



**CITY OF YAMHILL, CITY COUNCIL MEETING
Wednesday, April 11, 2018 7:00 P.M.
MINUTES**

PUBLIC HEARING

1. CALL TO ORDER: Roll Call

The meeting was called to order by Mayor Terp at 7:13PM

Present: Mayor Terp and Councilors Potter, Disbrow and Gray

Excused Absence: Councilor Echauri

Staff present: City Recorder Gilmore, Superintendent Howard, Chief Graven and City Planner Morgan

2. PUBLIC HEARING:

- A. Public Hearing on Proposed Code Amendments to the Yamhill Development Code addressing the Property Line Adjustment process, Code update on process for Change of Zone Comprehensive Plan Amendment, Chapter 10.132, and Code Amendments updating the Correction from City Building Official or Inspector to County Official.

Mayor Terp opened the Public Hearing at 7:15pm for the proposed amendments to update Building Official definition/Partition Process/Code Amendment Process Public Hearing. Terp asked if there were any objections to jurisdiction. None followed. City Planner John Morgan was in attendance and provided a staff report for the proposed code amendments, the Findings of Fact addressing the required criteria and the actual proposed code texts. The three proposed amendments are summarized as:

Adoption Process Revision –

Section 10.132 of the Development Code establishes the process for adopting an amendment to the Code. It specifically says Code amendments are to be adopted by Resolution. It has long been the City's practice to adopt Code amendments by ordinance, but it has been realized this actually is not the process specified in the Code language.

The proposed changes substitute the word "Ordinance" for "Resolution." As the Code is originally adopted by Ordinance, it can only be amended by Ordinance. This is consistent with the City Charter and applicable state law.

Building Official Definition –

In many places in the Development Code reference is made to the “City Building Official.” The City no longer has a Building Official, instead being served by the County Building Official for all relevant services.

Rather than substituting “County Building Official” for “City Building Official” throughout the Code, a more flexible approach is proposed. A definition of Building Official is included in the Definition Section of the Code. That definition says “‘Building Official’ means a City or County employee designated to enforce the Building Code.” Then, all references to the Official in the Code are shortened to just read “Building Official.”

This approach gives the flexibility for the Council to move back to a City Building Official at some point the future without having to amend the code to reflect that action.

Property Boundary Adjustments –

A property boundary adjustment is a planning process covering two specific, relatively minor, boundary issues. The most common property boundary adjustment involves moving the property line between two properties. One property gets larger, one gets smaller, and no new lot is created. The City’s review assures the resultant lots meet the size and dimension standards and no setbacks for existing structures are violated.

A recent change in State Law requires another type of property boundary adjustment process. This is the elimination of a line between two properties consolidating them into one property. This type of action used to take place without any city involvement in most communities. But, Yamhill’s Development Code has long had language requiring city review of lot consolidation.

However, the process outlined in the Code is cumbersome at best. While a property boundary adjustment to move a lot line between two properties is a simple ministerial review by staff with no public process, the existing Code language requires a lot consolidation to go to the Planning Commission for a hearing and decision.

Obviously, this process involves substantially more time, monetary expense, and uncertainty than moving a property line. Staff believes there is no compelling public purpose to having this hearing and decision requirement, especially as there are virtually no impacts from a lot consolidation. The proposed language eliminates this requirement.

The City Council’s role is to hold a public hearing, receive the Planning Commission order into the record and make a final decision on the proposed text amendments. If approved, the text amendments will be adopted by ordinance.

Morgan’s staff report concluded that there are no impacts from these text amendments. The changes clarify and streamline processes without changing any substantive

elements of the Development Code. The criteria for a text amendment are met and the amendments should be approved.

Mayor Terp noted that there were no public questions or testimony.

Mayor Terp closed the Public Hearing at 7:21pm and asked for Council's deliberation.

Council consensus is to approve the proposed amendments and move forward with considering the adoption of Ordinance No. O-523.

REGULAR MEETING

Mayor Terp opened the regular meeting at 7:22pm

3. PUBLIC COMMENT:

Patricia Manson of Yamhill, requested more information, or substance be provided in the monthly Police reports. Manson was particularly interested in the reports showing which school is involved during a police call instead of reporting only that call is at "school". Manson stated that there are 212 concerned citizens in the community that gather information regarding the Schools. An email was sent to Chief Graven previously to request that the monthly police report include the acronyms "YCIS" or "YCHS" so that the group can collect the data and the community would have more information. Manson referenced some past monthly police reports that had more information provided for each call. Chief Graven responded that the majority of information cannot be released as it is not public information and often involves a minor.

4. PRESENTATIONS & APPOINTMENTS:

- A. Your Community Mediators of Yamhill County, 2018-2019 funding request, Renee Vorm, Board Chair.

Renee Vorm, requested support from the City of Yamhill in the amount of \$2,752.00 for the 2018/2019 fiscal year and thanked the City for their continued support in the past. A Yamhill Case Statistical summary was provided for the Fiscal Year 2015-2016, which reflects the resulting \$2,752.00 total case service value of their services to Yamhill residents. Vorm reported that 25 Yamhill city residents have been served during the 2016-2017 fiscal year. Terp commented that it is a wonderful program and appreciate the work they provide. Terp reported that all community donation requests will be reviewed by the Budget Committee at the May 14, 2018 budget meeting.

5. UNFINISHED BUSINESS:

- A. Discuss what type of parking restrictions will be requested of O.D.O.T for the intersection of Highway 47 and Main Street.

There was discussion during the March 14, 2018 Council Meeting regarding the blocked vision at the intersections when vehicles park too close to the corners and don't obey the no parking in yellow curb areas. Howard was directed to draft a letter to O.D.O.T.

with the City's concerns and complaints and request a determination for additional parking restrictions in the area. Howard contacted O.D.O.T. regarding additional parking restrictions, and O.D.O.T. needed specific restriction requests from the City. Councilor Potter recommended that there be an 8-foot height restriction for all vehicles parked between First Street and Azalea Street on Highway 47. Council's consensus is to approve the recommendation and directed Howard to submit to O.D.O.T.

**6. ORDINANCES:
FIRST READING:**

- A. Consider adopting Ordinance O-523 an Ordinance of the City of Yamhill amending chapter 10 and chapter 11 of the municipal code, adopting new provisions and declaring an emergency. (Charter Chapter IV, Section 17, adopting an ordinance at a single meeting) Ordinance No. O-523 will be available. Ordinance posted: April 2, 2018 (Charter Chapter IV, Section 16(b).)

Motion by Disbrow to approve the reading of Ordinance O-523, seconded by Gray to amend chapter 10 and chapter 11 of the municipal code, adopting new provisions and declaring an emergency.

Roll Call: Ayes: Potter, Disbrow, Gray and Terp
Nays: None

The motion carried.

AN ORDINANCE OF THE CITY OF YAMHILL AMENDING CHAPTER 10 AND CHAPTER 11 OF THE MUNICIPAL CODE, ADOPTING NEW PROVISIONS AND DECLARING AN EMERGENCY

SECOND READING:

- A. None Scheduled

7. NEW BUSINESS:

- A. Consider adopting Resolution No. R-751, a Resolution by the City Council of Yamhill, Oregon approving refinancing of a USDA loan.

Gilmore has entered negotiations to re-finance the USDA Water Treatment plant bond loan from 1998. The \$1,000,000.00 loan was financed with USDA with an interest rate of 4.875%. The loan still has 20 years remaining and it would be beneficial to the City to re-finance the loan for 20 years at a lower interest rate. Gilmore reported that the Resolution is the first step in the process, but should know the new loan interest rate by May 15, 2018. The projected savings is \$80,000.00 over the life of the loan.

Motion by Disbrow, seconded by Gray, to adopt Resolution R-751, a resolution authorizing the issuance and negotiated sale of full faith and credit refunding obligations to refund an outstanding loan, designating an authorized representative, special

counsel, and underwriter; authorizing the execution and delivery of a financing agreement and trust agreement; and related matters.

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

The motion carried.

RESOLUTION No. R-751
A RESOLUTION AUTHORIZING THE ISSUANCE AND NEGOTIATED
SALE OF FULL FAITH AND CREDIT REFUNDING OBLIGATIONS TO
REFUND AN OUTSTANDING LOAN; DESIGNATING AN
AUTHORIZED REPRESENTATIVE, SPECIAL COUNSEL, AND
UNDERWRITER; AUTHORIZING THE EXECUTION AND DELIVERY
OF A FINANCING AGREEMENT AND TRUST AGREEMENT; AND
RELATED MATTERS.

- B. Consider approving bid proposal for the Offsite Water Line Project and Notice of Intent to Award Contract to M.L. Houck Construction.

Invitations to Bid for the North Olive Street Offsite Water Line Extension Project were advertised on February 19, 2018 and the sealed bids were due on March 6, 2018 and publicly opened on that date at 2:00pm at Yamhill City Hall. The apparent low bidder was M.L. Houck Construction Co., with a bid of Three hundred sixty-seven thousand two hundred sixty dollars. (\$367,260.00) AKS Engineering, Yamhill's City engineering firm, recommends awarding the contract to M.L. Houck Construction Co. It was noted that this is the Yamhill/Carlton School District's water line project that is funded by the School District but is being facilitated by the City.

Motion by Disbrow, seconded by Gray, to award the North Olive Street water main extension contract to M.L. Houck Construction Co, in the amount of \$367,260.00 and authorize the Mayor to sign the contract.

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

The motion carried.

- C. Consider reporting new proposed non-motorized trail development to Oregon Parks and Recreation Department survey.

The Oregon Parks and Recreation Department (OPRD) is currently in the process of developing a Statewide Comprehensive Outdoor Recreation Plan for the state of Oregon. The planning effort involves a survey of Oregon recreation providers to quantify the need for major rehabilitation of non-motorized trails and support facilities within UGBs and those providing connectivity from areas within UGBs to nearby trail systems in surrounding areas. OPRD is requesting that our agency complete the reporting

exercise, to provide information to be used for statewide planning purposes. Council's consensus is to direct Howard to send the City's information in for the survey and include plans for a walking path extension from Beulah Park to the walking trail at Public Works. Plans should also be included for connectivity to the future Westsider Trail on Highway 240 into the City.

- D. Consider Yamhill Fire District's request to post "No Parking" signs on W. First Street near their storage facility.

A letter was received from Fire Chief Jensen, Yamhill Fire Protection District requesting to post "No Parking" signs on W. First Street. The Fire District was awarded a grant for seismic upgrades to the current Fire Station, and during the construction the District will need to move several pieces of equipment out of the Fire Station. The District has erected a temporary storage facility on the District's property next to the Fire Station to house the equipment and vehicles that will need to be relocated. Because emergency vehicles will need to be able to enter and exit the temporary facility, "No Parking" signs are being requested for that area.

Graven recommended that the signs indicate no parking, emergency vehicles only.

Motion by Disbrow, seconded by Gray, to approve the placement of "No Parking - Emergency Vehicles Only" signs on the South side of W. First Street near the storage facility.

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

The motion carried.

8. CONSENT AGENDA:

- A. Approve Council Minutes
 - (1) Regular Session – March 14, 2018
- B. Financial Statements
- C. Approve the following Purchase Order:
 - (1) PO # 18-044 – National Photocopy Corp - \$4,293.00 – replace City Hall copier.
 - (2) PO # 18-040 – Goble Sampson Assoc. - \$ 1,348.78 – replacement pump heads.
 - (3) PO # 18-043 – OreVac West Inc. - \$ 3,290.00 – sludge removal.
 - (4) PO # 18-046 – Traffic Safety Supply - \$1,299.56- street patch material.

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

Roll call: Ayes: Potter, Terp, 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 March police calls.

Mayor Terp questioned if the recent car break-ins are continuing to be a problem, and Graven reported that some arrests have been made and many police agencies have been involved in the investigations.

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

Superintendent Howard provided his staff report included in packets.

Gray questioned if Public Works will be repairing potholes around the City, and Howard stated that he included a Purchase Order on tonight's agenda for the approval of the purchase of patching material to continue the repair of pot holes.

Potter noted the replacement of a fire hydrant at Fruit Hill and questioned if the City regularly replaces fire hydrants. Howard reported that many of the City's hydrants are an old style with two ports and no steamer port access. The old hydrants will be replaced as the City is able, with the newer hydrants that have two ports and a steamer port.

Howard reported that he has been contacted by the Oregon Department of Transportation to notify the City that O.D.O.T. has started implementing their plans to remove homeless people off their property and right-of-way's. Because Yamhill has highways through town, O.D.O.T. would like to know if the City would like to be notified when there has been activity in our jurisdiction and if so, who should be contacted. Howard responded that the City should be notified of any activity and contacts should be Graven, Gilmore and himself. Potter questioned if social services would also be notified during removal of homeless people. Howard indicated that O.D.O.T. would be notifying nearby homeless shelters at the same time as any planned activity. Potter suggested that resources be provided at the time of removal and Social Services be notified.

Howard provided information that he and Potter have been working together to make some changes in procedures for the Public Works Department. Plans are being put in place to enable Howard to transition to retirement.

**C. Mayor/Administration Review-
None Received.**

**D. Council Review
None Received.**

E. Emergency Preparedness Review

Councilor Disbrow reminded staff and Council that there will be an Emergency Operations Exercise on Saturday, April 14th from 9:00am to 2:00pm at the Yamhill Fire Station.

10. INFORMATION/ANNOUNCEMENTS:

- A. Budget Committee meeting, Monday, May 14, 2018, 6:30PM. City Council Chambers, 155 E. 1st Street.
- B. Town Hall Meeting with the Yamhill County Commissioners on Wednesday, May 9, 2018 at 6:30 PM.
- C. Vacancies:
Budget Committee - 2 members - Applications are available at City Hall
- D. Statement of Economic Interest, required by the Oregon Government Ethics Committee (OGEC) must be received electronically by April 15, 2018. If you have any questions contact them at 503-378-5105.

11. ADJOURNMENT: 8:15PM

Motion by Disbrow that the meeting adjourn at 8:15PM.
The motion carried by unanimous vote.

Respectfully submitted,

Paula Terp
Mayor, City of Yamhill

ATTEST:
Lori Gilmore, City Recorder