



**CITY OF YAMHILL, CITY COUNCIL MEETING
Wednesday, June 12, 2019 7:00 P.M.**

REGULAR MEETING/PUBLIC HEARINGS

1. CALL TO ORDER: Roll Call

The meeting was called to order by Mayor Potter at 7:03PM

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

Excused Absence: Councilor Echauri

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

2. FLAG SALUTE:

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

EXECUTIVE SESSION: 7:08 PM

- A. Consider convening in executive session under ORS 192-660(2)(e) to conduct deliberations to negotiate real property transactions.

Following discussion Mayor Potter adjourned the Executive Session at 7:32pm

REGULAR SESSION – (FOLLOWING EXECUTIVE SESSION) 7:35 PM

Following adjournment of the executive session, Mayor Potter called the regular session to order at 7:35PM.

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

Excused Absence: Councilor Echauri

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

Mayor Potter stated Council's first item of business was to consider action related to executive session. Council's consensus is to table the decision and have further discussion at the July 10, 2019 Council Meeting regarding purchase of land.

3. PUBLIC HEARING (S) on the 2019/2020 Fiscal Year Budget:

Mayor Potter opened the public hearing and asked for testimony.

Mayor Potter asked for any final comments concerning the budget. Potter closed the public hearing at 7:40PM.

- A. **Public hearing on the proposed use of State Revenue Sharing Funds.**
- B. **Public hearing on the 2019-2020 Fiscal Year Budget.**
- C. **Following closure of the public hearing A and B, consider the following items related to the 2019-2020 Fiscal Year Budget.**
 - (1) **Resolution No. R-763 - Allowing disbursement of State Funds.**

Motion by Disbrow, seconded by Gilmore, to adopt Resolution No. R-763 allowing disbursement of State Funds.

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

The motion carried.

**RESOLUTION NO. R-763
A RESOLUTION BY THE CITY COUNCIL OF YAMHILL, OREGON, ALLOWING
DISBURSEMENT OF STATE FUNDS, IN ACCORDANCE WITH ORS 221.760.**

- (2) **Resolution No. R-764 -Electing to receive State Revenue Sharing funding.**

Motion by Disbrow, seconded by Askey, to adopt Resolution No. R-764 electing to receive State Revenue Sharing Funding.

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

The motion carried.

**RESOLUTION NO. R-764
A RESOLUTION BY THE CITY COUNCIL OF YAMHILL, OREGON, DECLARING
THE CITY'S ELECTION TO RECEIVE STATE REVENUES.**

- (3) **Resolution No. R-765 -Adopting the 2019-2020 Fiscal Year Budget.**

Motion by Disbrow, seconded by Askey, to adopt Resolution No. R-765 adopting the 2019-2020 Fiscal Year budget in the total amount of \$7,015,927.00 and approving the property tax rate of \$3.7389 per \$1,000.00 of assessed value.

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

The motion carried.

RESOLUTION NO. R-765
A RESOLUTION BY THE CITY COUNCIL OF YAMHILL, OREGON, ADOPTING THE
2018-2019 FISCAL YEAR BUDGET, APPROPRIATING MONIES FOR OPERATION
AND LEVYING A PROPERTY TAX

4. PUBLIC COMMENT:

Kara Weber of Yamhill, a volunteer with the Yamhill Community Club, is requesting approval to hold a Beer Garden at Beulah Park during the July 20th annual Derby Days Event. Live music has also been booked for the event. Weber has been in contact with OLCC regarding the Beer Garden and was informed they would need an application for a temporary use of an annual license. The applicant would need to be a restaurant owner that has a current annual permanent license from the OLCC and then the application must go before the City Council for their approval. The owner of Yamhill's Rooted has agreed to be the applicant for the temporary license.

There was discussion that the Community Club would provide insurance for the event by adding the City of Yamhill as an additional insured. Jim Phillips, also a volunteer with the Yamhill Community Club, noted that the exact dates and times for the event have not been determined. Both Friday and Saturday evening, July 19th and 20th have been discussed for the Beer Garden and the music is scheduled for Saturday the 20th from 7:00pm to 10:00pm. Phillips questioned if the planned events will create a cost for the City to provide security and offered that the Community Club would cover any additional costs. Phillips would like to request that the Beer Garden be held in the skatepark area on the concrete. Council's consensus is to allow the Community Club to move forward with the application process and return to the July 10, 2019 meeting with specifics of dates and times, as well as the OLCC approval so the City Council can vote for the approval.

Kim Steele, representing the "National Night Out" committee, reported that the event will take place on Tuesday, August 6, 2019 from 4:00pm to 8:00pm and requests use of Beulah Park during that time, including waving of all park fees. A live band and a dunk tank are planned for the event, as well as food and games. Council's consensus is to approve the request.

Paula Terp the former Mayor, questioned when the new City Hall Flag will be relocated to the south side of the building. Terp would like the City to move forward with the relocation soon, as she had been promised while she was Mayor that the project would be completed. Officer Miller is in the process of finding a replacement pole and Public Works will be digging up the asphalt the week of June 24, 2019 for the placement. Terp is hoping it can be in place by the fourth of July Holiday.

Dana Gray informed Council of plans for the McMinnville Bookmobile to be located at the Yamhill/Carlton Intermediate School on Mondays from 11:00am to 1:00pm, starting June 17 through August 31, 2019. Gray announced that the next Main Street Economic Development meeting is tomorrow, June 13, 2018 from 6:00pm to 7:30pm in the Yamhill Council Chambers.

5. **PRESENTATIONS & APPOINTMENTS:**

A. None Scheduled.

6. **UNFINISHED BUSINESS:**

A. None Scheduled.

7. **ORDINANCES:**
FIRST READING:

A. None Scheduled

SECOND READING:

A. None Scheduled

8. **NEW BUSINESS:**

A. Consider Resolution No. R-766, a resolution of the City Council of the City of Yamhill, Oregon approving and supporting Continuum of Care.

A letter was received from the Mid-Willamette Valley Council of Governments exploring a regional effort to reconstitute a two or three county Continuum of Care with the goal of reducing homelessness in our region. This effort would be greatly aided by having our region's local governments adopt a resolution expressing support.

Motion by Askey, seconded by Disbrow, to adopt Resolution No. R-766, a resolution of the City Council of the City of Yamhill, Oregon approving and supporting Continuum of Care.

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

The motion carried.

RESOLUTION NO. R-766
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YAMHILL, OREGON
APPROVING AND SUPPORTING A CONTINUUM OF CARE

B. Request by Dave Larmouth of Recology Western Oregon regarding Rate Review Report and Annual Financial Report.

Dave Larmouth provided the Rate Analysis for Recology Western Oregon Waste. Larmouth provided a new cost rate adjustment for the coming year at a rate adjustment of 4.50% to be effective July 1, 2019. The rate increase will result in an increase of 1.30 cents per 90-gallon cart monthly and a .78 cent increase for a 32-gallon cart monthly. There was discussion regarding the clean-up of the recycling station area

adjacent to Public Works and who is responsible for the maintenance. It was noted that neither the City nor Recology Western Oregon started the recycling station but a group of volunteers did many years ago. There have been ongoing issues with dumping of non-recyclable materials at the site for years. Mayor Potter requested that Recology staff contact Howard to look for solutions to the ongoing dumping issues.

It was determined that it would only be a formality for Council to vote on the increase, as it is not a Council decision but a contractual CPI rate increase.

Motion by Askey, seconded by Disbrow, to approve the CPI rate increase of 4.50% by Recology Western Oregon Waste.

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

The motion carried.

- C. Review and evaluation of City traffic control devices and potential safety problems are scheduled for July 1, 2019.

An evaluation team from Oregon State University, in cooperation with the ODOT Traffic Safety Office is taking place on July 1, 2019. The objective of the program is to review and evaluate the traffic control devices, design elements and potential safety problems on major roads. The team would like to know any special issues or concerns that the City would like to have addressed as a part of the Traffic Control Device Evaluation and designate roads of a higher priority. Mayor Potter suggested that someone from the Police Department and possibly a Council member accompany the OSU Team on the ride-along and provide a copy of Chief Graven's report showing the crash statistics for Highway 47 within the City limits. A major concern by the Council is the intersection of Maple Street (Highway 47) and Main Street where there currently is a blinking yellow traffic light and a need for a red light at that location. Disbrow stated a concern for the School crossing areas by the Intermediate and High School. Graven stated that he would be glad to appoint an Officer for the evaluation and Potter volunteered Councilor Echaury if available.

- D. Review Ordinance O-459 and consider who enforces the rules.

Ordinance O-459, Chapter 7.04, Park Rules and Regulations of the Yamhill Municipal Code.

Howard requested the item be placed on the agenda for clarification of how the rules should be enforced and by who. Specifically, 7.04.040 (F) was discussed regarding parking areas and restricted parking within Beulah Park. Howard has requested that no parking be allowed within the park unless unloading and loading, if necessary, as vehicles should not be allowed to remain parked on the undesignated asphalt area. Potter feels that the Police Department should be the enforcers of the Ordinance rules.

Disbrow questioned if the allowed parking areas are in writing, as the Ordinance states no parking, but not which areas are designated. Disbrow recommends that signage be placed to designate parking areas as well as possible handicapped areas. It was noted that the park reservation form states that there are "No vehicles inside of the park area", but not all park users sign the park reservation form. It was also noted that City Hall staff does not supply a key to the park gate to any park users as public works handles opening the gate if it is necessary for park user to have vehicle access within the park area. Mayor Potter directed staff to place a sign requesting to park outside the gates in parking areas and add more specific verbiage on the Park Reservation Application Form.

E. Discuss if a Public Works stand-by policy is needed.

Howard requested this item be placed on the agenda and stated currently there is not a written policy for Public Works stand-by. Howard would like a policy, so the City knows when and who are on stand-by as well as what they are getting paid. In the past, the Public Works Department has managed the stand-by schedule without a policy, but because of some recent issues requests a policy be added. Howard recently received some example policies from the League of Oregon Cities that are in place in other cities, and not one policy pays as little stand-by pay as the City of Yamhill. Potter reviewed the current stand-by policy, which includes \$1.00 an hour pager-pay while employee is on an on-call status and paid a two-hour minimum at the rate of 1.5 hours for each hour if responding in any way to a call. Howard stated that there is a current policy regarding the call out pay, but not who is on stand-by and when and would like to have it in writing. Howard says that Oregon State statues specify that a Direct Responsible Charge Person (DRC-currently Howard) is required by law to be able to respond by phone 24/7 if needed, or on-site within an hour if needed for both water or sewer issues. Howard states that he has been doing this requirement for sixteen years mainly because he has the knowledge to answer questions for other public works employees, so he always tries to be available to answer any after-hours phone calls. Howard stated recently an employee was on call, but timecards did not show anyone on-call, so he claimed the pager pay for those missing hours.

Potter believes that who is on-call should be designated by the Superintendent and a schedule for the employees be created so no questions or confusion would happen and does not believe a policy needs to be created as it should be common sense. Potter directed Howard to work with his staff and create an on-call status sheet to show when they are on-call. It was also noted that Plant Operator Bernie Malis will have the proper certifications soon and will be able to share in the DRC responsibilities. Potter reiterated that no policy is necessary to create an on-call status sheet.

F. Discuss the current personnel policy regarding managements request for leave.

Howard requested this item be placed on the agenda. The current Personnel Policy states that vacation time must be scheduled with one's Department Head at least two weeks in advance of the date(s) the employee wishes to take as vacation but does not reference managements request for leave. Howard indicated that at one time

Department Heads had a Councilor or Mayor sign off on any Vacation Leave requests, but currently Department Heads use their own discretion on when leave can be taken. Potter stated that it should be between City Leadership as to when leave is taken and if coverage is available for absence. Potter respects the City's Leadership and would like to leave the responsibility to each Department Head as to know when they can be gone and when they don't have necessary coverage to take leave. Potter does request notification of scheduled Department Head leave and is confident that it won't be scheduled unless other staff has coverage for their absence.

G. Discuss and consider contracting new Utility Billing service – MuniBilling.

With the support of Genuine Technology, the City's IT service, a new Utility Billing service is being proposed. The current service is Asyst and has been used for over 20 years. Over the last couple of years, it has slowed down all of our other software systems and we are not able to have support or receive updates due to our current server. IT reports that the Asyst system is archaic and highly recommends MuniBilling for our future Utility Billing Service.

Motion by Disbrow, seconded by Askey, to move forward contracting with MuniBilling for our Utility Billing Service.

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

The motion carried.

H. Discuss and approve applying for Police Department eCite/eCrash Grant.

Chief Graven reported that a meeting was held with a representative from the Oregon Department of Transportation regarding a Grant Project application for an eCite/eCrash Grant. The project would provide eCitation and eCrash software and hardware for the Yamhill Police Department to begin implementing an electronic citation and crash reporting system. Currently there are 44 city, county and state agencies in Oregon utilizing the system. These agencies are submitting crash and citation data to the same database which the highway safety office can query for analysis reports. Graven indicated that there are still many questions regarding moving forward with the Grant application but wanted to provide the Grant Project application to the Council for informational purposes at this time and will return at a future date for Councils approval if ready to move forward.

9. CONSENT AGENDA:

- A. Approve Council Minutes
(1) Regular Session May 8, 2019
- B. Financial Statements
- C. Approve the following Purchase Order: None Received.

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

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

The motion carried.

10. DEPARTMENT/COMMITTEE REVIEW/REPORTS:

A. Police Review– Graven – Monthly report in packets.

Graven provided a statistical report of Vehicle Crash Stats on Maple Street-Hwy 47 within Yamhill City limits that spanned twenty-two years which showed sixty-four accidents with fourteen being injury accidents. It was recommended that the report be provided to the OSU technical team at the July 1, 2019 scheduled road evaluation. Chief Graven updated the Council that recently there was a softball game between members and family of the Yamhill PD (vs) Yamhill Fire District to raise money for the upcoming August 2019 National Night Out. Graven reported that it was a successful turnout with money raised for the event and that another game will be planned near the Yamhill Derby Days Event on Sunday, July 21, 2019.

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

Superintendent Howard provided his staff report included in packets.

Disbrow questioned the status of drawings for the new water transmission line project. Howard indicated that he has seen potential preliminary drawings but are still reviewing as to maintain the lines in the roadways and not through fields. The timeline for the entire project is scheduled to be completed by December 31, 2020.

Mayor Potter questioned the reference of the bidding of two street projects, and Howard responded one project is the paving of one block on Azalea Street near the School District, and the second project is E. First Street from Balm Street to Ash Street.

Howard notified Council that the computer at the Water Plant quit working today and the computer is unable to be upgraded because the SCADA system will not work with Windows 10 and is approximately 3 to 4 weeks out for the installation of the new SCADA system. Currently our IT service is trying to fix the current problem with the intent to keep it running until the new system is installed. While the system is down, public works will have to physically go to the water plant every four hours that the plant is running and manually log in readings that are normally done electronically. Potter questioned how this responsibility will be shared and Howard responded that he is scheduled for vacation from Friday, June 14th until June 25th and Bernie Malis will be on-call 24/7 and work straight through until he returns on the 25th. Malis is the only certified employee at this time and support from other cities is not available.

- (1) Discuss Direct Responsible Contact (DRC) for the water and wastewater system.

Howard would like the City to consider appointing Bernie Malis as the DRC for both Water and Wastewater, once he has obtained his Filtration Endorsement Certificates. Howard reported that being the DRC is not a shared responsibility, as the State requires

that one person be the contact person. There would need to be paperwork sent to the Oregon Health Division and DEQ that Malis will be taking over as Yamhill's DRC. Howard would be the alternate DRC if Malis was unavailable. Howard indicated that the 2019/2020 Fiscal Year budget included a 3% salary increase for his Superintendent position and he recommends those funds be added to Malis's salary increase in addition to the budgeted 3% increase for the Plant Operator position. The salary increase would be compensation for the additional job duties that Malis will be responsible for. Potter requests that Howard submit the recommendation in writing to consider when reviewing employee evaluations in July. Howard requested that his City issued Visa Credit Card with Umpqua Bank be cancelled, as he will not be using it in the future.

C. Mayor/Administration Review-

A resignation was received from Rita Gilmore, Utility Worker I, which provided a two-week notice, with her last day with the City being June 11, 2019.

D. Council Review

None Received.

E. Emergency Preparedness Review

No Meetings are currently scheduled during the summer months, Mayor Potter requested that a mid-September meeting be schedule.

F. Economic Development Review

Review by Dana Gray given during Public Comment.

11. INFORMATION/ANNOUNCEMENTS:

- A. OLCC License renewal list.
- B. City offices will be closed Thursday, July 4th, to observe the Holiday.
- C. Yamhill Derby Days Parade – July 20, 2019.
- D. Carlton Fun Days Parade – June 22, 2019.
- E. Vacancies: Budget Committee –Applications are available at City Hall

12. ADJOURNMENT: 9:50PM

Motion by Disbrow that the meeting adjourn at 9:50PM.

The motion carried by unanimous vote.
Respectfully submitted,

Yvette Potter
Mayor, City of Yamhill

ATTEST:
Lori Gilmore, City Recorder