



City of Yamhill

A small taste of Oregon

CITY COUNCIL MEETING
Wednesday, July 12, 2023, 6:30 pm
MINUTES

REGULAR MEETING

1. CALL TO ORDER (1:43)

The meeting was called to order on July 12, 2023, at 6:42 p.m.

Roll Call

Present, In-Person: Mayor Yvette Potter; Councilors Marci Hedin, Kay Echuari, Shea Corrigan

Virtual: Councilor, Tim Askey

Staff Present In-Person: Travis Van Cleave, Police Department; Jason Wofford, Public Works;
Angie Fowler, City Recorder

2. FLAG SALUTE (2:04)

3. PUBLIC COMMENT (2:35)

Jay Disbrow, 515 East Main Street, Yamhill

Jay came to extend appreciation from the McMinnville Amateur Radio Club for the use of the park for their annual field day. He gave a brief summary on how the event went and thanked the Council for allowing the overnight event. He stated that he is looking forward to coming back next year.

4. AGENDA UPDATES AND ADDITIONS (4:21)

There were no updates of additions to the agenda.

5. CONSENT AGENDA (4:50)

A. Financial Statement to Current

B. Approval of May 10, 2023, Council Meeting Minutes

C. Approval of June 14, 2023, Council Meeting Minutes

Kay Echuari

I'll make a motion to approve the consent agenda.

A MOTION TO APPROVE THE CONSENT AGENDA.

ROLL CALL: Motion introduced by Kay Echuari and seconded by Marci Hedin

Ayes (5): Potter, Corrigan, Askey, Echuari, Hedin

Nays (0): None

The motion carried.

6. UNFINISHED BUSINESS (5:11)

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A. Staff Report Resolution R-810

B. R-810, A Resolution to Transfer money from Sewer and Water fund to the Sidewalk Fund.

Jason Wofford

This transfer was discussed during Budget, this transfer is going to assist in fixing some of the sidewalks on the West end of Highway 47 in front of the high school. kind of set the slate clean as far as just upgrading and not having to lean on the homeowner to improve that sidewalk. He was asked to specify which side of the highway and stated that it was in front of the high school.

Yvette Potter asked if the Council had any questions in regard to this. There were none.

Kay Echauri

I make a motion to approve. resolution R-810. A resolution to transfer money from a sewer and water fund to sidewalk fund.

MOTION TO APPROVE R-810, A RESOLUTION OT TRANSFER MONEY FROM THE WATER AND SEWER FUN TO THE SIDEWALK FUND.

Roll Call: Motion introduced by Kay Echauri and seconded by Marci Hedin.

Ayes (5): Potter, Corrigan, Askey, Echauri, Hedin

Nays (0): None

7. NEW BUSINESS (7:29)

A. Paid Leave Oregon; Employers Option to Pay Employee Costs - Discussion.

The Mayor asked for an overview of Paid Leave Oregon and the option to pay employee costs.

Paid Leave Oregon is a new program that is separate from FMLA. While FLMA guarantees an employee right to take leave, the paid leave Oregon pays people while they are taking this leave for qualified reasons. Employees can apply and Paid Leave Oregon will decide if they qualify and pay the employee when they are on leave, employers do not have to pay the employees when they are on leave. The money from this program is generated by every employee in Oregon getting 1% taken from their monthly paychecks. Larger employers (with more than 10 employees) to have to pay into it as well.

This was put on the agenda to ask of Council if the City would want to pay the employee portion, which works out to about \$270/mo., as they are a smaller employer that does not need to pay into it themselves.

After a discussion by the Council, a motion was made to pay the employees portion of the Paid Leave Oregon beginning June of 2023.

Kay Echauri 14:37

I make a motion to approve Paid Leave Oregon employers' option to cover employees' costs in the amount of \$270 a month beginning July 2023.

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MOTION TO APPROVE PAID LEAVE OREGON EMPLOYERS' OPTION TO PAY EMPLOYEE COSTS IN THE AMOUNT OF \$270 A MONTH, BEGINNING JULY 2023.

Roll Call: Motion introduced by Kay Echaury and seconded by Marci Hedin.

Ayes (5): Potter, Corrigan, Askey, Echaury, Hedin

Nays (0): None

8. DEPARTMENT REPORTS (15:12)

A. Administration

A1. Employee Performance Reviews/ Pay Increases

Travis Van Cleave

The passed down directive from the chief was to let Council know that those annual reviews have been completed, and that it has been done in accordance with our collective bargaining agreement. And I do have the stats in front of me if you'd like a recap of those stats otherwise have been included in the packet.

There were no questions on the stats on the reviews.

Kay Echaury made special mention of Travis Van Cleave handling a CPR emergency recently and thanked him.

For the record they read a letter received from a community member regarding the CPR emergency:

Marci Hedin 17:18

The first part, of the email came for, from the county. "I received this email on my weekend and I wanted to pass it along to you and Greg, you did an excellent job on this call. And I can honestly say that if you hadn't gotten there started CPR right away, this would not be the result. Thank you, XXX.

And then from a family member of the patient.

"I'm writing to express my heartfelt gratitude for the tremendous help you and your department provided during one of the most challenging weeks my family and I have ever faced. It is thanks to their actions that my father's life was saved and I cannot begin to express how truly grateful we are. When my stepmother gave me the card you had given her on the day of my dad's cardiac arrest, it reminded me of the incredible efforts made by everyone who responded to the emergency.

Even though I wasn't present at the scene. I've heard stories of how everyone came together to assist I'm certain that collective actions are the reason my father is still with us today. I'm finding the right words to express the depth of my gratitude for you the volunteers EMTs pilots, nurses and doctors who worked tirelessly to provide my father with the critical care he needed it no easy task. I finally joined me in sharing this immense gratitude.

I'm not sure the individual who assisted my stepmother with CPR, I recall the name Travis being mentioned by the kind nurse in the ICU. If possible, I'd like to personally thank whoever played such a vital role, whether through a message of gratitude, a handshake, or hug.

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Furthermore, I kindly ask that you pass along my heartfelt appreciation to anyone you know who is involved in the response to this emergency, their assistance and efforts have made an immeasurable impact on our lives. And I want them to know how deeply grateful we are. Please accept my sincere thanks for the unwavering dedication and outstanding service of all of all, their actions have undoubtedly changed the course of my father's life and for that my family and I will be forever grateful.”

Yvette Potter

And for the record, he was discharged from the hospital on Sunday.

Thank you, Travis.

Travis Van Cleave

In this case, the patient was about two minutes outside of town from Yamhill. The I got there within two minutes of the call. The next EMS responding unit arrived seven minutes after I got there.

Yvette Potter

It's good. Thank you. We appreciate that we have you.

B. Public Works 20:23

Jason Wofford did the Public Works Reviews. They were outstanding reviews, both of them, Kyle and Josh. As noted, they're going get their cost of living.

For water they are pulling in 440 gallons per minute They went over a new intake design with John Christensen from AKS, we agreed to that design, we're looking for that kind of in water work way to start to put that into play. ODFW drew back from the Rock Check Dam due to their engineers deciding that it would not work as a good fish habitat, like they originally thought. They agreed to allow us to enlarge the screen which will bring it from a 2.5 intake to as 6 ft intake. It will roughly cost about 60k to do this.

They are looking at getting that filter media for the water systems replaced early part of August.

The water levels are filling 500k gallons in roughly 12 hours. Which is on point with what they pull in during the winter.

Jason recommends that they continue with putting out the Level I, educational piece, of the water conservation ordinance. But, by no means is there a concern regarding water at this point.

The new Kamstrup meters have been doing a great job of alerting us and the residents of high usage so that leaks can be caught earlier than before.

Public works needs to solidify the contract with Lawson Corp for the East Third Street Water Main and will need to run it through legal for the contract.

Kay Echaury mentioned that she has noticed the work that Public Works has been putting in with spraying weeds and mowing in the alleyways. She noted that she spoke with one of the public

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works employees and he has had some issues with people not wanting to have the alleyway maintained or the alleyways being blocked by people using it for storage or parking. It would be a good idea to send something out with the level I water conservation about public right of ways, easements, etc. so that people are aware of the city code. Because Jason is doing a great job of making everything nice.

Jason Wofford stated that everyone has been putting in a great effort and he is proud of everyone on staff. The derby days flagpole has gone in, and they planted around the gazebo in the park cleaning that up. Lawson Corp has been doing a phenomenal job as far as helping get everything picked up for Derby Days. The heavy equipment is going to be moved, the signage has been removed, they even manicured the driveway near the horseshoe pits. They are going to have to lean on Van Dykes property to take a lot of the traffic burden.

Lawson Corp was awarded the bid for the Eastern Street water improvement just kind of putting that out to council we'll probably have to reach out to legal and write and get that contract established so that they can get that work done in a reasonable time.

Wastewater update: They are working with a new contractor; the contractor originally had scheduled to do the I & I (inflow and infiltration) backed out. He just said that it was too overwhelming too much of a burden for staff didn't feel like he could give us the product we needed. So now we're working with a company out of Washington. That will do lining of some manholes, because the I&I is still going to be an issue. As much I&I that can get done this summer would help with not taking too much into the lagoons.

Currently he's been talking with engineering, and the contractor and the developer to look at tying in the tile lines from Van Dykes property into our storm system.

We did have a trunk line on North Hemlock that broke, it is the third "band aid" on that trunk line. They are looking at getting that line replaced. It would be best to work done now, while there is a contractor nearby working. We're working with engineering right now to come up with a scope of work. Engineering's projections are probably around 60,000, which I think is it's doable. It's a high priority. Now it's going to move way up on the CIP list.

King and Sons has gone out and done some spot checking to do the concern about the inserta valves. Those are three inserta valves along our main line that runs up Highway 240. These will facilitate us being able to isolate that line without shutting off water to the school.

We are getting all the striping done on Hwy 47. All the crosswalks will have a fresh new thermoplastic down for your walkways.

Jason Wofford

Update on the Water Rate Study. Tim Tice is finished with the rate study. He's just working on the conservation aspect. He looked at our rates. He's willing to come here and discuss those probably next council Meeting, what His thoughts are as far as what we did with the 10% and kind of give his two cents of what direction we probably want to go in the future if not in the present.

9. COMMITTEE REPORTS (34:47)

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A. Water Advisory Committee

Brain Jensen was not present, but Councilor Marci Hedin gave a brief update.

We met last month. We had some members from different water districts coming in to talk about their concerns and the rate study. We are still waiting on the water study report, so they did not go over that. However, they did discuss ordinances and the Water Conservation Ordinance that was approved. They discussed getting that out there to the public for the Level I educational portion.

They also discussed the Merkley Grant money which brought up questions to whether we had received it or if we need to look into other funding options for what that money was earmarked for.

Yvette Potter and Jason Wofford discussed the rumors that the outside water district would be shut off and Jason reiterated that there is no water getting shut off at this time.

B. Planning Commission (40:41)

Ken Moore, Planning Chair updated the council on the planning commission beginning the information gathering process on updating the UGB. They are moving forward and looking for grants.

He updated the council on the land use application for the Gas Station on Maple

He discussed the flow of the planning commission meetings and asked for advice from the council on how to keep the meeting flowing without interruptions from the public.

9. COUNCIL REPORTS (49:20)

Councilor, Shea Corrigan

Discussed that they may have found a read “Yamhill way” to pay for Christmas lights this year. With the help of the YDA and TJ Gun Sales they will be raffling off a pair of shot guns for \$10/ticket.

get some Bob's together here in the next couple of days. And then we're hoping for some help with T & E, Pam Kirsch has mentioned that she will stay inside the guidelines of Facebook and firearms, and Larson House and probably the new owners at Yamhill barn grill will be helpful to get these tickets dispensed. We will be referring to them as “intended for field use” shotgun, as per the request of one of the Yamhill Downtown Association people.

Councilor Corrigan, with input from Corporal Travis Van Cleave also discussed Measure 110, regarding the possession of small amounts of illegal drugs and the effects that this measure has had on different cities and the State of Oregon.

He has been reaching out to Clackamas County, especially Commissioner Ben West was really wanting to change those rules for Clackamas County. You have an opportunity through municipalities through home rule, League of Oregon cities handbook to enhance those penalties. He believes in city limits within city limits, I believe that we can increase those to a class A

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misdemeanor. They would then be prosecuted for the City of Yamhill through Circuit Court in Yamhill. He reached out to Lindsay Berschauer who is a liaison for the Sheriff's Department, the circuit Court and the DA has office. She's confident that all would be on board, she's definitely on board, if we were able to come up with verbiage that keeps everybody from getting sued.

He's reached out to League of Oregon Cities and Janie Pierce who is their legal adviser, our lawyer Heather Barton who's going to be working out verbiage for this to be then double checked by League of Oregon cities. Chief Graven said that he believes with his knowledge of Bradbury the DA that he might be likely to be in support the head of the circuit court would be likely to support as per Lindsey Berschauer.

Mayor, Yvette Potter asked if this needs to be something that's put on a ballot for vote for the community.

He believes that Home Rule can apply to our charter, and we can actually have an ordinance change without having it go to a public vote. However, if it did have to go to a public vote a special vote could occur. It would cost the city money.

The County of Clackamas has decided to wait until the ballot comes out in May. I think a good question would be how many people are going to die of these drugs between now and May. And if there's anything that can be done to stop this. I think that it would be important that so are carrying larger amounts of these drugs. One to three grams of heroin is no longer a felony. It's a simple, simple possession isn't misdemeanor now.

Travis Van Cleave

"I believe that misdemeanor is a class C. It may be and A misdemeanor, but it's certainly lower on the scale."

Shea Corrigan

By moving to a class A misdemeanor, it would change the fine from, "please hopefully show up in Court for maybe an 800 number or \$100 fine," to up to \$6,250 and one year in jail. Which it means if I was moving drugs from you know, Hillsboro and Forest Grove to Mac, or vice versa, I might find a different road to travel. I think it would make our kids safer, make the community better.

Yvette Potter

I have two questions. One is: Mary, Commissioner Starrett. That might be something you can ask her about, send her an email and ask her if she's interested in supporting City of Yamhill.

And also, that you run it by the city attorney.

Shea Corrigan

Yes. Heather Martin, I have a phone call into her currently. And I'm confident that she will get back to me. I really wanted to get with Jeanne piers of the L.O.C first to make sure that there wasn't just a clear roadblock in the way. It does not appear to be in any way that there is a clear roadblock. It just that nobody's done what somebody does. It can change. Blaine, I think it was Washington was the first to change the rule in Washington, and now that they have moved

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statewide to start to bring the drug rules back to what they used to be because these guys have their hands completely tied.

Yvette Potter suggested that Shea attend the legal to the city, Friday legislative updates as they do ask for questions and comments and they do their best to answer them.

Shea Corrigan also wanted to put into record that Marty Fouts has been instrumental in helping with this. He has gone down rabbit holes on the internet with research on this thing.

Yvette Potter had another question for Corporal Van Cleave.
And my next question is for CRO VanCleave. What is LEO's perspective on all this? What would you like to see the city do or not do?

Travis Van Cleave

I know in my previous experience with the city of McMinnville, granted that was 20 years ago, the city McMinnville has adopted multiple statutes that they have generally is unclassified misdemeanors, which means if you're used to be if you were caught Urinating in public, you could be taken into custody. It's not a state law. But McMinnville city, McMinnville had made their own ordinance as an unclassified misdemeanor. I'm not sure how those are now. But I know that it's been done in the past.

Here at our Police Department, we would love to be able to have some proactive tools to use to get those folks off the streets and have some repercussions compared to what 110 has done over the last year or so. Which I think I could count on one hand, the number of citations that I've written then I could probably quadruple the number of fingers that I have for the number of violations that I've encountered but I've not taken action on because it's just defeating to me and my capacity to see those folks go to court and not do anything and not have any repercussions when they choose not to take those and options that they have available to them. And I know that state put out stats this last year out of the 10 to 20,000. Folks who were encountered by law enforcement who did get citations, less than 1/10 of a percent sought treatment, some somewhere along those lines, and even less, but less than that those the ones who sought treatment was less than a percent. The ones who paid the fine was less than 10%, I believe, of those 10 to 20,000. Folks who were encountered by law enforcement for drug violations.

Mayor Yvette Potter reported that at the First Fridays meet and greet someone had suggested that the Council and other committees of the city become more familiar with our Municipal codes and our building codes and our City Charter. This could be done at the First Fridays meeting for the last half an hour. She wanted to present this to Council and see what they thought about it.

The Council agreed that they would start with the municipal code and city charter in their meetings and would like the planning commission to go over the building codes 9.04.10 – 9.04.130 during the first 15 minutes of their meeting.

Kay touched on the decorum for the First Fridays meet and greet stating that she has been harassed at these meetings.

The mayor stated that this is not appropriate in and fashion or form so that the offending party will be asked to leave if it happens again.

Corporal Van Cleave asked if they would like incorporated into the police shifts, as far as having an officer in the building when the meetings are going on.

Jason Wofford asked about the salary rate study that Ross Schultz presented was going to be adopted. The mayor stated when it is presented to them, they will review it.

The mayor stated that we can print it back to the table. The staff will work on the study so that it could be presented to the Council.

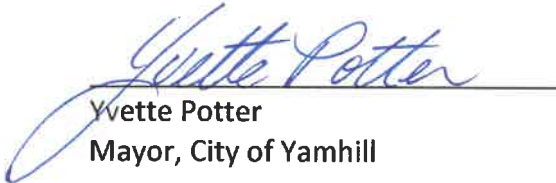
10. ADJOURNMENT


Kay Echaury
Motion we adjourn.

Mayor Potter
We are adjourned.

The meeting was adjourned at 7:53 p.m.

Respectfully submitted,


Yvette Potter
Mayor, City of Yamhill


ATTEST:
Angie Fowler, City Recorder

