



City of Yamhill

A small taste of Oregon

MINUTES

City Council Meeting

Wednesday, October 9, 2024

6:30 P.M.

1. CALL TO ORDER – Roll Call

The meeting was called to order at 6:32 p.m.

Roll Call

Present, In-Person: Mayor, Yvette Potter.

Councilors: Marci Jensen, Shea Corrigan, Tim Askey

Councilor, Kim Kind, joined the meeting after her Oath of Office.

Staff Present, In-Person: Shelley Reimer, City Administrator; Greg Graven, Chief of Police; Jason Wofford, Public Works; Angie Fowler, City Recorder

2. FLAG SALUTE

3. PUBLIC COMMENT

Ingrid Denman, 420 E Third St.

Mrs. Denman had concerns about E Third Street not having stop signs. They expressed that vehicles are speeding down the street.

Robert Davis, 212 N Maple St.

Mr. Davis had a couple of questions. His first question was to the mayor on behalf of Yamhill Neighborhood Association he asked why she voted against the lighting ordinance that was presented at the last council meeting. His second question was why City Hall is not open on Fridays.

Patty Pairan, 215 N Maple St.

Mrs. Pairan had three issues.

The first was in reference to a contractor in the new subdivision watering in the afternoon and a couple of new homeowners were also watering. She said a comment that she had received is why should we, as residents, follow the restrictions when the contractors are not and do not appear to care.

The second issue was about the traffic on highway 47. She stated that while public works was working on a watermain break they (the traffic) were going by there like their backside was on fire. She was sorry, but she thinks that is so totally wrong.

The third issue was with the gas station across the street. She stated that it was not what was approved and expanded saying those are concrete blocks, not bricks.

Brain Denman, 420 E Third St.

Mr. Denman wanted to follow up on Mrs. Denman's comment about the stop signs on Third St. He personally believes that there needs to be a stop sign on each end of the park because they are rolling down the hill at 20. He thinks there is only one speed sign, but he is not even sure. He gave a scenario of a Ford F350 ripping out of there and hitting a bump to get their truck high.

He stated that on the way over there was an officer flying by and he was wondering what he was doing, but then he hit his lights and pulled somebody over.

He discussed putting sandwich boards out, asked if there was an ordinance to keep bushes trimmed back, and mentioned sidewalks.

Rocky Losli, 530 E Second St.

Mr. Losli spoke on the topic of communications and the issue has to do with an illustration of a water main repair. He wanted to compliment whoever was in charge of getting that done, people like that kind of communication.

The other issue he had was regarding the new developments and a declaration of emergency changing the setbacks on the homes were reduced from 7 to 5 ft. His concern is that houses that close together a fire would travel from home to home with a continuous progression. He would like the council to bring this information to the planning commission and make a change.

Jenny Morrison, Adcock Rd.

Mrs. Morrison had an update for the Yamhill Downtown Association. She has a meeting with Marci Jensen and Shelley Reimer about the Fall stuff. Tomorrow night is Bingo night. They are working on the Christmas lights for all of the buildings downtown. They have been trying to get involvement from the businesses downtown to donate toward the Christmas lights.

The Bingo night is for the Halloween Trunk or Treat. They are doing a music theme. She invited the city and the Police Department to participate.

They, the YDA President and her, the Vice President will be attending a Main St. conference in Walla Walla and we are attending a building blocks conference workshop that is going to help us learn more about the capabilities of the Oregon Main Street, or the main street nationally, and resources that we can use and tap into to help with all of our projects that can also tie into our economic development committee efforts.

The mayor thanked the YDA for all they do in the community. She asked that Jenny would let them know. She then asked if there was anyone else that would like to make a public comment

and that they come up to the podium.

Ingrid Denman, 420 E Third St.

Mrs. Denman brought up another concern regarding code enforcement and asked if we have a code enforcement program and was told that we do. It is complaint driven and a form needs to be filled out at City Hall.

She stated that she had already done that. The City Recorder told her that she could look into her previous complaint and/or give her a new form to fill out after the meeting. She began to give information on her complaint and was told that it would need to be added to the form.

There were no other public comments in person or online.

4. AGENDA UPDATES OR ADDITIONS – City Recorder

The City Recorder updated the council on changes to the agenda. Additions included in blue ink; subtractions annotated with strikethrough.

5. CONSENT AGENDA

- A. Financial Statement to Current
- B. Minutes 9-11-24 Council Meeting
- C. Xylem Emergency Purchase of Pump for Public Works Notification

A MOTION TO APPROVE THE CONSENT AGENDA AS IS

ROLL CALL: Motion introduced by Shea Corrigan and seconded by Marci Jensen

Ayes (4): Potter, Corrigan, Askey, Jensen

Nays (0): None

The motion carried.

6. PRESENTATIONS

- ~~A. Kay Echaury Recognition of Service Award – Mayor Potter~~

7. OATH OF OFFICE

A. Kim Kind, City Council

Kim Kind took her Oath of Office and joined the council.

8. COMMITTEE REPORTS

~~A. Planning Commission – Ken Moore, Chair~~

~~B. Water Advisory Committee – Cathy Phillips, Chair~~

Patty Pairan, Water Advisory Secretary, spoke in Cathy's absence.

Patty stated that one of the public concerns at the water meetings is that there are no updates as to what the water advisory committee has been doing. She has volunteered to get this information together so that it could be provided to anyone. She is currently working on that. The other thing requested is that communication in other forms other than online, through Facebook, or whatever the case may be. She volunteered to get a phone tree together and is working on that too.

C. Economic Development Committee – Jenny Morrison, Chair

Jenny Morrison spoke on behalf of the economic development committee. They have had a little pause and are now reconvening to go over a new strategy and objectives. They will be having their first meeting on the 15th.

9. UNFINISHED BUSINESS

A. DLCD Grants Citizen Advisory Committee Update

Shelley Reimer gave an update on the CAC meeting. The scope of the meeting was essentially to get the participants together in the room, give them an overview of the project and the scope of work, the schedule of work, and then kind of go around the table and find out what people's priorities were for the housing code updates and for the Downtown Development. And then the bulk of the work was really around the build double lands inventory and the map that they provided, and then just having the citizens, you know, input on if they saw any errors, if there was anything that might have been, you know, unbuildable, that was marked otherwise, and that sort of thing. So they did that as a group at the meeting, and then also received the documents by email later to hone in and look a little closer and try to figure out and then provide that feedback to me, and then I'll provide that back to the consultants, and they'll use that to inform their work going forward.

And then the other thing that is coming up is the public meeting where the citizens will have an opportunity to comment and provide a feedback on what the consultants have recommended so far, and that's going to be November 21 here at City Hall, from 6 p.m. to 8 p.m. We'll be sure to put a public notice out about that in all the places. But one of the places we're going to spread the

word is our trunk or treat as well, so we're going to be handing out flyers or somehow trying to spread the word through that.

B. Merkley Grant Updated Contract w/ AKS.

City Administrator Reimer updated the council on the Merkle Grant.

For the Hillsboro tie in the EPA, which is the funding agency, required us to before we could actually apply for the grant, go back and go out to bid for engineering services, because we had had our engineer for too many years, and so after so many years, they make sure you still competitive. We complied with that, and we had one submission to the RFP, and it was from our current engineers, so we will be moving forward with them.

The full RFP has been sent to the council, but we are doing a separate, standalone contract with them for this project, just to keep things clean for the EPA. There's no overlap with our existing contract.

She stated that she is seeking approval tonight from Council for permission to go ahead and sign this contract, so that that will close that loop, and I can now then apply for the actual grant, and then hopefully get those funds moving.

A MOTION TO GIVE SHELLEY APPROVAL TO SIGN THE ENGINEERING SERVICE AGREEMENT WITH AKS

ROLL CALL: Motion introduced by Shea Corrigan and seconded by Marci Jensen

Ayes (5): Potter, Corrigan, Askey, Jensen, Kind

Nays (0): None

The motion carried.

C. Water Storage Reservoir/ Archeological Study Update

City Administrator Riemer updated the council on the archeological dig.

For the reservoir for the FEMA grant. You signed off on the approval for the archeological dig, which was required for the grant, and the organization that conducted that study found an artifact that they call an isolate. That's common for scientists. I'm not sure they found something, and the good news is, is that it did require additional digging and an additional day of research, which added on to our initial costs by about \$4,300 but for the initial 12,000 will be reimbursed for that amount. But the study just came back, and they determined that it was an isolated item, and we can proceed what that item was refined out.

D. Yamhill County Transit Update

YCT was provided with feedback from the community regarding the bus stops and signage and will be making the changes provided they get ODOT approval.

E. MSA/SOW – Auditor’s Contract Update

Mayor Potter gave an update on the auditor’s contract as she read it prior to the meeting this evening.

The auditor’s contract that initially came to us, and there was some wording in there that we were not comfortable with. And so, we sent it to we've initially sent it to our attorney. He sent it back saying, and there's some questionable things. We sent it back to our attorney. Our Attorney sent it back to us, saying that they've made some changes; they didn't make some changes, but he's proposing that overall, it's good and it's in our best interest. The attorney proposes that we approve the contract as it is now, with the updates.

A MOTION TO APPROVE SHELLEY TO SIGN THE MSA/SOW AUDITORS CONTRACT UPDATE AS IT CURRENTLY IS, WITH UPDATES, AS PER THE CITY ATTORNEY.

ROLL CALL: Motion introduced by Shea Corrigan and seconded by Marci Jensen

Ayes (5): Potter, Corrigan, Askey, Jensen, Kind

Nays (0): None

The motion carried.

10. NEW BUSINESS

A. Water Plant Tour w/ Public Works and Water Advisory Committee

We're going to be going up with some elected officials and local officials, or water Advisory Committee and some other regional agency partners, about 21 or so in total and we going to Turner Creek water plant and the reservoirs for an in-person, view of the situation, so that they understand what we're currently at and that this water situation isn't changing, and then hopefully get some heads together about what some potential alternatives are that maybe we haven't thought of yet, some additional resources for what we are trying to work on.

B. OMA 2024-25 Mayor Contest

This was brought to us by Mayor Potter a contest for students, “If I were Mayor.” Mayor Potter reached out and asked, she indicated she would really like us to participate in this and we are moving forward with it.

C. IT Costs Update – Shelley Reimer

City Council Meeting

October 9, 2024

6:30 pm

Our IT expenses are getting beyond our budget. Chief Graven and Shelley have been discussing this. Our budget this year for IT services, is \$14,000 in our current budget. In the first three months, they have invoiced us \$12,000 so we do not have enough to basically last the rest of the year without digging into other funds. Shelley has been researching alternative providers. And the good news is, is that in that research, I have found an alternative model of service, which is essentially larger cities contract through IGAs with smaller cities like ours, and the cost is significantly cheaper.

D. SB1537/ Relating to Title 11 Updates – Walt Wendolowski

E. FEMA Flood Regulations Update – Walt Wendolowski

Walt Wendolowski updated the council on the upcoming changes relating to Title 11 and FEMA flood regulations.

For SB1537 the state is pushing for affordable housing. The three basic components that may affect the City of Yamhill.

The first item is the development of a Housing Accountability and Production office. This would be jointly managed by the Department of Land Conservation and Development, along with the building codes division, essentially this office, the purpose is to be a clearing house of information will help promote affordable housing and provide advice to communities planners and developers on how to do so. They do not have any enforcement capability but will have some funding capability.

The second set of regulations has to do with granting adjustments for a developer that is meeting a specific criteria for affordable housing must be granted adjustments. An example of an adjustment would be different setbacks, different parking, etc. We would be required to allow these adjustments.

These provisions will sunset in 2032. So, we do not have to pass an ordinance, we only need to pass a resolution. Regardless, these provisions go into effect January 1, 2025, and the city will be required to enforce them.

Last, limited land use decisions are expanded to include subdivision replats, property line adjustments and certain non-conforming use requests. What this means is that these applications are handled totally on the staff level. Application is made through city hall. There is a process where staff provides notice to adjacent owners, and after a certain time-period, writes a staff report based on the decision criteria and also the comments that are received. Notice of that decision goes out to the applicant and anyone else who provides a comment. That decision by staff may be appealed to the planning commission. Also, the applicant has an option of always going forward to the planning commission if they want to skip a staff report, let's say a larger

City Council Meeting

October 9, 2024

6:30 pm

project, a developer may find that to be appropriate to avoid a lot of time on the staff level.

3J Consulting that is working on the DLCD grants, for us, is aware of these provisions coming down the line, and I know they're working with the state on whether or not they could fit it into the schedule or the grant, the funding to make the changes as part of their recommendations. In either event, if that's not possible, we'll gather forces at the end of the project and figure out what additional changes need to be made. I think it's really important to understand too, so that the state is very, very much pushing the idea of affordable housing.

FEMA Update

Long story short, back in 2009 Portland, Audubon Society, and other environmental groups Sue FEMA, and they agreed to some consultations. And the basis of the lawsuit is that the flood regulations, or the National Flood Insurance Program impacted threatened and endangered species.

Moving forward in 2023 there was a plan to develop a draft plan or with a Environmental Impact Statement. This was supposed to be ready by 2025 part of the problem, though, and this is where things really got difficult for local communities. These were basically agreements between Federal Emergency Management Administration and the National Marine Fishery Service. Local communities were not brought into the discussion, and in fact, local communities were the ones who were to go ahead and implement these regulations. So all the burden of making sure there's adequate fish habitat is local government.

Now we're getting close to 2025 but earlier this year, they developed what is called a pre implementation compliance measures. These measures, recognizing that final rules were not in place, they requested that at least some interim measures be put forth to address the lawsuit and address the concern on endangered species.

Local communities have three options: 1) You can adopt an ordinance, a model ordinance, you can choose, and this is called like a safe harbor situation. If you adopt, you've met the federal requirements. 2) You can choose a habitat plan and review on a case-by-case basis. I'm not aware of many cities that have the necessary biologists on staff to do this. 3) You simply prohibit all development in the flood plain. Local governments will be required to start enforcing these regulations by December 4th.

Oregon's governor is really pushing for the FEDs to hold off on this because there's no evidence that the model regulations will work as planned. In other words, this is their best guess. There's no discussion. There's no action on communication between the federal government, the state and local jurisdictions, or even an analysis and Environmental Impact Statement, whether or not this will really do what it's intended to do.

City Council Meeting
October 9, 2024
6:30 pm

Walt is working on a model ordinance and taking classes on considerations to make. He is not sure if he will be able to have this completed by the deadline but is not concerned that there will be a large wave of development within the floodplain before we have it completed.

F. Vote on Council President

Our previous council President, as you know, step down. We have a new member now, and we need to, and we waited until we had a new member so that she could also have a vote in in approving a new council president.

Marci Jensen nominated Shea Corrigan and he accepted the nomination.

Ayes (5): Potter, Corrigan, Askey, Jensen, Kind

Nays (0): None

Shea Corrigan is the new Council President

11. ORDINANCE PUBLIC HEARING

A. O-544 Exterior Lighting Regulations Commercial, Nonresidential

Mayor Potter reviewed the procedure for the Public Hearing and asked Shea Corrigan to read the title of the ordinance. There were no revisions from the previous reading.

Public Comment

Proponents

Patty Pairan, 215 N Maple St.

Mrs. Pairan stated that she is in favor of the ordinance because of the new gas station having light blaring into the neighboring properties 24/7 is a detriment to the city. She also stated that the previously brought up issue of security lighting, but this would not be an issue if they use motion sensors as stated in the ordinance are allowed.

Robert Davis, 212 N Maple St.

Mr. Davis gave an anecdote about the current gas station in town having 500-watt halogen lights on a motion sensor blaring into a neighboring property at 9:30 at night. He also made mention of the bird migration patterns being disturbed in large cities like Dallas and the cities making accommodations on their high rises to help the birds.

There were no further proponent, opponent, or neutral public comments in person or online. The mayor closed the public comment.

City Council Meeting

October 9, 2024

6:30 pm

Mayor Potter began the discussion of the council by answering Mr. Davis's question from public comment regarding her nay-vote in the last hearing.

She stated, "I know there was a there was a lot of discussion last time, and one of the to answer Roberts question, my concern was for the city, my concern was staff time to install on every single building and every single street light and every single everything throughout town. The staff labor to do that, also the cost of materials the lights, replacing all those lights is not very cost effective, and we need to consider that in our decision making."

She went on to say, "I absolutely respect those who spoke that this business lighting needs to be reduced and addressed."

After reviewing the ordinance, the council had concerns and questions that they wanted to address before passing it.

**A MOTION TO SEND BACK TO THE PLANNING COMMISSION PLANNING FILE
DCA 24-03, CODE AMENDMENT, EXTERIOR LIGHTING FOR FURTHER
CLARIFICATION.**

**ROLL CALL: Motion introduced by Marci Jensen and seconded by Shea Corrigan
Ayes (5): Potter, Corrigan, Askey, Jensen, Kind
Nays (0): None**

The motion carried.

City Administrator Riemer noted the 7 items for clarification:
Clarity on parks, streetlights, security for businesses, the city budget and what city buildings would be required, PGE's lights restrictions. and then extending it longer than six months and define emergency lighting.

12. DEPARTMENT REPORTS

A. City Administrator’s Report

The City Administrator gave her report.

B. Police Department

- 1. Police Statistics Report
- 2. Police Staff Report

Chief Graven gave information on Allyssa’s Law and HB 3103. The police department has been collaborating with the schools using Safer Watch an app-based alert system in place that gives a direct alert from the schools to the police during an emergency.

He welcomed Kim Kind to the council and publicly thanked the staff for all the challenging work they were doing and commented that communication has been great.

C. Public Works

Jason spoke of how well his crew has been doing and gave his appreciation for how well they handled the mainline leak on Hwy 47 recently.

13. COUNCIL REPORTS

A. Mayor’s Report

B. Council Reports

Councilor Askey gave a brief update on the newsletter, and he is still looking for ideas on how to make it more council-focused and not be just a copy and paste from the website. He is going to forward it to the council for their input.

There were no other reports from the mayor or council.

14. INFORMATION/ANNOUNCEMENTS/GOOD OF THE ORDER

- A.** The City of Yamhill is Accepting Applications for Planning Commissioners (at-large, city resident) Terms beginning January 2025
- B.** Beginning in January the City will be accepting applications for Budget Officers.
- C.** New Utility Billing Software – New Format for Bills, New Online Payments Coming Soon!
- D.** Lafayette City/County Dinner Invite


The mayor read all of the information and announcements.

15. ADJOURNMENT

City Council Meeting
October 9, 2024
6:30 pm

The meeting was adjourned at 8:54 p.m.

Respectfully submitted,


Yvette Potter
Mayor, City of Yamhill

Attest:


Angie Fowler, Recorder