



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

**City Council Meeting Agenda
Tuesday, June 12, 2018
7:00 p.m. – Regular Council Meeting**

Welcome! All persons addressing the Council will please use the table at the front of the Council Chambers. All testimony is electronically recorded. Public participation is encouraged. If you desire to speak on any agenda item, please raise your hand to be recognized after the Mayor calls the item. If you wish to address Council on any item not on the agenda, you may respond as the Mayor calls for "Invitation to Citizens for Public Comment."

7:00 PM – REGULAR COUNCIL MEETING – COUNCIL CHAMBERS

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. PROCLAMATION
 - A. Parks and Recreation Month
4. PRESENTATIONS
 - A. McMinnville Montessori School – Stop Pollution
 - B. Historic Preservation Awards
5. INVITATION TO CITIZENS FOR PUBLIC COMMENT – *The Mayor will announce that any interested audience members are invited to provide comments. Anyone may speak on any topic other than: a matter in litigation, a quasi-judicial land use matter; or a matter scheduled for public hearing at some future date. The Mayor may limit comments to 3 minutes per person for a total of 30 minutes. Please complete a request to speak card prior to the meeting. Speakers may not yield their time to others.*
6. PUBLIC HEARINGS
 - A. Proposed Budget as approved by the Budget Committee.
 - B. Proposed Uses of State Revenue Sharing for Fiscal Year 2018 – 2019 as approved by the Budget Committee.
7. CONSENT AGENDA
 - A. Consider the Minutes of March 27, 2018 of the Regular City Council meeting, April 10, 2018 Work Session and Regular City Council meeting, April 24, 2018 Work Session and Regular City Council meeting, and May 30, 2018 City Council Work Session.
 - B. Consider request for a Winery OLCC License from JWines LLC located at 2515 NE Orchard Avenue.

- C. Consider request for a Full on-premises, commercial OLCC License from Mezcal Sabores de Mexico Inc. located at 1208 SW Baker Street.
- D. Consider request for a Winery OLCC License from Kara Wines Oregon, LLC located at 2803 NE Orchard Avenue.
- E. Consider **Resolution No. 2018-26**: A Resolution declaring that the necessity of maintaining the Public Safety Facilities Construction Fund has ceased to exist and transferring the remaining fund balance.

8. RESOLUTIONS

- A. Consider **Resolution No. 2018-27**: A Resolution increasing appropriations for fiscal year 2017-2018 and authorizing expenditure of grant funds.
- B. Consider **Resolution No. 2018-28**: A Resolution authorizing the City Manager to sign a contract with McMinnville Economic Development Partnership in the amount of \$73,650.00 for the development and delivery of the Oregon WORKS program.
- C. Consider **Resolution No. 2018-29**: A Resolution awarding the contract for the 12th Street Sanitary Rehabilitation Project, Project 2017-4.
- D. Consider **Resolution No. 2018-30**: A Resolution awarding the contract for the 1st and 2nd Street Pedestrian Improvements, Project 2017-7.
- E. Consider **Resolution No. 2018-31**: A Resolution approving the award of the City Facilities Janitorial Services Contract, Project 2018-3.

9. ORDINANCES

- A. Consider **Ordinance No. 5053**: An Ordinance establishing Rules of Conduct for the City owned Parking Structure located at NE 5th and Evans Street, and City owned and managed surface parking lots located within the City of McMinnville.
- B. Consider **Ordinance No. 5054**: An Ordinance Relating to Smoking Regulations in Downtown McMinnville and City Park Areas; establishing MMC Chapter 8.32; and, amending MMC 12.36.020.
- C. Consider **Ordinance No. 5055**: An Ordinance Relating to Moving or Towing Vehicles Parked in Prohibited Areas; Amending MMC 10.28.030; and, Establishing MMC 10.28.400.

10. ADVICE/ INFORMATION ITEMS

- A. Reports from Councilors on Committee & Board Assignments
- B. Department Head Reports

11. ADJOURNMENT

City of McMinnville
Parks and Recreation
600 NE Evans
McMinnville, OR 97128
(503) 434-7310

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: June 12, 2018
TO: Jeff Towery, City Manager
FROM: Susan Muir, Parks and Recreation Director
SUBJECT: Parks and Recreation Month

Report in Brief:

We are ready for summer! July is Parks and Recreation Month and we are offering new programs and highlighting our legacy programs and facilities to encourage our community to come out and discover something new!

We have a calendar of events (mostly free) for our residents and we're kicking things off with a proclamation recognizing the importance our parks and recreation programs in our city. Your Parks and Rec team wants to encourage everyone to come meet us, we'll see you in a park or at one of our facilities!

Our programs and facilities include:
The Community Center
The Aquatic Center
The Senior Center
Kids on the Block
Recreational Sports
Parks, paths, trails and natural areas

Attachments

Proclamation



PROCLAMATION

Designation of July as Park and Recreation Month

WHEREAS McMinnville's parks and recreation programs enhance and improve the social, economic and ENVIRONMENTAL fabric of our community; and

WHEREAS our parks and recreation programs are important to making McMinnville a SUPER COOL place to live; and

WHEREAS parks and recreation programs make people want to LIVE here; and

WHEREAS parks and recreation areas help the environment and give us fresh air to BREATHE; and

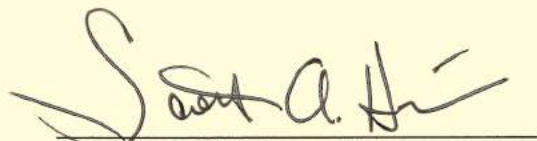
WHEREAS our parks and natural recreation areas make for FUN places for kids and adults to go outside and PLAY; and

WHEREAS the City of McMinnville recognizes the benefits of AWESOME parks and recreation resources.

NOW, THEREFORE, I, Scott Hill, Mayor of McMinnville, do hereby extend the spirit of FUN to the residents of McMinnville in recognizing the month of July as National Park and Recreation Month.

IN WITNESS WHEREOF, I have hereunto set my hand, this twelfth day of June, in the year two thousand eighteen.




Scott A. Hill, Mayor



CITY OF MCMINNVILLE
Administration
230 NE SECOND STREET
MCMINNVILLE, OR 97128
503-435-5702

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: June 12, 2018
TO: Mayor and City Councilors
FROM: Melissa Grace, City Recorder
SUBJECT: McMinnville Montessori Presentation

Background:

McMinnville Montessori students Autumn Stassens, Tallulah Neal, Zoei Martin, Elsa Davies, and Abigaile Crank will be sharing posters related to pollution in the Ocean.

STAFF REPORT

DATE: June 12, 2018
TO: Mayor and City Councilors
FROM: Chuck Darnell, Senior Planner
SUBJECT: City of McMinnville Historic Preservation Awards

Council Goal:

Promote Sustainable Growth and Development

Report in Brief:

This is a presentation to announce the recipients of the 2018 City of McMinnville Historic Preservation Awards.

Background:

The Historic Landmarks Committee, as part of Historic Preservation Month in May, decided to re-establish the City's Historic Preservation Award program. Historic Preservation Awards were provided by the City once in the past, in 2012. The purpose of the Historic Preservation Awards is to acknowledge and honor outstanding historic preservation efforts that have been undertaken in the City of McMinnville.

The Planning Department announced the Historic Preservation Awards program in March, and requested nominations for projects or people that community members felt were eligible for an award. The program was designed to allow for awards to be provided to property owners that completed historic preservation projects (such as remodeling, restoration, or reconstruction), but also for awards to be provided to individuals that are particularly committed to or involved in historic preservation efforts in the community. Once the nomination period closed, a selection committee was formed to review the nominations received. The selection committee included the Historic Landmarks Committee chair (Joan Drabkin), the City Council liaison to the Historic Landmarks Committee (Alan Ruden), and Planning Department staff (Chuck Darnell and Heather Richards). The selection committee selected three nominated projects to receive Historic Preservation Awards.

The three projects chosen interestingly reflect a restoration project (restore original features), rehabilitation project (adapt to a new use while preserving the historic integrity) and reconstruction project (new construction to reconstruct the lost historic structure).

The three projects selected are:

- Victorian on 10th, 206 NE 10th Street
- Macy House, 632 NE Cows Street
- Elizabeth Chambers Cellars, 455 NE Irvine Street

Discussion:

**VICTORIAN ON 10TH
(Restoration)**

Property Address: 206 NE 10th Street
Current Owners: Paul & Maria Wronski

Historic Landmark: "Distinctive" classification on Historic Resources Inventory (A237)
Historic Name: Frank E. Rogers House

Work Completed: Interior and exterior rehabilitation

Description: This historic resource was in poor condition, unoccupied and deteriorating before being purchase by Maria and Paul Wronski, who hired Cellar Ridge Construction to renovate and restore this property. The siding design was created to be historically and architecturally appropriate to a Victorian home. The exterior colors were designed by Andrea LaRue of Nectar Graphics to be historically accurate. Much of the original door hardware was able to be restored. Cellar Ridge utilized a method of a hot water soak in a crock pot purchased from Goodwill for this purpose, to soften the paint on the hardware. A wire brush was able to remove the softened paint, eliminating the need for harsh chemicals and paint strippers. The original fir floors were painstakingly sanded down and refinished. The original wood windows were dis-assembled, sanded down, painted and re-installed with new pulleys and the old weights. Antique brass hardware was located from an architectural salvage house in Aurora Oregon to install on the windows.

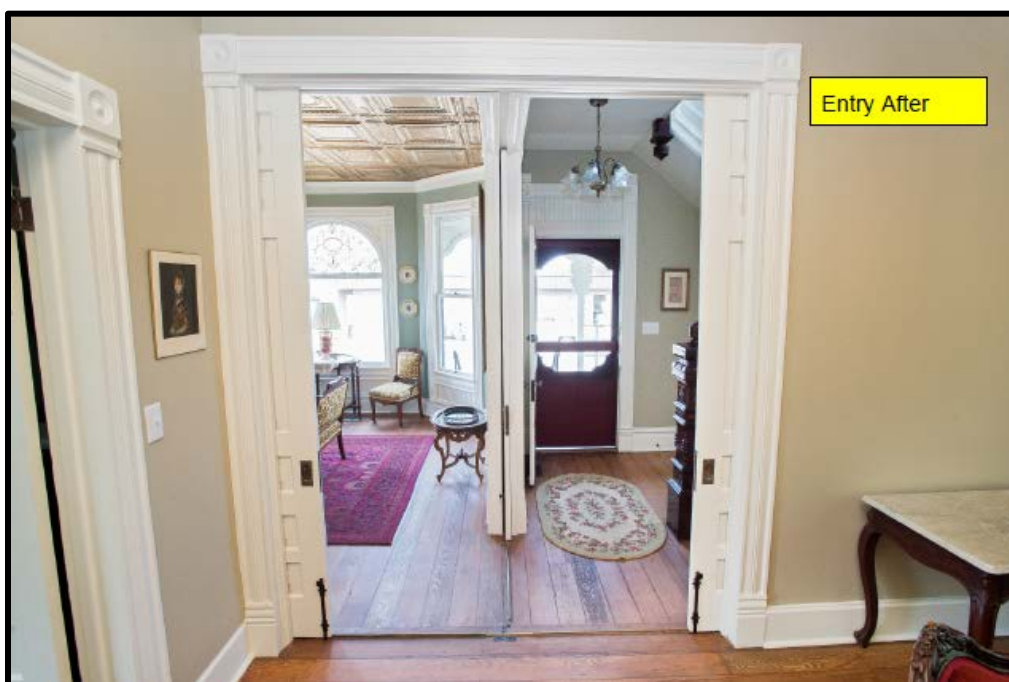
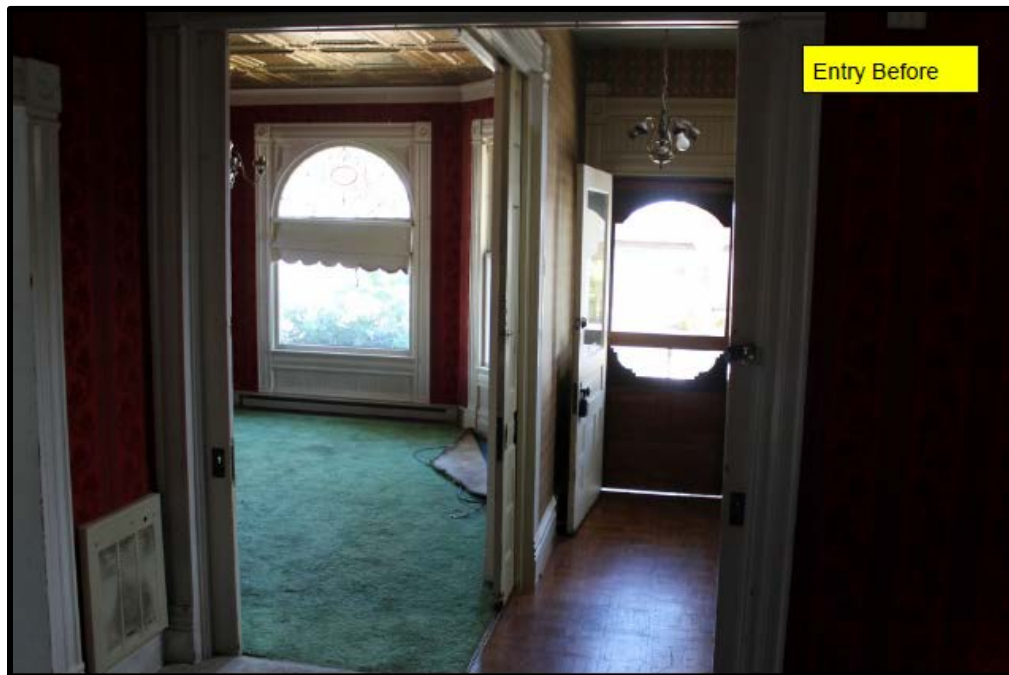
Historic Photo:



Exterior Before & After:



Interior Before & After:



MACY HOUSE (Reconstruction):

Property Address: 632 NE Cows Street
Current Owners: Scott & Mary Sue Macy

Historic Landmark: "Distinctive" classification on Historic Resources Inventory (A359)
Historic Name: Roswell Conner House

Work Completed: Complete reconstruction

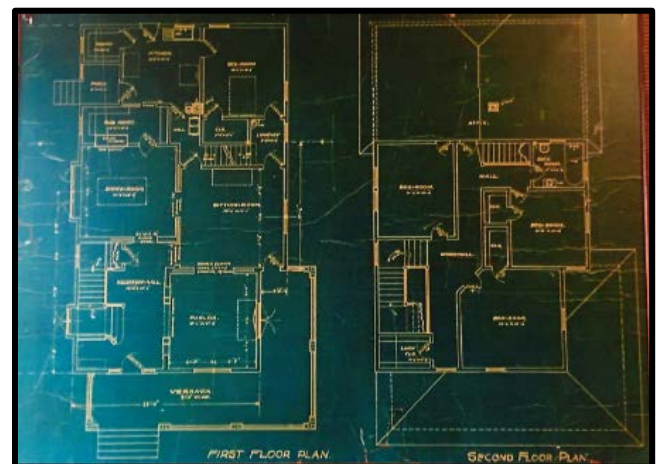
Description: The existing house on the property was completely reconstructed after a tragic loss of the historic house that was previously located on the property. The original house on the property was built in 1905 by CC Robins, an architect from Portland who designed a number of buildings in McMinnville. In the summer of 2015, a fire started in the home and caused so much damage that the house had to be demolished. The home owners, Scott and Mary Sue Macy, decided to reconstruct the house to the exact same historic design. The owners were able to locate the original house plans drawn by CC Robins, and constructed the house following these original plans. From the outside, the new house looks identical to the historic house. The owners were able to salvage some historic architectural details that were used in the new construction. The house continues to look a part of the neighborhood and is an anchor to the historic residences in this part of the City. The architect for the reconstruction was Nathan Coopridge, and the builder was Robert Weeks.

Historic Photos:





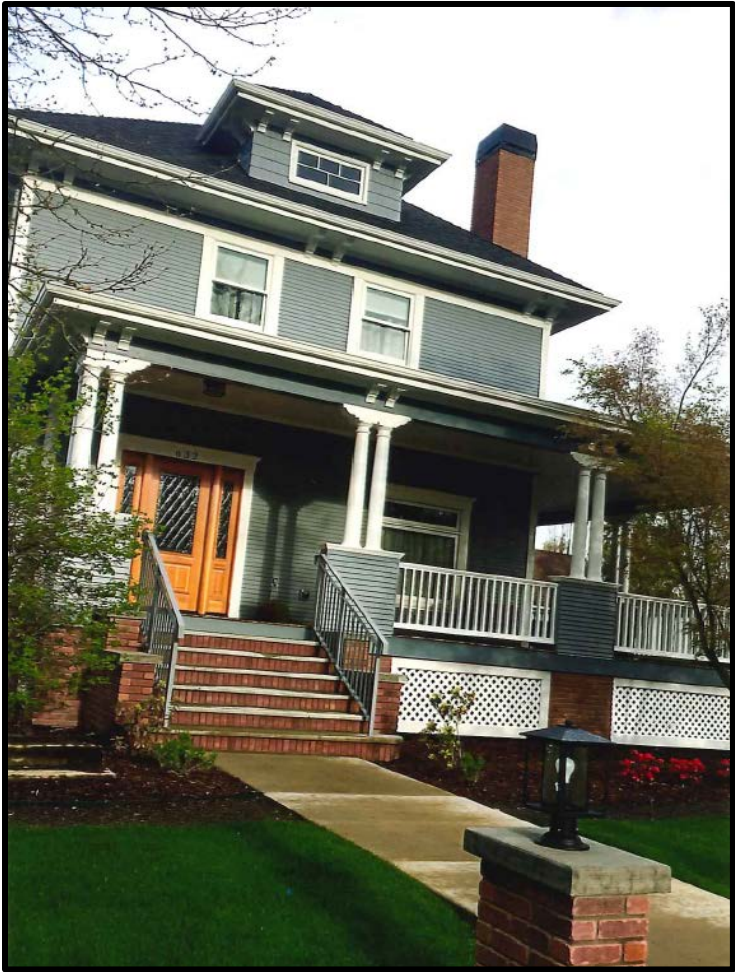
Original Building Plans:



Photos of Fire Damage:



Photos of Reconstructed House:



ELIZABETH CHAMBERS CELLARS (Rehabilitation)

Property Address: 455 NE Irvine Street
Current Owners: Elizabeth Chambers Cellar

Historic Landmark: "Distinctive" classification on Historic Resources Inventory (A796)
Historic Name: City Power Plant

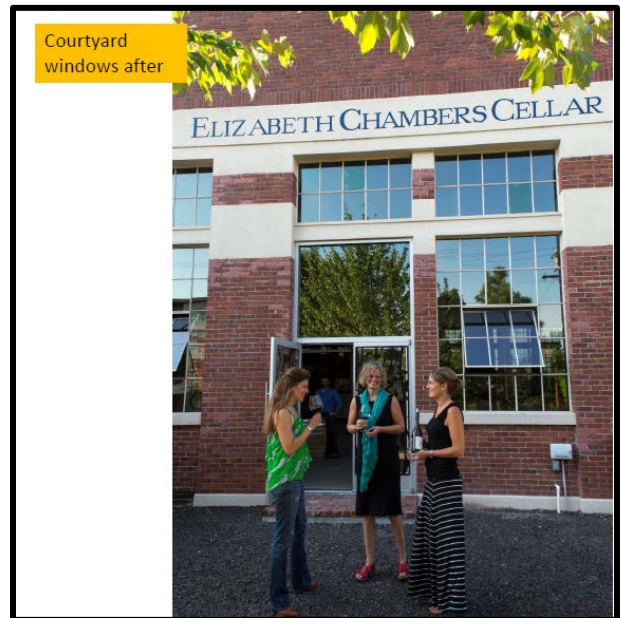
Work Completed: Interior and exterior rehabilitation

Description: The historic building that now houses Elizabeth Chambers Cellar originated as the power plant for the city. When the late Liz Chambers purchased the building and started her brand the windows to the courtyard had been insulated over with black panels. Further an addition to the West of the building that housed the majority of the wine-making space was poorly constructed as a pole barn with metal siding. Liz hired Cellar Ridge Construction to rebuild the tasting room, revitalizing the space by reglazing the existing metal frame sash windows with dual pane energy efficient glass. Further the interior brick was restored by vapor blasting the paint off. Later Cellar Ridge rebuilt the winery area and rather than using metal siding, historically appropriate brick facades painstakingly recreated the original look of the historic building. This included matching the tan strips of painted stucco. With a new metal structure and cleanable and robust building materials the project demonstrated that a modern winery can work perfectly within the context of a historic building. By highlighting the original beams, concrete floors, and steel smoke stacks visitors come away with a sense of the history of this grand building.

Historic Photo:



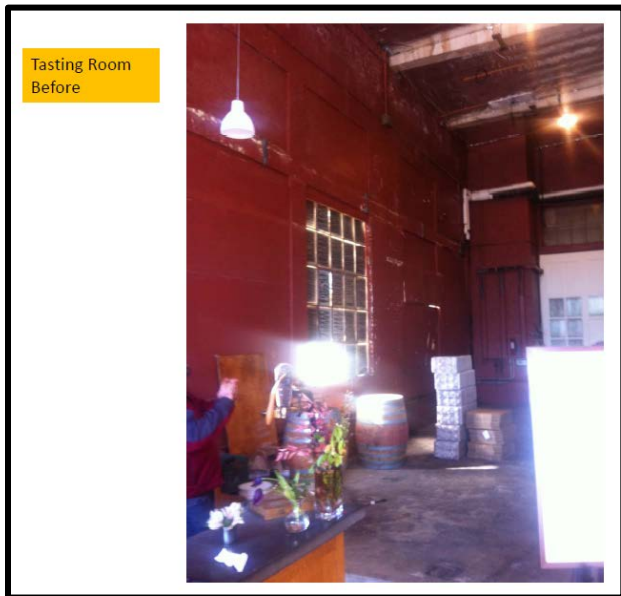
Courtyard Before & After:



Winery Before & After:



Tasting Room Before & After:



Fiscal Impact:

None.

Alternative Courses of Action:

None.

Recommendation/Suggested Motion:

Staff recommends that the Mayor acknowledge the recipients of the 2018 Historic Preservation Awards and present them with their individual plaques.



McMinnville Historic Preservation Awards Nomination Form 2018

The City of McMinnville Planning Department and Historic Landmarks Committee are currently accepting nominations for the 2018 McMinnville Historic Preservation Awards.

Nomination forms must be completed and submitted to the Planning Department **no later than April 20, 2018**. Nomination forms can be emailed to Chuck Darnell at the email address provided below, or can be submitted in person to the Planning Department offices at the Community Development Center (231 NE 5th Street, McMinnville, OR 97128).

For more information about this program, please contact Chuck Darnell, Associate Planner, at 503-434-7330 or by email at: chuck.darnell@mcminnvilleoregon.gov

Program Overview

With grant funding awarded through the 2017-2018 Certified Local Government (CLG) Program from the State Historic Preservation Office (SHPO) and National Park Service (NPS), the City of McMinnville Planning Department and Historic Landmarks Committee are establishing an annual McMinnville Historic Preservation Awards program.

The awards will acknowledge and honor outstanding historic preservation efforts that have been undertaken in the City of McMinnville. The awards may be provided to property owners that completed historic preservation projects (such as remodeling, restoration, or reconstruction), but can also be provided to individuals that are particularly committed to or involved in historic preservation efforts in the community.

Awards will be announced and presented at a City Council meeting during Historic Preservation Month, which is celebrated in May of each year.

The following guidelines shall apply to nominations:

- ☐ Historic preservation projects (such as remodeling, restoration, or reconstruction) may be for residential or commercial buildings or properties.
- ☐ Buildings or properties must be located within the McMinnville city limits.
- ☐ Buildings or properties do not need to be listed on the National Register of Historic Places or the City's Historic Resources Inventory to be nominated for an award. However, the potential listing of a building on the national or local inventory will be considered during the review of nominations.
- ☐ Projects must have been completed between 2012 and 2018 (up to April 20, 2018).
- ☐ Historic preservation projects must be consistent with the historic preservation design standards and guidelines in the McMinnville Zoning Ordinance. The nominator must demonstrate the historical aspects of the project through narrative, photographs, or other materials.
- ☐ For an individual or organization to be considered for an award, the nominator must demonstrate how the individual or group has been actively involved in historic preservation efforts.

All nominations will be reviewed by an award selection committee, composed of a member of the Historic Landmarks Committee, a member of the City Council, and Planning Department staff. Awards will be presented at the City Council meeting on May 8th, 2018.

Nominee Information

Name of individual, group, or property being nominated:

Property: Elizabeth Chambers Cellar

Owners: Elizabeth Chambers

Address of property being nominated:

455 NE Irvine Street, McMinnville, OR 97128

Nominator Information

Name

John Mead - Owner of Cellar Ridge Construction

Address

109 NW 5th Street, McMinnville, OR 97128

Phone

(503) 560 - 2263

Email

jmead@cellarridge.com

Use the space below to describe one of the following:

(a) The historic preservation project in detail. Please describe how the project is consistent with the historical character of the building or the surrounding historical area. Also describe how the building is significant to McMinnville's history.

(b) The historic preservation efforts of an individual or organization and how this work has significantly and positively impacted the ongoing historic preservation of McMinnville.

(Attach additional pages if necessary)

The historic building that now houses Elizabeth Chambers Cellar originated at the power plant for the city. When the late Liz Chambers purchased the building and started her brand the windows to the courtyard had been insulated over with black panels. Further an addition to the West of the building that housed the majority of the wine-making space was poorly constructed as a pole barn with metal siding. Liz hired Cellar Ridge Construction to rebuild the tasting room, revitalizing the space by reglazing the existing metal frame sash windows with dual pane energy efficient glass. Further the interior brick was restored by vapor blasting the paint off. Later CR rebuilt the winery area and rather than using metal siding, historically appropriate brick facades painstakingly recreated the original look of the historic building. This included matching the tan strips of painted stucco. With a new metal structure and cleanable and robust building materials the project demonstrated that a modern winery can work perfectly within the context of a historic building. By highlighting the original beams, concrete floors, and steel smoke stacks visitors come away with a sense of the history of this grand building.

In addition to this completed nomination form, the applicant must provide the following:

- ☐ *If applicable, photographs or other materials showing the building both before and after the historic preservation project.*

Courtyard
windows before



Courtyard
windows after



Winery before



Winery after



Winery after



Tasting Room
Before



Tasting Room After



Historic Resources Survey City of McMinnville Yamhill County, Oregon

Site Information

Site Address

455 NE Irvine St.

Owner at Time of Survey

City of McMinnville

Map/Tax Lot

R4421BD02400

Current Zoning

M-1

Special Tax Assessment

No

Downtown Historic District

No

Subdivision Name

Rowlands Addition

Block

16

Lot

1

Lot Size

Quadrant

NE

Site Number

18.18

Aerial Number

K-10

Resource Classification

A

Resource Number

796

Historic Significance

Secondary Resource #379

Historic Information

Date of Construction

1926-27

Early Additions/ Remodels

Builder/Architect

Unknown (Fairbanks-Morse?)

Historic Name

City Power Plant

Original Use

City Power Plant

Common Name

City Power Plant

Present Use

Industrial

Condition of Structure

Fair

Comments (at time of Survey)

Building Type

Industrial

Outbuildings

None

Building Style

Rectangular

Stories

1.5

Porch

☐

Basement

☐

Roof Style

Flat

Roof Type

Moved

☐

Demolished

☐

Year/Date

Permit Number(s)

11-44-94, 99B0622,
06B0064

Additions/ Alterations

Interior Alteration, Commercial Carport
Addition, Interior/Exterior Remodel Addition

Resource Information

Recorded By

Gary & Beth Westford

Date

7-31-1980

Sources

Historic Resource Survey
City of McMinnville
Yamhill County, Oregon

Statement of historical significance and description of property:

A796

A rectangular brick one and one-half story building with a flat roof with a plain concrete cornice at the rooftop. The brick is common bond. There are one and one-half story high windows on all sides with 15 to 25 lights per window. At the southeast corner of the building the main entrance has three one and one-half story high semi-circular arched brick windows with fanlights. All windows also have lug (projection) sills. The main entrance has plain entablature and double doors with full-length glass. On the north side there are three equidistant wood doors with entablature work above each. This building housed the diesel engines which supplemented power production for the City when this facility was built in the late 1920's. These diesels were in operation until 1978. The building now accommodates the municipal electric operational center.

Historic Resource No. A796



Photo July 2001



Original 1983 Survey Photo

Nominator Information

Name

JOAN DRABKIN

Address

307 NE 7th St

Phone

503 550 0518

Email

drabkin@villawk.com

Use the space below to describe one of the following:

(a) The historic preservation project in detail. Please describe how the project is consistent with the historical character of the building or the surrounding historical area. Also describe how the building is significant to McMinnville's history.

(b) The historic preservation efforts of an individual or organization and how this work has significantly and positively impacted the ongoing historic preservation of McMinnville.

(Attach additional pages if necessary)

The original house, built in 1905, by CC Robins, is in the downtown historic district of McMinnville. The house burned down in a fire on June 3, 3 years ago this next July.

The restoration of the house was done on the original builders plan, with a few adaptations to suit the owners, Scott & Marysue Macy. From the outside the house looks the same and the restoration is stunning. The owners saved some architectural details that were used in the restoration. The house

In addition to this completed nomination form, the applicant must provide the following:

- ☐ If applicable, photographs or other materials showing the building both before and after the historic preservation project.

continues to look a part of the neighborhood and an anchor to these historic residences.

The restoration architect is Nathan Cooperider and the builder is ROBERT WEEKS, ARCH OR

Historic Resources Survey City of McMinnville Yamhill County, Oregon

Site Information

Site Address

Owner at Time of Survey

632 NE Cowlis St.

Roger Hallum

Map/Tax Lot

Current Zoning

Special Tax
Assessment

Downtown Historic
District

R4421BB17700

O-R

No

No

Subdivision Name

Block

Lot

Lot Size

Quadrant

Willis Addition

5

3

12,000 sq.ft.

NE

Site Number

Aerial Number

Resource
Classification

Resource
Number

Historic Significance

5.22

J-10

A

359

Primary Resource #110

Historic Information

Date of Construction

Early Additions/ Remodels

Builder/Architect

1905

C.C. Robins

Historic Name

Original Use

Common Name

Present Use

Roswell Conner House

Residence

Conner House

Residence

Condition of Structure

Comments (at time of Survey)

Good

Building Type

Outbuildings

Building Style

Stories

Residential

None

Box

2

Porch

Basement

Roof Style

Roof Type

Moved

Demolished

Year/Date

☒

☒

Hip

Shingled

☐

☐

Permit Number(s)

Additions/ Alterations

Resource Information

Recorded By

Date

Sources

Jan M. Bennette

8-26-1980

Letha Apperson, Anne Sitton McCallum,
Telephone Register, April 22, 1905,
House Plans, Roger Hallum

Historic Resource Survey
City of McMinnville
Yamhill County, Oregon

Statement of historical significance and description of property:

A359

An interesting two-story square box home with hip roof and front facing hip roof dormer, shingled with brackets under overhang and three-over-two light. A hip roof divides levels on front and south side and forms wrap-around porch cover with unusual support column treatment (two together, then two, then three at corner, then two and then three at back edge) and low railing with vertical spindles between. From porch floor level to ground is wood latticing. The porch steps are brick as are columns on either side of steps to roof.

The lights are symmetrical on second level front and asymmetrical on ground level featuring entry door to one side with leaded glass sidelights and leaded glass transom type lights over large window on opposite side.

There are two bay windows on home, one major and one minor and a side dormer. The major bay has a curved board diamond pattern in center of lights with rays to corners.

The structure has a concrete foundation and basement and a rear facing, one level extension with cropped gable roof and chimney and aluminum sash windows.

Home seems in generally good condition and has bevel siding.

Roswell Conner was a prominent attorney in McMinnville at the turn of the century. He was married to Myrtie Apperson, sister of E. C. Apperson, who lived across the street. He built the home in 1905, with C. C. Robbins as architect, for \$2,500.

Historic Resource No. A359



Photo July 2001



Original 1983 Survey Photo

Jared Vanlaanen cuts a piece of wood for the exterior of the Macy house near downtown McMinnville. Workers are building an exact replica of the structure that burned — the Macys had the original blueprints.

Rockne Roll/News-Register



Rebuilding a tradition

After a devastating fire, couple rebuild historic home, restoring its original appearance

By STARLA POINTER
Of the News-Register

A tradition began when R.L. Conner built an American Foursquare with Queen Anne touches a few blocks from Third Street in 1904.

He passed on the original blueprints and early photos of the solidly built, 3,000-square-foot house to the next owners, the Elliott Cummins family. Cummins, in turn, passed those mementos on to the next residents, Jim and Reita Lockett.

The Locketts continued the tradition by passing them on to Sharon Scoltock, the fourth owner. Scott and Mary Sue Macy, next in line, received the blueprints when they bought the place in 1984.

"Some things just stay with this house," Mary Sue said.

She and her husband displayed the framed blueprints along the staircase, so they could be viewed by anyone ascending to the bedrooms on the second floor. And that's where firefighters and neighbors found them after the house caught fire in July 2015.

It was July 23, to be exact — the Macys' anniversary. "That's a date I remember," Scott said recently as he watched a construction crew build a replica based on those original blueprints.

The Macys had gone to the coast to

celebrate their anniversary with a fishing trip. A phone call summoned them home.

"The fire trucks were already gone," he said, "but 30 or 40 neighbors and friends were there, wiping water off our possessions."

The fire department did a wonderful job, the Macys said.

Between them, friends and firefighters saved many treasured items, including the blueprints and art works that had been hanging on the walls on the lower floor. They even carried out a heavy, 100-year-old table before vacating the structure in case the roof collapsed.

While the whole episode has been emotional, Scott said, "Nobody was hurt. That's the biggest thing."

The Macys also were greeted by their insurance representative, Terry Jo

Cary of Oregon Mutual.

"She's been fantastic," he said. "OMI was cooperative and helpful."

With that, the process of rebuilding their beloved home, which had become a community landmark, began.

The home was considered a historic structure.

Since more than 70 percent of it was destroyed, the Macys were not required to restore its original appearance. But they chose to do so anyway, out of respect.

Eighteen months later, people driving or walking by will see, in the distance, what appears to be the original rising 2 1/2 stories on its corner lot.

"Isn't that the 'Quarterback Princess' house?" some people ask, remembering the TV movie filmed in McMinnville in 1983.

The movie told the story of Tami Maida, a girl who played football on the boys' team at Philomath High School. The Macys' future home stood in for the one in which the Maida family lived.

As they get closer, though, passersby realize it's not the Maida house, the 112-year-old building they're expecting. It's actually a house still under construction.

But it will look almost the same as it did when the Macys, who had been living in Mary Sue's native Michigan, returned to Scott's hometown.

"We fell in love when we saw it," he said. "We like older homes. We like the neighborhood."

It had four bedrooms upstairs, just right for the couple and their two small children, daughter Ericka and new baby Glen. They loved the family room that a previous owner had created on the first floor, and a downstairs bathroom was added in the renovation.

They liked the kitchen, too, although they had given it an update in the 1990s. They had also added insulation and storm windows, and fixed some leaks.

From the first, they appreciated the daylight basement, which offered room for storage. They liked the fireplace, with its tall brick chimney that had been added in the 1950s. They especially loved the open staircase, which made



The name of R.L. Conner, who built the original home, is inscribed on the walk.

two right turns as it ascended, and the huge, wrap-around porch.

"A beautiful house," Mary Sue recalled.

"It fit our needs," Scott said. "It was always the Christmas house in our family, and it still will be."

Not this Christmas, although the Macys will host their now-grown children, grandkids and extended family in the home they're renting while construction is underway. With the rebuilding expected to be completed next spring, they plan to decorate a tree there a year from now.

The rebuilt house will have almost the same layout as the original. R.L. Conner, whose name is inscribed in concrete on the front walk, would be able to find his way through the living room to the kitchen, down to the

basement or upstairs to the sleeping quarters.

However, the Macys had their architect, Nathan Coopridier, move the master bedroom down to the main floor. They had him replace the four upstairs bedrooms with three larger ones. And builder Robert Weeks is creating a new entrance on the north side, near the kitchen.

Other than the new entrance, the house looks just as it did before, right down to the diamond pattern on the north-side window. But everything is new, including the windows. They look similar, but meet modern code.

The Macys said they hoped at first to save part of the structure. But the roof was heavily damaged, as were other parts of the house, and everything was soaked from the firefighting effort.

They finally concluded everything

above ground would have to be torn down. All they were able to save were a few of the 70 or so corbels, decorative brackets that Scott felt "really made the house."

A little later, they realized the basement had to be redone as well, as the original didn't meet code. There was no rebar in the concrete, for example.

The razing, designing, planning and permit process took months. Reconstruction work finally began in May.

By the time everything is finished, the salvaged corbels, along with new ones custom made to match, will have been installed.

In addition, lead patterns will have been added to some of the windows to make them appear as they once did. Joan Lusk, a friend of Mary Sue, did the artwork.

While they're happy in their rental, the Macys are eager to return to the home they've loved for more than three decades.

"With something like this, you have to practice patience," Mary Sue said. "Breathe."

Scott said he tries to look at the bright side of the whole process, which, for him, started with a terrible phone call.

"It's one of those bumps in life," he said. Seeing his new yet familiar house under construction "is the good part," he said.

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Submitted photo
Scott and Mary Sue Macy's historic home burned on July 23, 2015, the couple's anniversary. They were away on a fishing trip at the time.

Prepare for the worst

By STARLA POINTER
Of the News-Register

If Scott Macy could go back in time, he would walk through every room of his historic McMinnville home with a video camera.

Now that the home has fallen victim to a devastating fire, it's too late.

People kept telling him it was a good idea to make a video record of his possessions, he said. But he put it off — a mistake he won't make again.

Macy's friends were right about taking inventory, according to Terry Jo Cary, a claims representative with Oregon Mutual Insurance.

"At least make a list, at least of your valuables," said Cary, who has been working with Scott and Mary Sue Macy on their claim.

She actually arrived at the fire scene before they did, as they were out of town. She was driving to work early the morning of the blaze when she noted the fire trucks and stopped.

Cary suggests listing jewelry, art and electronic elements. Adding photos or video is a good idea, as is keeping receipts and model numbers.

"The more information, the better," she said. "It will help you prove what you had and help us determine the claim."

Another very important tip:

"Keep the inventory in a safe place," such as a fireproof box or a safety deposit box at the bank, she said. Make sure it remains intact and is easy to find.

If tragedy strikes, Cary said, notify your insurance agency as soon as pos-

sible. It will send someone to help.

Give the insurance representative a copy of the list. If you've had to make emergency repairs, such as covering the roof to keep rain from getting into the structure, save the receipts and give those to the insurance rep, too.

Cary also suggests thinking ahead about what you'll do if you're home when fire breaks out or another problem occurs. She uses plug-in lights, which turn on if the power goes out, so she'll be able to find her way to the exits.

She also recommends keeping a portable ladder on the second floor, in case fire breaks out on the first floor. If fire is blocking the stairs, you can use the ladder to escape through a window.

It's also a good idea to devise, and practice, an escape plan, she said. And like the fire department suggests, have a pre-established meeting place so you'll know whether everyone has made it out safely.

Cary also suggests thinking about insurance before something bad happens. Homeowners probably have insurance already, but many renters do not.

"That's a shame, since it's so inexpensive," she said. "And it covers not only content, but displacement and liability, too, in case a fire is your fault."

Renters and homeowners also should consider how much insurance they have. If they have extra valuables, such as an art collection or expensive electronics or jewelry, they should talk to their insurance agent about the possibility of increasing their policy, she said.

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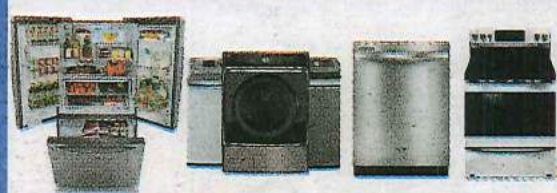


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Macy

McMinnville, Oregon:

our historic built environment



Francis Spence Temple Collection

McMinnville's Historic Resource Inventory

Conducted under the auspices of the State Historic Preservation Office
and the City of McMinnville Planning Department
Janice Rutherford, project director



Galen McBee

Wright Building. Built in 1893 by Elsie Wright, grandfather of its present owner, this grand business block has long been a landmark on Third Street. It has housed such firms as Kay and Todd, Wallace and Walker, and Miller Mercantile. Today, its rehabilitated interior is occupied by several shops and a restaurant.



Galen McBee

Samuel Cozine House. This house at the west end of Third Street was the last residence of pioneer blacksmith Samuel Cozine, and his widow lived in it until her death in 1910. Built in the 1890's, it survives as a fine example of Queen Anne architecture.

* MACY HOUSE



William Blum

Roswell Conner House. The Conner House at 632 N. Cows Street was built by a prominent McMinnville attorney in 1905. Portland architect, C.C. Robbins, who did a number of designs in McMinnville, including the Oregon Hotel, drew the plans for this fine home.



William Blum

Oregon Mutual Insurance Building. Designed by well-known and talented Portland architect, A.E. Doyle, this fine building (originally a symmetrical structure without the west wing) is an outstanding example of early twentieth century period architecture in the classic revival mode. It is located on Fourth and Davis Streets.

22 Mulkey House (Miller) - 624 E. Second

This large ornate two and one-half story bungalow was built by retired farmer Lorenzo Mulkey in 1914. One of the city's finest examples of its style, the house features leaded glass windows and a Craftsman interior with exposed beams and built-in cabinets.

23 Hendershott House (La Maison Surette) - 729 E. Third

George Washington Hendershott, a Union soldier in the Civil War, built this vernacular Queen Anne house in 1891. The present owner expanded the structure and it now serves as a restaurant. Hendershott ran a hotel on the present site of the Douglas Hotel from 1896 to 1908.

24 Southern Pacific Depot - 741 E. Third

This structure was built circa 1911 for the Portland, Eugene, and Eastern Railroad Company, an electric rail line which ran hourly to and from Portland and remained in service until the 1920's. The depot's design is typical for the era with its low hipped roof, heavy brackets, and columns.

25 Estes/Wortman House - 725 E. Fourth

O.G. Estes, whose daughter Ona married Ralph Wortman, built this bungalow style house in 1909. It features many of the elements which made the style so popular including richly textured surfaces, a large front porch, detailed windows, and a "built-in" garage.

26 North Galloway Neighborhood - between Fourth and Sixth

The North Galloway neighborhood was the site of McMinnville's Catholic Church until 1905. The neighborhood includes a variety of houses and styles. Except for the Queen Anne style home (circa 1893) at 638 E. 5th and the rural vernacular home (pre 1889) at 709 E. 4th, the homes date from about 1908 through the 1920's. A number of fine bungalows populate the neighborhood. Note the colonial details on the home at 707 E. Fifth (circa 1909).

27 Jack Spence House - 536 E. Fifth

Built in 1929, this house was designed in the Tudor style by Portland architect Roscoe Hemenway. Fine ornate woodwork adorns the interior. Jack Spence came from Scotland, worked for Miller Mercantile and married F. W. Fenton's daughter, LaVern.

FIFTH STREET SITES

A City Power Plant - Fifth and Irvine Streets

The City Power Plant housed the diesel engines which supplemented power production for the city from the late 1920's until 1978. This simple yet elegant building displays the classical style characterized by the structure's symmetrical form and tall round arched windows.

B Grissen House (Westford) - 1004 E. Fifth

The Grissen House, a two story Queen Anne, was built circa 1889 by Charles Grissen, one of the founders of Oregon Mutual Insurance Company. It was the first house insured by that company.

C Newby/Cook House (Kohler) - 1420 E. Fifth

Originally McMinnville founder W. T. Newby's farmhouse, this historic home has undergone numerous additions which have retained the original classic revival style. John F. Cook bought this property from Newby in 1877. Cook donated the land for Cook School.

ACKNOWLEDGEMENTS

The first annual Mother's Day Tour of Historic McMinnville, presented May 13, 1984, would not have been possible without the support of the following organizations and individuals:

The McMinnville Historic Landmarks Committee (Jan Bennette, Gene Holland, Kimberly Lakin, Marietta Rankin, and Ruth Stoller), the Planning Department and the Parks and Recreation Department of the City of McMinnville, the Yamhill County Historical Society, the McMinnville Garden Club, the Balloon Express, antique and classic car owners, the Mid-Valley Group Home, Marcia Blevins, and the following homeowners: Jack Temple, Mary Sue and Scott Macy, Amy and Wayne Pyzer, Ray and Mary Miller, Beth and Gary Westford, and Larry and Charmaine Kohler.

Special thanks to Mary and Ray Miller for refreshments, Lisa Kohler for entertainment, and Danny Egner and Jim Baird for tour organization and historical research.

NATIONAL HISTORIC PRESERVATION WEEK MAY 12 - MAY 19

McMinnville

historic tour



background

McMinnville was founded by William T. Newby, a pioneer from McMinnville, Tennessee, who came to Oregon on the first wagon train in 1843. Newby took a Donation Land Claim and in 1853 erected a gristmill on a site which is now part of City Park. With the help of Sebastian Adams, a surveyor, sawyer, and teacher, Newby platted the original townsite in 1856.

McMinnville was incorporated as a town in 1876 and enjoyed steady growth. By 1892, the growing city boasted two public schools, two banks, two flour mills, two newspapers, five churches, and a college. Between the years 1885 and 1910 most of the historic 3rd Street business structures and numerous fine homes were built. Many of the City's bungalows were built from 1905 through 1930.

It is the City's built environment, made up of small bungalows, stately colonial homes, rural farmhouses, and various brick commercial buildings, which gives McMinnville its character. The City's historic buildings are its resources and a visible record of its past. We need to recognize that through wise use and conservation of these resources future generations will be given the opportunity to enjoy and appreciate their architectural heritage.

A SELF-GUIDED WALKING TOUR BEGINNING
AT THE FRANK FENTON HOUSE
343 N. EVANS ST.

Mother's Day
May 13, 1984

WALKING TOUR SITES

1 Frank Fenton House - 434-6 N. Ford

One of McMinnville's most imposing homes, the Fenton house (1909) features Colonial Revival styling. Frank Fenton was a prominent attorney who came to McMinnville in 1880 and was responsible for building several commercial structures on Third Street. The house is listed on the National Register of Historic Places.

2 O. O. Hodson House (Stanard) - 533 N. Davis

This unique two story Queen Anne with many gables and bays, was built circa 1893. The Hodsons came to Oregon in 1878 and bought a hardware firm (present Sears building). O.O. Hodson was a tinsmith and created many of the cornices on Third Street.

3 William Dielschneider House (Pyzer) - 610 N. Cowls

William Dielschneider, son of early McMinnville settlers, was co-owner of Dielschneider Brother's Jewelry, a long-time business located on Third Street. This house, built circa 1900, is an American Foursquare with many Queen Anne elements, including a bay window and a front porch with a hexagonal corner.

4 Roswell Connor House (Macy) - 632 N. Cowls

Prominent McMinnville attorney, Roswell Conner, built this house in 1905. Portland architect, C. C. Robbins, who did a number of designs in McMinnville, including the Oregon Hotel, did the plans for this colonial revival version of an American Fourquare style.

5 Emily Hamblin House (Malott) - 625 N. Cowls

This typical box-like American Foursquare home was built in 1911 by the widow of Third Street clothier Clark Hamblin. In later years, it was occupied by Dr. Ward Wisecarver, a dentist and son of a pioneer.

6 Apperson House (Day) - 609 N. Cowls

Built in 1897 by E. C. Apperson, this originally turreted Queen Anne house was extensively remodeled in 1909 to achieve the present Craftsman bungalow style. The House features leaded glass around the front entry and in a second story "oriel" window. E. C. Apperson was president of the McMinnville National Bank, and served as City Treasurer for 35 years.

7 Frank Rogers House (Mead) - 535 N. Cowls

Frank Rogers, son of pioneer and pharmacist James Rogers, built this large stucco bungalow in 1912 after moving his original Queen Anne house to another site. (The original house, now at 206 E. 10th, has been restored and is open to the public on weekdays courtesy of the "Designers".) Frank Rogers was a pharmacist and was a partner in the Rogers Brother's Pharmacy.

8 Hodson Building (Sears Catalog Store) - 300 E. Third

This building was built in 1901-02 by Orville Hodson to house his hardware and tin business. Italianate in style, this large early commercial building features a projecting cornice supported by large scrolled brackets.

9 McMinnville Bank - 250 E. Third

Built by J. C. Braley in 1885, this Italianate commercial structure displays an elaborate cornice line with a distinctive gable on the corner bearing the inscription "1885". The McMinnville National bank occupied this building from 1885 to 1905.

10 Schilling Building - 238 E. Third

This historic commercial building may be the oldest standing brick building on Third Street. Attractive arched windows and brick work distinguish the second floor. It appeared in records originally as a saloon (from at least 1884 until after 1892), by the early 1900's the building served as a grocery. The stucco facade was added in 1905.

11 Cozine House (Hinshaw) - 105 E. Third

This Queen Anne house is particularly noteworthy for its fancy detailing such as the "fishscale" shingles and colored glass windows. Built about the time of pioneer blacksmith Samuel Cozine's death in 1897, the structure served as home to Samuel's wife Mahala until she died in 1908. An organization is being formed to save the house, if interested, call 472-9371 x342.

12 Carnegie Library - 225 N. Adams

McMinnville's Carnegie Library, completed in 1913, was designed by Portland architect Ernst Kroner. Distinctive features include a low hipped roof, wide eaves supported by paired brackets, and fine windows. Note the stained glass window above the original entrance.

13 W.O.W. Building (Sports Center) - 211 N. Baker

Built in 1916 as the Woodmen of the World Temple, this commercial building is noted for its intricate brick work and use of local materials. The south facade features distinctive chimneys and paired wooden brackets. (The building is scheduled for demolition).

14 First Baptist Church - 125 E. Cowls

This building was designed in the Spanish Colonial Revival style by noted Oregon architect F. Manson White in 1926. Unique features include ornate carvings, the bell tower, and the arched windows with iron grills. The church sits on the site once occupied by McMinnville (Linfield) College.

15 Maloney House - 304 E. First

Built by O. O. Hodson in 1882, this simple rural vernacular house is located on a part of the original site of McMinnville College. During the 102 years of its existence, the house has been inhabited by only two families. Few alterations have been made. H. S. Maloney bought the property in 1899. Threatened with demolition, this house is available for moving (call 472-9371 x342).

16 Wiesner House - 322 E. First

This Italianate style home (circa 1885) features a low roof, narrow windows, and eaves supported by ornately carved paired brackets. John Wiesner owned the cigar store which stood on the corner of Evans and Third Street. The store served as a social gathering place.

17 Wright Building (1893, Limited) 406-428 E. Third

This is the most ornate Queen Anne commercial structure in the City. Elsie Wright came to Oregon from Illinois in 1871, established a harness business, and erected several McMinnville buildings. This was his finest.

18 Union Block (Hamblin-Wheeler) - 411-425 E. Third

This structure combines Italianate and Second Empire styling. Note the detailing on the upper story. Twelve partners (incorporated as the McMinnville Improvement Company and including Ed Hendricks, Elsie Wright, and Frank Fenton) built the structure in 1890. A clothier has always occupied the building.

19 Cook's Hotel (Yamhill Hotel) - 502 E. Third

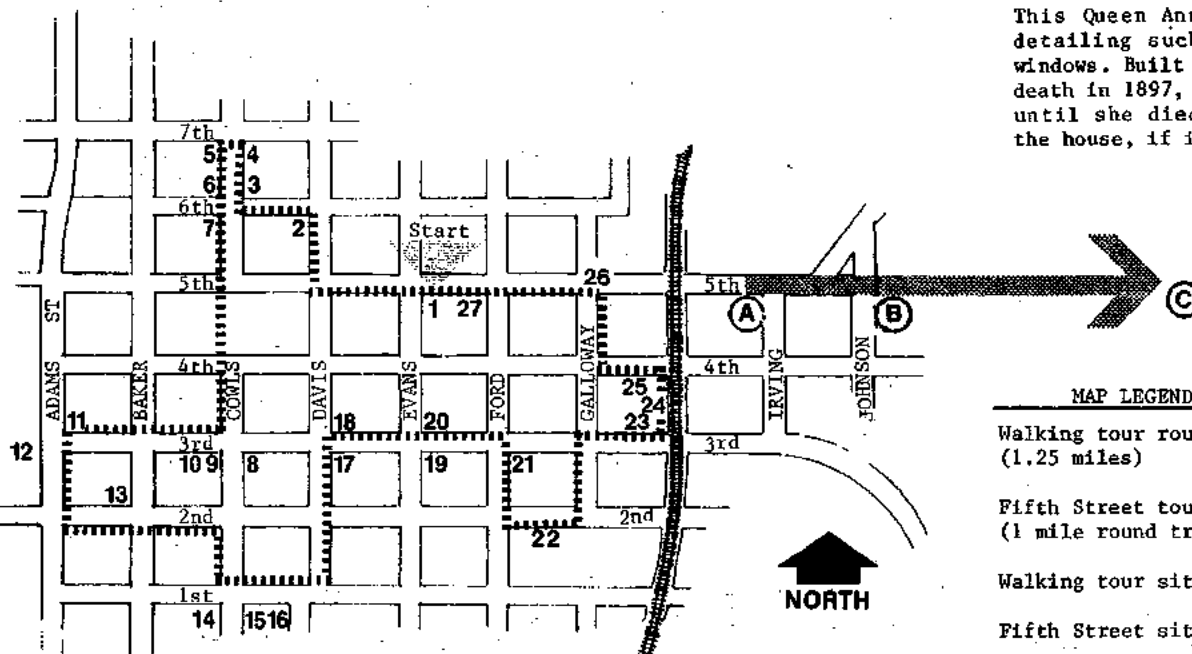
Designed by B. F. Fuller and built by Charles R. Cook in 1886, this hotel had 28 rooms, a billiard hall, and a bridal chamber. O. O. Hodson did the cornice and E. B. Fellows provided the furnishings.

20 Hotel Elberton (Oregon Hotel) - 503-513 E. Third

Originally erected as a two-story hotel in 1905, this elaborate brick building was designed by architect C. C. Robbins. The top two stories were added circa 1912 but were never finished.

21 Jameson Hardware (Taylor Dale Hardware) - 608 E. Third

One of the least altered buildings on Third Street, this red brick structure with buff brick detail was built in 1904. The words "Jameson Hardware Co. Sporting Goods" can still be seen on the east side of the building. Note the original storefront and windows. Erected by J. L. Fletcher, it was first occupied by R. M. Wade and Co. In 1921, Harold Taylor bought into the business.



MAP LEGEND	
Walking tour route	(1.25 miles)
Fifth Street tour route....	(1 mile round trip)
Walking tour sites.....	5
Fifth Street sites.....	(B)
Open houses - May 13th....	(1 to 4 pm)

The final inventory of historic resources consists of a photograph and descriptive information on each property surveyed, grouped in volumes according to their significance. The volumes are color keyed to city maps, and all the information is accessible to the public in the Planning Department, where staff are available to advise owners on options for preservation and adaptive use of historic structures.

Concentrations of historic buildings, such as the downtown, will be given serious consideration and encouragement for the creation of landmark districts for local, state or national recognition.

As comprehensive as the *Historic Resources Survey and Inventory* has been, a structure may have been overlooked or its significance was not recognized. Any citizen having additional knowledge

of a resource is encouraged to present documentation to the City of McMinnville Planning Department for re-evaluation by the Landmarks Committee. A structure's status may be changed only through Landmark Committee review.

An inventory of historic places is useful in that it identifies historic structures and stimulates public awareness of the built environment as a continuum in which we all partake. Historic preservation, while encouraged and often assisted by public agencies, is most effective as a shared commitment by property owners and other individuals concerned with maintaining the best of the past for the enjoyment of future generations.



Oregon Historical Society

This unusual structure housed the McMinnville and Yamhill County Hospital until replaced on the same site by today's McMinnville Community Hospital in 1931. Prior to serving as a hospital, it was a ladies' dormitory for the college.



William Blum

The steeple of St. James Catholic Church, built in 1914, was a long-time landmark at the east end of downtown McMinnville. It was toppled in early 1984, to make way for a modern structure.

Acknowledgements

A huge debt of thanks is due the many individuals who gave of their time and talents, their reminiscences and records, toward the completion of this second phase of the Historic Resources Survey for the City of McMinnville. With apologies to anyone whose efforts may have been overlooked, we extend sincere gratitude to the following individuals and institutions:

Liz Adams, Simone Alin, Christine Allen, James Baird, Tom Ballard, Bennett & Miller, Inc., Jan Bennette, Chuck Blederman's MHS history class, Meg Blodine, Marcia Bleuins, William Blum, Rose Marie Caughran, City of McMinnville, Ruth Wortman Compton, Rick Connell, Joe Dancer, Christy Day, John Day, Dennis Egner, Helen Emerson, Christine Fisher, Dorothy Wortman Guiness, Helen Hanger, Misty Henderson, Richard Highsmith III, Historic Preservation League of Oregon, Gene Holland, Lila Jackson, J. A. "Stein" Jonasson, Kimberly Lakin, Vincent Louie, William Loury, Lee "Cap" Maloney, Ray Mahaffey, Galen McBee, Anne Sifton McCollum, Zorueiss Mead, Ernie Mae, Oregon Historical Society, Virginia Taney Peterson, Phyllis Porter, Marietta Rankin, Mina Redmond, Ruth Richter, Janice Rutherford, Mary Ann Cunnmins Sears, John Schuichtenberg, Tamara Stanks, James Stanard, Martha Stillwell, Ruth Stoller, Barney Thurber, Ticor Title Company, Naomi Woods Treni, Gale Vinton, Beth Westford, Bob Weston, Yamhill County Historic Society

This project was funded jointly by the City of McMinnville and by a grant from the National Park Service, United States Department of the Interior, through the State Historic Preservation Office of Oregon.



Looking west down McMinnville's commercial district, circa 1906.

Oregon Historical Society

Janice Rutherford, Phase I project director
Elizabeth Shellin Atly, Phase II project director

McMinnville, Oregon's built environment is the visual record of its history. The city, in its first century and a half of growth, has expanded outward from the site of its original grist mill, which stood at the west end of today's city park. Rural lands and homesteads were encompassed as McMinnville grew to its present size of approximately eight square miles. Named for founder William Newby's Tennessee home, the town of McMinnville was first platted in 1856 just east of Newby's mill site. Early development proceeded along Third Street, which to this day remains the vital heart of the city. A great number of historic structures, both commercial and residential, are concentrated along Third Street and in the areas surrounding the downtown.

A second focus of early town growth centered around the campus of McMinnville Baptist College which moved from its downtown location (the site of today's First Baptist Church) in 1882 to its newly constructed building now known as Pioneer Hall. The college, renamed Linfield College in 1921,

boasts many worthy buildings designed by well-known architects and a site plan designed by Samuel Lancaster, who also designed the famous Columbia Gorge Highway. In addition to the college buildings, several fine early residences remain in the adjacent neighborhoods.

McMinnville is fortunate in retaining a large number of structures from early stages of its development. Certain building types characterize different periods of town growth. Those buildings remaining from earlier times give us valuable insight into the lives and practices of our forebears.

Several buildings in McMinnville were designed by prominent architects, including Pietro Belluschi, Roscoe Hemenway, F. Manson White, A. E. Doyle, and Ernst Kroner. Most of McMinnville's building stock, however, represents the work of local carpenters, bricklayers and craftsmen, who followed pattern books or used methods and details of construction remembered from homes they left behind.

↓ MACY HOUSE



Gene Holland Collection



Elizabeth Shellin Atty

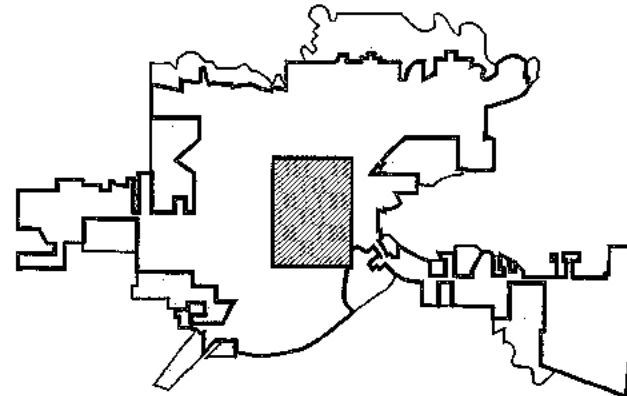
The Rogers house was moved from its location on 6th and Cows (above) when they built a more "modern" home in 1912. Housing an interior design firm on 10th and Baker Streets today (below), it is the most ornate Queen Anne house surviving.



Elizabeth Shellin Atty

The Fenton house, constructed as a residence for attorney Frank Fenton in 1909, and now on the National Register of Historic Places, has been restored and modified for commercial office space.

These early buildings, signposts of our common past, are worthy of our best efforts at preservation. The first step in launching a successful historic resources management program is to survey all buildings constructed prior to a certain date. The City of McMinnville has conducted an historic resources survey with matching grants from the State Historic Preservations Office, and has thus partially fulfilled the State of Oregon's LCDC Goal #5. The two-phase survey, initially undertaken in 1980, and completed in 1984, contains all buildings over 50 years old or otherwise significant or unusual. In 1980, 643 structures in the city's core were surveyed and documented. The survey was extended in 1983 to include all historic properties within McMinnville's Urban Growth Boundaries, and more than 500 additional structures and sites were added to the survey. Further, all resources documented in the two-phase survey have been evaluated by the Landmarks Committee, which was formed in 1982.



Map: Christy Day

McMinnville Historic Resources Survey Area

- McMinnville city limits
- Urban Growth Boundary
- ||||| Area of 1980 Survey

An *Inventory of Historic Places* is the final product of the Committee's evaluations. Each resource was subjected to criteria based on architectural quality, integrity, and uniqueness; association with historically important persons or events; and its contribution to neighborhood environment. Four levels of significance were determined and the resources were ranked accordingly. The first two categories will be provided some protection by the

City's Landmarks Ordinance. Owners of contributory structures have been advised of their property's supportive significance. The four categories are defined as follows:

- a) **Distinctive:** Sites and structures outstanding for architectural or historic reasons, and potentially worthy of nomination to the National Register of Historic Places.
- b) **Significant:** Sites or structures of recognized importance to the city due to historical association or architectural integrity, uniqueness, or quality.
- c) **Contributory:** Sites or structures not in themselves of major significance, but which enhance the overall historic character of the neighborhood or city. Removal or alteration of such structures would have a deleterious effect on the quality of

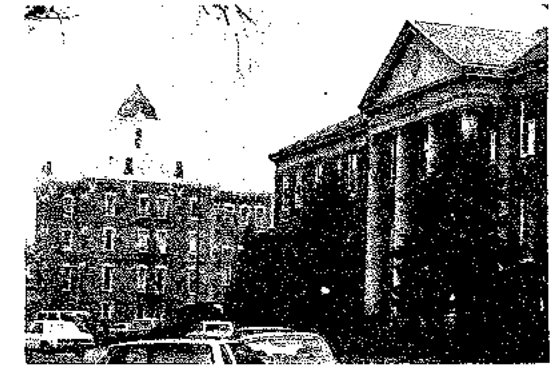


William Blum



Galen McBee

The bungalow, an accessible, convenient home for the median income family, dominated the residential market for the first three decades of this century, and is prevalent in McMinnville. Two of them are shown here.



Elizabeth Shellin Atty

Two venerable old-timers at Linfield College: Pioneer Hall, designed by Justus Krumbein in 1882, a National Register property; and Melrose Hall, designed by Pietro Belluschi of A. E. Doyle and Associates in 1928.

Macy

CITY OF McMinnville
Planning Department
230 E. Second Street
McMinnville, Oregon 97128

N E W S R E L E A S E

Publish: May 7, 1984

Please have Tom Ballard take photograph--or use the attached photo.

This is the third in a series of articles describing homes which will be included in the McMinnville Historic Walking Tour. The tour will be held on Mother's Day, May 13, from 1:00 p.m. to 4:00 p.m., and begins at the historic Frank Fenton House, 434 N. Evans Street. The Fenton House will be open from 11:00 a.m. to 5:00 p.m, with informational displays inside and antique and classic cars outside. The Yamhill County Historic Society will have numerous antique quilts on display at the Fenton House.

N. Cows Street Neighborhood

Cows Street north of Fifth Street includes some of McMinnville's finest older homes. Two of the homes, The Conner /Macy House and the Dielschneider/Pyzer House, will be open to participants of the walking tour. Descriptions of houses in the N. Cows Street area are included below.

At the corner of Seventh and Cows Streets is a house which recently gained local notoriety and national exposure by serving as the home for the Maida family in the television movie, "Quarterback Princess." The house, located at 632 N. Cows Street, was built in 1905 by prominent McMinnville Attorney Roswell Conner and his wife Myrtle. Architect C. C. Robbins designed the house in a style known as American Foursquare, so named because of its boxlike shape and use of four square sides. The architect added various "Colonial Revival" details which perhaps reflect Attorney Conner's interest in America's colonial roots. Elements of its "Colonial Revival" detailing include the paired

"Tuscan" columns supporting the front porch canopy and the sidelight windows which frame the front door.

Myrtle Conner's brother, E. C. Apperson, provided a significant change along N. Cows Street in 1909 when he substantially rebuilt a one and one-half story Queen Anne into a two and one-half story ^{"CRAFTSMAN STYLE"} "bungalow" with Tudor details. This fine house, located at 609 N. Cows, is now owned by the John Day family.

Lacking the extravagant surrounding front porch of the Conner/Macy house, the house at 625 N. Cows is a more typical two and one-half story "American Foursquare" home. It was built in 1910 or 1911 with many fine interior detailings, windows, and a one-story "bungalow" style front porch. This house was built by Emily Hedden Hamblin, widow of Clark Hamblin who established Hamblin Clothiers, later known as Hamblin-Wheeler Clothiers. Similar houses were built by the thousands to house America's growing urban population in the years prior to World War I.

To the north, many fine "Tudor" and "bungalow" style homes maintain N. Cows Street's classic residential character. This housing area extends up to Adams Elementary School which was built in 1912-13 as McMinnville Junior High, which was recognized as the first junior high in Oregon.

At the corner of Sixth and N. Cows Street, William Dielschneider, a watchmaker, constructed what may be the first American Foursquare house in the area. Built circa 1900, it is a two and one-half story hipped roof frame structure with many bays and second story projections which, along with its hexagonal cornered surrounding front porch, shows strong Queen Anne influence. The brick chimney detailing, the sculptured porch pillars, and the gabled entrance canopy with decorative shingle work are Queen Anne elements which may

reflect Dielschneider's interest in fine detailing, understandable for a watchmaker. He co-owned a jewelry store on Third Street with his younger brother Francis, who also operated a shoe store on Third Street. Their father, Arnold, a Prussian born immigrant, was one of McMinnville's earliest merchants.

Two other houses of note are the Rogers/Mead house at 535 N. Cows, and the Nayberger/Brod house at 528 N. Cows. The Rogers/Mead house, a large ~~Craftsman~~ bungalow with a stucco finish, was built in 1912 by Frank Rogers, son of early McMinnville pioneer and pharmacist James Rogers. The Nayberger/Brod house is another American Foursquare structure and was built in 1910.

Portions of the Dielschneider house, recently restored by owners Wayne and Amy Pyzer, and the Conner house, recently purchased by Mr. and Mrs. Scott Macy, will be open for inspection by tour participants on Mother's Day afternoon.



PLANNING DEPARTMENT, 231 NE Fifth Street, McMinnville, Oregon 97128
www.mcminnvilleoregon.gov

McMinnville Historic Preservation Awards Nomination Form 2018

The City of McMinnville Planning Department and Historic Landmarks Committee are currently accepting nominations for the 2018 McMinnville Historic Preservation Awards.

Nomination forms must be completed and submitted to the Planning Department **no later than April 20, 2018**. Nomination forms can be emailed to Chuck Darnell at the email address provided below, or can be submitted in person to the Planning Department offices at the Community Development Center (231 NE 5th Street, McMinnville, OR 97128).

For more information about this program, please contact Chuck Darnell, Associate Planner, at 503-434-7330 or by email at: chuck.darnell@mcminnvilleoregon.gov

Program Overview

With grant funding awarded through the 2017-2018 Certified Local Government (CLG) Program from the State Historic Preservation Office (SHPO) and National Park Service (NPS), the City of McMinnville Planning Department and Historic Landmarks Committee are establishing an annual McMinnville Historic Preservation Awards program.

The awards will acknowledge and honor outstanding historic preservation efforts that have been undertaken in the City of McMinnville. The awards may be provided to property owners that completed historic preservation projects (such as remodeling, restoration, or reconstruction), but can also be provided to individuals that are particularly committed to or involved in historic preservation efforts in the community.

Awards will be announced and presented at a City Council meeting during Historic Preservation Month, which is celebrated in May of each year.

The following guidelines shall apply to nominations:

- ☐ Historic preservation projects (such as remodeling, restoration, or reconstruction) may be for residential or commercial buildings or properties.
- ☐ Buildings or properties must be located within the McMinnville city limits.
- ☐ Buildings or properties do not need to be listed on the National Register of Historic Places or the City's Historic Resources Inventory to be nominated for an award. However, the potential listing of a building on the national or local inventory will be considered during the review of nominations.
- ☐ Projects must have been completed between 2012 and 2018 (up to April 20, 2018).
- ☐ Historic preservation projects must be consistent with the historic preservation design standards and guidelines in the McMinnville Zoning Ordinance. The nominator must demonstrate the historical aspects of the project through narrative, photographs, or other materials.
- ☐ For an individual or organization to be considered for an award, the nominator must demonstrate how the individual or group has been actively involved in historic preservation efforts.

All nominations will be reviewed by an award selection committee, composed of a member of the Historic Landmarks Committee, a member of the City Council, and Planning Department staff. Awards will be presented at the City Council meeting on May 8th, 2018.

Nominee Information

Name of individual, group, or property being nominated:

Property: Victorian on 10Th

Owners: Paul & Maria Wronski

Address of property being nominated:

206 NE 10th Street, McMinnville, OR 97128

Nominator Information

Name

John Mead - Owner of Cellar Ridge Construction

Address

109 NW 5th Street, McMinnville, OR 97128

Phone

(503) 560 - 2263

Email

jmead@cellaridge.com

Use the space below to describe one of the following:

(a) The historic preservation project in detail. Please describe how the project is consistent with the historical character of the building or the surrounding historical area. Also describe how the building is significant to McMinnville's history.

(b) The historic preservation efforts of an individual or organization and how this work has significantly and positively impacted the ongoing historic preservation of McMinnville.

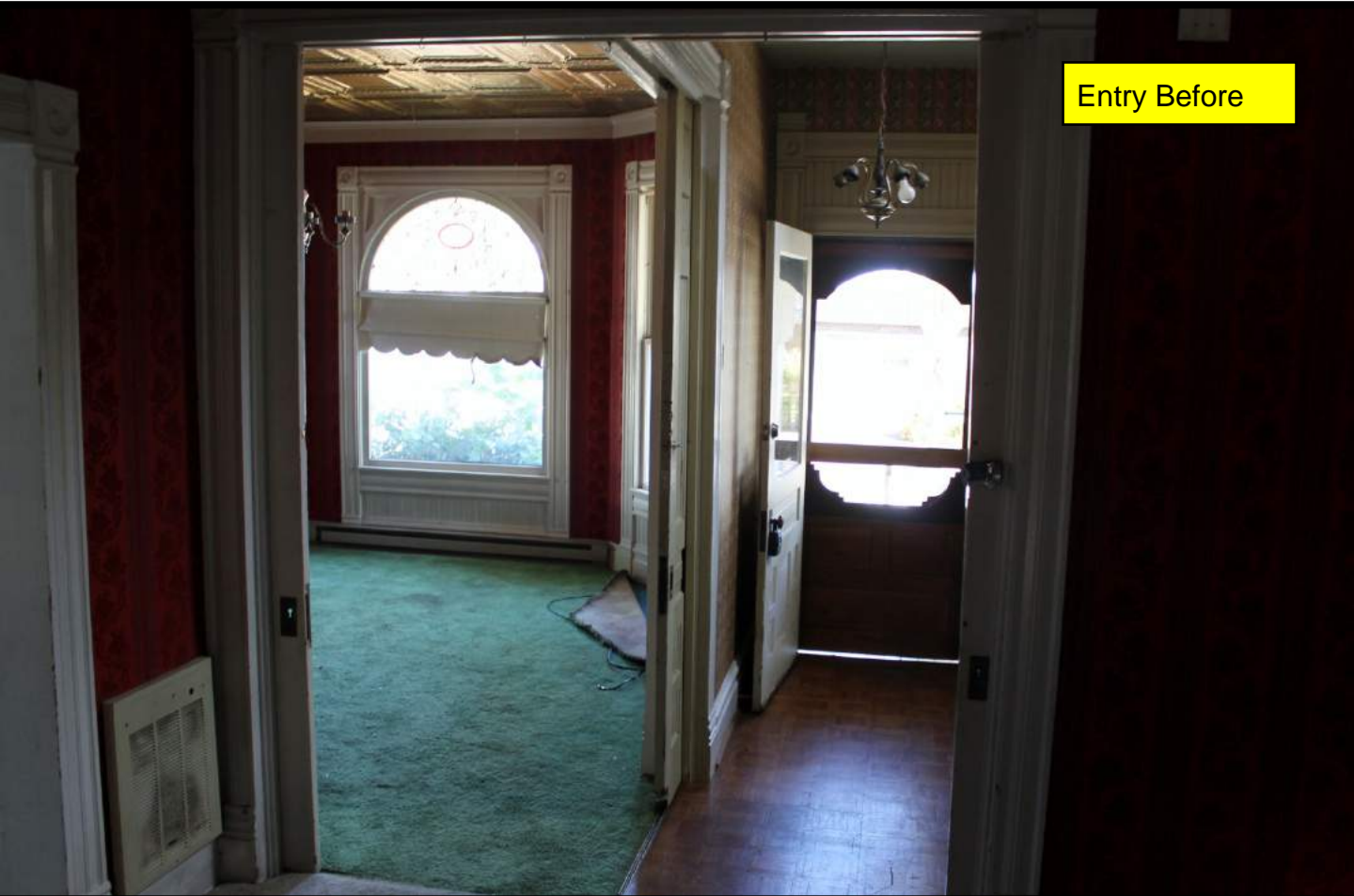
(Attach additional pages if necessary)

This historic resource was in poor condition, unoccupied and deteriorating before being purchase by Maria and Paul Wronski, who hired Cellar Ridge Construction to renovate and restore this property. The siding design was created to be historically and architecturally appropriate to a Victorian home. The exterior colors were designed by Andrea LaRue of Nectar Graphics to be historically accurate. Much of the original door hardware was able to be restored. Cellar Ridge utilized a method of a hot water soak in a crock pot purchased from Goodwill for this purpose, to soften the paint on the hardware. A wire brush was able to remove the softened paint, eliminating the need for harsh chemicals and paint strippers. The original fir floors were painstakingly sanded down and refinished. The original wood windows were dis-assembled, sanded down, painted and re-installed with new pulleys and the old weights. Antique brass hardware was located from an architectural salvage house in Aurora Oregon to install on the windows.

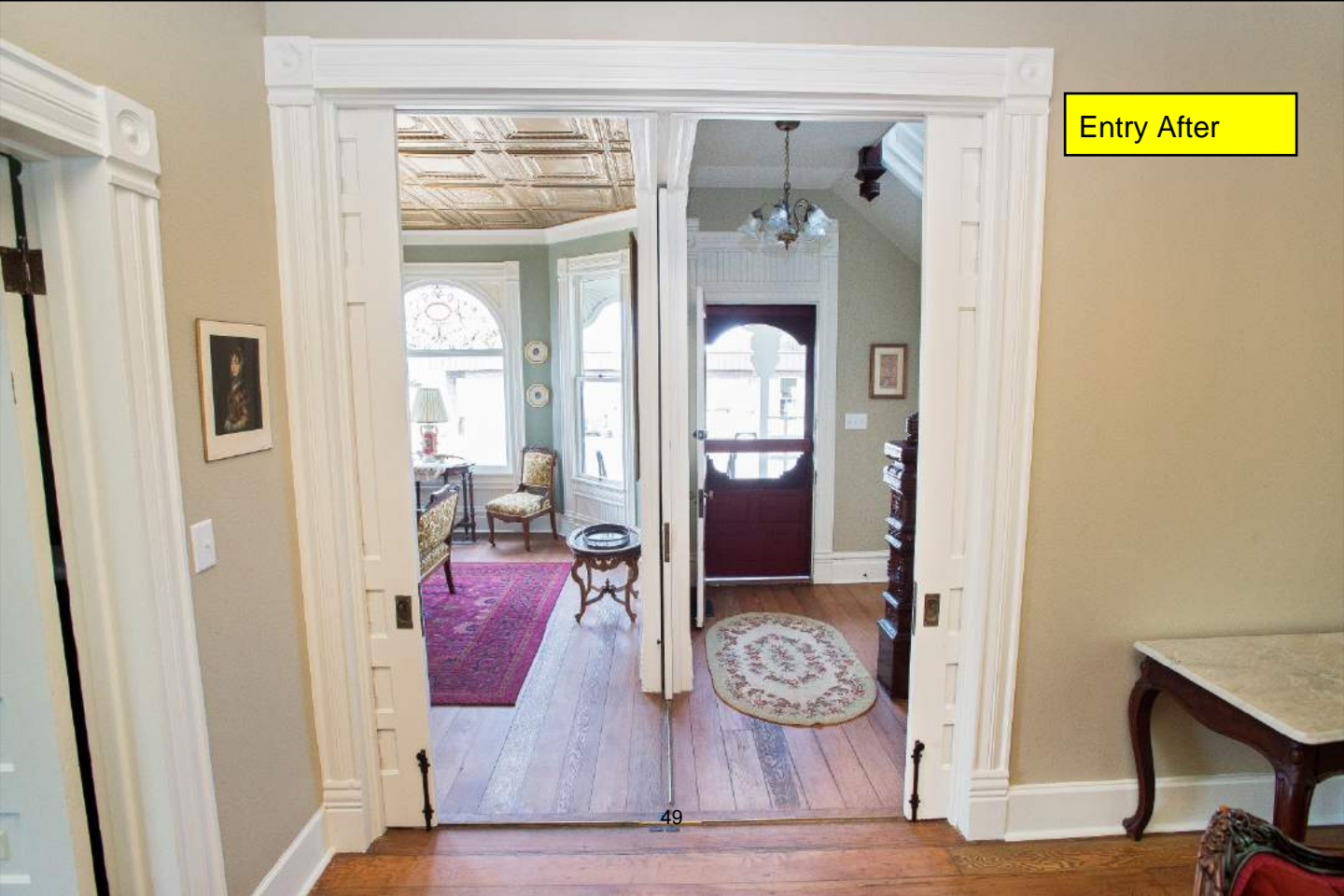
In addition to this completed nomination form, the applicant must provide the following:

- ☐ *If applicable, photographs or other materials showing the building both before and after the historic preservation project.*





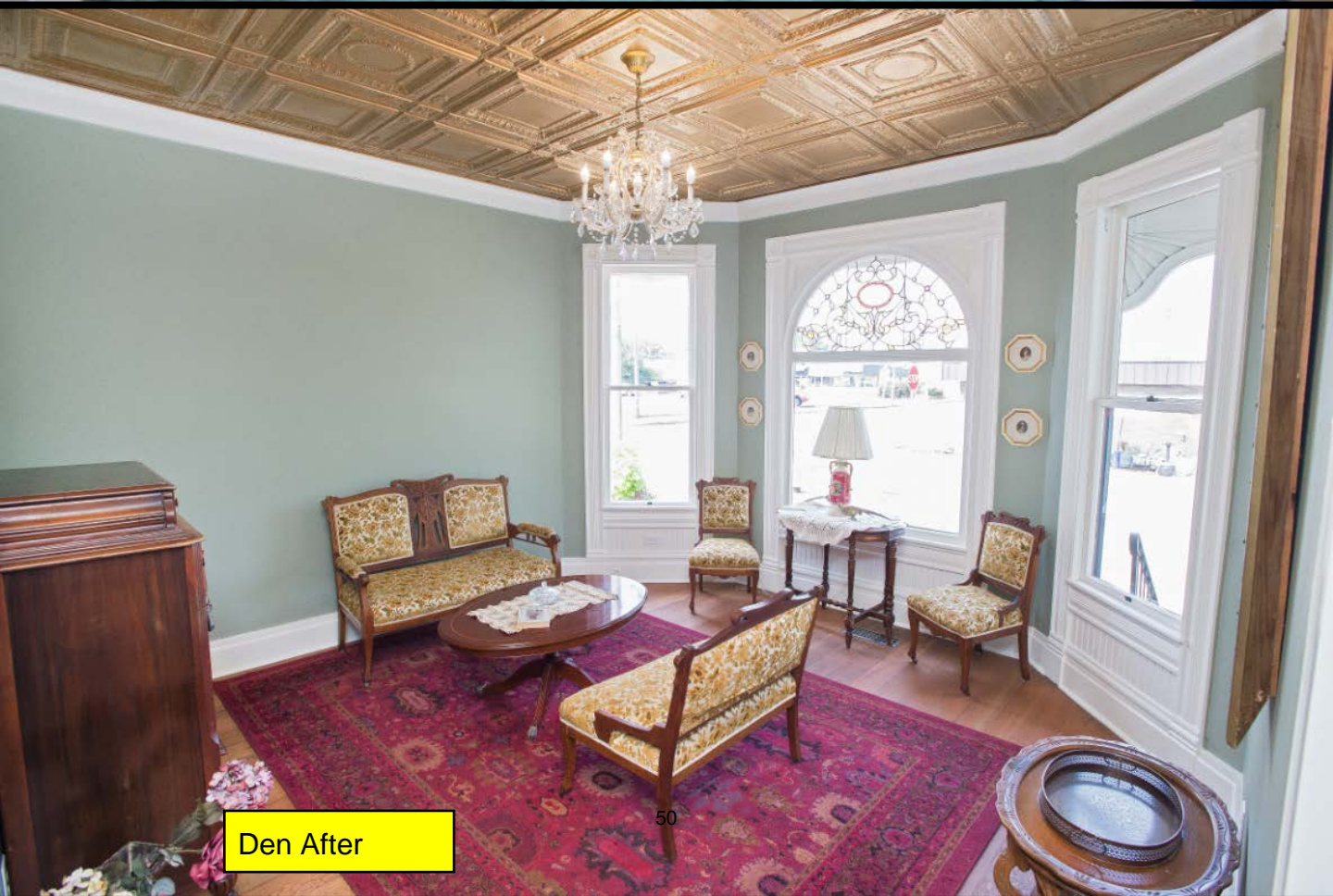
Entry Before



Entry After



Den Before



Den After



Historic Resources Survey City of McMinnville Yamhill County, Oregon

Site Information

Site Address

206 NE 10th St.

Owner at Time of Survey

Lillian B. Schell c/o Gene Holland

Map/Tax Lot

R4421BB04000

Current Zoning

C-3

Special Tax Assessment

No

Downtown Historic District

No

Subdivision Name

John's Addition

Block

15

Lot

4

Lot Size

5,730 sq.ft.

Quadrant

NE

Site Number

2.18a

Aerial Number

J-9

Resource Classification

A

Resource Number

237

Historic Significance

Primary Resource #25.1

Historic Information

Date of Construction

ca. 1896

Early Additions/ Remodels

Builder/Architect

J.E. Clark

Historic Name

Frank E. Rogers House

Original Use

Residence

Common Name

The Designers

Present Use

Business/
Professional Offices

Condition of Structure

Excellent**, Good*

Comments (at time of Survey)

Broken gutters/downspouts

Building Type

Residential

Outbuildings

Small Garage

Building Style

Queen Ann

Stories

2

Porch

☒

Basement

☒

Roof Style

Gable, High Hip

Roof Type

Moved

☐

Demolished

☐

Year/Date

Permit Number(s)

Additions/ Alterations

Resource Information

Recorded By

Janice Rutherford*, Ruth Stoller**

Date

8-18-1980,
5-7-1986

Sources

Telephone Register 7-1-1897 & 6-11-1891

Historic Resource Survey
City of McMinnville
Yamhill County, Oregon

Statement of historical significance and description of property:

A237

This tall, two-story Queen Anne has a multi-form roof line: an off-center front gable facing north, a high hip with frontal gable, an east-west gable ending in pavilions on either side elevation, a secondary lower hip with gable on the rear, and still lower, another hipped roof over a rear ell. There is much flaring—hoods over windows, flared band around the story division, and another flare beneath the water table just above the new concrete block foundation which reveals a basement.

The front gable is asymmetrical with a long eastern slope over a cutaway porch supported by carved posts and sawn wood ornamental brackets. Above this and behind the false gable slope, is a cutaway balcony with a latticework balustrade. There is a beltline of molded wood just above the midsection flare and matching water table.

Fenestration is remarkable for its variation and beauty. An arched four-lighted fixed stained glass window graces the façade under the gable; it is superimposed by a large double-hung stained glass bay window flanked by carved and paneled wood pieces. There are stained glass windows of varying designs on all elevations but the rear. The richness, variety of texture, and form make this a fine example of the Queen Anne style, and the most ornate house in McMinnville.

This house was originally located at the southwest corner of 6th and Cowls, and it cost Frank and Nell Rogers \$2,500 to build it around 1896. The house was moved to its present location in 1912. A surviving daughter, Zonweiss Mead, was born in this house.

Historic Resource No. A237



Photo July 2001



Original 1983 Survey Photo



Discussion:

ORS 294.453 requires that, after the local government's budget committee has approved the budget, the governing body must hold a budget hearing to take citizen testimony on the approved budget.

ORS 294.448 requires that the governing body publish a "Notice of Budget Hearing and Financial Summary" five to 30 days before the scheduled hearing. The information must appear in a newspaper of general circulation. The required Notice and Financial Summary were published in the News Register on May 29, 2018 and posted on the City website.

Action:

Hold the public hearing as required by ORS 294.453.

Link to proposed

budget: https://www.mcminnvilleoregon.gov/sites/default/files/fileattachments/finance/page/6876/2018-19_proposed_budget.pdf

STAFF REPORT

DATE: June 12, 2018
TO: Mayor and City Councilors
FROM: Jenny Berg, Library Director
SUBJECT: Library Hours Proposal

Report in Brief:

This is the proposal for addition Library open hours requested by the City Council at the May 16th budget meeting. The City Manager, Library staff and the City Executive Team discussed a variety of options to consider. Options and a recommendation are included at this end of this report.

Background:

Additional Library hours were not included in the initial budget proposal brought to the Mayor, City Councilors, and Budget Committee at the May 16th budget meeting. A desire for increased Library hours was discussed by Councilors at that meeting and a request made for a proposal.

In fiscal year 2013-14, after three years of budget reductions, the Library unfortunately required a reduction to staffing and open hours, decreasing from 51 to 45 open hours. Not surprisingly, there is a correlation between staff hours, open hours, and overall library usage. The Library must be open and well-staffed in order to serve many of its customers.

Since much of the services the Library provides are accessed while the Library is open, it was no surprise that there was a decrease in Library visits (15%) matching the decrease in hours (14%). Returning open hours has been a priority for the Library since the economic recovery.

Discussion:

To address the request of the City Council to increase Library hours Library staff discussed options for additional hours. The first and most important questions asked was, "What is best for our customers?" We know that Library patrons often wish for later closing time on Friday evenings so that they can visit the Library after work to pick up materials for the weekend. We also have received a good amount of feedback from customers that opening earlier on Saturdays and Sundays would be helpful for families looking to visit the Library at the start of their weekend days. With these additional hours more patrons will be able to use the computers to access the internet, find a comfortable place to study, read, and relax, and spend time with their children in the newly renovated Children's Room. The community will have greater access to the materials and services at the Library.

With the charge by City Council to bring a proposal for adding hours to the Library schedule, Library staff went to work on the matter. After reviewing options for open hours we estimated the cost for adding up to 6 more open hours at \$60,000. In order to make sure that more hours was the best use of these funds, Library staff also discussed other possibilities for a \$60,000 addition to the budget. Upgrading the Library HVAC system, adding security staff at the Library, and increasing the number of

bathrooms were all on the table for discussion. In the end we all agreed that open hours provided the greatest benefit to the most people.

Following the usual method of budget additions, the additional hours were then discussed at the Executive Team level. Another healthy discussion occurred, with questions raised about the impact on reserves, the use of industry standards as a measurement for community services, and the desire to return to the customary method of add packages included at the onset of the budget discussion in future fiscal years. We all understand that funding additional open hours at the Library means that other budget considerations are getting less focus and dollars (in this case likely the reserve). This respectful and thoughtful conversation was useful in getting the Executive Team to a place of understanding of how to move forward.

Option A (51 hours)

Tuesday-Thursday	10-8	
Friday	10-6	
Saturday	10-5	
Sunday	11-5	
Estimated Annual Cost		\$60,000

Option B (50 hours)

Tuesday-Thursday	10-8	
Friday	10-6	
Saturday	10-5	
Sunday	12-5	
Estimated Annual Cost		\$50,000

Option C (48 hours)

Tuesday-Thursday	10-8	
Friday	10-5	
Saturday	10-5	
Sunday	1-5	
Estimated Annual Cost		\$30,000

Current hours (45 hours)

Tuesday-Thursday	10-8	
Friday	10-5	
Saturday-Sunday	1-5	

Recommendation:

In an effort to balance patron service with fiscal responsibility three options are proposed for consideration. Each of the options will offer increased service to the community through increased access to the materials and services provided by the Library. Option A is the recommendation of the Library Director due to it providing the greatest benefit to Library users and the community.

Option A

Tuesday-Thursday	10-8	
Friday	10-6	
Saturday	10-5	
Sunday	11-5	
Estimated Annual Cost		\$60,000



Discussion:

ORS 220.771 requires that cities annually pass an ordinance or resolution requesting state revenue sharing money, holding public hearings, and certifying that these hearings were held.

To receive state revenue sharing in 2018 – 2019, the City must have levied property taxes in the preceding year and:

- 1) Pass an ordinance or resolution approving participation in the program and file a copy of that ordinance with the State of Oregon prior to July 31.
- 2) Hold the following hearings on the use of state revenue sharing funds:
 - a) a public hearing before the budget committee to discuss possible uses of the funds.
 - b) a public hearing before the city council on the proposed uses of the funds in relation to the entire budget
- 3) Certify to the State of Oregon prior to July 31 that these hearings have been held.

As required by ORS 221.770, a public hearing on possible uses of state revenue sharing was held before the City of McMinnville Budget Committee on May 16, 2018.

Action:

Hold the public hearing as required by ORS 220.771. The City will certify to the State of Oregon prior to July 31 that the public hearings were held.

A resolution approving participation in the program and requesting revenue sharing will be presented to the City Council at the June 26, 2018 meeting.

City of McMinnville
City's Proposed Uses of State Revenue Sharing
2018 - 2019 Approved Budget

Revenue - State Revenue Sharing **\$ 429,000**

Expenditures - State Revenue Sharing

Administration

- General Fund facilities assessment 75,000
- General Fund strategic planning consultant 75,000
- Civic Hall audio system upgrade 20,000

Fire

- Command vehicle 43,000
- Mold remediation plumbing repair 75% (cost shared with Amb) 75,000

Parks & Recreation

- Recreation buildings master plan 75,000
- Senior Center roof repair/replacement (city share) 20,000

Park Maintenance

- 11 ft rotary mower 46,000

Total Proposed Expenditures **\$ 429,000**

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

Tuesday, March 27, 2018 at 7:00 p.m.

Presiding: Scott Hill, Mayor

Recording Secretary: Melissa Grace

Councilors:	<u>Present</u> Adam Garvin Kellie Menke, Council President Alan Ruden Wendy Stassens Sal Peralta	<u>Excused Absence</u> Remy Drabkin
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Also present were City Manager Jeff Towery, City Attorney David Koch, Community Development Director Mike Bisset, Parks and Recreation Director Susan Muir, Planning Director Heather Richards, Police Captain Tim Symons, and members of the News Media – Dave Adams, KLYC Radio, and Tom Henderson, *News Register*.

AGENDA ITEM

1. CALL TO ORDER: Mayor Hill called the meeting to order at 7:08 p.m. and welcomed all in attendance.

2. PLEDGE OF ALLEGIANCE
Councilor Stassens led the pledge of allegiance.

3. PRESENTATIONS

3.a. Abandoned Vehicles and RV Parking

Police Captain Symons stated that the Police had seen an increase in vehicular camping and RV related parking issues and abandoned vehicles. The current abandoned vehicle code was labor intensive and took a long time to address abandoned vehicles. There was nothing currently on the books that was enforceable related to RVs. He and Police Chief Scales had looked into what other cities did and had provided sample language for code changes for abandoned vehicles and recreation vehicles to the City Attorney's office. An Ordinance was before the Council tonight with those changes.

Mayor Hill asked if the Council had any questions of staff. There was also public comment related to the Ordinance and it was up to Council when to take that

testimony.

Councilor Stassens asked about permits to allow RVs in front of owner's residences being included. Captain Symons stated there was discussion about that issue. City Attorney Koch stated that it wasn't clear from prior discussions that it was something Council wanted staff to look at.

Councilor Garvin asked about fines. Captain Symons said the fine for abandoned vehicles was \$45.

Councilor Peralta asked about the impacts on long-haul truckers. Captain Symons explained there was a permit for long haul truckers that had been very restrictive. The language was removed about where they could park, but it was still only allowed from 9 p.m. to 7 a.m. The new language was directed at RVs being parked overnight on City streets.

Councilor Garvin stated that he would like to see a permit process be added to the Ordinance for RVs being temporarily parked on the street by the owner's home. He also thought a higher fine should be associated with the RV parking.

Mayor Hill would like the fine to be added to the fee schedule so that it could be updated without having to amend the Ordinance itself.

Council President Menke thought the fine should be at least \$200.

Discussion ensued regarding whether or not to allow temporary permits and the permit standards.

Mayor Hill asked about implementation and the timeframe. City Attorney Koch stated that in the proposed Ordinance there was a seven day period before the regulations went into effect that would allow the Police Department to notify people about the changes. It was proposed that it not be a 30-day wait period because it seemed that it was an emergency situation.

Councilor Stassens asked if there was a timeframe for loading and unloading. Captain Symons stated there was no specific time limit. It was actively loading or unloading the RV.

Council President Menke commented on the definitions of RV in the proposed Ordinance. City Attorney Koch stated that the definition was borrowed from the Department of Business and Consumer Services building code. It was a way to distinguish one type of vehicle from another.

There was consensus to strike "eating facilities" from the definition.

Councilor Garvin asked Captain Symons if there was anything in the proposed Ordinance that he would like to be included. Captain Symons responded that an update to the Ordinance was long overdue. He noted the Ordinance would help reduce time and labor.

Council President Menke asked if this was a no tolerance Ordinance. City Attorney Koch responded that it did not get to all of the elements of vehicular camping, but it was a no tolerance for a particular vehicle parked in the public right-of-way.

Council President Menke asked what would happen if after the seven days the RVs were not moved. Captain Symons said if they had the appropriate license and tags, they would receive a ticket and continue receiving tickets if it was not moved. City Attorney Koch explained that there was not a policy for towing vehicles that had accumulated a certain number of parking tickets. If they did want to create such a policy, he suggested that it apply to all vehicles.

Discussion ensued regarding booting and towing as deterrents.

Councilor Peralta was not comfortable about talking about booting and towing in this forum. He felt that strengthening the proposed Ordinance and giving the Police Department tools to enforce health and safety regulations on streets was overdue. This was a timely action, but he wanted to find a car camping area that was a legal place for these folks to go. He encouraged the Council to move quickly on the recommendations from the Affordable Housing Task Force.

Councilor Ruden was in full support of towing and booting. He stated that without any strength to it, getting ticketed would not be a deterrent. He noted that there was work in progress on creating designated areas for camping.

Discussion ensued regarding the limited availability of places to park an RV within the City limits.

3.b. Vision, Mission, Values and Strategic Priorities

Brian Scott, Strategic Planning Consultant, reviewed the strategic planning process. He noted that a values survey and values workshops were complete or in process. He reviewed the draft of the Strategic Priorities including: Growth and Development Character, Housing Opportunities, Economic Prosperity, City Government Capacity, Community Safety, Engagement and Inclusion, and Civic Leadership.

Mr. Scott reviewed the intentions of vision statements and gave examples. He shared a proposed Vision Statement for McMinnville for 2032: With a legacy of strong civic leadership, McMinnville is a diverse and thriving city growing with intention to preserve our small town feel while expanding opportunities for all. He reviewed the common threads heard from the focus groups including the inspired volunteer civic leadership in the community, recognized McMinnville was changing to a more ethnically diverse city, and recognized the growth and need to create opportunities for people to be able to afford to live here.

Mr. Scott then explained mission statements and gave examples. He reviewed the current mission statement of McMinnville and stated the proposed statement was: The City of McMinnville delivers high-quality and equitably-accessed services in collaboration with partners for a healthy, safe, and prosperous community. Councilor Peralta preferred using the word “promotes” rather than “delivers.” Councilor Ruden asked what equitably-accessed meant. Mr. Scott clarified it meant City services were available to everyone in the community.

Discussion ensued regarding using the word “livable” instead of “healthy” and choosing words other than “delivers” and “equitably-accessed.”

Mr. Scott reviewed value statements and gave examples. City Manager Towery stated that he agreed with author Jim Collins in that great, long lasting entities had a really small set of core values, things that were so fundamentally important to the organization that they would stop or start doing something rather than violate one of the tenants of those values. Mr. Scott reviewed the existing values and proposed a shorter set. The proposed values included: inclusivity, stewardship, courage, and accountability.

- Inclusivity. We are a compassionate and welcoming community for all.
- Stewardship. We are responsible caretakers of our shared public assets and resources.
- Courage. We are future-orientated, proactively embracing and planning for change that is true to our roots and good for our community.
- Accountability. We believe healthy civil discourse is fostered through responsive service and clear, accurate, useful information.

Mr. Scott stated that the current values could perhaps be staff principals, such as Citizen Participation, Communication, Courtesy, Customer, Economy, Employees, Equality, and Intergovernmental Relations.

Councilor Stassens suggested adding a value of courtesy and civility.

Mr. Scott stated that the next step was a Strategic Planning Charrette on April 3 at 9:30 a.m.

4. INVITATION TO CITIZENS FOR PUBLIC COMMENT

Mayor Hill stated that any dialogue on the RV Ordinance would be put off until the next meeting.

Jared Miller, 947 SE Ford Street, stated that he was not living on the street but he didn't have an opinion on the RV Ordinance. He asked for a better means of communication than coming to the Council meetings. He would like to spend time talking to each of the Councilors one on one.

Jacob Miller was concerned about holding people in an official public capacity accountable. There were words spoken at Council meetings that were not verified and were not true. He asked how citizens could hold people accountable with the evidence. They needed someone who would look and listen and show a level of professionalism. He was also concerned about subverting the process and targeting a group or subgroup of people.

Valarie Miller stated that she was concerned about the ethics and why there was not any checks and balances. She stated that there were no committees on ethics in the City who could look at decisions that would affect a whole group of people. She was very concerned and disappointed.

5. CONSENT AGENDA

- a. Consider the Minutes of February 21, 2018 Special Called Work Session, February 27, 2018 Special Called (Work Session) and Regular City Council Meeting.
- b. Consider liquor license request for wholesale malt beverage and wine from Rhone Street Wine Co. LLC located at 2803 NE Orchard Avenue.
- c. **Resolution No. 2018-12**: A Resolution establishing revised sanitary sewer user fees; and repealing Resolution 2017-07.

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

6. RESOLUTIONS

- 6.a. **Resolution No. 2018-13**: A Resolution awarding the contract for the construction of the Cumulus Avenue Sidewalk Infill Project, Project 2016-11.

Community Development Director Bisset stated that the project would fill in the gaps for missing sidewalks on Cumulus Avenue between Atlantic Street and Dunn Place. The project was included in the 2014 Transportation Bond Measure. There were six bidders. The low bidder was Concrete Solutions with a bid amount of \$74,630.

Councilor Stassens MOVED to adopt Resolution No. 2018-13; SECONDED by Councilor Ruden. Motion PASSED unanimously.

- 6.b. **Resolution No. 2018-14:** A Resolution approving an Intergovernmental Agreement between the City of McMinnville and McMinnville Water & Light related to the Three Mile Lane Bridge replacement project utility design.

Community Development Director Bisset stated this project would replace the Three Mile Lane Bridge. It was part of the transportation package that was passed by last year's legislators. The City needed to put a sanitary sewer forced main on the bridge and McMinnville Water & Light needed to put a water line, power, and fiber conduits on the bridge. ODOT had been cooperative to include the utility work in their project, but the City and Water & Light would have to do the design. Obeck Consulting Engineers was currently serving on ODOT's project team and was on ODOT's approved list for local agency use. The Resolution created an Intergovernmental Agreement between the City and Water & Light for Obeck's design work. The McMinnville Water & Light Commission had approved the IGA. Staff recommended approval of the Resolution.

Councilor Ruden asked if the commitment from ODOT had gone public. Community Development Director Bisset explained that there had been a couple of press releases. There would be public outreach during the design process. He explained that it was a multi-year project that would include quite a bit of traffic control and public outreach related to construction timing.

Discussion ensued regarding the estimated time for the bridge project, the replacement bridge, and how it would include multimodal transportation.

Councilor Stassens asked how the bridge was being designed for earthquake protection. Community Development Director Bisset stated that it would meet the resiliency and seismic requirements that ODOT had on all of their structures. It was a high level standard anticipating the Cascadia earthquake.

Councilor Peralta MOVED to adopt Resolution No. 2018-14; SECONDED by Council President Menke. Motion PASSED unanimously.

- 6.c. **Resolution No. 2018-15:** A Resolution awarding the Personal Services Contract for utility design services related to the Three Mile Lane Bridge replacement project.

Community Development Director Bisset explained that this was a companion Resolution to the Resolution that had just been approved. It formalized the contract between the City and Obeck Consulting Engineers to complete the utility design of the bridge. Staff recommended approval.

Councilor Ruden MOVED to adopt Resolution No. 2018-15; SECONDED by Councilor Garvin. Motion PASSED unanimously.

7. ORDINANCE

- 7.a. Consider first reading of **Ordinance No. 5049**: An Ordinance relating to the parking of Recreational Vehicles, Motor Trucks and Abandoned Vehicles; amending McMinnville Municipal Code (MMC) Chapters 10.04, 10.28, and repealing MMC Chapter 15.28.

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

City Attorney Koch read by title only Ordinance No. 5049.

Councilor Ruden asked if a vehicle was towed with personal property in it, what were the repercussions and hardship for the Police Department. Captain Symons noted that when this was done in the past there was an inventory taken of the contents that were valued at \$500 or greater. Once the vehicle was towed, it was up to the tow company to maintain any of the property that was inside. Tow companies had specific guidelines as to how long they would hold items and guidelines for putting a lien on the items. It was not a search for commitment of a crime, it was to determine whether there was anything inside of substantial value.

Council President Menke asked if the booting and towing would be included in this Ordinance. Captain Symons thought it would be a separate Ordinance.

Council President Menke noted that she felt that the fines would not be enough.

Councilor Peralta thought if someone was homeless, they would not be able to pay any fine, and he cautioned against raising it. He thought the booting and towing should be for all vehicles across the City. He thought taking someone's home where they would have to pay fees to get it out of the impound did not fit in with the inclusivity statement they had talked about adopting. Something needed to be done, and this Ordinance was a step in the right direction. He was concerned about making this more punitive on the most vulnerable members of the City.

Council President Menke thought this would become a bigger issue in the summer and the fine might need to be revisited.

Mayor Hill thought the Ordinance would help the Police Department be more effective. There had to be a way to hold people accountable.

Councilor Peralta stated that what was being done did not solve the problem, but would minimize the impact to single neighborhoods and diminish large congregations of campers.

City Attorney Koch stated that there was one change to the Ordinance, the definition of recreational vehicle. That language had been provided to the Council tonight. It had not been available to the public, and he suggested only passing the first reading of the Ordinance. The Council had also requested that “eating facility” be taken out of the definition.

City Attorney Koch discussed how there was no requirement for a public hearing on an Ordinance. It was up to the discretion of the Council if there was a hearing.

Councilor Ruden and Council President Menke were in favor of a separate booting and towing Ordinance for all vehicles that had accumulated a certain number of tickets.

Councilor Stassens agreed that should be a separate Ordinance.

Councilor Garvin would like to see a comprehensive City-wide boot program. He stated that he would like the fine to be \$100 or more per day.

City Attorney Koch stated that all of the City’s parking fines might be below what other cities had and this might warrant looking at all of the fines and fees across the board.

Discussion ensued regarding the definition of recreational vehicle and including a reference to the fee schedule in the Ordinance.

Discussion ensued regarding whether to allow public comment or hold a public hearing for the second reading of the Ordinance.

Council President Menke MOVED to consider the second reading of Ordinance No. 5049 on April 10, 2018; SECONDED by Councilor Peralta. Motion PASSED unanimously.

8. ADVICE/ INFORMATION ITEMS

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

Councilor Ruden noted that the Affordable Housing Task Force meeting would be held tomorrow at 10:00 a.m.

Councilor Peralta had just received his appointment to the Mid-Willamette Valley Council of Governments from the Mayor.

Mayor Hill stated that Visit McMinnville had a good meeting on the budget and hitting the contingency number. There had been good responses from the media and they were looking forward to the summer months. There was a struggle with finding local representation for Travel Oregon funding.

Mayor Hill announced that the grand opening of the Atticus would be tomorrow at 4:30 p.m. He shared that there was a groundbreaking on April 4 for the Yamhill County Gospel Rescue Mission.

8.b. Department Head Reports

Captain Symons stated that there were two who started at the Police Academy last week. One would be graduating mid-April and another would be starting mid-April. There was one more position they were hiring for.

Planning Director Muir stated that there was an RFP that had gone out to do an assessment of the Kids on the Block program. It would provide a financial road map for the next 30 years and would look at best management practices and needs in the community.

City Manager Towery suggested that the City Manager evaluation could be done tonight without facilitation. The assessment and formal evaluation was positive and gratifying and matched his self-assessment. He had asked the consultant to do a salary and compensation survey and it was found that he was fairly compensated within the market. There were two areas that he was lower in as compared with other jurisdictions, deferred compensation and vacation leave. His employment contract included specific language about his relocation to McMinnville. Since that was now done, he suggested that language be deleted from the contract.

Mayor Hill appreciated the new evaluation process and felt the values and responsibilities were in line with the position. He asked that evaluations be a priority to Council. He noted that the comments section of the evaluation was helpful.

Mayor Hill suggested that the Council increase the deferred compensation and paid time off.

Discussion ensued regarding the suggested increase and the evaluation process.

Mayor Hill noted that City Manager Towery preferred transparency for his assessment.

City Manager Towery stated that there was an existing leave accrual system and this would be placing him within the system as if he had more years of service. He also stated that it was typical for employer contributions to deferred compensation was only given to the chief executive position and not to other employees. Deferred compensation was common in the City Manager profession.

There was consensus to increase the deferred compensation and paid time off.

9. ADJOURNMENT: Mayor Hill adjourned the Regular City Council Meeting at 9:23 p.m.

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

Tuesday, April 10, 2018, at 5:45 p.m.

Presiding: Scott A. Hill, Mayor

Recording: Melissa Grace, Recording Secretary

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

Also present were City Manager Jeff Towery, City Attorney David Koch,
Planning Director Heather Richards and Dave Adams of KLYC Radio.

1. CALL TO ORDER: Mayor Hill called the meeting to order at 5:48 p.m.

2. ANNEXATIONS

Planning Director Richards stated that there was state legislation that went through the 2016 session that may cause the City to need to amend some of the codes. She explained that a process needs to be put together that is responsive to the new state legislation. She stated that Measure No. 36-32 went on the ballot on May 21, 1996. It was approved by citizens mandating that all annexations, except for those mandated by state law, be referred to a vote of the electorate. Ms. Richards reviewed the City Charter related to boundaries. She stated that in November 1996 Ordinance No. 4636 was adopted to put together a process of annexation. The Ordinance states that the subject site must be located in the Urban Growth Boundary, must be contiguous to the existing City limits, must comply with Comprehensive Plan and Map, have an adequate level of services (sewer, water and transportation) within three years and police, fire and school facilities are adequate. The process outlined in the Ordinance includes: Planning Department Application, Reference to Partner Agencies, Planning Commission Public Hearing and Recommendation to City Council, City Council Public Hearing and Approval, and Referred to the Voters for Election (May or November Election).

Ms. Richards then discussed SB 1573 was passed in 2016 and states that “upon receipt of a petition proposing annexation of territory submitted by all owners of land in the territory, the legislative body of the city shall annex the territory without submitting the proposal to the electors of the city if...” She noted that there is a caveat “Unless mandated by state law”.

Ms. Richards stated that there are two typical process for annexation without an election. One is where there is an agreement with Council of an intent to annex. It is not a land use process. It is a contract between Council and the property owner. The pre-annexation agreement process is discretionary and subject to council approval. It establishes the terms of annexation and expectations for the City and property owner, the contract is negotiated based upon City and City Council goals and the action of the City Council is needed to approve the agreement. Typically the property owner agrees to dedicate necessary rights-of-way or easements for city's public facilities (wastewater, water, parks and transportation). There is also typically an agreement to the Master Plan and if applicable includes the Great Neighborhoods Principles. The property owner also agrees to not remonstrate against to formation of a local improvement district or reimbursement district. Some considerations in the agreement include: public right-of-way, public facilities, schools, parks, housing (Affordable), trails – bike/ pedestrian connectivity. Ms. Richards shared the reasons to do pre-annexation agreement including: ensuring the City expands in a logical manner, it avoids leap-frog development, avoids island annexations, allows for infrastructure capacity planning, and facilitates development of infrastructure. The next step is a land-use application. It is governed by the Zoning Ordinance, exactions need to be proportionate to impact, there is a public hearing with Planning Commission, and a recommendation to City Council. A City Council Ordinance would need to be approved. There would also need to be a resolution for County approval of Right-of-Way annexation if necessary, legal descriptions are re-checked, and the State is the final approval in the annexation process.

Councilor Drabkin asked about avoiding island annexations. Discussion ensued regarding island annexations and the laws around island annexations. Ms. Richards noted that pre-annexation agreements will state that you will not be able to come in unless the other piece of property is contiguous. She added that that many cities have this process in place already and that it comes through City Council which then triggers the land use piece. Discussion ensued regarding a public process.

Mayor Hill noted that there are very few pieces of land within the UGB that would be available for annexation.

Councilor Stassens stated that she likes the idea of having annexation agreements. Ms. Richards noted that there are mandated a public hearing process by the State.

Councilor Ruden stated that he is in agreement with the proposed processes. He felt that the proposed process would be good for organized growth.

Mayor Hill directed Planning Director Richards to move forward with the process. He noted that this is aligning ourselves with State Statute.

Planning Director Richards stated that she will be working with the City Attorney on a package to bring before Council.

3. PLASTIC BAG ORDINANCE

City Attorney Koch stated that the original Ordinance (5018) was proposed it would have allowed bags of the 4 mil (related to thickness). Council had decided not to allow for any plastic bags. It was noted that removing the language has created a loophole. The proposal is to make it clear by what is meant by a reusable bag and what was meant by a single use plastic bag. City Attorney Koch explained that there is a product that is commonly used that is made from plastic/synthetic fiber that is woven. The proposed amendment clarifies that the thicker plastic bags are not allowed as reusable bags but that the woven synthetic fiber bags are within the reusable bags. City Attorney Koch handed out examples of the plastic bags. City Attorney Koch asked what the intent of the Council was. They stated that it was not the intent of Council to ban woven synthetic fiber bags.

Mayor Hill stated that he has heard that the retailers have a negative opinion about the plastic bag restrictions. City Attorney Koch stated that he heard from retailers that there was some initial pushback from customers but people have been getting used to it.

4. COMMITTEE REPORTS

Councilor Ruden stated that the Airport Commission is going well. He noted that there are two vacancies on the Historic Landmarks Committee (HLC). Planning Director Richards stated that they are currently accepting applications and five applications have been received. She noted that the HLC will move into a quasi-judicial position during the process.

Councilor Drabkin shared that the Housing for Homeless subcommittee met yesterday. She noted that the vehicular camping program group felt that it was time to launch it out of the subcommittee and into the Affordable Housing Task Force in preparation in coming before Council. With regards to the youth program, there has been some challenges as the property that was being considered was not feasible to do the project they were looking at. She shared that there are some new entities that may be interested in being involved in the youth outreach program. She stated that the group working on housing for senior women had been working a product that could be used, but the faith based community is not sure if they want to move forward. She shared that there is a product that is viable for any of the faith-based communities with the appropriate land. There is nothing inhibiting it in the code. Council President Menke stated that inclusionary zoning and construction excise tax would be brought before Council. Mayor Hill noted that it is important to get the right partners. Councilor Ruden commented on how inclusionary zoning and construction excise tax go hand and hand.

Councilor Stassens shared that the Urban Renewal Advisory Committee recently had a meeting and they discussed enhancements. There was also discussion about wayfinding. MURAC provided feedback to the consultant on design. Councilor Stassens stated that the opening event for Alpine Avenue. She encouraged Council to attend.

Councilor Peralta stated that he was assigned to the Regional Council of Governments (COG). He had a meeting with Jody Christensen of the MEDP, Planning Director Heather Richards, and Oregon Housing and Community Services Director Margaret Salazar and they did a tour of

inclusionary zoning and the festival street. Mr. Peralta stated that they spent quite a bit of time discussing housing affordability.

Mayor Hill thanked Councilor Peralta for joining on the COG noting that his skill set is the right match.

Council President Menke stated that the wayfinding committee met and they have made some decisions on signs. They are planning on walking the areas to determine which signs should go where.

Mayor Hill stated that the League of Oregon Cities will be engaging with communities. He shared that they are becoming more customer orientated.

5. ADJOURNMENT: Mayor Hill adjourned the work session at 6:49 p.m.

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

Tuesday, April 10, 2018, at 7:00 p.m.

Presiding: Scott A. Hill, Mayor

Recording: Melissa Grace, Recording Secretary

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

Also present were City Manager Jeff Towery, City Attorney David Koch, Community Development Director Mike Bisset, Planning Director Heather Richards, Police Captain Tim Symons, and, Tom Henderson of the *News Register*, and Dave Adams of KLYC Radio.

AGENDA ITEM

1. CALL TO ORDER: Mayor Hill called the meeting to order at 7:02 p.m. and welcomed all in attendance.

2. PLEDGE OF ALLEGIANCE: Councilor Ruden led in the recitation of the Pledge of Allegiance.

3. INVITATION TO CITIZENS FOR PUBLIC COMMENT: Mayor Hill asked for comments from citizens on topics not on the evening's agenda.

Mark Davis, McMinnville resident, had been active in getting voter annexation approved. He was disappointed when the legislators took away that right a couple of years ago. Regarding the annexation process discussed earlier this evening, he was in favor of the pre-annexation agreement. However he thought public comments should be allowed earlier in the process, not at the Planning Commission hearing when all the details had already been decided.

Mark Riche, McMinnville resident, called for a freedom of information act on the information about the Community Center being rented on Sundays to a church. This City building was supposed to be closed on Sundays and he thought it was an issue of separation of church and state. This was the same case with Sue Buel Elementary School who rented out to a church on Sundays. He also addressed a comment made by Police Chief Scales on February 21. The Chief had said there were places for the homeless living in their RVs to go on Three Mile Lane, but in reality there was a one year waiting list.

Jared Miller, McMinnville resident, discussed Robert's Rules of Order for conducting meetings and using terms such as wayfinding, both which meant different things to different people. As a citizen, he would like to have the opportunity to speak on each agenda item.

4. PROCLAMATION

- 4.a. National Child Abuse Prevention Month

Mayor Hill read the proclamation declaring April 2018 as National Child Abuse Prevention Month and presented it to Russell Mark from Juliette's House.

5. CONSENT AGENDA

- 5.a. Consider the Minutes of January 23, 2018 Dinner and Regular City Council Meeting and April 3, 2018 City Council Work Session (Strategic Plan- Stakeholder Charrette).
- 5.b. Consider request for off-premises with fuel pumps OLCC License from ARS-Fresno, LLC dba Porters 51 located at 1920 NE Lafayette Avenue.
- 5.c. Consider request from Druthers Wine LLC for Winery OLCC License from Druthers Wine LLC located at 818 SE 1st Street.

- 5.d. Resolution No. 2018-16: A Resolution providing for and approving an Intergovernmental Agreement between the City of McMinnville, and Yamhill County, for equitable sharing of Dog Control licensing revenue.

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

6. PRESENTATIONS

6.a. Recology – Recycling

Carl Peters, Recology, explained he was here to give a Waste Zero Specialist introduction and to discuss the landfill site change, recycling challenges fact and fiction, and recycling changes. The transfer station had opened on January 1 and it was going well. From January to March they moved 5,400 tons through the transfer station. They had been able to secure favorable disposal costs from the Coffin Butte landfill in Benton County. They would continue to watch for other opportunities. He introduced Leslie Lanzar, new Waste Zero Specialist.

Ms. Lanzar shared how she began working at Recology in 2012, served on the City of Forest Grove Sustainability Committee from 2014-2016, and was a proud mom of two kids. Her job was to do educational outreach to the community. She had been invited to the elementary schools to give recycling presentations and had been reached out to by residents and businesses.

Mr. Peters discussed recycling and how many news stories talked about recycling being disposed as trash, recycling routes being pulled off streets, and rates and surcharges escalating across Oregon. McMinnville was still recycling and the routes were running. He explained on July 18, 2017 China filed a notice with the WTO announcing its intent to ban imports of recovered mixed paper, recycled PET, PE, PVS, and PS, textiles, and vanadium slag by the end of 2017. This action was in response to the poor quality of recyclable materials being shipped to China, concerns about the environment, and the desire to create its own domestic markets for recyclable materials. The three major components was a ban on all unsorted mixed paper and mixed plastics, setting a strict 0.5 percent contamination limit on imported loads, and suspension of all new license approvals. The ban impacted Oregon by the following: lower revenues due to depressed commodity pricing, higher processing costs, higher transportation costs, higher capital costs, availability of outlets, stockpiling issues, and developments of new markets. He explained what was allowed in recycling including a commingling of certain papers, metal, and plastic. Currently it was cheaper to take the recycling to a landfill than it was to process it, but they were not going to do that. Those items not allowed in the commingle were: aseptic packaging and all milk, juice, soup or

similar boxes or cartons and shredded paper, scrap metal, plastic tubs from salsa, margarine, cottage cheese, hummus, etc., yogurt cups, planting or nursery pots, 5 gallon buckets, and glass. No trash was allowed, and the recycling needed to be cleaned. The Recology action plan was: the Sales and Marketing team would expand markets for Recology material in areas other than China, the Communications staff would remind customers of sorting requirements through billing inserts, social media updates, and regular media channels, Drivers would intensify their efforts to proactively identify contaminated containers, and Waste Zero Specialists would focus on education outreach through local events, public school programs, and business waste audits. He noted the ways to prevent waste before it happened were: use reusable instead of disposable containers, receive bills and mail electronically, say no to plastic bags, repair broken goods before replacing them, rent, share, and purchase secondhand, and donate usable items.

Discussion ensued regarding how this information would be shared with the public.

6.b.

BYPASS PHASE II STATEMENT OF SUPPORT

Mayor Hill summarized the intent of the letter from the Yamhill County Parkway Committee. It was a statement of support for the construction of the Bypass Phase II from the entities within Yamhill County that were affected by the Bypass. He explained the projects in each phase. There was \$22 million earmarked for preparation of Phase II, and \$18 million in savings from Phase I that would be used for Phase II. It would take \$90 million to do the project. He asked for input from the Council.

Council President Menke said this was a statement that these communities and entities were in support. She was in favor of signing it, but she thought McMinnville would be asked to help with the funding in the future.

Councilor Ruden thought Phase II was a critical component to the Bypass and would enhance Phase I. He was also in favor.

Mayor Hill saw Phase II as having a great impact on Newberg. The phase that would enhance McMinnville was Phase III.

Councilor Drabkin was in support.

Mayor Hill would sign the statement and deliver it to the Parkway Committee.

7. RESOLUTION

- 7.a. Resolution No. 2018-17: A Resolution awarding the contract for the 2018 Street Overlay, Project 2017-11.

Community Development Director Bisset stated this was the fourth and final year of repaving and repair projects included in the 2014 transportation bond package. It covered segments of 23 streets and was expected to be completed by the end of August. The bids were opened on March 27 and the lowest responsible bidder was H & H Paving in the amount of \$1,021,459.86. Staff recommended approval of the resolution.

Councilor Stassens MOVED to adopt Resolution No. 2018-17; SECONDED by Councilor Ruden. Motion PASSED unanimously.

8. ORDINANCES

- 8.a. Consider second reading of Ordinance No. 5047: An Ordinance amending Title 17 (Zoning) of the McMinnville City Code, specific to multiple chapters to update definitions and the regulation of short term rentals and lodging establishments in residential and commercial zones.

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

City Attorney Koch read by title only Ordinance No. 5047 amending Title 17 (Zoning) of the McMinnville City Code, specific to multiple chapters to update definitions and the regulation of short term rentals and lodging establishments in residential and commercial zones.

Associate Planner Darnell gave a background on the ordinance including the Planning Commission discussions, public comments received, and research completed. The Planning Commission unanimously recommended approval of the proposed amendments. The City Council approved the first reading of the ordinance on March 13, 2018. He explained the proposed amendments that had not been changed from the first reading. The additional proposed amendments were as follows: operational requirements which set a timeframe for short term rental (STR) uses, types of structures allowed to be used as STR, and license issuance would not transfer upon change in ownership. The existing timeframes for STR uses were not consistent. Other Oregon cities had a 30 day timeframe, which was based on ORS Chapter 90, residential landlord and tenant relationships and rights. Staff proposed to limit short term rentals and resident-occupied short term rentals to no more than 30 days. It would be a consistent timeframe for all uses, would cover rental uses less than a month-to-month lease, and fell within the ORS timeframes for occupancy types that were exempt from the landlord-tenant relationships.

The previous proposed amendments allowed STR uses in single family homes, common-wall single family homes, two-family (duplex) dwelling units, and accessory dwelling units. The proposed amendment removed duplexes from the allowable types of dwelling units for STR uses. The previous proposed amendments included preservation of permitting and Planning Department review process. The permits would be required to be renewed annually. The City Council discussed whether permits could be associated with property ownership. After doing some research, staff proposed amending the language to state that permits did not transfer with the sale or conveyance of the property. Upon any change in ownership, the short term rental permit for the subject property would become void. The use of the subject property as a short term rental by the new owner would be subject to application and review procedures. The following situations were not deemed to be a change in ownership: transfer of property from a natural person(s) to a Trust serving the same natural person(s) or to a family member pursuant to a Trust or transfer of ownership pursuant to a will or bequest upon the death of the owner. This would apply to all short term rental uses. Staff recommended adoption of the ordinance with the three additional proposed amendments.

Council President Menke thought staff had addressed the Council's concerns and recommended approval.

Council President Menke MOVED to approve Ordinance No. 5047 An Ordinance amending Title 17 (Zoning) of the McMinnville City Code, specific to multiple chapters to update definitions and the regulation of short term rentals and lodging establishments in residential and commercial zones; SECONDED by Councilor Ruden. Ordinance No. 5047 PASSED by a unanimous roll-call vote.

- 8.b. Consider second reading of Ordinance No. 5049: An Ordinance relating to the parking of Recreational Vehicles, Motor Trucks and Abandoned Vehicles; amending McMinnville Municipal Code (MMC) Chapters 10.04, 10.28, and repealing MMC Chapter 15.28.

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

City Attorney Koch read by title only Ordinance No. 5049 An Ordinance relating to the parking of Recreational Vehicles, Motor Trucks and Abandoned Vehicles; amending McMinnville Municipal Code (MMC) Chapters 10.04, 10.28, and repealing MMC Chapter 15.28.

City Attorney Koch said at the first reading of this ordinance, Council had requested some changes be made. One was that further work be done to the definition of the term Recreational Vehicle. The second item was providing a parking permit program for recreational vehicles that would

allow residents to park their recreational vehicles in front of property they owned or leased on a short term basis. Staff proposed a program that would allow 72 hour parking permits to be issued up to four times per year for a single recreational vehicle with some provisions for how close the vehicle should be parked to the property and a waiting period of 72 hours between the issuance of permits.

Councilor Drabkin thought this ordinance only accomplished one thing, it criminalized poverty. A program was coming that would provide viable options for RV parking. This ordinance did nothing to stabilize situations and she thought it should be tabled until the program was established. She was not in favor of the ordinance at this time under this situation.

Mark Davis, McMinnville resident, shared Councilor Drabkin's concerns. He thought there needed to be a solution as to where the RVs would go before this ordinance was enacted. He did not think the ordinance would solve the problem. Some people could not afford to rent or to buy a house, and they needed to be able to accommodate the reality they had on the streets.

Michael Burr, McMinnville resident, was a member of First Baptist Church and had worked with the poor and homeless for over 40 years. He found the ordinance deficient on a number of levels. He thought the ordinance would make the situation worse, not better, as it was too narrowly focused. He recommended working with the Homeless Task Force and Subcommittee on vehicular homelessness as well as working with YCAP who was doing a homeless count. He thought the ordinance was dangerous for single women, elderly, and children living in their cars. The time for this ordinance was after they had established a vehicular camping program like the City of Eugene. He questioned what would be done with Class B vehicles, semi-trucks that had sleeping quarters, how they defined living unit and living quarters, and visitors in the summer who parked for a week. This ordinance would exacerbate the homeless situation in the City and would cost a lot of money.

Anthony Bell, McMinnville resident, thought the ordinance was a harsh approach. He did not think there was a big problem with RV camping. People could not afford the rents in McMinnville. He had developed 300 lots in McMinnville, and when he started he paid \$18,000 for 5 acres, and now land prices were well over \$100,000. The cost of living had also gone up four-fold. Land prices were going up seven times faster than the cost of living. Rents had also increased substantially. They were penalizing people who were just trying to stay alive. He thought they needed to follow through on the RV camping program first.

Jared Miller, McMinnville resident, was not in favor of the ordinance.

Griffin Zolner, McMinnville resident, said as a representative of home owners and residents in the City, he had been looking forward to this ordinance that would hopefully bring a resolution to the vehicular camping in neighborhoods. This conversation began four months ago. Residents had engaged with the Council to continue forward progress on this matter in a way that would be best for McMinnville and would give the Police the tools necessary to enforce it. Surrounding cities had made proper adjustments to their ordinances to effectively address and enforce vehicular camping and abandoned vehicle problems. It was time for McMinnville to join that same approach. This problem would continue to grow if they allowed it. He encouraged the Council to move forward with the ordinance to make McMinnville a great place to work, live, and call home.

Joe Wall, McMinnville resident, said he had been poor in his earlier life, but he lived where he could afford to live. He was sensitive to those who could not afford the rent in McMinnville, but he thought there were other places with more reasonable rents. He worked long and hard to buy his home in McMinnville. Seeing all the RVs and trash did not give a favorable impression of the neighborhood. The issue needed to be addressed long term, but it did not have to be done at the same time as this ordinance. By combining the two issues, it was dragging the process out. This process was affecting tax payers.

Jacob Miller thought the ordinance was economic terrorism. A republic was supposed to protect the minority and the Council was bound by that oath.

Valerie Miller had been employed in McMinnville for the last five years and paid her taxes. She lived in an RV because there was not an affordable rent in McMinnville or surrounding areas. The RVs were no longer parking on Doran Drive and there was no garbage. She thought a lot of what had been said was slander on this group of people. This was an economic issue and needed to be addressed with ethics not with laws. The ordinance could cause more legal ramifications for everyone. Some people needed their RVs to live and she did not think people's homes should be taken away. She did not think the RVs were affecting property values and the ordinance was heartless.

Councilor Ruden agreed they needed to create RV camping areas, but there was not community support to accomplish that. He encouraged the process to move forward more quickly to designate an area for these campers. He recommended a comprehensive look at the fines and towing for all vehicles instead of targeting one specific group. It was difficult to come up with something that was workable for the community. The vehicular camping would continue to grow if they permitted it. They were

compassionate and empathized with those in this situation and wanted people to improve their lives, but not impose their will on others. He thought there was a need for this ordinance, and that the ordinance needed to be enforceable.

Councilor Stassens thought it was imperative to take action. They had a responsibility to the citizens of McMinnville to address how this reality fit within the community. They needed to solve the whole problem and this ordinance did not do that. She saw the complexity of the issue and thought they had to be thoughtful about how to address it.

Councilor Garvin said even though they were looking at enforcement options, it did not mean they lacked empathy or compassion. He was in support of the RV camping program that the City of Eugene had as a possible solution. It was not something the City could take on by itself. There would need to be partnerships to make it work. The vehicular camping ordinance was a City-wide issue and he did not see a need to combine the two issues. He would like to look at the fee structure and booting as a comprehensive approach in the future. He was in favor of the ordinance as it was written.

Councilor Drabkin noted that the ordinance came up in response to people living in their RVs on City streets. She thought it was a more narrowly focused response as opposed to the other response that was happening simultaneously and had been in process for longer than this subject had been at hand. They were working on good community engagement and there was community buy-in. They were working diligently to make sure the camping program did not solely fall on the City's shoulders. She thought the two issues were tied together.

Councilor Peralta was persuaded that they needed an enforceable ordinance with respect to camping. Large aggregations of people camping in the right-of-way had an impact to neighborhoods. This was a public health and safety issue. He also recognized there were many people in the community that had real economic need. He was not sure what the right course of action was.

Council President Menke had talked with many people about this issue and about possible camping sites. It was going to take longer to get camping sites established. She thought the ordinance was necessary tonight. They would have places for campers to go in the near future. This was a public safety and health issue and she would be voting in favor of the ordinance.

Council President Menke MOVED to approve Ordinance No. 5049: An Ordinance relating to the parking of Recreational Vehicles, Motor Trucks

and Abandoned Vehicles; amending McMinnville Municipal Code (MMC) Chapters 10.04, 10.28, and repealing MMC Chapter 15.28; SECONDED by Councilor Ruden. Ordinance No. 5049 PASSED 5-1 by roll-call vote with Councilor Drabkin opposed.

- 8.c. Consider first reading with possible second reading of Ordinance No. 5050: An Ordinance relating to the definition of plastic bags; Amending McMinnville Municipal Code Chapter 5.36.

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

City Attorney Koch read by title only Ordinance No. 5050 An Ordinance relating to the definition of plastic bags; Amending McMinnville Municipal Code Chapter 5.36.

Councilor Garvin suggested an amendment to the ordinance, deleting the mandate that a store charge for paper bags. He thought it should be up to the store to decide.

Councilor Ruden agreed with that amendment.

City Attorney Koch clarified the ordinance required charging \$.05 per recyclable bag except for stores with fewer than 10 employees. Stores with fewer than 10 employees had the option to charge the fee or not. This had to do with larger stores being able to absorb the cost of the bags than smaller stores. There was no data or testimony submitted for that provision. It would not be difficult to make the change as suggested and bring the ordinance back for second reading at the next Council meeting. He suggested changing the word “must” to “may” which would give stores the discretion to charge the fee.

There was consensus to make that change. The ordinance would be brought back to the next meeting for the second reading.

9. **ADVICE/ INFORMATION ITEMS**

- 9.a. Reports from Councilors on Committee & Board Assignments
These reports were given at the Work Session.

- 9.b. Department Head Reports

City Manager Towery said there would be work groups convening to discuss the seven strategic initiatives. Two of those initiatives had to do with economic development and instead of work groups, they would be turned over to the consultants who were working on the economic development strategy. He reminded the Council of a Work Session with

the McMinnville Water & Light Board scheduled for April 18. He noted the Council received a Good to Great pamphlet and he encouraged them to read it.

9.c. Cash & Investment Report

10. ADJOURNMENT: Mayor Hill adjourned the Regular City Council Meeting at 9:13 p.m.

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

Tuesday, April 24, 2018, at 6:00 p.m.

Presiding: Scott A. Hill, Mayor

Recording: Melissa Grace, Recording Secretary

Councilors:	<u>Present</u>	<u>Excused Absence</u>
	Remy Drabkin	Kellie Menke
	Adam Garvin	Alan Ruden
	Sal Peralta	
	Wendy Stassens	

Also present were City Manager Jeff Towery, City Attorney David Koch
and Dave Adams of KLYC Radio.

1. CALL TO ORDER: Mayor Hill called the Work Session to order at 6:22 p.m. and welcomed all in attendance.

2. DISCUSSION ON FIRE PARTNERSHIP WITH SHERIDAN FIRE DISTRICT

Fire Chief Leipfert introduced Fire Chief Jim Sterns and Board Chair Scott Breedon. He explained that the concept was to create partnerships to improve service and find funding resources to sustain operations. He noted that virtually all districts had these same challenges. He explained that in 2015/2016 they had worked with Newberg to create a district. Consultants at that time led them through a three step process, 1. Create Intergovernmental Agreements, 2. Create a functional consolidation, and 3. Create a District. Since Newberg decided to join with TVF&R, the dialogue had continued with the rest of the departments in the County. There were agreements with Amity and Lafayette already. The more partners involved the more effective and efficient the process would be. Sheridan had chosen to hire an interim chief instead of replacing the outgoing chief and was looking at what would best serve their citizens.

Fire Chief Sterns explained that he had been brought in on a one year contract in order to explore the possibilities of doing business in a different manner. It seemed to fit well with McMinnville as those discussions were already underway. The ultimate goal would be to form one fire district that would cover the area. He was a big proponent of closest resource to the scene; it did not matter whose truck or personnel answered the call.

Fire Chief Leipfert stated that one of the challenges was loss of identity of your own department as the process moved forward. When he had spoken with members of the department and volunteers they had expressed their support in moving in the direction of mergers and consolidation.

Discussion ensued regarding the escalating cost for fire and emergency services and what a fire district would look like. Fire Chief Sterns explained that it would be formed as allowed under state statute and governed by an elected five member board and an oversight board with representation from each entity served.

City Manager Towery stated that there were a lot of economies of scale including a stronger response that could add capacity. He encouraged the Council to proceed with the initiative and look for ways to get to yes.

Councilor Drabkin asked about response time standards and how they were adopted. Fire Chief Leipfert stated that the City Council established these times currently. If there was a district then response times would be set by the district board.

Fire Chief Sterns stated that with a district there should be an improvement in response times.

Councilor Stassens asked which entities had expressed interest in a district. Fire Chief Leipfert stated Amity, Sheridan, and Lafayette had expressed interest. There was a process for other districts to join later if they had contiguous borders.

Discussion ensued regarding how the fire district model would work differently from what McMinnville had now. Fire Chief Leipfert explained there were things they could do in a district that they could not do as a City that would enhance services. Employees would be employees of the district and voters would be asked to approve a tax rate for the fire district. The taxing district would be responsible for all the financial obligations including PERS.

Councilor Garvin was concerned about taking on more negative ASA dollars with Sheridan Care Homes.

Councilor Peralta expressed concerns with the process of having voters approve a fire district.

Discussion continued regarding the process of creating a fire district including the tax rate, expansions, and capital improvements.

Council direction was to have the Fire Chief bring back a Memorandum of Understanding between the Sheridan Rural Fire District and City of McMinnville.

3. ADJOURNMENT: Mayor Hill adjourned the Work Session at 7:07 p.m.

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

Tuesday, April 24, 2018, at 7:00 p.m.

Presiding: Scott A. Hill, Mayor

Recording: Melissa Grace, Recording Secretary

Councilors:	<u>Present</u>	<u>Excused Absence</u>
	Remy Drabkin	Kellie Menke
	Adam Garvin	Alan Ruden
	Sal Peralta	
	Wendy Stassens	

Also present were City Manager Jeff Towery, City Attorney David Koch, Community Development Director Mike Bisset, Police Chief Matt Scales, Tom Henderson of the *News Register*, and Dave Adams of KLYC Radio.

AGENDA ITEM

1. CALL TO ORDER: Mayor Hill called the meeting to order at 7:08 p.m. and welcomed all in attendance.

2. PLEDGE OF ALLEGIANCE: Councilor Drabkin led in the recitation of the Pledge of Allegiance.

3. INVITATION TO CITIZENS FOR PUBLIC COMMENT: Mayor Hill asked for comments from citizens on topics not on the evening's agenda.

Caroline O'Brien, 1591 SW Wright Street, stated that she witnessed a hate crime to women at the library. She explained that she reported the incident to the police department and spoke to the librarian who told her the only thing the library could do would be to ban him from the library for 90 days. This man had been arrested over 25 times for menacing, harassment, theft, assault, and strangulation. She asked Council to make a statement that the City was not going to tolerate this type of behavior. She was also going to go to the County Commission to see what could be done on the County level and would contact her State Representatives as well.

4. PROCLAMATIONS

4.a. Lemonade Day

Mayor Hill read the proclamation declaring May 5, 2018 as Lemonade Day and presented it to Gioia Goodrum and Rhonda Pope from the Chamber of Commerce.

4.b. Arbor Day

Mayor Hill read the proclamation declaring April 27, 2018 as Arbor Day and presented it to Associate Planner Chuck Darnell.

Associate Planner Darnell shared some photos of the Tree City USA signs indicating 21 years of participation, new flag to be raised at the Fire Department on Arbor Day, and the tree planting event that was done on March 31 off of Highway 18.

5. CONSENT AGENDA

5.a. Consider the Minutes of March 13, 2018 and March 21, 2018 Work Session and Regular City Council Meetings.

5.b. Consider request for Winery OLCC License from Rose and Fern Cellars, LLC located at 2515 NE Orchard Avenue #3.

5.c. Consider request for Winery OLCC License from Kendrick LLC, DBA Domaine Glennon located at 925 NE 7th Street.

5.d. Consider request for Full On-Premises, Commercial OLCC License from Blue Moon located at 310 NE 3rd Street.

5.e. Consider **Resolution No. 2018-18**: A Resolution supporting the City of McMinnville's ongoing participation as a member of the Yamhill County Affordable Housing Corporation's (YCAHC) regional Housing Rehabilitation Collaborative and the board of directors, and to appoint the Planning Director Heather Richards as the successor to the previous board member Ron Pomeroy.

Councilor Drabkin MOVED to adopt the consent agenda; SECONDED by Councilor Stassens. Motion PASSED unanimously.

6. ORDINANCES

6.a. Consider second reading of **Ordinance No. 5050**: An Ordinance relating to the definition of plastic bags; Amending McMinnville Municipal Code Chapter 5.36.

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

City Attorney Koch read by title only **Ordinance No. 5050** An Ordinance relating to the definition of plastic bags; Amending McMinnville Municipal Code Chapter 5.36.

Councilor Drabkin said after receiving a lot of feedback, she was uncomfortable with removing the \$.05 fee per recyclable bag.

Councilor Stassens agreed. The experience from other communities showed that the required \$.05 kept the motivation where it needed to be and helped businesses cover the costs.

Councilor Garvin was in favor of removing the mandated fee. He did not think the government should dictate how businesses were run. He thought it should be up to the businesses. Stores gave out paper bags without charge currently, and he did not think there would be a change in overhead costs to the businesses. There were other practices that could be put in place to reduce these costs without the City mandating it on all businesses.

Councilor Peralta thought they only needed to tighten up the language related to single use plastic bags and leave the rest of the ordinance unchanged.

Mayor Hill stated the presentation from Recology on the difficulty with recyclables showed the need to reduce the number of plastic bags in the landfill. By eliminating the \$.05 per bag they took some of the teeth out of the ordinance. There were three letters of support for leaving the \$.05 cent charge in the ordinance. He was not in favor of leaving the \$.05 fee to the discretion of the businesses.

Councilor Drabkin asked grocers to employ an already reusable resource in the stores, such as boxes that the goods came in, and make them available for people to use.

Mayor Hill opened up public comment.

Steve Iverson, 1033 SW Courtney Laine Drive, member of Zero Waste. He stated that they applauded the Council in clarifying the term reusable check out bag. He also complimented Council for the foresight in choosing to prohibit pure plastic bags of any type. As a result customer behavior had been strongly directed to use reusable bags. They were not in favor of making the \$.05 per bag an optional charge. The two major reasons for supporting the \$.05 were that it compensated the stores for the additional costs and directed the charge to those customers who were using the paper bags. It also provided a gentle and not too punitive push to customers to remember to bring reusable bags when shopping. This would be the same for every store in town.

Pat Angland, 218 NW 7th Street, stated that this was a forward thinking ordinance. There was an estimated 300 plastic bags used per person in the United States each year. She quoted from the letter from Surfrider that stated in Portland where no fee was applied paper bag use increased. She

questioned where all of the bags went. She stated that the City cited sustainability as the reason for the ordinance and prudent use of paper products was a reasonable part of that goal. If businesses were giving out increased numbers of paper bags, profit and loss statements would begin to show it and customers would experience price increases. Plastic bag recycling bins were filling up much more slowly, however she questioned if paper bag bins would take their place. Overuse of paper bags was not the intention of this ordinance. She agreed with the clarification of the reusable bag definition. Keeping it clear and logical for community members was important. She did not think they should make it an option for the \$.05 bag fee as it did not fulfill the purpose of a sustainable City.

Councilor Drabkin MOVED to pass Ordinance No. 5050 to a second reading, only moving forward with the proposed changes to Section 1, Exhibit 1 and leaving the rest of the ordinance as originally proposed at the April 10 Council meeting without the proposed changes to Section 2 and 3; SECONDED by Councilor Peralta. Motion PASSED unanimously.

City Attorney Koch read by title only for a second time Ordinance No. 5050.

Councilor Stassens MOVED to approve Ordinance No. 5050 An Ordinance relating to the definition of plastic bags; Amending McMinnville Municipal Code Chapter 5.36; SECONDED by Councilor Drabkin. Ordinance No. 5050 PASSED by a unanimous roll-call vote.

- 6.b. Consider first reading with possible second reading of **Ordinance No. 5051**: An Ordinance relating to Special Use Permits for City parks; revising the fine schedule for violation of park rules; and, amending McMinnville Municipal Code (MMC) Chapter 12.36.

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

City Attorney Koch read by title only Ordinance No. 5051 An Ordinance relating to Special Use Permits for City parks; revising the fine schedule for violation of park rules; and amending McMinnville Municipal Code (MMC) Chapter 12.36.

Parks and Recreation Director Muir provided a background noting that there were some negative behaviors at local parks. They had been approached about potentially hosting the Walnut City Music Festival at City Park and found that there was a ban on alcohol in all City parks. She also wanted to clean up the ordinance to make sure they had delegated authority for permitting large events and to allow noise ordinance waivers. The proposed ordinance removed the alcohol ban in City Park if a special use permit was approved. It also authorized the City to collect fees for

these large events and updated the fines. She asked the City Attorney to explain the noise ordinance waivers.

City Attorney Koch explained that noise was addressed in a few places within the City Code. There was a general prohibition against noise that would require a permit from Council for any amplified music. A newer ordinance governed noise in parks and did not allow noise producing machines, devices, or instruments that would be heard beyond the boundaries of the park unless approved by the Parks Director. He had added language within the permit section that would allow the Parks Director to authorize permits without it necessarily having to come to Council so long as the noise was contained between 9 a.m. and 11 p.m. If it did not fall within those hours, the permit would require Council approval.

Parks and Recreation Director Muir said the OLCC regulations would apply to these types of events and anyone who wanted a permit to include alcohol would need to comply with the regulations. She spoke with two City Park neighbors and one was in favor and one was less supportive. One of the requirements for the permit was that the activity would not have an unreasonably adverse impact from noise, litter, or traffic on the park or surrounding neighborhood. If they started to receive complaints from large events about noise or other impacts, they had the ability to not allow more events.

Councilor Peralta asked when the last time the ordinance was updated. Parks and Recreation Director Muir stated it was last updated in 1999.

City Attorney Koch explained that the fine schedule was adopted at that time and they were based on the fines generally adopted statewide for ordinance or code violations. The amounts proposed in this ordinance were consistent with the 2018 schedule of fines. The maximum fines matched exactly with the ORS fined for traffic tickets. He clarified that it was at the discretion of the judge to set the fine amount.

The Council thanked Ms. Muir for her work on the ordinance.

Councilor Stassens MOVED to pass Ordinance No. 5051 to a second reading; SECONDED by Councilor Drabkin. Motion PASSED unanimously.

City Attorney Koch read by title only for a second time Ordinance No. 5051.

Councilor Garvin MOVED to approve Ordinance No. 5051 An Ordinance relating to Special Use Permits for City parks; revising the fine schedule for violation of park rules; and amending McMinnville Municipal Code

(MMC) Chapter 12.36; SECONDED by Councilor Drabkin. Ordinance No. 5051 PASSED by a unanimous roll-call vote.

6.c.

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

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

City Attorney Koch read by title only Ordinance No. 5052 An Ordinance amending Title 17 (zoning) of the McMinnville City Code, specific to Chapter 17.06 and Chapter 17.62, to update definitions and the regulation of nonconforming signs.

Associate Planner Darnell provided a background explaining that in 2008 the City adopted Ordinance No. 4900 which included the amortization process requiring nonconforming signs to be brought into compliance. The deadline for compliance was December 2017. There was a one year extension approved on December 31, 2017 by Ordinance No. 5013. He stated that in June 2017 notices of potential sign noncompliance were sent to 140 properties. There was business community and legal opposition and the deadline was extended again by Ordinance No. 5044 to allow for further review of the legality of the amortization process. There was a legal analysis and assessment of risk concluded and presented to City Council. Council direction was to explore other processes for bringing nonconforming signs into compliance. The Planning Commission held a public hearing on March 15, 2018. The proposed amendments were to remove the amortization process from the code and in place of that to introduce other triggers and enforcement methods that would result in updates to nonconforming signs. There were five proposed triggers:

Trigger #1 was any alteration of a nonconforming sign that required a building permit. The current definition of “alteration” was any change in the size, shape, method of illumination, construction, or supporting structure of a sign. The 2014 Oregon Structural Specialty Code required a permit for changes to signage that would impact wind load or structural load.

Discussion ensued regarding the definition of alteration.

Trigger #2 was any alteration of a structure or building on the property that required a building permit and a certificate of occupancy. He explained that the 2014 Oregon Structural Specialty code regulated changes in occupancy. The McMinnville Building Official issued a

certificate of occupancy in the following situations: new construction or change of use (and required construction type).

Planning Director Richards stated that the intent was that there needed to be some proportionality in terms of a trigger. The difference between the trigger approach and the amortization process was that if the property owner wanted to do something with their property, they would bring the signs into compliance. There was no trigger for the amortization process; it was just a period of time people had to bring their signs into compliance. They were recommending using land use processes as triggers and they were bringing as many triggers into play that were legally available and proportional.

Discussion ensued regarding the reasons why the amortization process was not enforceable.

Trigger #3 was additions or expansion of 25 percent or more of the overall square footage of a structure or building on the property.

Trigger #4 was any change to a property that required a building permit of which the value of the building permit improvements was 25 percent or more of the real market value of the buildings on the property within a 24 month period, as determined by the Yamhill County Assessor's Office in the most recent tax year.

Councilor Drabkin asked about a trigger for parking lots. Associate Planner Darnell stated that this trigger would apply for a parking lot.

Councilor Peralta asked about proportionality. If the sign change the City demanded far exceeded the cost of the renovation, it could create a legal problem.

Planning Director Richards explained a certificate of occupancy was not an abnormal trigger for land use processes to bring a site up to code.

Councilor Stassens clarified a certificate of occupancy happened when there was a significant change to the space. There could be a change of tenant that used the same space with only minor changes and did not need a certificate of occupancy.

City Attorney Koch said that was the choice of the property owner, whether or not to do a major renovation of the tenant space and knowing it would trigger a requirement to bring their nonconforming sign into conformance. The proportionality question was evaluated in terms of an exaction of the property. An example was the case of Dolan vs. the City of Tigard.

Councilor Peralta asked that the Council delay action on the ordinance until they received a legal opinion on this issue.

Trigger #5 was the abandonment of a nonconforming sign. The current definition of abandonment was vague and there were no clear timeframes. Staff proposed to amend the language and set the timeframe to be a sign that advertised a business or event that had been closed for more than 30 days or a sign that had been damaged and repairs had not been started within 60 days of the date the sign was damaged or not completed within 180 days once started.

Associate Planner Darnell reviewed the public testimony received. There was one proponent at the Planning Commission public hearing, and four opponents. Letters of opposition had also been received and one requested a public hearing be held on this matter. A public hearing was not required, however. He stated that the Planning Commission recommended approval of the zoning text amendments to City Council.

Councilor Peralta asked that the second reading of the ordinance be moved to the next City Council meeting. City Attorney Koch stated that he would work on a legal briefing.

Councilor Drabkin understood that the City was trying to avoid litigation. The triggers were reasonable and well vetted. She would feel comfortable moving forward with the ordinance tonight. This had been a challenge for everyone involved. She applauded City staff for their efforts and that their efforts had been considerate of the business owners who had not brought their signs into compliance over the last decade.

Councilor Stassens thought this had been a long process and she appreciated the thoughtfulness of the process and the work. She thought the legal issues had been addressed.

Councilor Drabkin MOVED to pass Ordinance No. 5052 to a second reading to be held on May 8; SECONDED by Councilor Stassens. Motion PASSED unanimously.

7. ADVICE/ INFORMATION ITEMS

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

Councilor Garvin said YCOM had approved a 3% increase. There would be a hearing on it in June.

Councilor Stassens announced the Alpine Avenue Lunch was this Friday at 11:00 a.m.

Councilor Drabkin announced the McMinnville Affordable Housing Task Force would meet tomorrow at 10 a.m.

Mayor Hill reported on the Parkway Committee meeting where the signed letter of support for the Bypass Phase II was presented. The Visit McMinnville Committee met last week and dove into the budget for the upcoming year, looked at many successes with media, and looked at the future. They walked the City looking at possible wayfinding sign locations.

7.b. Department Head Reports

City Manager Towery noted he would be out of the office most of next week due to participating in the recruitment for a new Deputy Chief Operating Officer for the Metro Council and attending the ICMA Conference.

8. EXECUTIVE SESSION: EXECUTIVE SESSION UNDER ORS 192.660(2)(d) TO CONDUCT DELIBERATIONS WITH PERSONS DESIGNATED TO CARRY OUT LABOR NEGOTIATIONS.

Mayor Hill announce that the City Council would be moving into Executive Session under ORS 192.660 (2) (d).

Mayor Hill opened the Executive Session at 8:48 p.m.

Mayor Hill closed the Executive Session at 9:00 p.m.

9. RETURN FROM EXECUTIVE SESSION TO TAKE ACTION.

9.a. **Resolution No. 2017-19:** A Resolution ratifying a collective bargaining agreement between the City of McMinnville and the McMinnville Police Association (MPA) for Health Care only for the period starting July 1, 2018.

10. ADJOURNMENT: Mayor Hill adjourned the Regular City Council Meeting at 9:03 p.m.

CITY OF McMinnville
MINUTES OF SPECIAL CALLED CITY COUNCIL MEETING
of the McMinnville City Council
Held at the Kent L. Taylor Civic Hall on Gormley Plaza
McMinnville, Oregon

Wednesday, May 30, 2018 at 6:00 p.m.

Presiding: Scott Hill, Mayor

Recording Secretary: Melissa Grace

Councilors:	<u>Present</u>	<u>Excused Absence</u>
	Adam Garvin	Remy Drabkin
	Kellie Menke	
	Sal Peralta	
	Alan Ruden	
	Wendy Stassens	

Also present were City Manager Jeff Towery, Planning Director Heather Richards, Parks and Recreation Director Susan Muir, Library Director Jenny Berg, Information Systems Director Scott Burke and Dave Adams, KLYC Radio.

1. CALL TO ORDER: Mayor Hill called the meeting to order at 6:06 p.m. and welcomed all in attendance.
2. PLEDGE

Mayor Hill led the Pledge of Allegiance.
3. STRATEGIC PLANNING UPDATE

Brian Scott, BDS Planning and Urban Design presented. He reviewed the three parts of the strategic planning process. He explained that there were focus groups, an online survey, a situation assessment and a community charrette. The work on goals and objectives for work groups are in progress. He noted the components of the strategic plan including: vision, mission, values, strategic priorities, goals, objectives, actions and targets.

He displayed the draft purpose statements for the Mission and Values. The proposed mission is “The City of McMinnville delivers high-quality services in collaboration with partners for a prosperous, safe, and livable community.

Council discussion ensued regarding the proposed mission. The council agreed to move forward with the proposed mission.

Mr. Scott shared the proposed values as follows:

Stewardship. We are responsible caretakers of our shared public assets and resources. We do this to preserve the strong sense of community pride which is a McMinnville trademark.

Equity & Inclusion. We are a compassionate and welcoming community for all; different points of view will be respected. Because not all members of our community are equally able to access our services or participate in public process, we commit ourselves to lowering these barriers.

Courage. We are future-oriented, proactively embracing and planning for change that is good for our community and consistent with our values.

Accountability. We believe healthy civil discourse is fostered through responsive service and clear, accurate, useful information.

Councilor Stassens asked if there was any further discussion on the word innovation rather than the word courage as suggested during the Charrette. Council President Menke noted that she liked the word courage. City Manager Towery stated that the term courage came out of the focus groups and explained that innovation although important and applied is important it does not necessarily rise to the level of being called out as an overall value.

Mr. Scott shared that six Strategic Priorities have been identified as follows: Growth and Development Character, Housing Opportunities, Economic Prosperity, City Government Capacity, Community Safety and Resiliency, Engagement and Inclusion, and Civic Leadership.

Strategic priority work groups have been formed. The work groups will meet several times help develop the goals, objectives, actions, and targets for McMinnville's strategic plan.

He explained the work group approach and provided the draft goals of the strategic priority work groups.

1. **Growth & Development Character.** Guide growth responsively and responsibly to enhance our unique character.
2. **Housing Opportunities.** Create diverse housing opportunities that support great neighborhoods.
3. **Economic Prosperity.** (TBD from Economic Development process.)

4. **City Government Capacity.** A proactive organization with a clear and shared understanding of the City’s core lines of business, which direct investment in its people, organizational infrastructure, and partnerships.
5. **Community Safety & Resiliency.** Proactively and responsively develop and maintain a safe and resilient community.
6. **Engagement & Inclusion.** Creating a culture of acceptance and mutual respect which willingly acknowledges and overcomes differences.
7. **Civic Leadership.** Embrace a variety of leadership development opportunities to foster a culture of civic pride and involvement.

Mr. Scott reviewed the draft objectives for each strategic priority.

1. **Growth & Development Character**

- **Define the unique character** with a community process that articulates core principles.
- Prioritize continuous evaluation and planning for **infrastructure and services to guide growth.**
- Establish and sustain **open and inclusive public engagement** at all stages of the planning and implementation process.

2. **Housing Opportunities**

- Conduct thorough and timely **planning and forecasting** (buildable lands; housing needs; housing strategy; urban growth boundary).
- Promote **housing affordability** through diversifying the available typologies.
- Ensure that **regulatory frameworks and land supply** align with market-driven housing needs. (from Economic Development Strategy).
- Collaborate to improve the **financial feasibility of housing development** and new home purchases. (from Economic Development Strategy).
- New **building permits** should be in alignment with forecasted growth.
- Develop the **construction workforce** by investing in and leveraging great local educational institutions and mentoring new local developers.
- Provide a coordinated resource “**clearinghouse**” for those seeking housing financial assistance.

3. **Economic Development**

- (TBD from Economic Development process.)

4. **City Government Capacity**

- Identify and clarify **core lines of business** and ground truth with the public.
- Proactively plan for **knowledge transfer and succession** planning of staff.
- Gain efficiencies from one-time **technology investments.**

- **Recruit and retain** talented people.
- 5. **Community Safety & Resiliency**
 - Lead in **emergency preparedness**.
 - Ensure safe **infrastructure and surroundings**.
 - Provide exceptional **police, fire, and EMS services**.
 - Build a community **culture of safety**.
- 6. **Engagement & Inclusion**
 - Improving access by identifying and **removing barriers to participation**.
 - Ensuring **safety from discrimination and harassment** for all.
 - Cultivate **cultural competency** and fluency throughout the community.
 - **Celebrate diversity** of McMinnville.
 - Grow the **City's labor force and Boards and Commissions** to reflect our diverse community.
- 7. **Civic Leadership**
 - Attract and **develop future leaders**.
 - Identify, assess, and **mitigate barriers**.
 - Support **civic education** at the local and county level.
 - Recognize and **raise up leadership** in all of its forms.

Councilor Peralta suggested that the word typology be changed to something more accessible to read. Councilor Peralta felt that the biggest challenge there is matching the jobs that are being created to the types of housing available.

Planning Director Richards shared the discussion that the work group had relating to the term typology.

Mayor Hill stated that the priorities will provide direction but are also the items that should be looked at. The Council felt that it was a good list.

City Manager Towery suggested that the City Government Capacity goal should be shorter and perhaps use an action word to start the draft goal.

The next steps are that the work groups will reconvene beginning in June to finalize goals and objectives, and then work will begin on action plans and performance metrics. The project leadership team will continue to work on overall plan structure and first year implantation plan.

4.

ECONOMIC DEVELOPMENT PLANNING UPDATE

Elliott Weiss, Community Attributes Inc. presented. He provided an overview of the project process, the summary of key findings and SWOT analysis, a review of the draft strategic framework and draft strategies.

The process has included:

- Ongoing monthly advisory committee meetings, with four completed to date.
- Robust data profile to ascertain current and anticipated demographic and economic characteristics of McMinnville.
- City tour – downtown, Granary District, various neighborhoods, Linfield College and elsewhere.
- Four focus groups with business leaders from a broad range of industries, including manufacturing, software development, financial services, education, agriculture, wine, tourism and hospitality, and others.
- One public open house to share key findings from the data profile and to solicit feedback on McMinnville’s economic vision and strategic priorities.
- Development and hosting of an online Idea Map as an open forum for public comment on opportunities and challenges facing McMinnville.
- Submission of a SWOT analysis and a summary of economic development challenges and opportunities for McMinnville.
- Submission of a strategic framework to guide strategy development.
- Submission of a draft strategy for City and PAC review.
- One public open house.
- One City Council work session.

Mr. Weiss shared that June through July they will:

- Revise and submit final strategy.
- Compile strategy and other project materials in a draft report.
- Presentation of report to City Council.
- Finalize and submit Economic Development Strategy.

Mr. Weiss provided the key findings from the data profile:

- McMinnville has the largest population and highest employment in Yamhill County, which positions the city as a subregional center, on the outskirts of the greater Portland region. McMinnville is expected to grow and capture more than half of projected population growth in Yamhill County in the coming years, thereby increasing its role as the commerce and population center of Yamhill County.
- For those moving to McMinnville, most come from within Yamhill County or other places within the State of Oregon, indicating that McMinnville is a regional draw.
- Yamhill County’s population is aging and will continue to age; residents 65+ will account for a larger share of the population in the coming decades and will be the largest age segment by 2055.

- The McMinnville and Yamhill County economy has balanced industry sectors, with Educational and Medical Services, Manufacturing, Trade, Transportation and Utilities, Government, and Leisure and Hospitality each accounting for between 11% - 22% of countywide employment. McMinnville has large employers (or many employers) in each of these sectors, including Cascade Steel, Willamette Valley Medical Center, Linfield College, Yamhill County (government), and others.
- Office-using employment, such as Professional and Business Services, Financial Activities and Information, is low, though Professional and Business Services are expected to grow rapidly. Educational and Medical Services are expected to add the greatest number of jobs in the Mid-Valley region through 2024.
- McMinnville's median household income is low, with disparities by race or ethnicity and educational attainment; healthcare practitioner and technical occupations is the highest-paying occupational category in McMinnville, at \$68,000.
- Most McMinnville residents commute to work alone in a car. Many McMinnville residents (39%) work in McMinnville, and the most common commute destinations for residents are to Portland and Salem (12% total).
- A lower percentage of McMinnville residents obtain a bachelor's degree or higher; educational attainment lags relative to the region.
- Housing affordability is a challenge, as it is throughout the greater Portland region. Housing costs are not more burdensome than in many other communities throughout the region.
- McMinnville's poverty rate is relatively high at 20%, but poverty varies across family types, race or ethnicity, and educational attainment. In McMinnville, more than half of single mothers and one-quarter of all families with children are in poverty; one-third of Hispanic or Latino individuals are in poverty and one-third of individuals with less than a high school diploma live in poverty.

Discussion ensued regarding graduation rates, trade based occupations and industrial employers. It was noted that McMinnville is doing a good job with graduation rates.

Mayor Hill stated that regionally there is difficulty with the being able to grow the Urban Growth Boundary and the fertile agricultural lands.

Discussion ensued regarding working with neighboring communities proactively. It was noted that it came up in several focus groups and that a regional perspective may need to be considered.

Discussion ensued regarding McMinnville's population and population forecasts.

The strengths were identified as follows:

- High quality of life to boast about and attract investment.
- Strong, widely recognized downtown.
- Robust wine and tourism economy, as well as cultural (e.g. Air and Space Museum) and recreational amenities that bring visitors.
- Well known regionally and nationally as a destination for wine and food weekends, with some supporting tourist assets.
- Balanced employment across industry sectors.
- Presence and involvement of postsecondary educational institutions (Linfield College and Chemeketa Community College).
- Location advantages:
 - Good location in proximity to major metro area.
 - High quality soils in surrounding areas, climate suited for agriculture.
 - Natural environment assets nearby, including Yamhill River, access to the ocean and mountains.
- Inexpensive power and water, with sustainable sources.
- Major infrastructure assets: major highways, freight rail, airport.
- Positive business climate perceptions.

The weaknesses were identified as follows:

- Relatively low educational attainment.
- A limited labor pool for local companies and those looking to relocate.
- Difficult access to and from I-5 and no near-term possibility of a more direct connection.
- End-of-the-line location for wine country visitors coming from the Portland area.
- Lack of housing options.
- Low levels of professional and office-using employment.
- Comparatively high poverty rates and low median household income.

Mr. Weiss shared that economic inclusion and participation is one of the significant goals.

Mayor Hill shared that McMinnville Economic Development Partnership recently provided a tour for High School students. He explained that the more connections and that can be made between education and employers the better off everyone will be.

Discussion ensued regarding why the 25-29 year old group is leaving and not returning.

Mr. Weiss continued with the opportunities:

- Proximity to Portland allows McMinnville to capitalize on urban infrastructure/amenities.
- Local airport has comparative advantages over other regional airports.
- Highway 99 bypass: future completion will improve access to McMinnville.
- A stronger framework for regional collaboration.
- Opportunity sites for new downtown development.
- New housing development – higher density, diversity of types, live-work units.
- Improved connections to the University of Oregon and Oregon State University.
- Stronger branding and improved gateways into McMinnville.
- Innovation in agriculture and food systems:
 - Wine-oriented makerspace
 - Food hub
 - \$6 million gift to Linfield College’s wine program
 - Expanded culinary and craft beverage retail offerings
- Better use of recreational assets.
 - Creating new trails, hosting tournaments and events, improvements to the Community Center and pool, Bike tourism, improved and expanded bike routes.
- Clustering around major high-tech employers like TTR, Northwest UAV and Northwest Rapid Manufacturing.
- Increased apprenticeship (and similar) programs for trade-oriented occupations.
- Telecommuting to jobs in larger cities, development of a co-working space.
- Conference space for different sized groups; improved hospitality options.

Mr. Weiss discussed the identified threats:

- Limited land availability for residential, commercial and industrial development.
- Regulatory challenges associated with UGB expansion.
- Worsening housing affordability.
- Brain drain due to local graduates leaving for other job markets.
- Absorption of projected growth without detrimental impacts to character, congestion, affordability.
- Future oversaturation of wine/tourism and increasing concentration of low-wage service industry jobs.
- Need to find a sustainable solution to homelessness.
- Future impacts of climate change on agriculture and related industries, including tourism.

Mr. Weiss explained that eight goals have been identified. The foundation goals and strategies which are mean to be broadening beneficial across multiple industry sectors are:

1. Grow living-wage jobs across a balanced array of industry sectors.
2. Improve economic participation and inclusion.
3. Maintain and enhance our high quality of life.

Mr. Weiss stated that the target sector goals and strategies are intended to pursue opportunities and improve outcomes within clusters or sectors of related industries. The target sector goals and strategies are:

4. Sustain and innovate within traditional industry and advanced manufacturing.
5. Grow employment within technology and entrepreneurship.
6. Be a leader within tourism, retail, restaurants and hospitality.
7. Innovate within wine, agriculture and food systems.
8. Expand employment and operations within education, medicine and other sciences.

The strategic framework and draft strategies were further discussed as follows:

1. Grow Living-Wage Jobs Across a Balanced Array of Industry Sectors.

- 1.1 Maintain and enhance McMinnville's positive business climate.
 - Improve the dialogue between the City and the local business community.
 - Provide additional tools and resources for business formation and grow.
 - Sustain a streamlined permitting and approvals process.
- 1.2 Develop McMinnville's brand and leverage McMinnville's strong sense of place to spur economic growth.
 - Conduct a formal branding process.
 - Reinforce McMinnville's brand identity through strategic communications.
 - Communicate McMinnville's sense of place through thoughtful design.
- 1.3 Ensure commercial and industrial land availability
 - Assess land supply for commercial and industrial uses and document lands available for development.
 - Communicate land availability to current and prospective businesses.

- 1.4 Improve infrastructure to serve businesses, visitors and local residents.
 - Improve external connections between McMinnville and the region.
 - Invest in infrastructure improvements that make it safer and easier for residents and visitors to get around McMinnville.
 - Identify and complete high-priority infrastructure projects that serve McMinnville's current and future business community.
- 1.5 Expand efforts in talent attraction and retention.

Councilor Peralta noted that there is such a competitive advantage in energy costs and it should be reflected in the plan. He felt that the City should be encouraging more white collar employment in the community. He thought that the Steel Mill could be a type of industrial capacity that could be clustered around.

2. Improve Economic Participation and Inclusion.

- 2.1. Enhance education and workforce development, build career pathways and provide adult skills training.
 - Work with local businesses to specify workforce needs, including occupations and skills.
 - Improve access to skill development and education in career pathways at the elementary and secondary levels.
 - Increase the access for McMinnville residents to workforce training and re-training resources at local community and technical colleges.
- 2.2 Provide tools for growing and scaling small, entrepreneurial endeavors.
 - Connect businesses with available resources.
 - Support DBE businesses.
- 2.3 Ensure adequacy of social services.

3. Maintain and Enhance our High Quality of Life.

- 3.1 Provide a sufficient quantity of housing units that suit local wages and workforce needs.
 - Ensure that regulatory frameworks and land supply align with market-driven housing needs.
 - Collaborate to improve the financial feasibility of housing development and new home purchases.
- 3.2 Expand recreation options.

- Community suggestions included: Complete a recreation master plan to identify, evaluate and prioritize potential improvements, including a trail or paved path along the Yamhill River; the installation of fitness equipment along existing trail corridors, such as the Hewlett Packard trail; in-town cycling infrastructure like bike lanes and bike racks; pedestrian connections to Joe Dancer Park from Wortman Park and from Evergreen; improved river access, such as a dock, at Joe Dancer Park; improvements to existing parks and sports fields, including a restroom facility and picnic pavilion in Joe Dancer Park and new awnings or covers for the dugouts at the baseball fields; a BMX pump track; extension of the Westside Bicycle/Pedestrian Greenway.

4. Sustain and Innovate within Traditional Industry and Advanced Manufacturing.

- 4.1 Ensure workforce availability in trades.
- 4.2 Facilitate innovation within traditional industry sectors.
- 4.3 Expand and market land availability for industrial activities

5. Grow Employment within Technology and Entrepreneurship.

- 5.1. Become a place where small and medium technology firms can relocate.
- 5.2. Provide opportunities for co-working, teleworking, and other arrangements enabled by telecommunications technology.
- 5.3. Incubate new businesses and start-ups.
- 5.4. Create new talent pipelines for tech-related occupations.

6. Be a Leader in Tourism, Retail, Restaurants and Hospitality.

- 6.1. Make downtown the best it can be.
- 6.2. Become the preferred destination for wine-related tourism.
- 6.3. Diversify tourism destinations beyond wine.
- 6.4. Encourage connections to the local food system and cultivate a community of exceptional restaurants.
- 6.5. Market and promote McMinnville.

7. Innovate within Wine, Agriculture and Food Systems.

- 7.1. Maintain prominence in wine while looking for opportunities to innovate within supply chains, viticulture and production.
- 7.2. Locate higher job-density activities in McMinnville.
- 7.3. Expand R&D for wine and other agricultural/cultivation-oriented and value-added practices.

- 7.4. Open new markets for local agricultural products.
- 7.5. Preserve natural assets while ensuring long-term stability in agricultural production.

8. Expand Employment and Operations in Education, Medicine and other Sciences.

- 8.1 Leverage Linfield College and Chemeketa CC.
- 8.2 Encourage growth at Willamette Valley Medical Center.
- 8.3 Explore increased local roles for Oregon's public universities.

Discussion ensued regarding jobs per acre. Planning Director Richards shared that there currently an adopted economic opportunity analysis and within it there is a policy of striving to achieve 11 jobs per acre on employment lands. There is an action recommended to go back and see what is working, or not working, regarding the economic opportunity analysis.

Discussion ensued regarding the construction industry, a regional workforce related to construction, local builders, and the challenges in the building industry.

Councilor Peralta noted that families are moving to McMinnville and that perhaps amenities should be focused on. He also felt there should be a focus on the retirement community and health care. He commented on leveraging the cheap electricity to bring in industry.

Council President Menke commented on the fiber optic backbones and felt that it should be added to the conversation.

Councilor Ruden felt that the information rang true and that it was good to hear it in an organized manner.

Councilor Stassens commented on the successful community meeting Community Attributes hosted the previous night.

Mayor Hill commented on how resources will drive the process.

City Manager Towery stated that the community will be having conversations around the future of growth and development in McMinnville and what that looks like.

ADD ITEM

Councilor Peralta mentioned that the Friends of the Yamhelas Westsider Trail sent an email to him asking for the support of the Council. He noted that many of the items mentioned in the presentation relate to the vision of the trail: it improves the recreational aspect and preserves the rights-of-way

for rail infrastructure. He asked that support be considered at a future Council meeting.

Mayor Hill suggested that it would be good to have more information on the topic before making a decision. He thought that perhaps they could present to Council at a future meeting. Mayor Hill stated that he would like to hear both sides present.

5.

ADJOURNMENT

Mayor Hill adjourned the meeting at 8:20 p.m.

Melissa Grace, City Recorder



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

Liquor License Recommendation

BUSINESS NAME / INDIVIDUAL: Jwines LLC
BUSINESS LOCATION ADDRESS: 2515 NE Orchard Ave McMinnville
LIQUOR LICENSE TYPE: Winery

Is the business at this location currently licensed by OLCC

☒ Yes ☐ No

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

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

EXEMPTIONS:
(list any exemptions)

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

Chief of Police / Designee

City Manager / Designee



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

Liquor License Recommendation

BUSINESS NAME / INDIVIDUAL: Mezcal Sabores de Mexico Inc
BUSINESS LOCATION ADDRESS: 1208 SW Baker Street
LIQUOR LICENSE TYPE: Full on-premises, commercial

Is the business at this location currently licensed by OLCC

☐ Yes ☒ No

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

Hours of operation: 9 am to 9 pm Sunday-Saturday

Entertainment: XM Radio

Hours of Music: during hours of operation

Seating Count: 55; 40 restaurant and 15 outdoor

EXEMPTIONS:

(list any exemptions)

Tritech Records Management System Check: ☒ Yes ☐ No

Criminal Records Check: ☒ Yes ☐ No

Recommended Action: ☒ Approve ☐ Disapprove

Chief of Police / Designee

City Manager / Designee



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

Liquor License Recommendation

BUSINESS NAME / INDIVIDUAL: Kara Wines Oregon LLC
BUSINESS LOCATION ADDRESS: 2803 NE Orchard Ave
LIQUOR LICENSE TYPE: Winery

Is the business at this location currently licensed by OLCC

☒ Yes ☐ No

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

Hours of operation: N/A

Entertainment: N/A

Hours of Music: N/A

Seating Count: N/A

EXEMPTIONS:

(list any exemptions)

Tritech Records Management System Check: ☒ Yes ☐ No

Criminal Records Check: ☒ Yes ☐ No

Recommended Action: ☒ Approve ☐ Disapprove

Chief of Police / Designee

City Manager / Designee



Discussion:

ORS 294.353 states that when the necessity for maintaining any fund of the municipal corporation has ceased to exist and a balance remains in the fund, that the governing body so declare by ordinance or other order and such balance be transferred to the general fund unless other provisions were made in the original creation of the fund. This resolution makes such declaration for the Public Safety Facilities Construction Fund and transfers the remaining balance in the fund to the Debt Service Fund.

In 2006, the City issued \$13,315,000 in general obligation bonds for the purpose of constructing the McMinnville Police Station and the McMinnville Civic Hall. The Police Station and McMinnville Civic Hall were completed in 2008 and 2009, respectively.

When the projects were completed, approximately \$160,000 in bond proceeds and interest were retained in the fund for any arbitrage rebate payments due to the Internal Revenue Service (IRS). An arbitrage rebate payment represents the amount that earnings on the bond proceeds exceeded the bond yield. Rebate payments were made to the IRS of \$107,626 and \$8,292 in 2011 and 2016, respectively. These payments satisfied all IRS requirements related to arbitrage rebate on the 2006 bonds. In addition, bond interest of \$42,337 was transferred from the Public Safety Facilities Construction Fund to the Debt Service Fund in 2013, reducing the amount of tax levy needed for debt service payments on the bonds.

Currently, a balance of \$2,904 in bond interest remains in the Public Safety Facilities Construction Fund. Because the interest was earned on general obligation bond proceeds, the interest must be transferred to the Debt Service Fund. The fiscal year 2017-2018 budget includes appropriations sufficient for this transfer.

Attachment:

Resolution No. 2018-26, a Resolution declaring that the necessity of maintaining the Public Safety Facilities Construction Fund has ceased to exist and transferring the remaining fund balance

Action:

A motion is needed to approve Resolution No. 2018-26.

RESOLUTION NO. 2018-26

A Resolution eliminating the Public Safety Facilities Construction Fund and transferring the remaining fund balance

RECITAL:

ORS 294.353 states that when the necessity for maintaining any fund of the municipal corporation has ceased to exist and a balance remains in the fund, that the governing body so declare by ordinance or other order and such balance be transferred to the general fund unless other provisions were made in the original creation of the fund. This resolution makes such declaration for the Public Safety Facilities Construction Fund and transfers the remaining balance in the fund to the Debt Service Fund.

In 2006, the City issued \$13,315,000 in general obligation bonds for the purpose of constructing the McMinnville Police Station and the McMinnville Civic Hall. The Police Station and McMinnville Civic Hall were completed in 2008 and 2009, respectively.

When the projects were completed, approximately \$160,000 in bond proceeds and interest were retained in the fund for any arbitrage rebate payments due to the Internal Revenue Service (IRS). An arbitrage rebate payment represents the amount that earnings on the bond proceeds exceeded the bond yield. Rebate payments were made to the IRS of \$107,626 and \$8,292 in 2011 and 2016, respectively. These payments satisfied all IRS requirements related to arbitrage rebate on the 2006 bonds. In addition, bond interest of \$42,337 was transferred from the Public Safety Facilities Construction Fund to the Debt Service Fund in 2013, reducing the amount of tax levy needed for debt service payments on the bonds.

Currently, a balance of \$2,904 in bond interest remains in the Public Safety Facilities Construction Fund. Because the interest was earned on general obligation bond proceeds, the interest must be transferred to the Debt Service Fund. The fiscal year 2017-2018 budget includes appropriations sufficient for this transfer.

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

1. This resolution declares that the necessity for maintaining the Public Safety Facilities Construction Fund has ceased to exist.
2. The remaining funds in the Public Safety Facilities Construction Fund will be transferred to the Debt Service Fund.

This Resolution will take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 12th day of June 2018 by the following votes:

Ayes: _____

Nayes: _____

Approved this 12th day of June 2018.

MAYOR

Approved as to form:

CITY ATTORNEY

STAFF REPORT

DATE: June 12, 2018
TO: Mayor and City Councilors
FROM: Heather Richards, Planning Director
SUBJECT: **Resolution No. 2018 – 27 and Resolution No. 2018 - 28:**
McMinnville Economic Development Partnership Oregon WORKS Program

Council Goal:

Promote Sustainable Growth and Development

Report in Brief:

This action considers both Resolution No. 2018-27 and Resolution No. 2018-28, to support McMinnville Economic Development Partnership's Oregon WORKS program.

Background:

McMinnville Economic Development Partnership (MEDP) has developed a successful McMinnville WORKS Internship Program that is heralded as one of the best local economic development internships in the state. Recently MEDP was asked to apply for grant funds from the Oregon Community Foundation and the Ford Family Foundation to create a model and training program for other communities to successfully develop their own internship program similar to McMinnville WORKS. However, MEDP needed to partner with a 501(c)3 to apply for the funds.

Since the City of McMinnville is an active partner and supporter of MEDP's efforts, the City entered into a partnership with MEDP to obtain grant funds for the MEDP's "Oregon WORKS – Rural Expansion" program. Grant funds will enable the MEDP team to deliver McMinnville WORKS Internship Program workshops to several rural Oregon communities. The workshops will focus on expanding industry-led programming to give businesses access to an emerging talent pool, provide a young person with real-world experience, and help retain talented individuals in the community.

Discussion:

As sponsor for the MEDP program, the City will receive total grant funds of \$77,400, with \$38,500 from Oregon Community Foundation (OCF) and \$38,900 from The Ford Family Foundation (TFFF). The City will enter into an agreement with the MEDP regarding delivery of services according to the requirements of the grantors. Upon receipt of the grant funds, the City will retain \$3,750 (i.e., approximately 5%) as reimbursement for costs of administering the grant, and will disburse the remaining grant funds of \$73,650 to the MEDP.

RESOLUTION NO. 2018 - 27

A Resolution increasing appropriations for fiscal year 2017-2018 and authorizing expenditure of grant funds.

RECITAL:

Oregon Local Budget Law includes a provision that a local government may expend grant funds that are transferred to the local government in trust for a specific purpose after enactment of an appropriation resolution authorizing the expenditures [ORS 294.326(1)]. This resolution increases appropriations in the General Fund, Planning Department and authorizes expenditure of unanticipated grant funds received due to sponsoring a McMinnville Economic Development Partnership (MEDP) grant application.

The City has entered into a partnership with the MEDP to obtain grant funds for the MEDP's "Oregon WORKS – Rural Expansion" program. Grant funds will enable the MEDP team to deliver McMinnville WORKS Internship Program workshops to several rural Oregon communities. The workshops focus on expanding industry-led programming to give businesses access to an emerging talent pool, provide a young person with real-world experience, and help retain talented individuals in the community.

As sponsor for the MEDP program, the City will receive total grant funds of \$77,400, with \$38,500 from Oregon Community Foundation (OCF) and \$38,900 from The Ford Family Foundation (TFFF). The City will enter into an agreement with the MEDP regarding delivery of services according to the requirements of the grantors. Upon receipt of the grant funds, the City will retain \$3,750 (i.e., approximately 5%) as reimbursement for costs of administering the grant, and will disburse the remaining grant funds of \$73,650 to the MEDP.

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

1. Increases appropriations in the General Fund, Planning Department materials and services category to allow disbursement of unanticipated grant funds
2. Authorizes expenditure of grant funds received by the City in trust for a specific purpose

General Fund, Planning Department resource and requirement increases of \$77,400, with an appropriations increase of \$77,400 in the materials and services category for disbursement of grant funds received due to sponsoring the MEDP's Oregon WORKS – Rural Expansion" program grant.

<u>General Fund:</u>	<u>Amended Budget</u>	<u>Budget Adjustment</u>	<u>Amended Budget</u>
Resources:			
Beginning Fund Balance	\$ 5,988,535		\$ 5,988,535
Property Taxes	12,382,150		12,382,150
Licenses & Permits	2,434,850		2,434,850
Intergovernmental	1,690,121		1,690,121
Charges for Services	1,448,953		1,448,953
Fines & Forfeitures	554,800		554,800
Miscellaneous	763,419	77,400	840,819
Transfers In	1,958,059		1,958,059
Total Resources	<u>\$27,220,887</u>	<u>\$77,400</u>	<u>\$27,298,287</u>
Requirements:			
Administration	1,173,438		1,173,438
Finance	764,389		764,389
Engineering	1,035,290		1,035,290
Planning	693,772	77,400	771,172
Police	8,246,883		8,246,883
Municipal Court	515,651		515,651
Fire	3,253,631		3,253,631
Parks & Recreation	2,714,181		2,714,181
Park Maintenance	1,176,863		1,176,863
Library	1,600,625		1,600,625
Not Allocated to Organization:			
Debt Service	423,775		423,775
Transfers Out to Other Funds	2,059,242		2,059,242
Operating Contingencies	900,000		900,000
Ending Fund Balance	2,663,147		2,663,147
Total Requirements	<u>\$27,220,887</u>	<u>\$77,400</u>	<u>\$27,298,287</u>

This Resolution will take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 12th day of June 2018 by the following votes:

Ayes: _____

Nays: _____

Approved this 12th day of June 2018.

MAYOR

Approved as to form:

CITY ATTORNEY

- **Resolution No. 2018-27:** Resolution No. 2018-27 is the tool for which to amend the City of McMinnville's Fiscal Year 2017-2018 budget to both accept and disburse the grant funds from Oregon Community Foundation and the Ford Family Foundation to MEDP. The resolution increases appropriations by \$77,400, and authorizes the expenditure of grant funds in the amount of \$73,650 for this project. The City of McMinnville will retain \$3,750 for administration of the grant.
- **Resolution No. 2018-28:** Resolution No. 2018-28 authorizes the City Manager to sign a contract with MEDP for \$73,650 to develop and deliver the Oregon WORKS program as proposed to the Oregon Community Foundation and the Ford Family Foundation.

Fiscal Impact:

The City of McMinnville will receive a check from the Oregon Community Foundation for \$38,500 and the Ford Family Foundation for \$38,900 for a total of \$77,400. This money will be identified as a resource in the Planning Department fund. The City, through its contract with MEDP, will then disburse \$73,650 to MEDP for the development and delivery of the Oregon WORKS program. The City will retain \$3,750 for administration of the grant. Both transactions will be identified in the Fiscal Year 2017-2018 City of McMinnville budget.

Council Options:

1. **APPROVE** Resolutions No 2018-27 and 2018-28
2. Request more information.
3. **DO NOT APPROVE** Resolutions No. 2018-27 and 2018-28.

Recommendation/Suggested Motion:

Staff recommends that the Council approve Resolution No. 2018-27 and 2018-28.

“I MOVE TO APPROVE RESOLUTION NO. 2018-27 and RESOLUTION NO. 2018-28.”

CITY OF McMINNVILLE, OREGON

**PERSONAL SERVICES CONTRACT with
MCMINNVILLE ECONOMIC DEVELOPMENT PARTNERSHP**

**For
Oregon WORKS Program Development**

This Contract is between the CITY OF McMINNVILLE, a municipal corporation of the State of Oregon (City) and McMINNVILLE Economic Development Partnership (Contractor). The project will be managed by MEDP (Jody Christensen) and the City's Planning Department (Heather Richards).

The parties mutually covenant and agree as follows:

- 1. Effective Date and Duration.** This contract is effective on June 12, 2018, and will expire, unless otherwise terminated or extended, on December 31, 2020.
- 2. Statement of Work.** The work to be performed under this contract consists of the services described in Exhibit A, attached hereto and by this reference incorporated herein. The Statement of Work reflects both the work anticipated and the fees the Contractor will charge for each component of that work. The work provided will be guided by the Statement of the Work, but the Contractor will, with the approval and direction of the City, perform services in such a way as to ensure constant progress is being made to achieve the City's end goals in the most efficient manner possible.
- 3. Consideration.** City agrees to pay Contractor \$73,650.00 by June 29, 2018, after receipt of funds from Oregon Community Foundation and Ford Family Foundation.
- 4. Additional Services.** Additional services, not covered in Exhibit A, will be provided if mutually agreed upon by the parties and authorized or confirmed in writing by the City, and will be paid for by the City as provided in this Contract in addition to the compensation authorized in subsection 3a. If authorized by the City, the additional services will be performed under a series of Task Orders defining the services to be performed, time of performance, and cost for each phase of services.

[CONTINUED ON NEXT PAGE]

CONTRACTOR DATA, CERTIFICATION, AND SIGNATURE

Name (please print): _____

Address: _____

Social Security #: _____

Federal Tax ID #: _____

State Tax ID #: _____

Citizenship: Nonresident alien _____ Yes _____ No

Business Designation (check one): _____ Individual _____ Sole Proprietorship _____ Partnership
_____ Corporation _____ Government/Nonprofit

The above information must be provided prior to contract approval. Payment information will be reported to the Internal Revenue Service (IRS) under the name and taxpayer I.D. number provided above. (See IRS 1099 for additional instructions regarding taxpayer ID numbers.) Information not matching IRS records could subject you to 31 percent backup withholding.

I, the undersigned, understand that the Standard Terms and Conditions for Personal Services Contracts and Exhibits A, B, C, and D are an integral part of this contract and agree to perform the work described in Exhibit A in accordance with the terms and conditions of this contract; certify under penalty of perjury that I/my business am not/is not in violation of any Oregon tax laws; and certify I am an independent contractor as defined in ORS 670.600.

Signed by Contractor:

Signature/Title

Date

NOTICE TO CONTRACTOR: This contract does not bind the City of McMinnville unless and until it has been fully executed by the appropriate parties.

CITY OF McMINNVILLE SIGNATURE

Approved:

City Manager or Designee

Date

Reviewed:

City Attorney or Designee

Date

CITY OF McMinnville
STANDARD TERMS AND CONDITIONS FOR PERSONAL SERVICES CONTRACTS

1. Contractor is Independent Contractor.

a. Contractor will perform the work required by this contract as an independent contractor. Although the City reserves the right (i) to determine (and modify) the delivery schedule for the work to be performed and (ii) to evaluate the quality of the completed performance, the City cannot and will not control the means or manner of the Contractor's performance. The Contractor is responsible for determining the appropriate means and manner of performing the work.

b. The Contractor represents and warrants that Contractor (i) is not currently an employee of the federal government or the State of Oregon, and (ii) meets the specific independent contractor standards of ORS 670.600, as certified on the Independent Contractor Certification Statement attached as Exhibit D.

c. Contractor will be responsible for any federal or state taxes applicable to any compensation or payment paid to Contractor under this contract.

d. If Contractor is a contributing member of the Public Employees' Retirement System, City will withhold Contractor's contribution to the retirement system from Contractor's compensation or payments under this contract and make a corresponding City contribution. Contractor is not eligible for any federal Social Security, unemployment insurance, or workers' compensation benefits from compensation or payments to Contractor under this contract, except as a self-employed individual.

2. Subcontracts and Assignment. Contractor will not subcontract any of the work required by this contract, or assign or transfer any of its interest in this contract, without the prior written consent of the City. Contractor agrees that if subcontractors are employed in the performance of this contract, the Contractor and its subcontractors are subject to the requirements and sanctions of ORS Chapter 656, Workers' Compensation.

3. No Third Party Beneficiaries. City and Contractor are the only parties to this contract and are the only parties entitled to enforce its terms. Nothing in this contract gives or provides any benefit or right, whether directly, indirectly, or otherwise, to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this contract.

4. Successors in Interest. The provisions of this contract will be binding upon and will inure to the benefit of the parties, and their respective successors and approved assigns, if any.

5. Early Termination

a. The City and the Contractor, by mutual written agreement, may terminate this Contract at any time.

b. The City, on 30 days written notice to the Contractor, may terminate this Contract for any reason deemed appropriate in its sole discretion.

c. Either the City or the Contractor may terminate this Contract in the event of a breach of the Contract by the other party. Prior to termination, however, the party seeking the termination will give to the other party written notice of the breach and of the party's intent to terminate. If the Party has not entirely cured the breach within 15 days of the notice, then the party giving the notice may terminate the Contract at any time thereafter by giving a written notice of termination.

6. Payment on Early Termination

a. If this contract is terminated under 5(a) or 5(b), the City will pay the Contractor for work performed in accordance with the Contract prior to the termination date. Payment may be pro-rated as necessary.

b. If this contract is terminated under 5(c) by the Contractor due to a breach by the City, then the City will pay the Contractor as provided in subsection (a) of this section.

c. If this contract is terminated under 5(c) by the City due to a breach by the Contractor, then the City will pay the Contractor as provided in subsection (a) of this section, subject to set off of excess costs, as provided for in section 7, Remedies.

7. Remedies

a. In the event of termination under 5(c) by the City due to a breach by the Contractor, the City may complete the work either itself, by agreement with another contractor, or by a combination thereof. In the event the cost of completing the work exceeds the remaining unpaid balance of the total compensation provided under this contract, the Contractor will pay to the City the amount of the reasonable excess.

b. The remedies provided to the City under section 5 and section 7 for a breach by the Contractor are not exclusive. The City will also be entitled to any other equitable and legal remedies that are available.

c. In the event of breach of this Contract by the City, the Contractor's remedy will be limited to termination of the Contract and receipt of payment as provided in section 5(c) and 6(b).

8. Access to Records. Contractor will maintain, and the City and its authorized representatives will have access to, all books, documents, papers and records of Contractor which relate to this contract for the purpose of making audit, examination, excerpts, and transcripts for a period of three years after final payment. Copies of applicable records will be made available upon request. Payment for the cost of copies is reimbursable by the City.

9. Ownership of Work. All work products of the Contractor, including background data, documentation, and staff work that is preliminary to final reports, and which result from this contract, are the property of the City. Contractor will retain no ownership interests or rights in the work product. Use of any work product of the Contractor for any purpose other than the use intended by this contract is at the risk of the City.

10. Compliance with Applicable Law. Contractor will comply with all federal, state, and local laws and ordinances applicable to the work under this contract, including, without limitation, the provisions of ORS 279B.220, 279B.230, and 279B.235, as set forth on Exhibit B. Without limiting the foregoing, Contractor expressly agrees to comply with: (i) Title VI of the Civil Rights Act of 1964; (ii) Section V of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 (Pub L No. 101-336), ORS 659A.142, and all regulations and administrative rules established pursuant to those laws; and (iv) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules, and regulations.

11. Indemnity and Hold Harmless

a. Except for the professional negligent acts covered by paragraph 11.b., Contractor will defend, save, hold harmless, and indemnify the City, its officers, agents, and employees from all claims, suits, or actions of whatsoever nature resulting from or arising out of the activities of Contractor or its officers, employees, subcontractors, or agents under this contract.

b. Contractor will defend, save, hold harmless, and indemnify the City, its officers, agents, and employees from all claims, suits, or actions arising out of the professional negligent acts, errors, or omissions of Contractor or its officers, employees, subcontractors, or agents under this contract.

12. Insurance. Contractor will provide insurance in accordance with Exhibit C.

13. Waiver. The failure of the City to enforce any provision of this contract will not constitute a waiver by the City of that or any other provision.

14. Errors. The Contractor will perform such additional work as may be necessary to correct errors in the work required under this contract without undue delays and without additional cost.

15. Governing Law. The provisions of this contract will be construed in accordance with the laws of the State of Oregon and ordinances of the City of McMinnville, Oregon. Any action or suits involving any question arising under this contract must be brought in the appropriate court in Yamhill County, Oregon. Provided, however, if the claim must be brought in a federal forum, then it will be brought and conducted in the United States District Court for the District of Oregon.

16. Severability. If any term or provision of this contract is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions will not be affected, and the rights and obligations of the parties will be construed and enforced as if the contract did not contain the particular term or provision held invalid.

17. Merger Clause. THIS CONTRACT AND ATTACHED EXHIBITS CONSTITUTE THE ENTIRE AGREEMENT BETWEEN THE PARTIES. NO WAIVER, CONSENT, MODIFICATION, OR CHANGE OF TERMS OF THIS CONTRACT WILL BIND EITHER PARTY UNLESS IN WRITING, SIGNED BY BOTH PARTIES. ANY WAIVER, CONSENT, MODIFICATION, OR CHANGE, IF MADE, WILL BE EFFECTIVE ONLY IN THE SPECIFIC INSTANCE AND FOR THE SPECIFIC PURPOSE GIVEN. THERE ARE NO UNDERSTANDINGS, AGREEMENTS, OR REPRESENTATIONS, ORAL OR WRITTEN, NOT SPECIFIED HEREIN REGARDING THIS CONTRACT. BY ITS SIGNATURE, CONTRACTOR ACKNOWLEDGES IT HAS READ AND UNDERSTANDS THIS CONTRACT AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.

EXHIBIT A
STATEMENT OF THE WORK

(Please see following pages).



Rural Community Development: How to “Grow Our Own” Workforce

Date: April 6, 2018
To: Melissa Freeman, Oregon Community Foundation
Kathleen Flanagan, The Ford Family Foundation
From: Jody Christensen, McMinnville Economic Development Partnership
Re: Oregon WORKS - Rural Expansion - Format and Objectives

*"The number one concern across every industry is the ability to find qualified labor.
The shortage is pervasive and extends to all positions."*

-Dennis Donovan, principal, WDG Consulting [INDUSTRY WEEK - Adrienne Selko | Jan 22, 2018](#)

As a rural economic development organization, the McMinnville Economic Development Partnership (MEDP) focuses on initiatives that foster new private investment and encourage living wage jobs. We focus on building strategic programs to support the development, retention, expansion, and recruitment of growth industries. At MEDP, we know that our region's talent supply lines are the increasing critical factor for determining companies' competitive positions, communities' trajectories for prosperity and growth, and citizens' pathways for equity and inclusion. This triple bottom line approach is at the core of MEDP's McMinnville WORKS workforce strategy focused on targeted training, career awareness, critical skills development, and talent attraction and retention. We refer to this strategy as a “Grow Our Own” approach.

One program in our “Grow Our Own” strategy is the McMinnville WORKS Internship Program. The McMinnville WORKS Internship Program is an outgrowth of the highly successful Climax Portable Machining and Welding Systems' (Newberg, Oregon) internship program which launched back in 2008. The pilot of the official McMinnville WORKS Internship Program started in 2013. The program has grown in Host Sites, interns, and jobs offered at the end of the internship program.

The McMinnville WORKS Internship Program gives businesses access to the emerging talent pool, gives a young person real-world experience, and positions our community as a great place to live and work. We want our alumni interns to stay in our community and find a great job. This program has received awards from both the McMinnville Area Chamber of Commerce and the Oregon Economic Development Association and has been recognized by entities such as Governor Brown's office. In 2017, MEDP received an Oregon Talent Council grant to help four Oregon communities learn about the McMinnville WORKS program and how they might launch a similar program. The workshop, Oregon WORKS, was delivered to four (4) communities. The results were one pilot launched (Gorge Works) and two communities are using the training



Rural Community Development: How to “Grow Our Own” Workforce

materials to enhance their programs. In addition, we deliver an additional training outside to Clatsop County. They are launching a pilot now. In addition, we used the workshop materials to coach Chemeketa Community College’s launch of the Chemeketa WORKS pilot this year.

In this proposal, the MEDP team is prepared to expand industry-led programming to rural Oregon with a proven community model and network of partners. We believe these programs can have rapid, transformative results. We have experienced it ourselves and continue to see limitless growth and valuable results. We have developed three pillars and final deliverable to successfully amplify and accelerate the potential strategic funding provided by the Oregon Community Foundation (OCF) and The Ford Family Foundation (TFFF). To achieve the outcomes of this proposal, MEDP would be executing contracts for services and both coordinating and developing certain aspects of the work. We will be referring to the MEDP team in this proposal. The team will include MEDP staff and contractors.

ACTIVATE Oregon WORKS - Rural Expansion

“We appreciate your support and our community needed to learn about your experiences in order to inspire our next steps.” - 2017 Workshop Attendee

Background on the McMinnville WORKS Internship Program

The McMinnville WORKS Internship Program is designed by industry and community partners committed to making an easy “plug and play” internship program. MEDP manages the overall program which includes marketing multiple internships at a variety of companies under one application process. The internship is 9-weeks, direct hire, paid, and project based.

The program includes nine (9) Professional Development Workshops, multiple company tours, and strategic community networking. The goals include connecting companies to the emerging talent pool, creating a professional employment experience for the interns, and marketing McMinnville as a great place to live and work. The results are telling – companies are learning about the younger workforce, real world career exploration is occurring, and jobs are being created and filled by young professionals excited to live in our community. This model has become an effective talent attraction and retention program.

In 2017, MEDP traveled to four (4) different communities to teach a workshop on how MEDP was able to create a community wide internship program. We called this program “Oregon WORKS.” Participants learned about MEDP’s program, the five crucial elements it takes to



Rural Community Development: How to “Grow Our Own” Workforce

create a program like the McMinnville WORKS Internship Program, and were asked to begin creating a program of their own.

We asked the 2017 Oregon WORKS workshop participants to rate the workshop. It received an 8 on a scale of 1-10 with 10 being excellent. The program handbook and materials received an 8.7.

The Oregon WORKS Workshop

MEDP would develop a set of qualifying criteria for host communities and would work with OCF, TFFF, and Governor Brown’s Regional Solutions team to identify communities ready for the workshop. MEDP is proposing delivery of four (4) Oregon WORKS workshops and one (1) McMinnville Pipeline workshop in five (5) rural communities.

The timeline would to start developing some of the additional training materials in Summer 2018. The host community criteria, application, and scoring criteria development would begin in Fall of 2018. We will begin the workshop enhancements and updates in late 2018. The workshop host recruitment will begin in Winter 2018/19. The workshops would take place May-July in 2019. The coaching/mentoring would be ongoing and available until pilot launches in Summer 2020.

The Format

Each workshop is designed in two parts – the first part is an overview of the McMinnville WORKS Internship Program and the second part will lead the group to creating their own community internship program.

The overview of the McMinnville WORKS Internship Program explores the five key components (organizer, Steering Committee, Host Sites, WORKS Interns, Professional Development Workshops), the structure (paid, direct hire, project based), and the lessons learned. We detail the program planning, design, and marketing elements such as the intern/host applications, job descriptions, action plans, professional development, 101 guides, timelines, Host Site support, and marketing strategies.

The second part of the workshop is designed to inspire the community. We have four exercises to help the participants get a program started: 1) Who’s at the table? 2) What is your ideal community program?, 3) What will you need?, and 4) Building your program. In small groups, we ask everyone to reintroduce themselves to each other. Each person receives a worksheet to

design their ideal internship. They are asked to share and document the group discussion. We then have group report outs. During lunch, the MEDP staff identifies common themes and creates a concept. With the entire group, we validate it. We then go back into small groups and talk about who and what is missing to make this concept work. Back in the large group we discuss the missing items and make a contact list. We then call for someone or an entity to be the organizer. We ask the industry representatives in the room if they would be willing to serve on a steering committee for one year. At the conclusion, we offer the coaching session to help address any questions and to be a sounding board for the group’s next steps.

Workshop Enhancements needed (*new workshop developments*)

- Refine workshop materials and format to include new components related to academic sites; high school aspects; funding options
- Showcase more examples of how to market the pilot; recruit industries and sites, and attract applicants
- Develop methods of how to document successes to gain more community buy-in and political support
- Develop comprehensive criteria for validating community hosts to ensure workshop readiness and success for pilot launch
- Develop workshop site recruitment and application process
- Develop process for community host candidates interviews
- Create evaluation and tracking matrix for workshops and pilot launches

Each workshop format is for up to 20 attendees and includes

- One 60-minute pre-qualifying planning session for community workshop prospects (conference call) 90 days prior to workshop
- One 45-minute pre-session planning session with community hosts (conference call) within 30 days prior to workshop
- One 30-minute pre-session planning update with community hosts (conference call) within 10 days of workshop
- Community hosts checklist
- Event marketing through customizable templates in Microsoft Word format
- One 7-hour on-site training
- Training PowerPoint
- 20 printed program handbooks including *101* guides, work plan samples, etc.
- 20 intern project magazines
- 20 loaded thumb drives with handbook, customizable templates and marketing materials

After the workshop MEDP will be on hand with additional coaching techniques to provide



Rural Community Development: How to “Grow Our Own” Workforce

- One 60-minute post-session debrief with community hosts (conference call) within 7 days of workshop
- One 60-minute pilot coaching conference calls to be completed within 30 days of workshop
- One on one coaching for host and/or steering committee
- Connection to other WORKS sites and coordinators

Objectives

Through completing this project, MEDP aims to

- Develop new training modules for marketing, engagement, and recruitment strategies
- Create more aggressive coaching/mentoring systems for community hosts and pilot organizers
- Educate community and business leaders about the value of an internship program for talent attraction and retention
- Activate industry steering committees to lead program development
- Build a stronger connection between industry and resource partners
- Launch a 30-day action plan for next steps in developing a pilot internship
- Be the catalyst for pilots to be launched by end of 2019
- Create an overview “How to” guide on how to use the workshop for training

The Pipeline workshop has the same objectives with a different outcome. The Pipeline workshop will help MEDP identify and commit stakeholders to establish more valuable connections between high school job seekers and industry partners. This gap has been identified as a significant "crisis" level by several of our businesses. The goal is to build interest and identify capacity for launching a pilot.

The Scope

The McMinnville Economic Development Partnership will deliver five (5) workshops - four (4) Oregon WORKS internship workshops and additional modified Pipeline workshop focused on designing an entry level jobs pilot for high school graduates. All the workshops are designed to educate the host communities about the McMinnville WORKS Internship Program and how to it can be used as a talent attraction and retention strategy. The workshops will show how to successfully build and launch their own community-led program.

The project goals would be to have 50% of the workshop host communities launch pilot strategies by the end of year 2019 with programs to be executed in 2020. Success would be a



Rural Community Development: How to “Grow Our Own” Workforce

minimum of 75% of the workshops having 16 businesses participating. Regarding the pre- and post-coaching, we would expect 100% of the community hosts participation. A successful outcome would be 75% of the workshops established steering committees, designed the basic program framework, and committed to a timeline. We would expect 50% of communities would have a pilot in place within 24 months of the workshop.

The Investment

The MEDP team would need to develop community host selection criteria, update the workshop materials and format to include new training modules. After conducting four (4) workshops last year, we realized the significant importance of coaching pre- and post-workshop. The host communities needed extensive mentoring about how to recruit industry and business leaders to the Oregon WORKS workshops and inspire them to be engaged in next steps. To achieve the highest success rate, this step is critical. The workshop must have at least 80% industry and business decision makers in the workshop. We also need to have more targeted pre- and post-workshop coaching and support materials to ensure the community's success in implementing a pilot.

The total project cost is \$77,800.

Applicant Information

The City of McMinnville (c3) is the organization applying for this grant and will be contracting with the McMinnville Economic Development Partnership (MEDP) to be the lead and manager of the project and all deliverables. The narrative information provided in this document is provided by MEDP as the project lead. MEDP will retain the rights to use all materials developed with this grant. We consider this proposal to be the property of MEDP. We understand aspects of this submissions and additional information, if any, might become public record during funding discussions or after award of a contract.



THE OREGON
COMMUNITY
FOUNDATION

Here for Oregon. Here for Good.

PORTLAND
1221 SW Yamhill St.
Suite 100
Portland, OR 97205
503.227.6846

BEND
15 SW Colorado Ave.
Suite 375
Bend, OR 97702
541.382.1170

EUGENE
440 E Broadway
Suite 160
Eugene, OR 97401
541.431.7099

MEDFORD
818 W Eighth St.
Medford, OR 97501
541.773.8987

SALEM
1313 Mill St. SE
Suite 203
Salem OR 97301
503.779.1927

May 18, 2018

RE: OCF Grant # 334023

Jeff Towery
City of McMinnville
230 NE 2nd Street
McMinnville, OR 97128

Dear Jeff:

Congratulations! We are pleased to inform you that a grant in the amount of \$38,500 was approved for your organization by OCF's board of directors on May 3, 2018. Payment is enclosed.

Grant Purpose: to expand the Oregon WORKS internship program into four rural communities in partnership with The Ford Family Foundation

The formal name of each fund that supported your project is listed below.

A. Ted and Doris E. Nelson Fund of The Oregon Community Foundation

Award Terms: Your organization's endorsement of the enclosed check will constitute agreement to use the funds as stated above and as stipulated in the following paragraphs.

Grantees are required to notify the foundation of any development that significantly affects the operation of the organization. Prior approval from the foundation must be obtained for any modifications to project objectives, site, personnel, timeline or budget. If there are any changes in your organization's status or tax classification, the foundation must be notified promptly. In the event of loss of tax-exempt status under federal laws, any unspent funds shall be returned to the foundation immediately.

The grant period ends one year from the date the funds were awarded. If all funds have not been expended at that point, a plan for use of the remaining funds must be provided to the foundation. If this plan is approved by the foundation, the unspent funds will not need to be returned to the foundation. Full records of revenues and expenditures related to this grant must be made available upon the foundation's request.

The foundation's donors and staff are to receive no personal benefits or services for this grant that are not otherwise extended to the general public without cost.

Public Recognition for Your Project and Its Supporters: Many nonprofits like to publicize their grant award. An OCF press page is available at <http://www.oregoncf.org/grants-scholarships/presskit> with our logo and information about the foundation. The names of the funds contributing to your grant should be listed as noted earlier in this letter.

PRESIDENT AND CEO
Max Williams

BOARD OF DIRECTORS
Kirby Dyess, *Chair*
Sue Naumes, *Vice Chair*
Duncan Wyse, *Treasurer*
Trish Smith, *Secretary*
Tim Mabry, *Past Chair*

Penny Allen
Bill Berg
Kimberly Cooper
Patrick Criteser
Su Embree

Román D. Hernández
Sabrina Parsons
Patrick Reiten
Lane Shelterly
Carolyn Walker

www.oregoncf.org

Grant Reporting: An evaluation report on the grant-supported project will be due May 1, 2019. The Grant Evaluation Form may be found at www.oregoncf.org/community-grants. Please contact Melissa Freeman, Director of Strategic Projects, periodically to provide a progress update so she can share the information with the Board Committee that is focused on improving jobs and the economy. You can reach Melissa at mfreeman@oregoncf.org or 503-227-6846.

The foundation is happy to be of assistance to you and extends best wishes for your continued success. Please contact us with any questions you have.

Sincerely,

A handwritten signature in black ink, appearing to read 'Max Williams', with a stylized, cursive script.

Max Williams
President

MMW:mcy
Enclosure(s)

THE FORD FAMILY FOUNDATION
1600 NW Stewart Parkway, Roseburg, OR 97471

Grant Agreement

GRANTEE:	City of McMinnville 220 NE Second Street McMinnville, OR 97128	GRANT ID:	20180266
GRANT AMOUNT:	\$38,900.00		
PROJECT TITLE:	Oregon WORKS - Rural Expansion		
GRANT PERIOD:	<u>27 months, May 1, 2018 to August 31, 2020</u>		

A. Requirements

1. This grant is made subject to the condition that the entire amount will be expended for the purposes stated above and substantially in the manner described in the materials you have provided to the Foundation. Grant funds shall not be used for, or charged to grant development or management costs or other “overhead or administrative” charges unless explicitly approved by the Foundation. Grant funds shall not be used for or to carry out propaganda, or otherwise to attempt to influence legislation within the meaning of Internal Revenue Code § 4945(d)(1) and the corresponding Treasury Regulations.
2. Foundation approval must be obtained for any modification of the objectives, use of expenditures or the agreed time period of the project for which grant funds have been awarded.
3. The Foundation must be promptly notified about any of the following during the grant period: change in primary contact and key personnel of the project or organization; change in address or phone number; change in name of organization; or any development that significantly affects the operation of the project or the organization.
4. The Grantee will provide the Foundation with the project report(s) and evaluation(s) described in Section D. Project Reports and Evaluations of this Agreement. The primary contact will be responsible for completing all reporting requirements; our records indicate that **Ms. Jody Christensen** is the primary contact for this grant.
5. The Grantee will abide by all provisions of this Agreement and will keep adequate supporting records to document the expenditure of funds and the activities supported by these funds.
6. If the Grantee fails or becomes unable for any reason in the opinion of the Foundation to perform the specific project within the specified Grant Period, unless extended by the Foundation; or if conditions arise that make the project untenable; or if Grantee materially breaches this Agreement, all grant funds that may be deemed unearned, unjustified or inappropriately expended must be returned to or withheld by The Ford Family Foundation. The Foundation maintains the right to nullify the grant in such circumstances.

B. Payment

1. Once the signed Agreement is received by the Foundation the grant check(s) will be released as follows:

6/15/2018	\$38,900.00	Contingent
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2. Grant payments are contingent upon the Grantee conducting the program or project to the Foundation's reasonable satisfaction within the time specified (see A.6.) and for the specific use as outlined in section H. of this Agreement.

C. Unexpended Funds

If the funds have not been completely expended at the end of the grant period the Grantee agrees to immediately notify the Foundation and provide a statement of the balance. The Foundation may request a plan for using the remaining funds. The Grantee should not return funds without consultation with the Foundation. The Foundation will approve or disapprove Grantee's plan in writing. Unexpended funds, which must be returned to the Foundation, shall be refunded pursuant to the Foundation's instructions.

D. Reports and Evaluations

The Foundation and Grantee need certain data to properly evaluate the progress, success and the impact made by this grant. During the grant period Grantee will be required to submit to the Foundation specific reports which may include interim progress, financial, annual and/or a final report. Grantee is required to access the reports through the online account.

E. IRS Status

It is the understanding of the Foundation that the Grantee organization has obtained a determination from the Internal Revenue Service that it qualifies as a section 501(c)(3) organization or that it is a governmental unit described in Section 170(c)(1) of the Internal Revenue code. Grantee is classified as not a private foundation under Section 509(a) of the Code. **If there is any change in the Grantee's status or classification, the Grantee must promptly notify the Foundation.** In the event of loss of tax exempt status under Federal laws, any unspent funds must be returned to the Foundation.

F. Publicity

If the Grantee wishes to publicize the grant, the Foundation requests that the focus be on the project and the Grantee without calling unnecessary attention to the Foundation. We prefer being mentioned in conjunction with other donors, and do not require any special recognition. Please see attached policy on how to publicize the grant.

G. Legal, Ethical and Responsible Conduct

The Ford Family Foundation expects all Grantees to maintain the highest standards of behavior at all times with priority on individual and community safety, obeying the law, managing finances with integrity, treating others with respect, accurately representing information, maintaining academic honesty and respecting intellectual property rights and protecting youth and the vulnerable. At its sole discretion, the Foundation may revoke a grant award to a Grantee observed engaging in any of the following prohibited behaviors:

- Discrimination based on race, color, gender, religion, marital status, national origin, sexual orientation, political affiliation, age or any other characteristic protected under federal or state law.
- Serious violations of federal, state, or local law
- Physical, verbal or sexual abuse or harassment
- Neglect of the needs of children, youth or vulnerable populations
- Misrepresentation of information

H. Special Conditions

These funds are for Oregon WORKS - Rural Expansion as set forth in the proposal submitted to the Foundation on April 6, 2018, which was approved by the Foundation on May 3, 2018, and are contingent on the following:

5/15/2018 Signed Grant Agreement Release of funds contingent on receipt of signed Agreement

8/31/2020 Final Report

If this document correctly sets forth your understanding of the terms of this grant, please countersign this Agreement and return all pages of the original document to The Ford Family Foundation.

The Ford Family Foundation

City of McMinnville



Anne C. Kubisch
President

By: Jeff Towery

Name: Jeff Towery

Title: City Manager

Publicizing an Award from The Ford Family Foundation

The Ford Family Foundation encourages non-profit organizations to raise public awareness about their work. The Foundation does not seek public recognition. However, we understand that receiving funds from a foundation adds legitimacy to your work and provides a newsworthy opportunity to raise awareness about what you do. We encourage you to publicize your award, grant or fellowship as long as you characterize the award as it appears in your grant or fellowship agreement.

We request that the focus be on the project and/or your non-profit organization without calling attention to the Foundation. We prefer being mentioned in conjunction with other donors; we do not require any special recognition.

Please note that The Ford Family Foundation was created by the personal philanthropy of Kenneth W. Ford and Hallie E. Ford and is not connected with Roseburg Forest Products Co. Also note that "The" is capitalized in our name. To describe the Foundation in your media publicity, you can use this statement:

The Ford Family Foundation was established in 1957 by Kenneth W. and Hallie E. Ford. Its mission is "successful citizens and vital rural communities" in Oregon and Siskiyou County, California. The Foundation is located in Roseburg, Oregon, with a Scholarship office in Eugene.

Press Releases / Approval

Please send a draft of your press release to your Foundation program officer who will review it, and then he or she will forward it to the Foundation's communications director for approval.

Use of The Ford Family Foundation logo / Approval

The Ford Family Foundation logo is available for use on printed and electronic material (such as newsletters, reports, programs, web pages — also see "Inappropriate Use of Logo" below). The logo should be used in its entirety according to The Ford Family Foundation Style Guide. Depiction of the Foundation logo should be small and discreet.

Please send a draft to your Foundation program officer who will review the material, and then he or she will forward it to the Foundation's communications director for approval.

How to obtain The Ford Family Foundation logo

To obtain the logo and the Style Guide, send a request to your Foundation program officer. He or she will review the request, and then he or she will forward the request to the Foundation's communications director for action. The logo is available in two formats: .eps, .jpg (color and B&W).

Inappropriate Use of The Ford Family Foundation logo/name

The Ford Family Foundation logo and name are not allowed on exterior signage, banners, billboards or vehicles. If in doubt, please contact your Foundation program officer.

Naming Rights

Our Founders' names (Kenneth Ford, Hallie Ford, Ford Family) cannot be used without Board and Family approval (for example, naming a room, building, facility or program).

EXHIBIT B
COMPLIANCE WITH APPLICABLE LAW

279B.220 Conditions concerning payment, contributions, liens, withholding. Every public contract shall contain a condition that the contractor shall:

(1) Make payment promptly, as due, to all persons supplying to the contractor labor or material for the performance of the work provided for in the contract.

(2) Pay all contributions or amounts due the Industrial Accident Fund from the contractor or subcontractor incurred in the performance of the contract.

(3) Not permit any lien or claim to be filed or prosecuted against the state or a county, school district, municipality, municipal corporation or subdivision thereof, on account of any labor or material furnished.

(4) Pay to the Department of Revenue all sums withheld from employees under ORS 316.167. [2003 c.794 §76a]

279B.230 Condition concerning payment for medical care and providing workers' compensation.

(1) Every public contract shall contain a condition that the contractor shall promptly, as due, make payment to any person, copartnership, association or corporation furnishing medical, surgical and hospital care services or other needed care and attention, incident to sickness or injury, to the employees of the contractor, of all sums that the contractor agrees to pay for the services and all moneys and sums that the contractor collected or deducted from the wages of employees under any law, contract or agreement for the purpose of providing or paying for the services.

(2) Every public contract shall contain a clause or condition that all subject employers working under the contract are either employers that will comply with ORS 656.017 or employers that are exempt under ORS 656.126. [2003 c.794 §76c]

279B.235 Condition concerning hours of labor; compliance with pay equity provisions; employee discussions of rate of pay or benefits. (1) Except as provided in subsections (3) to (6) of this section, every public contract subject to this chapter must provide that:

(a) A contractor may not employ an employee for more than 10 hours in any one day, or 40 hours in any one week, except in cases of necessity, emergency or when the public policy absolutely requires otherwise, and in such cases, except in cases of contracts for personal services designated under ORS 279A.055, the contractor shall pay the employee at least time and a half pay for:

(A)(i) All overtime in excess of eight hours in any one day or 40 hours in any one week if the work week is five consecutive days, Monday through Friday; or

(ii) All overtime in excess of 10 hours in any one day or 40 hours in any one week if the work week is four consecutive days, Monday through Friday; and

(B) All work the employee performs on Saturday and on any legal holiday specified in ORS 279B.020.

(b) The contractor shall comply with the prohibition set forth in ORS 652.220, that compliance is a material element of the contract and that a failure to comply is a breach that entitles the contracting agency to terminate the contract for cause.

(c) The contractor may not prohibit any of the contractor's employees from discussing the employee's rate of wage, salary, benefits or other compensation with another employee or another person and may not retaliate against an employee who discusses the employee's rate of wage, salary, benefits or other compensation with another employee or another person.

(2) A contractor shall give notice in writing to employees who work on a public contract, either at the time of hire or before work begins on the contract, or by posting a notice in a location frequented by employees, of the number of hours per day and days per week that the contractor may require the employees to work.

(3) A public contract for personal services, as described in ORS 279A.055, must provide that the contractor shall pay the contractor's employees who work under the public contract at least time and a half for all overtime the employees work in excess of 40 hours in any one week, except for employees under a personal services public contract who are excluded under ORS 653.010 to 653.261 or under 29 U.S.C. 201 to 209 from receiving overtime.

(4) A public contract for services at a county fair, or for another event that a county fair board authorizes, must provide that the contractor shall pay employees who work under the public contract at least time and a half for work in excess of 10 hours in any one day or 40 hours in any one week. A contractor shall notify employees who work under the public contract, either at the time of hire or before work begins on the public contract, or by posting a notice in a location frequented by employees, of the number of hours per day and days per week that the contractor may require the employees to work.

(5)(a) Except as provided in subsection (4) of this section, a public contract for services must provide that the contractor shall pay employees at least time and a half pay for work the employees perform under the public contract on the legal holidays specified in a collective bargaining agreement or in ORS 279B.020 (1)(b)(B) to (G) and for all time the employee works in excess of 10 hours in any one

day or in excess of 40 hours in any one week, whichever is greater.

(b) A contractor shall notify in writing employees who work on a public contract for services, either at the time of hire or before work begins on the public contract, or by posting a notice in a location frequented by employees, of the number of hours per day and days per week that the contractor may require the employees to work.

(6) This section does not apply to public contracts:

(a) With financial institutions as defined in ORS 706.008.

(b) Made pursuant to the authority of the State Forester or the State Board of Forestry under ORS 477.406 for labor performed in the prevention or suppression of fire.

(c) For goods or personal property. [2003 c.794 §77; 2005 c.103 §8f; 2015 c.454 §4]

**EXHIBIT C
INSURANCE**

(The Project Manager must answer and initial 2, 3, and 4 below).

During the term of this contract, Contractor will maintain in force at its own expense, each insurance noted below:

1. **Workers Compensation** insurance in compliance with ORS 656.017, which requires subject employers to provide Oregon workers' compensation coverage for all their subject workers. (Required of contractors with one or more employees, unless exempt under ORS 656.027).

☒ Required by City ☐ I am exempt. Signed _____
2. **Professional Liability** insurance with a combined single limit of not less than
☐ \$1,200,000, ☐ \$2,000,000, or ☐ \$3,000,000 each claim, incident, or occurrence. This is to cover damages caused by error, omission, or negligent acts related to the professional services to be provided under this contract. The coverage must remain in effect for at least ☐ one year ☐ two years after the contract is completed.

☐ Required by City ☒ Not required by City By: _____
3. **General Liability** insurance, on an occurrence basis, with a combined single limit of not less than
☐ \$1,200,000, ☐ \$2,000,000, or ☐ \$3,000,000 each occurrence for Bodily Injury and Property Damage. It must include contractual liability coverage. This coverage will be primary and non-contributory with any other insurance and self-insurance.

☐ Required by City ☒ Not required by City By: _____
4. **Automobile Liability** insurance with a combined single limit, or the equivalent of not less than
☐ \$1,200,000, ☐ \$2,000,000, or ☐ \$3,000,000 each accident for Bodily Injury and Property Damage, including coverage for owned, hired or non-owned vehicles.

☐ Required by City ☒ Not required by City By: _____
5. **Notice of cancellation or change.** There will be no cancellation, material change, reduction of limits, or intent not to renew the insurance coverage(s) without prior written notice from the Contractor or its insurer(s) to the City.
6. **Certificates of insurance.** As evidence of the insurance coverages required by this contract, the Contractor will furnish acceptable insurance certificates to the City at the time the Contractor returns the signed contracts. For general liability insurance and automobile liability insurance, the certificate will provide that the City, and its agents, officers, and employees, are additional insureds, but only with respect to Contractor's services to be provided under this contract. The certificate will include the cancellation clause, and will include the deductible or retention level. Insuring companies or entities are subject to City acceptance. If requested, complete copies of insurance policies will be provided to the City. The Contractor will be financially responsible for all pertinent deductibles, self-insured retentions, and self-insurance.

EXHIBIT D
CERTIFICATION STATEMENT FOR INDEPENDENT CONTRACTOR
(Contractor complete A or B below, Project Manager complete C below.)

A. CONTRACTOR IS A CORPORATION

CORPORATION CERTIFICATION: I am authorized to act on behalf of the entity named below, and certify under penalty of perjury that it is a corporation.

Entity	Signature	Date

B. CONTRACTOR IS INDEPENDENT.

Contractor certifies he/she meets the following standards:

1. The individual or business entity providing services is free from direction and control over the means and manner of providing the services, subject only to the right of the person for whom the services are provided to specify the desired results,
2. The individual or business entity is licensed under ORS chapters 671 or 701 if the individual or business entity provides services for which a license is required by ORS chapters 671 or 701,
3. The individual or business entity is responsible for obtaining other licenses or certificates necessary to provide the services,
4. The individual or business entity is customarily engaged in an independently established business, as any three of the following requirements are met **(please check three or more of the following):**
 - ____ A. The person maintains a business location i) that is separate from the business or work location of the person for whom the services are provided or ii) that is in a portion of the person's residence and that portion is used primarily for the business.
 - ____ B. The person bears the risk of loss related to the business or the provision of services as shown by factors such as i) the person enters into fixed-price contracts, ii) the person is required to correct defective work, iii) the person warrants the services provided, or iv) the person negotiates indemnification agreements or purchases liability insurance, performance bonds, or errors and omissions insurance.
 - ____ C. The person provides contracted services for two or more different persons within a 12 month period or the person routinely engages in business advertising, solicitation, or other marketing efforts reasonably calculated to obtain new contracts to provide similar services.
 - ____ D. The person makes a significant investment in the business, through means such as i) purchasing tools or equipment necessary to provide the services, ii) paying for the premises or facilities where the services are provided, or iii) paying for licenses, certificates, or specialized training required to provide the services.
 - ____ E. The person has the authority to hire other persons to provide or to assist in providing the services and has the authority to fire those persons.

Contractor Signature	Date

(Project Manager complete C below.)

C. CITY APPROVAL

ORS 670.600 Independent contractor standards. As used in various provisions of ORS chapters 316, 656, 657, 671, and 701, an individual or business entity that performs services for remuneration will be considered to perform the services as an "independent contractor" if the standards of this section are met. The contractor meets the following standards:

1. The Contractor is free from direction and control over the means and manner of providing the services, subject only to the right of the City to specify the desired results,
2. The Contractor is responsible for obtaining licenses under ORS chapters 671 and 701 when these licenses are required to provide the services,

3. The Contractor is responsible for obtaining other licenses or certificates necessary to provide the services,
4. The Contractor has the authority to hire and fire employees to provide or assist in providing the services, and
5. The person is customarily engaged in an independently established business as indicated in B. 4 above.

Project Manager Signature

Date

RESOLUTION NO. 2018 - 28

A Resolution authorizing the City Manager to sign a contract with McMinnville Economic Development Partnership in the amount of \$73,650.00 for the development and delivery of the Oregon WORKS program.

RECITALS:

Whereas, McMinnville Economic Development Partnership (MEDP) has developed a successful McMinnville WORKS Internship Program that gives businesses access to the emerging talent pool, gives a young person real-world experience, and positions McMinnville as a great place to live and work; and

Whereas, the McMinnville WORKS is heralded as one of the best local economic development internships in the state; and

Whereas, MEDP was asked to apply for grant funds from the Oregon Community Foundation and the Ford Family Foundation to create a model and training program for other communities to successfully develop their own internship program similar to McMinnville WORKS; and

Whereas, the City of McMinnville is an active partner and supporter of MEDP's efforts and agreed to be the applicant for the grant funds; and

Whereas, the City of McMinnville will enter into a contract with MEDP to disburse the grant funds to MEDP to develop and deliver the Oregon WORKS program.

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

1. That the City Manager is authorized to enter into a contract with McMinnville Economic Development Partnership in the amount of \$73,650.00 for the development and delivery of the Oregon WORKS program, utilizing funds that MEDP secured, in partnership with the City of McMinnville, from the Oregon Community Foundation and the Ford Family Foundation.
2. This Resolution will take effect immediately upon passage.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 12th day of June 2018 by the following votes:

Ayes: _____

Nayes: _____

Approved this 12th day of June 2018.

RESOLUTION NO. 2018-28 SIGNATURE PAGE:

Approved as to form:

MAYOR

CITY ATTORNEY



STAFF REPORT

DATE: June 12, 2018
TO: Jeff Towery, City Manager
FROM: Mike Bisset, Community Development Director
SUBJECT: 12th Street Sanitary Sewer Rehabilitation Contract Award

Council Goal:

Plan and Construct Capital Projects – Continue to plan and implement Transportation Bond improvements.

Report in Brief:

This action is the consideration of a resolution to award a public improvement contract in the amount of \$3,669,262.50 to Kizer Excavating Company for the construction of the 12th Street Sanitary Sewer Rehabilitation Project 2017-4.

Background:

The 12th Street Sanitary Sewer Project is the first in a series of four projects approved in Resolution 2017-12. This project will rehabilitate approximately 17,500 feet of sanitary sewer mainline. The lines will be repaired using dig and replace, pipe bursting, and pipe lining techniques. The attached project vicinity map reflects the work areas covered by the contract.

The voter approved 2014 transportation bond measure included grind and overlay portions of 11th and 12th Street. Once the sanitary sewers are repaired on this project, the portions of 11th and 12th Street designated in the bond measure will be overlaid. The sanitary sewer work will be paid for using Wastewater Capital Fund (77) monies.

The project work is expected to start in June 2018 and be completed by September 31, 2019.

Discussion:

On Thursday, May 24, 2019, four bids were received, opened, and publicly read for the construction of the 12th Street Sanitary Sewer Rehabilitation Project 2017-4. The bid results are as follows:

- | | |
|-------------------------------------|----------------|
| • Kizer Excavating Company | \$3,669,262.50 |
| • K&E Excavating | \$4,350,213.00 |
| • Canby Excavating | \$4,719,949.50 |
| • Emery and Sons Construction Group | \$5,317,643.50 |

The construction estimate for this work was \$4,053,037

The bids were checked for completeness, including a review of the following:

- Was the bid submitted, on time, in a properly sealed and labeled envelope?
- Was the Bid Form properly filled out and executed?

- Was a Bid Bond included?
- Were the project addenda acknowledged?
- Was the First Tier Subcontractor Form turned in on time?

All four bids were complete and met the City's requirements. A detailed breakdown of the received bids is on file in the Engineering Department.

The bid from Kizer Excavating Company, in the amount of \$3,669,262.50, was deemed to be the lowest responsible and responsive bid.

Attachments:

1. Resolution
2. Project Vicinity Map

Fiscal Impact:

The project is funded by 2014 transportation bond proceeds and by wastewater capital funds.

The project is included in the adopted FY19 Transportation Fund (45) and Wastewater Capital Fund (77) budgets.

Recommendation:

Staff recommends that the City Council adopt the attached resolution awarding the public improvement contract for the construction of the 12th Street Sanitary Sewer Rehabilitation Project 2017-4, in the amount of \$3,669,262.50, to Kizer Excavating Company.

RESOLUTION NO. 2018-29

A Resolution awarding the contract for the 12th Street Sanitary Sewer Rehabilitation Project 2017-4.

RECITALS:

At 2:00pm on May 24, 2018, four bids for the 12th Street Sanitary Sewer Rehabilitation Project 2017-4, were publicly opened and read aloud.

The low bidder, Kizer Excavating Company, met all of the bid requirements, and should be considered the lowest responsible bidder.

The project is funded by 2014 transportation bond proceeds and by wastewater capital funds.

The project is included in the adopted FY19 Transportation Fund (45) and Wastewater Capital Fund (77) budgets.

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

1. That entry into a public improvement contract with Kizer Excavating Company, in the amount of \$3,669,262.50, with a substantial completion date of September 31, 2019 for the 12th Street Sanitary Sewer Rehabilitation Project, 2017-4, is hereby approved.
2. That the City Manager is hereby authorized and directed to execute the public improvement contract.
3. That this resolution shall take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 12th day of June 2018 by the following votes:

Ayes: _____

Nays: _____

Approved this 12th day of June 2018.

MAYOR

Approved as to form:

CITY ATTORNEY



CITY OF McMINNVILLE, OREGON
ENGINEERING DEPARTMENT
VARIOUS SANITARY SEWER REHABILITATION PROJECTS
12TH STREET SANITARY SEWER
REHABILITATION PROJECT

SCALE:
Drawn: EM
Checked:
Date: October 27, 2016
Project No.
SHEET 1 of 1



City of McMinnville
Community Development Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7312

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: June 12, 2018
TO: Jeff Towery, City Manager
FROM: Larry Sherwood, Project Manager
VIA: Mike Bisset, Community Development Director
SUBJECT: 1st Street & 2nd Street Pedestrian Improvements Project Contract Award

Council Goal:

Plan and Construct Capital Projects - Continue to plan and implement Transportation Bond improvements.

Report in Brief:

This action is the consideration of a resolution to award a public improvement contract in the amount of \$ 2,076,410.50 to Haworth Incorporated for the construction of the 1st Street & 2nd Street Pedestrian Improvements, Project 2017-7.

Background:

The \$24-million transportation improvement bond measure passed by the voter's in late 2014 included funding to add curb extensions and pedestrian safety improvements at various intersections on 1st and 2nd Streets in the downtown area. This project includes: street reconstruction and pavement overlays on 2nd Street between Cows and Johnson Streets; street reconstruction on 1st Street between the railroad tracks and Johnson Street; curb extensions on both 1st and 2nd Streets at Cows, Davis, Evans and Ford Streets; curb ramp retrofits on both 1st and 2nd Streets between Galloway and Johnson Streets; and miscellaneous storm sewer, signing, striping and landscape restoration.

The attached vicinity map reflects the work areas covered by the contract. The project work is expected to start in July and be completed by October 15, 2018.

Discussion:

On Thursday, May 31, 2018, four bids were received, opened, and publicly read for the construction of the 1st Street & 2nd Street Pedestrian Improvements, Project 2017-7. The bid results are as follows:

- | | |
|---------------------------------|-----------------|
| • Haworth Incorporated | \$ 2,076,410.50 |
| • Brown Contracting | \$ 2,172,183.00 |
| • Pacific Excavation, Inc. | \$ 2,183,000.00 |
| • Kerr Contractors Oregon, Inc. | \$ 2,368,670.00 |

The construction estimate for this work was \$2,097,000.00

The bids were checked for completeness, including a review of the following:

- Was the bid submitted, on time, in a properly sealed and labeled envelope?
- Was the Bid Form properly filled out and executed?
- Was a Bid Bond included?
- Were the project addenda acknowledged?
- Was the First Tier Subcontractor Form turned in on time?

All four bids were complete and met the City's requirements. A detailed breakdown of the received bids is on file in the Engineering Department.

The bid from Haworth Incorporated, in the amount of \$ 2,076,410.50, was deemed to be the lowest responsible and responsive bid.

Attachments:

1. Resolution
2. Project Vicinity Map

Fiscal Impact:

The project is funded by 2014 transportation bond proceeds and is included in the proposed FY19 Transportation Fund (Fund 45) budget.

Recommendation:

Staff recommends that the City Council adopt the attached resolution to award a public improvement contract in the amount of \$ 2,076,410.50 to Haworth Incorporated for the construction of the 1st Street & 2nd Street Pedestrian Improvements, Project 2017-7.

RESOLUTION NO. 2018 -30

A Resolution awarding the contract for the 1st Street & 2nd Street Pedestrian Improvements Project, Project 2017-7.

RECITALS:

At 2:00pm on May 31, 2018, four bids for the 1st Street & 2nd Street Pedestrian Improvements Project, Project 2017-7 were publicly opened and read aloud.

The low bidder, Haworth Incorporated, met all of the bid requirements, and should be considered the lowest responsible bidder.

The project is funded by 2014 transportation bond proceeds and is included in the FY19 Transportation Fund (45) budget.

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

1. That entry into a public improvement contract with Haworth Incorporated, in the amount of \$ 2,076,410.50, with a substantial completion date of October 15, 2018 for the 1st Street & 2nd Street Pedestrian Improvements Project, Project 2017-7, is hereby approved.
2. That the City Manager is hereby authorized and directed to execute the public improvement contract.
3. That this resolution shall take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 12th day of June 2018 by the following votes:

Ayes: _____

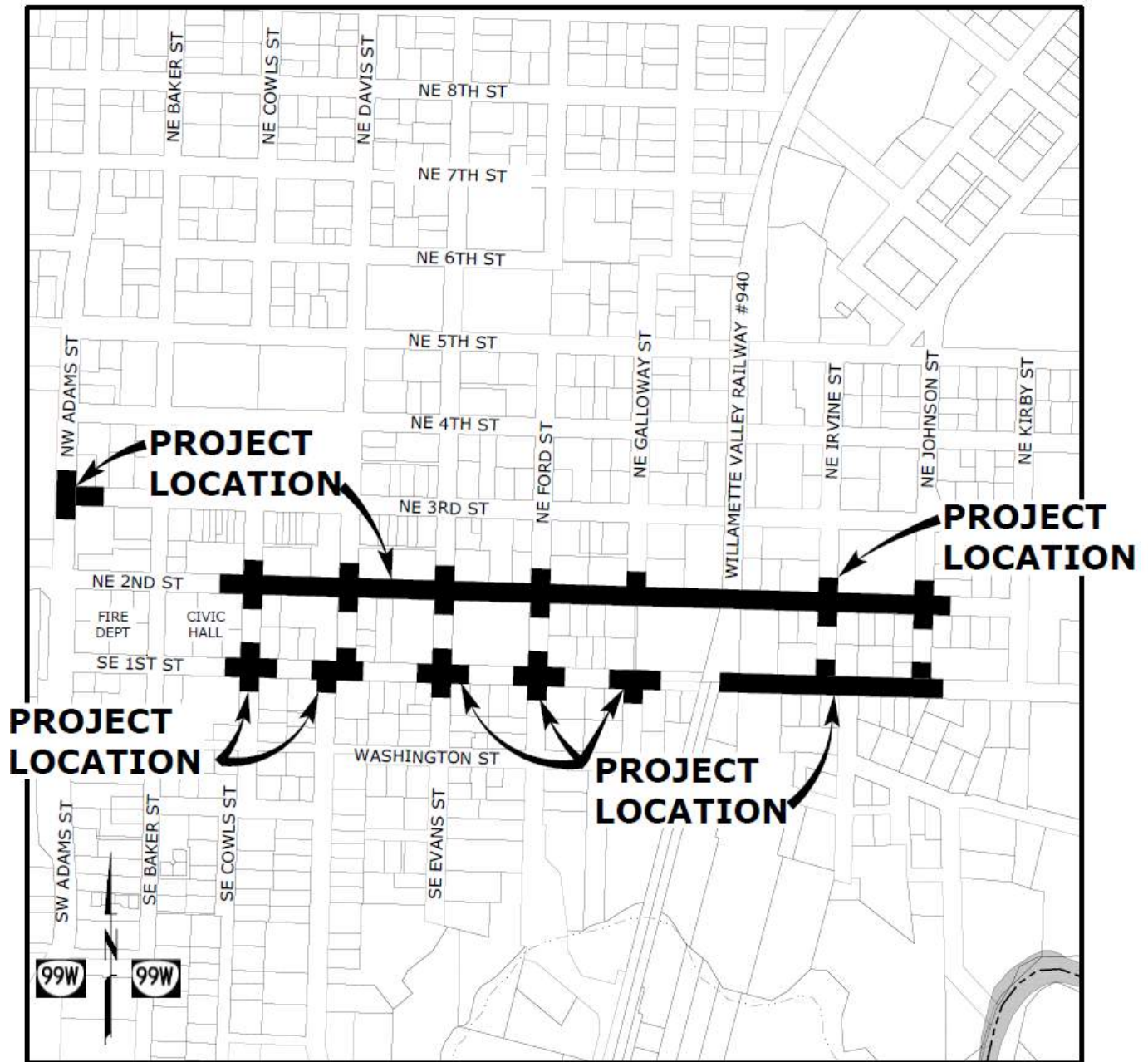
Nays: _____

Approved this 12th day of June 2018.

MAYOR

Approved as to form:

CITY ATTORNEY





City of McMinnville
Community Development Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7312

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: June 12, 2018
TO: Jeff Towery, City Manager
FROM: Larry Sherwood, Project Manager
VIA: Mike Bisset, Community Development Director
SUBJECT: FY 18/19 City Facilities Janitorial Service Contract Award

Council Goal:

To maintain the Cities assets by providing employees and the general public clean and sanitary facilities, and to support the award of public contracts for certain products and services to qualified nonprofit agencies that provide employment opportunities to persons with disabilities.

Report in Brief:

This action is the consideration of a resolution approving the award of the City Facilities Janitorial Services Contract, Project 2018-3, to Garten Services, Inc.

Background:

The Qualified Rehabilitation Facilities (QRF) Program is established by ORS 279.835 through 279.855 and administered by the Oregon Department of Administrative Services (DAS) to support the award of public contracts for certain products and services to qualified nonprofit agencies that provide employment opportunities to persons with disabilities.

If a particular product or service is identified by DAS as being available within an agency's county, the agency is required to "procure the product or service at the price DAS establishes from a qualified nonprofit agency for individuals with disabilities, provided that the product or service is of the appropriate specifications and is available within the period the public agency requires." ORS 279.850(1). Contracts with QRF vendors are exempt from competitive bidding requirements, pursuant to ORS 279A.025(4) and the City is prohibited from bidding and awarding the contract to a company outside of the QRF program, unless after a good faith effort all QRF vendors are unable to provide the service to the City.

Janitorial Services is one of the services identified by DAS as being available through the QRF Program in Yamhill County. Four qualified vendors (MV Advancements, Diversified Abilities, Garten Services and TVW Inc.) were solicited to provide Contractor Qualification Application's to provide the Janitorial Services as detailed in the Contract Documents. Garten Services was the only vendor able to provide the required services (See Attachment 2). As a result, the City has worked in good faith to contract with Garten Services to provide Janitorial Services at the City's facilities.

Pricing for each building is as follows:

	LOCATION	MONTHLY AMOUNT
1	CITY HALL	\$ 857.24
2	COMMUNITY DEVELOPMENT CENTER	\$ 834.55
3	FIRE STATION	\$ 950.47
4	LIBRARY	\$ 1,998.87
5	COMMUNITY CENTER	\$ 3,905.08
6	SENIOR CENTER	\$ 1,679.62
7	PUBLIC WORKS	\$ 346.50
8	WATER RECLAMATION FACILITY	\$ 932.16
9	AQUATIC CENTER	\$ 2,738.24
10	PUBLIC SAFETY BUILDING	\$ 2,648.54
11	CIVIC HALL	\$ 722.30
MONTHLY TOTAL: (ALL LOCATIONS)		\$ 17,613.57
TOTAL ANNUAL CONTRACT AMOUNT: (MONTHLY TOTAL X 12)		\$ 211,362.84

Discussion:

Garten Services is currently contracted to provide Janitorial services for the City and has adequately provided the services for FY17 and FY18. Due to increases in Garten's operating costs between 2016 and 2018, as well as added Scope of Work at each building, Garten's initial proposal for FY 18/19 showed a cost increase of 38%. By working with each buildings staff to reduce the cost increase by clarifying and condensing each buildings Scope of Work, the cost increase for this service was reduced to a 32% increase from the current contract.

The contract work will commence on July 1, 2018 and will end on June 30, 2019. This annual contract can be extended up to two times upon mutual agreement from both the City and Garten, Inc.

Attachments:

1. Proposed Resolution
2. Garten's Qualification Application and QRF Interest Results
3. Garten's report on increased Operating Costs and Scope additions

Fiscal Impact:

The cost for FY 18/19 City Facility Janitorial Services is included in each departments FY19 Budget.

Recommendation:

Staff recommends that the City Council approve the attached resolution awarding the contract for the FY18/19 City Facility Janitorial Services to Garten Services in the amount of \$ 211,362.84.

RESOLUTION NO. 2018-31

A Resolution approving the award of the City Facilities Janitorial Services Contract, Project 2018-3.

RECITALS:

Janitorial Services is one of the services identified by the Oregon Department of Administrative Services (DAS) as being available through the Qualified Rehabilitation Facility (QRF) Program in Yamhill County. Contracts with QRF vendors are exempt from competitive bidding requirements, pursuant to ORS 279A.025(4). Therefore, the City has worked in good faith to contract with Garten Services, Inc. to provide Janitorial Services at eleven City facilities.

Garten Services Inc. met all of the contract requirements, and should be considered a responsible service provider.

The cost for FY 18/19 City Facility Janitorial Services is included in each departments FY19 Budget.

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

1. That entry into a contract with Garten Services, Inc., in the annual amount of \$ 211,362.84, for the City Facilities Janitorial Services Contract, Project 2018-3, is hereby approved.
2. That the City Manager is hereby authorized and directed to execute the contract for City Facilities Janitorial Services.
3. That this resolution shall take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 12th day of June 2018 by the following votes:

Ayes: _____

Nays: _____

Approved this 12th day of June 2018.

MAYOR

Approved as to form:

CITY ATTORNEY

CITY OF McMinnville, Oregon
2018 CITY FACILITY JANITORIAL SERVICES
Project 2018-3

CONTRACTOR'S QUALIFICATION APPLICATION

DATE: May 23, 18

APPLICATION OF: Garten Services Inc
(Name of Applicant)

TYPE OF FIRM:

Individual _____ Co-partnership _____ Corporation ☒
Joint Venture _____ Member of a Joint Venture _____

ADDRESS (to which all of applicant's correspondence is to be mailed):

PO Box 13970
Salem OR 97309

Telephone No. 503-316-3950 Fax No. 503-393-3256

IF A CORPORATION, registered agent for service of process:

Pamela Best CFO

Telephone No. 503-581-1984 Fax No. 503-589-3119
x 3105

1. List names of all previous and current assumed business names and the state or states in which such names were registered, if any:

Garten Foundation - Salem OR
Garten Services Inc - Salem, OR

2. CONTRACTOR'S EQUIPMENT QUESTIONNAIRE

List equipment owned by the contractor for the particular type of work for which qualification is sought. List only major items. Lump together small equipment and tools.

Description, Quantity, and Capacity of Items	Age in years / condition
Ninja carpet cleaners	Various good
Windsor carpet extractors	Various good
Floor machines	Various good
Burnishers	Various good
Truck mount carpet cleaner	8 - good
Vacuum cleaners	Various new-good

Estimated Total Value of Equipment: \$ 100,000⁺

Does the applicant intend to rent equipment? If so, provide a general description of the types of equipment, and note where it is available:

None planned.

3. CONTRACTOR'S EXPERIENCE QUESTIONNAIRE

A. Provide information on contracts for facility janitorial services performed in the past five years (Attach additional sheets if necessary):

Project Name / Owner	Contact Person / Telephone #	Year Constructed	Contract Amount monthly
ODOT - DMV Headquarters	Brian Lidtke 503-945-7064	Unknown	20057.21
ODOT Campus Facility	Ginger Lawson 503-986-5779	Unknown	16846.55
National Energy Technology Laboratory	Mike Hayes 541-967-5953	Unknown	27167.03
Linn County Facilities	Russ Williams 541-967-3880	Unknown	6782.91
Bureau of Land Management	Joshua Rade 503-375-5699	Unknown	6115.21

B. Provide information on contracts for swimming pool and/or aquatic center janitorial services performed in the past five years (Attach additional sheets if necessary):

Project Name / Owner	Contact Person / Telephone #	Year Constructed	Contract Amount
City of Corvallis	Bob Fenner 541-740-9532	Unknown	Contract ended 12-31-17
KROC Center	Chuck Hawley 503-798-4841	Unknown	2718.10

Only Restrooms and previous Changing rooms

4. What is the experience of the principal individuals in applicant's organization? Include the individual(s) who will be responsible for routine supervision of the City of McMinnville contract.

Name / Title	Years of Experience	Type of Work	Expected Function in this Contract
Stacie Braun Custodial Services Manager	12 1/2	Contract management Personnel management	Oversee Contract correspondence
Cynthia Ardonez Asst. Custodial Services Manager	6	Day to Day department operations	Oversee tasks Correspondence Personnel
Christopher Conley Operations Supervisor	8	Team supervision	Oversee Team/Work
David Richards Operations Supervisor	4	Team supervision	Oversee Team/Work

5. Are there any current or pending claims against the applicant, or by the applicant against another party?

_____ Yes

☒ No

If yes, please explain:

6. The following space may be used for general remarks and explanations pertaining to the foregoing pre-qualification statements.

7. SIGNATURE OF APPLICANT:

Signature: Pamela Best

Printed Name: Pamela Best 5/22/18
(Date)

Title: CFO

(SEAL)

CITY OF McMINNVILLE, OREGON

2018 CITY FACILITY JANITORIAL SERVICES

Project No. 2018-3

CONTRACTORS PRICING

	LOCATION	AMOUNT (PER MONTH)
1	CITY HALL 230 NE Second Street	\$ 857.24
2	COMMUNITY DEVELOPMENT CENTER 231 NE Fifth Street	\$ 834.55
3	FIRE STATION 175 NE First Street	\$ 950.47
4	LIBRARY 225 NW Adams Street	\$ 1,998.87
5	COMMUNITY CENTER 600 NE Evans Street	\$ 3,905.08
6	SENIOR CENTER 2250 NE McDaniel Lane	\$ 1,679.62
7	PUBLIC WORKS 1900 NE Riverside Drive	\$ 346.50
8	WATER RECLAMATION FACILITY 3500 NE Clearwater Drive	\$ 932.16
9	AQUATIC CENTER 138 NW Park Drive	\$ 2,738.24
10	PUBLIC SAFETY BUILDING 121 SW Second Street	\$ 2,648.54
11	CIVIC HALL 200 NE Second Street	\$ 722.30
MONTHLY TOTAL: (ALL LOCATIONS)		\$ 17,613.57
TOTAL ANNUAL CONTRACT AMOUNT: (MONTHLY TOTAL X 12)		\$ 211,362.84

SIGNATURE OF CONTRACTOR:

Name of Contractor: Garten Services Inc

Signature of Authorized Agent: Samuel Best 5/23/18
(Date)

Title: CFC

(SEAL)

Business Address: PO Box 13970
Salem OR 97309

Phone #: 503-581-1984

Workers Comp. Insurance Company: SAIF

Workers Comp. Policy/Binder Number: 330051

City of McMinnville, Oregon
JANITORIAL SERVICES FY 2018/19

QRF (VIA DAS Website)	PERSON CONTACTED	DATE CONTACTED	INTERESTED YES OR NO
Diversified Abilities Contact: Ann Toth PO Box 2273 Clackamas, OR 97015 (503) 760-7500 diversifiedabilities@gmail.com	Called the number listed on DAS Website for Ann Toth three times. Number has no voicemail options so no message was left. Calls were made: 3-29-18 @ 0830, 3-30-18@0810, and 3-30-18@1615 hrs. Search on internet for a number for Diversified Abilities resulted in the same number as DAS Website.	Emailed Solicitation on 3/23/2018. No response by March 30 5pm deadline	No
Garten Services, Inc. Contact: Stacie Braun 3334 Industrial Way NE Salem, OR 97301 (503) 581-4472 (503) 316-3950 ext 3915 sbraun@garten.org	Stacie Braun	Emailed Solicitation on 3/23/2018. Return email received 3/27/18@ 1641 hrs.	Yes
MV Advancements Contact: Ed Wanner 16700 S. Hwy 99W Amity, OR 97101 (503) 472-2248 (971)241-4031 EWanner@madvancements.org	Ed Wanner	Emailed Solicitation on 3/23/2018. Return email received 3/29/18@1816 hrs	No
TVW, Inc. DBA Sustainable Cleaning Systems Contact: Josh Bearman or Allen Bethel 6615 SE Alexander Hillsboro, OR 97123 (503) 649-8571 (503) 238-6801; Josh (503) 238-6810; Allen jbearman@tvwinc.org abethel@tvwinc.org	Allen Bethel	Emailed Solicitation on 3/23/2018. Return email received 3/26/18@1842 hrs.	No

From: Stacie Braun
To: [Larry Sherwood](#)
Cc: [PIERCE Darvin * DAS](#); [William Posegate](#)
Subject: RE: City of McMinnville FY18/19 Janitorial Services
Date: Tuesday, March 27, 2018 4:51:21 PM

Larry

Garten Services is currently providing services and we would like to continue.
I have been in all the buildings and toured them before we started the current contract two years ago.
I would be happy to tour again if that is part of the bid process.
I will be off tomorrow but available by cell phone, 503-428-8756.
I will be back in the office on Thursday and Friday.

Stacie Braun

Garten Custodial Services Manager
3995 Fairview Industrial Drive SE / PO Box 13970
Salem, OR 97309

Phone: (503) 316-3950 ext. 3915

Mobile: (503) 428-8756

Fax: (503) 393-3256

Email: sbraun@garten.org

www.garten.org

[Visit Garten's eBay Store!](#)

GARTEN - providing jobs for people with disabilities since 1970.



Please consider the environment before printing this e-mail.

From: Larry Sherwood [mailto:Larry.Sherwood@mcminnvilleoregon.gov]
Sent: Friday, March 23, 2018 2:57 PM
To: Larry Sherwood
Subject: City of McMinnville FY18/19 Janitorial Services

Good Afternoon,

The City of McMinnville is seeking Qualified Rehabilitation Facilities (QRF's) interested in entering into a contract with the City of McMinnville to provide Janitorial Services for eleven City facilities. The contract is for Fiscal Year 2018/19, which runs July 1, 2018 to June 30, 2019, and can be extended up to two times upon mutual agreement from both parties.

I have attached the Contract documents for your review so you can determine whether your firm has the qualifications and capability to perform the requirements of the Contract. The timeline for the process is as follows:

March 23 rd – March 30 th	Solicit QRF's and confirm interest on or before March 30 th at 5pm
April 2 nd - April 6 th agreeable date and time	Schedule Facility tour with interested QRF's on a mutually
April 13 th by 5pm	QRF to submit Contractor's Qualification Application to the City
April 16 th – April 20 th	City review of submitted Contractor Qualification Applications
April 23 rd – May 4 th	Contract negotiations with most qualified provider
May 22 nd	City Council approval to enter into a contract with selected QRF
May 23 rd -June 1 st	Contract Execution
July 1, 2018	Contract begins

Please contact me by phone or email by March 30, 2018 at 5pm to confirm whether or not you are interested in providing the services outlined in the Contract Documents.

Thank you and I hope to hear from you soon!

Larry Sherwood
Project Manager
City of McMinnville
(503) 434-7312

View us on the Web: <http://www.mcminnvilleoregon.gov/>

From: Ed Wanner
To: [Larry Sherwood](#)
Cc: [Kathy Schlotfeldt](#)
Subject: RE: City of McMinnville FY18/19 Janitorial Services
Date: Thursday, March 29, 2018 6:15:44 PM
Attachments: [image001.png](#)

Larry – Thanks for thinking of us. At this time we don't have the manpower to take on a project of this magnitude.

At MV Advancements we are striving to have as many of our team members work directly with the local employers. The success of this efforts has been very beneficial to both employees and employers. If you would like to have us look at partnering with you to fill a need I would love to talk with you.

Thanks again for considering us.

Ed

ED WANNER



office: 1430 NE Alpha Drive McMinnville, OR 97128
mail: PO Box 28 • McMinnville, OR 97128
direct: (503) 472-8537 ext2
cell: (971) 241-4031
fax: (503) 472-8819
email: ewanner@madvancements.org
website: madvancements.org

From: Larry Sherwood [mailto:Larry.Sherwood@mcminnvilleoregon.gov]
Sent: Friday, March 23, 2018 2:57 PM
To: Larry Sherwood <Larry.Sherwood@mcminnvilleoregon.gov>
Subject: City of McMinnville FY18/19 Janitorial Services

Good Afternoon,

The City of McMinnville is seeking Qualified Rehabilitation Facilities (QRF's) interested in entering into a contract with the City of McMinnville to provide Janitorial Services for eleven City facilities. The contract is for Fiscal Year 2018/19, which runs July 1, 2018 to June 30, 2019, and can be extended up to two times upon mutual agreement from both parties.

I have attached the Contract documents for your review so you can determine whether your firm has the qualifications and capability to perform the requirements of the Contract. The timeline for the process is as follows:

March 23 rd – March 30 th	Solicit QRF's and confirm interest on or before March 30 th at 5pm
April 2 nd - April 6 th agreeable date and time	Schedule Facility tour with interested QRF's on a mutually
April 13 th by 5pm	QRF to submit Contractor's Qualification Application to the City
April 16 th – April 20 th	City review of submitted Contractor Qualification Applications
April 23 rd – May 4 th	Contract negotiations with most qualified provider
May 22 nd	City Council approval to enter into a contract with selected QRF
May 23 rd -June 1 st	Contract Execution
July 1, 2018	Contract begins

Please contact me by phone or email by March 30, 2018 at 5pm to confirm whether or not you are interested in providing the services outlined in the Contract Documents.

Thank you and I hope to hear from you soon!

Larry Sherwood
Project Manager
City of McMinnville
(503) 434-7312

View us on the Web: <http://www.mcminnvilleoregon.gov/>

From: Allen Bethel
To: [Larry Sherwood](#)
Cc: jbearman@twinc.org
Subject: SCS Response RE: City of McMinnville FY18/19 Janitorial Services
Date: Monday, March 26, 2018 6:42:22 PM

Hello Mr. Sherwood

Thank you for extending the chance for Sustainable Cleaning Systems to provide a proposal for janitorial services for the City of McMinnville.

Unfortunately Sustainable Cleaning Systems will not be able to provide a janitorial proposal for your City of McMinnville facility buildings at this time.

We appreciate you communicating with us and bringing the opportunity to our attention. We wish you well in your future endeavors and your desire to seek out a Qualified Rehabilitation Facility.

Best Regards,

Allen Bethel, Janitorial Manager
Sustainable Cleaning Systems
Contact: 503-238-6801 Option 2
Email: ABethel@twinc.org

SUSTAINABLE CLEANING SYSTEMS
9933 SE PINE ST. PORTLAND,OR. 97216

From: Larry Sherwood [mailto:Larry.Sherwood@mcminnvilleoregon.gov]
Sent: Friday, March 23, 2018 2:57 PM
To: Larry Sherwood
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Larry Sherwood
Project Manager
City of McMinnville
(503) 434-7312

View us on the Web: <http://www.mcminnvilleoregon.gov/>

From: [Mike Bisset](#)
To: [Ron Ponto](#)
Cc: [David Koch](#); [Larry Sherwood](#); [Rich Spofford](#)
Subject: FW: Garten Services
Date: Friday, February 23, 2018 8:36:39 AM
Attachments: [City of McMinnville pricing 2-18.xlsx](#)

Good morning Ron – Given Garten’s proposed price increase, we’ve decided to ask for other quotes for janitorial service. Larry in our office is going to pull the quote package together. Do you mind sending us the specifications for each facility that you recently updated?

Thanks....mb

From: David Koch
Sent: Wednesday, February 21, 2018 6:13 PM
To: David Koch; Heather Richards; Jeff Towery; Jenny Berg; Marcia Baragary; Matt Scales; Melissa Grace; Mike Bisset; Rich Leipfert; Scott Burke; Susan Muir
Subject: FW: Garten Services

Here are the proposed rates for Garten to provide janitorial services next year. Overall, they are proposing a 38% increase (that is not a typo). An explanation of the changes are provided in the email below. I expect this will generate some discussion at our Exec Team meeting.

David

From: Stacie Braun [<mailto:sbraun@garten.org>]
Sent: Friday, February 16, 2018 11:22 AM
To: David Koch <David.Koch@mcminnvilleoregon.gov>
Cc: William Posegate <wposegate@garten.org>
Subject: Garten Services

The following changes affected all locations as they were across the board changes.

Also, I have to start with the workbooks that were used when we started in 2016 as the 3% increase the city approved was not reflected in the costing workbooks. This results in a larger increase in wage rates as they are over a two year period.

Minimum wage increases again 7-1-18 which will increase our pay scale. Three different employment classifications are used with pay rate increases between 13% and 17% since 2016.

Our workers compensation rate went down from 3.56% to 3.0%.

Our unemployment rate went up from 4.08% to 6.41%.

Our health benefits expenses went up from \$6200 to \$7500 annually per employee since 2016.

Our overhead expense went up from 15% to 16% due to additional regulations by the state.

The mileage rate increased from .53 to .545 cents per mile

The following changes are specific to the different buildings

*** as needed items were not allocated any time or expenses in the previous workbook**

City Hall

Restrooms and general areas went from being cleaned 3 times to 5 times a week

Strip, seal and wax all hard floors was added as a semi-annual event instead of as needed *

Supplies and equipment increased 20% due to additional chemical needed to clean restrooms 2 more times per week and adding the supplies and equipment needed to do the hard floors twice a year.

Additional time was added to cover as needed items

Weekly mileage was increased from 30 miles to 41.97 per week to reflect actual usage.

Community Development Center

All building trash went from being emptied from twice a week for five times a week in most of the building

Breakroom cleaning increased from once a week to twice a week

Strip, seal and wax all hard floors was added as a semi-annual event instead of as needed

Supplies and equipment increased 7% due to the supplies and equipment needed to do the hard floors twice a year.

Weekly mileage was increased from 30 miles to 41.97 per week to reflect actual usage.

Fire Station

Restrooms went from being cleaned 1 time to 3 times a week

Added weekly floor care to kitchen and museum floors

Supplies and equipment increased 12% due to additional chemical needed to clean restrooms 2 more times per week and adding the supplies and equipment needed to do the floor buffing.

Weekly mileage was decreased from 30 miles to 25.03 per week to reflect actual usage.

Library

Supplies and equipment decreased 1% due to changes in costs from our distributors.

Weekly mileage was increased from 30 miles to 50.05 per week to reflect actual usage.

Community Center

Additional tasks added once a week, weekly and quarterly

Supplies and equipment increased .05% due to changes in costs from our distributors. No additional supplies or equipment was needed for the additional services.

Weekly mileage was increased from 20 miles to 41.97 per week to reflect actual usage.

Senior Center

There was a mistake made on my part when pricing this originally, which was not caught until I was updating the workbooks. Our calculations were based on us cleaning twice a week instead of the five times a week that we clean. This way understated the number of labor hours that was built into

the price. The proposed price correctly reflects the labor hours needed to clean based on the current scope of work.

Detail cleaning in the restrooms went from weekly to daily; trash pick-up went from 3 times to 5 times a week; dining room floor was added quarterly and carpet cleaning was added twice a year. Supplies and equipment increased 27% due to additional chemical needed to detail clean restrooms daily, do the kitchen floors four times a year and the carpets twice a year. Weekly mileage was increased from 30 miles to 41.97 per week to reflect actual usage.

Public Works

Strip, seal and wax all hard floors was added as a semi-annual event
Supplies and equipment increased 13% due to additional supplies and equipment needed to do the hard floors twice a year.
Weekly mileage was increased from 6 miles to 7.7 per week to reflect actual usage.

Water Reclamation Facility

There was a mistake made on my part when pricing this originally. My calculations were off in the amount of labor hours needed to do the hard floors twice a year. This understated the number of labor hours that was built into the price. The proposed price correctly reflects the labor hours needed to do the work.

A few minutes was added to clean added areas in the restrooms and general areas twice a week
Supplies and equipment increased 6% due to changes in costs from our distributors.
Weekly mileage was increased from 10 miles to 15.4 per week to reflect actual usage.

Aquatic Center

The amount of time needed to scrub the showers was underestimated, so additional time was added in the proposed price.
Supplies and equipment decreased 4.5% due to chemicals added in the proposal that are not used in the locker room as a different chemical and process is used.
Weekly mileage was increased from 30 miles to 50.05 per week to reflect actual usage.

Public Safety

Additional time was added for the details added to the daily services
Additional time was added for added quarterly and semi-annual tasks
Supplies and equipment increased .06% due to changes in costs from our distributors. No additional supplies or equipment was needed for the additional services.
Weekly mileage was decreased from 27 miles to 25.03 per week to reflect actual usage.

Civic Hall

Restroom stocking and trash went from being done 3 times to 5 times a week
Strip, seal and wax all hard floors was added as a semi-annual event instead of as needed *
Supplies and equipment increased 8.5% due to additional chemical needed to clean restrooms 2 more times per week and adding the supplies and equipment needed to do the hard floors twice a year.
Additional time was added to cover as needed items and mopping lobby floor weekly
Weekly mileage was increased from 30 miles to 41.97 per week to reflect actual usage.

Stacie Braun

Garten Custodial Services Manager
3995 Fairview Industrial Drive SE / PO Box 13970
Salem, OR 97309

Phone: (503) 316-3950 ext. 3915

Mobile: (503) 428-8756

Fax: (503) 393-3256

Email: sbraun@garten.org

www.garten.org

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City of McMinnville
Police Department
121 SW Adams Street
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(503) 434-7307

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: June 12, 2018
TO: Jeff Towery, City Manager
FROM: Matt Scales, Chief of Police
SUBJECT: Parking Structure Rules of Conduct Ordinance 10.29

Report in Brief:

On May 8th the City Council held a work session in regards to the current state of the city owned parking structure. As you recall the parking structure and city owned surface parking lots have been identified as a critical piece of the city's parking infrastructure by Rich Williams Consulting who completed a comprehensive parking study.

During the course of the May 8th work session staff walked you through a presentation outlining the activities and behaviors occurring within the parking structure. The presentation showed a disturbing state of the parking structure, which would make it extremely difficult to move forward with the study recommendations to "ensure that the underutilized parking structure was going to be able support economic vitality of our downtown."

Staff outlined that over the past two years City, and more specifically the police department, continued to receive a growing number of complaints surrounding behavioral issues within the parking structure. In addition, the public works department was inundated with complaint and cleanup of garbage, human was, and drug paraphernalia on a weekly if not daily basis (see staff report from April 27th).

As it stands right now the city currently has no means to regulate the activities at the parking structure or city owned or managed parking lots, which would reduce the negative impacts on the citizens who wish to use city's parking facilities for their intended purpose.

At our meeting staff presented a "draft" Rules of Conduct ordinance which would authorize the Chief of Police to develop and enforce rules of conduct for the parking structure and city owned or leased parking lots located within the city limits of McMinnville. Any person who fails to comply with the rules of conduct for the parking garage and parking lots may be excluded for a period of time, and a return to the location could result in arrest for criminal trespassing.

We communicated at length during our work session and talked about the need to provide a safe and clean parking structure, which would allow the recommendations of the parking study to be realized now and in the future.

City Council approved staff to move forward with the draft ordinance, and requested that the ordinance also include a section which prohibited person leaving personal belongings in the city parking structure or parking lots.

Staff has made the recommended changes to the ordinance, and comes before the council seeking a first and second reading of the ordinance.

Recommendation:

Staff recommends City Council approve the ordinance as presented.

ORDINANCE NO. 5053

An Ordinance establishing Rules of Conduct for the City owned Parking Structure located at NE 5th and Evans Street, and City owned and managed surface parking lots located within the City of McMinnville.

RECITALS:

The City Parking Structure and City owned and managed surface parking lots have been identified as critical pieces of the City's parking supply and infrastructure.

Over the previous two years there has been a significant increase in criminal activity and negative behaviors from persons using City parking that have impacted the City Parking Structure and City owned and managed surface parking lots.

Rules of Conduct for both the Parking Structure and City owned or managed parking lots will improve the City's ability to regulate the activities at these locations, thereby reducing the negative impacts on citizens who wish to use City's parking facilities for their intended purpose.

There is an immediate need to address these issues through adoption of a City ordinance, as the conduct taking place at the Parking Structure and surface parking lots within the City presents an immediate threat to the public health, welfare and safety.

Now, therefore, THE COMMON COUNCIL FOR THE CITY OF McMINNVILLE
ORDAINS AS FOLLOWS:

1. The provisions set forth in the attached Exhibit 1, which are incorporated by this reference, are hereby adopted.
2. An emergency is hereby declared, and this ordinance will take effect at 12:00 a.m. on June 22, 2018.

Passed by the Council on _____, 20____, by the following votes:

Ayes: _____

Nays: _____

Approved on _____, 20____.

MAYOR

Approved as to form:

Attest:

CITY ATTORNEY

CITY RECORDER

ORD 5053
"Exhibit 1"

Section 1. Add new MMC Section 10.29.010 as follows:

10.29.010 Authority. The City of McMinnville Police Chief shall be authorized to develop and enforce rules of conduct for personal belongings located within the city limits of McMinnville.

Section 2. Add new MMC Section 10.29.020 as follows:

10.29.020 Definitions.

For the purposes of this Chapter the following definitions shall apply:

A. "Parking Garage" means the publicly owned parking garage located on the block between NE 5th Street, NE6th Street, NE Davis Street and NE Evans Street, within the City of McMinnville.

B. "Parking Facility means any portion of the Parking Garage or any surface parking lot that is owned, controlled, leased or administered by the City for the primary purpose of parking motor vehicles.

C. "Person in Charge" has the meaning provided in ORS 164.205 and also includes any of the following while acting in the scope of employment, agency or duty:.

1. Any peace officer as defined by Oregon law, any reserve police officer of the McMinnville Police Department, any parking enforcement officer employed by the City of McMinnville to include Park Rangers;

2. Any person providing security services in a Parking Facility pursuant to any contract with the City, or with any person, firm or corporation managing Parking Facilities on the City's behalf; and/or,

3. Any person specifically designated in writing as the Person in Charge by the City of McMinnville Police Chief.

Section 3. Add new MMC Section 10.29.030 as follows:

10.29.030 City Parking Facility Exclusions.

A. Any Person in Charge may exclude a person who violates MMC 10.29.050 while in or upon any Parking Facility, from all Parking Facilities for a period not to exceed 180 days.

B. The notice of exclusion will be in writing, be given to the person excluded and be signed by the Person in Charge.

C. The notice of exclusion will describe the nature of the offense in , specify the dates and places of exclusion, contain a warning that failure to comply with the notice of exclusion may lead to criminal prosecution for Criminal Trespass and information concerning the right to appeal the exclusion.

Section 4. Add new MMC Section 10.29.040 as follows:

10.29.040 Right to Appeal.

A. An excluded person has the right to appeal the exclusion order within 10 business days of receiving the exclusion to the Chief of Police. The appeal must be in writing and outline the reason for the appeal.

B. The exclusion will remain in effect during the appeal.

C. If good cause exists, the Police Chief may at any time alter or temporarily waive the effects of the notice of exclusion. Additionally, if the Police Chief finds that the person excluded did not violate any provision of the rules of conduct, any laws of the State of Oregon, or ordinances of the City of McMinnville, the Police Chief will rescind the exclusion.

Section 5. Add new MMC Section 10.29.050 as follows:

10.29.050 Rules of Conduct for Parking Facilities. Except as authorized by the City,

A. No person may enter upon or remain within a Parking Facility except for the purpose of parking or retrieving a motor vehicle.

B. No person may possess any weapon in a Parking Facility, except to the extent permitted by Oregon law.

C. No person may use a Parking Facility for the purposes of housing or camping, including but not limited to, sleeping, bathing, cooking, or use as a restroom.

D. No person may deface, damage, or destroy any portion of a Parking Facility.

E. No person may post or place on cars any handbills, flyers, or posters of any kind within a Parking Facility.

F. No person may engage in sexual conduct as defined by ORS 167.060, within a Parking Facility.

G. No person may possess an open container of alcohol or consume alcoholic beverages within a Parking Facility.

H. No person may play or use amplified or audio equipment at a level that disturbs others within a Parking Facility.

I. No person may participate in parties, rave parties, or other similar gatherings within a Parking Facility.

J. No person may use any portion of a Parking Facility, including but not limited to, walls, railings, banisters, stairs, or ventilation fixtures, in ways they were not intended to be used, including but not limited to, sitting, standing, lying, kneeling, skating, or skateboarding.

K. No person may smoke or carry any lighted smoking instrument while in a within the Parking Garage.

L. No person may engage in conduct that disrupts or interferes with the normal operation of a Parking Facility, or that disturbs patrons of within a Parking Facility, including but not limited to, conduct that involves the use of abusive or threatening language or gestures, conduct that creates unreasonable noise, or conduct that consists of loud or boisterous physical behavior.

M. No person may interfere with free passage of patrons of within a Parking Facility, including but not limited to, placing bicycles, backpack, carts or other items in a manner that interferes with free passage.

N. No person may leave personal belongings in within a Parking Facility, unless fully contained within a motor vehicle.

O. No person may refuse to obey any posted parking signs or any reasonable direction of a Person in Charge within a Parking Facility.



City of McMinnville
Police Department
121 SW Adams Street
McMinnville, OR 97128
(503) 434-7307

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: June 12, 2018
TO: Jeff Towery, City Manager
FROM: Matt Scales, Chief of Police
SUBJECT: Smoke Free 3rd Street Ordinance

Report in Brief:

On May 22nd the City Council held a discussion in regards to a “Smoke Free 3rd Street” which also included City Parks. This was a recommendation forwarded to the city council by the Downtown Safety Task Force which was appointed by the council to address downtown behavioral issues/concerns that had been pervasive in the summer of 2017.

City Council was presented with a draft ordinance entitled “Smoking Regulations” which included the adoption of a Smoke Free 3rd Street district. The downtown smoke free district was defined as the entire corridor of NE 3rd Street from NW Adams Street to NE Johnson Street, and extending 25 feet north and south along each intersecting street through the described 3rd Street corridor. There were exceptions to this smoke free district as outlined in ORS 433.850 (2). In addition, it provided an exception to those persons travelling in a motor vehicle through the district.

Also included in the presented “Smoking Regulations” ordinance was the adoption of Oregon state law that prohibits smoking within 10 feet of places of employment or enclosed areas open to the public including entrances, exits, windows that open, ventilation intakes that serve an enclosed areas, and outdoor dining areas. Additionally it prohibited smoking in City Park Areas defined by existing code. Violation of the “Smoking Regulations” ordinance would result in a Class D Violation as defined by ORS.

During the discussion, staff advised discussions had been ongoing with both the McMinnville Downtown Association and the Yamhill County Public Health Department, both of whom support the idea of a smoking regulations ordinance.

Council advised they would like to move forward with the proposed draft ordinance, but expressed a desire to increase the distance from 25 feet to 50 feet for those north and south streets which intersected 3rd Street.

City Council was also comfortable in moving forward with the inclusion of all areas defined under MMC as city parks to be smoke free.

Staff has continued to meet with the McMinnville Downtown Association (MDA), and they are starting their business outreach and will be contacting all affected businesses, MDA members or not.

Staff has made the recommended changes to the ordinance to include all city parks defined under MMC, their parking lots and sidewalks adjacent to city parks, and comes before the council seeking a first and second reading of the ordinance.

Recommendation:

Staff recommends City Council approve the ordinance as presented.

ORDINANCE NO. 5054

An Ordinance Relating to Smoking Regulations in Downtown McMinnville and City Park Areas; establishing MMC Chapter 8.32; and, amending MMC 12.36.020.

RECITALS:

In late 2017, the City Council appointed a Downtown Safety Task Force for the purpose of evaluating behaviors that negatively impact public health, welfare and safety in downtown McMinnville, following a significant rise in complaints from businesses and visitors to the downtown area in the summer of 2017.

The Task Force completed its work in early 2018, and issued a report to the City Council recommending several actions that should be considered for implementation by the City. The recommended actions included a proposed ban in smoking in the downtown core as well as at parks and other City properties.

The Council finds that a smoking ban would promote the public health, welfare and safety in the downtown area and at City parks and other facilities.

Now, therefore, THE COMMON COUNCIL FOR THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

1. The provisions set forth in the attached Exhibit 1, which are incorporated by this reference, are hereby adopted.
2. This ordinance will take effect 30 days after its passage by the Council.

Passed by the Council on _____, 20____, by the following votes:

Ayes: _____

Nays: _____

Approved on _____, 20____.

MAYOR

Approved as to form:

Attest:

CITY ATTORNEY

CITY RECORDER

ORD 5054
Exhibit 1

Section 1. Add new MMC Section 8.32.010:

8.32.010 Definitions. For the purposes of this Chapter the following definitions shall apply:

- A. "City Park Areas" has the meaning provided in MMC 12.36.020.
- B. "Enclosed Area" means all space between a floor and a ceiling that is enclosed on three or more sides by permanent or temporary walls or windows, exclusive of doors or passageways, which extend from the floor to the ceiling. If no ceiling is present, "enclosed area" means all space that is included by three or more sides by permanent or temporary wall or windows, exclusive of doors or passageways.
- C. "Inhalant" means nicotine, a cannabinoid or any other substance that is in the form that allows the nicotine, cannabinoid or substance to be delivered into a person's respiratory system by inhalation and is not approved by, or emitted by a device approved by, the United States Food and Drug Administration for a therapeutic purpose.
- D. "Inhalant Delivery System" means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device.
- E. "Place of Employment" means every enclosed area under the control of a public or private employer that employees frequent during the course of employment, including but not limited to work areas, employee lounges, vehicles that are operated in the course of an employer's business that are not operated exclusively by one employee, rest rooms, conference rooms, classrooms, cafeterias, hallways, meeting rooms, elevators and stairways. "Place of employment" includes privately owned enclosed areas where volunteers perform work typically done by employees. "Place of employment" does not include a private residence unless it is used as a child care facility as defined in ORS 329A.250 or a facility providing adult day care as defined in ORS 410.490.
- F. "Public Place" means an enclosed area that is open to the public.
- G. "Smoking" means and includes (1) the inhaling, exhaling, burning, or carrying any lighted cigarette, cigar or tobacco in any form and (2) the use of an inhalant delivery system to inhale or exhale vapor or aerosol or tobacco.
- H. "Smoking Instrument" means any cigar, cigarette, pipe or other instrument or inhalant delivery system used to smoke tobacco, marijuana or any other inhalant.
- I. "Downtown Smoke Free District" means the entire corridor of NE 3rd Street from NW Adams Street to NE Johnson Street, and extending 50 feet north and south along each intersecting street throughout the described 3rd Street corridor.

Section 2. Add new MMC Section 8.32.020

8.32.020 Smoking Prohibited.

A. A person may not smoke, aerosolize or vaporize an inhalant or carry a lighted smoking instrument within 10 feet of the following parts of places of employment or enclosed areas open to the public:

- 1. Entrances;
- 2. Exits;
- 3. Windows that open;
- 4. Ventilation intakes that serve an enclosed area; and
- 5. Outdoor dining areas.

B. An employer must provide a place of employment that is free of tobacco smoke for all employees and must post signs that provide notice of the provision of ORS 433.835 to 433.875.

C. A person may not smoke, aerosolize, or vaporize an inhalant or carry a lighted smoking instrument within or upon any City Park Areas.

D. The activities described in ORS 433.850(2) are exempt from the provisions of this section.

Section 3. Add new MMC Section 8.32.030

8.32.030 Downtown Smoke Free District.

A. Except those activities described in ORS 433.850(2), a person may not smoke, aerosolize or vaporize an inhalant or carry a lighted smoking instrument within the Downtown Smoke Free District.

B. The restrictions of this section do not apply to persons travelling in a motor vehicle through the District.

Section 4. Add new MMC Section 8.32.040

8.32.040 Penalties for Violation. Violation of any provision of this chapter is a Class D violation pursuant to ORS 153.012.

Section 5. Amend MMC Section 12.36.020(A)(3) as follows:

“Park areas” shall include all parcels of land, beaches or bodies of water owned, leased, controlled or administered by the City of McMinnville for recreation or open space purposes which have been designated by the city as a “park,” “linear park,” “greenway,” “open space,” “playground,” “recreation facility” or as “natural areas.” For the purpose of this ordinance, the term “park” or “park areas” shall also include the McMinnville Public Library, Aquatic Center, Senior Center, Community Center, and City Hall including the grounds, plazas, ~~and~~ walkways, sidewalks and surface parking lots immediately surrounding these facilities.



City of McMinnville
Community Development Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7312

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: June 12, 2018
TO: Jeff Towery, City Manager
FROM: Mike Bisset, Community Development Director
SUBJECT: Parking Ordinance Revisions

Council Goal:

Plan and Construct Capital Projects - Continue to plan and implement Transportation Bond improvements.

Report in Brief:

This action is the consideration of an emergency ordinance modifying the Municipal Code to allow for the towing of vehicles that are parked in the way of construction projects or permitted public events.

Discussion:

During the course of construction projects and public events, it is sometimes necessary to temporarily restrict vehicle access and parking in the public right-of-way to accommodate the activity. The City Manager (or designee) has authority under MMC 10.08.020 to impose permanent or temporary Street closures and parking restrictions. The City has experienced problems with persons ignoring posted "no parking" signs in construction and event areas, which can significantly interfere with the planned activity and cause costly delays in the progress of work. Although the City may issue citations to illegally parked vehicles, there are currently no provisions in the Municipal Code that would allow the Police Department to have those vehicles moved or towed.

Authorizing the moving or towing of illegally parked vehicles in certain circumstances would promote the public health, welfare and safety in the downtown area and at City parks and other facilities. In addition, with the summer construction and event season underway, there is an emergency requiring immediate implementation of this Ordinance.

Attachments:

1. Ordinance

Fiscal Impact:

As proposed, the City may pay the costs of towing of vehicles that are parked in the way of construction projects.

Recommendation:

Staff recommends that the City Council adopt the attached ordinance related to the towing of vehicles that are parked in the way of construction projects and permitted public events.

ORDINANCE NO. 5055

An Ordinance Relating to Moving or Towing Vehicles Parked in Prohibited Areas;
Amending MMC 10.28.030; and, Establishing MMC 10.28.400.

RECITALS:

During the course of construction projects and public events, it is sometimes necessary to temporarily restrict vehicle access and parking in the public right-of-way to accommodate the activity. The City Manager (or designee) has authority under MMC 10.08.020 to impose permanent or temporary Street closures and parking restrictions.

The City has experienced problems with persons ignoring posted "no parking" signs in construction and event areas, which can significantly interfere with the planned activity and cause costly delays in the progress of work. Although the City may issue citations to illegally parked vehicles, there are currently no provisions in the Municipal Code that would allow the Police Department to have those vehicles moved or towed.

The Council finds that authorizing the moving or towing of illegally parked vehicles in certain circumstances would promote the public health, welfare and safety in the downtown area and at City parks and other facilities. In addition, with the summer construction and event season underway, there is an emergency requiring immediate implementation of this Ordinance.

Now, therefore, THE COMMON COUNCIL FOR THE CITY OF McMINNVILLE
ORDAINS AS FOLLOWS:

1. The provisions set forth in the attached Exhibit 1, which are incorporated by this reference, are hereby adopted.
2. An emergency is declared, and this ordinance will take immediately upon its passage by the Council.

Passed by the Council on _____, 20____, by the following votes:

Ayes: _____

Nays: _____

Approved on _____, 20____.

MAYOR

Approved as to form:

Attest:

CITY ATTORNEY

CITY RECORDER

ORD _____
Exhibit 1

Section 1. Amend MMC Section 10.28.030 as follows:

10.28.030 Parking or standing—Prohibited in designated locations. In addition to the state motor vehicle laws prohibiting parking, no person shall park or leave standing, in the following places:

- A. A vehicle upon a bridge, viaduct or other elevated structure used as a street, or within a street tunnel, unless authorized by state statute, by this Code, or by the Chief of Police or his or her designee;
- B. A vehicle in an alley, other than for the expeditious loading or unloading of persons or materials but in no case for a period in excess of thirty consecutive minutes;
- C. A motor truck, as defined by ORS 801.355, on a street between the hours of nine p.m. and seven a.m. of the following day in front of or adjacent to a residence, motel, apartment house, hotel or other sleeping accommodation unless a revocable permit is obtained from the city Police Department. The permit shall be for a six month or a twelve-month period and may be renewed. The cost of the permit will be set by resolution determined by the McMinnville City Council. In the event a complaint(s) is received from a resident in the area of the parked truck, the Chief of Police or his or her designee shall investigate the complaint and may revoke said permit, and the cost of the permit shall be forfeited by the permittee;
- D. A vehicle upon a parkway or freeway, except as authorized by state statute, by this Code, or by the Chief of Police or his or her designee.
- E. A vehicle on a curb painted yellow, except as specifically authorized by signage.
- F. A vehicle within the area between the curb or roadway and sidewalk line commonly known as the planting strip, except where improved parking areas have been approved and marked by the City engineering department.
- G. A vehicle in such a manner that the vehicle blocks all or any part of any driveway.
- H. A vehicle in such a manner that the vehicle blocks all or any part of a public sidewalk.
- I. A vehicle in any area where parking is permanently prohibited by order of the City Manager or their designee, pursuant to MMC 10.08.020.**
- J. A vehicle in any area where parking has been temporarily prohibited by order of the City Manager pursuant to MMC 10.08.020 and traffic control devices have been installed to provide notice of the prohibition.**

Section 2. Add new MMC Section 10.28.400

10.28.400 Towing and Moving Vehicles Parked in Violation of Temporary Restrictions

A. The provisions of this section apply only when parking has been temporarily prohibited on a Street for:

- 1. Street or utility maintenance, repair, or rehabilitation purposes.**
- 2. Construction activities on public or private property adjacent to the street.**
- 3. Public Events on Streets authorized by City permit.**

B. Any vehicle parked on a Street in violation of MMC 10.28.030 may be towed according to the provisions of this Section, upon the order of the City Manager, or designee, without prior notice to the owner of the vehicle, when removal of the vehicle is required to provide immediate access for a purpose described in subsection 1 of this Section.

C. The City Manager or designee may:

1. Order a vehicle to be towed to a legal parking space on a Street within the vicinity of the prohibited area, in which case the cost of towing the vehicle will be paid by the City if requested by the City, or the permittee if requested by the permittee.

2. If, not less than 24 hours prior to the effective time and date of the prohibition, the City has installed and maintained traffic control devices giving notice of the parking prohibition, the City Manager or designee may order the vehicle to be towed and stored as set forth in ORS 98.812.