

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

Tuesday, August 8, 2017 at 6:00 p.m.

Presiding: Scott Hill, Mayor

Recording: Melissa Grace, City Recorder

Councilors: Present Excused Absence  
Remy Drabkin Kevin Jeffries  
Adam Garvin  
Kellie Menke, Council President  
Alan Ruden  
Wendy Stassens

Also present were City Manager Jeff Towery, City Attorney David Koch, Planning Director Heather Richards, Community Development Director Mike Bisset, Deputy City Attorney Natalee Levine, Dave Adams of KLYC Radio, and *News Register* Intern Hannah Jones.

DINNER

CALL TO ORDER: Mayor Hill called the Dinner Meeting to order at 6:24 p.m. and welcomed all in attendance.

DISCUSSION:

Mayor Hill asked for a volunteer to lead the Pledge of Allegiance and Councilor Ruden volunteered.

Community Development Director Bisset discussed the NW Hill Road transportation project. Discussion ensued regarding traffic flow during construction.

Planning Director Richards shared the proposed code amendments to the Historic Preservation and Historic Landmarks Committee ordinances.

The agenda for the evening was reviewed.

Mayor Hill thanked Council for the time that was spent at the July 25<sup>th</sup>, 2017 City Council meeting listening to public comments. The Mayor stated that there was a lot of good testimony. It was noted that in response to comments shared, police presence has been increased on Third Street.

The Mayor provided recommendations on best practices for public comments. He noted that this it was a topic of discussion during the Oregon Mayors Association Conference.

Mayor Hill proposed that a task force be established to look at safety. It would have a very specific charge with a six-month time frame. The task force would report to the Council on the second, fourth and sixth month and make recommendations.

ADJOURNMENT: The Dinner Meeting adjourned at 7:02 p.m.

s/s Melissa Grace  
Melissa Grace, City Recorder

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, August 8, 2017, at 7:00 p.m.

Presiding: Scott Hill, Mayor

Recording: Melissa Grace, City Recorder

Councilors:	<u>Present</u>	<u>Excused Absence</u>
	Remy Drabkin	Kevin Jeffries
	Adam Garvin	
	Kellie Menke, Council President	
	Alan Ruden	
	Wendy Stassens	

Also present were City Manager Jeff Towery, City Attorney David Koch, Community Development Director Mike Bisset, Finance Director Marcia Baragary, Police Chief Matt Scales, Planning Director Heather Richards, Parks and Recreation Director Susan Muir, Deputy City Attorney Natalee Levine, Associate Planner Chuck Darnell, Dave Adams of KLYC Radio, and *News Register* Intern Hannah Jones.

AGENDA ITEM

1. CALL TO ORDER: Mayor Hill called the meeting to order at 7:06 p.m. and welcomed all in attendance.
2. PLEDGE OF ALLEGIANCE: Councilor Drabkin led the Pledge of Allegiance.
3. PRESENTATION
- 3.a. Willamette Valley Pleistocene Project – Presentation of Tusk Replica to the City of McMinnville and the McMinnville Police Department.

Mike Full from the Willamette Valley Pleistocene Project stated that the project begun a long time ago. Mr. Full noted he is a former McMinnville Police Officer. He stated that the City has granted the volunteers and students access to the Willamette River from City property to conduct their research. He shared that students from several local universities and high schools as well as a variety of scientists have had the opportunity to be a part of the project. He noted that the City and particularly the Police Department have been extremely helpful and provided invaluable aide.

Mr. Full presented Mayor Hill and Police Chief Scales a McMinnville mammoth tusk replica in appreciation and thanks to the City and Police Department.

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

Rebecca Quandt, 612 NW 13<sup>th</sup> Street, Executive Director of the McMinnville Downtown Association, thanked the Council for listening last week. She stated that she has spoken to downtown merchants have noticed additional police presence. She said that they are optimistic and appreciate what is being done.

The Mayor shared that a downtown safety task force is going to be created. He thanked Ms. Quandt for the thoughtful approach and noted that there was immediate follow up,

Jeb Bladine, 611 NE Third Street, shared what he has learned regarding underground utilities. He discussed the intricacies of dealing with the various utilities. He noted that McMinnville Water and Light may be interested in undergrounding utilities and that the Urban Renewal District has a goal of undergrounding utilities.

5. CONSENT AGENDA
  - 5.a. Consider the Minutes of the April 25, 2017 Dinner and Regular Meetings and July 19, 2017 Special Called Work Session (Strategic Planning).
  - 5.b. Consider request for a change in ownership on OLCC application (Tequila Grill).

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

6. RESOLUTION

- 6.a. **Resolution No. 2017-56:** A Resolution approving Task Order No.2 amending the Personal Services Contract to include services during construction for the NW Hill Road transportation bond measure project.

Community Development Director Bisset explained that the resolution amends the contract with CH2MHill Engineers by \$242,523. This will allow staff to move forward with the NW Hill Road Improvements Project.

Councilor Stassens MOVED to adopt Resolution No. 2017-56 approving Task Order No.2 amending the Personal Services Contract to include services during construction for the NW Hill Road transportation bond measure project; SECONDED by Councilor Garvin. Motion PASSED unanimously.

7. ORDINANCES

- 7.a. First reading with possible second reading of Ordinance No. 5033: An Ordinance amending Ordinance 4904, relating to the Solid Waste Collection Franchise.

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

City Attorney Koch read by title only Ordinance No. 5033 amending Ordinance 4904, relating to the Solid Waste Collection Franchise.

City Manager Towery stated that staff's recommendation is to implement a franchise fee increase to 5% in two stages. The increase to 4% would be effective October 1, 2017 and the increase to 5% would be effective July 1, 2018. City Manager Towery shared that the proposed increases would be consistent with regional practices.

Councilor Garvin inquired about landfill use at Riverbend.

Fred Stemmler, General Manager of Recology, stated that they have done modeling on the costs of not using Riverbend and he could provide an undated spreadsheet to Council.

Mayor Hill thanked Mr. Stemmler for his communication and requested that Mr. Stemmler provide Council with an update on the new programs.

Discussion ensued regarding the timeline for waste diversion at Riverbend. Mr. Stemmler noted that once the transfer station is ready they will have immediate access to it.

Councilor Stassens MOVED to pass Ordinance No. 5033 to a second reading; SECONDED by Council President Menke. Motion PASSED unanimously.

City Attorney Koch read by title only for a second time Ordinance No. 5033.

Councilor Drabkin MOVED to approve Ordinance No. 5033 amending Ordinance 4904, relating to the Solid Waste Collection Franchise; SECONDED by Councilor Ruden. Ordinance No. 5033 PASSED by a unanimous roll-call vote.

7.b.

First Reading with possible Second Reading of Ordinance No. 5034: An Ordinance amending the McMinnville Zoning Ordinance specific to Chapter 17.06 (Definitions), Chapter 17.59 (Downtown Design Standards And Guidelines), Chapter 17.65 (Historic Preservation) and Chapter 17.72 (Applications And Review Process) for the Preservation of Historic Resources in McMinnville.

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

City Attorney Koch read by title only Ordinance No. 5034 amending the McMinnville Zoning Ordinance specific to Chapter 17.06 (Definitions), Chapter 17.59 (Downtown Design Standards and Guidelines), Chapter 17.65 (Historic Preservation) and Chapter 17.72 (Applications And Review Process) for the Preservation of Historic Resources in McMinnville.

Associate Planner Darnell reviewed the current local historic preservation program. He explained that the current ordinance in place regulates historic resources in the City. He shared that there is a historic resources inventory, a permit clearance process and guidelines and design standards.

Mr. Darnell added that the Oregon Statewide Planning Goals and Goal 5 includes protection of historic resources. Mr. Darnell stated that there were some recent updates to the Oregon Administrative Rules (OARs) related to Goal 5 that were driven by inconsistencies in administration of local historic resource programs, desire for protection of National Register of Historic Places properties and updates to the owner consent process. Mr. Darnell stated that the Historic Landmarks Committee has reviewed the update of the OARs and discussed how these changes would impact the City's current ordinances. They began reviewing existing ordinances and zoning chapters in October 2016. The Historic Landmarks Committee recommended the proposed amendments be approved and they be brought to the Planning Commission and City council review.

Mr. Darnell discussed the proposed amendments including changes to the Historic Preservation Ordinance as listed:

1. The repealing of the existing Historic Preservation Ordinance to allow for a Historic Preservation chapter to be adopted into the McMinnville Zoning Ordinance.
2. Update the review criteria to be considered in the designation of a historic resource.
3. Inclusion of owner consent definitions and the processes to be consistent with the new rules and the ruling of *Lake Oswego Preservation Society v. City of Lake Oswego*.
4. The inclusion of the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation as review criteria for the consideration of the alteration of any historic landmark.
5. Inclusion of all National Register for Historic Places as protected resources, and the exclusion of accessory structures and non-contributing resources within a National Register nomination from the review and protection requirements.
6. The establishment of a public hearing process for the demolition or moving of National Register resources, as well as a review process and criteria for the consideration of the demolition or moving of National Register resources.
7. Creation of a Certificate of Approval process to replace the existing Building Permit Clearance review process. Currently, only alterations that require a building permit are subject to the historic preservation standards and review process. The Certificate of Approval process will apply in more situations.
8. Relocation of the Historic Landmarks Committee bylaws.

Discussion ensued regarding education in a historic preservation.

Councilor Stassens MOVED to pass Ordinance No. 5034 to a second reading; SECONDED by Councilor Drabkin. Motion PASSED unanimously.

City Attorney Koch read by title only for a second time Ordinance No. 5034.

Councilor Drabkin MOVED to approve Ordinance No. 5034 amending the McMinnville Zoning Ordinance specific to Chapter 17.06 (Definitions), Chapter 17.59 (Downtown Design Standards And Guidelines), Chapter 17.65 (Historic Preservation) and Chapter 17.72 (Applications And Review Process) for the Preservation of Historic Resources in McMinnville; SECONDED by Councilor Ruden. Ordinance No. 5034 PASSED by a unanimous roll-call vote.

7.c.

First Reading with possible Second Reading of Ordinance No. 5035: An Ordinance Amending The McMinnville City Code, Chapter 2.34, Specific To The Historic Landmarks Committee.

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

City Attorney Koch read by title only Ordinance No. 5035 amending The McMinnville City Code, Chapter 2.34, Specific To The Historic Landmarks Committee.

Planning Director Richards stated that the proposed ordinance adds Chapter 2.34 (Historic Landmarks Committee) to the McMinnville City Code to update the enabling language for the Historic Landmarks Committee. She noted that the Historic Landmarks Committee has been governed by Ordinance No. 4401 since 1987. Ms. Richards explained that the duties of the Historic Landmarks Committee include proactive inventory, evaluation, designation of historic landmarks, education and land use in terms of historic landmarks that are going through alterations or demolition.

Discussion ensued regarding available grant funding. Ms. Richards stated that there is opportunity to bring funds into the City to help with education.

Discussion ensued regarding code compliance, enforcement of the sign ordinance and the Historic Landmarks Committee's role as well as the potential for some signs to be designated as historic landmarks.

Councilor Stassens noted that she likes the proactive approach and education involved in the Historic Landmarks Committee.

Councilor Ruden MOVED to pass Ordinance No. 5035 to a second reading; SECONDED by Councilor Garvin. Motion PASSED unanimously.

City Attorney Koch read by title only for a second time Ordinance No. 5035.

Councilor Ruden MOVED to approve Ordinance No. 5035 amending The McMinnville City Code, Chapter 2.34, Specific To The Historic Landmarks Committee; SECONDED by Councilor Stassens. Ordinance No. 5035 PASSED by a unanimous roll-call vote.

8.

#### NEW BUSINESS

Consider request from Ossie Bladine for a Noise Ordinance Waiver for the Walnut City Music Festival to be held on September 1 & 2, 2017 at 755 NE Alpine Avenue.

City Manager Towery provided a brief summary of the event.



Ossie Bladine, co-organizer of the Walnut City Music Festival stated that 2017 is the 5<sup>th</sup> year of the event. He stated that they would like to have amplified music until 11 p.m. on September 1<sup>st</sup> and September 2<sup>nd</sup>.

Councilor Drabkin asked about notification to neighborhood residents.

Mr. Bladine stated that he would be happy to communicate with the neighbors.

Discussion ensued regarding a radius for notification. City Attorney Koch stated that an arrangement for notification would be made in the permit.

Councilor Drabkin MOVED to direct the City Manager to write a letter to Mr. Bladine letting him know that he has the Council's approval conditional upon informing residents in the area as the City Manager and City Attorney deem fit; SECONDED by Councilor Garvin. The Motion PASSED unanimously.

9. ADVICE/ INFORMATION ITEMS

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

Mayor Hill noted that he attended the first Oregon Association of Mayor's conference and had a great time learning and networking.

Council President Menke shared that she had an opportunity to attend a presentation related to property taxes and the County and City.

Councilor Garvin briefed Council on Yamhill Communications Agency (YCOM) activities.

Councilor Drabkin stated that the Planning Commission will be reviewing the recommendations from the Affordable Housing Taskforce.

9.b. Department Head Reports

City Attorney Koch welcomed the new Deputy City Attorney Natalee Levine. Deputy City Attorney Natalee Levine provided a brief background of her work experience.

Police Chief Scales noted that after the testimony received during the last City Council meeting the Police Department took note that the McMinnville Downtown Association did not feel that police presence and the park ranger program were adequate downtown. In response, they have assigned a specific officer to be downtown for a number of hours each shift. He noted that they have also worked with the Parks Department in regards to the park rangers and they are making improvements.

Planning Director Richards stated that 139 letters were sent out notifying property owners that their signs were possibly non-compliant to the sign ordinance. They have spoken with around 40 individuals. Ms. Richards stated that they are working through a variety of issues and trying to look at all of the tools based on the intent of the code. There are signs that will need to be replaced and there may be significant costs associated with the replacement. She noted that they are asking that people contact the Planning Department so they can look at the tools available and begin a path of compliance.

Community Development Director Bisset, noted that there are many construction projects all over town and he appreciates the patience and tolerance of business owners and residents.

9.c. Building Division Report

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

Council and staff designated to participate in the Executive Session entered Executive Session at 8:36 p.m. The Executive Session concluded at 9:00 p.m.

11. ADJOURNMENT: Mayor Hill adjourned the Regular City Council Meeting at 8:33 p.m.

s/s Melissa Grace  
Melissa Grace, City Recorder