



# City of Yamhill

A small taste of Oregon

**CITY OF YAMHILL, CITY COUNCIL MEETING**  
**Wednesday, August 11, 2021 7:00 P.M.**  
**MINUTES**

**REGULAR MEETING**

**THIS MEETING WAS A TELECONFERENCE**

**1. CALL TO ORDER: Roll Call**

Present by Teleconference: Mayor Yvette Potter, Councilors: Kay Echauri, Tim Askey, and Marci Hedin.

Absent: Councilor Andrew McMullen

Staff Present by Teleconference: Greg Graven, Chief of Police; Jason Wofford, Facility Manager; Sharon Bregante-Candau, Administrative Clerk; Walt Gowell, City Attorney; Nicholas Peasley, City Attorney.

**2. PUBLIC COMMENT:**

Public comment was received.

**3. PRESENTATIONS & APPOINTMENTS:**

A. Yamhill Downtown Association (YDA)  
Phillip Higgins was not present to give a report.

**4. UNFINISHED BUSINESS:**

A. Update on current City water emergency.  
Adams reported that the water consumption had reduced 25 – 30%, approximately 100,000 gallons a day. Fire Chief Jensen who is serving as the Emergency Operations Center (EOC) Director presented a Yamhill Water Crisis PowerPoint.

Motion by Potter, seconded by Askey, to approve to move the Declaration of Level II Water Emergency effective Friday, August 6, 2021 at 5pm to a Declaration of Level III effective at midnight August 11, 2021 granting City Staff the Authority to Invoke Municipal Code 3.54.020 Level III Prohibition Level.

Roll call: Ayes: Echauri, Hedin, Potter, and Askey.  
Nays: None

The motion carried.

Motion by Echauri, seconded by Askey, to impose the Level III water restrictions on

Yamhill City Water Users outside of the Yamhill City Limits and Water Districts.

Roll call: Ayes: Echaury, Hedin, Potter, and Askey.  
Nays: None

The motion carried.

Motion by Echaury, seconded by Potter, to declare a State of Emergency with a request to the County Commissioners to second the declaration and forward it on to the Governor for governmental action.

Roll call: Ayes: Echaury, Hedin, Potter, and Askey.  
Nays: None

The motion carried.

Motion by Echaury, seconded by Potter, to authorize Mayor Potter and City Staff to undertake an Emergency Procurement as permitted by the Public Contracting Ordinance, State Law, and Attorney General's Model Rules and to undertake the level of competitive competition as reasonably possible within the timeframe that develops in the opinion of Mayor Potter and the Emergency Operations Center (EOC).

Roll call: Ayes: Echaury, Hedin, Potter, and Askey.  
Nays: None

The motion carried.

B. Community Involvement Survey.

Councilor Askey will develop questions to receive valuable information from the community to build more community involvement and will present this information at the City Council meeting on September 8, 2021.

C. Consider quotes for audio and video system for Council meetings.

Bregante-Candau presented the quotes from Design Sound NW and stated that the American Rescue Plan Act (ARPA) funds could be used for this as this is a COVID-19 related expense and that this remote access and participation is required by House Bill 2560. Bregante-Candau was directed by Council to provide a second quote.

D. Voting results for naming new park at Yamhill Park Estates.

Councilor Askey stated that we had 91 votes for the naming of the new park at Yamhill Park Estates. Councilor Askey stated that third place was Beuloh Park at 13%, second was Beverly Cleary Memorial Park at 19%, and first was Jonathan Calhoun Park with 32%. Chief Graven will reach out to Jonathan's family to ensure that the family agrees

with the naming of the new park as Jonathan Calhoun Park and will report back at the September 8, 2021 City Council meeting.

**5. ORDINANCES:**

**FIRST READING:**

None Scheduled

**SECOND READING:**

- A. O-534 – An Ordinance Establishing Design Requirements for Small Wireless Facilities in the Rights-Of-Way in the City of Yamhill, Oregon. Ordinance No. O-534 will be available. Ordinance posted: July 1, 2021 (Charter Chapter IV, Section 16(b).)

Mayor Potter made motion for the reading of O-534 to be read.  
Walt Gowell read Ordinance O-534, by title only, for the second time.

Motion by Echaury to approve the second reading of Ordinance O-534 seconded by Potter, an Ordinance Establishing Design Requirements for Small Wireless Facilities in the Rights-Of-Way in the City of Yamhill, Oregon.

Roll call: Ayes: Potter, Echaury, Hedin, and Askey.  
Nays: None

- B. O-535 – An Ordinance Granting to Ziplly Fiber, LLC, A Franchise to Construct, Operate and Maintain a Telecommunications Network within the City of Yamhill, Oregon and Declaring an Emergency. Ordinance No. O-535 will be available. Ordinance posted: July 1, 2021 (Charter Chapter IV, Section 16(b)., Chapter IV Section 17.)

Mayor Potter made motion for the reading of O-535 to be read.  
Walt Gowell read Ordinance O-535, by title only, for the second time.

Motion by Echaury to approve the second reading of Ordinance O-535 seconded by Potter, an Ordinance Granting to Ziplly Fiber, LLC, A Franchise to Construct, Operate and Maintain a Telecommunications Network within the City of Yamhill, Oregon and Declaring an Emergency.

Roll call: Ayes: Potter, Echaury, Hedin, and Askey.  
Nays: None

**6. NEW BUSINESS:**

- A. Discuss sale of 210 S. Maple Street and Right of First Refusal.

Motion by Hedin, seconded by Askey, to relinquish Right of First Refusal at 210 S. Maple St.

Roll call: Ayes: Echaury, Hedin, Potter, and Askey.  
Nays: None

The motion carried.

B. Update on Police Union Association.

Graven reported that there was another meeting on Friday, August 13, 2021 to discuss police negotiations and he would give an update after that meeting. Councilor Hedin asked Chief Graven how much the cost of the City Attorney for the police negotiations was and why it's taking so long to finalize this contract. Chief Graven stated that he did not have the cost of the City Attorney for police negotiation and since this contract was currently in negotiations, he could not discuss it. City Attorney Walt Gowell further confirmed that both the City and the Police Union Association would need their legal representation present, and they would need to have discussions in executive session for a member of the Police Union Association to speak when Officer Van Cleave was wanting to speak.

C. Discuss Seismic Monitor Installation by Pacific Northwest Seismic Network

Wofford reported that he met with Mitch from Contract and Permitting Specialist, University of Oregon, Oregon Hazards Lab and this was a positive thing, but this would need to be considered at a location other than the water reservoir because this would limit the space available for City use and also potentially mess up the communication with our water plant. Wofford will report back at the September 8, 2021 City Council meeting. City Attorney Walt Gowell mentioned that if the City does find a suitable site that they undertake this in the form of a license agreement which gives permission for the use of City property and can be revoked, secondarily require proof of insurance naming the City initial insured with respect to any actions or problems that occur onsite.

**7. CONSENT AGENDA: (*The items on the Consent Agenda are normally considered in a single motion. Any item may be removed for separate consideration upon request by any member of the Council.*)**

- A. Approve Council Minutes
  - (1) Regular Session – July 14, 2021
  - (2) Special Meeting – June 30, 2021
- B. Financial Statements
- C. Approve the following Purchase Order:
  - (1) PO #22-004 – Xylem Water Solutions USA, Inc. - \$1,248.00 – Installation of Submersible Pump
  - (2) PO #22-005 – Goble Sampson - \$1,186.90 – QDOS Pumphead
  - (3) PO #22-006 – Genuine Technology - \$2,092.86 – Laptop for Court and City Council meetings
  - (4) PO #22-007 – Ferguson Waterworks - \$3,488.42 – Water Line Parts
  - (5) PO #22-008 – Ferguson Waterworks - \$2,015.35 – 3ft Fire Hydrant
  - (6) PO #22-009 – Spaniol's Striping & Signs - \$1,694.00 – Yellow Curb Painting Downtown Area

Motion by Echaury, seconded by Potter, to approve the Consent Agenda.

Roll call: Ayes: Potter, Hedin, Echaury, and Askey  
Nays: None

The motion carried.

**8. DEPARTMENT/COMMITTEE REVIEW/REPORTS:**

A. Police Review– Graven – Monthly report in packets

Graven reported that National Night Out was a great success with one event with the Canine Demonstration where the canine handler was injured. Graven has been working on a grant supplemental for the body cameras. Officer Van Cleave and Miller have been attending the Crisis Intervention training this week. Graven reported everything else is going well and he will keep an eye on what is required with the mask restrictions.

- (1) Annual review and salary adjustment approval of Police Department personnel.

Graven stated that performance evaluations have been completed for both Officer Van Cleave and Miller and salary adjustment recommendations have been provided the City is just waiting for the negotiations to be complete.

A. Public Works Review –

Wofford report that Adams has done a wonderful job providing information about the current water usage and troubleshooting at the Water Plant, Adams and Herb have been doing a phenomenal job with response time for water leaks, Public Works is expanding on their parts and maintenance to improve self-reliance, and to build on the efforts with the water restrictions to prevent the City being in the same situation next year.

- (1) Approve hiring of Utility Worker I position.

Motion by Echaury, seconded by Hedin, to approve hiring of the Utility Worker I position effective 8/23/2021.

Roll call: Ayes: Echaury, Hedin, Potter, and Askey.  
Nays: None

The motion carried.

C. Mayor/Administration Review –

Motion by Potter, seconded by Echaury, to accept the retirement resignation from the City Recorder effective 9/1/2021.

Roll call: Ayes: Echaury, Hedin, Potter, and Askey.  
Nays: None

The motion carried.

Bregante-Candau reported that the Administration Department had been very busy providing data and support to the EOC and communication and notification of the changes of the Water Declaration Level II to Water Declaration Level III.

C. Council Review

Echauri reported that one of the water districts has mailed out Water Level II restrictions to the people in her district and asked all them all to comply with the rules and they will be notifying them of the Water Level III restrictions tomorrow. Bregante-Candau reported that City Clerk, Kim Steele, has been in constant communication with all the water districts about all the Water Level Declarations and has provided them with all the information and will continue with this communication she has been providing.

9. **INFORMATION/ANNOUNCEMENTS:**

- A. City offices will be closed Monday, September 6th to observe the Labor Day Holiday.

10. **ADJOURNMENT: 8:41PM**

Motion by Echauri that the meeting adjourn at 8:41PM.

The motion carried by unanimous vote.  
Respectfully submitted,

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Yvette Potter  
Mayor, City of Yamhill

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ATTEST:  
Sharon Bregante-Candau, Administrative Clerk