

**CITY COUNCIL MEETING
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April 16, 2013**

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City of Dundee
City Council Meeting Minutes
April 16, 2013

Call to Order

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

Council and Staff Attendance

Present: Mayor Crawford, Councilors Munson, Nelson, Pugsley, Russ, and Weaver (7:07 PM).
Excused absence: Jeanette Adlong. Staff members: Rob Daykin, City Administrator, Jeff Bennett, City Attorney, Brian Casey, Newberg/Dundee Police Chief, and Debra Manning, Assistant City Recorder.

Public Attendance

Sandy Friedman, Gary Bryant, Gary Warrington, Josh Vorderstrasse, Katie Vorderstrasse, Tom Schaad, Ann Nelson, Alicia Fleetwood, Austin Beggel, and Michelle Bergeron.

Agenda Changes:

Directional Signage for the Little Free Library was added to New Business.

Public Comment:

Tom Schaad inquired why items eleven and twelve of the 2010 Alder Street improvements have not been completed. City Administrator Daykin noted that the City Council decided not to install either of the improvements at the time; item eleven was plantings of kinnikinnick and item twelve was a basalt rock seating area at the Seventh Street intersection to Alder Street. Councilor Pugsley expressed concern to address the crooked barricade in place at Alder Street and Seventh Street. Daykin stated that CPRD relayed their intent to identify the Alder Street connection to Seventh Street as part of their overall trail system to the Parks Advisory Committee. Council can direct staff to include improvements to the site in the budget. Councilor Nelson asked to review Council's previous decision on the improvements. Discussion on this will return to the May 21st Council meeting.

Gary Bryant, representing Randy Bryant, asked the Council to reconsider the denial of the appeal for a leak adjustment. He relayed that Randy has relocated to Spokane, Washington, and was unable to attend the meeting. The house was vacant when the leak was found, it was repaired as soon as they were aware of it, and none of the water entered the sewer system. Bryant noted the delay in response was due to problems getting Randy's mail redirected. Item 7.4 Water Leak Re-appeal was added to Old Business.

Katie Vorderstrasse addressed a sewer issue at 821 Chablis Court. Their home is pending sale. The home inspector noted several major "bellies" in the sewer line from their property to the main line of the sewer. The home sale is dependent on the repair of this issue. They have discussed this with staff. They believe the city should be responsible to complete the repair. There is a pending May 1st closing date dependent on either a credit to the buyer or a letter of commitment from the City taking responsibility for the repairs. They asked for this to be addressed prior to that date. C. Pugsley asked for a definition of "bellies". Katie advised it occurs when a sewer line dips and water pools which could backup or destroy the pipe over time. Mayor Crawford noted that Chablis Court is a private street. Josh Vorderstrasse stated the concern is not the street; it is the sewer pipes under the street. C.A. Daykin clarified it is a residence with a sewer lateral connecting to the sewer main located in the private street. Council asked for further information to address the issue at a special Council meeting on Tuesday, April 23rd at 7:00 PM.

Councilor Pugsley and Assistant City Recorder Manning will be unable to attend the meeting. City Attorney Bennett counseled he had already completed a preliminary review of the issue. The line is a service line in a private subdivision and there is nothing in the code to indicate that the city is responsible for it. He will review the issue further and submit a report. Daykin asked Vorderstrasse to forward the inspection video for Council's consideration. Bennett inquired an estimate of the repair cost. Vorderstrasse received three bids ranging from \$5,300 to \$13,300. C. Nelson questioned the footage involved. Vorderstrasse estimated thirty feet. Bennett asked Vorderstrasse to provide a copy of the covenants, conditions and restrictions (CC&Rs) for the property.

Mayor Crawford noted for the record that Councilor Adlong has an excused absence.

Presentation:

Animal Shelter Construction Project

Newberg/Dundee Police Chief Casey updated the new animal shelter is open; pending completion of the interior. The project was funded with \$400,000 from Newberg Animal Shelter Friends (NASF) and an estimated \$400,000 match from the City of Newberg. The facility will serve both dogs and cats, including a spay and neuter program. The building will house a small store run by the NASF, a pet viewing area, kennels (32), a medical room, grooming facilities, a laundry, and a kitchen. The funds from the City of Dundee's 2013 donation were used to purchase a washer and dryer. The City is provided animal control services through a contract with the Newberg/Dundee Police Department, who respond to an average of 125 to 200 complaints each year. Casey recommended a contribution to the shelter for the 2013-2014 fiscal year. He offered to host tours of the facility.

Consent Agenda

The motion was made and seconded to approve Consent Agenda item 6.1 City Council Minutes, April 2, 2013 and 6.2 Financial Report Ending March 31, 2013. **The motion** passed unanimously.

Old Business

Water Leak Re-appeal

Councilor Munson expressed her concern to stand by their decision and not set a precedent. Gary Bryant advised that part of the responsibility was his as he forwarded Randy's mail in two-week batches. He asked for a partial reduction to serve as a penalty for missing the deadline to submit the paperwork for a leak adjustment. After further discussion the Council supported their decision that it was the responsibility of the property owner to file the paperwork by the deadline. The suggestion was made for staff to collect two forms of contact from the property owner (phone and email) upon termination of an account. **The motion** was made and seconded to sustain the denial of the appeal. **The vote:** Mayor Crawford-nay, C. Munson-aye, C. Nelson-aye, C. Pugsley-aye, C. Russ-aye, and C. Weaver-nay. **The motion** passed four to two to deny the re-appeal.

ODOT Infrastructure Bank Loan-Dundee Street Work

ODOT Infrastructure Bank approved the City's request for \$284,000 in additional loan funding for local street improvements. Council was asked to accept the terms of the additional loan and to approve preparation of a project to go out to bid this summer. The streets recommended for the first phase, located on the east side of Highway 99W, are highlighted on page 29 of the packet.

C. Pugsley questioned our local match amount for the Bypass and how it will affect the Street Fund balance. Daykin estimated an annual debt service of \$40,000 would be appropriated with the two loans.

C. Nelson recused himself from addressing this agenda item.

C.A. Daykin clarified the city is reviewing a thinner overlay as a cost savings measure for low traffic residential streets; while maintaining the longevity of the street surface. A one-inch thin-lift overlay will be applied to Beech Street to determine future usage of this application on similar local streets. The intent is to complete maintenance on the selected streets prior to the addition of Bypass construction traffic. The second phase will require utility work prior to street work.

The motion was made and seconded to authorize the City Administrator to sign acceptance of the Oregon Transportation Infrastructure Bank loan terms and conditions letter for the \$284,000 loan and to direct the City Engineer to prepare bid documents for the recommended street work. C. Pugsley questioned if we determine how much of the loan the city takes. The City Attorney clarified it basically acts as a line of credit; with the city obligated to pay the 1% loan fee. Daykin stated Council can reevaluate after completion of the first phase. **The vote:** Mayor Crawford-aye, C. Munson- aye, C. Pugsley-aye, C. Russ-aye, and C. Weaver-aye. **The motion** passed five in favor and C. Nelson recused.

Transportation Enhancement Project-Amendment No. 1

This is a housekeeping measure to adjust unmet milestones to secure that the grant funding for the TE project is retained. There has not been any significant progress on the project. Tony Snyder, ODOT, is the new project manager. Staff relayed to ODOT the City's desire to augment the budget to include additional sidewalk and addressed crosswalk issues. ADA related issues are under consideration by ODOT. An updated concept plan will be presented to ODOT within the next three weeks. The Council TE Committee (Adlong, Nelson and Weaver) was requested to meet with staff next week. Council will review the updated plan at the May Council meeting prior to forwarding it to ODOT. It appears the city will be able to install more of the illumination component with the additional sidewalk improvements, as it is less expensive to install with the sidewalk panels removed rather than boring under existing sidewalks. **The motion** was made and seconded to authorize the Mayor and City Administrator to execute Amendment No. 1 to the Local Agency Agreement No. 28069 with the Oregon Department of Transportation relating to the Transportation Enhancement grant sidewalk/streetscape project along Highway 99W in Dundee. **The motion** passed unanimously.

Business License Exemptions

Per Council's request from the April 2nd meeting additional information was included in the packet on home occupations. They are allowed in all the residential districts and are licensed under the business regulation. The original question to the Council is why have a business license regulation in the first place. Usually it is in place to understand what exists in the community in terms of code enforcement, on site hazardous materials, emergency contact information, and economic development information. The revenue collected covers the cost of administering the business license regulation. Our flat fee applies to any business, whether for one week or a full year, and whether based inside or outside of the city. Daykin noted the only non-resident businesses we are able to license consistently are those activities that are required to get a building permit. Even still, some building trade work does not require a permit. Door to door solicitors and peddlers are regulated through a separate process and temporary businesses are regulated through the land use process.

C. Nelson inquired if the companies doing business with the city are licensed. Daykin replied historically, the city has not collected business license for services rendered to the city.

Mayor Crawford noted it is an asset to the city to be able to identify brick and mortar businesses in the city. The majority council consensus agreed with amending definition of business to local

brick and mortar and the addition of exemption 16 on page 45 of the packet. Daykin confirmed Council's direction is to license business activities with a permanent presence in Dundee.

New Business

Little Free Libraries

Sandy Friedman asked for permission to place a sign on city well no. 9 property at the corner of Oliver Court and First Street to direct interested persons to the Little Free Library located on their property. The library allows anyone to take a book and or donate books.

C.A. Daykin noted the issue is placement of the sign on city property. Bennett cautioned it could set precedence for use of city property for signage. He suggested maintaining control of who requests placement of signs. Daykin noted that the City has supported other non-profits. He suggested allowing it if it provides a service that enhances the community. It could always be removed if issues develop. Bennett offered the option to consider it a city sign under city control.

C. Weaver suggested an agreement for maintenance of the sign.

Friedman shared that the probability is there will be more Little Free Libraries in Dundee in the future.

City Attorney Bennett noted the city could allow placement of the sign, noting it is temporary, the stewards of the sign are responsible for maintenance, and the city may request removal of the sign at any time. C. Nelson expressed concern with allowing a semi-permanent sign on city property. C.A. Daykin noted staff will work with Friedman on placement of the sign. **The motion** was made and seconded to allow placement of the Little Free Library sign on city property, installation will be coordinated with the City Administrator and staff, maintenance will be the responsibility of the library steward, and the City Council may remove permission for the sign at any time. **The vote:** Mayor Crawford-aye, C. Munson- aye, C. Nelson-nay, C. Pugsley-aye, C. Russ-aye, and C. Weaver-aye. **The motion** passed five to one in favor.

Wage & Benefit Study Recommendation

The wage and benefit study has been a big project with a major part being the update of the job descriptions. Nancy McDonald, retired Human Resource Manager, City of Tualatin, helped with the selection of target cities, the update of job descriptions, the review, and the initial compilation of data received from the comparable cities. Cities with a population 25% plus/minus that of Dundee and within sixty miles of Dundee were considered; eight were used. One of the challenges is the employees' responsibilities did not match exactly the job title/description in many of the comparable cities. The material presented in the packet represents what the comparable cities use for various positions, how it might match with our positions, fit in our budget, and address the changes in the Dundee's organization/management.

The Council committee reviewed this information and the medical benefit information. Their recommendation is to implement the new salary schedule effective July 1, 2013 based on the new matrix. In 2006/07 the nine defined steps for the positions, with a 2.5% lateral increase, were introduced as part of the budget process. There is no supporting information for the implementation of the steps or for the ranges of the various positions. The new proposed matrix started with the Oregon minimum wage as range one, step one. The matrix includes a 2.5% differential between ranges and steps. Existing positions were placed in the closest step and range of the new matrix, then a 2% COLA was applied for implementation in FY 2013-14. Factors considered included: job position competitiveness, relationships between supervisor/subordinate, identifying gender bias, and the implementation cost to the city. The matrix will also accommodate the establishment of new positions. Staff discussed the opportunity for certification

pay; where the certification would be a benefit to the city and not an existing requirement of the position.

The Committee had discussions on what happens when an employee reaches the top of their range. The committee is considering a possible a mixture of a longevity plan and merit or performance criteria that would be considered after the highest step is achieved.

The committee reviewed medical benefits and determined we are the lowest cost program for family coverage, including the VEBA contribution, compared to our competitors. Staff has determined that the VEBA contribution can be based on dependent status. It was noted that an employee who enrolls for family coverage is subject to additional deductibles and costs versus a single employee with one deductible and lesser cost. The recommendation is to modification the VEBA program: decrease single employee to \$97, increase family to \$137, and an employee plus one dependent remains at \$117.

C. Nelson shared the VEBA differences evened out with comparison to the out of pocket expenses. Daykin confirmed and advised of possible changes in the medical benefits for 2014. Carolyn Van Dyke, City County Insurance Services, will address these issues with the Council in July, prior to the August deadline for program changes. A 4% increase to medical costs is projected in January 2014 without any program changes.

C. Pugsley asked the expected increase to the 2013/2014 fiscal year budget. Daykin replied \$4,000 over the current salary schedule and proposed COLA. In the long run, the implementation would cost an estimated \$34,000 with all employees attaining the highest step in their positions.

Mayor Crawford supported the need for a competitive pay structure to allow employee recruitment when employees leave city employment. He expressed concern for the possible loss of information that will follow after Public Works Supervisor Mustain retires. Daykin noted the additional responsibilities of the promotion of Chuck Simpson to Utility III will help address that issue. The water telemetry is on-line and will start providing easier access to water system performance data. This will also make the city more aware of where water is being lost in the system.

The motion was made and seconded to direct staff to prepare the annual salary resolution for adoption. **The motion** passed unanimously. A resolution will return to the council for approval.

Council Concerns and Committee Reports

None.

Mayor's Report

The Tourism Committee met on Friday. The Inn at Red Hills will have four new tasting rooms open by May 15th. They will conduct a "community planting" in their garden in April. A request for proposals has been released for design of a new entrance sign for Dundee to be located near Chan's restaurant. The sign design proposals will be brought to the Council. The committee is compiling a walking map of the Dundee businesses for the Memorial Day weekend. They will seek a copyright person to write content for the website. Consideration is being given to moving the Tourism Committee meeting day to Thursday. Recommendations for the use of Tourism funds for the upcoming fiscal year will be forwarded to the Budget Committee.

The Mayor shared a concern that ODOT is planning to raise the road base of the Bypass five feet above grade. The Council's preference is for a below grade bypass. ODOT compromised with consent to build an at grade roadway; which now has changed to an above grade facility. Daykin

related ODOT's apparent intent is to save cost by minimizing the amount of roadbed material to be excavated and transported off site. C. Pugsley inquired ODOT's definition of "at grade". Daykin relayed the City Engineer's understanding of "at grade" as the asphalt component that would be above the average grade of the land. The majority Council consensus was not in favor of an elevated roadbed. C. Nelson stated that part of benefit of excavation is the material it supplies for construction of accompanying sound proofing berms.

Mayor Crawford and Councilor Pugsley will not be in attendance at the May 7th meeting.

City Administrator's Report

Peter Greenberg, Energy Wise, has a solar project which would work for the new fire station. It will be brought for Council's consideration.

The Oregon Parks and Recreation Department grant application has been submitted. Results are expected in July/ August. The grant application was for \$75,000 grant with a city match of \$37,000.

C. Munson returned to the discussion on water leak adjustments with a request for C.A. Daykin to review the process with the utility clerk and a suggestion to ask for additional contact information. Daykin suggested use of a tickler file to alert the clerk a week prior to the deadline to allow her to determine the status of the filing and an opportunity for an additional notice to the customer. C. Weaver suggested the addition of a warning such as used by courts that it is your responsibility to notify the city of changes in address or contact. City Attorney Bennett inquired if improper notice has been an issue. He counseled if it has not; why fix a nonexistent problem by creating more process for the city to follow. The majority consensus was to collect additional contact information.

Public Comment:

None.

The meeting was adjourned at 9:40 PM.



Storr Nelson
Council President

Attest:



Debra L. Manning, CMC
Assistant City Recorder