

**CITY COUNCIL MEETING
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February 1, 2011**

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City of Dundee
City Council Meeting Minutes
February 1, 2011

Call to Order

Mayor Crawford called the meeting to order at 7:00 PM.

Council and Staff Attendance

Present: Mayor Crawford, Councilors Adlong, Miller, Munson, Nelson, and Pugsley. Staff members: Rob Daykin, City Administrator, Dave Monson, City Engineer, and Debra Manning, Assistant City Recorder.

Public Attendance

Anita Cardoso, Preston Van Meter, Kennedy/Jenks, Michael Humm, Kennedy/Jenks, Randall Reddell, and Gary Manning.

Agenda Changes:

None.

Public Comment:

Anita Cardoso, property owner on Ninth Street, advised of interest in the use of her property for a short-term vacation rental. City Administrator Daykin stated that currently the City Code does not allow for short-term vacation rental in the residential zones. The City Council has requested a review of the issue along with Bed and Breakfast standards by the Planning Commission, which is pending. The process takes time and the Council has the final determination. Cardoso requested to be updated on the progress of the issue. Staff will update her by email. Councilor Adlong inquired the intended term of rental for the property. Cardoso replied a usual wine country vacation rental term is three to seven days. Councilor Pugsley suggested she discuss the issue with her neighbors.

Consent Agenda

Corrections to item 5.1 City Council Minutes, January 18, 2011: page 3, Bond Counsel Services Agreement, 2nd paragraph, City Attorney Phillips stated that the bond counsels are basically advising that they will review the issue further to deliver an unqualified opinion *and that the Council interprets the Charter. . . .*Phillips affirmed limitations on bonded indebtedness back to 1916. The City Council interpreted the Charter in Resolution No. 2010-16 passed on October 19, 2010. Page 4, Kayak Shack Agreement, delete: (within easement) and amend. . . .He asked for Council's permission *to sign the* letter of intent on behalf of the City to maintain the easement. Mayor Crawford and Councilors Pugsley and Munson are part of the Ford Family Cohort Group. **The motion** was made and seconded to approve Consent Agenda item 5.1 City Council Minutes, January 18, 2011 as amended and 5.2 2011 Budget Calendar. **The motion** passed unanimously.

Old Business

Resolution No. 2011-01, Wastewater Construction Management Services

C.A. Daykin stated that the City has an existing agreement for design services with Kennedy/Jenks Consultants. City Attorney John Hickey has advised staff of an ORS regarding continuance of professional services with a finding to extend the contract for additional services.

Preston Van Meter, Kennedy/Jenks, advised that DEQ's final review is still pending and Ovivo's review of the MBR equipment procurement contract is expected by Friday. Van Meter relayed a misunderstanding with Ovivo's scope of work for the plant controls, which has been corrected and should result in a decrease in the cost on the plant controls. The expectation remains to go to bid by mid-February.

C.A. Daykin clarified that Phase 3 would be time and materials, an estimate of hours dependant on the contractor and other issues. City Engineer Dave Monson will be on the site two days of the week for field inspection and Michael Humm, Kennedy/Jenks Consultants will be field inspector/engineer on site three days a week. Humm was the Project Engineer for the Pendleton wastewater treatment facility project. C. Pugsley questioned if the La Center project was time and materials for Phase 3. Van Meter advised the entire contract was time and materials.

The Mayor asked if prequalification was required for the La Center project. Van Meter replied it was not. Prequalification for this project is important due to the current bidding climate to get quality bids and to find contractors experienced with this type of project.

The motion was made and seconded to approve Resolution No. 2011-01, a resolution of the Dundee City Council approving an agreement with the firm of Kennedy/Jenks Consultants to provide bidding documents and construction management for the wastewater treatment plant as a continuation of engineering services previously provided by Kennedy/Jenks Consultants for the wastewater treatment plant project and directing the City Administrator to execute all necessary documents to effectuate the agreement. **The motion** passed unanimously.

Van Meter clarified that the City Council approves change orders. C.A. Daykin confirmed change orders over \$2,500 must go before the Council. Van Meter expressed concern that some change orders will require a quick turnaround. He suggested consideration for an increase in the City Administrator's approval limit to \$10,000 for the WWTP project. Daykin noted the City Manager's list serve survey of city manager authorization limits for small cities were \$5,000 to \$10,000 on the low end. Councilor Nelson noted that emergency meetings of the Council have been called in the past to address change orders. The City Engineer concurred with Van Meter that change orders needing a quick response will have to be addressed. He added that the inability to respond quickly is not unlikely to result in some sort of claim, delay, or additional cost. He noted it could be handled through emergency meetings of the Council or by increasing the City Administrator's authorization limits with a process of concurrence of the City Engineer and Kennedy/Jenks. The City Administrator's authorization limit will be added to the February 15th agenda.

New Business

Laurel Street Water Line Work Order

This returns from the January 18th meeting with discussion that the Laurel Street water line is failing. It is a three-inch line starting at Viewmont Drive and descending from a two-inch to a one-inch line with no connection to the First Street line. The proposal is to replace the line with an eight-inch line, loop it to the First Street water line, and add a fire hydrant. The recommendation is to complete this work prior to making paving improvements to Laurel and First Streets. The waterline work was not included in the budget and would require a supplemental budget.

C. Pugsley questioned the savings of completing this prior to paving First Street. City Engineer Monson advised that Laurel Street is on the Street Capital maintenance list and it is ready for surface treatment once the water line work is completed. Daykin added that the degree of urgency involves the good bidding climate and the need to complete the First Street paving project by the

end of August to allow the City to be eligible to apply for the next Small City Allotment (SCA) grant. The fire hydrant placement is a recommendation from Fire Chief Stock.

The motion was made and seconded to approve Work Order No. 19 with Wallis Engineering, for replacement of the Laurel Street water line. **The motion** passed unanimously.

First Street Overlay Project Work Order

The 2011 SCA grant is for an overlay for First Street with construction of a sidewalk on the north side from Carmel Circle to Dogwood Drive. The work order is for the design work for the project. The additional project 2 would look for bids for paving Laurel Street.

The City Engineer stated Laurel Street is on the street maintenance list. The surface condition has deteriorated and is in need of an overlay. The recommendation is to include Laurel Street as a bid alternate.

C. Adlong expressed concern for placement of the sidewalk and the property owner's landscaping. Monson replied that the new sidewalk would be placed in the existing ROW. He added that they would try and minimize impacts to landscaping, with replacement of equal or better. Adlong asked if the sidewalk had to be placed by the street or could bulb-outs or other applications be considered. Monson advised that the proposal is a curb tight sidewalk, which might wander around the Deodara Cedar or pavers could be used to save the tree. If the tree can't be saved within the ROW, the options would be to: not complete the project in that area, acquire an easement from the property owner's to go around the tree, or remove the tree. Adlong inquired regarding bulb-outs for traffic calming measures. Monson advised that the work order does not anticipate those design features. There are speed issues on First Street. Traffic calming options can be considered, including the possibility of a four-way stop. Daykin informed the Council that the engineering fees and the project budget is low because additional features are not being considered, they would increase the cost of the project. There is a concern with budget. Monson stated that the cost for the project was estimated at \$65,000 in May of 2010. He estimated that the addition of two sets of bulb-outs would increase the project cost to \$100,000. Daykin advised that would not be in the budget. In response to a question on reducing the scope of the project, Daykin noted the SCA grant for First Street is an overlay with sidewalks on the north side of the street. The City has to complete the SCA project as submitted in the original application or not accept the award of \$25,000 in grant funds.

C. Pugsley inquired if crosswalks impacted traffic speeds. Monson replied no, they are only for pedestrian safety. Pugsley questioned the effectiveness of the raised speed bump/crosswalks such as in Beaverton. Monson added you would include official crosswalk treatments such as solid white bars to those raised surfaces. He recommended proceeding with the First Street overlay with the grant funds. Traffic calming features can be added in the future. C. Munson stated there are benefits and concerns with placement of a wide speed bump at Hemlock Street and questioned how effective it would be.

C. Adlong asked about the addition of a dedicated bike lane for First Street. The City Engineer advised there are options for traffic calming which will be reviewed. C. Pugsley advised there is a chance that CPRD will install bike sharrows throughout the Newberg/Dundee area.

The motion was made and seconded to authorize the City Administrator to sign Work Order No. 21 with Wallis Engineering including Project 2. **Discussion:** C. Nelson asked if there was interest in adding an engineering line item for a bid alternate to do an overlay on a street serving more homes than Laurel Street. Daykin proposed Laurel Street because the chances it would be able to receive funding from a SCA grant are less favorable since it is a local dead end street. The other

streets on the Capital Street Improvement list should be able to compete for SCA grant funding. Daykin stated the SCA grant program is needed to leverage limited resources available for overlays. He reviewed the streets listed on the Street Capital Improvement Plan and noted Alder Street should be completed concurrently with development and staff is recommending an alternative maintenance treatment for Viewmont Drive. Daykin suggested consideration of Myrtle and Locust Streets for future SCA applications. **The motion** passed unanimously.

C.A. Daykin advised that the inventory of streets in the City will be reviewed next year and an updated plan will be brought to the Council with public notice to receive input from citizens.

Viewmont Greenway Work Order

Last November the Parks Advisory Committee reviewed parks and open spaces in the City. The Committee wants to implement improvements to Viewmont greenway, an unimproved ROW on Viewmont Drive from Dogwood to Ione Streets, which is a designated path segment in the Park Plan. The proposal is for engineering to evaluate the ditch for improvements and trail amenities, while considering maintenance issues for Public Works.

C. Adlong advised that the ditch appears to take most of the northern part of the ROW in areas, leaving little room for a path between it and the abutting vineyard property. Adlong noted it would be preferable to have the trail on the side furthest from the existing residences. Daykin relayed the intent is a full public process involving the Parks Advisory Committee and the abutting neighbors. He proposed expenditure of costs involving the ditch from the storm water fund and trails, benches, and landscaping to be covered by other funding options.

The City Engineer advised that the ditch is problematic. Engineer designing would include: the ditch from Dogwood Drive to the inlet at Ione Street, a trail and review of options to slow down erosion. The City Engineer and their landscape architect will meet with the Parks Advisory Committee and any interested parties. Daykin suggested a hedgerow treatment using native plants between the existing residences and the path for privacy.

The motion was made and seconded to authorize the City Administrator to sign Work Order No. 23 with Wallis Engineering. **Discussion:** C. Nelson asked what the engineer would return to the Council. Monson replied a design through the conceptual stage, a memo with a sketch based on existing mapping. C. Pugsley inquired if it would include budget estimates. Monson affirmed it would. C. Munson questioned maintenance of the greenway facility. Daykin replied the maintenance problem includes: the delineation of private spaces and the ROW, issues with invasive plants, and wildlife concerns. C. Adlong relayed a Committee suggestion to improve the greenway a block at a time with the possible use of volunteers. **The motion** passed unanimously.

Fire Station Task Force

Mayor Crawford met with Chief Stock and members of the Rural Fire District to discuss Fire Department issues. The Fire Department Task Force study completed in 2006 noted deficiencies in the Fire Department building dealing with lack of space, lack of an exhaust system, and concerns with integrity of the structure of the building. The proposal is for a professional architectural engineer's review of the building to determine if the deficiencies can be corrected and the cost involved or if a new facility is required at the current site or at an alternate site. Mayor Crawford suggested a taskforce to review the RFP process, make a recommendation to the Council on the selection of a consultant, and work with the consultant to produce a conceptual plan with budget estimates for the Fire Department. Truman Stone, 2006 Fire Department Task Force Chair, has consented to head the new task force. Crawford would like some of the previous task force members to participate in the new task force along with Craig Nies, Dundee Rural Fire, a City Councilor, and two other citizens. C. Adlong volunteered for the task force. The Mayor

anticipates the completion of the task force by July or August. A recommendation for task force members will return to the February 15th meeting.

Council Concerns and Committee Reports

C. Adlong advised that there is a Parks Advisory Committee meeting Wednesday night.

Mayor's Report

Mayor Crawford reported that the Yamhill Parkway Committee has supported Dundee for the Transportation Enhancement grant.

Crawford referred to the possibility mentioned at the January 18th meeting that current unused "orphan" earmarks might be pulled by the Federal government and reallocated. ODOT has appropriated the federal earmarks for the Newberg/Dundee Bypass to avoid that possibility.

ODOT will spend \$20,000 on Highway 99W through Dundee this summer. It will not be a complete overlay. Nelson suggested this is just to get us to the 2013 improvements. Crawford advised an estimate of seven million for the 2013 improvements from Newberg to McDougal Road.

The City of Newberg will host the Special Olympics on July 16th and 17th. They anticipate 2,500 participants. The Special Olympics will be held in Newberg for the next four years.

City Administrator's Report

Staff has received a draft of the Water Management Conservation Plan from MSA. It meets the City's obligation with the surface water rights permit. The plan will be brought to the Council.

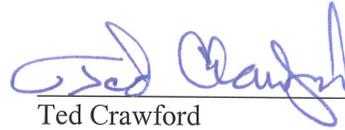
The deadline for bids for the interim financing for the wastewater treatment facility were due today. Two entities have declined, one being West Coast Bank. If the City is not able to obtain a bank line credit, the next option for interim financing is a bond anticipation note. It would involve receipt of the full proceeds up front with interest costs paid from day one and more costs involved procedurally. C. Nelson asked if we should have approached more financial institutions with the bid request. Daykin relayed Pat Clancy's advice that it could be difficult getting this type of interim financing if you don't have a banking relationship with a major bank. Clancy advised a bond anticipation note should not be a problem. C. Nelson questioned if we could negotiate directly with a bank if we do not have bidders. Daykin will investigate that possibility further.

Public Comment:

None.

C. Munson returned to the issues of the City Administrator's expenditure authority and a question of check signing. Mayor Crawford clarified the check issue as the Mayor being required to sign checks for small dollar amounts by the City Code. C.A. Daykin will bring back information on both issues for Council's review.

The meeting was adjourned at 9:03 PM.



Ted Crawford
Mayor

Attest:



Debra L. Manning, CMC
Assistant City Recorder