



**CITY OF YAMHILL, CITY COUNCIL MEETING
Wednesday, January 10, 2018 7:00 P.M.
MINUTES
REGULAR MEETING**

1. CALL TO ORDER: Roll Call

The meeting was called to order by Mayor Terp at 7:00PM

Present: Mayor Terp and Councilors Disbrow, Echauri and Potter
Staff present: City Recorder Gilmore, Superintendent Howard, Chief Graven,
City Attorney Gowell

2. PUBLIC COMMENT:

None Received.

3. PRESENTATIONS & APPOINTMENTS:

A. Election of Council President – Charter Chapter III, Section 9.

Mayor Terp nominated Kay Echauri for Council President, Disbrow seconded.

Motion by Terp, seconded by Disbrow, to appoint Kay Echauri for Council President.

Roll call: Ayes: Disbrow, Terp, Potter and Echauri
Nays: None

The motion carried.

B. Budget Officer – one-year appointment – Lori Gilmore – 2018/2019 budget year.

Motion by Echauri, seconded by Potter, to approve the appointment of Treasurer Lori Gilmore as Yamhill City Budget Officer for the 2018/2019 budget year.

Roll call: Ayes: Disbrow, Terp, Potter and Echauri
Nays: None

The motion carried.

C. Budget Committee – Rocky Losli re-appointment- three-year term expires December 31, 2020.

Motion by Echaury, seconded by Disbrow, to approve the Budget Committee re-appointment of Rocky Losli, term expires December 31, 2020.

Roll call: Ayes: Disbrow, Terp, Potter and Echaury
Nays: None

The motion carried.

- D. Planning Commission – Consider re-appointment of Samuel Fox – two-year term – 2018-2019 (Term expires December 31, 2019)

Motion by Echaury, seconded by Disbrow, to approve the Planning Commission re-appointment of Samuel Fox, term expires December 31, 2019.

Roll call: Ayes: Disbrow, Terp, Potter and Echaury
Nays: None

The motion carried.

- E. Planning Commission – Consider re-appointment of Carol Prendergast – two-year term – 2018-2019 (Term expires December 31, 2019)

Motion by Echaury, seconded by Disbrow, to approve the Planning Commission re-appointment of Carol Prendergast, term expires December 31, 2019.

Roll call: Ayes: Disbrow, Terp, Potter and Echaury
Nays: None

The motion carried.

4. UNFINISHED BUSINESS:

- A. Discuss City moving forward with Timber harvest.

Agenda item have been continued from the October 11, 2017, November 8, 2017 and December 13, 2017 Council meetings. A letter was received on September 15, 2017 from the United States Department of the Interior, Bureau of Land Management, Tillamook Field Office, stating BLM has accepted the City's findings. Attorney Gowell had responded in an email recommending that the City decide to either, Identify the BLM trees and see what a timber harvest that leaves those trees will yield; or approach the BLM about a valuation of the BLM trees for negotiating an exchange with the BLM where the City buys replacement land for BLM at an agreed cost in exchange for transfer of the BLM trees to the City. At the October 11, 2017 Council meeting, Howard recommended to Council that our timber consultant, Garner Timber Services, should evaluate the City's timber and estimate the cost to harvest the City's timber and leave the BLM timber before deciding on how to proceed. At the November 8, 2017 Council

meeting, Howard stated that he had not yet received an estimate from Garner Timber Services. At the December 13, 2017 Council meeting, Steve Garner, of Garner Timber Services was in attendance and explained the City's options for selling the timber and Attorney Gowell suggested that staff consult and return at the January 10, 2018 meeting with a recommendation for the choice of procurement process. Mayor Terp then directed Gowell, Garner and staff to discuss procurement options and bring decision for approval to the January 10, 2018 Council Meeting.

Attorney Gowell provided bid documents and contracts for the City's Timber harvest which included; Request for Proposal; Invitation to consider Timber Purchase; Logging Contract; Agreement for Sale of Logs and Security Agreement; and Timber Payment Bond. Gowell reported that the City would do a "sort sale" where the City would request that different mills bid on the different sizes of lumber and the City would act as their own sales person to sell the timber to the mill with the highest bid for that sort. The City would then contract with a trucker and logger to harvest the timber and truck the timber to the mill, at which time the mill pays the City and then the City would pay the trucker and logger. The harvest process does call for a performance Bond where the Lumber Mills are required to post a cash bond for 50% of their anticipated purchase up front. This process would provide cash for the City to pay for the harvesting costs. The contracts would contain Insurance provisions, Environmental provisions and compliance with State Regulatory conditions.

Mayor Terp had a question regarding who would be responsible for the required logging road construction and maintenance listed in the Logging Contract. Gowell reported that the logger will be responsible, and the cost will be included in the contract to the logger. Gowell reported that the logging is estimated to be done in late spring and summer of 2018 with delivery to be completed by late fall of 2018.

Motion by Echauri, seconded by Potter to authorize staff to proceed with the Timber Harvest solicitation based upon the basic format provided to Council, subject to any numerical updates from the forestry consultant.

Roll call: Ayes: Disbrow, Terp, Potter and Echauri
Nays: None

The motion carried.

B. Reconsideration of Yamhill/Carlton School District Variance Approval.

Information from the City Council meeting on December 13, 2017 read that Attorney Gowell stated that the variance matter would become mute if no appeal is received within 21 days for Ordinance O-522 which was passed that night, as the new Facility Zone would be final after that time and no variance would be necessary. Because the zone change could still be challenged for 21 days after December 13, 2017, the School District has requested the City Council continue processing the variance permit request, subject to the orders of the Land Use Board of Appeals in consideration of the new information received and the additional request from the School District to delete the variance request for the CTE building. A motion at the December 13, 2017 Council

meeting approved Variance permit request for Case # 17-01 as amended to remove the CTE Building from the request and in consideration of the additional submitted written rebuttal and the modified findings of fact.

Gowell reviewed the actions taken on this variance application from the December 13, 2017 meeting and stated that two actions were taken at the meeting; approving a code amendment and zone change to create a public facility zone and re-zoning four separate properties including the Yamhill/Carlton School District Property. After the approval, 21 days were allowed for any challenge or appeal, and that time has now passed, and the re-zoning and Ordinances are final and now in effect. Because the re-zoning was not challenged, and the Ordinances are now in effect, the variance requirement is mute as the re-zoning permits taller structures and the need for the variance has dissipated. A letter dated January 10, 2018 was received from the School District's Attorney, formally withdrawing its application for Variance #17-01.

Motion by Echaury, seconded by Disbrow to reconsider the variance approval and rescind the approval based upon the written request for withdrawal from the School District.

Roll call: Ayes: Disbrow, Terp, Potter and Echaury
Nays: None

The motion carried.

5. ORDINANCES:

FIRST READING:

A. None Scheduled

SECOND READING:

A. None Scheduled

6. NEW BUSINESS:

A. Consider All Hands Consulting Contract for \$20,000.00 and authorize Mayor Terp to execute contract. (State Homeland Security Grant has awarded the City of Yamhill \$20,000.00 for the project)

Echaury made motion, seconded by Potter to accept and approve the All Hands Consulting Contract and authorize Mayor Terp to execute contract after the Grant Agreement is received from State Homeland Security in the amount of \$20,000.00.

Roll call: Ayes: Disbrow, Terp, Potter and Echaury
Nays: None

The motion carried.

7. CONSENT AGENDA:

A. Approve Council Minutes

- (1) Regular Session – December 13, 2017
- B. Financial Statements
- C. Approve the following Purchase Orders:
 - (1) Accu-Tech Automotive – PO #18-028 - \$3,243.68 -2009 Dodge Charger Repair.
 - (2) Environmental Systems Research Institute – PO #18-029 – \$1,500.00 – Yearly GIS Subscription
 - (3) DLT Solutions – PO #18-030 - \$541.55 – Yearly Auto CAD subscription.
 - (4) OreVac West, Inc. – PO #18-031 - \$10,520.00 - removal of sludge

Motion by Echaury, seconded by Disbrow to approve the Consent Agenda as presented.

Roll call: Ayes: Potter, Disbrow and Terp
Abstain: Echaury

The motion carried.

8. DEPARTMENT/COMMITTEE REVIEW/REPORTS:

- A. Police Review– Graven – Monthly report in packets.

Chief Graven provided a report of December calls. Graven reported that Officer Miller has now completed his training and is ready to work solo. Officer Van Cleave is on leave for three weeks and is in Cambodia. Graven notified Council that there will be a memorial service on January 17th for a Pierce County Washington Sheriff’s deputy that was killed, and he and other Yamhill officers will be attending.

Mayor Terp questioned if the City could place a digital speed road sign on the corner of Highway 47 and Pike Road to slow traffic because of the sharp corner. The property located near that intersection has been hit several times and the owner has requested help from Oregon Dept. of Transportation (O.D.O.T.) to help mitigate the dangerous corner. The guardrail adjacent to the home has been hit and replaced numerous time. Terp also questioned if the City could request directly to O.D.O.T. for action to be taken. Howard reported that prior to O.D.O.T. considering action, the department must receive a determined amount of complaints.

Gowell recommended a Resolution be drafted and ready for the February meeting that would specify the City’s concern for the dangerous corner and formally request O.D.O.T.’s assistance.

- B. Public Works Review – Superintendent Howard – Memo in packets.

Superintendent Howard provided his staff report included in packets.

Howard reported that he will be attending training in Tacoma, Washington in April 2018. Howard also reported that the City will be moving forward with the “One Stop Meeting” to gain funding for the City’s Water Line Project, and also the State of Oregon’s Grant application process is now open for State funding. Council’s consensus is to move forward with filling out an application for State funding as well as moving forward with the “One Stop Meeting” process.

The City’s Water Master Plan update is nearing completion and the draft has been

received, with a completion date estimated to be later in February. Howard indicated that the City will need to look for another water source in the future to meet the anticipated growth of the City and recommendations for alternate sources will be included in the Plan.

C. Mayor/Administration Review-

Mayor Terp reported that there has been one application received to date to fill the vacant councilor position, and any applications received will be reviewed at the February 14, 2018 Council Meeting.

D. Council Review

None Received.

E. Emergency Preparedness Review

Disbrow reported that the FY2018 FEMA Grant package is ready for submittal to the County for \$60,000.00 to update the City's existing Emergency Operations Plan. Disbrow also reported that the seismic upgrade planned for the Yamhill Fire District will not affect the continued use of the second floor for the City's Emergency Operations Center.

9. INFORMATION/ANNOUNCEMENTS:

- A. Receive 2018-2019 Fiscal Year Budget Calendar.
- B. OLCC License renewal list- informational only
- C. Mid-Willamette Valley Council of Governments Annual Meeting & Dinner, Wednesday, January 31, 2018 @ Spirit Mountain Event Center.
- D. City County Dinner hosted by The City of Amity – February 15, 2018
- E. Vacancies: City Council – 1 member
Planning Commission – 1 member
Budget Committee - 2 members - Applications are available at City Hall

10. ADJOURNMENT: 7:45 PM

Motion by Disbrow that the meeting adjourn at 7:45 PM.
The motion carried by unanimous vote.

Respectfully submitted,

Paula Terp
Mayor, City of Yamhill

ATTEST:
Lori Gilmore, City Recorder