



**CITY OF YAMHILL, CITY COUNCIL MEETING
Wednesday, October 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, Gray and Potter
Staff present: City Recorder Gilmore, Superintendent Howard, Officer Van Cleave

2. PUBLIC COMMENT:

Brian Jensen, the Fire Chief for the Yamhill Fire Protection District submitted a letter to be read into the record a "Notice of Fire Code Violation" regarding events in the new CTE building at the Yamhill-Carlton High School. As of today, there have been no temporary or permanent occupancy given to the school to use the building due to not meeting the 2014 minimum Fire Flow Code of 1,500gpm. The YFPD would like to place the letter on Public Record and declare the CTE Building a hazard and notify all parties that if there is a Fire at this location the Fire District may not be able to perform any Life Safety or Fire suppression activities due to the lack of the minimum of 1,500gpm fire flow. When the School District is ready to occupy this building, there must first be a Formal request of a "Plan of Correction" submitted to the Yamhill Fire Protection District and the Oregon State Fire Marshal for review. Until the Plan of Correction is submitted, reviewed and accepted by the YFPD and the Oregon State Fire Marshal, the City of Yamhill must deny any occupancy.

Daryl Reibold of Yamhill owns a business at 145 N. Olive Street and has an issue with the next-door business owner. Reibold stated that the other business owner constantly blocks the access to his business and has been talked to by Reibold and a Police Officer but continues to block the access. Reibold provided pictures of the area to the Council. There was discussion whether the City should post additional no parking signs in this right-of-way area. It was also discussed that N. Olive Street is a County Road and is a double jurisdiction with the City. Reibold also reported a resident at 417 N Olive Street has a pick-up and trailer parked in the yard that causes a clear vision hazard and believes someone is living in the trailer. It was noted that the same resident has had many code violations over the last few years with similar complaints.

Howard recommended that the Council make a request to the County for additional signage for “No Parking” at the business site at 145 N. Olive Street. The Council could also request the County enforce the Municipal Code for the clear vision hazard.

Councilor Potter recommended that violation letters be sent to the residents involved first before going to the County and see if it can be resolved and schedule a follow-up at the November Council meeting.

Roger Young of Yamhill owns a business at 190 W. Main Street and has a complaint regarding illegal parking at the entrance to his business. Young claims he has been threatened many times for having customers of Trask Mountain Outpost move their vehicles.

Larry Heesacker of A1 Logging in Yamhill wanted to issue a complaint regarding big rigs in town using their “jake brakes” and stated they are unnecessary to use and are a noise nuisance. Heesacker requested the Police Department enforce these violations, and Officer Van Cleave stated he would notify the Department to watch for these violations during their patrolling.

3. PRESENTATIONS & APPOINTMENTS:

A. None Scheduled.

4. UNFINISHED BUSINESS:

A. Discuss property for sale at 185 S. Maple Street and the possibility of contamination cleanup.

Continued discussion from the August 8, 2018 and September 12, 2018 Council meeting. Staff had been directed to contact DEQ and determine if a Grant could be acquired by the City to fund the soil contamination clean-up and report findings back to Council. The potential buyers of the property would like to work with the City, the County and DEQ to mitigate the decontamination of the property.

Howard reported that he has heard back from DEQ and their recommendation is to have Yamhill County pursue Grant Funding for the property clean-up as the County can obtain the grants faster and easier than the City. It was also recommended that Yamhill County should be notified that the City of Yamhill is interested in receiving more information on the property. It was noted that Commissioner Primozych was contacted in September notifying the County of the City’s interest.

5. ORDINANCES:

FIRST READING:

A. None Scheduled

SECOND READING:

A. None Scheduled

6. NEW BUSINESS:

- A. Discuss installing booster pump station at Pike Road and Olive Street and committing timber money for the project.

Installation of a booster pump station at Pike Road and Olive Street was discussed to increase the water flow throughout the City's system including the YCSD campus and maximize gallons per minutes at the hydrants. The pump station could be designed to possibly boost the water flow in the downtown area during a fire event to between 1500 to 1600 gallons per minute. The pump station is estimated to cost more than \$250,000.00 and would take approximately twelve to fourteen months to construct and be operational. The booster pump would be a temporary solution while the new transmission line is being completed. There was discussion whether the City would want to obligate funds from the timber revenue for this project or use the funds to pay directly to the water transmission line project. If funds up to a maximum of \$250,000.00 to \$300,000.00 are obligated from the timber revenue for this project, the booster pump would help the downtown area, current residents and any future developed subdivisions. Once the water transmission line project is completed, the booster pump station could be moved to the eastside of town to increase the water flow for the light industrial area of Yamhill, until such time that the City expands the water system and completes a reservoir on that side of town.

Howard recommends that Council consider obligating funds from the timber sale to pay off the current water debt loan of approximately \$150,000.00, upgrade the Water plant SCADA system of approximately \$80,000.00 and fund the installation of the booster pump, for a total obligation of \$480,000.00. If the Council approves funding these projects with the timber sale proceeds, a supplemental budget would need to be done unless funding is after July 1, 2019.

It was noted that to date current revenues for the Timber sale is \$233,000.00 with a estimated total of \$1,200,000.00 when harvest is complete.

Motion by Echaury, seconded by Gray to approve installing the booster pump station at Pike Road and N. Olive Street to increase the water flow throughout the City's system to help with future City expansion until the new transmission line from the reservoir to town is installed and operational.

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

The motion carried.

- B. Discuss Grant for Water Transmission Line from the reservoir to town.

Howard stated he is currently working on the Grant application for the Water Transmission line from the water plant to town and reported that the State is reviewing the application. The project is estimated to be a cost of \$4,000,000.00. The City's debt to income ratio for the Water Fund must meet at least a 1.2 debt ratio that includes the debt for the two current loans. Discussion continued regarding using some of the

proceeds from the current Timber sale to pay down debts to meet the 1.2 Debt to Income Ratio.

Howard reported that a recent meeting resulted in a solution for meeting the 1.2 debt ratio requirement. The scenario to meet the requirement would be a commitment from the Council to agree to obligate paying off a current water debt loan of approximately \$150,000.00 with Timber revenue; Water System Development Funds of \$150,000.00 in both 2020 and 2021; and implement a water rate increase in 2021 and 2022 of 17% for each year and continue the 3.0% yearly increase in 2023. If the Council would move forward in agreeing to obligate these funds and increases in the future, the State would be confident in approving our \$4,000,000.00 loan application in December. The project would need to be completed by December 31, 2021. The loan would include a forgiveness amount of between \$250,000.00 and \$300,000.00.

Motion by Echaury, seconded by Potter to move forward with resolution to increase water rates of 17% in 2021 and 2022 and move forward with the Water Line Project from the reservoir to town to increase the gallons per minute flow in the City of Yamhill.

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

The motion carried.

- C. Consider approving grading and paving of Azalea Street and accepting \$7,000.00 from the Y/C School District for their section of the street.

Howard commented that the City's current development application fee includes four hours of professional services provided by the City and states that each applicant is responsible for all costs over the four hours provided. To date, the City has paid over \$27,000.00 in engineering fees and costs associated with the development of the School District building project. There is currently \$22,000.00 in the School Districts water line project fund that has been maintained by the City for the Pike Road to the School District property pipeline. Howard suggested that if the School District agrees, that the balance the School District owes for professional service fees of \$27,000.00 be taken out of the water line project fund account that currently has \$22,000.00 and not charge them for any balance for professional services or the Azalea Street improvement costs. Howard stated that the offer was proposed to the School District, but he has not heard a response yet.

Howard reported that the School District is required to complete the remaining public improvement work on their section of E. Azalea Street where it was dug up to install pipeline for their project. The estimated cost for the School Districts portion is \$7,000.00, and an agreement was discussed to have the district pay the City for their section and the City would complete the improvement work.

Terp questioned whether a decision should be made before notification from the School District that they accepted the proposed offer. Howard recommends making a decision to accept the offer from the School District for their half of Azalea Street improvement and the City completing the whole street project from side to side at a future date.

Motion by Echaury, seconded by Disbrow to approve grading and paving of Azalea Street and accepting \$7,000.00 from the Y/C School District for their section of the street.

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

The motion carried.

- D. Review M.O.U. between the Yamhill-Carlton School District, Yamhill Fire District and City of Yamhill for temporary occupancy of the CTE and Gymnasium building.

Yamhill-Carlton High School (YCSD) is presently in the final phase of the construction project being undertaken and funded in accordance with the requirements of the general obligation bonds previously issued by YCSD and as a part of the design and implementation of its construction project, was required to meet minimum-fire protection and fire-flow standards of the Oregon Fire Code as a part of the approval of that construction project. The City of Yamhill issued building permits on the understanding that planned on and off-site water system improvements would attain the required Fire Flows; and the Yamhill Fire Protection District (YFPD) acknowledged YCSD's plans and specifications to maximize possible minimum fire-flow requirements for the project subject to the completion of certain onsite pipeline improvements.

A draft of an Intergovernmental Agreement for temporary occupancy of the Gymnasium and CTE Building for the Yamhill-Carlton School District was provided. The agreement was drafted by the attorney for the School District and reviewed by Attorney Gowell, the City's attorney. Howard recommends not accepting the draft, as it needs to be clear and specific regarding the city not having the responsibility of providing fire flow and being blamed if the issue of the booster pump does not fix the School Districts fire flow issues. Howard met earlier today with Fire Chief Jensen, a Fire Board member and a School District board member to discuss the agreement. After the discussion, it was suggested to not use any further attorneys to write the agreement, but only have them review the agreement after the three parties involved draft an acceptable "Plan of Correction". Terp questioned the timeline, as it is necessary to move quickly on approving a temporary occupancy permit for the School District.

Once the "Plan of Correction" is received from the School District, the Fire Board has already agreed to hold a special meeting for approval and consensus from the City Council would also agree to hold a special meeting as quickly as possible. Tim Pfeiffer, a School Board member also agreed to recommend that the School Board schedule a special meeting in conjunction with the City and Fire Board. It was also noted that a water hydrant flow test is scheduled for Tuesday, October 16, 2018 and more information will be available after that time.

7. CONSENT AGENDA:

- A. Approve Council Minutes
(1) Regular Session – September 12, 2018

- B. Financial Statements
- C. Approve the following Purchase Order:
 - (1) OreVac West Inc. – PO # 19-020 - \$2,360.00 – Water Plant sludge Removal.

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

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

The motion carried.

8. DEPARTMENT/COMMITTEE REVIEW/REPORTS:

A. Police Review– Graven – Monthly statistical report in packets.
Chief Graven was not in attendance and Police Officer Van Cleave was available for questions and reviewed the statistical report.
Van Cleave reported that the Police Department is currently accepting bids for pricing of a purchase of a new patrol vehicle that is budgeted for this fiscal year. Bids have been received for both a Ford Explorer SUV and Dodge Charger and due to the high cost bid of the SUV Van Cleave believes the Dodge Charger will be the accepted bid.

C. Public Works Review – Superintendent Howard – Staff Report in packets.
Superintendent Howard provided his staff report included in packets.

(1) Information Memo reviewing upcoming projects and agreements.
Howard provided a memo to keep the Council informed of the current status of upcoming projects.

An item on the memo pertains to three new water service lines installed across the school district property. The three service lines were installed, and none were inspected or pressure tested before they were covered up. These new service lines will require System Development Charge fees according to our Municipal Codes. Howard indicated that it is common practice in developments for the developer to ask for SDC credits based on upgrades that have been done on the municipalities system during the development. The Council will need to decide if they want to collect the SDC fees or waive them once the request for credits is received from the School District. The School District has been informed that they would need to formally submit a written request for waiving the SDC fees.

D. Mayor/Administration Review-
None Received.

E. Council Review
Disbrow reported that there was an Economic Development public meeting held on September 27, 2018 and there were over 60 people in attendance. There will be a follow-up meeting on October 18, 2018.

Councilor Gray suggested an idea for Economic Development in the downtown area, place potted, movable Evergreen Trees on sidewalks on Main Street and Maple Street. Gray has contacted citizens for donating the trees and would organize a committee to maintain the trees. Terp stated that due to ADA requirements, placement of trees would not be able to be placed on sidewalks.

Councilor Potter reported that she recently did a Police-ride-a-long with Officer Van Cleave and had a wonderful experience and learned so much about our City and the surrounding communities. Potter was pleased to see the respect given to Officer Van Cleave when they interacted with other officers and agencies and feels Van Cleave represents the City with honor and integrity.

Council Echauri addressed the issues brought up during the public comment and suggests violation letters be sent prior to contacting Yamhill County for “No Parking Signs” for the N. Olive Street violation. Discussion continued regarding the business owner at 190 W. Main Street and staff was directed to order no parking signs and paint the curb areas yellow at the entrance area to 190 W. Main Street.

F. Emergency Preparedness Review

(1) Discuss monthly schedule for EOC Working group meetings.

Disbrow discussed rescheduling the October 26, 2018 meeting due to several people not being able to attend. It was also discussed that the upcoming holidays may cause low attendance also. Consensus was to schedule the next meeting on Friday, November 16, 2018 @ 9:00am and begin a new schedule in January 2019.

(2) (Item Removed)

9. **INFORMATION/ANNOUNCEMENTS:**

- A. Information regarding Liquor License application for 180 S. Maple St.
- B. City offices will be closed Monday, November 12, 2018 –to observe Veteran’s Day.
- C. City/County Dinner – Hosted by the City of Dayton – Thursday, November 15, 2018.

10. **ADJOURNMENT: 9:20 PM**

Motion by Echauri that the meeting adjourn at 9:20PM.

The motion carried by unanimous vote.
Respectfully submitted,

Paula Terp
Mayor, City of Yamhill

ATTEST:
Lori Gilmore, City Recorder