



**CITY OF YAMHILL, CITY COUNCIL MEETING
Wednesday, December 12, 2018 6:30 P.M.
MINUTES**

REGULAR MEETING

1. CALL TO ORDER: Roll Call

The meeting was called to order by Mayor Terp at 6:30 PM.

Present: Mayor Terp and Councilors Potter, Disbrow, Gray, and Echaury
Staff present: Office Van Cleave, Superintendent Howard and City Recorder Gilmore
Also present: City Attorney Walt Gowell

2. EXECUTIVE SESSION: 6:30 PM

- A. Consider convening in executive session under ORS 192.660(2)(b) to consider dismissal or disciplining of a public officer, employee, staff member or individual agent.

Mayor Terp called the executive session meeting to order at 6:30 pm under ORS 192.660(2)(b) to consider dismissal or disciplining of a public officer, employee, staff member or individual agent.

Following discussion, Terp adjourned the Executive Session at 6:55 pm.

REGULAR SESSION – 7:00 PM

Following adjournment of the executive session, Mayor Terp called the regular session to order at 7:05 PM.

Present: Mayor Terp and Councilors Potter, Disbrow, Gray, and Echaury
Staff present: Chief Greg Graven, Superintendent Howard and City Recorder Gilmore
Also present: City Attorney Walt Gowell

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

Agenda Item 5. A. was moved to the first item of the regular session.

Consider action from executive session.

Mayor Terp stated Council's item of business was to consider action related to the executive session.

Disbrow made motion, seconded by Echaury to direct City Staff to negotiate a Mutual Separation Agreement that would include paid administrative leave until no later than December 31, 2018 for employee, and subject to review and approval by the City Attorney and Mayor and authorize the Mayor to execute agreement.

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

The motion carried.

3. PUBLIC COMMENT:

None Received.

4. PRESENTATIONS & APPOINTMENTS:

A. Award presentation for Police Department Officer.

Officer Van Cleave presented Reserve Officer Ray Cooper with a "Reserve Officer of the Year Award". Cooper has been a reserve officer for Yamhill for over 10 years. The presentation was made at the end of tonight's meeting and not as scheduled on the agenda.

B Award presentation for Elected Official.

Councilor Potter presented Mayor Terp with an award, thanking her for over 16 years of service to the City of Yamhill as a Mayor and Councilor. The presentation was made at the end of tonight's meeting and not as scheduled on the agenda.

C. Planning Commission - Ken Moore Re-appointment – 2-year term expires December 31, 2020.

Motion by Echaury, seconded by Disbrow, to approve the Planning Commission re-appointment of Ken Moore, term expires December 31, 2020.

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

The motion carried.

D. Planning Commission -Chuck Mitchell Reappointment – 2-year term expires December 31, 2020.

Motion by Disbrow, seconded by Echaury, to not approve the Planning Commission re-appointment of Chuck Mitchell.

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

The motion carried.

5 FOLLOWING EXECUTIVE SESSION:

A. Consider action from executive session.

Item moved to the first item of Regular Session meeting.

6. UNFINISHED BUSINESS:

A. None Scheduled.

7. ORDINANCES:

FIRST READING:

A. None Scheduled

SECOND READING:

A. None Scheduled

8. NEW BUSINESS:

A. Consider request to reduce professional fee invoice for Del Boca Vista.

The Del Boca Vista firm located in Newberg is the developer that was interested in the Yamhill/Carlton's school district property of 12 acres for sale. The firm submitted a Subdivision and Zone Change application in July of 2018. The application fee provides for up to four hours of professional services, and after many hours of development review and pre-application review by AKS Engineering, the City's engineers, there is a balance due of \$8,013.75. Del Boca Vista was invoiced for this amount on September 27, 2018 and are disputing the owed amount. The firm withdrew their land use applications on September 11, 2018 and no longer wished to continue with the purchase of the property. On October 4, 2018, an email was received stating they needed to have time to review the invoice and asked to be on the Council Agenda to address the Council with the dispute. On November 5, 2018, an email was received asking to be placed on the December agenda and they would send a letter with their request prior to the December 12, 2018 meeting. To date, no letter or correspondence has been received and emails from the City Recorder have been ignored. Council's consensus is to not accept any compromise on the balance due and direct Staff to have Attorney Gowell issue of letter for debt collection.

- B. Consider adopting Resolution No. R-759, a resolution approving the Canvass of City Election results for the 2018 General Election and spreading such results onto the Official Records of the City of Yamhill, Oregon.

Motion by Echaury, seconded by Disbrow, to adopt Resolution R-759 approving the Canvass of City Election results for the 2018 General Election and spreading such results onto the Official records of the City of Yamhill, Oregon.

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

The motion carried.

RESOLUTION NO. R-759
A RESOLUTION APPROVING THE CANVASS OF CITY ELECTION RESULTS FOR THE
2018 GENERAL ELECTION AND SPREADING SUCH RESULTS ONTO THE OFFICIAL
RECORDS OF THE CITY OF YAMHILL, OREGON

- C. Accept resignation from Councilor Yvette Potter, effective January 9, 2019 just prior to being sworn in as Mayor.

Potter provided a letter of resignation for the record during the meeting.

Motion by Echaury, seconded by Disbrow, to accept resignation from City Councilor Yvette Potter.

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

The motion carried.

9. CONSENT AGENDA:

- A. Approve Council Minutes
 - (1) Regular Session November 14, 2018
- B. Financial Statements
- C. Approve the following Purchase Order:
 - (1) P.O. # 19-28 – AccuTech Automotive - \$ 1,829.23- 2010 Charger Repair.
 - (2) P.O. # 19-30 – Cascade Columbia - \$ 4,069.75 -Water Plant Chemicals.
 - (3) P.O. # 19-31 – OreVac West, Inc. - \$3,270.00 – Sludge Removal.

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

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

The motion carried.

10. DEPARTMENT/COMMITTEE REVIEW/REPORTS:

A. Police Review– Van Cleave – Monthly report in packets.

Officer Van Cleave read the statistics from the November report of police calls and Stated it was another busy month for the department. Van Cleave reported that Officer Miller had an accident by getting hit by a deer that caused minor damage to his patrol car. The animal was hit by a passing car and was thrown onto Officer Miller's car. Van Cleave also reported that he will be on leave from January 9, 2019 through January 21, 2019.

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

Superintendent Howard provided a staff report included in packets.

Howard reported that the award for the Safe Drinking Water Revolving Loan has been received for the water transmission line replacement. The award from Business Oregon consists of a loan of \$2,920,543.00 and forgivable loan of \$530,000.00. The contract should be ready for signing in the next couple of months. Howard also reported that the City can start accruing costs for the project but will be unable to be reimbursed until the contract has been signed. The project is scheduled to be completed by December 31, 2020.

Mayor Terp heard a report that there were comments made by a citizen in a public setting that implied that if a larger transmission line is installed that the city water lines will burst with too much pressure. Terp questioned if Howard should address the comment made and explain on record how the transmission line will work for the City.

Howard stated that the comment was incorrect and explained that pressure is based on elevation or by a pump, the elevation for the reservoir will not be changing and the new larger line will have the same water pressure as it currently does. The water volume will increase but the pressure will not cause any water pipes to burst when the water line is increased to an 18-inch line. Howard indicated that the current water pressure in town is at 80 pounds and will remain at that pressure.

C. Mayor/Administration Review-

(1) Review Staff and Council NIMS Classes

Mayor Terp recommended to all Staff and Council members to take the FEMA Training on-line classes for the IS-100, IS-200 and IS-700 training courses. Most Staff are current with the training, as it is a requirement, but Terp would like Council to also complete the training.

D. Council Review

Councilor Potter asked for any current updates on the Economic Development meetings with the steering committee and sub-groups.

Donna Dempsey of Berkshire Hathaway Realty is a member of the Clean-up and Beautification group and stated they are planning a spring clean-up of sidewalks and hope to have resources for the clean-up of yards for elderly or disabled residents. The group would also like to organize a city-wide pick up of discarded appliances or even discarded vehicles. Dempsey stated that another committee group is focusing on the downtown business area and another group is focusing on safety issues in town.

E. Emergency Preparedness Review
None Received.

11. INFORMATION/ANNOUNCEMENTS:

- A. 2019 City Council Meeting Dates
- B. City Offices will be closed Tuesday, December 25, 2018–Christmas Holiday and Tuesday, January 1, 2019 – New Year’s Holiday.
- C. Vacancies: City Council – 1 member
Budget Committee - 1 members - Applications are available at City Hall
- D. Homeward Bound Pets- thank you letter.
- E. Certified 2018 Population Estimate -1,090.

10. ADJOURNMENT: 8:00 PM

Motion by Echauri that the meeting adjourn at 8:00 pm.

The motion carried by unanimous vote.
Respectfully submitted,

Paula Terp
Mayor, City of Yamhill

ATTEST:
Lori Gilmore, City Recorder