

**CITY COUNCIL MEETING
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City of Dundee
City Council Meeting Minutes
March 20, 2012

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 (7:21PM), Nelson, Pugsley, and Reddell. Staff members: Rob Daykin, City Administrator, Jim Bennett, City Attorney, Dave Monson, City Engineer, Alan Mustain, Public Works Supervisor, and Debra Manning, Assistant City Recorder.

Public Attendance

Jan Newhouse, Promise Community Garden, Linda Luke, Promise Community Garden, and Preston Van Meter, Kennedy/Jenks.

Agenda Changes:

None.

Public Comment:

None.

Consent Agenda

The motion was made and seconded to approve Consent Agenda item 5.1 City Council Minutes, March 6, 2012. **The motion** passed unanimously.

Old Business

Upland Well Pump House

The project to replace the Upland Well house is ready to go to bid. Staff is reviewing the option to combine water telemetry and wastewater telemetry with the subcontractor for the Wastewater Treatment Plant's (WWTP) telemetry system. The pump house receives information from the reservoir well and outside wells feeding the lower pressure zone. The estimated cost is \$5,000 to \$10,000 to keep the telemetry operating during the demolition of the current facility and construction of the new building. It would be beneficial to have the water telemetry tied to the Wastewater SCADA (supervisory control and data acquisition) system if the City Council's direction is to continue to use the wells on a long-term basis. The first phase, the radio telemetry system, would have an estimated cost of \$59,000, which would include Well No. 9, Well No. 10 and the Deep Well at the Upland reservoir. Staff recommendation is to proceed with the first phase of the telemetry upgrade.

Preston Van Meter, Kennedy/Jenks, shared a study was conducted setting up a radio transmitter base station in the lab/operations building at the WWTP and visiting water facility sites which would be included in a telemetry system to define if the information can be received. A network with good signals was determined and the information on the needs for the system was reviewed. The subcontractor's recommendation is to place the radio telemetry system at the Upland reservoir at a temporary location and then relocate the panel to the new well building after its construction. This will allow the demolition of the existing building without extra measures to keep the system running. There is capacity on the WWTP telemetry system to handle the information from the wells and reservoirs. The decision can be made later to add further water system automation to only monitor or to turn pumps on and off and close valves.

C.A. Daykin noted that Public Works staff time will shift to maintenance of the WWTP once it is operational. Water has been the major part staff's time and telemetry would help with operations.

Public Works Supervisor Mustain noted that Well No. 9, First Street, does not have any telemetry, it runs all the time. Telemetry would allow the well some down time.

Councilor Pugsley inquired if this would allow control of the pumps. Van Meter advised that will be the next step, the automation decision. City Engineer Monson clarified that the \$59,000 is the backbone which allows monitoring and entry alarms. An additional telemetry study is a separate recommendation to develop a master plan addressing automation decisions.

Mayor Crawford inquired if the reservoir would be included in the telemetry. Mustain confirmed that there is level sensing equipment in the reservoir. Van Meter clarified if the equipment can send/receive signals it probably can be included in the panel, at the moment it is unknown if the data can be brought into the SCADA system as useable information. The Engineer's recommendation for the reservoir would be to add a pressure transducer. Mustain noted that both the cemetery and the vineyard reservoirs have transducers.

C.A. Daykin noted there is sufficient appropriation for uncompleted projects in Water CIP Fund allowing the means and the budget to do the telemetry project.

City Engineer Monson supports maintaining the current wells. A SCADA system would allow improved data collection, improved control, improved safety with awareness of the system status and receipt of alarms and warnings, and a reduction of staff effort. The Mayor noted the system would create a savings with the discontinuation of the current phone lines for the wells. Mustain confirmed.

The City Engineer inquired if the telemetry system at the WWTP will be able to accommodate expansion when the city adds a surface water source in addition to the wells. Van Meter advised it should be able to accommodate a water plant. He pointed out the savings of one SCADA system for both wastewater and water versus a system for each.

C. A. Daykin clarified that the proposal from Kennedy/Jenks is for a master study to determine what automation is needed for a full water system and the estimated cost so it can be included in the budget.

Councilor Adlong questioned what water projects were not completed or deferred. Daykin replied the water line project anticipated for the SCA grant street improvements on Dogwood Drive was postponed since we did not get the grant and the waterline between Third and Fourth Streets is anticipated with the TE grant sidewalk project, both of which will need to be completed in the future.

Mayor Crawford inquired if there would be additional SCADA licenses to acquire. Van Meter doesn't believe so, but will follow up.

The motion was made and seconded to proceed with installation of the additional telemetry work at wells No. 9 and No. 10, the Upland reservoir and the Wastewater Treatment Plant in amount not to exceed work \$59,000. **The motion** passed unanimously. Daykin noted that the numbers in the memo were cost estimates only and a contractor's proposal for the work will be brought back to the Council.

Community Garden Proposal

Jan Newhouse, Promise Community Garden, met with the Parks Advisory Committee to update the progress of the proposed community garden and to request approval to use city water for the garden. The committee supports the garden as beneficial for the community. The City's current policy does not allow use of city water outside of the City limits for irrigation uses. An amendment to the Dundee Municipal Code would be needed to allow water usage for irrigation for the community garden. If the garden was located in the city, such as the Alder Street site, the restriction would not apply.

Newhouse updated the garden size to 70 feet by 100 feet. C.A. Daykin estimated the cost of water in the memo would drop to one third of the original estimate with the change in the garden size. Newhouse shared the future expectation is to run a drip system. She inquired of any regulations addressing catchment tanks. Mustain advised it could not be directly connected to the city water line; otherwise he referred her to Yamhill County for applicable restrictions.

Councilor Munson questioned how to amend the Municipal Code to accommodate the community garden. City Attorney Bennett replied it depends on how narrow you want the language. C. Adlong suggested language specific to the garden as a source of food for the community. Daykin questioned the use of generic language and Council's findings on a case by case basis. Bennett noted that would open the door to anyone who claims a benefit to the community. Daykin relayed it is currently unknown what water is used for on accounts outside of the city.

Linda Luke, Promise Community Garden, suggested providing an allowance of water for two to three years and a cap on the amount of water allowed.

C. Pugsley asked if the City could enter into a contract. Bennett advised no. Pugsley inquired if this creates a precedent. Bennett confirmed it does create a precedent. If you want to allow this, you need to craft it narrowly and tie it to a public purpose, such as the demand for a community garden for the citizens of Dundee.

If the Council is in agreement with the use of water for the purpose outside of the City limits, staff will bring back a proposed ordinance. Daykin noted Columbia Empire Farms has been using water for their processing predating the original ordinance. The City Attorney stated the usage would not be grandfathered and it should be addressed if the City wishes to allow it to continue. Bennett inquired what the term community garden should include. Newhouse reviewed their expectation for the garden: to provide food for the community and the Food Bank, to provide educational classes and possibly plants for sale. Daykin proposed limiting by size, such as a quarter acre. Bennett counseled limiting the amount of water. Adlong reasserted the need to address a limitation for food production. Newhouse shared that at some point they would like to expand a community garden to the Alder Street lots. Staff was directed to prepare a draft amendment to the Municipal Code to return to the Council.

New Business

Viewmont Drive Restrictive Covenant

The Council approved the City Administrator to apply for a State Parks grant to place a trail and park improvements in the Viewmont Drive right of way (ROW). State Parks has advised a restrictive covenant guaranteeing the ROW will be used for park purposes is required for the property to be eligible for grant application. The question is the duration for the restrictive covenant. State Parks wants a twenty-five year minimum, but it could take several tries to receive the grant. The Parks Advisory Committee recommended forty years.

C. Adlong relayed Jim McMaster's, Chehalem Park and Recreation (CPRD), input that the State would rather see a longer period for the covenant. The City Attorney advised the restrictive covenant expires if a grant is not received within a five year period.

C. Nelson asked for clarification of why Laurel Street to Dogwood Drive was excluded. C.A. Daykin advised that part of the right of way is currently used by a residence for access and the State Parks will not accept the grant application with a private driveway access in the park. Public Works Supervisor Mustain noted that block of Viewmont Drive used to be open to vehicular traffic, but was closed as a result of drivers detouring to avoid the stop sign at First Street and Dogwood Drive. The grant will apply to that part of the Viewmont Drive right of way between Ione Street and Laurel Street and the City will complete the rest of the improvements between Laurel Street and Dogwood Drive with non-state funds.

The majority consensus was for a forty year period. **The motion** was made and seconded to authorize the execution of the restrictive covenant on that portion of the Viewmont Greenway right of way between Laurel Street and Ione Street for a minimum of forty years. **The motion** passed unanimously.

Resolution No. 2012-02, State Parks Local Government Grant Project

One of the requirements for the grant application is the adoption of a resolution authorizing this project.

C. Pugsley inquired which funds the 20% match would be dispersed from. Daykin answered the expectation is this will probably be a 2013 project. The Engineers' recommendation is to start in the summer months with plantings in the fall. If Council concurs funding will be moved from the Storm Water CIP Fund to the Parks Fund.

The motion was made and seconded to adopt Resolution No. 2012-02, a resolution authorizing the City of Dundee to apply for a local government grant from the Oregon Parks and Recreation Department for the development of a linear park and trail in the Viewmont Greenway and delegating authority to the City Administrator to sign the application. **The motion** passed unanimously.

Council Concerns and Committee Reports

Councilor Miller attended the Yamhill County Transit Committee meeting on the 14th. They have received four bids for a new provider for the system. The plan is to conduct interviews this week prior to the award of the contract. Thirty-three buses are currently in service. There is a good possibility of a bus fare increase with the current raise in fuel costs.

Councilor Adlong and City Administrator Daykin will attend the CPRD board meeting this Thursday to seek support of the Viewmont Greenway project and financial assistance in placing a footbridge over the swale in the greenway.

The Tourism Committee has finalized a request for proposal for the identity project. The Committee will review responses at the April 9th meeting and a recommendation will be brought to the Council for approval.

The Firefighter's pancake breakfast is scheduled for April 15th at the Fire Hall.

C. Adlong inquired if anyone had received feedback on proposed Fire Hall bond measure. C. Pugsley noted that both of the Open Houses had poor attendance. Adlong has received positive inquiries.

Mayor's Report

Bypass update: The Mayor discussed concerns with Tim Potter, ODOT, on the integration of the overcrossing connecting Parks Road to Fulquartz Landing Road taking into consideration the expected future build out for the area. He noted that the "fishhook" connection south of Neiderberger will be detached from the completed bypass when the northern connection is constructed. C.A. Daykin shared it could still be used for a bike/pedestrian path. The Mayor noted that the overpass bridges will be built for the full bypass, but the bridges over the ravines will be built for a two-lane facility. Daykin shared that CPRD is reviewing with ODOT the possible use of the bypass ROW for a bike/pedestrian connection with the City of Newberg.

City Administrator's Report

The City Administrator, Public Works Supervisor Mustain and City Engineer Monson met with the ODOT team on the Transportation Enhancement (TE) Highway 99W project. They have the survey, but it has not been reviewed. The preservation project will go out to bid next March, but the City's TE project will be delayed until June or later. Staff met with the lighting specialists, DKS Associates. They have to meet standards for ODOT and the City's Dark Sky standards. Three options will be brought to the Council for consideration including the PGE sanctioned Westbrook fixture (the bell shape lights in the Springbrook area of Newberg) and a Providence LED fixture (the full cut off lights in Bridgeport) which is not PGE sanctioned but is low maintenance. The plan is to provide a demonstration for the Council of the fixtures.

A customer with water leak applied for an adjustment and was denied. They contested the interpretation of the ordinance. After discussion with City Attorney, the definition of internal plumbing will be brought back to the Council for clarification. Daykin noted that Council might want to add language to cover situations such as was presented to the Council last year with external water loss which did not enter the sewer system, where the Council granted sewer credits. The majority consensus was in agreement.

C. Nelson questioned that the survey delayed the TE grant process to the point that the City will not be able to accomplish the project with the ODOT preservation contract. Daykin confirmed. Mayor Crawford stated they can occur at the same time, but with two different contracts. Daykin noted that ODOT wants to do the preservation work first; they are reviewing the addition of curb work to the preservation project.

Public Comment:

None.

Executive Session:

The City Council entered Executive Session at 8:53 P.M. in accordance with ORS 192.660 (2) (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions. Executive Session ended at 9:08 P.M. and the Council did not reconvene.


Ted Crawford

Mayor

Attest:

Debra L. Manning

Debra L. Manning, CMC
Assistant City Recorder