

**CITY COUNCIL MEETING
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February 19, 2013**

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City of Dundee
City Council Meeting Minutes
February 19, 2013

Call to Order

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

Council and Staff Attendance

Present: Mayor Crawford, Councilors Adlong, Munson, Nelson, Pugsley, Russ and Weaver. Staff members: Rob Daykin, City Administrator, Jeff Bennett, City Attorney, Charles Eaton, City Engineer, Michael Humm, City Engineer, and Debra Manning, Assistant City Recorder.

Public Attendance

Gary Manning

Agenda Changes:

None.

Public Comment:

None.

Consent Agenda

The motion was made and seconded to approve Consent Agenda items 5.1 City Council Minutes, February 5, 2013, 5.2 Financial Report Ending January 31, 2013, and 5.3 FY 2013-14 Budget Calendar. **The motion** passed unanimously.

Old Business

Bypass Utility Relocation Project

At the January 15th Council meeting the Council authorized Kennedy/Jenks to start the design work for relocation of the existing waterline extending from Eighth Street along the private road to the Willamette River. The waterline is within the easement provided to the City and will be in conflict with the Bypass construction. ODOT is in the process of acquiring part of the private road for the highway right-of-way (ROW). The installation of a future purple pipe for recycled water distribution will also be impacted at that location. ODOT will not reimburse expenses for installation of a purple pipe system. Tim Potter, ODOT, is researching to determine any available ways to offset the impact from the Bypass on the city's utility easement in the ROW.

City Engineer Humm advised this segment of piping will ensure a looped system: adding redundancy, continued service during repairs, better flow, longer pipe life, and no dead ends. He directed Council's attention to a diagram noting the Eighth Street alignment and the Bypass easement. Bypass construction work will begin this year on preloading with crushed rock and a storm line which will impact the current twelve-inch waterline. The waterline relocation project realigns as a sleeved line to the south of its current alignment in the City easement. A recycled waterline would have a shorter run with connection points on either side of the ROW for future availability. Humm reviewed three scenarios to accommodate the installation of a purple pipe in the City's easement: 1) typical water pipe installation with a minimum of three feet of cover at \$40,387; 2) installation of a sleeved pipeline at a depth of eight feet to avoid conflict with the future Bypass construction at \$108,093; and 3) installation of a bored pipeline after the Bypass is constructed at \$304,421. The Engineer recommended installation of a sleeve now to accommodate a future purple pipe. The cost for this work can be reduced to an estimated \$85,000 by installing only the sleeve without the pipe until there is a demand for the water. City

Administrator Daykin clarified that design work for the purple pipe will not be eligible for reimbursement from ODOT.

Councilor Pugsley inquired if the standard piping material could change between now and future need. Humm didn't believe that would be an issue; the pipe will be a high density polyethylene.

C.A. Daykin suggested the purple pipe sleeve cost could be reduced by limiting the run to cover only the actual improvements (two highway lanes); not the full ROW width. Humm noted that would place future work in the easement which could be subject to additional permitting and ODOT costs at that time. C.A. Daykin asked for authorization to move forward with the additional design work for the sleeve installation.

Mayor Crawford questioned if the \$85,000 estimate included engineering costs. Humm replied it includes \$7,500 of engineering. Crawford asked if well water from the idle well near the river could be added to the purple pipe system to enhance the irrigation supply. Crawford noted the well near the river is not currently being used for the domestic water supply since it would likely require treatment due to surface water influence. The engineers will have to investigate that option; they will be at the March 5th Council meeting to discuss recycled water.

Councilor Adlong asked if there are regulations preventing the use of the recycled water for vegetable gardens. Humm stated it is not prescribed for contact with food for human consumption; not for broadcast irrigation. The Council authorized the City Engineer to design a purple pipe sleeve in the City's easement across the future Bypass ROW.

Transportation Enhancement (TE) Grant Project

C.A. Daykin stated the Council has shown interest in the possibility of abutting property owners paying a share of the improvement cost (including sidewalks) to help fund the City's share of the local match on the TE project. City Engineer Eaton completed his assessment of the existing sidewalks and determined the grant budget is not sufficient for replacement of all of the driveways not meeting ADA requirements. Also, the Council may wish to augment the project budget to better enhance the aesthetics of the project by doing more work instead of spot repairs. Eaton has prepared an estimate for various levels of sidewalk related work. The placement of crosswalks and related improvements will have an effect on the overall project budget.

Crosswalks:

City Engineer Eaton reviewed the project through two viewpoints: 1) as the grant was submitted and 2) what the finished project should encompass. A handout maps the existing crosswalks and suggested crosswalk options for the highway. Critical intersections for crosswalks initially identified with a Rectangular Rapid Flashing Beacon (RRFB) are Seventh Street and between Ninth and Tenth Streets.

C. Adlong asked for an explanation of an RRFB. Eaton replied they are button activated, high intensity, yellow rectangular beacons that emulate utility/emergency flashers.

Two options reviewed: 1) crosswalks at Seventh, Parks Drive, and a midblock crosswalk between Ninth and Tenth streets with a RRFB and 2) crosswalks at Seventh, Ninth, Eleventh and Parks Drive without RRFBs. The existing bus stop across from Tenth Street on the west side may be relocated to Ninth Street to match up with the crosswalk and the bus stop located on the east side. ODOT is waiting for an official request from the City for crosswalks. Crosswalk counts will be conducted to help support the request to ODOT. Councilor Munson inquired where the counts would be taken. Eaton replied at all the intersections.

C. Pugsley inquired if the midblock option had a cost advantage. Daykin advised it is more expensive; whereas option 2 allows even spacing with crosswalks tying into the sidewalks serving the residential neighborhoods on the west side of the highway. Tenth Street would not have a direct crossing; but the future of that street is undetermined in regards to the TSP update. ODOT prefers to use RRFBs at midblock crosswalk locations. The estimated cost of a RRFB installation is \$25,000.

Councilor Weaver questioned if ODOT would consider a concrete island at Ninth Street. Eaton shared the proposal for First Street; which includes an island. Islands and midblock crosswalks hamper left turns.

Councilor Nelson asked for clarification that the crosswalks in option 2 do not have RRFBs; only the midblock crossing in option 1. Eaton confirmed. Option 1 will require ADA ramp placement for all cross movement; whereas option 2 will require ramp placement positioned for only the marked crosswalks.

C. Adlong questioned how much landscaping will be removed with the project and how replacement landscaping will be addressed. Eaton advised the sidewalks can be meandered around the landscaping; overgrown landscaping will be removed.

The majority consensus favored crosswalk option 2.

First Street Intersection:

The City Engineer advised that ODOT would like to see a pedestrian island with a RRFB at First Street. Option 1: an island and elongated barrier with marked crosswalk; allows left turn movements from First Street to more safely merge into northbound highway traffic; allows left turn movements from the highway to First Street; stops left turns out of and into the gas station/convenience store; stops cross traffic between First Street and gas station/convenience store; it is the most costly option and will require expansion of the highway on the east side which will take half of the BBQ restaurant's parking lot located in the right of way. Option 2: a small pedestrian island located between the travel lanes with a marked crosswalk south of the First Street intersection; will impede left turn movements from the highway to First Street and impede left turn movements from the gas station/convenience store to the highway; but it will not stop the left turn movements. Option 3: marked crosswalk without an island, least safe for pedestrians with RRFB signals off to the side.

C. Pugsley asked the difference in cost between options 1 and 2. Eaton estimated \$20,000 more for option 1.

Mayor Crawford noted a First Street crosswalk will be a major connection for the trails; including Harvey Creek and the Chehalem Heritage Trail.

C.A. Daykin noted a Local Improvement District (LID) could encompass the full length of the highway to cover public improvements benefitting the abutting property owners. Eaton supports a LID from First Street to Parks Drive. The majority Council consensus favored option 1 for the First Street crosswalk improvement.

C. Weaver suggested review by the fire and police departments considering ingress into the neighborhood. It was noted the relocation of the retaining wall at the restaurant parking lot could offer a possible location for a future "Welcome to Dundee" sign.

C. Adlong shared the desire to include landscaping in the island.

Street connections:

A list of undeveloped streets is included in the packet for consideration to eliminate as street connections; this does not vacate the street if needed for future use. Street stubs currently used for access by the adjacent properties on the highway would be redeveloped as driveways for the purposes of the TE project. This would reduce the number of legal crossings and the corresponding required ADA ramps. Eaton shared the new rules do not allow single ADA ramps, there has to be a ramp for each crosswalk connection. There are two options for ADA ramp configurations: full drop or traditional with a landing at the top (they do not collect as much dirt as a full drop). Eaton supports bulb outs into the side street to accommodate traditional ADA ramps, although drivers will have to slow down to stay within their travel lane when turning right onto a local street from the highway.

Sidewalks:

The choices of widths are six feet or match the current five foot sidewalks. New sidewalks will be installed on the east and west side of the highway between Parks and Twelfth Street; in front of the new fire station facility and on the east side of the highway between Fourth and Second Streets. There are compliance, slope, and clearance issues with the existing sidewalks. Option 1 would be targeted replacement of the worst sidewalk panels to satisfy ADA requirements. Option 3 would replace all but the newer sidewalks and option 2 is a mixture of the other two options. Color key for sidewalk handout (corresponds to the cost charts on page 44 of the agenda packet): noncompliant ADA: *blue*, compliant ADA: *red*=poor condition, *green*=good condition, and *yellow*=new. It was noted that existing sidewalks that are in good or new condition will be disturbed by street light installation.

Mayor Crawford inquired if this additional work would qualify for an infrastructure bank loan. Daykin affirmed it would qualify.

C. Pugsley asked if property owners with a noncompliant driveway could be charged for their part of the improvements. Eaton shared the assumption that the city has an ordinance in place to make the property owner responsible for fixing noncompliant sidewalks. Councilor Russ questioned if property owners would be required to pay equal according to their linear footage with a local improvement district (LID). Daykin confirmed that could be one methodology; options will be brought back to the Council. City Attorney Bennett noted there are different methodologies which can be used dependant on the benefits of the improvements and how the cost of the improvements is spread over the properties benefited. Eaton advised driveways are typically assessed directly to the property benefitted. A LID may be initiated by Council motion with a directive for the City Engineer to prepare a report on the public improvements to be constructed, estimated improvement costs, assessment methodologies and estimated assessments to individual properties. Daykin recommended that prior to considering initiation of an LID; the Council may want more information on some of the possible options and costs.

C.A. Daykin shared that TE grant funds cannot be used for undergrounding the existing overhead utilities. He referred to the old substandard four-inch waterline along the west side of the highway. Property owners have been required to upgrade to a ten-inch line when they improve their property. A critical section is Seventh to Ninth streets, where there is limited ROW and limited opportunity for new development to upgrade the waterline. The TE project is expected to occur in 2014 project; which ODOT may delay to 2015 due to storm water treatment issues. C. Pugsley questioned if the waterline replacement will be part of the project. Daykin replied some locations should be included since the waterline will be installed under the new sidewalk; other areas can be addressed at the time of future development with the provision of additional

easement to allow placement of the waterline along the sidewalk. Further information for all three options will be brought back to the Council.

Ordinance No. 517-2013, Peddlers and Solicitors

C.A. Daykin inquired if the Council wanted to amend the frequency duration limits for garage sales. The majority consensus was the current language is adequate (one in sixty days and each one no longer than three days). The City Attorney asked if there should be an hour limitation. Daykin suggested “conducted during daytime hours only”. Amended language for garage sales will be brought back to the Council.

C.A. Daykin noted the red-lined edition of the ordinance in the packet reflects Council’s changes. **The motion** was made and seconded to adopt Ordinance No. 517-2013, and ordinance relating to peddlers and solicitors, and amending the Dundee Municipal Code. **The motion** passed unanimously.

Review of License Fees

C.A. Daykin reviewed proposed revisions to license fees. The current \$45 business license fee would cover a resident business, a home occupation, or a temporary business for January 1st through December 31st without any partial proration. Temporary use permits will be exempt from a business license fee due to the documentation obtained through the land use application process. The Peddlers and Solicitors license was adjusted to accommodate an application with multiple solicitors with a group fee subject to \$45 for the first three people plus \$20 per additional person. The Peddlers and Solicitors license is limited to three months. The Council concurred with the proposed group application fees. A resolution to update the fees will return.

New Business

City Administrator Annual Review

The City Administrator’s review has been conducted every other year without a facilitator. The Council consensus was to continue this process. An electronic version of the form will be forwarded to the Council members; completed forms should be forwarded to the Mayor. The Council will review and hold the administrator’s review at end of the March 19th Council meeting.

Council Concerns and Committee Reports

The Parks Advisory Committee met on February 6th and discussed reapplication for a State Parks grant for the Viewmont Greenway Trail. Engineer Eaton offered suggestions for ditch design and possible recycling of broken sidewalk for a base for paths, which will help accumulate grant points for sustainability. The design will include a nature play area and possibly a picnic area with potable water. C.A. Daykin will attend a training session on new grant criteria.

The letter of concern regarding the Fire Station siren from C. Diane Ragsdale will be addressed by Chief Stock at the March 5th Council meeting.

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

C. Adlong readdressed concern that the Gun Club has expanded their operations. She inquired if the City can address the concerns or if citizens need to take their concerns to the County. C. Nelson shared the Gun Club has changed their operating nights to Thursday and Saturday for a three month period with occasional special events. He will bring information back to the Council on their schedules, upcoming events, and any future plans to address light and sound concerns.

The City Attorney counseled these concerns are usually pursued by individual property owners not the city.

C. Weaver thanked Public Works Supervisor Mustain for the city facilities tour provided last Thursday.

Mayor's Report

The Mayor will attend an Oregon Transportation Commission meeting on Wednesday regarding the infrastructure bank loans for the local funding match to the Bypass construction project.

Senator George is continuing to work with ODOT for changes on the Bypass fishhook connection to Highway 99W just south of Dundee.

The Coastal Parkway Committee's house bill, which would grant ODOT condemnation authority for a toll based private development, is not receiving legislative support.

City Administrator's Report

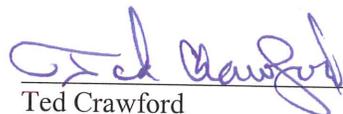
The proposed interest rate for the infrastructure bank loan for the City's local match is 2.58%; the estimated debt service is about \$21,000 a year on the City's share of \$315,200 plus a 1% loan fee. The Infrastructure Loan Bank could cease operations after July 1st. C.A. Daykin suggested reviewing the benefit of obtaining funds through the bank to address deferred street improvement projects; completing them in 2014 and paying back the debt service instead of addressing improvements as we can accumulate funds for the projects. C. Pugsley inquired how the local match will affect the revenue funds we receive from the State. Daykin estimated currently we have a net gain of \$55,000 which we apply towards these projects; which would be reduced by the loan's annual debt service. A decision will need to be made quickly to pursue a loan addendum/new application from the bank. The consensus was to review more information at the March 5th meeting.

Update on the Maple Street/Locust Street deferred improvements construction agreement for the Fortune Park project: CPRD's partition application expires on February 19th. Don Clements, CPRD, advised the revised agreement will be brought before their board this month.

Public Comment:

None.

The meeting was adjourned at 9:37 PM.



Ted Crawford
Mayor

Attest:



Debra L. Manning, CMC
Assistant City Recorder