



City Council Meeting Agenda

Tuesday, July 13, 2021

7:00 p.m. – Regular Council Meeting

EXECUTIVE SESSION – to immediately follow the Regular City Council Meeting (CLOSED TO THE PUBLIC)

Welcome! The public is strongly encouraged to participate remotely but there is limited seating at Civic Hall for those who are not able to participate remotely. However, if you are not feeling well, please stay home and take care of yourself. With the mask mandate removed, we are recommending those who have not been fully vaccinated please wear a mask while in the building.

The public is strongly encouraged to relay concerns and comments to the Council in one of three ways:

- *Email at any time up to 12 p.m. the day of the meeting to Claudia.Cisneros@mcminnvilleoregon.gov;*
- *If appearing via telephone only please sign up prior to the meeting by emailing the City Recorder at Claudia.Cisneros@mcminnvilleoregon.gov as the chat function is not available when calling in zoom;*
- *Join the zoom meeting; send a chat directly to City Recorder, Claudia Cisneros, to request to speak and use the raise hand feature in zoom to request to speak, once your turn is up we will announce your name and unmute your mic.*

*You can live broadcasts the City Council Meeting on cable channels Xfinity 11 and 331,
Frontier 29 or webstream here:*

www.mcm11.org/live

CITY COUNCIL REGULAR MEETING:

You may join online via Zoom Meeting:

<https://mcminnvilleoregon.zoom.us/j/89536389055?pwd=Zi9FcmFTQ1RCMzZxT3JzVnNyajAzZz09>

Zoom ID: 895-3638-9055

Zoom Password: 269676

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

ID: 895-3638-9055

7:00 PM – REGULAR COUNCIL MEETING – VIA ZOOM & COUNCIL CHAMBERS

1. CALL TO ORDER & ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. INVITATION TO COMMUNITY MEMBERS FOR PUBLIC COMMENT – *The Mayor will announce that any interested audience members are invited to provide comments. Anyone may speak on any topic other than: a matter in litigation, a quasi-judicial land use matter; or a matter scheduled for public hearing at some future date. The Mayor may limit comments to 3 minutes per person for a total of 30 minutes. The Mayor will read comments emailed to City Recorded and then any community member participating via Zoom.*
4. PRESENTATION
 - a. TurtleDove Presentation

5. ADVICE/ INFORMATION ITEMS
 - a. Reports from Councilors on Committee & Board Assignments
 - b. Department Head Reports
 - c. May 2021 Cash and Investment Report (in packet)

6. CONSENT AGENDA
 - a. Consider the Minutes of the April 28, 2020 City Council Regular Meeting.
 - b. Consider the Minutes of the May 12, 2020 City Council Regular Meeting.

7. RESOLUTION
 - a. Consider **Resolution No. 2021-47**: A Resolution for City of McMinnville, Oregon Ratifying the Declaration of State of Emergency concerning the collection, disposal, and general management of solid waste.

8. ADJOURNMENT

EXECUTIVE SESSION – IMMEDIATELY FOLLOW THE CITY COUNCIL REGULAR MEETING - VIA ZOOM (NOT OPEN TO THE PUBLIC)

1. CALL TO ORDER

2. **Executive Session pursuant to ORS 192.660(2)(n)(e)**: To discuss information about review or approval of programs relating to the security of any of the following: Data transmissions by whatever means provided.

3. **Executive Session pursuant to ORS 192.660(2)(h)**: To conduct with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

4. ADJOURNMENT

Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice: Kent Taylor Civic Hall is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made a least 48 hours before the meeting to the City Recorder (503) 435-5702 or Claudia.Cisneros@mcminnvilleoregon.gov.

Linda Hatfield – NE Evans & 9th Street

We live on Evans Street where there is 4 blocks without no stop signs. People drive on this street going way over the speed limit and little sports cars with their loud mufflers sound off directly in front of our house. We have been to the police department several times. They keep saying they will put a speed radar out. But they haven't not once. I went around the neighborhood and got a petition signed by about 150 people. Gave it to the city planning commissioner nothing done. He came out and stood for about 10 minutes and said he didn't see a problem. We are sick and tired of it and at our wits ends. We see people pass cars on this street too on double yellow lines. We saw dogs get hit, people in wheel chairs and families with small children almost get hit, and a lot of families riding their bikes with very small children almost get hit. There has been several car wrecks directly in front of our house. Students, I am assuming for track from the high school, run up and down the street. Vehicles do not slow down for them either. My husband sat one day on our porch and 63 cars passed our house within 10 minutes. Too much traffic for a 25 mph street. It is not unusual to see at least three or four times a day vehicles speeding 50 to 60 mph or more on our street. We are afraid someone is going to really get hurt. We saw a truck yesterday pulling a large camper come down the street about 50 mph. If there would have been someone crossing the street they would have never been able to stop for them. If the city would install video cameras like they have in Sherwood they would make so much money on NE Evans! They could be rich. What is the answer when the city won't do anything about it?

Donna Bischoff – Washington

There is absolutely no reason the city can't install speed bumps or speed humps to reduce speeding. I have never seen a car pulled over for speeding. In fact, I almost never see a police car anywhere in Mac. The speed limit on SE Davis is 25 mph which is clearly interpreted as a minimum speed limit. It has become the alternate to Highway 99, because the highway has stop lights. Davis Street has neither stop signs or stoplights. It's a clean shot from 1st all the way down past Linfield and Sue Buell Elementary. So why take 99??

One caution. I wouldn't stand in front of my own house to take pictures or videos. A cross street corner would be my suggestion.

Kristen Park, McMinnville

We have same issue on SE Westvale Street. It's so scary when the kids cross the streets to go to their friends houses! All hours of the day and night speeding!

Bonnie Rush – Jason Court

I live on NW Baker Creek Road also. The noise is so bad from these showoff mufflers and people gearing up and down at the speed limit sign. So inconsiderate. Maybe every street within city limits should be 25 mph.

Kathleen Both – Chegwyn Farms

I was one of those people who almost got hit in front of the Community Center. Fortunately some by stand byers got the license plate. I was in the crosswalk and a car stopped to let me go by and this idiot pulled out from behind and ran right through the sidewalk crossing. I have also seen the same thing on Baker Street

Sebrina Francis

We got those obnoxious loud cars racing down Grandhaven too and down Farm Road by our house. They are illegal and I have had multiple times where I wanted to throw a ball at their windshields.

Kenna Monahan

Fellows is a raceway. I do appreciate that the city put up the new speed limit signs but maybe we need speed bumps.

Scott Moore – Mac Cypress

Get video with sound even if it's just on your phone. I can hear them coming 6 blocks away, especially the motorcycles. They were weaving in and out of cars at what I would estimate 65 to 70 mph in the 45 zone by the hospital. Jumped into the McMinnville exit cutting off one car that we saw.

Greg DiGenti – Joe Dancer Park more people signing it and maybe the city planning commissioner will pay more attention. I'm down on 2nd Street and those farting car sounds are a nuisance.

You should start an online accessible petition accessible petition through a site like Change.org for this and post it here. You'll get a a lot

Sheridan Wallace – NW Baker 21st St

Hi, I live on NW Baker Creek Road. We here have the same issues with car wrecks weekly.

I feel if we bring the news in it might help. Safety is huge.

So, I just got a call back from our Police Department. They have asked for make, model, and plate numbers. They can follow up and least hope tickets are issued.

Jeffrey Cohen – Fall Oaks

I strongly recommend that you go to the next city council meeting and post your intention to speak at the council meeting here on Next door community, and request that others come to the meeting prepared to speak about this issue. I also believe you need to contact your city council representative and get his/her support. You may need to get on the council roster to speak.

Sandy Coates

I had one of those "farting cars" doing it's thing multiple times last night around 1:00 am in West Hills. Highly irritating!

Kathleen McKinney – Joe Dancer Park

A couple of weeks ago I was driving in the left lane on Adams and saw a car coming down the street in my lane! I honked and they turned on a side street. That was unnerving to see that!

Jeffrey Cohen

When the city was doing work on our street, I asked if they could put a speed bump as the kids speed down it on the way to the high school. The answer I got was that they “do not use speed bumps for traffic control”.

Bud Shelly – SE Washington

Most cities enforce noise control . . . I don't understand. Two blocks from the police station, I am certain they hear it. It goes on all day long. I've actually seen several cars and even a semi going the wrong way on Baker. No “One Way” signage anywhere. It's crazy.

I live on Baker. Same situation here. They race by sometimes close to 60 mph. Of course, several of them are certain to let up on the gas so car will backfire several times. Several cats have been hit. I've seen pedestrians almost hit. It is absolutely ridiculous. Truly, the loudest and rudest, horn honking city we have ever lived in. More sirens on a daily basis too. All they would have to do is install a few cameras. They would meet their quota in just one day. Or park on some of these corners for a few days instead of Starbucks or the local donut shop.

Kathleen McKinney – Joe Dancer Park

“Those farting cars are also against the law. We looked it up on the city ordinance. We are going to get a copy of the ordinance and pass it around too. We will also try your Change.org Thank you for your concerns too.”

Wendy Larson – Grandhaven

Maybe a group of you need to go to the city often with all your signatures, call them DAILY TO COMPLAIN and make it known you are sick of it. I’ve seen people in my old home town do this until the city finally installed speed bumps. Slowed things down.

Joy Vawter – Carlton

When we moved here, I was shocked when I first saw a street with cross streets and no stop signs. What is the reason for this . . . never even paid attention . . . then one day I was almost nailed . . . I’ve been very careful since then but you can’t always see . . . I have just never understood this.

Lisa Betancourt – Tennis Courts

We also have speeding cars and the noisy muffler cars on 12th near the tennis courts and some cars treat it like a highway since there’s no stoplight at Baker. It seems like it’s going on all over town and police are too busy to enforce.

Brandy Solo – Fellows Street

Same on SE Davis. No one from the city seems to care. We have a long straight with nonstop signs right by Linfield. The speed and noise is awful.

Loretta Johnson – Fellows Street

Yes I have written letters, made phone calls and as with someone else on here, a city employee came out at a time when there was less traffic, stood and watched for less than 5 minutes and said he did not see an issue. We did get the sign as requested that tells people how fast they are going but I got an email saying they needed it on the street by the bowling alley for construction but have never returned it. He advised us to contact the police to ask for more presence which I have done twice and he warned us not to put out our own signs or say anything to the drivers. It is so frustrating. Our fear other than them hitting someone is losing control and crashing into our house.

Donna Bischoff – SE Washington

We could have a take back the streets night, when several of us who live on the worst streets spend a couple of hours videotaping traffic. And if the City of McMinnville could give us radar guns, we could use those, too! And the city could do its part by installing traffic counters that measure speed, direction, and number of cars on some of the worst streets.

Jim Culbert, City Park

The noise on Adams and Baker Streets through town is also incredible! We hear it all the time from the other side of City Park. Then there are the Wallace Road and Second Street raceways of concern closer to us that also need attention!

Mickey Anderson – Mac Cypress

Most if not all of the insecure male drivers of toy cars are out of compliance. Maybe each need to be called into Mac PD as in violation of State Code! <https://www.autoblog.com/2016/04/27/the-guide-to-legal-car-modifications-in-oregon/>

Lilly-Gray Warren, NW Pike Road

Are you able to put a security camera outside facing the street? I'd record as much as I could. Get license plates, makes and models, all the things.

Now that I'm thinking about it, if someone were to supply a case of beer, I would gladly sit outside with my camera all day for you collecting evidence needed.

Cindy Stinson

Same answer for us on South David but the speed bumps like they have in Vancouver and Longview would totally solve our neighborhood problem. They race, we have the most issue and biggest percentage of people go way over the speed limit. It isn't unusual at least twice a week to have cars or motorcycles going 60, 70, or more.

Sandy Cord, Fall Oaks

Fellow Street is now a race way for cars, trucks and motorcycles. Noise pollution is horrible. People don't seem to give a - - - about others in many different ways, it's obvious.

John Zimmerling

It is very unfortunate that someone will have to get hurt in order to draw the appropriate level of attention to this problem. The noise is absurd, and the city doesn't have the resources to address it. The safety issue is another matter. We need stop signs. And while they are at it, they can drop another at 3rd and Evans. Someone is going to get killed at that intersection. I will lend my support to your cause. I don't know the answer, but there is certainly a need for some action.

Phyllice Brader

I live on South Evans, on the other side of 3rd Street and the noise generated by college kids going to and from Linfield is also pretty bad! Luckily I haven't seen any near miss accidents.

Sonja Steve

So THAT'S what that noise is, I'll sign too! I can hear it all the way from my house next to the Patton Middle School.



What's a Turtledove Shelter??





Amended on 07.14.2021

Mission Statement

Turtledove Shelters, Inc, was created by your Yamhill County neighbors to provide temporary shelter for homeless individuals through the design, construction, and donation of portable and semi-permanent shelters.

Turtledove Shelters is a 501(1)(3) organization

Homelessness

With the end of moratoria on Covid evictions
and the elimination of Federal supplements
for unemployment, the number of homeless
will likely increase in Yamhill County beyond
what it is today.

Some Personal Observations on Homelessness

There are a wide variety of causative factors with the result that a “one size” approach does not fit all homeless individuals. A few of these are:

- Economic homeless – inadequate or lacking current income sufficient to pay for any available housing.
- Domestic homeless – victims of domestic violence
- Substance Abuse – individuals who choose or are trapped in substance abuse as a means to deal with mental illness or other trauma
- PTSD – individuals with demonstrable military or childhood trauma
- Mental Illness – individuals who formerly were “Wards of the State” and who were deemed “cured” through pharmaceutical intervention.

Some Personal Observations on Homelessness

- Some of the above individuals will fit well within a “Motel 6/YCAP Service” approach.
- Others will be less likely to take advantage of shelters due either to rules that appear too restrictive or the desire to be “free” of rules and regulations.
- Yet others are unable to be in congregate settings due to mental illness or Traumatic Stress disorders.

In other words, a one-size approach, no matter how well intentioned, will probably not address the needs of all homeless persons.



Our Inspiration





Turtledove Shelters was started in April 2020 by five McMinnville residents, three of whom are Navy and Marine Corps veterans to address one issue of homelessness...that of giving persons a HOME !

We gave out our first shelters on July 3, 2020. Since then we've given out a total of 24 shelters locally and have provided a safe haven to over 30 individuals during the worst of weather.



We believe that the Turtledove Shelter can be a small “stepping-stone” out of homelessness – but not a “cure.”

It provides the homeless person, often suffering from mental illness, substance abuse or PTSD a warm, safe, dry, regular and portable environment when other safe dwelling spaces are unavailable or inaccessible due to barriers to entry.



What the Turtledove Organization is NOT:

- A solution for all homeless
- A social work organization
- Able to guarantee each end user will take good care of their shelter and area



Future Steps

As the City works with local non-profit agencies to identify and provide secure locations, Turtledove Shelters can and will work to build and donate “Conestoga Huts” similar to those extensively in use in Eugene. But, we need safe locations!

Where do Homeless need your help?

1. Provide safe, secure locations in existing or new parking areas in which the homeless can park safely, regularly and overnight and without harassment.
2. Actively support the provision of portable, semi-permanent and permanent homes for the homeless who desire such a lifestyle in McMinnville.

Where do Homeless need your help?

3. Consider exploring with partners whether McMinnville could support a HRSA Health Center, and enact crisis response teams similar to Cahoots of Eugene.
4. Provide increased public restroom and sanitation facilities available to the homeless so that normal biological needs are not categorized as “offenses.”

Where does Turtledove Shelters need your help?

Help us actively fit into and be a part of the City and County's portfolio of Services to the homeless.

Provide tax deductible or other financial support for our construction of homes for the homeless. See our webpage and donate – please.

Turtledove Contact Information

www.turtledoveshelters.com

turtledoveshelters@gmail.com

Turtledove Shelters, PO Box 1177,
McMinnville, Oregon 97128

Patrick Evans @ 503-914-8977

CITY OF MCMINNVILLE - CASH AND INVESTMENT BY FUND
May 2021

FUND #	FUND NAME	GENERAL OPERATING		TOTAL
		CASH IN BANK	INVESTMENT	
01	General	\$2,132,766.95	\$4,800,594.74	\$6,933,361.69
05	Special Assessment	\$175.22	\$135,357.82	\$135,533.04
07	Transient Lodging Tax	\$651.12	(\$6,000.00)	(\$5,348.88)
10	Telecommunications	\$55.32	\$8,030.00	\$8,085.32
15	Emergency Communications	\$286.64	\$44,094.81	\$44,381.45
20	Street (State Tax)	\$768.87	\$1,594,516.49	\$1,595,285.36
25	Airport Maintenance	\$723.33	\$522,749.03	\$523,472.36
45	Transportation	\$820.18	\$2,929,494.92	\$2,930,315.10
50	Park Development	\$691.45	\$1,677,441.49	\$1,678,132.94
58	Urban Renewal	\$717.99	\$204,451.60	\$205,169.59
59	Urban Renewal Debt Service	\$500.71	\$346,770.06	\$347,270.77
60	Debt Service	\$499.27	\$1,175,681.12	\$1,176,180.39
70	Building	\$369.99	\$1,526,521.39	\$1,526,891.38
75	Wastewater Services	\$396.23	\$2,472,377.74	\$2,472,773.97
77	Wastewater Capital	\$370.89	\$36,474,103.65	\$36,474,474.54
80	Information Systems & Services	\$560.76	\$243,310.83	\$243,871.59
85	Insurance Reserve	\$591.67	\$806,290.54	\$806,882.21
CITY TOTALS		2,140,946.59	54,955,786.23	57,096,732.82

MATURITY DATE	INSTITUTION	TYPE OF INVESTMENT	INTEREST	CASH VALUE
			RATE	
N/A	Key Bank of Oregon	Checking & Repurchase Sweep Account	0.20%	\$ 2,140,946.59
N/A	Key Bank of Oregon	Money Market Savings Account	0.01%	\$ 5,536,021.06
N/A	State of Oregon	Local Government Investment Pool (LGIP)	0.60%	\$ 48,423,864.13
N/A	State of Oregon	Transportation Bond (LGIP)	0.60%	\$ -
N/A	State of Oregon	Urban Renewal Loan Proceeds (LGIP)	0.60%	\$ 210,020.44
N/A	MassMutual Financial Group	Group Annuity	3.00%	\$ 785,880.60
				<u>\$ 57,096,732.82</u>
				\$ -

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

Wednesday, April 28, 2020 at 7:00 p.m.

Presiding: Scott Hill, Mayor

Recording Secretary: Claudia Cisneros

Councilors: Present Absent
Adam Garvin
Remy Drabkin
Kellie Menke, Council President
Wendy Stassens
Sal Peralta
Zack Geary

Also present were City Manager Jeff Towery, City Attorney Walt Gowell, City Recorder Claudia Cisneros, Planning Director Heather Richards, Police Chief Matt Scales, Community Development Director Mike Bisset, Information Technology Director Scott Burke, Senior Planner Chuck Darnell, Finance Director Jennifer Cuellar, Parks and Recreation Director Susan Muir, Fire Chief Rich Leipfert, Human Resources Manager Kylie Bayer, Operations Chief Amy Hanifan, and member of the News Media –and Jerry Eichten, McMinnville Community Media.

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

2. PROCLAMATION

2.a. Historic Preservation Month

Senior Planner Darnell said Historic Preservation Month was annually celebrated in May. Staff would be doing some social media to promote the history of important buildings in McMinnville. He encouraged people to send in photos of historic buildings to post. He also announced nominations for Historic Preservation Awards were being accepted. The awards would be presented in May.

Mayor Hill read the proclamation declaring May 2020 as Historic Preservation Month.

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

There were no public comments.

4. PRESENTATION
4.a. Zero Waste McMinnville

City Recorder Cisneros submitted the essay written by Ramsey McPhillips into the record.

5. ADVICE/ INFORMATION ITEMS

5.a. Reports from Councilors on Committees & Board Assignments

Councilor Drabkin reported on the Affordable Housing Task Force activities including reviewing their action plan in light of Covid restrictions, potential projects, discussion of HB 4001 and HB 2001, shelter at the Mission, potential funding from the County for the hoteling model, and needs at YCAP and the Food Bank. She had also talked to business owners about preserving downtown through the pandemic.

Councilor Garvin suggested scheduling a joint meeting with the School District on Zoom.

Council President Menke said there would be a Budget Committee meeting on May 18. She had attended a Visit McMinnville meeting where they discussed ways to help businesses affected by Covid and had attended a Landscape Review Committee meeting.

Mayor Hill had attended the League of Oregon Cities Friday conference calls, County meetings twice a week, Mid-Willamette Valley Transportation Act meeting, and LOC Committee meetings. He was also working on the Oregon Mayors Association and LOC Conferences.

5.b. Department Head Reports

Human Resources Manager Bayer announced jobs that were currently open.

Planning Director Richards discussed emergency business assistance through the Stable Table. They were trying to leverage funds to make meaningful impact and work on projects that promoted businesses. They were also trying to help businesses reopen by finding funding for social distancing requirements.

Finance Director Cuellar said she had been focused on putting together the proposed budget which included estimating the impacts of Covid. She had been working on what Court might look like given Covid restrictions.

Community Development Director Bisset said essential workers were still at work keeping the City's infrastructure running smoothly.

Police Chief Scales said the Police Department was still working as well. Call volumes remained the same. Domestic violence, burglaries, and property crimes were up.

Fire Chief Leipfert said they were tracking CARES Act funding and trying to leverage the best return for the City to recuperate costs.

City Manager Towery said the downtown farmer's market would be a pre-order, drive thru market.

6.

CONSENT AGENDA

a. Minutes of the August 21, 2019 Work Session Joint Meeting with McMinnville City Council and Yamhill County Commissioners Meeting.

b. Minutes of the October 8, 2019 Work Session and Regular City Council Meetings.

c. OLCC request from Hundred Suns Wine LLC at 1445 NE Miller St, Bldg D, Ste 1 for a 2nd Winery Location.

d. OLCC request from Martin Artisen LLC at 711 NE 3rd Street for a 2nd Winery Location.

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

7.

NEW BUSINESS

7.a.

Authorize City Manager to sign the collective bargain agreement between the City of McMinnville and the McMinnville Police Association.

Human Resources Manager Bayer said they had arrived at an agreement on April 20. The wage increase for the represented officers and employees was 4% effective July 1, 2019. This was within the guidelines of the Council. They were bringing back a classification, Police Corporal, which would give opportunities for succession planning and provide a career ladder for officers.

Councilor Stassens MOVED to authorize the City Manager to execute the agreement; SECONDED by Councilor Garvin. Motion PASSED 6-0 by the following vote:

*Aye – Councilors Drabkin, Garvin, Geary, Stassens, Menke, and Peralta
Nay – None*

8. RESOLUTIONS

- 8.a. Consider **Resolution No. 2020-26**: A Resolution awarding a Contract for the Old Sheridan Road Improvements transportation bond project, Project 2017-6, to K&E Excavating.

Community Development Director Bisset said this was the last capital project included in the transportation bond. It would improve the Old Sheridan Road corridor from the traffic signal at 99W to Cypress with a bridge replacement, road widening to accommodate bike lanes and sidewalks, and an improved traffic signal at 99W. Eight bids were received and the lowest responsible bid was from K&E Excavating. The City would be partnering with McMinnville Water & Light for the corridor improvements.

There was discussion regarding the bid coming in at \$300,000 less than the estimated amount and the costs for all of the improvements in the bond.

Councilor Geary MOVED to adopt Resolution No. 2020-26, awarding a Contract for the Old Sheridan Road Improvements transportation bond project, Project 2017-6, to K&E Excavating; SECONDED by Council President Menke. Motion PASSED 6-0 by the following vote:

*Aye – Councilors Drabkin, Garvin, Geary, Stassens, Menke, and Peralta
Nay – None*

- 8.b. Consider **Resolution No. 2020-27**: A Resolution authorizing the approval of a cooperative fund exchange agreement between the City of McMinnville and Oregon Department of Transportation (ODOT) known as 2020 Fund Exchange Agreement, No. 34129.

Community Development Director Bisset explained the fund exchange program which allowed the City to use the funds anywhere in the transportation network. For the past several years the funds had been used for the Bypass loan. However, they had saved some of the funds to do the overlay of Lafayette Avenue as well.

Councilor Stassens MOVED to adopt Resolution No. 2020-27, authorizing the approval of a cooperative fund exchange agreement between the City of McMinnville and Oregon Department of Transportation (ODOT) known as 2020 Fund Exchange Agreement, No. 34129; SECONDED by Councilor Peralta. Motion PASSED 6-0 by the following vote:

*Aye – Councilors Drabkin, Garvin, Geary, Stassens, Menke, and Peralta
Nay – None*

- 8.c. Consider **Resolution No. 2020-28**: A Resolution for City of McMinnville, Oregon Extending the City's Declaration of State of Emergency Expressed in Resolution 2020-18.

Fire Chief Leipfert said the emergency declaration the Mayor declared on March 16 was set to expire on May 1. Given the nature of the pandemic and the unknowns they were dealing with, the extension would go on indefinitely. This would set the City up to manage any additional expenditures that might be needed and to be reimbursed for those expenditures.

City Attorney Gowell recommended instead of indefinitely, the emergency should expire in 60 days. The resolution had been modified to reflect that. *Councilor Peralta MOVED to adopt Resolution No. 2020-28, extending the City's declaration of state of emergency expressed in Resolution 2020-18; SECONDED by Councilor Stassens. Motion PASSED 6-0 by the following vote:*

*Aye – Councilors Drabkin, Garvin, Geary, Stassens, Menke, and Peralta
Nay – None*

9. ADJOURNMENT: Mayor Hill adjourned the meeting at 7:58 p.m.

Claudia Cisneros, City Recorder

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

Wednesday, May 12, 2020 at 7:00 p.m.

Presiding: Scott Hill, Mayor

Recording Secretary: Claudia Cisneros

Councilors: Present Absent
Adam Garvin
Remy Drabkin
Kellie Menke, Council President
Wendy Stassens
Sal Peralta
Zack Geary

Also present were City Manager Jeff Towery, City Attorney Walt Gowell, City Recorder Claudia Cisneros, Police Chief Matt Scales, Planning Director Heather Richards, Community Development Director Mike Bisset, Information Technology Director Scott Burke, Finance Director Jennifer Cuellar, Parks and Recreation Director Muir, Fire Chief Rich Leipfert, Human Resources Manager Kylie Bayer, Library Director Jenny Berg, and member of the News Media –and Jerry Eichten, McMinnville Community Media.

1. CALL TO ORDER: Mayor Hill called the meeting to order at 7:07 p.m. and welcomed all in attendance in person and via zoom.

2. PROCLAMATIONS

2.a. National Public Works Week

Community Development Director Bisset said this was the 14th National Public Works Week.

Mayor Hill read the proclamation declaring May 17-23, 2020 as National Public Works Week.

2.b. National Police Week

Police Chief Scales said this was recognition of the Police Department's work and to remember the officers who had lost their lives or suffered disabilities in the line of duty.

Mayor Hill read the proclamation declaring May 10-16, 2020 as National Police Week.

2.c. Salvation Army Week

Lieutenant Sandra Solis explained how the Salvation Army was serving the City.

Mayor Hill read the proclamation declaring May 11-17, 2020 as Salvation Army Week.

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

Chris Chenoweth, McMinnville resident, did not think the Council should try to pass any levies or fees as the community was struggling. It was not the time to be entertaining added regulations. He urged them to reopen businesses as fast as possible.

4. ADVICE/ INFORMATION ITEMS

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

Council President Menke attended a YCAP meeting and announced YCAP had received a PPP grant. The Housing Authority had come to a financial agreement with the property owner by the hospital for their affordable housing project.

Councilor Stassens reported on the Housing Center Strategy meeting. The Committee wanted more information before making a recommendation to Council. She also reported on the MURAC meeting where the housing strategy was also discussed.

Councilor Geary reported on the Landscape Review Committee, McMinnville Community Media, Mac Pac, and KOB meetings.

Councilor Drabkin reported on YCAP's hoteling program. Because of the stability of housing, they were seeing people go into permanent housing situations. She thought this program showed the need for a navigation center in the City. The Mission was also doing a great job of social distancing and working at capacity to provide sheltering.

Councilor Peralta noted there were grants available from the Mid-Willamette Valley Council of Governments. He would be sending comments to the Budget Committee.

Councilor Garvin said YCOM's budget would have the standard middle of the road rate increase to create stability in the fund. Last week was National Nurse Week and National Firefighter Day.

Mayor Hill had been working on the Mayors Association and LOC Conferences. He had been participating in LOC's weekly meetings, Yamhill County meetings, and partner meetings regarding Covid. He then discussed putting in an application for the SAFER grant.

There was discussion regarding staff time and resources to apply and risk if the Council decided to decline the grant.

There was consensus to direct staff to apply for the SAFER grant with Council President Menke opposed.

4.b.

Department Head Reports

Finance Director Cuellar discussed the upcoming Budget Committee meeting. The proposed budget was out and she encouraged Council to submit questions ahead of time. Next Wednesday would be the first virtual Court.

Human Resources Manager Bayer said the police contract had been signed by all parties. There were about 80 employees working remotely.

Information Technology Director Burke discussed the Go To Meeting program for virtual Court. The department was also helping all of the employees who were working from home.

Fire Chief Leipfert said they had submitted a grant application for PPE. They were still working through the FEMA reimbursement process.

Police Chief Scales introduced a new police officer that had begun to work for the City. The Student Resource Officers were patrolling since the schools were currently closed. They were recruiting for the new Corporal position and had been successful in recently taking down a commercial burglary.

Parks and Recreation Director Muir discussed the Mac Pac meeting and mac2you online program. She was working on reopening facilities following the state's guidelines. They had canceled the baseball and softball programs and summer concerts due to Covid.

Library Director Berg said they were providing home delivery service and printing tax forms for patrons. She also attended the Mac Pac meeting. They were working on how to do a phased reopening of the Library.

Planning Director Richards said they had received a grant to help with rehabilitating manufactured homes.

City Attorney Gowell explained the Supreme Court ruling on campaign contribution limits and how it allowed McMinnville to expand the scope of its campaign finance regulations.

City Manager Towery said he had been working with the Stable Table partners on reopening and creating opportunities for restaurant seating outside. He would be on vacation next week.

5. RESOLUTIONS

- 5.a. Consider **Resolution No. 2020-29**: A Resolution awarding the contract for the Lafayette Avenue Overlay, Project 2019-9.

Community Development Director Bisset said this overlay would be from 99W to a point between 8th and 9th Streets. They had received 7 bids and the bid from Baker Rock Resources was the lowest. The majority of the funds for the project would come from the Fund Exchange with the state and the remainder would come from the Transportation Fund. The project would begin in July and would be completed in October.

Councilor Geary MOVED to adopt Resolution No. 2020-29, awarding the contract for the Lafayette Avenue Overlay, Project 2019-9; SECONDED by Councilor Garvin. Motion PASSED 6-0 by the following vote:

*Aye – Councilors Drabkin, Garvin, Geary, Stassens, Menke, and Peralta
Nay – None*

- 5.b. Consider **Resolution No. 2020-30**: A Resolution approving the acquisition of property and a temporary construction easement from SMS Homes for the Old Sheridan Road Improvements transportation bond project.

Community Development Director Bisset explained this was the last piece of right-of-way and easement needed for this project. Funds for the purchase were included in the project budget.

Councilor Garvin MOVED to adopt Resolution No. 2020-30, approving the acquisition of property and a temporary construction easement from SMS Homes for the Old Sheridan Road Improvements transportation bond project; SECONDED by Councilor Peralta. Motion PASSED 6-0 by the following vote:

*Aye – Councilors Drabkin, Garvin, Geary, Stassens, Menke, and Peralta
Nay – None*

- 5.c. Consider **Resolution No. 2020-31**: A Resolution approving an Intergovernmental Agreement (IGA) between the City of McMinnville and McMinnville Water & Light (MWL) for construction costs related to new

public water main & electric facility improvements for the Old Sheridan Road Transportation Bond measure project.

Community Development Director Bisset said this IGA memorialized how they would coordinate the corridor improvements and how McMinnville Water & Light would reimburse the City.

Councilor Geary MOVED to adopt Resolution No. 2020-31, approving an Intergovernmental Agreement (IGA) between the City of McMinnville and McMinnville Water & Light (MWL) for construction costs related to new public water main & electric facility improvements for the Old Sheridan Road Transportation Bond measure project; SECONDED by Councilor Stassens. Motion PASSED 6-0 by the following vote:

*Aye – Councilors Drabkin, Garvin, Geary, Stassens, Menke, and Peralta
Nay – None*

9. ADJOURNMENT: Mayor Hill adjourned the meeting at 8:15 p.m.

Claudia Cisneros, City Recorder



230 NE Second Street • McMinnville, Oregon 97128

Staff Report

DATE: July 6, 2021
TO: Mayor and City Councilors
FROM: Amanda Guile-Hinman, City Attorney
SUBJECT: A Resolution ratifying a Declaration of State of Emergency for City of McMinnville concerning the collection, disposal, and general management of solid waste

STRATEGIC PRIORITY & GOAL:



COMMUNITY SAFETY & RESILIENCY

Proactively plan for & responsively maintain a safe & resilient community.

OBJECTIVE/S: Lead and plan for emergency preparedness

Report in Brief: This action is to consider a resolution to ratify a Declaration of State of Emergency for City of McMinnville concerning the collection, disposal, and general management of solid waste.

Background: On June 17, 2021, Riverbend Landfill, located in Yamhill County, notified haulers that it would stop accepting solid waste beginning June 19, 2021 collected from municipalities within the State of Oregon. In order to address emergent concerns at Recology Western Oregon's (Recology) transfer station, on June 29, 2021, Mayor Hill declared a State of Emergency for the City of McMinnville due to Riverbend Landfill's announcement that it would no longer accept municipal waste from solid waste haulers.

Discussion: Recology provides solid waste collection and management for the City of McMinnville (City) and surrounding areas. Recology owns and operates a transfer station within the City where it transfers waste and other materials collected to landfills and other disposal sites. One such site is Riverbend Landfill (Riverbend) in Yamhill County, Oregon.

With only two days' prior notice, Riverbend notified Recology that it would no longer accept municipal waste. Up to that point, Recology had transported some materials from its transfer station to Riverbend. Due to Riverbend's transition, Recology has experienced a significant disruption in its disposal operations, which is now impacting its transfer station operations, which similarly impact surrounding properties and the City.

The transfer station is subject to the McMinnville Municipal Code and the Conditions of Approval (COA) of its Conditional Use Permit No. CU 5-16. The City of McMinnville seeks to align its emergency response efforts with Recology, Yamhill County, Riverbend, and the Oregon Department of Environmental Quality (DEQ) in order to ensure the continued safe transfer and disposal of solid waste from Recology's transfer station.

In particular, depending on the interpretation of the COAs, Recology expressed concerns over its ability to meet four (4) COAs while developing operational plans to address Riverbend's refusal to accept municipal waste.

If the City Council ratifies the Declaration of State of Emergency, City staff will work with Recology, Yamhill County, and DEQ to continue safe transfer and disposal of solid waste from Recology's transfer station while protecting the livability of the area surrounding Recology's transfer station.

Attachments:

1. Proposed Resolution No. 2021-47
2. Signed Declaration of State of Emergency June 29, 2021
3. June 18, 2021 Letter from Recology Western Oregon

Recommendation: Council to adopt Resolution No. 2021-47 to ratify the June 29, 2021 Declaration of a State of Emergency for the City of McMinnville

RESOLUTION NO. 2021-47

A Resolution for City of McMinnville, Oregon Ratifying the Declaration of State of Emergency concerning the collection, disposal, and general management of solid waste.

RECITALS:

WHEREAS, Recology Western Oregon (Recology) owns and operates a solid waste transfer station within the city limits of the City of McMinnville; and

WHEREAS, Recology is subject to certain conditions of approval as part of its conditional use permit approving the solid waste transfer station; and

WHEREAS, with only two days' prior notice, Riverbend Landfill (Riverbend) notified Recology Western Oregon (Recology) on June 17, 2021 that it would no longer accept municipal waste beginning June 19, 2021; and

WHEREAS, up to that point, Recology had transported some solid waste materials from its transfer station to Riverbend; and

WHEREAS, due to Riverbend's unexpected transition, Recology has experienced a significant disruption in its disposal operations, which is now impacting its transfer station operations, which similarly impact surrounding properties and the City; and

WHEREAS, such disruption negatively impacts Recology's ability to meet some of its conditions of approval (COAs) in its City-approved conditional use permit no. CU 5-16; and

WHEREAS, the State of Oregon, pursuant to ORS 401.309(1); authorizes the governing body of Oregon cities and counties to declare a local state of emergency; and

WHEREAS, The City of McMinnville, pursuant to the Emergency Operation Plan authorized the Mayor to declare a local state of emergency; and

WHEREAS, The Mayor of the City of McMinnville finds that conditions require a local state of emergency; and

WHEREAS, The Mayor of the City of McMinnville signed a Declaration of State of Emergency on June 29, 2021;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MCMINNVILLE OREGON, HEREBY RATIFY THE DECLARATION OF STATE OF EMERGENCY SIGNED CONCERNING THE COLLECTION, DISPOSAL, AND GENERAL MANAGEMENT OF SOLID WASTE AND AUTHORIZES THE FOLLOWING:

1. City Manager of the City of McMinnville, as the Emergency Manager, may take any and all necessary steps authorized by law to coordinate the continued response to this emergency, including but not limited to, suspending or modifying certain COAs temporarily during the state of emergency; and
2. The state of emergency declaration provides the City Manager with the latitude to coordinate an effective response by redirecting funding for emergency use as needed and suspending standard procurement procedures; and
3. City Manager of the City of McMinnville is authorized to initiate emergency request for aid from Yamhill County, the State of Oregon, and the Federal Emergency Management Agency as necessary; and
4. This resolution is effective immediately and shall remain in effect until at least September 30, 2021, but may be extended as necessary.

Adopted by the Common Council of City of McMinnville at a meeting held the 13th day of July 2021 by the following votes:

Ayes: _____

Nays: _____

Approved this 13th day of July 2021.

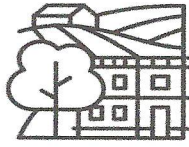
Mayor

Approved as to form:

Attest:

City Attorney

City Recorder



City of McMinnville

DECLARATION OF STATE OF EMERGENCY

To: Brian Young, Yamhill County Emergency Manager,
Yamhill County Office of Emergency Management

From: Mayor Scott Hill,
City of McMinnville, Oregon

At 12:34 pm (time) on 6/29/2021 (date),

On June 17, 2021, the Riverbend Landfill, located in Yamhill County, notified haulers that it would stop accepting solid waste beginning June 19, 2021 collected from municipalities within the State of Oregon.

The current situation and conditions are:

Recology Western Oregon (Recology) provides solid waste collection and disposal for the City of McMinnville (City) and surrounding areas. Recology owns and operates a transfer station within the City where it transfers waste and other materials collected to landfills and other disposal sites. One such site is Riverbend Landfill (Riverbend) in Yamhill County, Oregon.

Suddenly and with only two days' prior notice, Riverbend notified Recology that it would no longer accept municipal waste. Up to that point, Recology had transported some materials from its transfer station to Riverbend. Due to Riverbend's transition, Recology has experienced a significant disruption in its disposal operations, which is now impacting its transfer station operations, which similarly impact surrounding properties and the City.

The transfer station is subject to the McMinnville Municipal Code and the Conditions of Approval (COA) of its Conditional Use Permit No. CU 5-16. The City of McMinnville seeks to align its emergency response efforts with Recology, Yamhill County, Riverbend, and the Oregon Department of Environmental Quality (DEQ) in order to ensure the continued safe transfer and disposal of solid waste from Recology's transfer station.

Pursuant to the City of McMinnville Emergency Operations Plan and this Declaration, City Manager of the City of McMinnville, as the Emergency Manager, may take any and all necessary steps authorized by law to coordinate the continued response to this emergency, including but not limited to, suspending or modifying certain COAs temporarily during the state of emergency.

The state of emergency declaration provides the City Manager with the latitude to coordinate an effective response by redirecting funding for emergency use as needed and suspending standard procurement procedures.

City Manager of the City of McMinnville is authorized to initiate emergency request for aid from Yamhill County, the State of Oregon, and the Federal Emergency Management Agency as necessary.

The declaration, set to expire on September 30, 2021, and may be renewed if necessary. This declaration will be presented to the McMinnville City Council on July 13, 2021 for ratification.

The geographic boundaries of the emergency are:
The City Limits of McMinnville, OR 97128

WE DO HEREBY DECLARE THAT A STATE OF EMERGENCY NOW EXISTS IN THE CITY OF MCMINNVILLE AND THAT THE CITY HAS EXPENDED OR WILL SHORTLY EXPEND ITS NECESSARY AND AVAILABLE RESOURCES. WE RESPECTFULLY REQUEST THAT THE COUNTY PROVIDE ASSISTANCE, CONSIDER THE CITY AN "EMERGENCY AREA" AS PROVIDED FOR IN ORS 401, AND, AS APPROPRIATE, REQUEST SUPPORT FROM STATE AGENCIES AND/OR THE FEDERAL GOVERNMENT.



Signed: _____

Title: Mayor Scott Hill Date & Time: 6/29/2021 @ 12:34 pm

This request may be passed to the County via radio, telephone, or fax. The original signed document must be sent to the County Emergency Management Office, with a copy placed in the final incident package.



To: Mr. Jeff Towery
City of McMinnville

June 18, 2021

RE: Recology McMinnville Transfer Station – Conditional Use Permit No. CU 5-16

Dear Mr. Towery:

On June 17, 2021, Recology learned the Riverbend Landfill will no longer be receiving municipal solid waste beginning Saturday June 19, 2021. This could present a significant challenge to customers and residents both in the City of McMinnville and in Yamhill County.

To ensure public health and safety are our priority, we are preparing to potentially receive a sudden increase in customers visiting the Recology McMinnville Transfer Station. In reviewing our Conditional Use Permit (CU 5-16) issued by the City of McMinnville, we have identified several conditions of approval that may be difficult to comply with in these unexpected and urgent circumstances. These conditions are recited in italicized text below, followed by requests for your consideration.

Condition 5:

That all solid waste loads that arrive at the transfer station facility shall be required to be fully enclosed, covered, or use other means to prevent litter from being blown from the vehicles during travel. Such cover shall remain on the vehicles until positioned within the building. Loaded transfer trailers that are stored overnight shall be fully tarped, parked within the transfer station building, and shall be removed from the site at the start of the following operating day.

Due to the unknown amount of material we may receive and our continued need to adjust operations and transportation, there may be times when it is not practicable to park loaded transfer trailers within the transfer station building.

Request: Recology requests the ability to park loaded transfer trailers outside of the transfer station building as needed. These trailers will still be fully tarped and removed from the site at the start of the following operating day.

Condition 8:

That municipal solid waste received at the transfer station facility shall not exceed 50,000 tons annually. Compliance with this standard shall require the quarterly submittal of a written report to the Planning Department indicating the quantity of material (by weight) received at the facility during the reporting



period. Approval to accept solid waste beyond this limit shall require approval of a new conditional use permit from the City.

Initially, Recology does not anticipate exceeding this tonnage limit. However, it is unknown how many tons of municipal solid waste will be displaced by the closure of Riverbend Landfill. Recology believes it would be in the community's best interest to accept materials delivered to our facility for responsible management and transfer for disposal, rather than turning customers away.

Recology will continue to monitor tons coming into the facility monthly and reporting those tons to the City of McMinnville on a quarterly basis.

Request: Given these urgent circumstances, should Recology approach this tonnage cap, we respectfully request an emergency dispensation to continue to accept waste for transfer.

Condition 9:

That materials received at this facility shall be limited to those collected within the Recology Western Oregon service area, to include those portions of Yamhill and Polk counties generally described as including lands south of Dundee, east of Grand Ronde, north of Rickreall Road, and west of Grand Island.

It is unclear where customers will bring their waste in light of the closure of Riverbend Landfill. While Recology can certainly control tonnages collected within our service area, there is a potential for customers who are outside of these service areas to arrive at the Recology McMinnville Transfer Station.

Request: Recology will continue to monitor and report, to the best of our ability, the source of all customers utilizing our facility. Should customers arrive from outside of the service areas cited within Condition 9, Recology requests the ability to accept this waste.

Condition 10:

That, in order to minimize odor, the applicant shall:

- a. Conduct all waste transfer operations within the enclosed building, except during extraordinary circumstances beyond the Applicant's control;*
- b. Clear the tipping floor of waste on a daily basis, except during extraordinary circumstances beyond the Applicant's control;*
- c. Ensure that incoming municipal solid waste that exhibits strong odor shall be transferred as soon as possible from the transfer station; and*
- d. Continually transfer waste materials throughout the operating day on a first-in, first-out basis.*
- e. Keep vehicle access doors and curtains shall be kept closed, except briefly to allow vehicle ingress and egress.*



Specific to Condition 10.b: Recology prides itself on a commitment to compliance, a strong environmental record, and operational excellence. Throughout these unique times, we will continue to operate the transfer station in a manner that complies with our DEQ Solid Waste Disposal Site Permit and protects human health and the environment. However, due to the unknown amount of material we may receive and our continued need to adjust operations and transportation, there may be times when meeting condition 10.b, clearing the tipping floor on a daily basis, is not practicable.

Request: Recology requests a dispensation this condition, with the understanding that any waste remaining on the tipping floor will not pose a human health or environmental risk.

Specific to Condition 10.e: while the load out tunnel doors will remain closed with the exception of vehicle ingress and egress, Recology believes it may be difficult and potentially unsafe to keep all other vehicle access doors closed, given the amount of traffic that may visit the facility. Given Recology's plan for operation of the facility with the increased traffic, no increase in odors that could impact the surrounding community are expected.

Request: Recology requests that vehicle access doors, other than the load out tunnel doors, be allowed to remain open during business hours. The doors will be closed at the end of each business day.

We appreciate the opportunity to continue to serve the community of McMinnville, and your consideration and partnership as we manage through these unprecedented times.

Sincerely,

Carl Peters
General Manager, Recology Western Oregon