



**CITY OF YAMHILL, CITY COUNCIL MEETING
Wednesday, February 13, 2019 7:00 P.M.**

MINUTES

REGULAR MEETING

1. CALL TO ORDER: Roll Call

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

Present: Mayor Potter and Councilors, Disbrow, Gray, and M. Gilmore.

Excused Absence: Councilor Echauri

Staff present: City Recorder Gilmore, Superintendent Howard, Chief Graven

2. FLAG SALUTE:

Mayor Potter led the flag salute with all those present participating.

3. PUBLIC COMMENT:

City of Carlton Councilors; Kathy Rich and Linda Watkins were in attendance and introduced themselves.

4. PRESENTATIONS & APPOINTMENTS:

- A. Yamhill County Cultural Coalition Asset Award – Deb Brooks.

Deb Brooks, Committee Chair with the Yamhill County Cultural Coalition (YCCC) gave a brief presentation for a Yamhill County Cultural Asset award in honor of Marilyn Worrix in 2017. The award will be offered every two years with nominations for worthy recipients solicited from communities throughout Yamhill County in recognition of significant cultural and civic contributions. Deadline for submitting the one-page nomination form and support letter to the YCCC is April 15, 2019.

5. UNFINISHED BUSINESS:

- A. Discuss proposed booster pump station at Pike Road and Olive Street.

There was discussion regarding the proposed booster pump station during the October 10, 2018 and January 9, 2019 Council Meetings. Council voted in October 2018 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. At the January 2019 meeting, Council discussed not installing the Booster Pump Station at this time because the timeline for the installation of the new Transmission Line from the water plant to town is scheduled for completion by December 31, 2021. The State Fire Marshall and the Yamhill Fire District granted the School District temporary occupancy of the CTE Dome with the stipulation that the required fire flow, be met within a year, as the booster 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. If the Booster Pump Station does not get installed, the State Fire Marshall will require specific requirements for the School District to continue occupancy of the new CTE Dome structure. One requirement would be for an on-site water storage tank with approximately 3,000 gallons of storage. If the Fire District had a water tender truck which held 3,000 gallons, it could substitute the requirement for a storage tank. Fire Chief Brian Jensen has located a water tender truck for sale for approximately \$207,000.00. Superintendent Howard proposes the following for council's Consideration; Council vote to not install the Booster Pump Station with the following conditions. The City provide the Fire District \$200,000 toward the purchase of a water tender holding 3,000 gallons. The State Fire Marshal approve an addendum to the School District Temporary Occupancy Permit to allow for 1 more year to December 31, 2020. This would save the City approximately \$200,000 dollars. This would also not put the School District in any new situation with the State Fire Marshal. And this would benefit the entire community of Yamhill as far as the ability of the Fire Department's ability with fires. August 2017 Pump Installation Estimate: \$253,000, with cost adjustment for 2018 & 2019 the estimated cost today: \$303,600 basic cost. Any unanticipated issues would cost additional money and the City would potentially save \$100,000 to \$125,000 barring any unanticipated issues. Councilor Disbrow commented that it would be an ideal transaction for everyone involved. Both Mayor Potter and Councilor Gilmore feel that it would benefit the entire City as well as residents outside of the City limits. Chief Jensen stated that if approved the tender truck would be ready for pickup on May 20, 2019 and funds would need to be available at that time. Rocky Losli, a Yamhill Resident stated that he would be pleased if the Council approved the funding of the tender truck and believes it is in the best interests of everyone concerned.

Motion by Disbrow, seconded by Gray, to rescind previous decision to install a booster pump at Olive Street and Pike Road and approve the funding of the Yamhill Fire District's water tender truck in the amount of \$200,000.00 and authorize Mayor Potter to Sign agreement and revised timeline certification for the plan of correction.

Roll call: Ayes: Potter, Disbrow, M. Gilmore, and Gray
 Nays: None

The motion carried.

**6. ORDINANCES:
FIRST READING:**

- A. Consider adopting Ordinance O-524, an Ordinance authorizing the issuance of a financing contract and revenue obligation to construct, repair, improve and expand the City's Water System and Water delivery facilities.

Ordinance No. O-524 will be available. Ordinance posted: February 1, 2019 (Charter Chapter IV, Section 16(b).)

Disbrow read Ordinance O-524, by title only.

Motion by Disbrow to approve the reading of Ordinance O-524, seconded by Potter to authorize the issuance of a financing contract and revenue obligation to construct, repair, improve and expand the City's water system and water delivery facilities.

Roll Call: Ayes: Potter, Disbrow, M. Gilmore and Gray
Nays: None

The motion carried by unanimous approval vote.

**ORDINANCE NO. 524
AN ORDINANCE OF THE CITY OF YAMHILL, YAMHILL COUNTY,
OREGON AUTHORIZING THE ISSUANCE OF A FINANCING CONTRACT
AND REVENUE OBLIGATION TO CONSTRUCT, REPAIR, IMPROVE AND
EXPAND THE CITY'S WATER SYSTEM, AND WATER DELIVERY
FACILITIES.**

SECOND READING:

- A. None Scheduled

7. NEW BUSINESS:

- A. Consider property at 210 S. Maple Street and review settlement agreement.

City Attorney Walt Gowell provided a draft of a Notice of Contingent Claim relating to the property known locally as the "Pitfido" former Yamhill Service Station located at 210 S. Maple Street at Yamhill Oregon. This property has been the subject of a significant Department of Environmental Quality clean-up action for several years resulting in a partial settlement between the DEQ and certain parties. Part of the settlement agreement provided the City of Yamhill with a "Right of First Refusal" for the purchase of the property located at 201 S. Maple Street, Yamhill.

The Notice of Contingent Claim is a response to a letter received from Mark Bierly, Attorney at Law representing Glen Nelson, Inc., and asserts that the City of Yamhill may have and may assert a future or contingent claim against Glen Nelson, Inc. and its shareholders, arising from any future expense or remediation claim in the future relating to the Yamhill Service Station for which the City of Yamhill may have any future financial responsibility.

It was noted that the Yamhill County Tax assessor's office has the property appraised for a real market value of \$170,000.00 and the property is currently listed for sale by a real estate agent for \$250,000.00.

Disbrow made motion, Potter seconded to approve City Staff moving forward with a proposal and formal appraisal for the 210 S. Maple Street property and return information to a future council meeting for Council's consideration.

Roll Call: Ayes: Potter, Disbrow, M. Gilmore and Gray
Nays: None

The motion carried.

Disbrow made motion, Potter seconded to approve the response letter by Attorney Walt Gowell to be sent to Glen Nelson, Inc.

Roll Call: Ayes: Potter, Disbrow, M. Gilmore and Gray
Nays: None

The motion carried.

B. Discuss Safe Route to Schools Grant application results and future plans.

Howard reported that the City of Yamhill applied for a "Safe route to Schools" (SRTS) Grant with the Oregon Department of Transportation Commission and was not one of the applicants that were awarded the funding. The project would have provided sidewalks on the north side of Highway 240 from the Intermediate School to Stillers Mill Road. ODOT received proposals from 112 applicants and approved awarding funds to 24 applicants for 24 projects. Howard indicated that the City would continue to pursue any grant opportunities when available, and possibly request a smaller grant amount to do a portion of the sidewalks instead of the entire section to Stillers Mill Road. Howard feels the City didn't receive the funding because of the cost for the size of the project.

C. Discuss property at 185 S. Maple Street and meeting results with County.

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. Staff was also directed to contact Yamhill County for more information on the property and notifying the County of the City's interest. Howard received information from DEQ in January 2019 recommending that it might be best to leave the site in Yamhill County's possession to complete the clean-up assessment, as by law the County is protected from being liable for contamination from the former gas station (if present). City Staff met with representatives from Yamhill County on January 30, 2019 and discussed the possibility of acquiring the property. During the meeting, the County representatives indicated that the discussion and the City's interest in the property would

be provided to the County Commissioners and the Commissioners would need to determine if the County would be willing to pursue any grant opportunities to assist with the soil contamination clean-up. To date, the City has not heard back from Yamhill County and will keep the Council informed of any future correspondence.

- D. Consider application to fill the vacant Planning Commission Position. (Term expires 12/31/2020)

One application was received from Diana Braddock for the vacant Planning Commission position. Mayor Potter was happy for Braddock's interest and asked what motivated her to apply for the position. Braddock stated that she would like to be more involved in the community and has time to volunteer, as she is retired. Braddock has an interest also in a Council position, but there is only a vacancy on the Planning Commission currently.

Mayor Potter requested that this agenda item be tabled until after the Council Review portion of the meeting.

- E. Consider YCAP's request for a weekly distribution location.

Martha Penhall, the regional food bank manager with Yamhill Community Action Partnership (YCAP) was not able to attend tonight's meeting, but provided a letter requesting assistance in finding a location in Yamhill to distribute fresh produce every Thursday, rain or shine. Ideally the location would be covered and have a ramp for easy access to unload boxes of food. City staff discussed all the possible City owned locations and were unable to offer a location. Chief Brian Jensen suggested that YCAP contact the Fire District as the lot adjacent to the Fire Station has a covered area and could be utilized for the weekly distribution. The request would need to be approved by the Fire District Board. City Staff will direct YCAP to the Fire District for their request.

8. **CONSENT AGENDA**

- A. Approve Council Minutes
 - (1) Regular Session January 9, 2019
- B. Financial Statements
- C. Approve the following Purchase Order:
 - (1) PO # 19-034 – Camtronics, Inc - \$1,597.50 – re-program CPU unit at the Water Plant.
 - (2) PO # 19-035 – Automation Direct - \$1,990.00 – replace PLC screen and CPU unit at water plant.
 - (3) PO # 19-037 – Traffic Safety Supply - \$1,299.56- street patching material.

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

Roll call: Ayes: Potter, M. Gilmore, Disbrow and Gray
Nays: None

The motion carried.

9. DEPARTMENT/COMMITTEE REVIEW/REPORTS:

A. Police Review– Graven – Monthly report in packets
Chief Graven provided a report of the January 2019 police calls. Graven reported that the department has been working on a critical incident plan and during certain critical incidents will work with the Yamhill Fire District as first responders. A lock in / lock out drill is scheduled next week at the School and families of the students will be notified ahead of time. Graven stated that Yamhill Officers carry a personal medical kit that can be used for themselves or utilized for someone else. Mayor Potter suggested that if anyone has not participated in an active shooter type training, to review an online video called “Run, Hide, Fight” which is very informative and helpful understanding the need for active shooter training. Councilor Disbrow questioned Chief Graven on an update for replacing the City Hall Flag Pole. It was reported that Officer Miller is working with Superintendent Howard on the placement and the project is moving forward.

B. Public Works Review – Superintendent Howard – Memo in packets.
Superintendent Howard provided his staff report included in packets, no questions followed. Howard reported that all State required reports are now required to be submitted electronically and will need to be capable of reporting electronically by September of 2019. Howard will be budgeting for the upgrades with our IT department this next budget cycle. Howard also reported that the Gazebo for Beulah Park has been received and the foundation and concrete work will be scheduled soon to start the project. The estimated cost for the foundation is \$8,000.00, and Howard will ask the Yamhill Community Club to share the cost. Once the Gazebo is completed, it will be dedicated to former residents Ed Senz and Robert Headrick.

C. Mayor/Administration Review-
None Received.

D. Council Review

Disbrow reported that he attended a Yamhelas-Westsider Trail meeting and provided a testimony to the Yamhill County Commissioners of the City’s support for the trail. Disbrow also updated the Council regarding a February 12, 2019 Economic Development meeting that was attended by 25 citizens. Disbrow stated the both the Beautification (Clean-up) Committee and Safety Committee had good discussion with two speakers attending.

Councilor Dana Gray read her written resignation to the Council, effective at the end of tonight’s meeting. Gray, a member of the Council for one year has decided to work more closely with the Economic Development Committees and will work as a liaison between the City and the Committees. Mayor Potter stated that Gray has her support for her new role, and she will be updating the City Council on community events and information.

Disbrow made motion, seconded by M. Gilmore to accept the formal resignation of Councilor Dana Gray, effective February 13, 2019.

Roll Call: Ayes: Potter, Disbrow, M. Gilmore and Gray
Nays: None

The motion carried.

Gray reported that there will be a Fund Raiser party supporting Beverly Cleary's 103rd Birthday on April 12, 2019 at Yamhill Rooted Restaurant.

Discussion continued regarding Agenda Item 7.D.: Consider application to fill the vacant Planning Commission Position.

It was noted that after Councilor Gray's resignation, there would now be a vacancy on the City Council and the Planning Commission. Diana Braddock expressed interest in either position and Mayor Potter recommended holding the position open until the March 13, 2019 Council Meeting and directed staff to advertise the openings.

10. INFORMATION/ANNOUNCEMENTS:

- A. Review and evaluation of City traffic control devices and potential safety problems are scheduled for summer 2019.
- B. City County Dinner hosted by the City of Dundee-February 21, 2019.
- C. Receive 2019/2020 Budget Committee Calendar.
- D. Vacancies: Planning Commission – 1 member
Budget Committee - 2 members- Applications are available at City Hall

11. ADJOURNMENT: 8:35PM

Motion by Disbrow that the meeting adjourn at 8:35PM.

The motion carried by unanimous vote.
Respectfully submitted,

Yvette Potter
Mayor, City of Yamhill

ATTEST:
Lori Gilmore, City Recorder