2025
TO: McMinnville City Council
FROM: Vicki Hedges, Human Resources Director
SUBJECT: Resolution No. 2025-57, Approving an Addendum to Mac-Town 2032 Strategic Plan



CITY GOVERNMENT CAPACITY

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

OBJECTIVE/S: Identify and focus on the City's core services

Report in Brief:

Resolution No. 2025-57 authorizes the attached addendum to the City's strategic plan, *Mac-Town 2032*. The addendum reflects updates to action items since the plan's adoption in January 2019, including additions, removals, revisions, and completions identified through Council goal-setting sessions and staff work over the past several years.

Background and Discussion:

The Mac-Town 2032 Strategic Plan was adopted in January 2019 as the City's guiding document for strategic priorities. Since that time, the City has navigated significant challenges, including the COVID-19 pandemic and transitions in mayoral, council, and administrative leadership. Despite these changes, the plan has remained a touchstone for aligning City resources with community priorities.

Through its annual goal-setting process, City Council has evaluated progress and made targeted updates to action items to ensure that the plan remains relevant and responsive to community needs. The attached addendum documents those updates and is intended to be incorporated into *Mac-Town 2032* to formally track progress and ensure transparency with the community.

Attachments:

- Resolution No. 2025-57 - A Resolution Approving an Addendum to Mac-Town 2032 Strategic Plan
- September 2025 Addendum to Mac-Town 2032

Fiscal Impact:

There is no direct fiscal impact associated with accepting this addendum. Updates to action items may inform future budgetary decisions and resource allocations.

Recommendation:

Staff recommend that the City Council accept the September 2025 Addendum to Mac-Town 2032 as presented, recognizing it as an updated guide for the City's strategic priorities and work plan.

RESOLUTION NO. 2025-57

A Resolution Approving an Addendum to the Mac-Town 2032 Strategic Plan.

RECITALS:

Whereas, the City of McMinnville adopted the Mac-Town 2032 Strategic Plan in January 2019 as the City's guiding document for strategic priorities; and

Whereas, since adoption, the City has navigated significant challenges, including the COVID-19 pandemic and transitions in mayoral, council, and administrative leadership; and

Whereas, the City Council has engaged in annual goal-setting sessions and staff have conducted ongoing reviews of action items to ensure that the plan remains aligned with community priorities; and

Whereas, the September 2025 Addendum to the Mac-Town 2032 Strategic Plan documents updates including additions, removals, revisions, and completions of action items since the plan's adoption; and

Whereas, the City Council desires to formally incorporate the September 2025 Addendum into the Mac-Town 2032 Strategic Plan to maintain transparency and track progress toward community goals;

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

1. The City Council hereby approves the September 2025 Addendum to the Mac-Town 2032 Strategic Plan.
2. The Addendum shall be incorporated into the Mac-Town 2032 Strategic Plan as an official update and guide for the City's strategic priorities and work plan.
3. This Resolution shall take effect immediately upon passage by the City Council.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 14th day of October 2025, by the following votes:

Ayes: _____

Nays: _____

Approved this 14th day of October 2025.

MAYOR

Approved as to form:

Attest:

City Attorney

City Recorder

Addendum to Mac-Town 2032 September 2025

Since the adoption of the Mac-Town 2032 Strategic Plan in January 2019, several action items have been updated. During this period, the City has experienced the COVID-19 pandemic as well as changes in mayoral, council, and City leadership. Throughout these transitions, the Mac-Town 2032 plan has continued to provide direction for the City's strategic work. As priorities have evolved, some action items have been added, others removed, and some completed or integrated into ongoing operations. This addendum outlines those updates.

Action Items Added via Council Goal Setting in 2024

Evaluate and implement Core HR Functions
Financial planning capacity: Identify Consulting staff, Financial Analyst or Economist to facilitate the development of biennial budget to improve decision making
Prioritize the Core Services Analysis
Identify relevant KPI's and track the data necessary to inform service delivery
Survey the community on Core Service Priorities
Incorporate the effect of the current state of camping on safety (community and Staff), resiliency, and capacity
Regain employer base that enhances the livability of McMinnville, Balancing the Tourist Economy
Establish T, P, M, or similar regulatory tool in the EID related to wine bars or other sole alcohol sales businesses
Build the new Pool/Community Center

Action Items Removed via Council Goal Setting in January 2025

Civic Leadership	Attract and Develop Future Leaders	Proactive recruitment of people into leadership opportunities
		Ensure safe, respectful environment on boards and commissions
		Improve communication about pathways to leadership
		Create youth development leadership initiative
	Increase awareness of civic affairs and leadership opportunities	Create bite-sized leadership opportunities for the public
		Document the history of civic leadership in McMinnville
		Implement LRP – Civic Plaza Leadership Monument
Community Safety and Resiliency	Build a community culture of safety (consider safety best practices)	Revise local dangerous building ordinance
	Provide exceptional police, municipal court, utility service and public works	Develop or establish standards for training, response time and staffing
Economic Prosperity	Accelerate growth in living wage jobs across a balanced array of industry sectors	Coordinate street furniture and other amenities with McMinnville's brand
		Explore the feasibility of consistent commuter private airline service between McMinnville and larger regional hubs, such as Seattle, Portland and northern California
		Work with McMinnville Water and Light to develop a process for evaluating and placing electrical infrastructure underground, particularly for new development
		Identify and evaluate options to add an alternate freight route



	Foster opportunity in technology and entrepreneurship	Create an "invest in the Future" grant program that is targeted towards private investment and business development with living wage job outcomes
	Encourage connections to the local food system and cultivate a community of exceptional restaurants	Evaluate alignment of food cart regulations with community goals
Engagement and Inclusion	Cultivate cultural competency and fluency throughout the community	Customer service delivery training for culturally responsive provision
	Grow City's employees and Boards and Commissions to reflect our community	Educate staff and officials on demographics
Growth and Development Character	Define the unique character through a community process that articulates our core principles	Develop and implement a Public Engagement Charter
Housing Opportunities	Collaborate to improve the financial feasibility of diverse housing development opportunities	Provide a coordinated resource clearinghouse for those seeking housing financial assistance
Action Items Added in 2024		Identify relevant KPI's and track the data necessary to inform service delivery.
		Survey the community on Core Service Priorities
		Establish T, P, M, or similar regulatory tool in the EID related to wine bars or other sole alcohol sales businesses

Action Items Added via Council Goal Setting in August 2025

Develop a realistic work plan for Planning that is based on workload capacity
Implement consistent customer service hours across the City
Review recruitment strategies and guidelines for committees
Review Parks and Recreation SDCs on non-residential projects
Implement a vehicle purchasing policy that focuses on a consistent process for selection
Review effectiveness of iHeartMac
Review options for monetizing the airport
Complete the Southwest Area Plan
Complete McMinnville Landing
Implement a flag policy
Review and edit the charter
Take inventory of non-personal property capital assets
Improve safety and usefulness of our Parks and Cozine Creek by applying "safety of environmental design" standards

Action Items Revised via Council Goal Setting in August 2025

Economic Prosperity	Accelerate growth in living wage jobs across a balanced array of industry sectors	Assess the sufficiency of McMinnville's existing design guidelines to protect and enhance valued aspects of the City's building stock and built form with consideration for fiscal impact
Engagement and Inclusion	Cultivate cultural competency and fluency throughout the community	Inclusion audit Climate survey Inclusive language evaluation Naming policy for City facilities



Action Items Removed via Council Goal Setting in August 2025

City Government Capacity	Invest in the City's workforce	Conduct regular staff training and mentorship
Civic Leadership	Attract and Develop Future Leaders	Internal Leadership Development Program
	Increase awareness of civic affairs and leadership opportunities	Identify internal leadership opportunities by department
		Engage late career and retirees in leadership and mentoring
	Recognize and raise up leadership in all its forms, such that more people identify themselves as civic leaders	Develop Leadership Recognition Program (LRP) Implement LRP – Leadership Luncheon
Community Safety and Resiliency	Develop resiliency targets for critical infrastructure	Evaluate built environment downtown
Economic Prosperity	Accelerate growth in living wage jobs across a balanced array of industry sectors	Develop check lists or fact sheets to aid in understanding and compliance with permitting and code enforcement procedures; produce a “play book” that outlines City requirements and codes, available venues and associated costs, and volunteer organizations able to assist with event management
Action Items Added in 2024		Financial Planning capacity: Identify Consulting staff, Financial Analyst or Economist to facilitate the development of biennial budget to improve decision making

Action Items Postponed via Council Goal Setting in August 2025 with potential for reconsideration in the future

Economic Prosperity	Accelerate growth in living wage jobs across a balanced array of industry sectors	Develop and implement a coordinated onboarding system for new and small businesses, in coordination with MEDP, McMinnville Downtown Association, McMinnville Water and Light, McMinnville Industrial Promotions, the McMinnville Chamber of Commerce and other partners
		Coordinate efforts to create branded online and print materials to market business resources, potentially including a small business resource directory, a "how to do business in McMinnville" guide and a handbook on licensing and permitting
		Develop a web-based dashboard that incorporates demographic, economic and real estate data to quickly assess trends, challenges and opportunities for prospective entrepreneurs, business owners and real estate developers
		Identify and catalogue sources for federal, state and county business incentives, including low-interest loans, industrial revenue bonds, sales or property tax deferrals, New Market and other tax credits, SBA HUB Zones, and others
		Appoint and train a designated coordinator to help new business owners navigate local development regulations and obtain federal, state and county-based financial incentives
Growth and Development Character	Define the unique character through a community process that articulates our core principles	Update Comp Plan Policies



	Educate and build support for innovative and creative solutions	Develop an educational program to gather and share innovative/creative ideas for growth and development
		Establish a program to promote and implement pilot projects
		Explore open data initiative

Action Items Completed and/or Built into Ongoing Operations of the City

City Government Capacity	Develop and foster local and regional partnerships	Strategically participate in local and regional partnerships
		Identify strategies and venues to improve opportunities for access to regional and state resources
		Communicate existing partnerships and initiatives (formal structured communication)
		Encourage participation and information sharing in professional associations
	Gain efficiencies from technology and equipment investments	Audit, evaluate, advise, and encourage a culture of innovation
	Identify and focus on the City's core services	Develop a definition of core services
		Establish method to prioritize services with resources and maintenance needs
		Identify the true cost of core services
Civic Leadership	Attract and Develop Future Leaders	Develop centralized human resources function to support thriving workforce
		Competitive and equitable compensation
	Increase awareness of civic affairs and leadership opportunities	Civic education progress
		Use knowledge of barriers to create opportunities
		Use City programs and events to showcase leadership
		Develop and deliver a communication plan with a consistent leadership message tailored to specific audiences
Community Safety and Resiliency	Build a community culture of safety (consider safety best practices)	Recognize and raise up leadership in all its forms, such that more people identify themselves as civic leaders
		Implement LRP – Mayor's leadership awards
		Engage community through partnerships
	Develop resiliency targets for critical infrastructure	Youth outreach and education
		Crime prevention through environmental design
	Lead and plan for emergency preparedness	Code and zoning development and enforcement
Economic Prosperity	Accelerate growth in living wage jobs across a balanced array of industry sectors	Update Continuity of Operations Plan
		Provide exceptional police, municipal court, fire, emergency medical services (EMS), utility services and public works
		Evaluate, pursue and maintain accreditation as appropriate
		Improve McMinnville's sense of place through thoughtful design
		Assess land supply for commercial and industrial uses and document lands available for development



		Create a user-friendly program to coordinate utility improvements for both public and private improvements to ensure maximum efficiencies and potential
	Improve systems for economic mobility and inclusion	Research and track the nomination process for the State of Oregon's Opportunity Zones and pending McMinnville's status as an Opportunity Zone, devise a strategy to maximize ROI associated with the program
		Support Disadvantaged Business Enterprise businesses
	Locate higher job density activities in McMinnville	Ensure the sufficiency of regulations in applicable zones to accommodate urban winemaking and other non-retail aspects of the wine industry, including transportation and distribution
Engagement and Inclusion	Actively protect people from discrimination & harassment	Employee Training (i.e. implicit bias and awareness)
		Track, monitor, report statistics (re: hate crimes, bias)
		Diversity Equity and Inclusion Advisory Council
		Code of Conduct
	Improve access by identifying and removing barriers to participation	Bilingual pay incentive
		Evaluate software for inclusion
		Develop inclusion plans City-wide and by department
	Cultivate cultural competency and fluency throughout the community	Convene other partners
		Emotional intelligence training for City employees
	Grow City's employees and Boards and Commissions to reflect our community	Develop recruitment and retention strategies
		Evaluate, redesign advertising and recruitment tools
Growth and Development Character	Define the unique character through a community process that articulates our core principles	Key stakeholder survey
	Educate and build support for innovative and creative solutions	Social media strategy to inform and engage
	Strategically plan for short and long-term growth and development that will create enduring value for the community	Conduct a community visioning project
		Update long range land use plans
		Evaluate and plan for City service demands based on growth and development impacts
		Ensure that plans are flexible enough to respond to emerging trends, technology, etc. (i.e. AI, AV)
		Set a policy for updating facilities plans
Housing Opportunities	Collaborate to improve the financial feasibility of diverse housing development opportunities	Engage with the governor's office for housing development
		Inventory financial tools available to support housing development
	Conduct thorough and timely planning and forecasting to ensure that regulatory frameworks and land supply align with market-driven housing needs	Buildable land inventory (Dec 2018) renew every 10 years
		Housing needs analysis (March 2019) renew every 10 years
		Housing strategy (May 2019) renew every 10 years
Action Items Added in 2024		Evaluate and implement core HR functions

STAFF REPORT

DATE: October 14, 2025
TO: Mayor and City Councilors
FROM: Taylor Graybehl, Senior Planner
SUBJECT: Ordinance No. 5165: (Docket G 2-24), An Ordinance amending 17.57 and 17.58 of the McMinnville Municipal Code, Landscape Applicability, Review Criteria, and Standards, and Street Tree Plan Review Process

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsively & responsibly to enhance our unique character.

OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

Report in Brief:

This is the consideration of Ordinance No. 5165 proposing targeted amendments to Title 17 of the McMinnville Municipal Code (MMC), specifically addressing:

- Chapter 17.57 – *Landscaping*
- Chapter 17.58 – *Trees*

These updates were initiated by the Landscape Review Committee and subsequently recommended for approval by the Planning Commission following a public hearing held on November 7, 2024.

The proposed amendments constitute **Phase Two** of a comprehensive, two-phase initiative to modernize and streamline the landscaping provisions within the Zoning Ordinance:

- **Phase One** established a streamlined administrative landscape plan review process and defined submittal requirements for landscape plans.
- **Phase Two** (Ordinance No. 5165) builds upon that foundation by updating landscape applicability, and providing clear and objective review criteria and standards.

This ordinance also proposes revisions to the Street Tree Plan review process, allowing for administrative staff review. These changes reflect the intent of **Phase One** by

simplifying procedures and creating efficiencies, while maintaining consistency and oversight.

Staff recommends minor adjustments to the Planning Commission's proposed amendments to enhance clarity, maintain consistency throughout the Zoning Ordinance, support long-term landscape viability, and ensure efficient use of staff resources.

These refinements are intended to better align development with community priorities, establish clear and predictable standards for applicants, optimize staff capacity, and contribute to a safer, more visually appealing urban environment across McMinnville.

Background:

The proposed amendments to Chapter 17.57 of the McMinnville Zoning Ordinance build upon prior work initiated by the Planning Commission, beginning with its June 15, 2023, meeting. At that time, staff presented updates to both Chapter 17.57 (*Landscaping*) and Chapter 17.58 (*Trees*). The Commission opted to postpone further discussion until April 18, 2024.

At the April 18, 2024, meeting, the Planning Commission prioritized amendments to Chapter 17.58 and deferred action on Chapter 17.57. This led to the successful adoption of Ordinance No. 5145, which amended Chapter 17.58.

Following that action, staff revisited the proposed updates to Chapter 17.57 on October 3, 2024, based on recommendations from the Landscape Review Committee. During this session, the Planning Commission directed staff to prepare a draft ordinance reflecting the proposed changes.

On November 7, 2024, the Planning Commission reviewed the draft ordinance and formally recommended its approval.

The full set of proposed amendments was initially included in the City Council's January 14, 2025, meeting packet. However, the item was temporarily withdrawn to allow for additional internal coordination regarding the landscape review process, submittal requirements, and the development of clear and objective design standards.

Following internal review, staff determined that the proposed changes should be implemented in two distinct phases under Docket G 2-24:

- **Phase One:** Focused on the landscape review process and submittal requirements.
- **Phase Two:** Addresses updates to landscaping applicability, standards, and design criteria.

Phase One of Docket G 2-24 was adopted by City Council on May 27, 2025.

The ordinance now presented in this packet represents **Phase Two** of the two-phase effort to update Chapters 17.57 and 17.58 and fully implement the Planning Commission's recommendations. The ordinance presented has some minor alterations to that recommended by the Planning Commission. Those changes clarify language by Planning Commission and make the code more effective at meeting the Planning Commission's intent.

Discussion:

The proposed updates to Chapters 17.57 (Landscaping) and 17.58 (Trees) aim to resolve key concerns raised by the Landscape Review Committee, Planning Commission, and City staff. The language provided reflects these priorities.

Proposed Ordinance Amendments

Below is a summary of all the affected sections and the rationale behind the recommended changes:

- **17.57.010 – Purpose and Intent**

Proposed Modification: Updated to reflect environmental priorities: groundwater protection, climate resilience, air quality, preservation of trees.

Reasons: Aligns with Landscape Review Committee and Planning Commission directions and goals.

- **17.57.030 – Zones Requiring Landscaping**

Proposed Modification: Expanded to include the R-5 zone and correct R-4 zone title.

Reasons: Improves clarity, consistency, and alignment with other city codes and ordinances.

- **17.57.040 – Applicability** (*renamed from “Uses Requiring Landscaping”*)

Proposed Modification	Reason for Change
Rename section to "Applicability"	Clarifies the scope and intent of the standards.
Apply standards to all non-residential uses in residential zones	Ensures consistent application across all non-residential projects (not just “churches”).
Update language for Manufactured Dwelling Parks and satellite dishes	Makes it clear that existing standards already apply to these uses.
Specifies that for city projects, only landscaping elements included in an approved landscape plan are subject to review if changes are proposed.	Provides flexibility to modify landscaping on city property when changes are unrelated to formal approvals, reducing staff workload and enabling timely responses to on-site issues.
Exempt projects in the public right-of-way	Recognizes cases where standards cannot be met or are superseded by state law.
Exempt middle housing projects (still subject to Chapter 17.11)	Keeps middle housing regulations separate for easier review by staff and developers and allows for flexibility with changing state law.
Apply standards uniformly between private and city development.	Ensures equity across private and city projects, implementing previous direction by City Council.

- **17.57.050 – Plan Submittal, Review, and Completion Timeline**

Proposed Modification: Adds clarifying language and introduces self-certification process for irrigation installation.

Reasons: Streamlines process and improve clarity for applicants.

- **17.57.060 – Required Plan Information**

Proposed Modification: Adds requirement for self-certification of irrigation plan, revises language for clarity for applicant and staff.

Reasons: Supports efficient review and accountability in irrigation planning.

- **17.57.070 – Area Determination and Planning Factors**

Proposed Modification	Reason for Change
Revises how new construction (expansion of building footprint or parking lot areas) is regulated	Enhances clarity and ensures consistent application of standards
Leaves stormwater facility regulation to a separate process	Acknowledges that specific regulations and review process already apply elsewhere
Adds measurable screening standards (e.g., 6' wall/fence or landscaping to grow to 6' in 3 years, 75% opacity)	Improves design quality and ensures effective visual screening
Aligns tree protection standards with Chapter 17.58	Ensures consistency across city regulations
Refines parking area limits (max 6,000 sq ft, connected allowed) without landscaping	Enhances livability and better manages site design
Requires 1 shade tree per 10 contiguous parking spaces	Promotes environmental benefits (air quality, heat management, etc.) and improves aesthetics
Establishes minimum standards for parking lot landscaping including landscape islands, driveway entries, and buffering	Enhances design quality, site functionality, environmental benefits, and limits impacts on surrounding properties, pedestrians, bikes, and vehicles.
Moves prohibited tree list to the McMinnville Street Tree List	Provides flexibility and simplifies updates, which can be important as new diseases or pests are introduced to the area.
Adds irrigation self-certification	Improves implementation and reduces administrative burden of landscape plan review and inspections.
Clarifies solid waste/recycling enclosure standards	Enhances clarity and ensures compliance with city expectations
Clarifies landscaping requirements for utilities, including McMinnville Water and Light and other Federal regulations.	Ensures that all landscaping adheres to relevant codes, guidelines, and regulatory standards.

- **17.58.100 – Street Tree Plans**

Proposed Modification: Allows staff to review and approve Street Tree Plans.

Reasons: Improves efficiency and responsiveness in plan review.

Attachments:

- Attachment 1: Ordinance No. 5165
 - a. Exhibit A to Ordinance No. 5165, Proposed Code Amendments
 - b. Exhibit B to Ordinance No. 5165, Decision Document
- Attachment 2: Minutes for the November 7, 2024, Planning Commission hearing

Fiscal Impact:

The proposed changes are expected to yield a positive fiscal impact by enhancing efficiency and reducing operational costs. Streamlining the Street Tree Plan review process and implementing clear, objective landscaping standards will likely shorten staff review times, resulting in measurable cost savings. Additionally, introducing a self-certification process for irrigation plans and installations will minimize the need for staff oversight and site inspections.

City Council Options:

Per Section 17.72.130(B) of the McMinnville Municipal Code:

Legislative hearings: Within 45 days following the public hearing on a comprehensive plan text amendment or other legislative matter, unless a continuance is announced, the Planning Commission shall render a decision which shall recommend either that the amendment be approved, denied, or modified:

1. *Upon reaching a decision the Planning Commission shall transmit to the City Council a copy of the proposed amendment, the minutes of the public hearing, the decision of the Planning Commission, and any other materials deemed necessary for a decision by the City Council;*
2. *Upon receipt of the decision of the Planning Commission, the City Council shall:*
 - a. *Adopt an ordinance effecting the proposed change as submitted by the Planning Commission, or*
 - b. *Adopt an ordinance effecting the proposed change in an amended form, or*
 - c. *Refuse to adopt the amendment through a vote to deny, or*
 - d. *Call for a public hearing on the proposal, subject to the notice requirements stated in Section 17.72.120(D).*

1. **ADOPT ORDINANCE NO. 5165** approving the proposed amendments for Docket G 2-24, as presented in Exhibit A to the ordinance.
2. **ADOPT ORDINANCE NO. 5165** in an amended form, approving the proposed amendments for Docket G 2-24, **with revisions**.
3. **CALL FOR A PUBLIC HEARING**, date-specific to a future City Council meeting.
4. **REFUSE TO ADOPT THE ORDINANCE**

Recommendation/Suggested Motion:

Staff recommends that the Council adopt Ordinance No. 5165, which would approve Docket G 2-24, amendments to Chapters 17.57 "Landscaping" and Chapter 17.58 "Trees" of the Zoning Ordinance.

"BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS RECOMMENDED BY THE PLANNING COMMISSION AND SUBMITTED BY STAFF, I MOVE TO ADOPT ORDINANCE NO. 5165."

ATTACHMENT 1 TO STAFF REPORT

ORDINANCE NO. 5165

AN ORDINANCE AMENDING TITLE 17 (ZONING) OF THE MCMINNVILLE MUNICIPAL CODE CHAPTER 17.57 "LANDSCAPING" AND CHAPTER 17.58 "TREES" AND APPROVING THE DECISION, FINDINGS, AND CONCLUSIONARY FINDINGS FOR DOCKET G 2-24

RECITALS:

WHEREAS, Docket G 2-24 is a legislative action amending provisions related to landscaping in Title 17 (Zoning) of the McMinnville Municipal Code; and

WHEREAS, on October 2, 2024, a notice was submitted to DLCD for the draft legislative proposal, Docket G 2-24, for amendments to standards for landscape plans, landscape standards, and street tree plans. The proposal was initiated on November 7, 2024, with a Planning Commission public hearing; and

WHEREAS, on November 1, 2024, notice of the application and the November 7, 2024, Planning Commission public hearing was published in the News Register in accordance with Section 17.72.120 of the Zoning Ordinance; and

WHEREAS, on November 7, 2024, the Planning Commission held a duly noticed public hearing to consider the request. The Planning Commission recommended City Council approve the proposed amendments as presented; and

WHEREAS, notice of the January 14, 2025, City Council meeting was posted on the City website in accordance with Oregon public meetings law and the item was continued; and

WHEREAS, the Planning Commission was divided into two phases per city leadership's request; and.

WHEREAS, the first phase of the proposed Landscape Code Amendments focusing on the review process (Ordinance No. 5156) was noticed for the April 22, 2025, City Council meeting on the City website in accordance with Oregon public meetings law and the item was continued; and

WHEREAS, Ordinance No. 5156 was noticed for the May 13, 2025, City Council meeting on the City website in accordance with Oregon public meetings law, and the vote on the first reading was not unanimous; and

WHEREAS, the second reading of Ordinance No. 5156 was noticed for the May 27, 2025, City Council meeting on the City website in accordance with Oregon public meetings law, and

WHEREAS, the City Council adopted Ordinance No. 5156 on May 27, 2025 implementing Phase 1 of Docket G 2-24; and

WHEREAS, Phase 2 of the proposed landscape code amendments recommended by the Planning Commission was noticed for consideration at the October 14, 2025, City Council meeting and posted on the City website in accordance with Oregon public meetings law; and

WHEREAS, the City Council received the Planning Commission recommendation and staff report and deliberated; and

WHEREAS, the City Council, being fully informed about said request, found that the requested amendments attached as Exhibit A conform to the applicable criteria, including the Comprehensive Plan goals and policies, as well as the McMinnville Zoning Ordinance, based on the material submitted by the Planning Division and the findings of fact and conclusionary findings for approval in Exhibit B.

NOW, THEREFORE, THE COMMON COUNCIL FOR THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:

1. The McMinnville Zoning Ordinance is amended as provided in Exhibit A; and
2. The Council adopts the Decision, Findings, and Conclusionary Findings for Docket G 2-24 attached as Exhibit B; and
3. This Ordinance will take effect 30 days after passage by the City Council.

Passed by the McMinnville City Council this 14th day of October 2025 by the following votes:

Ayes: _____

Nays: _____

MAYOR

Approved as to form:

Attest:

City Attorney

City Recorder

EXHIBITS:

- A. Amendments to McMinnville Zoning Ordinance (17.57 of McMinnville Municipal Code)
- B. Decision, Findings, and Conclusionary Findings for Docket G 2-24

EXHIBIT A TO ORDINANCE NO. 5165

McMinnville Zoning Ordinance Amendments to Provisions Relating to Landscape Plans and Landscape Standards

New text is in **bold, italic, underline text**. Deleted text is in ~~strikethrough text~~.

Chapter 17.57 LANDSCAPING

(as amended by Ordinance No. Ord. 5165; 2025)

Sections:

- 17.57.010 Purpose and intent.
- 17.57.020 Definitions.
- 17.57.030 **Applicability.**
- 17.57.040 Specific uses requiring landscaping
- 17.57.050 Plans—Submittal and review—Approval—Time limit for completion.
- 17.57.060 Plans—Information to be included.
- 17.57.070 Area determination—Planning factors.
- 17.57.080 Central business district.
- 17.57.090 Credit for work in public right-of-way.
- 17.57.100 Appeal—Planning Commission to act.

17.57.010 Purpose and Intent. The purpose and intent of this Chapter is to encourage and, where appropriate, require the use of landscape elements, particularly plant materials, in proposed developments in an organized and harmonious manner that will enhance, protect, and promote the economic, ecological and aesthetic environment of McMinnville. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. The City recognizes the value of landscaping in achieving the following objectives:

A. Provide guidelines and standards that will:

1. Reduce soil erosion and ~~the volume and rate of discharge of storm water runoff~~ **associated stormwater pollution caused by runoff.**
2. Aid energy conservation by shading structures from energy losses caused by weather and wind.
3. Mitigate the loss of natural resources.
4. Provide parking lot landscaping to reduce the harmful effects of heat, noise, and glare associated with motor vehicle use.
5. Create safe, attractively landscaped areas adjacent to public streets.
6. Require the planting of street trees along the City's rights-of-way.
7. Provide visual screens and buffers that mitigate the impact of conflicting land uses to preserve the appearance, character, and value of existing neighborhoods.
8. Provide shade and seasonal color.

9. Reduce glare, noise, and heat.
- 10. Address changes to the environment and climate.**
- 11. Promote air quality.**
- B. Promote compatibility between land uses by reducing the visual, noise and lighting impacts of specific developments on users of the site and abutting properties.
- C. Unify development and enhance and define public and private places.
- D. **Promote the preservation of** Preserve existing mature trees.
- E. Enhance the urban forest and tree canopy.
- F. Encourage the use of plants native to the Willamette Valley to the maximum extent feasible, ~~in order~~ to reduce watering requirements and agricultural chemical applications, and to provide a sense of regional identity with plant communities unique to the area.
- G. Establish and enhance a pleasant visual character and structure to the built environment that is sensitive to safety and aesthetic issues.
- H. Support **Enhance** McMinnville as a community that cares about its appearance.

It is further recognized that **well-designed** landscaping **can** increases property values, attracts potential residents and businesses to McMinnville, and creates safer, more pleasant living and working environments for all residents and visitors to the city.

The guidelines and standards contained in this chapter serve to help McMinnville realize the objectives noted above. These guidelines and standards are intended as minimum ~~standards~~ **outcomes** for landscape treatment. Owners and developers are encouraged to exceed these in seeking more creative solutions both for the enhanced value of their land and for the collective health and enjoyment of all citizens of McMinnville. The landscaping provisions in Sections **s 17.57.040 and** 17.57.070 are in addition to all other provisions of the zoning ordinance which relate to property boundaries, dimensions, setback, vehicle access points, parking provisions and traffic patterns. The landscaping objectives shall also seek to accomplish the purposes set forth in Section 17.03.020. (**Ord. 5165, 2025;** Ord. 5156, 2025; Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.020 Definitions. For the purposes of this section **Chapter**, refer to Section 17.06.035 for Landscaping related definitions. (Ord. 4952 §1, 2012).

17.57.030 Zones Where Required. Landscaping shall be required in the following zones except as otherwise noted:

- A. R-4 (~~Multiple-Family Residential Dwelling~~ **Medium, High-Density Residential zone**) **except as provided by 17.57.040(H)** ~~except the construction of a Single-Family or Two-Family Residential Unit;~~
- B. R-5 (High-Density, Multiple-Dwelling Residential zone) except as provided by 17.57.040(H);**
- C. C-1 (Neighborhood Business zone);**
- D. C-2 (Travel Commercial zone);**
- E. C-3 (General Commercial zone);**

- F.** O-R (Office/Residential zone);
- G.** M-L (Limited Light Industrial zone);
- H.** M-1 (Light Industrial zone);
- I.** M-2 (General Industrial zone); (**Ord. 5165, 2025;** Ord. 5156, 2025; Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.040 Specific Uses Requiring Landscaping**Applicability.**

- A. Churches **Non-residential uses, are** subject to landscaping requirements of a multiple-dwelling development when in a residential zone and subject to the landscaping requirements of a commercial development when in a zone other than residential;
- B. Utility substations, **are** subject to the landscaping requirements of commercial uses;
- C. Mobile home park **Manufactured Dwelling Parks, are** subject to the **landscaping** requirements of a multiple-dwelling development **Ord. 4220 Mobile Home Development Ordinance and Ordinance 4564;**
- D. Multiple-dwelling, commercial, and industrial uses in residential planned developments, **are** subject to the landscaping requirements of the type of use in the planned development. (~~Ord. 5027 §2, 2017; Ord. 4264 §1, 1983; Ord. 4254 §1, 1983; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).~~);
- E. Satellite dishes facing or abutting residential properties shall be screened by a sight obscuring fence, wall, or planting, when in a residential zone or the O-R zone;**
- F. Only the proposed elements that meet the definition of new construction per this Title of the McMinnville Municipal Code are subject to the requirements of this Chapter;**
- G. City and McMinnville Water and Light development in the right-of-way are exempt from the standards of this Chapter;**
- H. The following construction is exempt from the standards of this Chapter: accessory dwelling units, cottage clusters, plexes, single dwelling, single room occupancy – small housing, single room occupancy – large housing, tiny houses, and townhouses. These uses are subject to the landscaping requirements of Chapter 17.11. (Ord. 5165, 2025; Ord. 5027 §2, 2017; Ord. 4264 §1, 1983; Ord. 4254 §1, 1983; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).**

17.57.050 Plans - Submittal and Review – Approval – Completion Time Limit.

- A. Review Process. Two review processes are available for landscape review: administrative and discretionary. An applicant may choose which process to use. The administrative process uses standards that do not require the use of discretionary decision-making. The discretionary process uses purpose and intent that are more subjective in nature and are intended to provide the applicant with more **alternative** design flexibility. Regardless of the review process, the applicant must demonstrate how the applicable standards or the purpose and intent of this Chapter are being met.

1. Administrative Review Process. An application for Administrative Review shall comply with the standards of this Chapter.
 - a. Prior to or concurrent with a building permit application, the applicant shall submit a landscape plan application and applicable fees for review, with a landscape plan containing all of the information specified in Section 17.57.060;
 - b. The Planning Director shall conduct a review within thirty (30) days of submission of the plans. A failure to review within thirty (30) days shall be considered as approval of the plan.
 - c. The landscape plan shall be approved if it is found to comply with the criteria in Section 17.57.040 and Section 17.57.070.
 - d. No building permit shall be issued until the landscape plan has been approved, unless exempted in writing by the Planning Director.
 - e. Minor changes in the landscape plan shall **may** be allowed, such as like-for-like replacement of plants, as long as they do not alter the character and aesthetics of the original plan, as determined by the Planning Director, and those changes do not bring the landscape plan into non-compliance with the standards of this chapter.
2. Discretionary Review Process. The applicant may opt for the discretionary review procedure in accordance with the provisions of this subsection **to be reviewed by the Landscape Review Committee.**
 - a. Prior to or concurrent with a building permit application, the applicant shall submit a completed Discretionary Review Landscape application, applicable fees, and the following information:
 - 1) A landscape plan application with a landscape plan containing all of the information specified in 17.57.060, and the following additional information:
 - a. Identifies those areas that do not fully comply with the standards in this Chapter, **17.57 Landscaping;**
 - b. Identifies the design features or overall design concept proposed to accomplish Section 17.57.040 **17.57.050(A)(2)(e).**
 - 2) A written narrative that:
 - a. Identifies which standards, in this Chapter, **17.57 Landscaping** the proposal does not fully comply with;
 - b. Identifies the design features or overall design concept proposed to accomplish 17.57.040 **17.57.050(A)(2)(e);**
 - c. Identifies how the plans **comply with** meet the purpose, intent, and requirements of this Chapter **Section 17.57.50(A)(2)(e).**
 - b. Upon receipt of a complete application, the Planning Director shall review the application for completeness within fifteen (15) days of the date that the application is submitted. If, upon review, the application is found to be incomplete, the applicant shall be advised in writing of the information needed to complete the application within fifteen (15) days of the date of application submittal. The application shall be

deemed complete upon receipt of all the missing information or upon written notice from the applicant that some or all the missing information will not be provided. Throughout all land use proceedings, the burden of proof shall rest on the applicant.

- c. Landscaping review shall occur by the Landscape Review Committee within thirty (30) days from the date the application is deemed complete. The applicant shall be notified of the time and place of the review and is encouraged to be present, although their presence shall not be necessary for action to be taken on the plans. A failure to review within thirty (30) days shall be considered as approval of the plan;
 - d. Only those standards identified within this Chapter are subject to discretionary review; standards related to landscaping outside of this Chapter may only be reduced in limited circumstances as permitted by variance or as otherwise specified;
 - e. The landscape plan shall be approved if it is found to be compatible with Section 17.57.010, applicable goals and policies of the McMinnville Comprehensive Plan, McMinnville Great Neighborhood principles, and all other applicable implementing ordinances.
 - f. No building permit shall be issued until the landscape plan has been approved, unless exempted in writing by the Planning Director.
 - g. The Applicant may request a modification of a previously approved landscape plan by filing a petition to the Planning Director. Minor changes in the landscape plan, such as like-for-like replacement of plants, shall **may** be allowed, as long as they do not alter the character and aesthetics of the original plan. **Modifications of the approved plan that** adjust an identified design feature or overall design concept proposed to accomplish Section 17.57.050(2)(d) **will be considered a major modification and shall require a resubmittal of the plan**, with fee, to the Landscape Review Committee for review subject to the review process of 17.57.050(A)(2). Issuance of building permits will be postponed until the revised plan(s) has been processed in accordance with this section. **The Planning Director will determine if the modification is minor or major modification.** The petition shall include:
 - 1) A written narrative identifying the proposed alterations to the previously approved plans, **and the reasons for the proposed alterations.**
- B. The applicant is responsible for ensuring approved landscape plans comply with Building and Civil Plans; additional fees may be assessed for repeated review.
- C. Occupancy permits may be issued prior to the complete installation of all required landscaping if security equal to 120 percent of the cost of landscaping, as determined by the Planning Director is filed with the City assuring such installation within a time specified by the Planning Director, but not to exceed six months after occupancy. The applicant shall provide the estimates of

landscaping materials and installation to the satisfaction of the Planning Director prior to approval of the security. "Security" may consist of a faithful performance bond payable to the City, cash, certified check, time certificate of deposit, or assignment of a savings account, and the form shall meet with the approval of the City Attorney. If the installation of the landscaping is not completed within the period specified by the Planning Director, or within an extension of time authorized by the Landscape Review Committee, the security may be used by the City to complete the installation. Upon completion of the installation, inspection, and approval, any portion of the remaining security deposited with the City shall be returned. The final landscape inspection shall be made prior to any security being returned. Any portions of the plan not installed, not installed properly, or not properly maintained shall cause the final inspection and/or approval to be postponed until the project is completed or cause the security to be used by the City;

- D. All completed landscape projects shall be inspected by the Planning Director. ***The designer or designee of the landscape plan shall certify water facilities or irrigation systems were installed to approved plans.*** Said projects shall be found to be in compliance with the approved plans prior to the issuance of an occupancy certificate for the structure, or prior to any security or portion thereof being refunded to the applicant. ***To certify compliance of the installed watering facilities or irrigation systems with approved plans, the designer or designee, must provide a letter, on a form provided by the City, certifying watering facilities or irrigation systems were installed to industry standards and the approved plans and that the city bears no responsibility or liability.*** Minor changes in the landscape plan shall ***may*** be allowed, as determined by the Planning Director, as long as they do not alter the character, intent, and aesthetics of the original plan. (***Ord. 5165, 2025***; Ord. 5156, 2025; Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.060 Plans - Information to be Included in the Application. The following information shall be included in the landscape plan review application submitted under Section 17.57.050:

- A. Existing locations of trees with a trunk five (5) inches or more in diameter 4.5 feet above ground level at the base of the trunk or if a tree splits into multiple trunks below 4.5 feet measured at its most narrow point beneath the split, their variety (common or botanical name), ~~and~~ ***and*** indication of whether they are to remain or to be removed from the site, ~~and~~ ***and*** method of protection ~~of~~ for those trees and shrubs to remain ~~indicated~~. In the event a large number of trees are to be retained and if no construction or construction access is required through or within the drip line of the trees, the general area with the number of trees involved may be given in lieu of listing and locating each tree;
- B. The location, size, and the variety (common and botanical name), of all new trees, shrubs, groundcover, and lawns ***drawn to size*** at maturity;
- C. The percentage of the gross area to be landscaped;
- D. Any equipment proposed for recreation uses;

- E. All existing and proposed site features including walkways, graveled areas, patios, courts, fences, decks, foundations, structures, potted trees, raised planters, or other open spaces with construction details, location, setbacks, and any additional information necessary to illustrate compliance with applicable review criteria, or to explain the details of the application. ~~so that the review committee may be fully knowledgeable of the project when discussing the application;~~
- F. The location of existing or proposed storm water facilities;**
- G.** The location of watering facilities or irrigation systems including irrigation sleeves, or construction notes on the landscape plan detailing the type of watering facilities or irrigation systems that will be installed or to be used, and an accompanying letter from the designer or designee of the landscape plan stating that the design of the proposed irrigation system is to industry standards and meets the purpose, intent, and requirements of Chapter 17.57 Landscaping.
- H.** All of the following information must be included in the landscape plan:
1. North arrow.
 2. Drawn to scale (standard architectural or engineering).
 3. Lot and building setback dimensions.
 4. Clear vision areas as identified in Section 17.54.080.
 5. Property corner elevations (if there is more than a 4-foot elevation differential, site plan must show contour lines at 2-foot intervals).
 6. Location of easements and driveway (existing and proposed).
 7. Footprint of new structure (including decks).
 8. Location of existing wells and septic systems.
 9. Existing and proposed utility locations, including sanitary sewer, storm sewer, water lines, utility poles, powerlines, fire hydrants, streetlights, natural gas, utility meters, etc.
 10. Lot area, building coverage area, percentage of coverage and impervious area.
 11. Surface drainage.
 12. Location and extent of fill on the lot.
 13. Existing and platted street names and other public ways.
- I.** Planting schedule ~~to include~~ including quantity, size, and variety (common and botanical) of all plant materials.
- J.** If tree protection is required per Section 17.58.075, provide a Tree Protection Plan.
- K.** For any addition or expansion of an existing structure or parking lot that results in additional lot coverage and in addition to other requirements set forth in this subsection, provide the square footage of existing lot coverage, (building area, not including basement or upper floors, and parking or loading areas) and the square footage of the additional lot coverage.
- L.** If the discretionary review process is requested, submit those additional items identified in Section 17.57.050(A)(2)(a), including the required information on the landscape plan and the written narrative. (Ord. 5165, 2025; Ord. 5156, 2025; Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.070 Area Determination - Planning Factors.

A. Landscaping shall be accomplished within the following minimum ranges:

1. Industrial, at least seven (7) percent of the gross area of the site. This may be reduced to not less than five (5) percent upon approval of the Landscape Review Committee through the discretionary review process. ~~(The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)~~
2. Commercial, at least seven (7) percent of the gross area of the site. This may be reduced to not less than five (5) percent upon approval of the Landscape Review Committee through the discretionary review process. ~~(The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)~~
3. Multiple-dwelling, twenty-five (25) percent of the gross area of the site. This may be reduced to not less than fifteen (15) percent upon approval of the Landscape Review Committee through the discretionary review process. ~~(The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)~~
4. A surface parking lot or parking structure built in any zone providing parking spaces as required by the zoning ordinance shall be landscaped in accordance with the commercial requirements set forth above in subsection 2 of this section.
5. Any addition to or expansion of an existing structure or parking lot which results in additional lot coverage shall be landscaped as follows: ~~Divide the amount of additional lot coverage (building area, not including basement or upper floors, plus required parking and loading zones) by the amount of the existing lot coverage (building area, not including basement or upper floors, plus required parking and loading zones), multiply by the percentage of landscaping required in the zone, multiply by the total lot area of both the original development and the addition; however, the total amount of the landscaping shall not exceed the requirements set forth in this subsection.~~

~~ALC (additional
lot coverage — X % of landscaping — X Total lot area
ELC (Existing — required
Lot Coverage)~~

- a. **New additions to or expansions of existing structures require the site to be brought into further conformance with the minimum landscaped area as established in 17.57.070(A). Landscape improvements, if not currently met, shall not exceed ten (10) percent of the valuation of the addition or expansion at building permit. The applicant shall provide the estimates of landscaping improvements to the satisfaction and approval of the Planning Director.**

- b. **New surface parking lots or structures shall be landscaped to meet 17.57.070(B)(4).**
 - c. Landscaping to be installed on ~~an~~ **for** an addition or expansion may be spread over the entire site (original and addition or expansion projects) with the approval of the **Landscape Review Committee through the discretionary review process;**
 - 6. **Stormwater facilities do not qualify as landscaping for the purpose of minimum area requirements and are not reviewed as part of this Chapter.**
- B. Landscape plans shall meet the following standards, unless the Discretionary Review Process of Section 17.57.050(A)(2) is requested by the Applicant:
- 1. ~~Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.~~
 - 1. **Sight-obscuring** Screening **of** the proposed use **shall be** by ~~sight-obscuring~~ evergreen plantings, shade trees, fences, or combinations of plantings and screens. **Sight-obscuring screening abutting residential properties shall conform to the following standards:**
 - a. **Height. Fences and walls shall be a minimum of six (6) feet in height. Landscaping shall be of a species that will attain a height of at least six (6) feet within two (2) years of planting.**
 - b. **Opacity. Screening shall be sight-obscuring. Fences, walls, and landscaping shall be at least 75 percent opaque when viewed from any angle at a point 25 feet away. Landscaping shall be of a species that will attain the opacity requirement within two (2) years of planting.**
 - c. **Landscaping and fencing requirements shall be superseded by the requirements in Section 17.54.080, Clear Vision Area, Chapter 8.10.210 of the MMC for regulations and fences, and other applicable screening standards if more restrictive.**
 - 2. ~~The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should~~ **shall** be preserved to the maximum practical degree. Existing trees **identified as to remain** shall be provided with a watering area equal to at least one-half the crown area **protected during construction as provided under Chapter 17.58.**
 - 3. **Parking Areas.** ~~The development and use of islands and plantings therein to break up parking areas.~~ **shall be incorporated to break up parking areas as follows:**
 - a. **To minimize large expanses of continuous pavement, parking areas greater than 6,000 square feet in area shall be physically and visually separated with landscape islands or planter bays. Separated parking areas may be connected by a drive aisle or driveway.**
 - b. **At minimum, one deciduous tree shall be planted for every (10) parking spaces within a parking area. A maximum of ten (10) contiguous parking spaces is permitted without separation by**

a landscape island. Landscape islands and planter bays shall be distributed throughout the parking area to create a canopy effect and to break expanses of paving and long rows of parking spaces.

c. Landscape islands and planter bays.

- 1) Landscape islands shall have a minimum length equal to that of the adjacent parking space, minimum planting area of twenty five (25) square feet, and width of five (5) feet, excluding curb;
- 2) Planter bays shall have a minimum planting area of twenty (25) square feet and a minimum width of five (5) feet, excluding curb;
- 3) Shall contain a tree, shrubs spaced no more than three (3) feet on center, and groundcover.

d. Driveway Entryway. A landscaped island or planter bay shall be provided on the subject site on both sides of a driveway entryway. Shrubs shall be of a variety appropriate to comply with the clear vision area standards of Section 17.54.080.

e. Where surface parking is proposed adjacent to a street, a five (5) foot wide buffer must be provided on the subject site between the surface parking and street. The buffer shall meet the following standards:

- 1) Contain a wall, hedge, or dense landscaping with a minimum height of thirty (30) inches above the finished grade of the parking area to achieve the opacity standard of Section 17.57.070(B)(1)(b);
- 2) Trees shall be planted to spacing requirements as described in Section 17.58.090(C), shrubs spaced at most three (3) feet on center, and ground cover distributed throughout the planter area;
- 3) Walls and planted materials species shall be selected to comply with the clear vision area standards of Section 17.54.080;

f. Surface parking areas shall be separated from the exterior wall of a structure by a landscaping strip or pedestrian walkways, with a minimum width of five (5) feet, except where a loading area is present.

g. Certain trees shall be prohibited in parking areas : poplar, willow, fruit, nut, birch, conifer, and ailanthus as identified in the McMinnville Street Tree List.

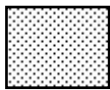
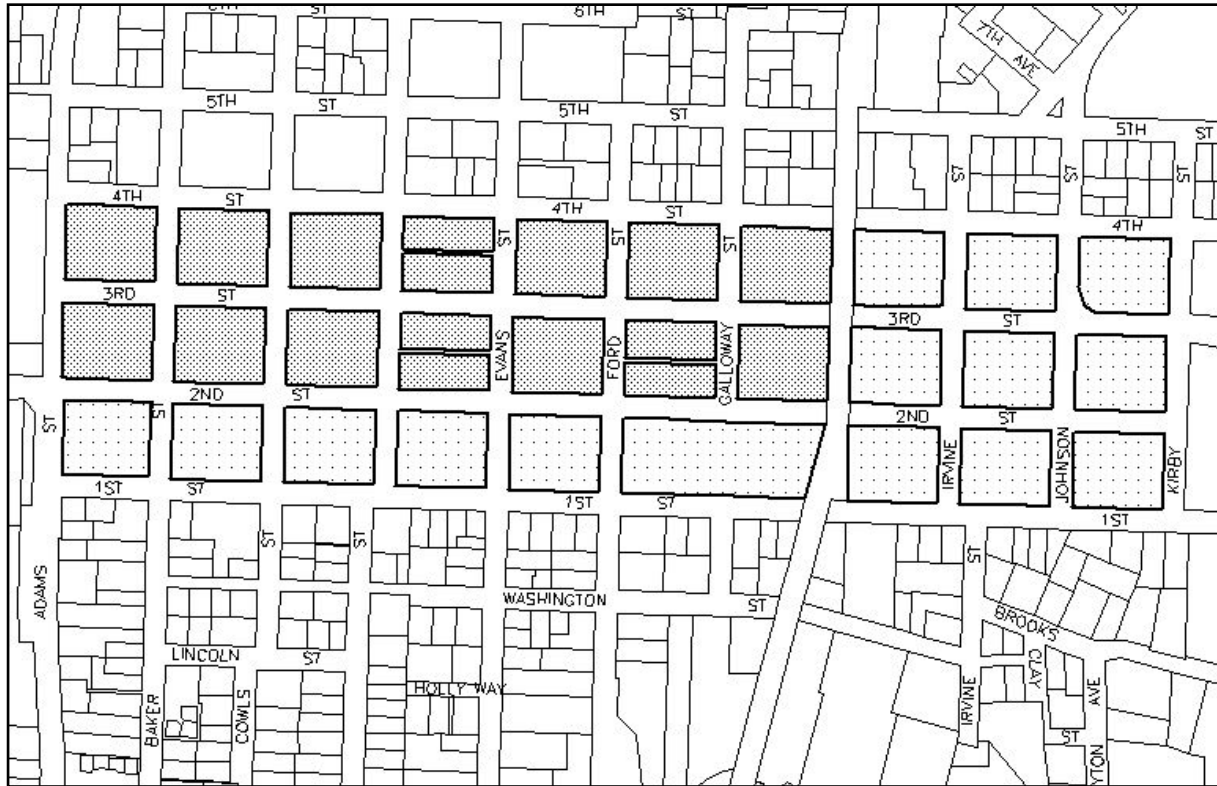
4. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus as identified in Chapter 17.58.

5. ~~Suitable~~ **Permanent underground or drip** watering facilities or irrigation systems must be included in or near all planted areas; **unless not required by subsection b. The following standards apply:**
- a. **Prior to approval of the landscape plan the applicant shall provide a letter from the designer or designee of the landscape plan stating that the design of the proposed irrigation system is to industry standards and will meet the purpose, intent, and requirements of Chapter 17.57 Landscaping.**
 - b. **A permanent underground or drip irrigation system is not required for:**
 - 1) **Existing healthy vegetation that has been established for at least two (2) years and that is being preserved to meet the landscaping requirements under this chapter;**
 - 2) **New vegetation that is drought resistant, in which case a two (2) year plant establishment schedule shall be provided with the landscaping plan describing the amount of water to be applied over the two (2) year time period and how that water will be distributed to the plant material; or**
 - 3) **Vegetation located within stormwater facilities.**
6. **Solid Waste and Recycling Enclosures. Solid Waste and Recycling Enclosures shall comply with Chapter 17.61.**
7. **Demonstrate that landscaping meets minimum Water and Light Commission rule for clearance from fire hydrants, and water meters.**
8. **Demonstrate that landscaping meets minimum National Electric Code and Water and Light Commission rules for clearance from electric meters, utility poles, street lights, transformers, and other electric facilities.**
- C. All landscaping approved by the landscape plan shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement. (**Ord. 5165, 2025;** Ord. 5156, 2025; Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

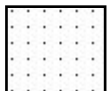
17.57.080 Central Business District. The central business district shall be divided into two areas as defined in this section:

- A. Area I is that area between Adams Street and the railroad tracks and between Second and Fourth Streets. The landscaping requirements set forth herein shall not apply to this portion of the central business district, except for the provision of street trees according to the city's master plan;
- B. Area II is defined as being that area between Adams and Kirby Streets from First to Fourth Streets, excluding the area in subsection A above. One-half of the landscaping requirements set forth in Section 15.57.050 above shall apply to this area. (Ord. 5156, 2025; Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

REDUCED LANDSCAPING REQUIREMENTS



Area I - No Required Landscaping



Area II - One-Half Required Landscaping

17.57.090 Credit for Work in Public Right-of-Way. The City review committee may grant an applicant credit for landscaping done in the public right-of-way provided that if at any time in the future the right-of-way is needed for public use, any landscaping removed from the right-of-way must be replaced on the subject site. The City review committee shall consider the need for future use of the right-of-way for street or utility purposes before granting credit under this section. (Ord. 5165, 2025; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

17.57.100 Appeal - Planning Commission to Act When.

- A. In the event the landscaping is disapproved by the City review committee the applicant may appeal to the Planning Commission within ~~15 (fifteen)~~ **fifteen (15)** days after the City review committee has considered the plan. The matter shall be set for review by the Planning Commission as set forth in subsection B of this section;
- B. If, after review, the City review committee cannot or does not reach a decision on the landscaping plan submitted, the application shall be forwarded to the Planning Commission for review and final disposition. Action on the application will occur at the next regularly scheduled meeting, or with the approval of the

- Planning Commission chairman, at a work session if scheduled sooner. The applicant shall be notified of the time and place of the review by the Planning Commission and may choose to be present. The absence of the applicant shall not preclude the Planning Commission from reaching a decision;
- C. The City ~~review committee~~ may, at their discretion, continue an application pending submittal of further information or detail. (Ord. 5165, 2025; Ord. 5027 §2, 2017; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).

Chapter 17.58

TREES

(as adopted by Ord. 4654B Dec. 9, 1997)

Sections:

17.58.010	Purpose.
17.58.020	Applicability.
17.58.030	Definitions.
17.58.040	Tree Removal/Replacement.
17.58.045	Downtown Trees.
17.58.050	Application Review and Criteria.
17.58.060	Permit Exemptions.
17.58.070	Tree Topping.
17.58.075	Protection of Trees.
17.58.080	Street Tree Planting – When Required.
17.58.090	Street Tree Standards.
17.58.100	Street Tree Plans.
17.58.110	Street Tree Planting.
17.58.120	Street Tree Maintenance.

17.58.010 Purpose. The purpose of this ordinance is to establish and maintain the maximum amount of tree cover on public and private lands in the city; reduce costs for energy, stormwater management, and erosion control; provide tree-lined streets throughout the city; select, situate and maintain trees appropriately to minimize hazard, nuisance, damage, and maintenance costs; to enhance the appearance, beauty and charm of the City; to increase property values and build stronger ties within neighborhoods; to implement applicable adopted Downtown Improvement Plan provisions; to promote a diverse, healthy, and sustainable community forest; and to educate the public regarding community forest issues. (Ord. 5027 §2, 2017; Ord. 4816 §2, 2004; Ord. 4654B §1, 1997).

17.58.020 Applicability. The provisions of this ordinance shall apply to:

- A. Individual significant or historic trees as defined in this ordinance.
- B. All trees with trunks located completely or partially within any public area or right-of-way;
- C. All trees on developable land and subject to or undergoing development review such as site plan review, tentative subdivision review, or partition review; (Ord. 5027 §2, 2017; Ord. 4654B §1, 1997).

17.58.030 Definitions. For the purpose of this section, refer to Section 17.06.045 for Tree related definitions. (Ord. 4952 §1, 2012).

17.58.040 Tree Removal/Replacement.

- A. The removal or major pruning of a tree, if applicable under Section 17.58.020, shall require City approval, unless specifically designated as exempt by this ordinance. Persons wishing to remove or prune such trees shall file an application for a permit with the City. The applicant shall include information describing the location, type, and size of the subject tree or trees, and the reasons for the desired action, and the costs associated with tree removal, replacement, and repair of any other public infrastructure impacted by the tree removal or major pruning. Applications shall be reviewed by **the Planning Director or Planning Director's Designee** ~~City Manager or City Manager's Designee~~ (hereafter "**Planning Director Manager**") or the Landscape Review Committee as provided in this Chapter, including Section 17.58.050. Only applications for Complex Tree Removal Permits shall be forwarded to the McMinnville Landscape Review Committee for a decision within 30 (thirty) days of submittal, except as authorized in Section 17.58.050. Requests for tree removal within the Downtown Tree Zone shall be submitted to the City. Such requests shall be acted upon as soon as practicable, with consideration given to public safety, value of the tree to the public, and work schedules. The **the Planning Director Manager** ~~Manager~~ should attempt to make decisions on such requests within five calendar days of submittal. The Landscape Review Committee or **the Planning Director Manager**, as appropriate, may approve, approve with conditions, or deny the request based on the criteria stated in Section 17.58.050. A decision of the committee or **the Planning Director Manager** may be appealed to the Planning Commission if written notice of the appeal is filed with the City within 15 (fifteen) days of the committee's or **the Planning Director's Manager** ~~Manager~~ decision. A decision made by the **the Planning Director Manager** in response to a request to remove an unsafe tree, or a tree causing repeated and excessive damage to sidewalks, or other public or private improvements or structures shall be final, unless appealed by the applicant; no other party shall have standing to appeal.
- B. Trees subject to this ordinance which are approved for removal or pruning shall be removed or pruned following accepted arboricultural pruning practices, such as those published by the International Society of Arboriculture (ISA) and any standards adopted by the City. The **the Planning Director Manager**, after consultation with appropriate city staff and/or a certified arborist, shall direct removal of downtown trees that are identified in a current Downtown Tree Zone inventory assessment as unhealthy, dangerous to the public, inappropriate for the downtown area, or otherwise in need of removal.
- C. The applicant shall be responsible for all costs associated with the tree removal or pruning, or as otherwise required by this ordinance, and shall ensure that all work is done in a manner which ensures safety to individuals and public and private property.
- D. Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city, or a requirement to pay to the city an amount sufficient to fund the planting and establishment by the city of a tree, or trees, of similar value. The value of the existing tree to be removed

shall be calculated using the methods set forth in the edition then in effect of the "Guide for Plant Appraisal" published by the International Society of Arboriculture Council of Tree Landscape Appraisers. Every attempt should be made to plant replacement trees in the same general location as the tree being removed. In the event that a replacement tree cannot be planted in the same general location, a condition of approval may be required to allow for the replacement tree to be planted in another location in the City as part of the City's annual tree planting program.

- E. The applicant is responsible for grinding stumps and surface roots at least six inches below grade. At least a two-inch-thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations. The area shall be re-seeded.
- F. The applicant shall complete the tree removal, and tree replacement if required, within six months of receiving notification of the ~~the Planning Director's Manager~~ or Landscape Review Committee's decision. The ~~the Planning Director~~ Manager or Landscape Review Committee may allow for additional time to complete the tree replacement to allow for planting in favorable seasons and to promote tree survivability.
- G. Other conditions may be attached to the permit approval by the ~~the Planning Director~~ Manager or Landscape Review Committee as deemed necessary.
- H. The planting of street trees shall be subject to the design drawings and specifications developed by the City in May 2014, as may be subsequently amended. Specific design drawings and specifications have been developed for trees outside the Downtown Tree Zone. Such design specifications may be periodically updated by the City to include specifications such as tree root barriers, watering tubes or structures, tree grates, and removable pavers, and shall graphically describe the proper method for planting trees to minimize the potential for sidewalk / tree root conflict. (Ord. 5027 §2, 2017; Ord. 4816 §2, 2004; Ord. 4654B §1, 1997).

17.58.045 Downtown Trees.

- A. The pruning and removal of street trees within the Downtown Tree Zone shall be the responsibility of the City, and shall be undertaken at public expense.
- B. The planting of street trees shall be subject to the design drawings and specifications developed by the City in May 2014, as may be subsequently amended. Specific design drawings and specifications have been developed for trees within the Downtown Tree Zone. Such design specifications may be periodically updated by the City to include specifications such as tree root barriers, watering tubes or structures, tree grates, and removable pavers, and shall graphically describe the proper method for planting trees within the Downtown Tree Zone to minimize the potential for sidewalk / tree root conflict.
- C. The City shall adopt implementation measures that cause, through rotation over time, the development of a variable aged stand of trees within the Downtown Tree Zone. In order to implement this policy, the ~~the Planning~~

Director Manager shall authorize, but shall limit, annual tree removal within the downtown to no more than three (3) percent of the total number of existing downtown trees in the Downtown Tree Zone.

- D. A street tree within the Downtown Tree Zone may be removed if the **the Planning Director** Manager determines that the tree is causing repeated and excessive damage to sidewalks or other public or private improvements or structures. (Ord. 5027 §2, 2017).

17.58.050 Application Review and Criteria.

A. Application for Simple Tree Removal Permit.

1. Review. Applications for simple tree removal permits shall be reviewed by the **the Planning Director** Manager in accordance with the requirements of this Chapter on a form containing information required by the **the Planning Director** Manager.
2. Criteria. Each tree proposed for removal must meet at least one of the following criteria:
 - a. The tree is a hazard as determined by a Certified arborist, and the arborist has demonstrated that less intensive options than removal, such as pruning, cabling, or bracing of limbs would not abate the hazard or would have a significant adverse effect on the health of the tree.
 - b. The tree is dead or in an advanced state of decline.
 - c. The tree species is on the nuisance list for Oregon or the list of invasive trees published by OSU Extension.
 - d. Tree is infested with pests or disease.
 - e. The tree roots are causing damage to sidewalks or other infrastructure, and the damage can't reasonably be abated without removing the tree. In evaluating whether the damage can be reasonably abated without removing the tree, consideration shall be given to impacts of the necessary abatement on the tree's health, further damage to infrastructure that would occur if the tree is retained, and alternative methods of abatement that would retain and protect the tree and prevent further damage. When considering reasonable abatement methods, greater priority shall be placed on retention of larger, healthy trees.
 - f. The tree has sustained physical damage to an extent that necessitates its removal to address an issue of safety or tree health and aesthetics.
 - g. The proposed removal is part of an approved development project, a public improvement project where no reasonable alternative is available, or is part of a street tree improvement program. When considering reasonable alternatives, greater priority shall be placed on retention of larger, healthy trees.
 - h. If the tree is on an adopted list or inventory of trees identified by the City as part of an adopted tree protection program, such as a Heritage Tree list the decision shall also meet any applicable requirements related to the protection of such trees.
3. Arborist Verification. In order to meet any of the above criteria for removal verification of tree health or a tree's impacts on infrastructure shall be

required, at the expense of the applicant, by a Certified Arborist acceptable to the City. The ~~the Planning Director~~ Manager may waive the requirement for verification by an Arborist if it is reasonable to determine a tree is dead by inspection or other documentation required by the ~~the Planning Director~~ Manager. (Ord. 5027 §2, 2017; Ord. 4816 §2, 2004; Ord. 4654B §1, 1997).

4. At the ~~the Planning Director's~~ Manager discretion, any simple tree removal permit application may be referred to the Landscape Review Committee for review, to be reviewed by the Committee within 30 days of submittal of the application.
- B. Application for Tree Major Pruning Permit.
1. Review. Applications for major pruning of trees shall be reviewed by the ~~the Planning Director~~ Manager in accordance with the requirements of this Chapter on a form containing information required by the ~~the Planning Director~~ Manager.
 2. Criteria. Each tree proposed for major pruning shall meet all of the following criteria:
 - a. The pruning is necessary to reduce risk of hazard, maintain or improve tree health and structure, or improve aesthetics in accordance with accepted arboricultural practices, or to achieve compliance with public standards such as vision clearance, vertical clearance above sidewalks or roadways, or separation from overhead utilities.
 - b. The proposed pruning shall be consistent with the public purposes of Section 17.58.010 and shall not adversely affect the health of the tree. When pruning is necessary to reduce risk of hazard or achieve compliance with public standards, the tree structure and aesthetics shall be maintained to the extent practicable.
 - c. The proposed pruning will be performed consistent with accepted arboricultural practices, such as those published by the International Society of Arboriculture (ISA).
 - d. If the tree is on an adopted list or inventory of trees identified by the City as part of an adopted tree protection program, such as a Heritage Tree list, the decision shall also meet any applicable requirements related to the protection of such trees.
 3. Arborist Verification. In order to meet any of the above criteria for major pruning, verification of the need and consistency with the criteria for the proposed pruning shall be required, at the expense of the applicant, by a Certified Arborist acceptable to the City.
 4. At the ~~the Planning Director's~~ Manager discretion, any application for major pruning of a tree may be referred to the Landscape Review Committee for review, to be reviewed by the Committee within 30 days of submittal of the application.
- C. Application for Complex Tree Removal Permit.
1. Review. Applications for complex tree removal permits shall be reviewed by the Landscape Review Committee in accordance with the procedures of

this Chapter on a form containing information required by the **the Planning Director** Manager.

2. Criteria. An application for a complex tree removal permit shall meet all of the following criteria:
 - a. The tree removal is necessary to address a public purpose that is not addressed by the criteria for a Simple Tree Removal Permit, and the application does not merely circumvent the requirements for a Simple Tree Removal Permit.
 - b. The tree removal is necessary to promote the public health, safety, welfare, and/or to accomplish a public purpose or program identified in the City's adopted plans, goals, and/or policies.
 - c. The tree removal will be consistent with the overall furtherance of a healthy urban forest, including healthy, attractive street trees.
3. The Landscape Review Committee may apply conditions of approval as specified in this Chapter and as may be necessary to offset the impact of the tree removal.
4. If the tree is on an adopted list or inventory of trees identified by the City as part of an adopted tree protection program, such as a Heritage Tree list, the decision shall also meet any applicable requirements related to the protection of such trees.

17.58.060 Permit Exemptions.

- A. Emergency Removal of Hazardous Tree - If an imminent danger exists to the public or any private property owner or occupant, the City may issue an emergency removal permit. The removal shall be in accordance with International Society of Arboriculture (ISA) standards.
- B. Tree Impacting Public Infrastructure – If a tree is causing damage to or impacting public infrastructure that the adjacent property owner is not responsible for repairing, such as pedestrian ramps, utility vaults, or public storm or sanitary sewer lines, the tree removal may be approved by the **the Planning Director** Manager. The removal shall be in accordance with International Society of Arboriculture (ISA) standards. In the event that a replacement tree cannot be planted in the same general location as the tree removed, the replacement tree may be planted in another location in the City as part of the City's annual tree planting program.
- C. Maintenance - Regular pruning maintenance which does not require the removal of over 20 percent of the tree's canopy, tree topping, or the disturbance of over 10 percent of the tree's root system is exempt from the provisions of this ordinance.
- D. Removal of downtown trees at the direction and initiative of the **the Planning Director** Manager. (Ord. 5027 §2, 2017; Ord. 4816 §2, 2004; Ord. 4654B §1, 1997).

17.58.070 Tree Topping. It shall be unlawful for any person, firm, or the City to top any tree. Trees severely damaged by storms or other causes or certain trees under utility wires or other obstructions where normal pruning practices are impractical may be

exempted at the determination of the **the Planning Director** Manager or Landscape Review Committee, applying criteria developed by the City. (Ord. 4654B §1, 1997).

17.58.075 Protection of Trees.

- A. It shall be unlawful for any person to remove, destroy, break, or injure any street tree or public tree. Individuals convicted of removing or destroying a tree without City approval shall be subject to paying to the City an amount sufficient to fund the planting and establishment of a tree, or trees, of similar value. The value of the removed or destroyed tree shall be calculated using the methods set forth in the edition then in effect of the "Guide for Plant Appraisal" published by the International Society of Arboriculture Council of Tree Landscape Appraisers.
- B. It shall be unlawful for any person to attach or keep attached to any street or public tree or to the guard or stake intended for the protection of such tree, any rope, wire, chain, sign, or other device, except as a support for such tree.
- C. During the construction, repair, alteration or removal of any building or structure it shall be unlawful for any owner or contractor to leave any street tree or public tree in the vicinity of such building or structure without a good and sufficient guard or protectors as shall prevent injury to such tree arising out of or by reason of such construction or removal.
- D. Excavations shall not occur within the drip line of any street tree or public tree without approval of the City, applying criteria developed by the Landscape Review Committee. Utility pole installations are exempted from these requirements. During such excavation or construction, any such person shall guard any street tree or public tree within the drip line, or as may be required by the **the Planning Director** Manager or Landscape Review Committee.
- E. All building material or other debris shall be kept outside of the drip line of any street tree or public tree. (Ord. 4654B §1, 1997).

17.58.080 Street Tree Planting - When Required. All new residential development, commercial or industrial development, subdivisions, partitions, or parking lots fronting on a public roadway which has a designated curb-side planting strip or planting island shall be required to plant street trees in accordance with the standards listed in Section 17.58.090. (Ord. 4654B §1, 1997).

17.58.090 Street Tree Standards.

- A. The species of the street trees to be planted shall be chosen from the McMinnville Street Tree List, as approved by Resolution 2019-26, and as may have been subsequently amended, unless approval of another species is given by the McMinnville Landscape Review Committee. The Landscape Review Committee may periodically update the McMinnville Street Tree List as necessary to reflect current arborist practices and industry standards.
- B. Street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well-developed leader with tops and roots

- characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.
- C. Small or narrow stature trees (under 25 feet tall and less than 16 feet wide branching) should be spaced no greater than 20 feet apart; medium sized trees (25 feet to 40 feet tall, 16 feet to 35 feet wide branching) should be spaced no greater than 30 feet apart; and large trees (over 40 feet tall and more than 35 feet wide branching) should be spaced no greater than 40 feet apart. Within residential developments, street trees should be evenly spaced, with variations to the spacing permitted as approved by the City for specific site limitations and safety purposes. Within commercial and industrial development staggered, or irregular spacing is permitted, as may be approved by the McMinnville Landscape Review Committee. When planting replacement trees within the Downtown Tree Zone, consideration shall be given to the height of adjacent buildings.
 - D. Except as provided in this Section, street trees shall be planted within a curbside planter strip or tree wells consistent with the applicable standards and dimensions of the City's adopted Complete Street standards, with the street trees centered between back of curb and front of sidewalk. However, where a street with sidewalk was previously constructed to a different standard, the **the Planning Director Manager** may authorize deviation to the street tree planting standards, with street trees planted in a narrower planter strip or behind the sidewalk. Except when authorized by the **the Planning Director Manager**, street trees shall not be planted within a curbside landscape strip narrower than four (4) feet in width between the sidewalk and curb. When nonconforming conditions do not allow for trees to be planted in tree wells or planter strips along major collector or arterial streets per the adopted Complete Street standards, street trees adjacent to major collector streets or arterial streets shall be placed a minimum of five (5) feet from the back edge of the sidewalk. Except when authorized by the Director, a street tree shall not be planted closer than two and one-half (2 1/2) feet from the face of a curb. These standards may be superseded by design drawings and specifications as periodically developed and adopted by the City.
 - E. Street trees shall not be planted within ten (10) feet of fire hydrants, utility poles, sanitary sewer, storm sewer or water lines, or within twenty (20) feet of street light standards or street intersections, or within five (5) feet of a private driveway or alley. New utility poles shall not be located within five (5) feet of an existing street tree. Variations to these distances may be granted by the Public Works Director and as may be required to ensure adequate clear vision.
 - F. Existing street trees shall be retained unless approved by the **the Planning Director Manager** for removal during site development or in conjunction with a street construction project. Sidewalks of variable width and elevation may be utilized as approved by the **the Planning Director Manager** to save existing street trees. Any street tree removed through demolition or construction within the street right-of-way, or as approved by the City, shall be replaced within the street right-of-way at a location approved by the city with a tree, or trees, of similar value. As an alternative the property owner may be required to pay to

- the City an amount sufficient to fund the planting and establishment by the city of a tree of similar value. The value of the existing street tree to be removed shall be calculated using the methods set forth in the edition then in effect of the "Guide for Plant Appraisal" published by the International Society of Arboriculture Council of Tree Landscape Appraisers. The developer or applicant shall be responsible for the cost of the planting, maintenance and establishment of the replacement tree.
- G. Sidewalk cuts in concrete for tree planting shall be a minimum of four feet by six feet, with the long dimension parallel to the curb, and if located within the Downtown Tree Zone shall follow the design drawing or updated design drawings and specifications as periodically developed and adopted by the City. (Ord. 5027 §2, 2017; Ord. 4816 §2, 2004; Ord. 4654B §1, 1997).

17.58.100 Street Tree Plans.

A. Submittal.

1. Subdivisions and Partitions: Street tree planting plans shall be submitted to the ~~Landscape Review Committee~~ **the Planning Director** for review and approval prior to the filing of a final subdivision or partition plat.
 2. Commercial, Industrial, Parking Lots, and Multi-dwelling Residential Development: Landscape plans, to include street tree planting as may be required by this ordinance, shall be submitted to the ~~Landscape Review Committee~~ **the Planning Director** for review and approval prior to the issuance of a building permit.
- B. Street Tree Plan Content. At a minimum, the street tree planting plan should:
1. Indicate all existing trees, noting location, species, size (caliper and height) and condition;
 2. Indicate whether existing trees will be retained, removed or relocated;
 3. Indicate the measures to be taken during site development to ensure the protection of existing trees to be retained;
 4. Indicate the location, species, and size (caliper and height) of street trees to be planted;
 5. Indicate the location of proposed and existing utilities and driveways; and
 6. Indicate the location of rights-of-way, existing structures, driveways, and existing trees including their species, size, and condition, within twenty feet of the subject site. (**Ord. 5165, 2025**; Ord. 4654B §1, 1997).

17.58.110 Street Tree Planting.

A. Residential subdivisions and partitions.

1. Planting Schedule: Street trees required of residential subdivisions and partitions shall be installed prior to submittal of a final subdivision plat or partition plat. As an alternative the applicant may file a surety bond or other approved security to assure the planting of the required street trees, as prescribed in Section 17.53.153.
- B. Commercial, Industrial, Residential, Parking Lot Development.

1. Planting Schedule: Street trees required of a commercial, industrial, residential, or parking lot development shall be installed at the time all other required landscaping is installed. (Ord. 4654B §1, 1997).

17.58.120 Street Tree Maintenance.

- A. Street trees shall be continually maintained, including necessary watering, weeding, pruning and replacement, by the developer or property owner for one full growing season following planting, or as may be required by the City.
- B. Street tree plans, or landscape plans including street trees, shall be maintained in perpetuity. In the event that a street tree must be replaced, the adjacent property owner or developer shall plant a replacement tree of a species from the approved street tree or landscape plan.
- C. Maintenance of street trees, other than those located in the Downtown Tree Zone shall be the continuing obligation of the abutting property owner. The City shall undertake regular maintenance of street trees within the Downtown Tree Zone in accordance with appropriate horticultural practices including pruning and fertilizing to properly maintain the health of such trees. (Ord. 4816 §2, 2004; Ord. 4654B §1, 1997).
- D. Street trees, as they grow, shall be pruned to provide at least eight (8) feet of clearance above sidewalks and thirteen (13) feet above local streets, fifteen (15) feet above collector streets, and eighteen (18) feet above arterial streets. This provision may be waived in the case of newly planted trees so long as they do not interfere with public travel, sight distances, or endanger public safety as determined by the City. Major pruning, as defined in Section 17.58.020, of a street tree must be approved by the City in accordance with Sections 17.58.040 and 17.58.050. (Ord. 5027 §2, 2017; Ord. 4654B §1, 1997).



**City of
McMinnville**

PLANNING

**City of McMinnville
Community Development**

231 NE Fifth Street
McMinnville, OR 97128

503-434-7311

www.mcminnvilleoregon.gov

DECISION, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF LEGISLATIVE AMENDMENTS TO THE MCMINNVILLE ZONING ORDINANCE, DOCKET G 2-24, LANDSCAPE APPLICABILITY, REVIEW CRITERIA, AND STANDARDS, AND STREET TREE PLAN REVIEW PROCESS CHAPTERS 17.57 AND 17.58.

DOCKET: G 2-24

REQUEST: Proposed amendments to the McMinnville Zoning Ordinance, adopting amended standards for landscaping applicability, review criteria, and standards, and Street Tree Plan review process.

LOCATION: N/A. The proposal is a legislative text amendment.

ZONING: N/A. The proposal is a legislative text amendment.

APPLICANT: City of McMinnville

STAFF: Taylor Graybehl, Senior Planner

HEARINGS BODY: McMinnville Planning Commission

DATE & TIME: November 7, 2024, 6:30pm. Hybrid In-Person and Zoom Online Meeting:

In Person: Kent Taylor Civic Hall, 200 NE 2nd Street, McMinnville

Zoom Meeting:

<https://mcminnvilleoregon.zoom.us/j/89368634307?pwd=M0REY3RVSzFHeFdmK2pZUmJNdkdSZz09>

Zoom Meeting ID: 893 6863 4307

Zoom Passcode: 989853

Or you can call in and listen via Zoom: 1-253-215-8782
ID: 893 6863 4307

BODY: McMinnville City Council

PROCEDURE: The application is subject to the legislative land use procedures specified in Sections 17.72.120 - 17.72.160 of the McMinnville Municipal Code.

APPEAL: The Planning Commission will make a recommendation to the City Council. The City Council's decision on a legislative amendment may be appealed to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date written notice of the City Council's decision is mailed to parties who participated in the local proceedings and entitled to notice and as provided in ORS 197.620 and ORS 197.830, and Section 17.72.190 of the McMinnville Municipal Code.

Based on the findings and conclusionary findings, the City Council **APPROVES** the legislative amendments to the Zoning Ordinance (Docket G 2-24).

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DECISION: APPROVAL

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Planning Commission:_____ Date:_____
Sidonie Winfield, Chair of the McMinnville Planning Commission

Planning Division: _____ Date: _____
Heather Richards, Community Development Director

I. APPLICATION SUMMARY

This application is a legislative proposal for amendments to the McMinnville Zoning Ordinance, adopting amended standards for landscaping applicability, review criteria, and standards (Chapter 17.57 "Landscaping"), and Street Tree Plan review process (Chapter 17.58 "Trees").

II. ATTACHMENTS

- Attachment 1. Amendments (on file with Planning Division; see also Exhibit A to Ordinance No. 5165)

III. FINDINGS OF FACT – GENERAL FINDINGS

Docket G 2-24 is a legislative package of City-initiated proposed McMinnville Comprehensive Plan and McMinnville Municipal Code amendments related to Chapter 17.57 Landscaping and Chapter 17.58 Trees. The proposal is intended to implement the adopted revised standards for landscaping applicability, review criteria, and standards (Chapter 17.57 "Landscaping"), and Street Tree Plan review process (Chapter 17.58 "Trees").

The City Council finds that based on the findings of fact and the conclusory findings contained in this findings report, the proposed amendments to Chapter 17.57 and Chapter 17.58 of the McMinnville Zoning Ordinance are consistent with all applicable state and local regulations.

This findings document provides conclusory findings regarding consistency with applicable provisions of state and local law. Supporting these is a factual basis upon which the conclusory findings rest.

IV. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. On September 11, 2024, city staff hosted a work session with the Landscape Review Committee to discuss amendments to regulations related to landscape plans, landscape standards, and street tree plans. At the time, the Landscape Review Committee recommended bringing the item before the Planning Commission.
2. On October 2, 2024, notice of the application and the November 7, 2024 Planning Commission public hearing was provided to DLCD.
3. On October 3, 2024, city staff hosted a work session with the Planning Commission to discuss options for landscaping and tree amendments to the McMinnville City Code. The options presented largely reflect the amendments as recommended by the Landscape Review Committee. At that time, the Planning Commission provided direction to move forward with a legislative effort to amend the McMinnville Municipal Code to modify regulatory standards for landscape plans, landscape standards, and street tree plans.

4. On November 1, 2024, notice of the application and the November 7, 2024 Planning Commission public hearing was published in the News-Register in accordance with Section 17.72.120 of the Zoning Ordinance.
5. On November 7, 2024, the Planning Commission held a duly noticed public hearing to consider the request. The Planning Commission recommended City Council approve the proposed amendments as presented.
6. Notice of the January 14, 2025, City Council meeting was posted on the City website in accordance with Oregon public meetings law and the item was continued.
7. Notice of the October 14, 2025, City Council meeting was posted on the City website in accordance with Oregon public meetings law and the item was continued.
8. On October 14, 2025, the City Council held a duly noticed public meeting to consider the Planning Commission's recommendation and the proposal.

V. CONCLUSIONARY FINDINGS:

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application.

Zoning Ordinance

The Purpose Statement of the Zoning Ordinance serves as a criterion for Zoning Ordinance amendments:

17.03.020 Purpose. The purpose of the ordinance codified in Chapters 17.03 (General Provisions) through 17.74 (Review Criteria) of this title is to encourage appropriate and orderly physical development in the city through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, adequate community facilities; and to provide assurance of opportunities for effective utilization of the land resources; and to promote in other ways public health, safety, convenience, and general welfare.

FINDING: SATISFIED. The proposed amendments amend standards for landscaping applicability, review criteria, and standards (Chapter 17.57 "Landscaping"), and Street Tree Plan review process (Chapter 17.58 "Trees"). The Planning Commission evaluated the recommendations of the Landscape Review Committee, and a variety of issues related to increased efficiencies, revising standards to implement the identified purpose and intent of landscaping, and modifying the identified purpose of landscaping within the Zoning Ordinance. Changes to the Street Tree Plan review process are proposed to allow staff to conduct review in lieu of the Landscape

Review Committee. The proposal strikes a balance between the purpose and intent of Chapter 17.57 and Chapter 17.58, additional standards to implement the purpose and intent, and the efficiencies required for staff time.

Comprehensive Plan

As described in the Comprehensive Plan, the Goals and Policies of the Comprehensive Plan serve as criteria for land use decisions. The following Goals and Policies from Volume II of the McMinnville Comprehensive Plan are applicable to this request:

CHAPTER X. CITIZEN INVOLVEMENT AND PLAN AMENDMENT

GOAL X 1 TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESSES ESTABLISHED BY THE CITY OF McMINNVILLE.

FINDING: SATISFIED. The proposal is consistent with this applicable Goal of Chapter X of the Comprehensive Plan.

The Planning Commission held a work session on October 3, 2024 to evaluate a draft zoning ordinance amendment and consider best practices, including those of other communities.

At the work session, the Planning Commission agreed to initiate the public hearing process for public consideration of the draft proposal presented.

The Commission determined that the proposed amendments best-balanced Chapter 17.57's purpose and intent, staff time efficiencies, and the State of Oregon's requirement for clear and objective standards for middle housing.

Notice of the proposal and public hearing was provided to DLCD and published in the newspaper.

The public hearing process provides further opportunity for consideration of citizen involvement and input and associated deliberation.

EXHIBIT 1 - MINUTES

November 7, 2024
Planning Commission
Regular Meeting

6:30 pm
Hybrid Meeting
McMinnville, Oregon

Members Present: Sidonie Winfield, Dan Tucholsky, Matthew Jones, Beth Rankin, Brian Randall, Rachel Flores, Sylla McClellan, and Elena Mudrak

Members Absent: Meg Murray

Staff Present: Heather Richards – Community Development Director, Tom Schauer – Senior Planner, Taylor Graybehl – Senior Planner, and Bill Kabeiseman – Bateman Seidel

1. Call to Order

Chair Winfield called the meeting to order at 6:30 p.m.

2. Citizen Comments

None

3. Public Hearings

A. Quasi-Judicial Hearing: Planned Development Amendment (PDA 1-24) and Amendment to Subdivision Tentative Plan (S 3-24), No Site Address (Undeveloped), Tax Lot R4524 00801

Request: **PDA 1-24.** The applicant is requesting approval of a Planned Development Amendment to the current Planned Development approval applicable to the property for the remaining undeveloped phases, approximately 106 remaining acres. Principal elements of the proposed amendment include requests to: reconfigure parts of the street layout, change the number of remaining residential lots from 394 to 392, provide tracts for open space and recreation and pedestrian connections (approximately 13 acres) and stormwater management (approximately 1.6 acres), modify phasing boundaries, and request modifications to certain development standards, including reduced setbacks, lot size averaging with average lot size of 7,960 sf and minimum lot size of 5,000 sf, and flexibility to street/alley standards for address frontage for three lots, and request to remove all trees as necessary to accommodate the proposed development plan.

The proposal would also revise 43 of the lots currently approved for attached housing to standard lots proposed as detached housing.

S 3-24. The applicant is also requesting approval of an amendment to the corresponding Subdivision Tentative Plan for the property, to be consistent with the requested Planned Development Amendment.

Applicant: Holt Homes, Inc. c/o Applicant's Consultant: Zach Pelz, AKS Engineering & Forestry, LLC

Chair Winfield opened the public hearing and read the hearing statement. She asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. She asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application.

Chair Winfield had known the owners of the site for a long time, but it would not impact her ability to make an unbiased decision.

Chair Winfield asked if any Commissioners had visited the site. Commissioners McClellan, Jones, Tucholsky, Flores, Winfield, Rankin, and Randall had visited the site. Chair Winfield asked if any Commissioner needed to declare any contact prior to the hearing with the applicant or any party involved in the hearing or any other source of information outside of staff regarding the subject of this hearing. There was none.

Staff Report: Senior Planner Schauer presented the staff report. This was a request for a Planned Development amendment and Subdivision Tentative Plan amendment for the remaining phases of the Hillcrest Planned Development, approximately 106 acres. The amendments would revise the street layout with substantially the same connections external to the site, 392 lots and open space tracts vs. 394 lots, smaller average lot size and reduced setbacks, and 43 multi-generational homes vs. 43 townhouse lots. He explained additional information entered into the record after the October 31 meeting packet, applications, criteria, subject property, proposed master plan/tentative plan, background on previous applications, project phases, open space tracts, streets and utilities, and staff's recommendation for approval with conditions.

Commissioner Questions: The Commission asked questions about the landscape plan for the open space tracts, how there were no restrictions on occupation of the ADU for the multi-generation housing, pump facility, drainage plan, natural hazards, how the applicant thought they were subject to the 2017 standards rather than current standards and how staff thought the amendments were subject to the current standards, flood risk to the lots adjacent to the wetlands, and how the drainage plan would ensure there would not be flooding,

James Lofton, City Engineer, discussed the drainage plan and how the project would need detention facilities. He described the engineering process that took place after the land use decision was rendered. He explained how the Natural Hazards Overlay applied to this project and how a full geotechnical analysis would be done on the site. They would not be able to eliminate flooding on some of the lots. There would be easements for drainageways and the boundary of the easements would be at the 100 year flood event level to keep the home construction out of the flood area.

Applicant's Testimony: Zach Pelz, AKS Engineering & Forestry, LLC was representing the applicant. He gave a project background and discussed the subdivisions approved in 2007 and 2017, reasons for the modifications including road realignment, how the road realignment was substantially similar to the 2017 plan, summary of the planned modifications, how the

current plan improved on the 2017 plan, mid-block pedestrian pathways, more open space, and community amenities. Regarding Condition of Approval #13, there was a strikeout shown that no longer allowed them to exempt trees located in the rights-of-way. He would like confirmation that the intent was they would not be penalized for removing trees that were in the rights-of-way.

Garret Stephenson, legal counsel for the applicant, said under the current condition, for the trees they would remove, they would have to provide tree mitigation or a fee in lieu. If they were providing land to the public for rights-of-way, he did not think they had to mitigate for the trees that were removed.

Commissioner Questions: There was discussion regarding how the stormwater facilities and the open spaces would be owned and maintained by an HOA.

Senior Planner Schauer said the reason for the strike out in Condition #13 was to be consistent with the language of the zoning ordinance.

There was further discussion regarding connectivity of the streams and roadways and how the applicant would use culverts in those areas to allow the water to flow underneath the roadway.

There was concern about stormwater drainage and it was suggested the applicant use permeable pavement. Mr. Pelz stated they would install two stormwater facilities for water detention. There were long term maintenance issues with permeable pavement. Mr. Lofton explained why permeable pavement was not appropriate for this area with slide susceptibility.

The Commission suggested the applicant work with McMinnville Water & Light for better water pressure to the adjacent neighborhood. Mr. Pelz said even though the pressure was low, it was in the range and they would be operating in a different pressure zone.

Mr. Pelz confirmed the playground in Area F would include a play structure, open area, and walking paths. They were not planning to include a public restroom due to the cost.

There was further discussion regarding how the housing designs would satisfy all of the applicable design guidelines, how adding left turn lanes at some intersections was required, blasting and noise, excavation and fill, clustering housing to save trees, the challenge of putting streets through the site and grading, how this would provide needed homes for residents and protect open spaces, and how there would be room for bus stops on the roads.

Proponents: Linda Berlin, McMinnville resident, had not been notified of the neighborhood meeting. She was concerned about the construction traffic on her street as well as fire and emergency traffic accessing the development. She was in support of the project as long as the water and sewer were on different systems and would be charged differently.

Steven Goldsmith, McMinnville resident, was concerned about urban heat island effect and lack of a lighting plan. He thought the growth should be managed in a responsible way.

Howard Aster, McMinnville resident, was one of the families planning to sell their property to be developed. He and the other two families had been working with the developer on this transaction for two years now and thought Holt Homes was honest and would build good homes. This proposal added housing variety and open space to this area.

Opponents: Kristi Bahr, McMinnville resident, discussed Phase 9, and how a proposed road extension went through her home. Mr. Schauer said the issue was included in Condition #27. At this point in time, the road would stub out at her property line and the intention was in the future that this was how the property would be served with street infrastructure if it was annexed and developed.

Rebuttal: Mr. Pelz discussed the issues they had with Condition #13 regarding the tree mitigation. Up until today, he thought the number was based on trees that were going to exist in the boundaries of the developed lots as well as the street trees they would have to install. Changing the language could be a substantial mitigation cost. He proposed going back to the original version to remove trees in the rights-of-way without paying a fee in lieu. He suggested closing the hearing but keeping the record open for 7 days until November 14 for the applicant to work with staff on the matter, and then keeping the record open for another 7 days for public testimony which would be due by November 21. They would waive the 7 day period for final written arguments. The Planning Commission would then make a decision on November 21.

Commissioner McClellan MOVED to CLOSE the hearing but keep the record open for Planned Development Amendment (PDA 1-24) and Amendment to Subdivision Tentative Plan (S 3-24) until November 14, 2024 for the applicant and until November 21, 2024 for rebuttal. SECONDED by Commissioner Jones. The motion PASSED 8-0.

B. Quasi-Judicial Hearing: Hearing: Zone Change (ZC 3-24), No Site Address (Undeveloped), Tax Lot R4409DC0110

Request: The applicant is requesting approval of a Zone Change application from R-3 (Medium-Density, 6000 SF Lot Residential Zone) to R-4 (Medium, High-Density, 5000 SF Lot Residential Zone) for a 2.93-acre parcel located at Tax Lot R4409DC 01100, west of the NE Newby Street and NE Hoffman Drive Intersection. This is for a zone change only. No development is currently proposed for the site

Applicant: Monika Development

Chair Winfield opened the public hearing and read the hearing statement. She asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. She asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none. Chair Winfield asked if any Commissioners had visited the site. Many Commissioners had visited the site. Chair Winfield asked if any Commissioner needed to declare any contact prior to the hearing with the applicant or any party involved in the hearing or any other source of information outside of staff regarding the subject of this hearing. There was none.

Staff Report: Senior Planner Graybehl presented the staff report. This was a request for a zone change for a 2.93 acre property from R-3, medium density residential, to R-4, medium high density residential. No development was proposed at this time. Staff recommended approval. He described the existing conditions on the site, review procedures, review criteria and compliance, needed housing, Comprehensive Plan findings, Great Neighborhood Principles findings, Statewide Planning Goals, what was required for Goal 10: transportation, and how the Traffic Impact Analysis showed the project did not create a significant impact due to the new zoning.

There was discussion regarding when development might occur on the site, additional number of units allowed in the new zone, and height and setbacks for the R-4 zone.

Applicant's Testimony: Wendy Kellington, representing the applicant, said the applicant might or might not develop the property. The zone change was a tool to deliver increased housing within the City. It would allow this site to be developed with different housing types per the Great Housing Principles. Due to the wetland on the property, it was the only way to achieve the amount of housing needed to help meet the significant deficit. Without upzoning, it would be difficult to achieve the housing. Rezones were allowed without development proposals so long as they met the standards. This application met all of the standards. The Comprehensive Plan said all housing types shall be allowed, and the City should encourage rezoning to maintain land supply to meet housing objectives. Regarding adding conditions of approval, it would deprive the City of the developer's flexibility to comply with the design standards. The time to impose conditions was when there was a specific development application, and they would know the impacts and how to mitigate them. This application would allow the City significant infill and increase housing.

There was discussion regarding previous applications on this site and applicant's plans for the site.

Proponents: None

Opponents: Jerry Lanier, McMinnville resident, did not think they had to rezone the property as they could already put denser development on it. At its current zoning, it would not be different from the other adjacent properties. It was surrounded by nice neighborhoods of single family, duplexes, and triplexes and building high rise apartments next to these homes would be hard on the neighborhood. There was not any greenspace in the area as it was, and adding more people would make it worse.

Travis Cameron, McMinnville resident, was concerned about people from this site parking in the neighborhood, which was a beautiful neighborhood currently.

Rebuttal: Ms. Kellington said the decision had to be based on the standards and criteria, which stated neighborhoods shall have different housing types. Neighborhood integration and diversity was important to the City and without honoring the standards, the City could not meet their housing targets. This property was well suited to be a beautiful addition to the neighborhood and would have to meet strict standards for development. Parking standards were imposed by the City and would be part of the application. She read a State Statute as a basis for not putting conditions on the zone change.

Commissioner Tucholsky MOVED to CLOSE the public hearing, SECONDED by Commissioner McClellan. The motion PASSED 8-0.

Chair Winfield closed the public hearing.

The applicant waived the 7 day period for submitting final written arguments in support of the application.

Commissioner Deliberation: The Commission discussed short term rentals in the R-4 zone, struggle with the number of units that were possible with the upzone, what they would be gaining and the neighborhood losing with this application, how it met the criteria, future height

concessions and being a good neighbor, questioning if this was the right location for higher density, and adding a condition for the height and setback from the existing neighborhoods.

Commissioner Randall suggested adding a condition for a minimum setback of 15 feet along the abutting single family residences based on the human scale design in the Great Neighborhood Principles.

Commissioner Tucholsky was not in favor of approving the application, even with the condition. There were 14 properties adjacent to this property that would be negatively affected only to add 12 more units. He thought they should not change the zoning on a property that had no plan and was not ideal for the extra density. Changing the setback would not give the neighbors privacy that they had bought into as they had signed up for R-3.

Commissioner McClellan said the applicant wanted to set the property up for the best development opportunities, but she agreed that R-4 might not be the best option for the property. She did not know a criterion that could reasonably deny the request.

The Commission discussed the zone change criteria and what might be used for denial and if the condition proposed by Commissioner Randall followed the code.

No criteria could be found to deny the application.

Community Development Director Richards said the applicant was limited in the number of units based on the footprint of the site itself. They could have a tall, narrow building, but it had not been determined how the site would be designed. She cautioned the Commission not to get caught up in the 120 units that the Traffic Impact Analysis stated was the maximum number of units for the site. She did not know how feasible that would be. One of the complications of R-3 was they had to parcelize the site to create parcels for the housing products. Parcelizing with the drainage ditch was problematic because of the street access to get to the parcels. That was one reason the applicant wanted to change it to R-4 to provide more flexibility. Once they went over three stories, they would be in a different code in terms of structural development, and it would be more expensive. They did not see that in McMinnville.

Commissioner Randall MOVED to RECOMMEND City Council APPROVAL of Zone Change ZC 3-24 with a condition for a minimum setback of 15 feet to the foundation along the north and west property lines. SECONDED by Commissioner McClellan. The motion PASSED 6-2 with Commissioner Mudrak and Tucholsky opposed.

C. **Legislative Hearing: Proposed Amendments To The Comprehensive Plan To Support The Parks, Recreation And Open Space Plan (Docket G 5-24).**

Request: A proposal to adopt the June 2024 Parks Recreation and Open Space Plan as a supplemental document to the McMinnville Comprehensive Plan, and to amend Volume I, Background Information, Volume II, Goals and Policies and Volume III, McMinnville Growth Management and Urbanization Plan's Framework Plan, to support the Parks, Recreation, and Open Space (PROS) Plan.

Applicant: City of McMinnville

Chair Winfield opened the public hearing and read the hearing statement. She asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. She asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none.

Staff Report: Community Development Director Richards presented the staff report. This was a request to approve the Comprehensive Plan amendment to adopt the Parks, Recreation, and Open Space Plan as part of the Comprehensive Plan. She explained the reasons for including it in the land use program, purpose of the Parks Plan, table of contents for the Parks Plan, proposed changes to Comprehensive Plan Volume I, background information, Volume II, goals and policies, Volume III, implementing ordinances, and appendices, and amendments to the Framework Plan. She then reviewed the public testimony and addressed the issues raised regarding the number of acres in the Framework Plan, buildable acres vs. unbuildable acres, policies about locations, and Comprehensive Plan Policy #170.18.

Proponents: Mark Davis, McMinnville resident, was in support of the Parks Plan. He requested changes to the document, clarifying Exhibit 3 related to the recently approved Housing Needs Analysis and clarifying parks would be built on unbuildable land.

Opponents: Paula Lang, McMinnville resident, was not opposed to the Parks Plan as a whole. However, the information meeting for the Quarry Park project left people with more questions than answers. There was a perception that the affluent residents in the area would like to keep the park for themselves. She would like open access to the park. The walking paths were relegated to the outside border of the park and the interior would be dedicated to BMX biking. This site flooded every year, and she was concerned about the flora and fauna of the area. The neighbors needed more information.

Susan Muir, Parks and Recreation Director, said Quarry Park was in the five year action plan, not as a BMX, but as a bike park. That was the first outreach to the neighborhood and there would be more community engagement.

Chair Winfield closed the public hearing.

There was discussion regarding the implications to the Fox Ridge Area Plan and the community park in that plan if these amendments were approved. Community Development Director Richards said the community park was not in the Parks Plan, but the Parks Plan did include a minimum 5 acre neighborhood park and greenway acreage in this area.

Bill Kabeiseman, City Attorney, said it was not inconsistent and plans did change over time.

The Commission had worked hard on the Fox Ridge Area Plan and wanted to ensure that it did not need to be amended due to the PROS Plan and associated Framework Plan amendments. They wanted to continue the hearing to have staff bring back a recommendation to address the issue.

Commissioner McClellan MOVED to CLOSE the hearing and CONTINUE deliberations for the proposed amendments to the Comprehensive Plan to support the Parks, Recreation and Open Space Plan (Docket G 5-24) to December 5, 2024. SECONDED by Commissioner Tucholsky. The motion PASSED 8-0.

D. Legislative Hearing: Proposed Amendments To Chapters 17.57 Landscaping and 17.58 Trees Regarding Landscape Plans, Landscape Standards, and Street Tree Plans (Docket G 2-24).

Request: This is a proposed legislative amendment to the Zoning Ordinance initiated by the City of McMinnville. The proposal would amend various provisions of Chapter 17.57 Landscaping and Chapter 17.58 Trees regarding landscape plans, landscape standards, and street tree plans. The proposal would amend Chapter 17.57 to expand the purpose and intent, clarify when landscaping is required, allow for review by staff when a plan complies with standards, update information required on plans, address landscape requirements for additions or expansions to building or parking lots, create clear and objective landscaping standards, and provide minor text amendments for ease of reading. Chapter 17.58 Trees would be amended to allow for review by staff when a street tree plan complies with standards.

Applicant: City of McMinnville

Chair Winfield opened the public hearing and read the hearing statement. She asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. She asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none.

Staff Report: Senior Planner Graybehl presented the staff report. This was a request to amend the zoning ordinance for landscape and street tree plans. He gave a background on the amendments, changes that were proposed, and street tree plan standards. Staff recommended approval.

There was no public testimony.

Chair Winfield closed the public hearing.

Commissioner McClellan MOVED to RECOMMEND City Council APPROVAL of the proposed amendments to Chapters 17.57 Landscaping and 17.58 Trees Regarding Landscape Plans, Landscape Standards, and Street Tree Plans (Docket G 2-24). SECONDED by Commissioner Jones. The motion PASSED 8-0.

4. Commissioner Comments

None

5. Staff Comments

Community Development Director Richards discussed the open Planning Manager position and thanked those who attended the Planning Conference.

6. Adjournment

Chair Winfield adjourned the meeting at 11:42 p.m.