



**CITY OF YAMHILL, CITY COUNCIL MEETING
Wednesday, September 13, 2017 7:00 P.M.
MINUTES**

1. CALL TO ORDER:

The meeting was called to order by Mayor Terp at 7:05PM

Present: Mayor Terp and Councilors Potter, Disbrow, Gilmore, and Echaury

Staff present: City Recorder Gilmore, Superintendent Howard and Chief Graven

2. PUBLIC COMMENT:

None Received.

3. PRESENTATIONS & APPOINTMENTS:

- A. Briefing on Everbridge-Emergency Notification System- Brian Young,
Yamhill County Emergency Manager.

Sergeant Brian Young the Yamhill County Emergency Manager gave a brief overview of the Everbridge Emergency Notification System that has been purchased by Yamhill County. Everbridge is the Company that provides the mass notification system, and provides services worldwide. Young reported that there are currently 16,400 individuals contacts in the system that are County wide, and are currently working to load Business contacts into the system. The contact information is provided by citizens who sign up for the service using a portal, and they can specify their preferences of how they want to receive notifications. Young indicated that currently the County has a three-year contract with Everbridge with an option of a fourth and fifth year. As the system gets close to a release time, there will be training options and the County hopes to make an announcement to the public within two months concerning the Emergency System.

- B. Yamhill County Cultural Coalition (www.yamhillcountyculture.org) - Deb Brooks, YCCC Board Member and Yamhill resident.

Deb Brooks introduced herself as a board member for Yamhill County Cultural Coalition and gave a brief background of the coalition that was founded in 2002. The Coalition is one of 41 organizations in Oregon counties and tribes that distribute funds from the Oregon Cultural Trust. There will be a meeting to discuss the result of recently collected data on October 4, 2017 at the Gallery Theater in McMinnville. YCCC is also sponsoring a cultural congress on October 27, 2017 to gather artists and other culture providers, civic leaders, business leaders and cultural organization representatives. It will be a day-long workshop with various speakers that will focus on the value of cultural

activities and sites in Yamhill County. YCCC is hoping to get representatives from all Yamhill County cities at the October 27th event. Brooks also provided a Study with statistics that was conducted by Americans for the Arts to document the economic impact of the nonprofit arts and culture industry.

Mayor Terp showed interest in attending the October 27, 2017 event to represent the City of Yamhill.

4. UNFINISHED BUSINESS:

- A. Review property owners appeal request to use a Recreational Vehicle as a temporary residence. Council made motion at the August 9, 2017 Council meeting to deny the application based on lack of satisfactory progress as stated in Title 10.84.030 (B) (3).

A recreational vehicle use permit was received and approved on May 30, 2017 which allows for an RV to be placed on an individual lot and used as a temporary residence during construction of a home for a period of one-month, Yamhill Municipal Code, Chapter 10.84.030. The code also specifies that an RV Permit must be obtained for each succeeding 30-day period with notification to the City Council before issuance of a second permit. On July 27, 2017, a permit application was received to request another 30-day period of using the RV for a temporary residence. At the August 9, 2017 Council meeting, there was a motion to deny the Recreational Vehicle Use Permit request based on lack of satisfactory progress as stated in Title 10.84.030 (B) (3).

Property owner, Judee Fisher submitted a letter today, September 13, 2017 appealing the Council's decision and attended tonight's meeting.

Fisher introduced herself and explained that there have been unforeseen conditions renovating her property and have also had several deaths in her family that have thrown off the original schedule for repairing the home. Councilor Echaury stated concern for the resident receiving a letter dated August 15, 2017, stating the Recreational Vehicle Use Permit request was denied at the August 9, 2017 Council meeting and Fisher continued to reside in the RV after that time. Fisher believed it was ok to remain in the RV until the City Council could review her appeal at the September 13, 2017 meeting. Superintendent Howard stated concern for Fisher not obtaining any building permits for the repairs that are being done. Fisher stated she was unaware that permits were needed for repairs on the home, but will obtain permits in the future when required.

Motion by Disbrow, seconded by Potter, to allow Fisher limited approval of the appeal until October 29, 2017 with the condition that the water and sewer hook-ups be disconnected from the RV by that date and October 29, 2017 will be the final day that Fisher will be permitted to live in the RV. The Council will review that the conditions have been met at the November 8, 2017 meeting.

Roll call: Ayes: Disbrow, Terp, Gilmore and Potter
Nays: Echaury

The motion carried.

5. **ORDINANCES:**
FIRST READING:
A. None Scheduled
SECOND READING:
A. None Scheduled

6. **NEW BUSINESS:**
A. Consider adopting Resolution No. R-745, a Resolution by the City Council of Yamhill, Oregon initiating street vacation proceedings for E. Camellia Street.

A Vacation application was received from the Yamhill Carlton School District requesting the vacation of a section of E. Camellia Street. Howard verified that the legal property description was correct. Brian Jensen, Yamhill Fire Chief stated concern that a fire lane is required on this section of E. Camellia and to date is has not been put in. There is no fire access to the backside of the adjacent building, and currently there are vehicles parked along E. Camellia that prohibits any fire access. School Superintendent, Charan Cline and Michael Marino, building project manager, indicated that they would resolve the parking issue and not allow the area to be blocked.

It was noted that the required Public Hearing and proposed Ordinance for the Street Vacate will be scheduled for the October 11, 2017 City Council Meeting.

Motion by Echaury, seconded by Disbrow, to adopt Resolution R-745, a resolution of the City Council of the City of Yamhill, Oregon approving the initiating of Street Vacation Proceedings.

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

The motion carried.

RESOLUTION No. R-745
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YAMHILL, OREGON

- B. Consider Yamhill Carlton School District request to use E. Camellia Street between the high school and the high school gymnasium for parking.

Motion by Echaury, seconded by Disbrow, to allow the School District to use E. Camellia Street between the high school and the high school gymnasium for parking until such time as the Street Vacate has been approved and finalized or a written agreement between the City and the School District is signed if the vacate is not approved.

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

The motion carried.

- C. Consider adopting Resolution No. R-746, a Resolution by the City Council of Yamhill, Oregon initiating street vacation proceedings for N. Larch Place.

A Vacation application was received from the Yamhill Carlton School District requesting the vacation of a section of N. Larch Place, in front of the School District Office. Howard stated that it is a 20-foot-wide street that is used by the School District and not used by the City. Howard indicated that the street has no purpose for the City, except that it does contain a city sewer line. If the street vacate is approved, the City will need to have a written agreement for an easement for the sewer line area.

It was noted that the required Public Hearing and proposed Ordinance for the Street Vacate will be scheduled for the October 11, 2017 City Council Meeting.

Motion by Echaury, seconded by Disbrow, to adopt Resolution R-746, a resolution of the City Council of the City of Yamhill, Oregon approving the initiating of Street Vacation Proceedings.

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

The motion carried.

RESOLUTION No. R-746
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YAMHILL, OREGON

- D. Consider adopting Resolution No. R-747, a resolution adopting and approving an amended schedule of fees and charges for land use permits, planning services and land use applications.

Recorder Gilmore reviewed the amended schedule, and stated that the fees had not changed, but the hours of Engineering Services provided with the application fee have changed on several land use applications.

Motion by Disbrow, seconded by Echaury, to adopt Resolution R-747, a resolution adopting and approving an amended schedule of fees and charges for land use permits, planning services and land use applications.

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

The motion carried.

RESOLUTION No. R-747
A RESOLUTION ADOPTING AND APPROVING AN AMENDED SCHEDULE OF FEES AND CHARGES FOR LAND USE PERMITS, PLANNING SERVICES AND LAND USE APPLICATIONS

- E. Consider Yamhill Carlton School District request for the City to assist the District in designing the required water system upgrade.

School District Project Manager, Michael Marino requested the City's assistance in using Yamhill City Engineers to design the off-site water system upgrades from E. Camellia Street to Pike Road and the School District would compensate the City for the costs. Howard stated that an agreement would need to be done for the engineering services to design the system with a guarantee that the School District will be paying for all costs for the engineering and for the contractors that will do the installation. It was noted that multiple bids will be required for the hiring of contractors. Howard also stated that either a Performance Bond will be required or money set aside by the School District that cannot be used or released until the City verifies that all work has been completed. Once the water system is in the ground and completed, a maintenance bond will be required that the contractor will hold. The Water Line that will be on School District property will also require a maintenance bond that will be held for one year by the contractor. Howard stated that the City will require the maintenance bonds to be in place for one year. If Council approves the request, City Staff will direct the City Attorney to write up an agreement to start the engineering process for designing the off-site water system.

Motion by Disbrow, seconded by Echaury, to direct City Staff to start the process for an agreement with the School District to have the city engineers design the off-site water system upgrades from E. Camellia Street to Pike Road.

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

The motion carried.

- F. Consider Code Complaint Report and neighbor Petition regarding residential business.

A code complaint report and Petition (signed by names from 5 property addresses) was received from a resident on West Third Street concerning a business located at 275 W. Third Street. The complaint cites the Yamhill Municipal Code Chapter 10.96.020 and 10.96.070 concerning Home Occupation Permits. The complaint details included in the report are; too many employees that are not family members; office trailer was added at residence; business activity is not kept within building and not residential in appearance; very noisy; daily material stored outside of building; not sufficient room to unload or load supply materials, business trucks block road and neighbor's driveways. One property owner claimed that when an appraisal was done on his home, the value was reduced by \$20,000.00 due to being adjacent to a business. It was noted that the business is in an R-1 Zone and has been located on that property for over 30 years, prior to when the Ordinance was adopted for Business License Requirements. It was also noted long-time residents realize it started out as a small business, but in recent years has grown considerably and outgrown the "residential" area. Councils consensus for a first step

was to direct City staff to notify the business owner of the received Code Complaint Report, and require a response from the business owner and plan to resolve the complaint issues. Council requested a timeline for a response by October 9, 2017, to review the issue at the October 11, 2017 Council meeting.

Terp referenced Chapter 10.96.120 that gives the City the authority to Revoke both their Home Occupation Permit and their Business License if the violations cannot be resolved.

7. CONSENT AGENDA:

- A. Approve Council Minutes
 - (1) Regular Session – August 9, 2017
- B. Financial Statements
- C. Approve the following Purchase Order:
 - (1) Trailer Depot – PO #18-014 - \$8,000.00 – Dump Trailer
 - (2) Godwin Pumps – PO #18-015 - \$1,200.00 – New Water Plant basin hose down pump.

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

Roll call: Ayes: Potter, Disbrow, Terp, Gilmore and Echauri
Nays:

The motion carried.

8. DEPARTMENT/COMMITTEE REVIEW/REPORTS:

A. Police Review– Graven – Monthly report in packets
Chief Graven reviewed Police business for August 2017 and provided a report of August calls.

Graven reported that a new non-profit organization called “Family Pet Partner’s” is in the beginning stages, that will help with lost and found dogs or dogs running at large. Once the organization is ready to service Yamhill, all calls will go thru Y.C.O.M. directly. In the interim, if anyone needs assistance with a lost or found dog, the local contact for the Yamhill area is Tammy Small at 971-999-1175. Volunteers will also take care of the dog until the owner has been found, or until a new home is found for the dog.

B. Public Works Review – Superintendent Howard – Memo in packets
Superintendent Howard provided his staff report included in packets, no questions followed.

Howard reported that there was a recent update on the timber sale with BLM and has been notified that BLM has accepted our consultant’s analysis findings. Mayor Terp should be receiving a letter from the Bureau of Land Management within the week stating the acceptance of the City’s findings and approval to harvest the City’s timber on the parcel. The letter will specify which size trees belong to BLM, and will allow the City to move forward with the harvesting of their trees.

C. Mayor/Administration Review-

Gilmore reported that the Auditors were on site during mid-August for two days and it went well with no problems. The draft for the 2016-2017 Fiscal Year Audit should be available by the end of October.

D. Council Review

None received.

E. Emergency Preparedness Review

Disbrow reported that there will be a E.O.C. workgroup meeting in the Council Chambers on Friday, September 22, 2017 @ 9:00am.

9. INFORMATION/ANNOUNCEMENTS:

- A. Vacancies: Budget Committee - 2 - Applications are available at City Hall.
- B. September is National Preparedness Month, a yearly campaign led by FEMA designed to encourage all Americans to take simple steps to prepare for emergencies.
- C. Information regarding Benefit Event @ Zippy's Pizza on September 30, 2017.

10. ADJOURNMENT: 9:15PM

Motion by Echaury that the meeting adjourn at 9:15PM.
The motion carried by unanimous vote.

Respectfully submitted,

Paula Terp
Mayor, City of Yamhill

ATTEST:
Lori Gilmore, City Recorder