

**CITY COUNCIL MEETING
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February 5, 2013**

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City of Dundee
City Council Meeting Minutes
February 5, 2013

Call to Order

Mayor Crawford called the meeting to order at 7:01 PM.

Council and Staff Attendance

Present: Mayor Crawford, Councilors Adlong, Munson (7:05 PM), Nelson, Pugsley, and Weaver.
Staff members: Rob Daykin, City Administrator, Charles Eaton, City Engineer, and Debra Manning, Assistant City Recorder.

Public Attendance

David Henry, Dawn Nelson, Deborah Russ, David Russ, John Powell, Daniel Brown, and Tracy Brown.

Agenda Changes:

Item 7.1 Leak Adjustment Appeal was addressed prior to Old Business.

Public Comment:

None.

Consent Agenda

Mayor Crawford inquired an estimate of the expected property tax revenue shortfall. City Administrator Daykin estimated \$5,000 with the decrease in total assessed value. **The motion** was made and seconded to approve Consent Agenda items 5.1 City Council Minutes, January 15, 2013, 5.2 Financial Report Ending December 31, 2012, 5.3 OLCC Liquor License Application, Panther Creek Cellars LLC, and 5.4 OLCC Liquor License Application, Thane Hawkins Wines, LLC. **The motion** passed with five in favor and one abstention from Councilor Munson due to late arrival.

New Business

Leak Adjustment Appeal

The City's leak adjustment policy does not authorize a credit for sewer charges caused by inadvertent use of water which does not enter the sewer system (not a traditional leak); an appeal to the Council determines any adjustment to the sewer charges. Mr. Henry advised that a hose burst on his outdoor faucet and the water ran into the backyard. **The motion** was made and seconded to approve a sewer adjustment to in the amount of \$554.47 to the account. **The motion** passed unanimously.

Old Business

Appointment to Vacant Council Position

Three applications were received for the vacant Council seat from David Russ, Dawn Nelson, and John Powell.

David Russ advised he is a corporate executive with two years residence in the city. He wants to help develop Dundee's future. Councilor Nelson inquired his previous residence. Russ replied Los Angeles, Riverside County, California. Councilor Pugsley asked if Russ was familiar with the Riverside Master Plan. Russ replied he was not familiar with the details. He stressed the need to have a plan and to stay focused on the original goal. Councilor Adlong asked for an elaboration to Russ' answer to question number three on the application: his concern for zoning and land use

along the Bypass. Russ replied it could be an opportunity to grow income and curb appeal for the city; to attract businesses that will bring in taxes and people to visit and live in the city. Mayor Crawford asked if Russ was familiar with Urban Renewal Districts (URD). Russ replied he had a strong familiarity with real estate and how to utilize it. Crawford asked if a district would work for the city. Russ replied there is not a lot to renew; we would need to look more toward build out. Councilor Weaver inquired Russ' current occupation. He replied he and his wife have an online company with offsite order processing. Weaver asked for funding options for street improvements other than increasing water/sewer rates, bonds, levies or toll roads. Russ suggested rezoning land on Ninth Street to commercial to increase tax revenue and consideration to construct projects concurrent with the Highway 99W improvements and the Bypass to take advantage of the equipment being onsite. C. Adlong inquired the applicant's position regarding Dundee's future growth. Russ advised that he would like to maintain the small town/rural feel. Growth is inevitable and important; it should be steady and controlled to allow issues to be addressed as they occur. The Mayor asked for a description of Dundee. Russ responded Dundee is a small town with influential citizens; a "small town feel" with quality tourism. Dundee is a town that didn't have what it needed to keep it looking sparkly; which we are working toward. C. Pugsley asked if the city should have a position on affordable housing and if any of the applicants had made use of the kayak launch. Russ has hiked the paddle launch area. The city should have a say in affordable housing, a part in zoning and directing the growth of the city; possibly a light direction. Affordable housing is needed in the community. C. Weaver inquired if the applicant is not selected; what other local opportunities would be considered. Russ has submitted an application for the Budget Committee. He wants to be involved in politics.

Dawn Nelson is a Dundee resident of five years. She grew up in Newberg. Nelson was appointed to the Newberg City Council and served for 1.5 years prior to relocating to Dundee. She is employed as a bookkeeper for the Oregon State Bar Association. C. Pugsley inquired if Nelson liked serving on the Council. She replied she did and she worked for the City of Newberg previously as the Recording Secretary. The Mayor inquired why she hasn't applied for any committees in Dundee. Nelson had previously applied for Dundee Parks Committee. Her schedule will now allow her to become involved in local government. C. Pugsley inquired her knowledge of the City's water problems. Nelson shared she had reviewed the water issues; with the understanding that the issues need to be addressed before future growth. She shared her concern to be conscious of the existing citizens, their water rates and their share of the funding burden. C. Pugsley asked for options to address the issue. Nelson suggested through the SDC rates and new construction. Mayor Crawford inquired her stand on URDs for funding structures such as roads. Nelson questioned if there is an area in mind for a district. The Mayor replied not currently. Nelson advised she is not an expert on URDs. C. Adlong questioned if Nelson had concerns regarding the Bypass. Nelson responded she had not been involved in recent meetings; she was involved with the Bypass during her term on the Newberg Council. She is skeptical as to how much traffic will be deterred from Highway 99W. C. Weaver asked for funding options for street improvements other than increasing water/sewer rates, bonds, levies or toll roads. Nelson offered no options. C. Adlong inquired the applicant's position regarding Dundee's future growth. Nelson noted that growth is inevitable. The Mayor asked for a description of Dundee. Nelson replied a small, nice, quiet neighboring community; offering a lot to do. She agreed it could be prettied up. C. Pugsley asked if the city should have a position on affordable housing and if any of the applicants had made use of the kayak launch. Nelson shared she often walks down to the river. A city position on affordable housing would depend on studies to determine the needs for affordable housing. Dundee lacks in multifamily units. C. Weaver inquired if the applicant is not selected; what other local opportunities would be considered. Nelson noted the opening for the Budget Committee.

John Powell is a long-time resident of the area, over ten years. He grew up in Newberg. C. Pugsley asked if he had served on any committees. Powell advised he had not. He is a concerned citizen; who wants to be involved. C. Weaver asked if Powell had concerns on the Bypass. Powell responded to ensure it accommodates those on the Riverside and to make way for coming growth. Mayor Crawford asked for his input on an URD. Powell did not have any to share. Crawford asked for infrastructure funding options, such as the realignment of Ninth Street. Powell did not have any. Weaver asked for funding options for street improvements other than increasing water/sewer rates, bonds, levies or toll roads. Powell suggested a less costly street repair in lieu of addressing with a full pavement. C. Adlong inquired the applicant's position regarding Dundee's future growth. Powell noted that growth will happen; we need to manage the growth effectively and wisely. The Mayor asked for a description of Dundee. Powell praised the removal of the buildings to make way for the new fire hall. Dundee is a neat community, a great place to live, and a popular tourist destination for the wine industry. C. Pugsley asked if the city should have a position on affordable housing and if any of the applicants had made use of the kayak launch. Powell suggested that it should not left up to developers. C. Weaver inquired if the applicant is not selected; what other local opportunities would be considered. Powell advised that he has no political aspirations.

It was noted the Budget Committee has three vacancies with two applications received to date.

After further deliberation **the Council's tally:** Mayor Crawford-David Russ, C. Adlong- David Russ, C. Munson-Dawn Nelson, C. Nelson- David Russ, C. Pugsley-Dawn Nelson, and C. Weaver-David Russ. **The motion** was made and seconded to appoint David Russ to the City Council with a term expiring December 31, 2016. **The motion** passed unanimously. C.A. Daykin administered the oath of office to David Russ.

Bypass Construction Project

Design Acceptance Package (DAP)

City Engineer Eaton shared recommendations back to ODOT:

- ♦The Parks (Fulquartz) Road designation should continue through the sweeping turn going over the overpass and down into Fulquartz. Parks would then continue on the connecting road described in the Riverside District Master Plan parallel to the Bypass to the overpass at the north end on the riverside. Parks Road will serve the neighborhood described as sub-district F of the Riverside District Master Plan; serving 519 new family units, 1300 people, and a peak hour trip of 539 vehicles. Eaton recommended placement of sidewalks on both sides of the road. ODOT is resisting noting schedules and cost. It was noted that the proposed Eighth Street bridge is the same size with sidewalks on both sides. The Master Plan addresses Eighth Street serving 277 new family units, 700 people, and a peak hour trip of 487 vehicles. ODOT expects the city to take ownership of the roads through an intergovernmental agreement (IGA) and eventually Parks (currently under Yamhill County jurisdiction) will become a city road. Right-of-ways are not limited by the Urban Growth Boundary. Sub-District F will be ideally suited for development with completion of the bypass, close proximity of the wastewater treatment facilities, and a water line currently in place adjoining the property (subject to water supply).

C. Nelson noted that the parallel road will be a critical navigation option for the area. C.A. Daykin noted the north/south connector would provide an emergency access route in the event one of the two overpasses is blocked.

The City Engineer asked if the Council supported sidewalks on both sides, if so then having the overpass bridge constructed with sidewalks on both sides would be far less costly than adding the additional sidewalk at a later date. He offered an option of one sidewalk widened to twelve feet, since the Riverside Master Plan calls for a twelve-foot path along the north/south connector road.

C.A. Daykin suggested consideration to approach Yamhill County to determine the possibility of the City taking jurisdiction for Parks Road. Eaton stated Yamhill County is recognized as the road authority with say over what happens to the road; if the city was the road authority with jurisdiction; the city would have say over what happens to the road. ODOT is only the road authority on roads they run highways across. Daykin advised that the city was asked to take jurisdiction two years ago when the road was paved; but declined at that point. From the Engineer's past experience often funds are transferred, with a change of jurisdiction, to the new ROW owner for future infrastructure improvements. ODOT is proposing to pay the County for the use of Parks Road during the project to offset repair costs.

C. Adlong asked for clarification of the Parks Road overpass bridge design. Eaton stated two twelve-foot vehicular lanes with two six-foot bike lanes/shoulders and a seven-foot sidewalk on one side. The suggestion is to widen the sidewalk to twelve feet.

C. Pugsley questioned how a pedestrian handles a bridge with a sidewalk on one side. C. Munson shared her experience in Tigard where she uses the bike lane instead of crossing over to the sidewalk due to the location of public transit stops, it is not ideal. Eaton stated the intersection of Parks and Fulquartz will allow pedestrians crossing to the appropriate side. When the north/south connector is eventually built; the twelve foot path will continue.

Councilor Russ asked if there is a significant engineering change with the addition of the sidewalk on the other side. Eaton affirmed the cost involves the addition of another beam on the side, pouring decking, extending pile caps on all three abutments. A twelve foot sidewalk would be cheaper than two sidewalks. Russ expressed concern to have the road constructed with sidewalks on both sides. Eaton has filed notice to ODOT that the road needs to have sidewalks on both sides.

The majority Council consensus was in agreement to address the city taking jurisdiction of Parks Road. Eaton shared that the County Engineer will likely recommend turning jurisdiction of Parks Road to the city. Council's direction to the City Engineer is to continue to push sidewalks on both sides with the option for one twelve-foot sidewalk.

- ◆The Eighth Street connection to the overpass road at the north end should be a through street with a 200 foot minimum radius and not designed with a right angle turn with a stop sign. Eighth Street will be primary access until the parcel is developed. The City will advise that we will not take jurisdiction of Eighth Street until the roadway is corrected. C. Adlong inquired the proposed width for Eighth Street. Eaton relayed Mr. Edward has asked to maintain the current nineteen feet width; which will minimize the cost to rebuild the road to city standards after he installs water and sewer lines. Adlong expressed concern to preserve trees and wildlife habitat along the road. Eaton noted that is part of the planning aspect for the project.

- ◆Improvements at Parks and Edwards needs to realign the corner for ease of traffic flow, currently it is a 90 degree intersection with a stop sign.

- ◆The remainder of Eighth Street needs to be paved between the completed street at Rolling Acres subdivision and the new overpass street.

A highlighted Exhibit B was provided by Eaton to show the new through movements with the Bypass. Some of the reconfigured streets need to be renamed: 1) Parks should continue over the bridge to connect to Fulquartz, 2) Edwards should continue around the corner to connect to the new Parks alignment, and 3) the north end overpass street connecting to Eight Street needs to be

named. C.A. Daykin suggested Dundee Landing Road for the new road down to the river. The majority consensus was in favor of using names with historic or geographic interest, such as Dundee Landing or Riverside Drive.

Eaton noted there may be an option to the Ninth to Tenth Street realignment crossing Highway 99W currently planned in the Dundee Transportation System Plan; i.e., continuation of Parks to Eleventh Street through the undeveloped area (yellow line on the map); its construction would be developer driven.

IGA- Use of Local Streets

City Engineer Eaton referred to Exhibit B of the packet; which designates the proposed truck traffic routes in Dundee during the two years of Bypass construction. ODOT proposes compensation (\$93,000) to Dundee for the degradation of the roads due to the volume of truck usage. This represents the estimated cost for an inch and a half overlay to the designated streets. Based on the facts that the roads are seventeen years old (normal life span is twenty years) and showing signs of distress; they should have seven inches asphalt in lieu of four inches at an estimated cost \$450,000 to accommodate the anticipated construction truck traffic. Eaton suggested a three-inch overlay on Eighth, replacing the entire road surface, and a two-inch overlay on Edwards and Fifth at an estimated cost of \$210,000. The City has recourse in the ODOT contracts for road damage caused by a contractor with substantiated proof.

C. Pugsley questioned when the city would take jurisdiction of Parks. C.A. Daykin stated the process could take awhile as it would include reaching an agreement between the two entities and public hearings for the County. The City Engineer suggested presenting the option to the County of the city taking jurisdiction of the road if the County requests a two-inch overlay and turns the funds over to the City. ODOT is under time pressures and might be more open to negotiations. Daykin added an IGA with ODOT on local street access for Bypass construction activities will be brought back to the Council.

Old Business agenda items 6.3 Ordinance No. 517-2013, Peddlers and Solicitors and 6.4 Review of License Fees was tabled to the February 19th Council meeting.

New Business

USDA Rural Development Loan Acceptance

The memo from City Administrator Daykin describes the letter of conditions for the city to receive the loan from USDA Rural Development. Acceptance of the conditions will allow Rural Development to commit and lock in the funding for Dundee. We can still choose not to take the loan at the end of the project. C.A. Daykin asked for Council's approval to accept the loan under the letter of conditions, subject to minor changes, to continue forward with the loan process. If secured prior to March 31, 2013, the loan interest rate would be locked in at 3.125%. C. Nelson inquired what the minor changes might entail. Daykin replied contingency requirements are under discussion. Rural Development typically wants an 8% contingency; while the city proposes a 5% contingency upon bid award. The City would need an alternate funding source for the additional 3%; such as the General Fund. If there are unexpended funds left at the end of the project; other eligible work could be added back into the project. **The motion** was made and seconded to authorize the City Administrator to sign the USDA Rural Development Letter of Intent to Meet Conditions form and to provide a copy of the final draft of the Letter of Conditions to the Council. C. Nelson clarified that acceptance of the loan would be brought back to the Council. Daykin confirmed. The Rural Development loan process requires the City to finance construction and upon completion the Council would either approve a resolution to authorize the loan with Rural Development to take out the construction financing or the City could issue general obligation bonds instead. **The motion** passed unanimously.

Council Concerns and Committee Reports

The Tourism Committee has formed three subcommittees: 1) Welcome Sign, 2) Website and Marketing, and 3) Calendar Development. The Website and Marketing subcommittee will meet with Krista and Ashley on February 22nd.

The Parks Advisory Committee will meet on Wednesday to discuss reapplying for a grant for the Viewmont Greenway improvements.

Mayor's Report

The Coastal Parkway Committee is sponsoring a house bill which would grant ODOT condemnation authority for a toll based private development. This would allow private enterprises to build toll based roads and hand jurisdiction to ODOT after the road is paid for.

The FEMA team made a site visit to Dundee to review critical facilities in the city.

City Administrator's Report

The League of Oregon Cities is hosting City Day at the state capitol on February 27th. Council members may register online.

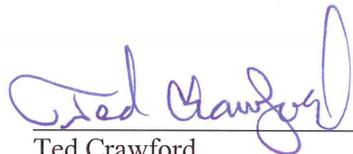
Representatives from the Ford Family Foundation will meet with the Mayor, C. Pugsley and staff on February 28th regarding the grant request to fund a community meeting room in the new fire hall.

PGE crews removed the old transformer equipment on the Harvey Creek Trail this week.

Public Comment:

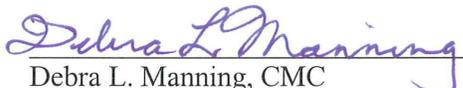
None.

The meeting was adjourned at 9:54 PM.



Ted Crawford
Mayor

Attest:



Debra L. Manning, CMC
Assistant City Recorder