

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

Tuesday, August 25, 2020 at 7:00 p.m.

Presiding: Scott Hill, Mayor

Recording Secretary: Claudia Cisneros

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|-------------|---------------------------------|---------------|
| Councilors: | <u>Present</u> | <u>Absent</u> |
| | Remy Drabkin | Zack Geary |
| | Adam Garvin | |
| | Kellie Menke, Council President | |
| | Wendy Stassens | |
| | Sal Peralta | |

Also present were City Manager Jeff Towery, City Attorney Amanda Guile-Hinman, City Recorder Claudia Cisneros, Police Chief Matt Scales, Finance Director Jennifer Cuellar, Information Technology Director Scott Burke, Parks and Recreation Director Susan Muir, Jerry Eichten, McMinnville Community Media, and Jodie DeJonge, NewsRegister.

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

2. PRESENTATION

2.a. Recology Rate Review

Carl Peters, Recology General Manager, gave a Covid response update and discussed how garbage and recycling volumes were down and yard debris was up, how they supported the community, and request for the deferred rates to be effective September 1.

3. INVITATION TO CITIZENS FOR PUBLIC COMMENT: Mayor Hill invited the public to comment.

Brittany Ruiz, McMinnville resident, was surprised at the recent addition of two agenda items, especially one that was highly contentious. It was an important discussion and residents should be given at least a week's notice, not 24 hours. She requested no rate increases be approved at this time. She would also like clarification on why rates were increasing.

4. ADVICE/ INFORMATION ITEMS

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

Councilor Drabkin said the Affordable Housing Task Force would meet tomorrow.

Councilor Garvin said the jet air tank was operational at the airport.

Councilor Peralta said the Willamette Workforce Partnership had recently reopened grants for small businesses affected by Covid. He asked for an update on the grants the City was allocating.

City Manager Towery said applications would be accepted August 31 to September 4. Mayor Hill said MEDP and the Chamber had advertised that information.

Councilor Stassens said MURAC had approved special façade improvement grants to help downtown businesses at their last meeting and would be reviewing more at their next meeting.

Mayor Hill reported he was on the Governor's call regarding Covid and how it related to schools. Tomorrow he would be in a Mayor's conference and in interviews for MURAC.

4.b. Department Head Reports

Finance Director Cuellar said the Audit Committee would meet tomorrow to discuss reserves and fund balances.

City Recorder Cisneros said the Willamette Workforce grants information was on the City's website.

City Manager Towery discussed the DEI and Social Justice Plan.

5. CONSENT AGENDA

a. Consider **Resolution No. 2020-52**: A Resolution for City of McMinnville, Oregon Extending the City's Declaration of State of Emergency Expressed in Resolution 2020-18, Resolution 2020-28, Resolution 2020-43 and Resolution 2020-48.

b. Consider request from Rose & Arrow, LLC.: Rose & Arrow, LLC located at 1445 ne Miller Street Building B, Suite 1-4 for an OLCC Winery 1st Location Liquor License.

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

6. CONSIDER A REQUEST TO PERMIT A WAIVER OF THE NOISE ORDINANCE FROM MR. SMARK FOR SEPTEMBER 26TH, 2020.

City Manager Towery said Mr. Smark was the Board Director for the Portland Karting Association. He requested night time go-kart races on September 26 from noon to 10:30 p.m. This would require a waiver to the City's noise limitations after hours.

There was discussion regarding safety measures related to Covid, possible liability, notification to neighbors, and past complaints.

Mike Schorn, Portland Karting Association, discussed the number of people expected. They planned to stay within the state mandates. They would be using a reader board from the Fairgrounds for notification.

Councilor Garvin MOVED to grant the waiver request; SECONDED by Councilor Drabkin. Motion PASSED unanimously.

7. RESOLUTIONS

- 7.a. Consider **Resolution No. 2020-53**: A Resolution of the City of McMinnville Approving a Collection Rate Increase Not to Exceed 2.90% for Recology Inc.

Councilor Peralta recused himself from this item due to a potential conflict of interest as he did statewide policy work with Zero Waste McMinnville and Recology was a financial supporter of Zero Waste McMinnville.

City Attorney Guile-Hinman said this resolution would increase Recology's service rates for solid waste and recycling by 2.9%. They had delayed the rate increase to September 1 instead of July 1 due to the pandemic. Recology had met the standards in the franchise agreement to support this rate request.

Mark Davis, McMinnville resident, did not think there was a basis for this increase. He thought the calculations should be made public so citizens could see if they were correct. He suggested a 2.5% increase instead or for Recology to bring it back with more information that could be reviewed.

There was discussion regarding the operating margin allowed in the franchise agreement, month used for the CPI calculation, reasons for the increases since 2016, and how the process was consistent with what had been done in the past.

Carl Peters, Recology, and Dave Larmouth, Rate Analyst, explained the process and calculations for the cost of service model that was used for the rates. They also discussed operational changes with Recology compared with Western Oregon Waste. The reason they picked the February index was due to Covid and getting accurate numbers.

There was further discussion regarding transparency and the economies of scale and buying power of Recology which ultimately resulted in cost savings.

City Manager Towery noted the City did an independent rate review of Recology and found that the calculations were consistent with the requirements in the City's franchise agreement and industry best practices. This was proprietary information and shielded from disclosure under the Oregon public records law. The Council heard this information in Executive Session and a high level policy recommendation was given at a regular Council meeting.

City Attorney Guile-Hinman said the index month used was acceptable given Covid. Recology had said they would not look for another rate increase until 2022 and if the rate was lowered they would probably be looking at a higher rate increase down the line.

There was discussion regarding the recycling market, how Recology had reduced contributions to the community due to increased costs, management and administrative services costs which were related to revenues, and how operational personnel costs were the main expense line for Recology and were subject to the union contract.

Brittany Ruiz, McMinnville resident, did not think this was the time to increase rates when some citizens had not received their unemployment checks or federal aid due to Covid. She thought citizens did not know this was happening and more time should be given for them to review the information.

There was discussion regarding how the standard process had been followed with notification, timing of the request, and whether or not to delay the vote.

Council President Menke MOVED to approve Resolution No. 2020-53, approving a collection rate increase not to exceed 2.90% for Recology Inc.; SECONDED by Councilor Stassens. Motion PASSED 4-0-1 by the following vote:

*Aye – Councilors Drabkin, Garvin, Stassens, and Menke
Recused – Councilor Peralta*

- 7.b. Consider **Resolution No. 2020-54**: Appointing Youth Liaisons to the Planning Commission and McMinnville Urban Renewal Advisory Committee.

City Manager Towery said adding youth liaisons to City committees was a Council initiative. This resolution would appoint Ethan Downs to the Planning Commission and Ukiyah Hollaran Steiner to the McMinnville Urban Renewal Advisory Committee for two year terms.

Mayor Hill said he, Council President Menke, and Planning Director Richards interviewed the candidates. The two chosen had the desire to serve the community and had a passion for the committee they would be on.

Ukiah Hollaran Steiner introduced herself.

Councilor Drabkin MOVED to approve Resolution No. 2020-54, appointing youth liaisons to the Planning Commission and McMinnville Urban Renewal Advisory Committee; SECONDED by Councilor Peralta. Motion PASSED 5-0 by the following vote:

Aye – Councilors Drabkin, Garvin, Stassens, Peralta, and Menke

Nay – None

8. ADJOURNMENT: Mayor Hill adjourned the meeting at 8:38 p.m.

Claudia Cisneros

Claudia Cisneros, City Recorder