



**CITY OF YAMHILL, CITY COUNCIL MEETING
Wednesday, July 10, 2019 6:30 P.M.**

REGULAR MEETING

1. CALL TO ORDER: Roll Call

The meeting was called to order by Mayor Potter at 6:33PM

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

Excused Absence: Chief Graven

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

EXECUTIVE SESSION: 6:34

- 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 6:57pm

REGULAR SESSION – (FOLLOWING EXECUTIVE SESSION) 7:04PM

Following adjournment of the executive session, Mayor Potter called the regular session to order at 7:04PM.

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

Excused Absence: Chief Graven

Staff present: City Recorder Gilmore, Superintendent Howard

Mayor Potter stated Council's first item of business was to consider action related to executive session. Council's consensus is that no further action is required at this time and are not willing to increase purchase price or accept release of liability and would like to attend mediation scheduled for September 2019.

2. FLAG SALUTE:

Mayor Potter led the flag salute with all those present participating

3. PUBLIC COMMENT:

Olan Pairan, of Maple Street in Yamhill has a concern with the School Districts Dome Gym and the fact that students have access to the dome, and it isn't locked. His concern is with security as students have access with no supervision and doesn't believe any staff are present. Councilor Echauri stated she will contact the School District and return at a later date to report response. Pairan questioned if the Domes are approved for occupancy, and Brian Jensen stated that the Domes have approved temporary occupancy until December 31, 2020. Mayor Potter encouraged Pairan to contact School District with concerns, as it would not be a City issue.

Pairan also had a complaint regarding loud truck brakes and speeding in town, stated it is an ongoing issue and has complained in the past and doesn't feel like enforcement is being done.

Chief Jensen, of the Yamhill Fire District stated that currently Public Works places the fuel order for both the Yamhill Fire District and the City, and the Fire District would like to take over that responsibility. The unanimous consensus from the Council is to approve this request. It was noted that the fuel tank is located at the Public Works facility.

Kara Weber, representing the Yamhill Community Club provided specific information regarding the Beer Garden at this year's Derby Days Event. At the June 12, 2019 meeting, Council asked the Community Club to return to the July 10, 2019 meeting with specifics of dates and times of the Beer Garden once OLCC had approved the temporary use application. Weber reported that the Beer Garden will be located at the skate park area in Beulah Park in an area of 60' X 100', with 4' orange fencing and one swinging gate for entering and exiting which will have monitors at all times. The Beer Garden hours will be Friday, July 19th from 3:00pm – 10:00pm, and Saturday, July 20th from 11:00am-10:00pm.

4. PRESENTATIONS & APPOINTMENTS:

A. Economic Development Review- Dana Gray

Dana Gray gave an update on the progress for Beverly Cleary Library fund raiser. Gray will be selling framed serigraph art of the Beverly Cleary house in Yamhill at the "Yamhill Economic and Beverly Cleary" vender booths at the Derby Days event for \$5.00. At the booths will also be information to promote the rebuilding of the "Hotel Royal" that was located at First Street and Maple Street from 1880 to 1937. Gray provided flyers for the projects and will have them available at the Derby Days booths that will also include a vote for the rebuilding of the Hotel Royal so your voice can be heard.

B. Appointment- Jay Disbrow – Oversight Commissioner-Water and Sewer Treatment Operations.

A letter of appointment was provided to appoint Jay Disbrow as an oversight commissioner for the Water and Wastewater Treatment Operations, with the approval of the Mayor and Council. The responsibilities include supporting the appointed plant operations manager and DRC in training; technical process management, procurement

and purchasing of needed materials, equipment and support contractor assistance to improve operations of plant and sewer conditions. Authorization and encouraged to visit Public Works operation sites frequently and directed to report to the Mayor weekly, or as necessary and the City Council at regular or special council meetings.

Motion by Echaury, seconded by Gilmore to approve the appointment of Councilor Disbrow as an oversight commissioner for the Water and Wastewater Treatment Operations.

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

The motion carried.

5. UNFINISHED BUSINESS:

- A. Consider formal approval of Beer Garden at Beulah Park during Derby Days.

This item is continued from the June 12, 2019 Council Meeting. At that meeting, 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. It was noted that the OLCC application was signed by Mayor Potter on June 28, 2019 after unanimous Council votes via email, with the formal recorded vote tonight.

Motion by Echaury, seconded by M. Gilmore, to authorize Mayor Potter to sign the OLCC application for a temporary use of an annual license, to hold a beer garden at Beulah Park on July 19, 2019 and July 20, 2019.

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

The motion carried.

**6. ORDINANCES:
FIRST READING:**

- A. Consider adopting Ordinance O-526, an Ordinance relating to Public Safety; adding Yamhill Municipal Code Chapter 5.08.220. Ordinance No. O-526 will be available. Ordinance posted: June 27, 2019 (Charter Chapter IV, Section 16(b).)

Chief Graven initiated the Ordinance, as currently there is nothing in either state law or the Yamhill Municipal Code to deter a person who has allegedly violated a City ordinance by simply ignoring a police officer when the officer asks for identifying information in order to issue a citation for the violation. This ordinance would give the Police Department an additional tool to ensure compliance for requested information.

Motion by Disbrow to approve the reading of Ordinance O-526, seconded by Echaury to adopt Ordinance O-526 an Ordinance relating to Public Safety, adding Yamhill Municipal Code Chapter 5.08.220.

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

The motion carried.

Ordinance O-526
AN ORDINANCE RELATING TO PUBLIC SAFETY; ADDING YAMHILL
MUNICIPAL CODE CHAPTER 5.08.220.

An Ordinance may be approved at one meeting with a unanimous approval vote as long as the Ordinance was available at least one week before the meeting. Ordinance will take effect on the 30th day after adoption.

SECOND READING:

A. None Scheduled

7. NEW BUSINESS:

A. Consider Resolution No. R-767, a resolution of the City Council of the City of Yamhill, Oregon amending the Penalties for the Yamhill Municipal Code, in Accordance with Yamhill Municipal Code Section 1.36.010, General Penalties, and superseding Resolution R-692.

Resolution No. R-767 provides the penalty for Violation of Municipal Code Chapter 5.08.220, adopted Ordinance O-526, as a Class A penalty violation.

Motion by Echaury, seconded by Disbrow, to adopt Resolution No. R-767, a resolution of the City Council of the City of Yamhill, Oregon amending the Penalties for the Yamhill Municipal Code, in Accordance with Yamhill Municipal Code Section 1.36.010, General Penalties, and superseding Resolution R-692.

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

The motion carried.

B. Review and consider approving job description for Administrative Clerk Position.

Treasurer Gilmore provided a draft of the budgeted full-time Administrative Clerk Job description. Potter questioned what the changes from the current clerk position were. Gilmore reported that the main change in the job description is the Grant writing duty, and more administrative work for Public Works and the Police Department, as well as it will be a full-time position with 32 – 40 hours a week. The Grant writing duty was

recommended by the City's Department Heads and was previously encouraged by City Council and the Budget Committee to move forward with a position that could perform this duty. Potter expressed excitement for the new position, if approved, because she feels the City is missing out on a lot of opportunities for grant funding.

Motion by Echaury, seconded by M. Gilmore, to approve Administrative Clerk job description and authorize starting recruitment.

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

The motion carried.

C. Award contract for Roadway Improvements Project to Haworth Inc.

Jason Wuertz, of AKS Engineering reported that invitations to bid for the City of Yamhill Roadway Improvements project was advertised May 28, 2019 –June 26, 2019. The bids were due and opened on June 26, 2019 at 2:00pm at Yamhill City Hall Council Chambers. The apparent low bidder out of eight bids was Haworth Inc., with a bid of one hundred sixty-five thousand nine hundred and nine dollars and ten cents. (\$165,909.10) AKS Engineering, Yamhill's City engineering firm, recommends awarding the contract to Haworth Inc. The project location is E. Azalea Street between S. Maple Street and N. Larch Place and E. First Street between S. Balm Street and S. Ash Street work to begin after July 31, 2019 and completed within 120 calendar days from commencement of work, and not later than June 30, 2020. Howard reported that Attorney Gowell has approved all contract documents prior to the award.

Motion by Echaury, seconded by Askey, to award the Roadway Improvements Project contract to Haworth Inc., in the amount of \$165,909.10 and authorize the Mayor to sign the contract.

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

The motion carried

8. CONSENT AGENDA

- A. Approve Council Minutes
 - (1) Regular Session June 12, 2019
- B. Financial Statements
- C. Approve the following Purchase Order:
 - (1) PO # 19-054 – USA Blue Book - \$462.00- Lab Chemicals
 - (2) PO # 20-001 - Quality Control Serv 0 \$ 610.00 – Annual Calibration
 - (3) PO # 20-002 – Genuine Technology - \$3,423.14 – PW Computers
 - (4) PO # 20-003 – Bretthauer Oil Co - \$748.07 – Fuel
 - (5) PO # 20-004 – OreVac West - \$2,600.00 – Sludge Basin Cleaned

- (6) PO # 20-005 – Alexin Analytical - \$ 205.00 – Water Tests
- (7) PO # 20-006 – Schroeder Contracting - \$2,375.00 – Gazebo Install
- (8) PO # 20-007 – Town & Country Fence -\$2,246.27- Beulah Park
- (9) PO # 20-008 – Camtronics - \$ 21,050.00 – SCADA - 1st Billing
- (10) PO #20-009– C.F. Laughlin Logging Co - \$ 973.00 – Tree Removal

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

Disbrow would like to pull and review three purchase orders before voting; PO# 002, PO#006 and PO # 008. Purchase Order #20-002 is for Genuine Technology in the amount of \$3,423.14 for a GIS Workstation, Monitor and docking station for public works. Howard noted that he will be leaving the City soon and a GIS workstation will probably not be needed in the future. It was recommended to pull the purchase order and get a new quote from Genuine Technology without the GIS workstation.

Purchase Order #20-006 is for Schroeder Contracting in the amount of \$2,375.00 for the installation of the Gazebo. Disbrow questioned why there was additional nails and bolts for the install when it was a purchased kit and if a quote has been received before work was completed. Potter also questioned why there was never an approved project plan showing costs involved for the Gazebo. It was stated previously that volunteers would put the Gazebo together. Howard stated that it still needs to be roofed and the total cost to the City will be approximately \$22,000.00. There was discussion whether to pull the purchase order and get more detailed information or pay Schroeder because the work has already been done. It was recommended to approve the purchase order and pay invoice. Purchase Order #20-008 is for Camtronics Inc. in the amount of \$21,050.00 for the first payment installment for a Water Plant SCADA upgrade. It was noted that the entire SCADA upgrade will be \$70,000.00. Council would like more information regarding the scope of the work, detailed quote and any contract involved.

Motion by Echaury, to approve the Consent Agenda with PO# 20-002 removed, Disbrow seconded.

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

The motion carried.

9. DEPARTMENT/COMMITTEE REVIEW/REPORTS:

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

Chief Graven was not in attendance at tonight's meeting.

Traffic Officer Miller provided information regarding the installation of a new flagpole and has been in contact with business owners to either get donations or a pole donated. It was determined that the existing flagpole would not be sufficient to move, and a larger pole is preferred. A quote was received for a 35-foot aluminum pole for \$1,500.00.

(1) Annual review of Police Department personnel.

Prior to tonight's meeting, Chief Graven asked Recorder Gilmore to report that Police Officer Van Cleave's annual performance evaluation had been completed and Van Cleave is doing a great job and recommends a 3% salary increase for Officer Van Cleave.

Recorder Gilmore reported that Graven completed Traffic Officer Miller's annual performance evaluation and recommends a 3% salary increase for Officer Miller.

Echauri made motion, seconded by Disbrow to approve a 3% salary increase for Officer Van Cleave effective July 1, 2019 and also approve a 3% salary increase for Officer Miller effective July 1, 2019 for pay period ending July 13, 2019.

Roll Call: Ayes: Potter, Disbrow, Gilmore, Askey and Echauri
Nays: None

The motion carried.

B. Public Works Review – Superintendent Howard

Howard provided his resignation with the City of Yamhill and reported he is giving two-weeks' notice and his last day will be Thursday, July 25th

(1) Annual review of Public Works personnel.

Howard did not complete Bernie Malis, Plant Operator, annual performance evaluation and will be referring the evaluation to the Council to complete. Mayor Potter will oversee completing Malis's annual performance evaluation and plans to provide the review at the August 2019 Council Meeting.

C. Mayor/Administration Review-

(1) Annual review of Administrative Department personnel.

City Recorder Gilmore stated that she has completed Kim Steele's annual performance evaluation and recommends a 3% pay increase.

City Recorder Gilmore stated that she has completed Trudi Malis's annual performance evaluation and recommends a 3.0% cent an hour increase.

Echauri made motion, seconded by M. Gilmore to approve a 3% salary increase for City Clerk Kim Steele, effective July 1, 2019 and approve a 3.0% an hour pay increase for Part/Time Admin Clerk, Trudi Malis, effective July 1, 2019 for pay period ending July 13, 2019.

Roll Call: Ayes: Potter, Disbrow, Gilmore, Askey and Echauri
Nays: None

The motion carried.

(2) Annual review of Police Chief.

Mayor Potter has not completed Chief Graven's annual performance evaluation and will be providing the review at the August 2019 Council Meeting.

(3) Annual review of Public Works Superintendent.

It was noted that the Superintendent has provided his resignation and will not have an annual review.

C. Council Review

Disbrow reported that he met with an evaluation team from Oregon State University on July 1, 2019. The team consisted of two members from OSU, two private consultants and one from ODOT. Disbrow did a ride-along with the team and they looked at City traffic control devices and areas of concern. A report will be provided with an evaluation of the review with recommendations that should be available for review at the August Council Meeting.

D. Emergency Preparedness Review

Next meeting will be in September, date to still be decided.

10. INFORMATION/ANNOUNCEMENTS:

- A. Yamhill Derby Days Parade – July 20, 2019
- B. Yamhill National Night Out- Tuesday, August 6, 2019
- C. Vacancies: Budget Committee - Applications are available at City Hall.

11. ADJOURNMENT: 8:45 PM

Motion by Echauri that the meeting adjourn at 8:45PM.

The motion carried by unanimous vote.

Respectfully submitted,

Yvette Potter
Mayor, City of Yamhill

ATTEST:
Lori Gilmore, City Recorder