

**CITY COUNCIL MEETING
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May 3, 2011**

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City of Dundee
City Council Meeting Minutes
May 3, 2011

Call to Order

Mayor Crawford called the meeting to order at 7:02 PM.

Council and Staff Attendance

Present: Mayor Crawford, Councilors Adlong, Miller, Munson (7:12), Nelson, and Reddell.
Excused Absence: Councilor Pugsley. Staff members: Rob Daykin, City Administrator, Alan Mustain, Public Works Supervisor, Dave Monson, City Engineer, Cindy Phillips, City Attorney, and Debra Manning, Assistant City Recorder.

Public Attendance

Gary Allen, Newberg Graphic, Preston Van Meter, Kennedy/Jenks, Michael Humm, Kennedy/Jenks, and Tim Block, Red Hills, Gary Manning, Carole Whitehead, and Barbara Collins.

Agenda Changes:

Added item 6.3.2 Request to Amend Mutual Agreement and Order with DEQ.

Public Comment:

None.

Consent Agenda

Councilor Nelson inquired if there were eleven different entities involved in all three of the businesses for item 5.4 OLCC License Application, Inn at Red Hills, Farm to Fork, and Press. Tim Block, Inn at Red Hills, acknowledged that Harvest Inn, LLC is the owner/operator of the inn and HPG Dundee LOC is the management company.

The motion was made to approve the Consent Agenda. Mayor Crawford noted a correction to item 5.1 City Council Minutes, April 19, 2011, page 3, DCA Website Agreement: ...from the April 5th meeting... **The motion** on the floor was retracted. **The motion** was made and seconded to approve Consent Agenda items 5.1 City Council Minutes, April 19, 2011 as amended, 5.2 Joint City Council/Planning Commission Meeting Minutes, April 6, 2011, 5.3 Joint City Council/Planning Commission Meeting Minutes, April 20, 2011, and 5.4 OLCC License Application, Inn at Red Hills, Farm to Fork, and Press. **The motion** passed unanimously.

Old Business

First Street Paving and Sidewalk Project

Last year the City submitted and received approval for a Small Cities Allotment (SCA) grant of \$25,000 for a paving project for First Street. C.A. Daykin referred to the draft concept plan for the project included in the packet. He noted that residents adjacent to the project and the Laurel Street water line have been notified of the proposed improvements.

C. Nelson inquired if the scope would include minor patch, edge, curb grinds and an overlay. City Engineer Monson confirmed and noted the addition of wheel chair ramps and drainage improvements to a catch basin on Laurel Street. Nelson asked for an explanation of the advantage to complete the sidewalk improvements now rather than later. Monson replied that the current curb and gutter will be cut out and replaced with approved ADA ramps for the wheelchair ramps

and then the paving will be completed to the sidewalk improvements to provide a seamless surface. The intent is to complete the concrete work prior to the overlay.

The Mayor inquired if the sidewalk improvements will be connected to existing sidewalks. Monson advised that the east end of the project is the termination of the current sidewalk. Daykin noted this satisfies the Dundee Transportation System Plan (TSP) for continuation of a sidewalk from the highway up to Dogwood on First Street, which as noted in the plan will be paid for by the City. Crawford asked how many pavers will be used around the deodar cedar tree. Monson estimated fifteen feet of pavers. Crawford asked if the property owners have given input on what type of pavers they might want to see placed. Monson advised that the homeowner has relayed that she doesn't think the project is necessary.

Councilor Munson asked if a bulb-out around the tree was an option. Monson noted an isolated bulb-out in that type of location would be a hazard.

Public Works Supervisor Mustain noted a cherry tree, which will have to be removed. Daykin shared that the intent is to review placement of appropriate street trees after the project is completed.

Mayor Crawford asked for community input on the color of pavers to be installed. The City Engineer will bring back paver options, noting they come in different shapes and varied colors.

C. Munson inquired the concerns of the property owner with the deodar cedar. The City Engineer relayed comments that the project is not necessary; they do not like it, and do not want people walking in front of their yard.

Councilor Adlong referred to the vehicular speed issue on First Street. She suggested that a visual interruption in the street such as a bulb-out or a bike lane stripe tends to slow traffic. Monson informed that staff has worked with Paul Chiu, City of Newberg, and Brian Casey, Newberg-Dundee Police Department, to measure traffic counts, which reflect high speeds. Chiu recommends a four-way stop at Hemlock Street and Carmel Circle. Staff will review speeds after completion of the project to determine the need to install a four-way stop. The process would include a recommendation for the installation of a stop sign with technical backing from the City Engineer, which would be brought to the City Council. Public Works Supervisor Mustain noted this was the solution for the intersection of Alder Street and Upland Drive.

Barb Collins suggested a long, spread out speed bump. Monson stated that speed bumps are a consideration and there are different types available. He recommended having a policy and procedure in place to decide when and where they should be installed. First Street functions as a collector street. An example of the shortened traffic table with a crosswalk at the intersection of Second Street off of St. Paul Highway in Newberg was cited.

Carole Whitehead asked for consideration of a speed bump and a four-way stop. She expressed concern for the safety of the younger children in the neighborhood and asked if a crosswalk will be added. Monson advised that a crosswalk is not included in the project plan, but it is a matter of determining the proper location and striping the crosswalk.

The Mayor inquired if there was a negative aspect to the addition of a speed bump after the project. C. Nelson replied it is normal to add speed control items after construction and is not a problem to complete the installation. Daykin confirmed that staff recognizes the problem and will continue to monitor the issue followed by a new study with recommendations brought to the Council. Monson cautioned it is common to receive complaints from residents adjacent to speed

bumps due to an increase in traffic noise flowing over the bump. C. Nelson stated that his business has installed speed bumps and then been asked to either remove or modify them due to complaints received after the installation. The City Engineer suggested starting with a four-way stop, completing a new study, and then addressing any issues at that point.

Mayor Crawford suggested adding criteria to the Street Maintenance Inventory for areas which would be a candidate for speed control.

Councilor Reddell inquired if studies had been completed noting that emergency response time is reduced when there are a lot of speed bump devices. Monson replied that used to be the case, his referral would be a design specific to allow vehicle flow at the designed speed without rattling things. That is a reason why many cities do not allow speed humps on collector streets.

C. Adlong inquired how the placement of the street trees would be determined. Monson stated he would work with Public Works to determine placement. Adlong asked if they would be planted in the City's right-of-way. Daykin confirmed they would.

Barb Collins suggested planting cherry trees down to the highway. She expressed concern for utility access vaults. Mustain stated that staff will have a utility locate done prior to tree planting.

The majority consensus was for staff to initiate the process for a bid request for the project. Mustain asked for direction for Public Works staff to remove the two oak trees. Daykin agreed the trees should be removed by city crews to keep project cost down.

Energy Trust of Oregon Incentive Offer

The design of the wastewater treatment facility incorporates features which will allow the City to receive an incentive payment from Energy Trust of Oregon (ETO). The offer needs to be addressed prior to awarding a bid for the project.

Preston Van Meter, Kennedy/Jenks, advised that ETO has a fund to work with local funding agencies for energy efficiency programs. The goal is to reduce energy demand by incorporating energy efficient measures into the facility design, addressing lighting, premium efficiency pump motors, etc. The engineer develops Energy Efficiency Measures (EEM) and ETO funds the difference in the energy consumption for the first year. Compared with a similar project in Washington, the incentive of \$51,000 was much lower than expected, due to the methodology used in Oregon.

Michael Humm, Kennedy/Jenks, reviewed table ES.2 Incentive Summary in the packet. Seven EEMs were identified and evaluated. The final incentive is about \$51,000. The measures have to be checked once installation is completed.

C.A. Daykin noted that some of the designs have a long payback of ninety-nine years and are designed for practical use and efficiency. Humm noted they are simple payback, which includes the savings associated with power only. Paybacks figures including operations and maintenance are included in the Engineer's report. C. Nelson questioned the distance for the gravitational feed. Humm advised there is about 1,000 feet from the process basin and the pump station.

The motion was made and seconded to accept the incentive offer from the Energy Trust of Oregon and to authorize the city administrator to sign the agreement. **The motion** passed unanimously.

Wastewater Treatment Plant Project Bids

C. Nelson recused himself due to a possible conflict of interest and sat apart from the council during consideration of the wastewater treatment plant project bids.

Van Meter referred to the engineer's recommendation of award letter with the bid tabulation. The bid process covered about six weeks, had a prequalification step with twelve prequalification applications submitted and eleven bidders qualified. Six bids were received for the project. The apparent low bidder was McClure and Sons, Inc. (MSI) with a base bid of \$9,387,229 compared to the Engineer's estimate of \$9.2 million. The bid alternatives: piles must be driven a specific distance into the aquifer layer to withstand an earthquake, 1) grading of the gravel entrance driveway from SE Fulquartz Lane, 2) a common franchise utility trench with electrical conduit, 3) a chemical suppression system in the Operations Building Electrical room, 4) waterproof the entire surface of the MBR units, 5) Flygt pumps (included in the low bid), 6) Spirac basket screens, 7) delete the third utility water pump (not needed for the operation of the system as the two pumps are fully redundant), and 8) delete the third ultraviolet disinfection unit. An equivalent ultraviolet disinfection unit manufacturer (ETS) has been noted in the specifications from the bids and the Engineers will investigate the manufacturer.

City Attorney Phillips inquired if equipment rental rates were included in the MSI bid amount. Van Meter replied they were not included; Kennedy/Jenks use the equipment rental rate schedule only to calculate change orders.

The Engineer's recommendation is to award the project to MSI for a contract price of \$9,352,229; base bid less \$35,000 for alternate #7. If awarded tonight, the contracts could be completed in two weeks with construction starting by June 6th. MSI just completed the La Center, Washington Treatment Plant, the project superintendent from La Center, Rick Asher, will be the superintendent on Dundee's project.

C. Reddell questioned the estimated completion date. Van Meter advised substantial completion by October 2012, with total completion by December 2012.

Van Meter noted that there are buy-American provisions associated with the American Reinvestment and Recovery Act. Equipment, including the blowers for the project, under EPA funded projects, are required to be inspected to verify the equipment is made in the USA or a substantial transformation (meaning the product has to be substantially assembled in the USA). The blowers provided by the supply agreement with Ovivo are made in Korea by K-Turbo, with the expectation of re-assembly once they reach the USA. They are currently under investigation, having some of their fully-assembled blowers found to have "Made in the USA" labels on them by US Customs. There has been a legal action to suspend any projects with SRF/Federal funds using their products. Aerzen is taking over K-Turbo's low pressure blower market, manufacturing the A-Turbo. Options for the City include: 1) transactions before the State on April 19th could allow the K-Turbo blowers, 2) use of the A-Turbo blower, 3) or find another blower manufacturer, which could require a redesign. Design changes could impact the size of buildings, project cost, and the energy efficiency incentive. The local Aerzen representative believes that they will be approved to provide the A-Turbo blowers. They have concerns with our five-year warranty requirement and the maintenance requirements. Kennedy/Jenks is waiting for Ovivo to address with the problem. Staff recommends awarding the bid and dealing with the blower issue as it develops, being aware that there could be increased costs associated with the issue.

The motion was made and seconded to award the contract for the Dundee Wastewater Treatment Plant Project Schedule A to McClure & Sons, Inc. for a lump sum amount of \$9,352,229.00, the Base Bid price less Bid Alternate #7. **The motion** passed unanimously.

Van Meter updated:

- C.A. Daykin and he will evaluate ETS's facilities in Wisconsin, Monday through Wednesday of next week to determine if they meet Kennedy/Jenks's specifications.
- Kennedy/Jenks will be training Dave Monson, C.A. Daykin, Public Works Supervisor Mustain, and Todd Miller on the Edoc document management system in the near future.
- Contracts will be delivered to McClure and Sons, Inc. next week
- The Engineers will meet with PGE to discuss a redesign of electrical service and cost.
- Final design was approved DEQ on April 27th with no significant comments
- A meeting will be scheduled to address the turtle issue

Van Meter referred to the proposed letter handed out to Council, a request to Bob Dicksa, DEQ, to modify the Mutual Agreement and Oder (MOA) to allow direct discharge on a limited basis to the Willamette River during summer months. He expressed concern with water levels and the stability of lagoon two. Daykin advised that DEQ will evaluate and their response will be brought to the Council.

Humm advised that Kennedy/Jenks solicited proposals from materials testing firms and received seven responses. Proposals ranged from \$20,000 to \$50,000. A composite will be compiled and returned to the Council. Daykin advised that this will be a direct contract with the City.

C.A. Daykin and Van Meter met with rate consultant Deb Galardi. Galardi is reviewing cost information for the effect on future sewer rates. The Council will be updated at the next meeting. New rates were adopted August 1st last year, with notification in the July newsletter. The intent is to implement the next phase of sewer rate increases following the same notification process.

Eighth Street Paving Settlement and Release of Claims

After review and input from the City Engineer, the City Attorney, and C. Nelson, the recommendation is to accept the release of claims for \$11,400, retain the funds, and incorporate the repair work into the First Street project as an alternative bid.

City Engineer Monson referred to C. Nelson's concern's with the improvements and the warranty. Monson's suggested an upgrade to three inches of asphalt in lieu of two. C. Nelson recommended accepting the settlement offer and inclusion of the work with the First Street project.

The motion was made and seconded to accept the settlement offer of \$11,400 paid to the City of Dundee from CBIC and to authorize the city administrator to sign the conditional release and further to include the repairs of Eighth Street as a bid alternative to the First Street Improvements project. **The motion** passed unanimously.

Laurel Street Water Line Replacement Bids

The City Engineer referred to C.A. Daykin's report to award the base contract bid for the Laurel Street water line improvements to Canby excavating in amount of \$62,690.25. The recommendation is to award base bid to Canby excavating and not to award the additive alternative at this time. **The motion** was made and seconded to award the base bid contract for Laurel Street Water System Improvements to Canby Excavating, Inc. in the amount of \$62,690.25. C. Nelson questioned why not award the bid alternate. C.A. Daykin advised that the alternate addresses concerns with an older style hydrant. Chief Stock and Public Works Supervisor Mustain relayed that City crews can complete this work or add this to a future project replacing lines on Dogwood and Viewmont. This project was not anticipated in the budget and came in higher than anticipated. **The motion** passed unanimously.

New Business

Infiltration and Inflow Program

Public Works Supervisor Mustain advised that DEQ requires that the City address infiltration and inflow issues as a condition of the NPDES permit. Public Works staff checked water flows in the middle of the night to determine where ground water is entering the system, followed by a contracted video inspection. Public Works staff has inspected manholes and needed repairs have been contracted. Daykin noted that the City Engineer has reviewed the video inspection. Monson advised C-More Pipe Services inspected 6,100 lineal feet of pipe and found fourteen active defects with an estimated leakage of 129,600 gallons a day. C-More Pipe Services estimated repair cost at \$11,000. They can do trenchless point repairs (small projects). Options include: bidding with three sources or a sole source process. The City Engineer will bring back a scope of work with either three quotes or a sole source, which would require the Council to make findings to support the use of the sole source procurement process.

Council Concerns and Committee Reports

C. Munson inquired if the Fire Department had a practice burn on Saturday. Public Works Supervisor Mustain advised the Fire Department did have a burn-to-learn on Neiderberger Road.

Mayor's Report

Mayor Crawford noted the efforts of the City of McMinnville to partner with Carlton and Dayton to seek water rights on the Willamette River for a regional water treatment facility. Mayor Crawford has contacted the Mayor of McMinnville with a request to be involved in the discussions. The City of Dayton has shown interest in the use of our wastewater treatment facility. C. Reddell questioned the capacity of our proposed treatment plant. Daykin stated the design capacity is close to 6,000 population; Dayton would have to build a parallel process train at the plant facility. They have been provided contact information for Preston Van Meter at Kennedy/Jenks.

The Mayor will meet with Commissioner Leslie Lewis on May 10th to discuss the possibility of funding from Yamhill County's trail/bike and pedestrian fund to place two miles of trails on Worden Hill Road, which could provide access to Crabtree Park.

ODOT updated the relocation program for the Bypass right-of-way at the Parkway meeting. The final Environmental Impact Statement (EIS) is now expected to be released in December or January. Ground breaking for the Bypass is expected by 2014, with an estimated completion date in two years.

City Administrator's Report

The new reservoir will be inspected on May 18th with the missing part added.

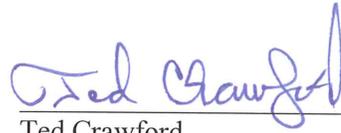
The interim financing documents for the WWTP will be signed this Thursday.

The Fire Station Task Force Committee has completed the review of the proposals for design services. Interviews have been scheduled for three proposers on May 19th.

Public Comment:

Public Works Supervisor Mustain advised City crews will fill potholes on the Eighth Street easement to the river tomorrow.

The meeting was adjourned at 9:25 PM.



Ted Crawford
Mayor

Attest:



Debra L. Manning, CMC
Assistant City Recorder