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

City Council Meeting Agenda
Tuesday, July 28, 2026
7:00 p.m. – City Council Regular Meeting
EXECUTIVE SESSION – to immediately follow the Regular Meeting (CLOSED TO THE PUBLIC)
REVISED 07/27/2026

Welcome! This meeting will be a hybrid (in-person & Zoom) Meeting. 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 five ways:
*• **Pre-register** using the online form here:*
*https://www.mcminnvilleoregon.gov/citycouncil/webform/public-comment-card (Registration **OPENS** at **5:00 p.m. on the day the agenda is posted, one week before the meeting** and **CLOSES** at **12:00 p.m. the day BEFORE** the meeting // (Any form submitted outside this window will not be addressed);*
*• **Written comments** may be submitted to the City Recorder Team any time up to **12:00 p.m. the day BEFORE** the meeting and mailed to (McMinnville City Hall, c/o City Recorder Team, 230 NE Second Street, McMinnville, OR, 97128);*
*• **Digital comments (email)** may be submitted to the City Recorder Team any time up to **12:00 p.m. the day BEFORE** the meeting to CityRecorderTeam@mcminnvilleoregon.gov;*
*• Fill out a **physical public comment card** found at McMinnville City Hall; any time up to **12:00 p.m. the day BEFORE** the meeting, but **not before 5:00 p.m.** on the day the agenda is posted for the following week;*
*• Attend **in person** and fill out 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/82979647456?pwd=7DsmeqidvpywqQLViMbUOu5Oz3JQOD.1
Or you can call in and listen via Zoom: 1-253- 215- 8782
Webinar ID: 829 7964 7456

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. PRESENTATIONS
   a. Police Presentation
   b. Ballard King & Associates Presentation

5. CONSENT AGENDA
   a. Consider the draft minutes of the April 22, 2026 Joint City Council & Planning Commission Work Session Meeting.
   b. Consider the draft minutes of the April 28, 2026 Special Called City Council Meeting & City Council Regular Meeting.
   c. Consider the draft minutes of the May 12, 2026 City Council Regular Meeting.
   d. Consider the draft minutes of the May 26, 2026 City Council Work Session & Work Session Meeting.
   e. Consider **Resolution No. 2026-44:** A Resolution Authorizing the City Manager to Execute the Traffic Signal Maintenance Agreement (ODOT Agreement No. 73000-00043711) for City-Owned Traffic Signals.
   f. Consider the request from El Rancho Market LLC for Limited On-Premises Sales, OLCC Liquor License located at 1621 NE Baker Street. **(Added on 07.27.2026)**

6. ADVICE/ INFORMATION ITEMS
   a. Reports from Councilors on Committee & Board Assignments
   b. Department Head Reports
   c. May 2026 Cash and Investment Report (in packet)

7. ADJOURNMENT OF REGULAR MEETING

CITY COUNCIL EXECUTIVE SESSION – IMMEDIATELY FOLLOWING THE CITY COUNCIL REGULAR MEETING (NOT OPEN TO THE PUBLIC) (Added on 07.27.2026)

1. CALL TO ORDER

2. **EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(p):** To consider matters relating to cyber security infrastructure and responses to cyber security threats.

3. ADJOURNMENT OF EXECUTIVE SESSION

ENTERED INTO THE RECORD
DATE RECEIVED: 07.19.2026
SUBMITTED BY: Christy Ford
SUBJECT: Public Comment

From:	Christy Ford
To:	Mayor Kim Morris; Geoffrey Hunsaker; Jeff Gooden; Claudia Cisneros
Subject:	Senior Citizen / Disabled Citizen Pedestrian Concern
Date:	Sunday, July 19, 2026 9:36:05 AM

This message originated outside of the City of McMinnville.

To the McMinnville Mayor, City Council, and Public Works Department,

I am writing to ask you to consider an important pedestrian safety concern on NE 27th Street near Life Care Center of McMinnville.

Over the years, I have spent a great deal of time visiting loved ones in skilled nursing and rehabilitation facilities. One thing that has become increasingly concerning to me is the lack of a continuous sidewalk along this section of the road. Residents, family members, caregivers, healthcare staff, and visitors regularly travel this area, yet for a portion of the route there is no sidewalk, leaving pedestrians to walk alongside—or sometimes in—the roadway.

While there is a sidewalk on the opposite side of the street, there is no safe or direct way to reach it from the Life Care Center side without first walking in or along the roadway for a distance. For someone who is young and fully mobile, this may simply be inconvenient. For an older adult using a walker, a wheelchair, or recovering from surgery, it creates an unnecessary and potentially dangerous situation.

Many of the people who call Life Care Center home are recovering from illness or injury or are living with physical limitations. Some use wheelchairs, walkers, or canes. Others simply walk more slowly or have difficulty reacting quickly to traffic. They deserve the same opportunity as anyone else to safely enjoy fresh air, take a walk, or travel to and from the facility without being forced into the roadway.

As I have watched people navigate this stretch of road, I couldn't help but think that it only takes one distracted driver or one unexpected step into traffic for a preventable tragedy to occur. A missing sidewalk may seem like a small gap in infrastructure, but for someone with limited mobility, it can mean the difference between feeling independent and feeling isolated. No family member should have to worry that a simple walk outside could put their loved one at risk.

I recognize that our city has many important needs and that infrastructure projects require careful planning and funding. My hope is simply that this location can be evaluated with pedestrian safety in mind and considered for future sidewalk improvements or other safety enhancements. Given that this stretch of road serves a skilled nursing and rehabilitation facility, I believe it presents a unique opportunity to improve safety for some of our community's most vulnerable residents while also benefiting the many employees, visitors, and neighbors who use this area every day.

Thank you for your service to our community and for considering this request. I would greatly appreciate the opportunity for this section of NE 27th Street to be evaluated and included in future pedestrian safety planning. I truly believe that completing this sidewalk would make a meaningful difference for the people who depend on it most.

Sincerely,

Christy Ford

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

Wednesday, April 22, 2026 at 6:00 p.m.

Presiding: Sal Peralta, Council President

Recording Secretary: Claudia Cisneros

	Present	Absent
Councilors:	Zack Geary	Kim Morris, Mayor
	Scott Cunningham	Chris Chenoweth
	Dan Tucholsky	
	Carson Benner	

	Present	Absent
Planning Commissioners:	Sidonie Winfield, Chair	Meg Murray
	Elena Mudrak, Vice Chair	
	Brian Randall	
	Sylla McClellan	
	Rachel Flores	
	Abigail Neilan	
	Brian Everest	
	Matthew Jones (via Zoom)	

Also present were City Manager Adam Garvin (*via Zoom @ 6:22 p.m.*), City Recorder Claudia Cisneros, City Attorney David Ligtenberg, Community Development Director Heather Richards, Chief of Police Cord Wood, Public Works Director Geoff Hunsaker, Senior Planner Tom Schauer, Human Resources Director Vicki Hedges (*via Zoom*), and Acting Planning Manager/Housing Planner Evan Hietpas (*via Zoom*) *members of the News Media – Phil Guzzo McMinnville Community Media*

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

2. JOINT CITY COUNCIL/PLANNING COMMISSION WORK SESSION - SOUTHWEST AREA PLAN

Tom Schauer, Senior Planner, presented an update on the Southwest Area Plan, a long-range planning effort covering approximately 650 acres in the southwest urban growth boundary. Introducing consultants Thuy Cao, AICP from Harper Houf Peterson Righellis Inc. (HHPR); Ken Pirie (*via Zoom*) from Walker Macy.

Also noting the plan is being developed by a consultant team led by HHPR (Land Use Planning and Project Management), with Walker Macy (Urban

Design), Leland Consulting Group (Economic Analysis), DKS Associates (Traffic Analysis), and JLA Public Involvement (Public Involvement). The work session focused on a refined draft preferred concept, developed from three earlier alternatives evaluated through extensive public engagement, including a January community open house with nearly 200 attendees, an online survey, written comments, and a Spanish-speaking focus group held in March.

The draft preferred concept organizes the new neighborhood around a primary loop street extending west from the Hill Road and Southwest Fellows intersection and connecting south to Old Sheridan Road. Two neighborhood activity centers (NACs), each containing small-scale neighborhood-serving commercial uses, mixed-use development, and a small plaza, are located along Hill Road to ensure visibility and viability. High-density residential is concentrated around each NAC to support commercial uses and reduce vehicle trips, while medium-density residential transitions outward along primary streets and greenways, with lower-density residential comprising the majority of the plan area. A future school site is located adjacent to the community park, and both the community park and neighborhood park are integrated with a greenway network anchored by Cozine Creek and associated riparian corridors. The plan also identifies trail connections linking the study area to the Bonneville Power Administration (BPA) Westside Path, West McMinnville Linear Park, and the Fox Ridge Road area plan.

Key refinements made since the prior work session included adding medium-density residential as a transition buffer in the southern activity center area, adjusting the medium-density designation from Hill Road to the internal loop, clarifying the greenway connection from the creek corridor to the community park and school site, accurately overlaying the focus area designation on the mixed-use commercial, and more precisely depicting the riparian corridor and drainage greenways.

Discussion centered on several topics. Members expressed general support for the overall organization of the plan but raised questions about the concentration of high-density R5 zoning around the NACs, noting that this approach differs from McMinnville's historically distributed density pattern. Staff clarified that the R5 designation was established to ensure multi-family housing needs are actually met rather than absorbed by single-family development, and noted that approximately 15 acres of R5 zoning surrounds each NAC. The possibility of achieving the same housing need through a more distributed or varied approach was acknowledged as a potential area for further dialogue.

Considerable discussion addressed the southern sub-area located between Old Sheridan Road and Highway 18, commonly referred to as "the thumb." Two options were presented, differing in the distribution of medium- and low-density residential relative to the existing electrical substation and highway frontage. Members were divided on the preferred option, with some favoring Option 1 for its pedestrian connectivity and buffering of lower-density homes from the highway, others preferring Option 2 for placing higher-density uses closer to existing commercial areas, and some suggesting the area may ultimately be better suited for commercial or light industrial use. Staff noted that access to Highway 18, ODOT coordination, and further traffic analysis remain unresolved, and indicated that the adopted area plan may ultimately retain multiple options for this sub-area given the level of uncertainty.

Other points of discussion included the importance of ensuring the riparian greenway corridor is continuous across Hill Road and not depicted as abruptly ending; the need for multimodal infrastructure, particularly protected multi-use paths separated from travel lanes along arterials, to extend beyond the UGB boundary in coordination with Yamhill County; the feasibility and desirability of pedestrian connections through the floodplain between the northern and southern portions of the plan area; the relationship between the future school site and commercial walkability; the cultural and geological significance of a hillock feature within the study area, including a possible glacial erratic rock, with staff noting no designated cultural resource exists in the state database but encouraging further research; the protection of the hydrology supporting the Peavey Reservoir and surrounding wetland area; and the potential for a natural land trust in coordination with the Yamhill Soil and Water Conservation District to expand natural resource protection beyond what public park funding can provide.

Staff confirmed that the next steps include incorporating feedback from this work session into a further refined concept, returning to the Project Advisory Committee for additional input, and ultimately preparing a draft Southwest Area Plan with supporting policies and implementation strategies. An additional joint work session will be scheduled prior to the formal adoption process.

3. ADJOURNMENT: Council President Peralta adjourned the meeting at 7:25 p.m.

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Claudia Cisneros, City Recorder

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

Tuesday, April 28, 2026 at 5:30 p.m.

Presiding: Kim Morris, Mayor

Recording Secretary: Claudia Cisneros

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

Also present were City Manager Adam Garvin, City Recorder Claudia Cisneros, City Attorney David Ligtenberg, Community Development Director Heather Richards, Finance Director Katie Henry, Associate Planner Matthew Deppe, Housing Planner/Interim Planning Manager Evan Hietpas, Chief of Police Cord Wood, Human Resources Director Vicki Hedges, and *members of the News Media – Phil Guzzo McMinnville Community Media.*

1. CALL TO ORDER: Mayor Morris called the special called meeting to order at 5:30 p.m. and welcomed all in attendance.

2. PUBLIC HEARING

2.a. Public Hearing to consider Ordinance No. 5175: An Ordinance memorializing the City Council's decision for the EMPWR appeal of the Planning Commission's denial of SE 1-25.

Mayor Morris outlined the procedural order for the quasi-judicial public hearing concerning Ordinance No. 5175.

Mayor Morris opened the public hearing at 5:34 p.m. She asked if any Councilor objected to the jurisdiction of the City Council to hear this matter. There was none.

Mayor Morris asked if any Councilor needed to declare a potential conflict of interest or recuse themselves from the hearing.

Councilor Tucholsky disclosed that he had visited the EMPWR facility both during the day and at night, stating it would not affect his decision. Mayor Morris disclosed that she had visited EMPWR, had spoken with Sheyla Wulf-Howell approximately one year prior, and had been made aware of a social media post from a Planning Commission member, none of which would affect her decision.

At the request of land use attorney Missy Ryan, Mayor Morris asked whether anyone wished to rebut or respond to the ex parte disclosures, including the social media post and site visits. Sidney Winfield, identified as a Planning Commission member, came forward to clarify that the social media post in question was made in her personal capacity as a private citizen and was not affiliated with the Planning Commission.

Community Development Director Heather Richards noted for the record that four items of public testimony received within the prior 24 hours had been forwarded to the City Council but were not included in the staff report: letters from the McMinnville Area Chamber of Commerce, the McMinnville Economic Development Partnership (MEDP), Sidney Winfield, and David Bates.

Director Richards and Planner Matthew Deppe presented the staff report. Director Richards explained that EMPWR was appealing the Planning Commission's unanimous denial, issued February 5, 2026, of an application for a sign exception to allow a standalone 300-square-foot (30' x 10') electronic changeable copy (ECC) sign on the south-facing wall of their building at 750 SW Booth Bend Road, facing Highway 18. She provided background on McMinnville's sign code, adopted by Ordinance 4900 in November 2009 following a multi-year community process in response to public concern over large billboards. The code established size standards, prohibited certain sign types including video signs, and required nonconforming signs to be brought into compliance by December 31, 2016. Of approximately 200 noncompliant signs at that time, roughly 75% have since been brought into conformance.

The staff report outlined two key findings of the Planning Commission, which denied the application unanimously on February 5, 2026 following an initial hearing on January 15, 2026:

- The proposed sign is a video sign and therefore prohibited. The sign has the capacity to display information in both horizontal and vertical formats and to create continuously changing sign copy in a wide spectrum of colors and light intensities—meeting the Municipal Code definition of a video sign. The Planning Commission interpreted "capacity" according to its plain and ordinary meaning, regardless of the applicant's stated intent to limit the sign's functions. As a prohibited sign, the applicable exception standard (§17.62.120(c)) requires proof of loss of all economically viable use of the property, or that the prohibition substantially interferes with the owner's use and enjoyment of the property. The Planning Commission found EMPWR did not meet this high threshold.
- Even if not a video sign, the proposed sign is a prohibited standalone ECC sign. The Municipal Code permits ECC signs only as a component of another sign (freestanding or wall-mounted), not as a standalone installation. Under the applicable exception standard (§17.62.120(b)) for

> allowed signs, the Planning Commission found that Empower did not demonstrate an unnecessary hardship, that granting the exception would not cause material damage or prejudice to other properties, nor that it would be consistent with community standards—all three of which are required findings. Specifically, the Commission noted that wall-mounted signs carry no size limitation, that other industrial properties along the same corridor have not sought similar exceptions, and that the community's lengthy sign code development process reflected a deliberate decision to restrict large and video-style signs.

Staff noted that the Council's options were to affirm the Planning Commission decision, amend the findings while still denying the application, or approve the appeal with findings supporting approval. Staff cautioned that any findings made tonight could set a precedent for future applications.

Councilor Chenoweth noted for the record that he had participated in the citizen committee that developed the sign ordinance and expressed a differing recollection of its origins, suggesting the ordinance was primarily directed at specific signs that remain standing today and that the code may warrant re-examination given advances in sign technology.

Sheyla Wulf-Howell, PMO Director of EMPWR Nutrition Group; Matthew Juhren, legal counsel from Lake Oswego; and Laura LaRoque, Land Use Consultant from Pathfinder, presented on behalf of the applicant. Ms. Wulf-Howell described EMPWR's growth from 85 to over 550 full-time employees since 2022, representing approximately $150 million in local investment and $40 million annually in regional wages. She stated the sign's primary purpose is workforce communication, alerting local residents and commuters on Highway 18 to job opportunities, and that EMPWR is not seeking to use the sign for video or advertising in the traditional sense. She emphasized EMPWR's willingness to accept binding conditions, including static images only, minimum display intervals of 8–10 seconds, automatic brightness controls, directional calibration, and framing the sign within a wall sign structure.

Ms. LaRoque presented visual materials demonstrating how the proposed sign could be encapsulated within a border to qualify as part of a wall sign, addressing one of the Planning Commission's concerns. She also presented elevation drawings showing that a 24 square foot sign would not be legible from Highway 18 at the building's setback distance, while the proposed 300 square foot sign would be proportionate to the building and readable from the roadway. Ms. LaRoque showed examples of existing permitted ECC signs in McMinnville that display multicolor, scrolling, and changing content, arguing that the city has in practice approved signs with characteristics similar to or exceeding those of the proposed sign. She noted the Linfield College athletic scoreboard as one example, and argued that industrial site design requirements—fire access circulation, truck maneuvering lanes, and landscaping—constrain where buildings can be placed, making the setback less of a voluntary choice than staff characterized it.

Counsel Juhren argued that the Planning Commission's interpretation of "capacity" in the video sign definition was legally flawed. He contended that applying a theoretical hardware-capability standard to define a video sign would effectively nullify the entire permitted ECC sign category, since all modern LED ECC signs share the same underlying hardware. He argued that "capacity to create continuously changing sign copy" must be read as an operational function, not a latent hardware capability, and that a sign manufactured and programmed to display only static images does not meet the video sign definition. He further argued that the code's exception framework exists precisely to address site-specific hardships, and that EMPWR's combination of large building footprint, significant setback, highway speeds, and on/off-ramp distance creates a genuine and unique hardship not shared by typical properties. He asked the Council to approve the appeal or, at minimum, to amend and condition approval rather than simply affirm the denial.

Public Testimony in **Support**

John Olson, President and CEO of the McMinnville Area Chamber of Commerce, McMinnville Community Member, testified in support. He cited recent economic losses in the community, including workforce reductions at Oregon Mutual Insurance, the departure of Lippert, and The Springs Living's planned relocation of 100 jobs to Beaverton, and contrasted these with EMPWR's continued local investment and hiring. He argued that a 24 square foot sign is functionally inadequate for a large facility set back 160 feet from a 55 MPH highway and urged the Council to find a path forward, stating that the business community is watching whether McMinnville will adapt when situations do not fit a one-size-fits-all standard.

Public Testimony in **Opposition**

Sidonie Winfield, McMinnville Community Member (speaking as a private citizen), testified in opposition. She acknowledged the sign ordinance's lengthy development process and confirmed that restrictions on video-style signs were intentional, motivated in part by concerns about driver distraction. She argued that the applicant's commitments regarding sign use cannot be reliably enforced, that programming can be changed after installation, and that placing the burden of monitoring sign content, timing, and brightness on city staff would be untenable given resource constraints.

Mark Davis, McMinnville Community Member, testified in opposition. He clarified that his earlier written testimony, referenced by the applicant, was not intended to support the hardship argument, but rather to illustrate driver distraction concerns. He argued that signs designed to attract the attention of motorists traveling at highway speeds present a public safety risk, and that the community standards embedded in the sign code were specifically intended to address this concern.

EMPWR rebutted, reiterating its commitment to self-regulation and its willingness to execute a recorded use agreement enforceable under the city's existing code enforcement authority, including daily fines up to $2,000.

During Council questions, Director Richards clarified that wall-mounted signs in the industrial zone have no size limitation, and that the fire access circulation argument raised by the applicant, suggesting the building's setback was not a voluntary choice, was not fully supported, as fire code requires vehicle access within 150 feet rather than full circumnavigation of a building. She also confirmed that the Linfield College scoreboard is exempt from the sign code as it is oriented toward spectators within a sports facility, and that other ECC signs cited by the applicant as comparable could not be verified in the city's permit records.

Legal counsel Missy Ryan confirmed that a decision to approve the appeal, depending on how findings are written, could set interpretive precedent applicable to future sign exception requests, though fact-specific findings tied to unique site conditions would be less broadly precedential than code-wide interpretive rulings. Director Richards expressed a preference for a clear decision over a conditional approval requiring ongoing property-specific enforcement management

Mayor Morris closed the public hearing at 7:38 p.m., noting that deliberation and the vote on Ordinance No. 5175 would occur during agenda item 7a of the regular City Council meeting.

Mayor Morris announced a brief recess before the commencement of the regular City Council meeting.

3. ADJOURNMENT: Mayor Morris adjourned the special called meeting at 7:38 p.m.

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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, April 28, 2026, at 7:00 p.m.

Presiding: Kim Morris, Mayor

Recording Secretary: Claudia Cisneros

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

Also present were City Manager Adam Garvin, City Recorder Claudia Cisneros, City Attorney David Ligtenberg, Community Development Director Heather Richards, Finance Director Katie Henry, Chief of Police Cord Wood, Human Resources Director Vicki Hedges, and *members of the News Media – Phil Guzzo 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: Mayor Morris led the Pledge of Allegiance.

3. NEW SERGEANT INTRODUCTIONS.

Mayor Morris announced this item was removed from the agenda.

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

Prior to public comment beginning, a point of protocol was raised regarding whether comments pertaining to a potential future land use decision, specifically related to the annexation agreement on the agenda, could be heard. Outside Legal Counsel Melissa (Missy) Ryan clarified that because no land use application had yet been filed for the project, ex parte rules were not triggered, and public comment on the matter would be permissible, with a note placed in the file for future reference.

Patrick Evans, McMinnville Community Member, spoke in opposition to Resolution 2026-19, regarding an amendment to the annexation agreement for property adjacent to the Chegwyn and Grandhaven neighborhoods. He expressed concern that the City was considering modifications to system development charge (SDC) provisions before the project had received planning approvals and argued that the amendment would reduce potential City revenue. He also stated that neighborhood residents were not adequately notified of the hearing despite prior requests for updates on the project. He submitted a petition signed by more than 100 residents opposing the project in its current form, citing concerns about its scale, density, and compatibility with the surrounding neighborhood while noting that residents were not opposed to development generally.

Ron Larson, McMinnville Community Member, spoke in opposition to the proposed SDC amendment. He provided background on the City's parks SDC process, noting that fee increases had been under consideration since March 2024 and arguing that developers should have been aware of the changes. He expressed concern that reducing the fees for the project would shift costs to taxpayers and could create future funding shortfalls for park improvements. He also stated that the project would benefit from its proximity to an existing public park and argued that the development could increase demand on park facilities while reducing available funding to address those impacts.

Doug Rux, Sherwood Community Member, with the Rux Group LLC., representing MAC Multi, LLC, spoke in support of Resolution 2026-19. He stated that the project team had based its financial planning on the SDC rates published by the City and did not become aware of the proposed parks SDC increases until after a February 2026 work session. He expressed concern that the increased fees could affect the project's financial feasibility and noted that the changes were not discussed during the pre-application process. Mr. Rux also highlighted infrastructure improvements and dedications the project would provide under the annexation agreement, including street improvements, right-of-way dedications, a pathway easement, and fencing. He urged the Council to adopt the resolution so the project could move forward with its land use applications.

Ames Bierly, McMinnville Community Member, addressed the council on matters of LGBTQ+ rights and gun safety, referencing a shooting that occurred earlier that day near a local school. He urged the council to publicly advocate for policies at all levels of government that would make the city and its children safer.

Jordan Christie, McMinnville Community Member, spoke in opposition to the proposed apartment development near the Chegwyn neighborhood. He expressed concerns about the proximity and scale of the proposed building relative to nearby homes, as well as potential traffic impacts, fire access considerations, and compatibility with the surrounding neighborhood. He submitted a petition containing more than 150 signatures opposing the project and encouraged the Council to consider alternative uses for the property, including school parking or park expansion.

5. CONSENT AGENDA

a. Consider the request from Fresh Pint LLC. for Full On-Premises, Commercial, OLCC Liquor License located at 540 NE Hwy 99W.
b. Consider the request from Moonlite Candles & Gifts LLC, dba NW Food & Gifts / NW CRU for Full On-Premises, Commercial, OLCC Liquor License located at 445 NE 3rd Street and 325 NE Evans Street.
c. Consider the Draft Minutes of the November 11, 2025 Special Called City Council Work Session & Special Called City Council Meeting.
d. Consider the Draft Minutes of the November 19, 2025 City Council Work Session Meeting.
e. Consider the Draft Minutes of the December 09, 2025 City Council Work Session & Regular Meeting.

Councilor Tucholsky requested that item 5b be removed from the consent agenda for separate consideration, so item a was also removed from the consent agenda.

Councilor Cunningham MOVED to adopt the consent agenda with item 5.b. removed; SECONDED by Councilor Geary.

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

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

5. ITEMS REMOVED FROM THE CONSENT AGENDA

5.b. Consider the request from Moonlite Candles & Gifts LLC, dba NW Food & Gifts / NW CRU for Full On-Premises, Commercial, OLCC Liquor License located at 445 NE 3rd Street and 325 NE Evans Street.

Councilor Tucholsky requested this item be removed from the consent agenda and announced an abstention without elaboration.

Council President Peralta MOVED to approve the request from Moonlite Candles & Gifts LLC, dba NW Food & Gifts / NW CRU for Full On-Premises, Commercial, OLCC Liquor License located at 445 NE 3rd Street and 325 NE Evans Street; SECONDED by Councilor Geary.

AYE: Councilors Chenoweth, Benner, Geary, Cunningham, Peralta
NAY: NONE
ABSTAIN: Councilor Tucholsky

*Motion **PASSED** by a vote of **5-0** with Councilor Tucholsky abstaining.*

6. RESOLUTIONS

6.a. Consider **Resolution No.** **<u>2026-19</u>:** A Resolution authorizing the City Manager to sign Amendment #1 to the Annexation Agreement with Yamhill Soil and Water Conservation District (property owner) and MAC Multi LLC (buyer), for the future annexation of Tax Lot R4409CD00100 that was approved via Resolution No. 2025-51.

Community Development Director Heather Richards presented the resolution, she noted that this was not a land use decision but an amendment to a contractual annexation agreement and that the property at issue is currently a county island within the city limits, which city policy does not allow and for which annexation is a longstanding city goal.

Director Richards explained that the amendment before the council would lock in the existing parks SDC rate methodology, calculated on a per-dwelling-unit basis with an annual inflationary index, for all building permits submitted within five years of the original agreement's effective date. The rate lock would not apply to any new parks SDC methodology that the council might adopt in the future. She noted that the proposed 75-unit market-rate apartment project would see its parks SDC obligation increase from approximately $231,600 to $770,154 under a new methodology, a 232 percent increase, and that this cost would translate to a per-unit rent increase of between $43 and $62 per month. She acknowledged that McMinnville is already a severely rent-burdened community and that market-rate apartments have struggled to pencil out financially in the city. She also noted that a material change, the unanticipated SDC increase, had occurred after the annexation agreement was signed without prior disclosure to the applicant.

Council discussion reflected broad concern about acting prematurely. Several Councilors noted that the city had not yet decided whether to adopt new parks SDC rates, what methodology to use, or whether any phase-in period would apply. The mayor observed that it was difficult to agree to a five-year rate lock when the future SDC structure remained undetermined, and that the Council had historically provided a transition period when new fees were adopted. Councilors aligned with the view that any such accommodation should wait until the SDC framework was finalized, at which point the applicant could return if needed.

City Attorney David Ligtenberg confirmed that allowing the matter to simply not be acted upon that evening would leave it available to be brought back in the future without prejudice. No motion was made, and the resolution was not acted upon.

7. ORDINANCES

7.a. Consider the first reading with a possible second reading of **Ordinance No. <u>5175:</u>** An Ordinance memorializing the City Council’s decision for the EMPWR appeal of the Planning Commission’s denial of SE 1-25.

Mayor Morris asked if any Councilor needed to declare any actual or potential conflicts of interest or recuse themself regarding this ordinance.

Mayor Morris noted prior contact disclosures from earlier proceedings and confirmed no conflicts of interest existed.

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

City Attorney Ligtenberg read by title only Ordinance No. 5175.

Council deliberation centered on whether to uphold the Planning Commission's denial or reverse it. Several Councilors found the argument that electronic digital signs and painted building signs should be treated differently under the code to be technically unsound, given that modern digital displays are capable of functioning as fixed-image signs just as painted signs do. Concern was also raised about the inconsistency of permitting a large painted sign while prohibiting an equivalent digital display. However, a majority of Councilors concluded that even accepting the applicant's technical arguments, the sign as proposed did not meet applicable code criteria given its size and nature, and that any approval would set a problematic precedent along the Highway 18 corridor as that area continues to develop. Several Councilors acknowledged EMPWR's value as a community employer but noted that this was a quasi-judicial matter in which political support was not the relevant standard. It was also noted that EMPWR could achieve its communication goals through a conforming sign, such as a long, narrow ticker-style electronic sign within the permitted 24-square-foot allowance, and that the underlying sign code may warrant a broader review for large buildings and employers. The planning commission was recognized for its thorough and diligent work.

*Councilor Tucholsky MOVED to **pass** Ordinance No. 5175 to a second reading; SECONDED by Councilor Cunningham. Motion **PASSED** 5-1 by the following vote:*

AYE: Councilors Tucholsky, Benner, Geary, Cunningham, Peralta
NAY: Councilor Chenoweth

The ordinance would be brought back for second reading at the May 12, 2026, meeting.

7.b. Consider the first reading with a possible second reading of **Ordinance No. <u>5178:</u>** An Ordinance adopting the Natural Hazards program.

Mayor Morris asked if any Councilor needed to declare any conflict of interest or recuse themselves.

Councilors Chenoweth, Cunningham, Benner, and Mayor Morris each declared a potential conflict of interest arising from ownership of property within the proposed overlay zone, each noting it would not affect their decisions.

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

City Attorney David Ligtenberg read by title only Ordinance No. 5178.

Community Development Director Heather Richards presented the ordinance, which fulfills the city's obligation under Oregon Land Use Goal 7 to conduct natural hazards planning. The program addresses four hazard types relevant to McMinnville: floods, landslides, earthquakes, and wildfire. The trigger for this work was the release of updated state hazard data in 2019 and the city's 2020 Urban Growth Boundary amendment.

The ordinance amends all three volumes of the city's Comprehensive Plan, adds a new natural features chapter to the goals and policies volume, amends the zoning ordinance and zone map to add the new overlay, and adopts findings for docket G3-2022. A significant nomenclature change made by the Planning Commission replaced the term "natural hazard overlay zone" with "managed development overlay zone," with two subdistricts: the Managed Development Area, where development is permitted with additional study and mitigation requirements, and the Limited Development Area, where high cumulative hazard risk limits more intensive uses such as multifamily housing, schools, and large commercial development.

Director Richards highlighted that the Council's direction from the January work session led to a revised scoring methodology, resulting in approximately 400 properties shifting from the Limited Development Area to the Managed Development Area. Existing built structures are considered conforming, and additions of up to 50% of existing habitable floor area are permitted. An appeals process was added to allow property owners to challenge their designation based on updated data. A transfer of residential density rights program was created for the Limited Development Area to preserve property owners' development rights. The floodplain provisions were also updated to comply with a federal Endangered Species Act mandate requiring habitat assessments for development with a net effect in floodplain zones.

*Council President Peralta MOVED to **pass** Ordinance No. 5178 to a second reading; SECONDED by Councilor Geary. Motion **PASSED** 6-0 by the following vote:*

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

City Attorney David Ligtenberg read by title only for a second time Ordinance No. 5178.

*Council President Peralta MOVED to **adopt** Ordinance No. 5178, adopting the Natural Hazards program; SECONDED by Councilor Cunningham. Motion **PASSED** 6-0 by the following vote:*

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

8. ADVISE/INFORMATION ITEMS

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

Finance Director Katie Henry reported that the proposed budget documents would be available to Council members by Friday, with a possible early release on Thursday, and that specific pickup instructions would be provided by email. The digital version would also be made available online.

Police Chief Cord Wood reported the hiring of a new police officer who will attend the police academy beginning May 25. Recruitment activity remains active, with one lateral officer in field training, two candidates in background checks, and seven to eight individuals scheduled for an assessment center on May 9. He also reported attending a YCOM executive board meeting focused on updating a membership agreement, with further meetings planned for early May.

Human Resources Director Vicki Hedges reported ongoing midterm bargaining with the McMinnville Police Association regarding a schedule change. She provided an update on the Parks and Recreation Director recruitment, noting 86 applications were received, virtual interviews were offered to 14 candidates with 12 scheduled, and the first half of those interviews were conducted that day. She also reported that citywide training completion stands at 56%, with 18% in progress and 26% not yet started, ahead of the June 30 deadline.

Engineering Project Manager Matt Bernards reported on coordination with ODOT contractors conducting a curb ramp project through town, with staff ensuring alignment with upcoming summer events. He noted that wastewater SDC information would come to the Council at a June work session, and that the annual wastewater rate adjustment, increasing due to higher operational, materials, and equipment costs, would be presented in May. He also noted that the city engineer recruitment is underway with first-round interviews being scheduled.

City Recorder Claudia Cisneros had nothing to report.

Councilor Cunningham noted Historic Landmarks Committee had been another quasi-judicial proceeding and was unable to attend. The Affordable Housing Committee meets tomorrow.

Council President Peralta reported follow-up conversations with property owners interested in donating land for park or natural use following the Southwest Area Plan discussion, and an upcoming meeting with the Soil and Water Conservation District board chair to discuss the Anthem Conservation

Land Trust program, with a public open house scheduled for May 6 in McMinnville.

Mayor Morris attended the community wellness fair, the first Water and Light Commission meeting in the new space on Third Street, and the League of Oregon Cities conference in Pendleton, where she attended sessions on mayor's leadership, city charter review, AI, and social media, and toured Hermiston's Enterprise Zone. She also noted presenting the "If I Were Mayor" contest winner at Patton Middle School, and meeting with organizers of an Art Festival planned for July 18–19 during Mac Fresco.

Councilor Geary reported on behalf of MURAC, noting a facade improvement grant was awarded to Filbert's Scoop Shop for exterior painting, and that long-time member Dave Rucklos had departed. He provided a detailed update from Visit McMinnville, including March lodging statistics showing a 3.8% increase in room night demand year-over-year, with occupancy at 59.8% though average daily rates declined 9.1%. He noted weakness in Canadian visitor travel to the United States and previewed upcoming journalist visits for the AAPI McMinnville event and the Indy Wine Mixer. He also highlighted that the 26th Annual UFO Festival is scheduled for May 14–16.

Commissioner Tucholsky reported that the Airport Commission had not yet met and is scheduled to convene on May 19.

Councilor Benner, still in the onboarding phase, reported attending a McMinnville School District long-range facility task force meeting as a citizen observer, noting potential synergies with the city's own planning work given the district's anticipated bond effort.

Councilor Chenoweth reported on a meeting with the school superintendent covering enrollment numbers and birth rate projections, and noted a second productive meeting with Ximena, with a third meeting anticipated in the coming weeks.

City Manager Adam Garvin provided updates on planning for McMinnville's 150th anniversary celebration, with a finalized logo to be distributed and a community parade and birthday celebration in Upper City Park planned for October 17. He thanked the finance team for their work in completing the budget on schedule despite ongoing challenges with the new budget software. He noted speaking engagements at local service clubs and attendance at the McMinnville School District long-range planning committee, the League of Oregon Cities conference, the Oregon City Manager Association workshop, and the Hermiston Enterprise Zone Tour.

City Attorney David Ligtenberg had nothing to report.

Community Development Director Heather Richards noted a vacancy on MURAC following Dave Rucklos' departure, with the position to be advertised for a resident with a term expiring December 31, 2027. She also reported that the planning team had completed updated printed materials for the downtown stroll walking tour, the uncovered McMinnville walking tour of the northern residential neighborhood, and a guide to accessing resources for historic properties, all to be launched in mid-May and featuring the new city logo.

8.c. Community Center Appraisal & Pool Renovations

City Manager Garvin presented information on two parallel workstreams undertaken since the January work session on the Community and Parks Recreation (CPR) bond.

First, he presented a pool renovation analysis conducted with Pence Construction and Architecture, estimating a renovation of the existing pool facility to modern standards at approximately $43 million including 32% soft costs and a 25% contingency, the latter elevated due to the unknowns inherent in working within a structure with 1950s-era infrastructure. He noted the renovation would preserve the natatorium and spectator seating, add new locker rooms, universal changing rooms, a controlled access point, and an elevator for ADA compliance, and fully replace the mechanical systems. However, the renovation would not provide a zero-depth entry recreational pool, meaningful dry-side amenities, childcare space, party rooms with pool views, gymnasium or gymnastics space, or adequate parking, the site currently has only 17 stalls and a surface lot serving 100 cars would consume substantial Upper City Park green space.

Second, City Manager Garvin presented a high-level concept site plan for a new facility at the Miller Street property, showing 200 parking stalls with overflow capacity, future programming space, and a new recreation facility in the northwest corner of the site. He indicated that a more detailed presentation would be provided at a June 23 work session.

Regarding the Community Center, an appraisal was commissioned and returned a value of $5.7 million for highest and best use, identified as medium-density mixed-use commercial development, or continued institutional/community occupancy, or conversion to church or school use. He explained that he had not commissioned a community center retrofit study because the pool discussion had dominated the January session, and he did not want to expend taxpayer funds on both facilities simultaneously if the Council was leaning toward a new facility. He invited Council direction on whether to continue pursuing pool renovation information or focus efforts on the new Miller Street site.

Council discussion reflected a clear and unanimous preference for pursuing the new facility at the Miller Street site rather than renovating the existing pool. Members cited the high renovation cost, the loss of park space, insufficient dry-side programming, the inadequate pool size and structure, and the high contingency risk as reasons to set aside the renovation option. City Manager Garvin noted that the future of the existing pool site would require further discussion, with ideas involving potential community partnerships rather than demolition. No formal action was taken; the item served as a direction-setting discussion in advance of the June 23 work session.

9. ADJOURNMENT OF REGULAR MEETING: Mayor Morris adjourned the meeting at 9:51 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, May 12, 2026 at 7:00 p.m.

Presiding: Kim Morris, Mayor

Recording Secretary: Claudia Cisneros

Councilors:

Present	Absent
Sal Peralta, Council President	
Zack Geary	
Chris Chenoweth	
Scott Cunningham	
Dan Tucholsky	
Carson Benner	

Also present were City Manager Adam Garvin, City Recorder Claudia Cisneros, City Attorney David Ligtenberg, Chief of Police Cord Wood, Public Works Director Geoff Hunsaker, Library Director / Parks & Recreation Director Jenny Berg, Human Resources Director Vicki Hedges, Community Development Director Heather Richards, Finance Director Katie Henry**,** Information Technology Director Scott Burke, Airport Manager John Paskell, Senior Planner Tom Schauer, Wastewater Services Manager Erik Grimstad, Associate Planner Matthew Deppe 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: Mayor Morris led the Pledge of Allegiance.

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

City Recorder Claudia Cisneros noted for the record two written comments had been received via email from Matthew Bertrand and Sarah McBride, which were forwarded to the Council and will be made part of the amended packet posted tomorrow.

No members of the public present in Civic Hall or on Zoom came forward to speak.

4. NEW BUSINESS (Action Item)

4.a. McMinnville Water and Light Commission Appointment.

Mayor Morris presented the recommendation from the Water and Light Commission to appoint Andrew Anderson to fill the vacancy created by Adam Garvin, who assumed the role of City Manager. Andrew Anderson, who was present in the audience, was welcomed to the commission.

Councilor Chenoweth MOVED to approve the appointment of Andrew Anderson to fill a vacancy with a term expiration of December 31, 2027; SECONDED by Councilor Tucholsky.

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

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

5. PUBLIC HEARINGS

5.a. Public Hearing to consider **Ordinance No. 5180**: An Ordinance annexing to the City of McMinnville Tax Lot R4430AD00100.

Mayor Morris outlined the procedural order for the public hearing concerning Ordinance No. 5180 and opened the public hearing at 7:06 p.m. She asked if any Councilor objected to the jurisdiction of the City Council to hear this matter. There was none.

Mayor Morris asked if any Councilor needed to declare a potential conflict of interest or recuse themselves from the hearing. There was none.

Mayor Morris asked if any Councilor needed to declare any contact prior to this hearing with the applicant, or any other party involved in the hearing, or any other source of information (outside of staff) regarding the subject of this hearing. There was none.

Community Development Director Heather Richards presented the staff report. She explained that the subject tax lot is located adjacent to Cypress Lane, bounded on three sides by urbanized land within the city limits. Annexation is governed by ORS 222 and Title 16 of the McMinnville Municipal Code. An annexation agreement had previously been approved by the City Council via Resolution No. 2025-13 on April 22, 2025. Staff confirmed that all provisions of the annexation agreement and applicable legal requirements had been met, contingent upon approval of the companion land use decision (Ordinance No. 5179).

Applicant Bruce Cooley, McMinnville Community Member, provided brief testimony, noting that the property had been in the family for approximately 50 years and that he appreciated the assistance of city staff throughout the process.

No public testimony was offered in support or in opposition.

The public hearing was closed at 7:13 p.m.

5.b. Public Hearing to consider **Resolution No. 2026-20:** A Resolution Adopting a Planning and Engineering Fee Schedule for the City of McMinnville and Repealing Prior Resolutions Establishing Such Fees.

Mayor Morris opened the public hearing at 7:13 p.m and read the hearing statement. She asked if any Councilor wished to make a disclosure or abstain from participating or voting on this hearing. There was none.

Public Works Director Geoff Hunsaker presented on behalf of staff. He explained that this is an annual update to the planning and engineering fee schedule, consistent with the Council's policy of full cost recovery for development-related services. The proposed update applies the West Coast Consumer Price Index increase of 2.9% for the period of January 2025 to January 2026. No changes were made to the underlying fee methodology. The fee structure retains targeted reductions for qualifying affordable housing projects and certain resident-focused permits, with no cap on affordable housing subsidies in a given fiscal year. Staff confirmed the revised fees are incorporated into the proposed budget.

There was no public testimony.

Mayor Morris closed the public hearing at 7:16 p.m.

6. CONSENT AGENDA

a. Consider the Draft Minutes of the December 17, 2025 Joint City Council & Planning Commission Work Session Meeting.
b. Consider the Draft Minutes of the December 17, 2025 Special Called City Council Meeting.
c. Consider the Draft Minutes of the January 13, 2026 City Council Work Session & Regular Meeting.
d. Consider the request from Hundred Suns Wine LLC for Winery – Non-Consumption, OLCC Liquor License located at 1445 NE Miller Street, Unit D#1.
e. Consider **Resolution No. 2026-26:** A Resolution accepting Federal Aviation Administration and State of Oregon Department of Aviation grant awards and authorizing the City Manager to execute the grant agreements.
f. Consider **Resolution No. 2026-27:** A Resolution awarding the Airport Perimeter Fence and Supplemental Wind Cone construction project contract to Dallum Build Company.
g. Consider the request from Mano Cornuto LLC for Winery – Non-Consumption, OLCC Liquor License located at 760 NW 11th Street, Suite A.

h. Consider the request from Winderlea, LLC for Winery – Non-Consumption, OLCC Liquor License located at 829 NE 5th Street, Suite 700.

Councilor Benner requested that item 6h be removed from the consent agenda for separate consideration.

Councilor Geary MOVED to adopt the consent agenda with item 6.h. removed; SECONDED by Councilor Tucholsky.

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

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

6. ITEMS REMOVED FROM THE CONSENT AGENDA

6.h. Consider the request from Winderlea, LLC for Winery – Non-Consumption, OLCC Liquor License located at 829 NE 5th Street, Suite 700.

Councilor Benner requested this item be removed from the consent agenda who declared a potential conflict of interest and would be abstaining from voting.

Councilor Cunningham MOVED to approve the request from Winderlea, LLC for Winery – Non-Consumption, OLCC Liquor License located at 829 NE 5th Street, Suite 700; SECONDED by Councilor Geary.

AYE: Councilors Chenoweth, Geary, Cunningham, Tucholsky, Peralta
NAY: NONE
ABSTAIN: Councilor Benner

*Motion **PASSED** by a vote of **5-0** with Councilor Benner abstaining.*

7. RESOLUTIONS

7.a. Consider **Resolution No. 2026-20:** A Resolution Adopting a Planning and Engineering Fee Schedule for the City of McMinnville and Repealing Prior Resolutions Establishing Such Fees.

Staff offered no additional comments beyond those presented during the public hearing

*Councilor Geary MOVED to adopt Resolution No. **2026-20**, Adopting a Planning and Engineering Fee Schedule for the City of McMinnville and Repealing Prior Resolutions Establishing Such Fees; SECONDED by Councilor Tucholsky. Motion **PASSED** 4-2 by the following vote:*

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

7.b. Consider **Resolution No. 2026-28:** A Resolution authorizing the City Manager to execute a contract amendment to the 2024 Goods and Services Contract (Project 2024-2) with City Sweepers, LLC, to provide downtown sweeping services.

Public Works Director Geoff Hunsaker explained that while the City is preparing to bring general street sweeping in-house, downtown sweeping, covering streets, alleys, and public parking lots, would remain contracted due to the specialized, noise-reduced equipment required and the late-night schedule necessary to minimize impacts on downtown businesses. This contract amendment represents the final one-year extension of the existing two-year contract with City Sweepers, LLC. Staff confirmed the contract would be put out for new bids the following year. In response to a councilor's question about whether this service might eventually be brought in-house, Director Hunsaker noted it was possible but that the late-hour work would likely require staff overtime, and that closing downtown parking during sweeping hours was not ideal for area businesses.

*Councilor Geary MOVED to adopt Resolution No. **2026-28**, Authorizing the City Manager to execute a contract amendment to the 2024 Goods and Services Contract (Project 2024-2) with City Sweepers, LLC, to provide downtown sweeping services; SECONDED by Council President Peralta. Motion **PASSED** unanimously 6-0 by the following vote:*

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

8. ORDINANCES

8.a. Consider the second reading of **Ordinance No. 5174:** An Ordinance memorializing the City Council's decision for the McMinnville Industrial Promotions appeal of the Planning Commission's approval of MP 6-25.

Community Development Director Richards provided context for this second reading. At the direction of the City Council on April 8, 2026, new findings were drafted stating that McMinnville Municipal Code Section 17.530.153, entitled "Improvement Requirements," applies only to subdivisions and not to minor partitions. These findings, contained in Exhibit A of tonight's packet, would have removed conditions of approval requiring connection to sewer, water, electrical, street improvements, sidewalks, storm drainage, and street trees (Conditions 5, 9–16) from the approved minor partition.

Outside legal counsel Missy Ryan requested that councilors disclose any ex parte communications received since the last hearing. Council President Peralta disclosed discussions with staff, which counsel confirmed are expressly carved out from the statute. No other communications were disclosed.

Several councilors expressed agreement that the applicant, McMinnville Industrial Promotions (MIP), had raised a legitimate concern, particularly regarding the timing of improvement requirements. However, the majority expressed reservations about the breadth of the revised findings. Council President Peralta argued that the ordinance went far beyond what was necessary to resolve the appeal, noting that by adopting a finding that the improvement requirements section applies only to subdivisions, the City would be creating policy precedent that could undermine its ability to require streets, drainage, sewer, water, electrical systems, and pedestrian improvements for all future minor partitions. He recommended rejecting the revised findings, adopting the Planning Commission's original findings instead, and directing staff to return with a narrower code amendment that would address the timing of surety requirements for improvements such as sidewalks under specific conditions. Councilor Geary echoed this view, noting that existing code provided mechanisms for deferral of improvements through bonding and letters of credit, and that the appeal appeared to be setting policy precedent in a manner that exceeded what the applicable criteria warranted. Councilor Tucholsky expressed sympathy for MIP's position but agreed the ordinance's broad sweep was problematic for the community as a whole.

Councilor Chenoweth maintained a contrary position, arguing that the plain language of the term "subdivider" was never intended to apply to minor partitions, and that the applicant's interpretation was linguistically and legally sound. Councilor Chenoweth also expressed confidence that other provisions of the City's code would continue to impose improvement requirements at the time of development or building permit, meaning the deletion of this section would not leave the City without tools to require infrastructure.

Outside counsel Ryan clarified that both interpretations were plausible and that whichever interpretation the Council chose would likely be entitled to deference if challenged before the Land Use Board of Appeals. She also addressed the procedural path forward, explaining that the Council could allow the second reading with the revised exhibit to fail, and then move separately to adopt Ordinance No. 5174 with the exhibit from the April 8 packet, that is, the Planning Commission's decision document, as the operative findings. Staff confirmed that the letter of credit and bonding options available to MIP under the code were automatic provisions embedded in the code and did not require a specific condition of approval to trigger.

Mayor Morris said this was the second reading of the ordinance.

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

City Attorney Ligtenberg read by title only Ordinance No. 5174 for the second reading.

*Councilor Chenoweth MOVED to **adopt** Ordinance No. 5174, memorializing the City Council's decision for the McMinnville Industrial Promotions appeal of the Planning Commission's approval of MP 6-25 with the revised findings as presented in the May 12, 2026 meeting packet; SECONDED by Councilor Tucholsky. Motion **PASSED** 4-3 by the following vote:*

AYE: Councilors Chenoweth, Cunningham, Tucholsky, Mayor Morris
NAY: Councilors Benner, Geary, Peralta

The Council subsequently directed staff to review the minor partition improvement requirements code provisions and return with recommended amendments, particularly addressing the timing and conditions under which surety for sidewalk and street tree improvements should be required.

8.b. Consider the second reading of **Ordinance No. 5175:** An Ordinance memorializing the City Council's decision for the EMPWR appeal of the Planning Commission's denial of SE 1-25.

Community Development Director Richards explained that at the April 28, 2026 meeting, the Council had not directed staff to alter the Planning Commission's findings. Accordingly, the exhibit to this ordinance contains the Planning Commission's decision denying the requested sign exceptions. The Planning Commission had found that the proposed sign constituted a video sign that did not meet the hardship test, and further that even if classified as an electronic changeable copy sign, it did not satisfy the applicable hardship or community standards criteria. Staff confirmed that a vote to adopt this ordinance would effectively uphold the Planning Commission's denial of the sign application.

Mayor Morris said this was the second reading of the ordinance.

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

City Attorney Ligtenberg read by title only Ordinance No. 5175 for the second reading.

*Councilor Geary MOVED to **adopt** Ordinance No. 5175, memorializing the City Council's decision for the EMPWR appeal of the Planning Commission's denial of SE 1-25; SECONDED by Councilor Cunningham. Motion **PASSED** unanimously 6-0 by the following vote:*

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

8.c. Consider the first reading with a possible second reading of **<u>Ordinance No. 5179:</u>** An Ordinance approving a Zone Change to the R-3 Medium-Density, 6000 SF Lot Residential Zone (Docket ZC 2-24) and approving a Tentative Subdivision Plan (Docket S 2-24) for Tax Lots R4430AD 00100 and R4430AD 00201 upon annexation of Tax Lot R4430AD 00100 into the City limits, with both tax lots totaling approximately 2.7 acres, located at 1465 and 1525 SW Cypress Ln.

Mayor Morris asked if any Councilor needed to declare any actual or potential conflicts of interest or recuse themself regarding this ordinance. There was none.

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

City Attorney Ligtenberg read by title only Ordinance No. 5179.

Senior Planner Tom Schauer presented the land use application to the annexation public hearing held earlier in the evening. The application involves two tax lots: one already within the city limits currently zoned R-1, and one in the urban growth boundary currently under county EF-80 zoning. Both would be rezoned to R-3 Medium-Density Residential. A tentative subdivision plan would divide the combined approximately 2.7-acre property into a nine-lot subdivision into two phases. Phase 1 would extend Emily Drive south to serve four new lots from the northerly tax lot; Phase 2 would extend the street further south into a cul-de-sac. A private alley would serve several lots and provide secondary access between Emily Drive and Cypress Lane. A bike-pedestrian easement between Emily Drive and Cypress Lane was also included as a condition of approval, as was an access and utility easement to benefit a landlocked neighboring parcel to the west. Existing homes on the property would be retained. Councilor Benner asked for clarification on access arrangements, which Planner Schauer provided in detail. A councilor raised a question about the legal basis for applying a city zone to land not yet annexed, which Director Richards and outside counsel Missy Ryan both addressed, confirming that the land use decision is contingent upon successful annexation and that it is standard practice for cities to predetermine zoning for land within the urban growth boundary prior to annexation.

The Planning Commission found all criteria satisfied and recommended approval with conditions.

*Councilor Benner MOVED to **pass** Ordinance No. 5179 to a second reading; SECONDED by Councilor Tucholsky. Motion **PASSED** 6-0 by the following vote:*

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

City Attorney Ligtenberg read by title only for a second time Ordinance No. 5179.

*Councilor Cunningham MOVED to **adopt** Ordinance No. 5179, approving a Zone Change to the R-3 Medium-Density, 6000 SF Lot Residential Zone (Docket ZC 2-24) and approving a Tentative Subdivision Plan (Docket S 2-24) for Tax Lots R4430AD 00100 and R4430AD 00201 upon annexation of Tax Lot R4430AD 00100 into the City limits, with both tax lots totaling approximately 2.7 acres, located at 1465 and 1525 SW Cypress Ln; SECONDED by Councilor Tucholsky. Motion **PASSED** 6-0 by the following vote:*

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

8.d. Consider the first reading with a possible second reading of **Ordinance No. <u>5180:</u>** An Ordinance annexing to the City of McMinnville Tax Lot R4430AD00100.

Mayor Morris asked if any Councilor needed to declare any actual or potential conflicts of interest or recuse themself regarding this ordinance. There was none.

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

City Attorney Ligtenberg read by title only Ordinance No. 5180.

*Councilor Chenoweth MOVED to **pass** Ordinance No. 5180 to a second reading; SECONDED by Councilor Benner. Motion **PASSED** 6-0 by the following vote:*

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

City Attorney Ligtenberg read by title only for a second time Ordinance No. 5180.

*Councilor Chenoweth MOVED to **adopt** Ordinance No. 5180, annexing to the City of McMinnville Tax Lot R4430AD00100; SECONDED by Councilor Benner. Motion PASSED 6-0 by the following vote:*

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

9. ADVISE/INFORMATION ITEMS

9.b. Department Head Reports

Community Development Director Heather Richards reported that the city's long-range work program goals were substantially met by end of the first and second quarters, with the exception of the Natural Resources Program. Revisions requested by the Department of Land Conservation and Development (DLCD) are being incorporated, and the final version is expected to come before the Council on July 14.

Police Chief Cord Wood reported that the YCOM budget committee met and passed a recommendation to the executive board for a vote the following week. Six police officer applicant interviews were conducted on Saturday; two candidates advanced to background investigation and a third requires an in-person follow-up interview.

Human Resources Director Vicki Hedges reported that three finalists for the Parks and Recreation Director position had been identified, with a meet-and-greet scheduled for May 22. Councilors were advised to check their email for an invitation.

Public Works Director Geoff Hunsaker reported that Meridian barriers were delivered and would be deployed on Friday for UFO Fest. He also sought two city councilors to serve on the Transportation System Plan Policy Advisory Committee (PAC); Councilor Geary and Councilor Benner were identified as the two volunteers.

Information Technology Director Scott Burke reported ongoing planning for a firewall replacement and an upcoming phone system replacement, both of which would be discussed further during the budget process.

City Recorder Claudia Cisneros noted that she would be pivoting her work to complete the annexation processing following tonight's approvals. She also noted that candidate filing for the November 3 general election opens June 3, with the candidate filing packet expected to be posted to the city website by mid-the following week.

Finance Director Katie Henry reported that the previously anticipated court software implementation had stalled, as assignment of a project contact had not translated into a confirmed schedule. Budget work remains the primary focus of the finance department.

City Manager Adam Garvin reported ongoing work on parks and recreation programming, including gymnastics space requirements and rock-climbing programming, with a presentation expected on June 23. He highlighted the All-City luncheon on May 7, where years-of-service awards were presented, including recognition of Steve Ganzer for 31 years of service prior to his retirement at the end of June. He also noted attendance at the Linfield University presidential inauguration, the McMinnville 150th planning effort (noting a logo has been developed), the MSD long-range facility planning meeting, and the Meridian barrier deployment.

City Attorney David Ligtenberg attended the Oregon City Attorneys Association Spring conference last weekend, noting valuable networking and updates on the current legal landscape.

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

Councilor Cunningham reported on the Affordable Housing Committee, noting that updated metrics for the Construction Excise Tax program had been reviewed and that the program was nearing a stage where grants could be initiated. Grant opportunities from DLCD and OHCS were also discussed. He noted that planning was underway for an expanded severe rent burden community meeting, potentially to be held in two sessions to better include Spanish-speaking residents.

Council President Sal Peralta offered an advice item, requesting that city staff review the minor partition improvement requirements in light of the Ordinance No. 5174 decision, assess whether all necessary public improvement requirements can still be achieved under the existing code, and return with recommended code amendments.

Mayor Morris reported being away on vacation and having a light report but attended Water and Light Commissioner interviews, and appointed Andrew Anderson at tonight's meeting. Yamhill County Economic Alliance discussed opportunity zones that can be applied for the county along with the City. Also attended the City's 150th birthday committee meeting and joined Adam at the All-City Luncheon on the 7th. On Friday Lafayette Mayor Malcolmson and she attended the assembly at the McMinnville Adventist School where they answered questions. Additionally, the winner of the McMinnville Elementary If I Were Mayor contest attends McMinnville Adventist School; they hosted a pizza party with the class. Thanked Noelle Amaya, Communications Manager, who helped. Also attended the Linfield University President Mark Blegen was honored and was able to say a few words on behalf of the city. Yesterday, met with County Commissioner Kit Johnston for monthly meeting. Also had her monthly meeting with Superintendent Kourtney Ferrua.

Councilor Geary reported that the MURAC committee met and awarded a facade improvement grant for the Piquette Hotel. A citizen-at-large vacancy on the MURAC committee remains open through May 31. He also attended the All-City luncheon and the MSD long-range facility planning event. He noted UFO Fest is approaching and that he would again be hosting the alien pet costume contest.

Councilor Chenoweth reported that personal matters had precluded committee activity during the period and thanked colleagues who had reached out regarding the personal matter.

Councilor Tucholsky reported that the Airport Commission had not yet met; the next meeting is scheduled for May 19.

Councilor Benner noted that his committee assignments were still pending. He shared observations from his onboarding tours, which included visits to the wastewater facility, public works (noting 120 miles of city roads and a new street sweeper), the airport, the police department (noting approximately 600 dog-related calls and 600–800 automated alarm calls annually, and three police canines), the aquatic center (5,000 children per year in survival swim), the senior center, and the community center. He also attended the MSD long-range facility planning event and commended the addition of page numbers to council packets.

9.c. March 2026 Cash and Investment Report (in packet)

9.d. 3rd Quarter Financial Report (in packet)

9.e. 3rd Quarter ARPA Report (in packet)

Mayor Morris noted the March 2026 cash investment report, the third quarter financial report, and the third quarter ARPA report were included in the packet.

Councilor Cunningham inquired about the Police Department appearing under budget at 67% expenditure as reported on page 548, noting a comparison to the Engineering Department's noted vacant positions. Finance Director Henry confirmed that the Police Department similarly had vacancies during the first part of the year that accounted for the lower expenditure rate. There were no other questions raised.

10. ADJOURNMENT OF REGULAR MEETING: Mayor Morris adjourned the meeting at 8:43 p.m.

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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

Wednesday, May 26, 2026 at 6:00 p.m.

Presiding: Kim Morris, Mayor

Recording Secretary: Claudia Cisneros

Councilors:

Present	Absent
Sal Peralta, Council President	
Zack Geary	
Chris Chenoweth	
Dan Tucholsky	
Scott Cunningham	
Carson Benner	

Also present were City Recorder Claudia Cisneros, City Manager Adam Garvin, City Attorney David Ligtenberg, Information Technology Director Scott Burke, Chief of Police Cord Wood, Public Works Director Geoff Hunsaker, Community Development Director Heather Richards, Special Project Manager Jody Christensen, Finance Director Katie Henry, Library Director / Parks & Recreation Director Jenny Berg (*via Zoom*), Human Resources Director Vicki Hedges (*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 6:00 p.m. and welcomed all in attendance.

2. EMERGENCY MANAGEMENT WORK SESSION:

The Emergency Management Coordinator Jeff Jacobs and the Public Works Director Geoff Hunsaker presented a status update on the city's emergency management program, outlining its origins, current accomplishments, and the path forward. The program traces its foundation to a 2003 federal homeland security mandate and was formally initiated in the city through American Rescue Plan Act (ARPA) funding received in November 2021, which fully covered the Emergency Management Coordinator position. The departure of the fire department to become a fire district around that same period necessitated the city taking direct ownership of its emergency preparedness planning. Since then, the city has developed a comprehensive Emergency Operations Plan (EOP), a Continuity of Operations Plan (COOP), elected official guides, and department-level standard operating procedure templates, all structured in compliance with the National Incident Management System

(NIMS) and Incident Command System (ICS), goals previously set by the council.

The program was described as being in a strong position. Supervisors and above have completed ICS online training at a rate exceeding 90 percent, and city employees have been identified to jointly staff an Incident Management Team with the fire district. An Emergency Management Working Group has been established with community partners, including the Red Cross, Linfield University, Willamette Valley Medical Center, and the McMinnville School District, and is in the process of transitioning into a formal Local Emergency Planning Committee (LEPC) with state guidance. A tabletop exercise to validate the EOP is scheduled for June 11th.

Areas still in development include critical infrastructure mapping, department-level Standard Operating Procedure (SOP) rollout, evacuation zone planning through the state-funded Genesis software, and enhanced capabilities for the alternate Emergency Operations Center (EOC) at the wastewater treatment facility. Items placed on hold due to budget constraints include dedicated emergency management staffing, technology modernization, and expanded community and business sector engagement.

Council members raised the importance of ensuring the plan does not become a static document, stressing that regular exercises, training, and updates are essential to maintaining readiness, particularly given the inevitability of a major emergency event such as a Cascadia subduction zone earthquake. The question of formally adopting the EOP was discussed briefly. Staff noted that one specific grant program requires a formal council adoption, though most do not. Given significant proposed changes to FEMA's operational structure at the federal level, potentially shifting toward a state-controlled model, staff advised caution in moving to formal adoption until the landscape becomes clearer, as any major federal restructuring could require the plan to be revised and re-adopted.

With the Emergency Management Coordinator's position concluding at the start of the new fiscal year on July 1, it was noted that emergency management duties must be formally redistributed to other directors to prevent program deterioration. The Public Works Director and the Police Chief are expected to share these responsibilities, with the city manager involved in finalizing that structure. The coordinator indicated he would remain an accessible resource and is exploring a consulting arrangement to support the city's needs going forward.

3. ADJOURNMENT: Mayor Morris adjourned the meeting at 6:41 p.m.

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Claudia Cisneros, City Recorder

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

Tuesday, May 26, 2026, at 7:00 p.m.

Presiding: Kim Morris, Mayor

Recording Secretary: Claudia Cisneros

Councilors:

Present	Absent
Sal Peralta, Council President	
Zack Geary	
Chris Chenoweth	
Dan Tucholsky	
Scott Cunningham	
Carson Benner	

Also present were City Recorder Claudia Cisneros, City Manager Adam Garvin, City Attorney David Ligtenberg, Information Technology Director Scott Burke, Chief of Police Cord Wood, Public Works Director Geoff Hunsaker, Community Development Director Heather Richards, Finance Director Katie Henry, Communications & Engagement Manager Noelle Amaya, Library Director / Parks & Recreation Director Jenny Berg (*via Zoom*), Human Resources Director Vicki Hedges (*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 7:11 p.m. and welcomed all in attendance.

2. PLEDGE OF ALLEGIANCE

Mayor Morris led the Pledge of Allegiance.

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

Maggie Bowman, McMinnville Community Member, and retired McMinnville School teacher addressed the Council regarding data centers, expressing concern about their potential impact on the community's electrical grid, water supply, and overall character. She urged the Council to proactively establish a moratorium or ban on data centers in Yamhill County before developers seek to establish them in the area.

Joseph Polivka, McMinnville Community Member, addressed the Council regarding the city's budget, expressing concern that the police department receives a disproportionate share, approximately 38%, of the general fund. He argued that other departments such as Information Services, Community Development, Finance, the Library, and Parks & Recreation are underfunded as a result, and called for greater scrutiny of police expenditure requests.

4. PUBLIC HEARINGS

4.a. Public Hearing regarding **Resolution No. 2026-29**: A Resolution establishing revised sanitary sewer user fees; and repealing Resolution 2025-09.

Mayor Morris opened the public hearing at 7:13 p.m. and read the hearing statement. She asked if any Councilor wished to make a disclosure or abstain from participating or voting on this hearing. There was none.

Wastewater Services Manager Erik Grimstad and Public Works Director Geoff Hunsaker presented a proposal to increase sanitary sewer user fees by 4%, effective July 1, 2026. Staff explained that the city had foregone rate increases in 2021 and 2022 during COVID-19, then implemented modest 2.5% annual increases from 2023–2025. The primary cost driver is a gap in materials and services spending, budgeted at $2.7 million versus the $2.1 million projected in the 2022 rate study, driven by inflation in chemicals (up 40%), parts, utilities, and the aging of the water reclamation facility and pump stations, which are approximately 30 years old.

Councilors asked clarifying questions about the funding model. Staff confirmed the city operates on a no-debt model, saving approximately $5–6 million annually for capital projects, and that the 4% increase is needed to close an approximate $500,000 operating gap, not to fund major capital improvements. Staff noted that a full wastewater master plan update, identifying potentially $300 million in long-term capital needs, will be presented to the Council in late June.

Councilor Cunningham noted that cumulative CPI increases since 2021 have been approximately 22.3%, compared to the city's 7.5% in rate increases over the same period. Councilor Tucholsky asked about federal funding; staff noted federal support for operating costs is essentially unavailable, though loan programs such as WIFIA exist for capital projects.

Mark Davis, McMinnville Community Member, testified generally in support of the request but raised four concerns: (1) he suggested waiting until the full rate study is complete before raising rates beyond 2.5%; (2) he objected to the customer service charge on his bill exceeding the actual sewer service charge; (3) he expressed concern about the prior use of sewer fund reserves as an internal loan for another city project; and (4) he noted that a Project Advisory Committee formed to provide citizen input on wastewater planning was disbanded after only one meeting.

The public hearing was closed at 7:35 p.m.

4.b. Public Hearing regarding **Resolution No. 2026-31**: A Resolution authorizing the sale of air easements affecting certain properties between NW 25th Street and Tice Park.

Mayor Morris opened the public hearing at 7:36 p.m. and read the hearing statement. She asked if any Councilor wished to make a disclosure or abstain from participating or voting on this hearing. There was none.

City Attorney David Ligtenberg presented the proposed terms for the sale of city-owned air easements over properties between NW 25th Street and Tice Park. The proposal allows underlying property owners to purchase their respective air easements at 10% of appraised value within five years of adoption. After five years, a new appraisal, covering all remaining unsold easements and paid for by the requester(s), would be required and could be relied upon for an additional five years.

Councilor Geary proposed that proceeds from any sales be dedicated exclusively to maintenance and development projects at Tice Park. Councilor Tucholsky and Councilor Chenoweth expressed support for this amendment.

Jason Atkinson, McMinnville Community Member and affected property owner, testified that the appraisal appeared to calculate value based on the combined square footage of both his tax lots (approximately 20,000 sq. ft.) rather than only the rear lot subject to the easement (approximately 10,000 sq. ft.), effectively doubling the assessed value.

Staff responded that the appraisal was conducted by a professional third party and reflected highest-and-best-use analysis, which considered both lots together as they are under common ownership and the rear lot was only accessible through ownership of the front lot. Councilor Chenoweth noted that four of the properties were appraised at nearly identical values, suggesting no doubled valuation for the Atkinson lot specifically.

Mayor Morris closed the public hearing at 7:49 p.m.

5. RESOLUTIONS

5.a. Consider **Resolution No. 2026-29:** A Resolution establishing revised sanitary sewer user fees; and repealing Resolution 2025-09.

Staff offered no additional comments beyond those presented during the public hearing.

Councilor Geary MOVED to adopt Resolution No. ***2026-29****, Establishing revised sanitary sewer user fees; and repealing Resolution 2025-09;*

*SECONDED by Councilor Chenoweth. Motion **PASSED** 4-2 by the following vote:*

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

5.b. Consider **Resolution No. <u>2026-30</u>:** A Resolution adopting findings and exempting from public bidding requirements and authorizing the City Manager to enter into a Construction Contract for the WRF Headworks Influent Fine Screen Rebuild, Project 2026-4, with the Parkson Corporation.

Engineering Program Manager Kevin Wood and Public Works Director Geoff Hunsaker explained that the AquaGuard screening system is proprietary equipment for which Parkson is the sole OEM parts supplier, and that using non-OEM components would create warranty, compatibility, and reliability risks. A notice of proposed exemption was published in the Daily Journal of Commerce, and no public comments or hearing requests were received. Councilor Chenoweth questioned why competitive bidding was not pursued, noting that other companies perform similar work. Staff and City Attorney David Ligtenberg directed the Council to Exhibit A of the resolution, which outlines the statutory criteria under ORS 279C.335 justifying the exemption. Councilor Tucholsky acknowledged that while he disfavors non-competitive contracting, the OEM rationale was sound given the specialized nature of the equipment. Council President Peralta agreed, deferring to staff expertise. The project is funded within the existing budget.

*Councilor Geary MOVED to adopt Resolution No. **2026-30**, Adopting findings and exempting from public bidding requirements and authorizing the City Manager to enter into a Construction Contract for the WRF Headworks Influent Fine Screen Rebuild, Project 2026-4, with the Parkson Corporation; SECONDED by Council President Peralta. Motion **PASSED** unanimously 6-0 by the following vote:*

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

5.c. Consider **Resolution No. <u>2026-31</u>:** A Resolution authorizing the sale of air easements affecting certain properties between NW 25th Street and Tice Park.

Staff offered no additional comments beyond those presented during the public hearing.

*Councilor Geary MOVED to adopt Resolution No. **2026-31**, Authorizing the sale of air easements affecting certain properties between NW 25th Street and Tice Park and including an amendment dedicating all sale proceeds specifically to Tice Park maintenance and development projects; SECONDED by Councilor Chenoweth. Motion **PASSED** 4-1 by the following vote:*

AYE: Councilors Benner, Geary, Chenoweth, Peralta
NAY: Councilor Tucholsky

ABSTAIN: Councilor Cunningham

6. ADVISE/INFORMATION ITEMS

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

6.b. Department Head Reports

Finance Director Katie Henry had nothing to report, noting relief that budget committee meetings have concluded.

City Attorney David Ligtenberg reported that a writ filed by Sandra Atwood related to a prior dog-related matter was dismissed by the city's contract prosecutors. He noted he would be attending the next meeting virtually.

Police Chief Cord Wood reported no new items beyond ongoing projects previously known to the Council. He added that Officer Hayden Hampton graduated from DPSST and has begun field training, and that another officer started at the academy on Monday.

City Manager Adam Garvin attended the Distinguished Service Awards (presenting the Junior Citizen of the Year award to Brian Wicks), attended a MEDP monthly meeting, ongoing work on the Northwest Rubber site Disposition and Development Agreement (DDA), a graduation planning meeting with city and school district staff for safer options, lots of budget meetings, and Parks & Rec director panel interviews. He thanked HR Director Hedges and all interview participants and noted one-on-one meetings with the two finalists scheduled for Friday, with an offer anticipated shortly thereafter.

Councilor Benner attended the MEVLC meeting and the Long-Range Facility Task Force with the city manager and Councilor Geary.

Councilor Tucholsky attended the Parks & Rec Director interview panel, noting strong applicants. He reported on the DEI committee's planning of a Juneteenth celebration on June 19 at Bierly Brewing (funded by Friends of the Library, not city funds). He provided a detailed update from the Airport Commission, including: the airport's budget shortfall of approximately $120,000 offset by fees; the sale of the Potcake hangar to Weyerhaeuser, which has posted six positions for Blackhawk firefighting aircraft operations representing up to $714,000 in local salaries; upcoming airfield restriping; and the U.S. Army Golden Knights parachute team's visiting June 2–4. He also noted Airport Manager Paskell's progress on new and increased landing fees for cost recovery.

Councilor Geary reported on Visit McMinnville hotel data: April occupancy was up 1.9% year-over-year to 62.4%, but the average daily rate declined 13.6% to $132, resulting in a 5.8% year-to-date revenue decline. He noted Visit McMinnville will present in full at the next meeting. He also reported volunteering at UFO Fest, participation in the Parks & Rec director interviews, upcoming attendance at the Long-Range Facility Task Force, and his new role coaching minor league baseball for McMinnville Parks & Rec.

Mayor Morris attended the Distinguished Service Awards banquet, the McMinnville Leadership meeting, the Love Like Mikalynn board attended the McMinnville High School baseball game where the concession stands proceeds went to Love Like Mikalynn to support its mission of suicide awareness and prevention focused on youth, attended the Hillsboro Air Show (noting potential for a similar "Kaboom Night" show at McMinnville's air show in 2026) and reminding all this year’s air show will be August 14th through the 16th, and will feature the Blue Angels. Volunteered at the UFO Festival, at the Yamhill County Economic Alliance meeting, they discussed opportunity zone applications for two McMinnville tracts, had her monthly meeting with City Manager Garvin, recognized the High School students in attendance for their civic class, attended the chamber board meeting, attended the monthly Yamhill County Mayors meeting, attended the Public Works Recognition Week lunch. Joined Communications & Engagement Manager Noelle Amaya at the Farmers Market to provide outreach for the city's 150th birthday, participated in the Parks & Rec director interview panel, attended a Water & Light special meeting to execute a construction contract for the new facility, and the McMinnville Area Community Foundation annual meeting. Mayor Morris also noted a positive personal observation of the city's Community Outreach Services (COS) program responding effectively to an individual in crisis downtown.

Council President Peralta had nothing to report, there have been no committee meetings between sessions.

Councilor Chenoweth reported on the MEVLC meeting and presented a summary of findings from the February Business Forum hosted by MEVLC, including top strengths (strong collaboration, community support for local businesses, accessible city staff) and key challenges (workforce recruitment, housing affordability, limited industrial space, and lengthy permitting). He also flagged an upcoming ODOT paving project on OR-18 between McMinnville's two interchange exits, expected to cause significant traffic disruption later in the summer.

Councilor Cunningham noted the Affordable Housing committee canceled its meeting and that the Historic Landmarks Commission has a significant meeting upcoming. He reported that MCM 11 has transitioned to a different councilor's assignment.

City Recorder Claudia Cisneros announced the updated committee assignments document was distributed at the Dais and will be posted to the city website. She noted that three City Council seats (Wards 1, 2, and 3) will be on the November 3, 2026 General Election ballot, with candidate filing opening June 3, 2026.

Information Technology Director Scott Burke reported the successful replacement of the city's firewall, completed the previous Friday evening. The upgrade was described as uneventful and positions the city for approximately five additional years of network security coverage.

Human Resources Director Vicki Hedges thanked participants in the Parks & Rec director interviews, acknowledged productive ongoing bargaining with the McMinnville Police Association (MPA) on a schedule change, noted 63% of employees have completed mandatory training due June 30 with another 14% in progress, and highlighted collaborative work between HR's Amy Miles and Captain Dan O'Laughlin to streamline officer recruitment, with a potential candidate potentially entering background screening within two weeks of application.

Public Works Director Geoff Hunsaker noted that an LOC virtual public contracting training is scheduled for Thursday, to be attended jointly by public works supervisors, managers, and finance staff.

6.c. April 2026 Cash and Investment Report (in packet)

Mayor Morris noted the April 2026 cash and investment reports were included in the packet. No council members raised questions about the cash and investment reports.

7. ADJOURNMENT OF REGULAR MEETING: Mayor Morris adjourned the meeting at 8:31 p.m.

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Claudia Cisneros, City Recorder

City of McMinnville
ADMINISTRATION

STAFF REPORT

DATE: July 14, 2026
TO: Adam Garvin, City Manager
SUBMITTED BY: Geoff Hunsaker, Public Works Director
WRITTEN BY: Dale Marshall, Street Maintenance Supervisor
SUBJECT: Traffic Signal Maintenance Agreement with the Oregon Department of Transportation (ODOT)

1. Resolution No. 2026-44, A Resolution Authorizing the City Manager to Execute the Traffic Signal Maintenance Agreement (ODOT Agreement No. 73000-00043771)

Report in Brief:

Staff requests City Council approval of a resolution authorizing the City Manager to execute the updated Traffic Signal Maintenance Agreement (Agreement No. 73000-00043771) between the City of McMinnville and ODOT. The agreement supersedes the prior 2010 agreement and outlines maintenance, timing, networking, electrical, and emergency repair responsibilities for 9 City-owned traffic signals.

Background:

The City has contracted with ODOT for traffic signal maintenance since 2010 under Agreement No. 26,756. This previous agreement is now outdated. The new 10-year Agreement No. 73000-00043771 clarifies responsibilities, updates cost structures, and includes 9 City-owned signals listed in Exhibits A and B.

Discussion:

Key points of the new agreement include: ODOT providing routine and emergency electrical maintenance; annual cost caps of $6,500 per signal (excluding emergency repairs); the City paying all electrical power costs; and a not-to-exceed agreement total of $585,000 over ten years.

Attachments:

1. Resolution No. 2026-44
2. ODOT Agreement No. 73000-00043771

Fiscal Impact:

The City is responsible for electrical energy costs, annual maintenance costs of up to $6,500 per signal, and emergency repairs as billed. Funds are budgeted within the Street Maintenance Fund (20.7720-32).

Alternatives:

Alternative 1 [Staff Recommendation]: Adopt the attached resolution authorizing execution of the agreement with ODOT.

Alternative 2: Direct Staff to renegotiate terms with ODOT.

Alternative 3: Reject the attached resolution, which would require the City to seek other maintenance options.

Alternative 4: The Council may consider any other alternative not presented by staff.

RESOLUTION NO. 2026-44

A Resolution Authorizing the City Manager to Execute the Traffic Signal Maintenance Agreement (ODOT Agreement No. 73000-00043711) for City-Owned Traffic Signals.

RECITALS:

WHEREAS, the City of McMinnville owns multiple traffic signal systems requiring specialized electrical, timing, and network maintenance; and

WHEREAS, since 2010 the City has contracted with the Oregon Department of Transportation (ODOT) for such services under Agreement No. 26,756, which will terminate upon execution of a new agreement; and

WHEREAS, ODOT and the City have prepared an updated Traffic Signal Maintenance Agreement (ODOT Agreement No. 73000-00043771), defining responsibilities for routine maintenance, emergency repairs, timing, controller operations, networking, and electrical services; and

WHEREAS, City staff recommend approval of this agreement to ensure continued safe and reliable operation of the City's traffic signal network.

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

1. The City Manager is hereby authorized to execute the Traffic Signal Maintenance Agreement (ODOT Agreement No. 73000-00043771) on behalf of the City of McMinnville, including any documents necessary to carry out the agreement.
2. This resolution shall take effect immediately upon passage and shall continue in full force and effect until modified, revoked, or replaced.

Adopted by the Council of the City of McMinnville at a regular meeting held the 28th day of July 2026 by the following votes:

Ayes: ______________________________

Nays: ______________________________

Approved this 28th day of July 2026.

____
MAYOR

Approved as to form:

____
City Attorney

Attest:

____
City Recorder

EXHIBITS:

A. Traffic Signal Maintenance Agreement (ODOT Agreement NO. 73000-00043771

TRAFFIC SIGNAL MAINTENANCE AGREEMENT
CITY OWNED TRAFFIC SIGNALS
City of McMinnville

THIS AGREEMENT is made and entered into by and between the STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "State" or "ODOT;" and the CITY OF MCMINNVILLE, acting by and through its elected officials, hereinafter referred to as "Agency," both herein referred to individually or collectively as "Party" or "Parties".

RECITALS

1. The intersections of streets with traffic signals identified in this Agreement are all part of the street system under the jurisdiction and control of Agency.

2. By the authority granted in Oregon Revised Statute (ORS) 190.110 state agencies may enter into agreements with units of local government for the performance of any or all functions and activities, including the allocation of costs on terms and conditions mutually agreeable, for any lawful purpose that a party to the agreement has the authority to perform.

3. The traffic signal work performed under this Agreement will conform to the current State standards and specifications.

4. State and Agency have determined that it is both to their mutual benefit and to the general public's benefit if they jointly utilize State and Agency maintenance resources.

NOW THEREFORE, the premises being in general as stated in the foregoing Recitals, it is agreed by and between the Parties hereto as follows:

TERMS OF AGREEMENT

1. This Agreement shall supersede Agreement No. 26756, approved November 29, 2010, between Agency and State. Agreement 26756 shall terminate upon execution of this Agreement.

2. State and Agency enter into this Agreement to identify the maintenance and operation responsibilities for the traffic signals (Signals), illumination maintenance, signal detection locates maintenance, timing, networking, network security and controller operations for the Signals belonging to Agency. All Signal intersections are shown in the chart marked Exhibit A, attached hereto and by this reference made a part of this Agreement. The locations of the Signals are approximately as shown on the map marked Exhibit B, attached hereto and by reference made a part hereof.

3. The total cost of maintenance and operations of Signals shall not exceed $6,500.00 per signal, per calendar year. The total not to exceed amount for all Signals during the term of this Agreement is $585,000.00. The cost limit per signal is subject to

review for inflation, and any changes shall be by an amendment, signed by both Parties. Maintenance does not include repairs performed on an emergency basis or as a result of a construction project, and these discretionary repairs, performed per incident as needed, are not included in the $6,500.00 limit per signal, per calendar year. The total costs for the discretionary repairs are paid by Agency per incident.

4. This Agreement shall become effective on the date all required signatures are obtained and shall remain in effect for the purpose of ongoing maintenance and power responsibilities for the useful life ten (10) years of the facilities.

AGENCY OBLIGATIONS

1. Agency shall pay 100 percent of the electrical energy costs associated with the Signals and all operational equipment. Agency shall have the power company send bills directly to Agency.

2. Agency shall include State's Region 2 Electrical Manager on its account with McMinnville Water and Light to provide State direct authority for any disconnection, reconnection, and coordination. This will allow State to facilitate routine maintenance and discretionary emergency repairs on the Signals.

3. Agency shall, upon receipt of an invoice from State for costs associated with Signals, reimburse State for said costs. Agency shall remit payment within 30 days of receipt of invoice to the State Project Manager, ODOT Region 2 Electrical Manager.

4. Agency retains responsibility for pavement markings and signs associated with the Signals.

5. Agency grants State the right to enter on to Agency right of way for performance of duties as set forth in this Agreement.

6. All employers, including Agency, that employ subject workers who work under this Agreement in the State of Oregon shall comply with ORS 656.017 and provide the required Workers' Compensation coverage unless such employers are exempt under ORS 656.126. Employers Liability insurance with coverage limits of not less than $500,000 must be included. Agency shall ensure that each of its contractors complies with these requirements.

7. Agency acknowledges and agrees that State, the Secretary of State's Office of the State of Oregon, the federal government, and their duly authorized representatives shall have access to the books, documents, papers, and records of Agency which are directly pertinent to the specific Agreement for the purpose of making audit, examination, excerpts, and transcripts for a period of six (6) years after completion of Project. Copies of applicable records shall be made available upon request. Payment for costs of copies is reimbursable by State.

8. Agency's Project Manager for this Project is Geoffrey Hunsaker, City of McMinnville Public Works Director, City of McMinnville, 231 NE Fifth Street, McMinnville, Oregon

97128; (503) 434-7316; email: Geoffrey.Hunsaker@mcminnvilleoregon.gov, or assigned designee upon individual's absence. Agency shall notify the other Party in writing of any contact information changes during the term of this Agreement.

STATE OBLIGATIONS

1. State shall perform electrical maintenance and emergency repair for the Signals and signal operation at Agency's expense. This includes electrical devices/equipment, vehicle and pedestrian indications, detection, signal controller, signal interconnect, controller network security and intersection illumination attached to the signal structure. State shall submit monthly invoices to Agency for Signal maintenance work performed under this Agreement. Invoices shall be sent to Agency's Project Manager.

2. State shall conduct the following work on the Signals, in State's discretion, on an as needed basis, with no need for preauthorization from Agency.

    a. Emergency repair of any identified safety issues and equipment failures;

    b. Analysis and troubleshooting problems;

    c. Routine Signal and signal controller maintenance, routine Signal and signal controller testing and evaluation (similar to what State would do for State-owned signals).

3. State shall conduct emergency repairs, in State's discretion, on illumination and other electrical installations on an as needed basis, with no need for preauthorization from Agency.

4. State shall immediately notify Agency's Project Manager if the cost for any one repair is more than $6,500.00.

5. State shall perform the following maintenance work on the Signal when requested by Agency:

    a. Modifications to Signal equipment;

    b. Signal equipment testing (beyond routine testing);

    c. Equipment upgrades;

    d. Signal timing modifications;

    e. Other Signal work as needed.

6. State shall perform annual preventive maintenance inspections of Signal equipment.

7. State's Project Manager for this Project is William J. Kelso, Region 2 Electrical Manager, 455 Airport Road SE, Building B, Salem, Oregon 97301; phone: (503) 602-

2897; email: William.J.Kelso@odot.oregon.gov, or assigned designee upon individual's absence. State shall notify the other Party in writing of any contact information changes during the term of this Agreement.

GENERAL PROVISIONS

1. **Americans with Disabilities Act Compliance**:

   a. The Parties agree that all work performed by either Party under this Agreement ("Work") shall comply with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 as amended (together, "ADA").

   b. Scope of Work:

      i. The scope of the Work performed under this Agreement is limited to maintenance activities and shall not include alteration, upgrade, or construction of sidewalks or curb ramps, or installation of pedestrian activated signals. .

      ii. If Work to be performed by either Party includes an alteration under the ADA as set forth in ODOT Maintenance Operational Notices MG 144-03 or MG100-107 ("Alteration"), and thereby triggers additional modifications to the facility in order to comply with the ADA ("ADA Modifications"), and if the ADA Modifications cannot reasonably be included in the Work, then the Work falls outside the scope of this Agreement. The Parties may enter into a separate agreement for performance of such work and ADA Modifications. Whether specific Work may include an Alteration shall be determined by the Party responsible for performing the Work.

   c. **For Work performed by ODOT under this Agreement, the Parties shall:**

      i. Utilize ODOT standards, including but not limited to ODOT Maintenance Operational Notices MG 100-107 ("MG 100-107"), MG144-03 ("MG144-03"), and MG Activities-2 ("MG Activities-2"), to ensure that the Work complies with the ADA, and

      ii. Follow ODOT's processes for modification or upgrade of pedestrian-activated signals and performance of any ADA Modification, including but not limited to MG 144-03 and MG 100-107.

   d. RESERVED

   e. Agency reaffirms its commitment to provide an accessible ADA-compliant transportation system and ensure that any feature or part of a feature that was addressed as part of the Work ("Feature"), including ADA Modifications, that falls under Agency's jurisdiction, is maintained in compliance with the ADA throughout the useful life of the Feature. This includes, but is not limited to, Agency ensuring that:

i. Pedestrian access is maintained as required by the ADA,

ii. Any complaints received by Agency identifying sidewalk, curb ramp, or pedestrian-activated signal safety or access issues are promptly evaluated and addressed,

iii. Agency, or abutting property owner, pursuant to local code provisions, performs any repair or removal of obstructions needed to maintain the facility in compliance with the ADA requirements that were in effect at the time the facility was constructed or altered,

iv. Any future alterations during the useful life of the Feature complies with the ADA requirements in effect at the time the future alteration work is performed, and

v. Applicable permitting and regulatory actions are consistent with ADA requirements.

f. Maintenance obligations in Subsection e above shall survive termination of this Agreement.

2. This Agreement may be terminated by mutual written consent of both Parties.

3. State may terminate this Agreement effective upon delivery of written notice to Agency, or at such later date as may be established by State, under any of the following conditions:

   a. If Agency fails to provide payment for work called for by this Agreement within the time specified herein or any extension thereof.

   b. If Agency fails to perform any of the other provisions of this Agreement, or so fails to pursue performance of this Agreement in accordance with its terms, and after receipt of written notice from State fails to correct such failures within ten (10) days or such longer period as State may authorize.

   c. If Agency fails to provide payment of the cost of the Agreement.

   d. If State fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow State, in the exercise of its reasonable administrative discretion, to continue performance of this Agreement.

   e. If federal or state laws, regulations or guidelines are modified or interpreted in such a way that the work under this Agreement is prohibited or State is prohibited from performing such work.

4. Agency may terminate this Agreement effective upon delivery of written notice to State, or at such later date as may be established by Agency, under any of the following

conditions:

a. If State fails to provide work called for by this Agreement within the time specified herein or any extension thereof.

b. If Agency fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow Agency, in the exercise of its reasonable administrative discretion, to continue to make payments for performance of this Agreement.

c. If federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the work under this Agreement is prohibited or Agency is prohibited from paying for such work from the planned funding source.

5. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the parties prior to termination.

6. Both Parties shall comply with all federal, state, and local laws, regulations, executive orders and ordinances applicable to the work under this Agreement, including, without limitation, the provisions of ORS 279B.220, 279B.225, 279B.230, 279B.235 and 279B.270 incorporated herein by reference and made a part hereof. Without limiting the generality of the foregoing, Both Parties expressly agrees to comply with (i) Title VI of Civil Rights Act of 1964; (ii) Title V and Section 504 of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990, as amended, and ORS 659A.142; (iv) all regulations and administrative rules established pursuant to the foregoing laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations.

7. If any third party makes any claim or brings any action, suit or proceeding alleging a tort as now or hereafter defined in ORS 30.260 ("Third Party Claim") against State or Agency with respect to which the other Party may have liability, the notified Party must promptly notify the other Party in writing of the Third Party Claim and deliver to the other Party a copy of the claim, process, and all legal pleadings with respect to the Third Party Claim. Each Party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by a Party of the notice and copies required in this paragraph and meaningful opportunity for the Party to participate in the investigation, defense and settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to that Party's liability with respect to the Third Party Claim.

8. With respect to a Third Party Claim for which the State is jointly liable with Agency (or would be if joined in the Third Party Claim), State shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by Agency in such proportion as is appropriate to reflect the relative fault of State on the one hand and of Agency on the other hand in connection with the events which resulted in such expenses, judgments,

fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of State on the one hand and of Agency on the other hand shall be determined by reference to, among other things, the Parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. State's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law, including the Oregon Tort Claims Act, ORS 30.260 to 30.300, if State had sole liability in the proceeding.

9. With respect to a Third Party Claim for which Agency is jointly liable with State (or would be if joined in the Third Party Claim), Agency shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by State in such proportion as is appropriate to reflect the relative fault of Agency on the one hand and of State on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of Agency on the one hand and of State on the other hand shall be determined by reference to, among other things, the Parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. Agency's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law, including the Oregon Tort Claims Act, ORS 30.260 to 30.300, if it had sole liability in the proceeding.

10. The Parties shall attempt in good faith to resolve any dispute arising out of this Agreement. In addition, the Parties may agree to utilize a jointly selected mediator or arbitrator (for non-binding arbitration) to resolve the dispute short of litigation.

11. This Agreement may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.

12. This Agreement and attached exhibits constitute the entire agreement between the Parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification, or change of terms of this Agreement shall bind either Party unless in writing and signed by both Parties and all necessary approvals have been obtained. Such waiver, consent, modification, or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of State to enforce any provision of this Agreement shall not constitute a waiver by State of that or any other provision.

13. Electronic Signatures. The Parties agree that signatures showing on PDF documents, including but not limited to PDF copies of the Agreement and amendments, submitted or exchanged via email are "Electronic Signatures" under ORS Chapter 84 and bind the signing Party and are intended to be and can be relied upon by the Parties. State

reserves the right at any time to require the submission of the hard copy originals of any documents.

THE PARTIES, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

SIGNATURE PAGE FOLLOWS

CITY OF MCMINNVILLE, by and through its elected officials

By ______________________________

Title: ____________________________

Date ____________________________

LEGAL REVIEW APPROVAL
(If required in Agency's process)

By ______________________________
Agency Legal Counsel

Date ____________________________

Agency Contact

Geoffrey Hunsaker
City of McMinnville Public Works Director
231 NE Fifth Street
McMinnville, Oregon 97128
(503) 434-7316
Geoffrey.Hunsaker@mcminnvilleoregon.gov

State Contact

William Kelso
ODOT Region 2 Electrical Manager
455 Airport Road SE, Building B
Salem, Oregon 97301
(503).602-2897
William.J.Kelso@odot.oregon.gov

STATE OF OREGON, by and through its Department of Transportation

By ____________________________
Region 2 Manager

Date __________________________

APPROVAL RECOMMENDED

By ____________________________
Region 2 Maintenance and Operations Manager

Date___________________________

By ____________________________
Region 2 Electrical Manager

Date __________________________

APPROVED AS TO LEGAL SUFFICIENCY

By____________________________
Assistant Attorney General

Date__________________________

EXHIBIT A

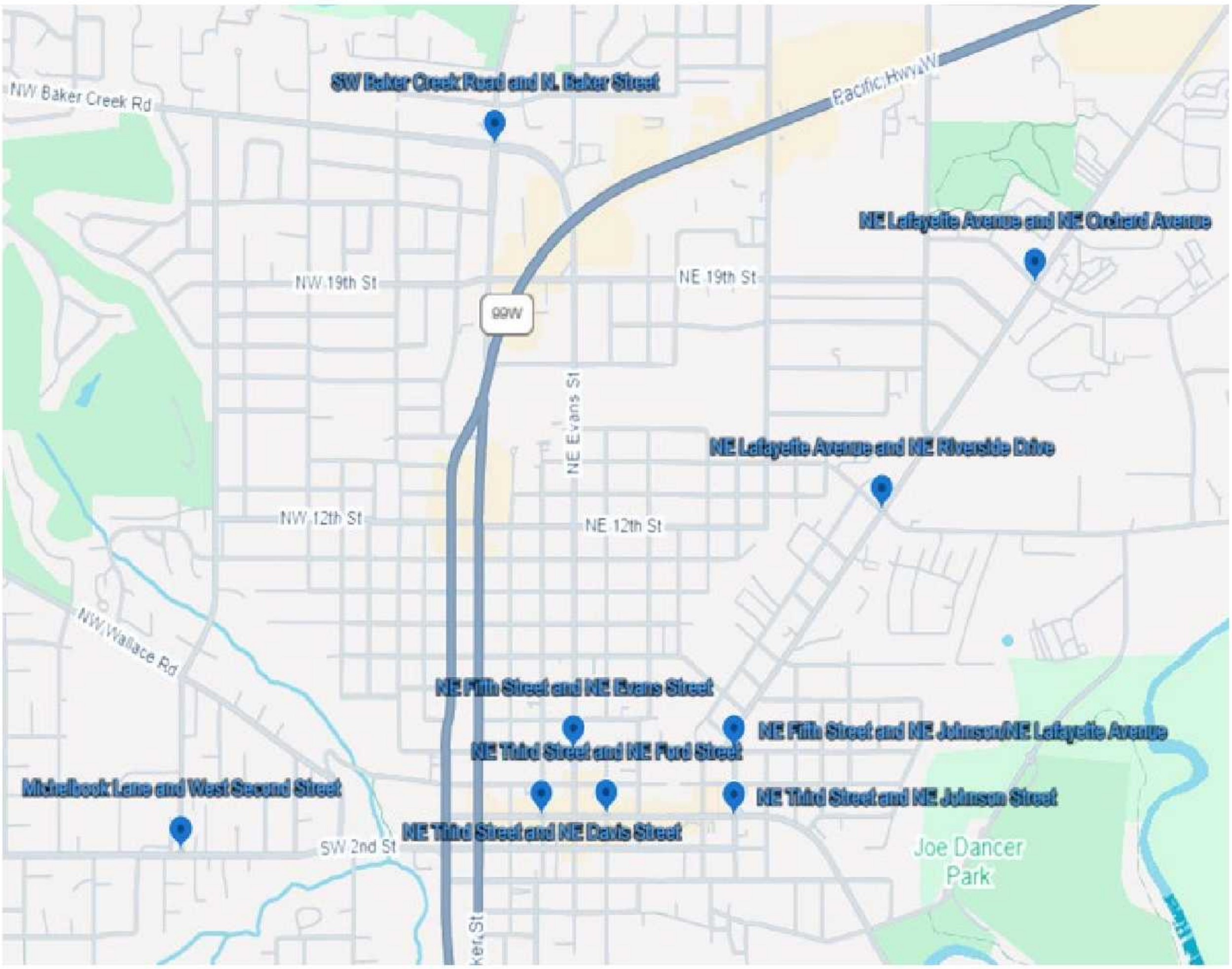
The traffic signals listed in the table below are part of the Agency's street system under the jurisdiction and control of Agency. State shall perform maintenance and operations responsibilities identified in this Agreement for these intersections.

City Owned Traffic Signals

LOCATION	MAINTENANCE COSTS	POWER COSTS
1. SW Baker Creek Road at N Baker Street	Agency – 100%	Agency – 100%
2. Michelbook Lane at West Second Street	Agency – 100%	Agency – 100%
3. NE Third Street at NE Davis Street	Agency – 100%	Agency – 100%
4. NE Third Street at NE Ford Street	Agency – 100%	Agency – 100%
5. NE Third Street at NE Johnson Street	Agency – 100%	Agency – 100%
6. NE Lafayette Avenue at NE Riverside Drive	Agency – 100%	Agency – 100%
7. NE Lafayette Avenue at NE Orchard Avenue	Agency – 100%	Agency – 100%
8. NE Fifth Street at NE Johnson Street / Lafayette Avenue	Agency – 100%	Agency – 100%
9. NE Fifth Street at NE Evans Street	Agency – 100%	Agency – 100%

EXHIBIT B – Location Map

City Owned Traffic Signals



City Recorder Use

Final Action:
Approved ☐ Disapproved ☐

City of McMinnville
POLICE

Liquor License Recommendation

BUSINESS NAME / INDIVIDUAL: **El Rancho Market LLC**
BUSINESS LOCATION ADDRESS: **1621 NE Baker Street, McMinnville**
LIQUOR LICENSE TYPE: **Limited On-Premises Sales**
*** New License Application ***

Is the business at this location currently licensed by OLCC
☑ Yes ☐ No * Has Off-Premises Sales Liquor License

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

Proposed business operations:

Retail On-Premises Sales & Consumption
Indoor Consumption

YCOM CAD System Check: Yes ☑ No ☐

Criminal Records Check: Yes ☐ No ☑

Recommended Action: Approve ☑ Disapprove ☐

Scott Fessler, Captain

Chief of Police / Designee

City Manager / Designee

Added on 07.27.2026

OREGON LIQUOR & CANNABIS COMMISSION

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): EL RANCHO MARKET LLC

Proposed Trade Name: EL TORITO SUPERMARKET

Premises Address: 1621 BAKER ST NE Unit:

City: MCMINNVILLE County: OR Zip: 97128

Application Type: ◉ New License Application ○ Change of Ownership ○ Change of Location

License Type: LIMITED ON PREMISES ☐ Additional Location for an Existing License

Application Contact Information

Contact Name: LILIANA PEREZ Phone: [redacted]

Mailing Address: [redacted]

City: SALEM 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): EL RANCHO MARKET LLC
Proposed Trade Name: EL TORITO SUPERMARKET
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: Optional Date Received Stamp
Date Application Received:
Received by:

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

May 2026

CASH AND INVESTMENT BY FUND

FUND #	FUND NAME	GENERAL OPERATING CASH IN BANK	INVESTMENT	TOTAL
01	General	$2,616,326.44	$11,762,473.52	$14,378,799.96
05	Grants & Special Assessment	$780.78	$768,057.52	$768,838.30
07	Transient Lodging Tax	$154.30	($6,000.00)	($5,845.70)
08	Affordable Housing	$101.13	$1,768,304.00	$1,768,405.13
10	Telecommunications	$294.39	$2,030.00	$2,324.39
15	Emergency Communications	$394.22	$167,094.81	$167,489.03
20	Street (State Tax)	$473.42	$1,691,591.96	$1,692,065.38
25	Airport Maintenance	$425.31	$921,749.03	$922,174.34
45	Transportation	$606.61	$6,852,494.92	$6,853,101.53
50	Park Development	$237.37	$4,152,441.49	$4,152,678.86
58	Urban Renewal	$31.03	$0.00	$31.03
59	Urban Renewal Debt Service	$38.57	$1,682,450.57	$1,682,489.14
60	Debt Service	$205.26	$84,994.53	$85,199.79
70	Building	$827.76	$2,632,240.37	$2,633,068.13
71	Stormwater Operations	$0.00	$0.00	$0.00
72	Stormwater Capital	$102.45	$10,000.00	$10,102.45
75	Wastewater Services	$516.07	$1,537,600.18	$1,538,116.25
77	Wastewater Capital	$443.15	$34,330,103.65	$34,330,546.80
80	Information Systems & Services	$488.44	$217,742.38	$218,230.82
85	Insurance Reserve	$114.09	$315,290.54	$315,404.63
	CITY TOTALS	2,622,560.79	68,890,659.47	71,513,220.26

MATURITY DATE	INSTITUTION	TYPE OF INVESTMENT	INTEREST RATE	CASH VALUE
N/A	Key Bank of Oregon	Checking & Repurchase Sweep Account	0.50%	$2,622,560.79
N/A	State of Oregon	Local Government Investment Pool (LGIP)	4.00%	$57,444,331.58
N/A	Umpqua Bank	Money Market Savings Account	3.71%	$11,446,327.89
				$71,513,220.26