



City of Yamhill

A small taste of Oregon

CITY OF YAMHILL, CITY COUNCIL MEETING Wednesday, March 9, 2022, 7:00 P.M. MINUTES

REGULAR MEETING

1. **CALL TO ORDER:** Roll Call

Present by Teleconference: Councilors Kay Echaury and Tim Askey

Present In-Person: Mayor Yvette Potter, Councilors Marci Hedin, and Andrew McMullen

Staff Present In-Person: Sharon Bregante-Candau, Administrative Clerk; Petra Schuetz, Interim City Administrator; and John Christiansen, City Engineer

Staff Present by Teleconference: Greg Graven, Chief of Police; Jason Wofford, Facility Manager; and Walt Wendolowski, City Planner

2. **PUBLIC HEARING:**

Public Hearing on Subdivision Permit Application SDV 21-1.

Mayor Potter opened the Public Hearing at 7:03 pm for Subdivision SDV 21-1.

The Yamhill Planning Commission previously held a Public Hearing on December 15, 2021, with a continuation on February 2, 2022, on the subdivision application. At the February Continuation of a Public Hearing, the Planning Commission voted and denied Subdivision SDV 21-1 based on the testimony received during the December 15, 2021, hearing and material submitted during the open record. The Commission found the proposal failed to comply with all decision criteria for a Subdivision contained in the Yamhill Municipal Code.

The applicant filed an appeal on February 18, 2022.

Mayor Potter stated that the public hearing was for consideration of the appeal of the Planning Commission's denial of SDV 21-1 Park Meadows Subdivision.

The applicant representation, Mark Hoyt, Sherman, Sherman, Johnnie & Hoyt, LLP, spoke during the proponent portion of the public hearing in regard to process. Jake Lucey, the developer for the subdivision, Mike Henry, and Andre Chernishov, HBH Consulting Engineers, provided a presentation that is included in the record.

City Planner, Walt Wendolowski, summarized the process up to the point of the public hearing for the denial of SDV 21-1 and the status report that is included in the record.

Councilor McMullen asked about water loss at the intake at the water plant, Jason Wofford, Facilities Manager, responded that was due to the design of the intake. Wofford stated that the overall water loss had improved since the AKS Engineering report from 2018 from 20% to approximately 13-14% due to fixes in the water system lines. Wofford also reported that the water loss percentage would continue to decrease as the City is moving forward with water

conservation, leak detection, potentially the log jam project, and correction operation of the impound.

Mayor Potter announced she will start with proponent's testimony and move to opponent's testimony with everyone having a chance to speak.

Proponents:

- Chuck Mitchell of Second St.

Opponents:

- Doug Edwards of Maple St.
- Darrell Smith of Third St.
- Rocky Losli of Second St.
- Robert Davis representing Yamhill Neighborhood Association of Maple St.
- Patty Pairan of Maple St. – in-person and email submitted on March 2, 2022
- Melissa Shaver of Turner Creek Rd. – email submitted February 28, 2022
- Jenny Morrison of Adcock Rd.

Neutral:

- Sherry Wilson of Main St.
- Shea Corrigan of Third St.

Mayor Potter called for any technical questions to be answered by the applicant's representation.

Following the testimonies, Mayor Potter allowed time for the applicant's representation to make a final rebuttal.

Mayor Potter called for staff recommendations. Wendolowski said it was the Planning Commission's recommendation, who denied the application due to adequate supply of water and the City Council needs to decide if they want to uphold that decision.

Mayor Potter closed the Public Hearing at 9:23 pm and asked for a short recess before the Council deliberates.

REGULAR MEETING

Regular Meeting was opened by Mayor Potter at 9:25 pm.

3. PUBLIC COMMENT:

Public comment was received from the following:
Jay Disbrow, Sherry Wilson, and Chuck Mitchell.

4. PRESENTATIONS:

Added to agenda by Mayor Potter: Yamhill Downtown Association (YDA)

Amy Brewer and Kimberly Howell presented on the Beverly Cleary events that will happen the 2nd weekend in May. Amy Brewer stated that the theme this year will be to celebrate the character Ribsy from the Beverly Cleary book characters with a dog park in Yamhill. Amy Brewer and Kimberly Howell will provide the City with a flyer to post on the website.

A. Water Advisory Committee

Water Advisory Committee Chair Jensen reported a Letter of Interest was received from the City of Hillsboro for the City to fill out for the potential intertie; Council will need to decide if they wish to proceed to fill that out. Chair Jensen also stated that the Water Advisory Committee (WAC) is waiting to hear back on the changes that the WAC proposed to Council for Chapter 3.54 Water Conservation Regulations of the Municipal Code.

B. Yamhill Neighborhood Association

Yamhill Neighborhood Association representative, Robert Davis, presented the information date March 1, 2022, that is included in the record.

5. UNFINISHED BUSINESS:

A. None

6. NEW BUSINESS:

A. Public Hearing, Consider Appeal No. SDV 21-1 Subdivision

Motion by Echaury to uphold the Planning Commission's denial of SDV 21-1 Subdivision, adopting findings contained in the Planning Commission Order, no second, the motion did not carry.

Motion by Askey, seconded by Hedin to reverse the Planning Commission denial and approve the application SDV 21-1.

Wendolowski asked to amend the motion by adding "adopting the findings and conditions of approval in the December 1, 2021, staff report to the Planning Commission" to the end of the motion. Councilor Askey approved the amendment to his motion, Councilor Hedin 2nd the amendment.

Roll call: Ayes: Potter, Hedin, McMullen, and Askey
Nays: Echaury

The motion carried.

B. Public Hearing, Consider Second Reading Ordinance No. 536, Camping on Public Property

Mayor Potter made motion for the reading of Ordinance No. 536 to be read.

Councilor Askey read Ordinance No. 536, by title only, for the second time.

Mayor Potter tabled the vote on Ordinance No. 536 until after the Public Hearings of Ordinances 537 and 538.

C. Public Hearing, Consider First Reading with Emergency and adoption of Ordinance No. 537, Storing Vehicles or Objects on Streets

Mayor Potter made motion for the reading of Ordinance No. 537 to be read.

Councilor Echaury read Ordinance No. 537, by title only, for the first time.

Mayor Potter tabled the vote on Ordinance No. 537 until after the Public Hearing of Ordinance 538.

D. Public Hearing, Consider First Reading with Emergency and adoption of Ordinance No. 538, Overnight Sleeping in Vehicle

Mayor Potter made motion for the reading of Ordinance No. 538 to be read.

Councilor Echaury read Ordinance No. 538, by title only, for the first time.

Motion by McMullen, seconded by Echaury, to adopt Ordinance No. 536, Ordinance No. 537, and Ordinance No. 538 to address unauthorized camping and parking within the City of Yamhill.

Roll call: Ayes: Potter, Echaury, Hedin, McMullen, and Askey
Nays: None

The motion carried.

E. Consider adoption of Resolution 793 Procurement and Contracting Policy

Motion by Hedin, seconded by Echaury, to adopt Resolution R-793, a Resolution adopting the Yamhill policy for contracting and purchasing, supplanting previous policies.

Roll call: Ayes: Potter, Echaury, Hedin, McMullen, and Askey
Nays: None

The motion carried.

RESOLUTION NO. R-793

A RESOLUTION ADOPTING THE YAMHILL POLICY FOR CONTRACTING AND PURCHASING, SUPPLANTING PREVIOUS POLICIES

7. **CONSENT AGENDA:** *(The items on the Consent Agenda are normally considered in a single motion. Any item may be removed for separate consideration upon request by any member of the Council.)*

- A. Approve Council Minutes
 - (1) Special Session – October 26, 2021
 - (2) Special Session – December 22, 2021
 - (3) Regular Session – November 3, 2021
 - (4) Regular Session – February 9, 2022
- B. Financial Statements July 2021-February 2022

Motion by Echauri, seconded by McMullen, to approve the Consent Agenda.

Roll call: Ayes: Potter, Hedin, Echauri, McMullen and Askey
Nays: None

The motion carried.

8. **DEPARTMENT REPORTS:**

- A. City Administration Report – combination of all Departments with responses to previous month’s public comment questions

Chief Graven provided clarification on calls.

Bregante-Candau reported the City received the award from the Congressional grant submitted for the Treatment Plant to Reservoirs Planning Study project.

- B. Mayor Comments

None.

9. **ANNOUNCEMENTS:**

- A. Statement of Economic Interest (SEI) due April 15, 2022
- B. City Council Goal Setting Retreat March/April TBA 2022
- C. City Council Executive Session Per ORS 192.610(2)(a) March TBA, 2022

10. **ADJOURNMENT: 10:27 P.M.**

Motion by Echauri that the meeting adjourn at 10:27 P.M.

The motion carried by unanimous vote.

Respectfully submitted,

Yvette Potter
Mayor, City of Yamhill

ATTEST:
Sharon Bregante-Candau, Administrative Clerk