



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

REGULAR MEETING

1. CALL TO ORDER: Roll Call

The meeting was called to order by Mayor Terp at 7:16PM

Present: Mayor Terp and Councilors Disbrow, Echauri, Gray and Potter
Staff present: City Recorder Gilmore, Superintendent Howard, Officer Miller

2. PUBLIC COMMENT:

Rocky Losli requested a private meeting with Mayor Terp to discuss the ongoing relationship between the Yamhill/Carlton School District and the City of Yamhill. Terp stated that she is available on Fridays for City business discussions. Losli will request a meeting in the near future.

3. PRESENTATIONS & APPOINTMENTS:

A. None Scheduled

4. UNFINISHED BUSINESS:

A. Follow up with business owners regarding code complaint report concerning residential business on W. Third Street.

Discussion and review of the complaint has been continued from the May 9, 2018 Council Meeting and previous meetings beginning September 13, 2017. Sue Richardson, owner of DeMoss & Gutterman, gave an update for the timeline of moving the business. Richardson stated that within 30 days the majority of the equipment and trucks will be removed from the Third Street location and some of the work trucks have already been moved. Mayor Terp indicated that this was acceptable and the neighbor in attendance was also satisfied with the 30-day timeline.

5. ORDINANCES:

FIRST READING:

A. None Scheduled

SECOND READING:

A. None Scheduled

6. NEW BUSINESS:

A. Consider request to close Main Street between Olive Street and Maple Street on Saturday, July 21, 2018.

An application was received from Trask Mountain Outpost for permission to close Main Street between N. Olive Street and Maple Street on Saturday, July 21, 2018 from 5:00pm to 1:00am. Trask plans to have a live band for their Derby Days Event at that location. Olen Pairan of Yamhill, believes the music should not be allowed until 1:00am, but should be stopped at an earlier time. Pairan feels it is too loud near his residence and asked the Council not to approve the ending time of 1:00am. Terp expressed that it is a once a year event and doesn't see the time requested as a problem for the community.

Motion by Disbrow, seconded by Echauri to approve the request for holding the celebration on Derby days and allowing for the street closure and music until 1:00am.

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

The motion carried

B. Consider approval of Trade Services Contract with Bretthauer Oil Company and authorize Mayor Terp to execute contract.

Howard reported that Bretthauer Oil Company is the same company we have used for years to purchase our fuel, but a new contract is needed as the previous contract included Portland and Portland has chosen to move to a different firm.

Motion by Gray seconded by Echauri to approve the contract with Bretthauer Oil Company and authorize Mayor Terp to execute contract.

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

The motion carried

C. Discuss inside City Limits Fire Flow requirements.

A local contractor and resident, Chuck Mitchell has been required by the Yamhill Fire District to provide fire flow testing to meet the 1,000 gpm necessary to proceed with his building application. Mayor Terp started the discussion by explaining that the City does not have fire flow requirements, any requirements regarding fire flow for new building construction is a Fire District requirement.

Howard pointed out that the City has previously adopted the Fire Codes with our

Building Code, which requires that before City Staff can sign off to approve any kind of a building permit, the plans have to meet the State Fire Code and the State Fire Marshall or representative would need to sign for approval also. The City does not enforce the State Fire Code and the City does not have to meet the requirement for fire flow inside the City Limits. Howard reiterated that there is no State Law that requires the City to provide Fire Flow, there is a requirement to store a certain amount of water for storage for fire capacity. Mayor Terp expressed the City's willingness to work towards solutions for better water flow by possibly installing a booster pump until the City can obtain funding for upgrading water lines into town. Howard noted that the City is currently looking for funding grants to replace the water line that runs from the reservoir to town. Shannon Miller, the State Deputy Fire Marshall was in attendance and addressed the fire flow requirement. Miller reported that under the State Fire Code, a single-family dwelling under 3,600 square feet requires a minimum of 1,000 gallons per minute fire flow, with an exception that the flow can be reduced by 50% if the dwelling is installed with an approved sprinkler system. Mitchell expressed that the fire flow test done on the location he will be constructing was 933 gpm. Miller stressed that the Fire Code draws the line for the fire flow to be a minimum of 1,000 gpm. Mitchell disputed having to install sprinkler systems to meet the requirement and questioned other recently built homes meeting the fire flow requirement. Mayor Terp urged Mitchell to take his dispute to the Yamhill Fire District Board, as the Yamhill City Council can not direct the Fire Board or Fire Marshall on this matter.

D. Discuss complaint regarding resident with 4H animals.

An anonymous complaint was received May 1, 2018 regarding a resident on East Third Street housing at least three goats and two pigs in a pen in their backyard.

The resident, Jim Knapp and his daughters were in attendance to explain that the animals are 4H animals and will be sold at the upcoming Yamhill County Fair at the end of July. Knapp asked for a variance to allow his daughters to continue raising the animals for the 4H program, which he stated lasts yearly for approximately 2 ½ months, from the middle of May to the end of July.

The Knapp's assured the Council that the animals are kept in clean and sanitary pens.

The City's municipal code 5.04.030 states that no person shall have or keep goats or swine within the City limits.

Council consensus is to allow the animals to stay until the County Fair is held, which is within two weeks and also will direct the Planning Commission to review the current Municipal Codes pertaining to goats and swine and discuss if 4H animals can be allowed. It was noted that if the current code remains the same, a variance would need to be applied for prior to obtaining 4H animals next year. The Code Complaint will be held until the Planning Commission makes further determination.

E. Discuss Superintendents leave accruals and coverage for Public Works.

Howard briefed the Council on the current status of Public Works being short staffed due to an employee being out for an undetermined amount of time. Howard informed the Council that his leave accruals are at a maximum and in order to stay within policy

rules, he will be taking two days off a month to keep his vacation accruals within the limit and avoid losing any accrued time. Howard will try to manage his comp time accruals by coming to work late on the days he has evening meetings. Howard pointed out that a solution needs to be done very soon, as Public Works cannot maintain the required work duties with the current staff situation. Councils consensus is to approve Howard's two day a month vacation leave and not override the current accrual policy limits.

F. Discuss City's Timber Harvest.

Howard announced that the City had sent out requests for proposals (RFP) for the logging services and received three proposals by the July 9, 2018 deadline. The evaluations for the proposals have been scored according to the criteria set in the RFP. The City had also requested bids from logging mills for the purchase of the timber, and five bids were received that covered the various timber sorts. The evaluations were based on a scoring system devised by the State and Federal Government for work bid requirements. Howard and Steve Garner with Garner Timber Services, recommends that the City Council award the harvest contract to Jackson Logging, Inc., and recommends accepting all five bids for the purchase of the timber and move forward with sending letters of intent to award for both the harvesting proposal and purchasing bids. If the Council approves the recommendation, Attorney Gowell will draw up the Intent to Award letters, and once the timeline is complete after the letters are mailed, the contracts will be negotiated, and the intent is to have the majority of the logging complete by November of 2018.

Motion by Gray, seconded by Echauri to approve the awarding of the logging contract to Jackson Logging, Inc., and move forward with the intent to negotiate contract.

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

The motion carried

Motion by Gray, seconded by Echauri to move forward with negotiating the contracts with all four mills that provided five bids for the specific sort provided in their bids.

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

The motion carried

7. CONSENT AGENDA:

- A. Approve Council Minutes
(1) Regular Session – June 13, 2018
- B. Financial Statements
- C. Approve the following Purchase Order:

- (1) Western Wood Products - PO # 19-002 – \$11,250.00 – Park Gazebo.
- (2) Core & Main – PO # 19-003 - \$3,634.65 – Water Plant Supplies.
- (3) OreVac West Inc – PO # 19-004 - \$1,950.00 – removal of sludge from secondary basin.

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

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

The motion carried.

8. DEPARTMENT/COMMITTEE REVIEW/REPORTS:

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

Chief Graven was not in attendance and Traffic Officer Miller was available for any questions.

- (1) Annual review of Police Dept. 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% pay increase for Officer Van Cleave.

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

Echauri made motion, seconded by Potter to approve a 3% pay increase for Officer Van Cleave effective July 1, 2018 and also approve a 3% pay increase for Officer Miller effective July 1, 2018.

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

The motion carried.

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

Superintendent Howard provided his staff report included in packets.

Councilor Gray questioned if the City will need to do water rationing this summer.

Howard stated that at this time the water supply is good, and no rationing is planned.

Councilor Potter inquired when the yellow painting of the curbs will be done, and

Howard responded it is on the schedule to be done in the next two weeks.

- (1) Howard informed the Council that a report was received from FEMA agreeing that the elevation in the area at Public Works adjacent to the lagoons, is higher than the flood plain and is out of the 100-year floodplain area. Steps may need to be taken by Council to accept FEMA’s findings, Howard will report back.

(2) Howard reported that he is working with our city engineering firm to finish up the Water Master Plan, which was scheduled to be done by a contracted firm last December. Acquiring funding for water projects cannot be applied for until the Water Master Plan is completed. Howard explained that as of January 1, 2018, a new requirement went into effect requiring a seismic evaluation of the water system and will need to be included in the Master Plan, which has postponed the completion of the plan. The State will allow the City to tentatively get approval of the Master Plan with the condition that the City puts into place a plan to finish the seismic study of the water system with a 50-year plan. However, the study could take up to a year, as the reservoirs will need to be drained for the inspection and they can only be drained in the wintertime. The City's engineering firm, AKS Engineering, will be performing the structural seismic study.

In the interim, a determination will be made if a booster pump at the corner of Pike Road and N. Olive Street could help with the water flow in the City to allow for new construction and how many could be built and still have fire protection. The cost to make this determination will be approximately \$15,000.00 to \$20,000.00 and will include several hydrant tests and plans to start the week of July 16th 2018.

(3) Howard provided a draft of an agreement with O.D.O.T. for placement of the "Speed Feedback Signs" and stated it will need to be reviewed by Attorney Gowell and if approved, Mayor Terp will need authorization to sign the agreement.

C. Mayor/Administration Review-

(1) Annual review of Administrative Dept. 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.

Terp made motion, seconded by Gray to approve a 3% pay increase for City Clerk Kim Steele, effective July 1, 2018 and approve a 3.0% an hour pay increase for Part/Time Admin Clerk, Trudi Malis, effective July 1, 2018.

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

The motion carried.

(2) Discuss replacing and moving the City Hall American Flag.

Previously Council has discussed moving the City Hall Flag away from the corner of the building and getting a larger flag with a taller pole that can be placed half-mass when necessary. Former Officer Hoy had volunteered for the project but has now resigned and moved to Klamath Falls. Officer Miller will be helping with the project and is working with Police Reserve Officer Chris Livingston to obtain a donated flag and pole.

Miller will coordinate the project with Superintendent Howard on the location and the access for running power for the lighting of the flag.

D. Council Review

- (1) Annual review of Police Chief Graven.

Echauri reported that she completed Chief Graven's annual performance evaluation and would recommend a 3.0% pay increase. Echauri also stated that Chief Graven is doing a great job as Police Chief and is proud of our Police Department.

Echauri made motion, seconded by Gray to approve a 3% pay increase for Chief Graven effective July 1, 2018.

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

The motion carried.

- (3) Annual review of Public Works Superintendent Howard.

Councilor Potter completed Howard's annual performance evaluation and would like to recommend a 3.0% pay increase for Superintendent Howard. Potter commented that Howard is very much appreciated and feels that he always goes above and beyond what is required, and the City is very fortunate to have him for our Superintendent.

Potter made motion, seconded by Terp to approve 3% pay increase for Superintendent Richard Howard effective July 1, 2018.

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

The motion carried.

- (4) Discuss signing letter of support for Yamhelas Westsider Trail.

A draft of a support letter for the Yamhelas Westsider Trail was provided. Council's consensus is to approve the letter and authorize Mayor Terp to sign. Once signed, the letter will be mailed to the Yamhill County Commissioners and the Friends of the Yamhelas Westsider Trail.

E. Emergency Preparedness Review

Disbrow reported that the next scheduled E.O.C. workgroup meeting is Friday, July 27, 2018.

9. INFORMATION/ANNOUNCEMENTS:

- A. Yamhill Derby Days Parade – July 21, 2018.
- B. City of Yamhill -City/County Dinner, Thursday, August 16, 2018.
- C. Thank you letter from Champion Team for Community Support.

10. ADJOURNMENT: 9:30PM

Motion by Echauri that the meeting adjourn at 9:30PM.

The motion carried by unanimous vote.
Respectfully submitted,

Paula Terp
Mayor, City of Yamhill

ATTEST:
Lori Gilmore, City Recorder