

**CITY COUNCIL MEETING
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May 20, 2014**

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City of Dundee
City Council Meeting Minutes
May 20, 2014

Call to Order

Mayor Crawford called the meeting to order at 7:04 P.M.

Council and Staff Attendance

Present: Mayor Ted Crawford, Councilors Jennifer Munson, Storr Nelson, Doug Pugsley, and Tim Weaver. Excused: Councilors Jeannette Adlong and David Russ. Staff members: Rob Daykin, City Administrator, Charles Eaton, City Engineer, John Stock, Fire Chief, John Hickey, City Attorney, Peter Watts, City Attorney, and Debra Manning, Assistant City Recorder.

Public Attendance

Joyce Colling.

Agenda Changes

None.

Public Hearing: Supplemental Budget for Fiscal Year 2013-2014

City Administrator Daykin referred to the report (page 1 of the agenda packet) addressing the need for a Supplemental Budget. Notice of the hearing was published in the Newberg Graphic. Mayor Crawford called the hearing to order at 7:06 P.M. for the Supplemental Budget for Fiscal Year 2013-2014 Hearing.

Public Comment:

None.

Mayor Crawford closed the Supplemental Budget Hearing at 7:07 P.M.

Public Comment

None.

Executive Session:

The City Council entered Executive Session at 7:07 P.M. in accordance with ORS 192.660 (2) (h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. Executive Session ended at 7:58 P.M. and the Council reconvened.

Consent Agenda

The motion was made and seconded to approve Consent Agenda items 7.1 City Council Minutes, May 6, 2014 and 7.2 Financial Report, Ending April 30, 2014. **The motion** passed unanimously.

Old Business

Baldwin Construction Contract-Change Order No. 5

Chief Stock noted the weather delay in Change Order No. 5, which is a contractual provision. Mayor Crawford inquired if the landscaping will be removed from the contract. C.A. Daykin stated that the addendum for the landscaping is \$47,000 (part of which was expended in the submittal process) and includes soil amendments. He supported having the subcontractor complete the landscaping if there are sufficient funds available in the budget. There is a large

amount of landscaping to be completed. **The motion** was made and seconded to approve Change Order No. 5 in the amount of \$20,768.95 to the contract with Baldwin General Contracting Inc. for the Fire Station construction project. **The motion** passed unanimously.

Chief Stock shared a potentially large change order is pending for the over excavating of unsuitable soils on the property following demolition of the old fire station. He expressed concern that GeoPacific Engineering, Inc. is not fully exploring options to keep the cost down. Stock asked Councilor Nelson to help review options. Councilor Nelson agreed. C.A. Daykin noted that GeoPacific is the City's consultant and recommended meeting with the geotechnical engineer prior to the next phase.

TSP Downtown Connectivity Options

This returns from the May 6th meeting with additional maps to help the Council decide a preferred alternate for the connectivity configuration for the draft TSP update.

- Alternate A (Tenth Street) continues the use of Tenth Street as a collector from Highway 99 W to Edwards Drive and improvements include upgrading the route to collector street standards. This route does not facilitate traffic from the Riverside District area. Parks Drive will be the main access over the Bypass for the south end and Eighth Street to Edwards to Fifth Street will provide access on the north end.
- Alternate B (Eleventh Street) provides a connection from Highway 99W to Parks Drive via Eleventh Street. The route would follow the northeast side of the drainage swale through the undeveloped Light Industrial zoned property and includes street connections to the adjacent residential neighborhoods.
- Alternate C (Ninth Street) opens the rail crossing at Ninth Street and connects to the north bridge. This option would require the acquisition of five properties and removal of several homes.

City Engineer Eaton noted ODOT Rail expects the city to give up two railroad crossings to get one crossing. The railroad is legally responsible for maintenance and safety issues for railroad crossings. ODOT Rail has offered Federal funds to build the Eleventh Street crossing if we are willing to close the crossings at Twelfth and Tenth streets. Presumably, this offer would also apply to building the Ninth Street crossing. Daykin shared that the Twelfth & Maple Wine Company will be petitioning the city to vacate Twelfth Street. Eaton advised that Alternate B is the least expensive option to the City since the most of the improvement would be constructed as a condition of development approval.

Mayor Crawford questioned why a cul-de-sac was indicated for termination of Parks Drive instead of continuing to the Eleventh Street crossing route. City Engineer Eaton stated the illustration is a discussion point to consider two problems: 1) improving the alignment of Parks Drive to Highway 99W and 2) construction of a new bridge across the draw will be required once the street is upgraded. He questioned whether the Streets Master Plan should be amended to show a bridge improvement for Parks Drive or whether to ignore Parks Drive for now. Eaton recommended the Council consider implementation of a Transportation System Development Charge (SDC). The City could offer credits if the developer builds the bridge; which would reduce future SDCs charges assessed on the development. Eaton shared the intent to change the list of capital projects in the Transportation System Plan (TSP) to reflect the Council's preferred alternate prior to formal adoption of the updated TSP in anticipation of potential developments that are currently under consideration. Watts cautioned that would probably require a hearing; he will review to determine the correct process. Daykin inquired if the concern was to not make a developer do something that will not be required under the updated TSP. He suggested that could be accomplished through a deferral construction agreement; which could be voided when the TSP is updated. Eaton cited the possible private improvements at Eleventh Street as an example of a situation not identified in the TSP.

Alternate D returns for further discussion on connectivity options for Tenth Street and the large area of undeveloped land between Highway 99W and Alder Street. Daykin relayed that one of the items to be addressed in the joint Planning Workshop on Wednesday is where the commercial zones should be located, particularly the Central Business District (CBD) zone. The recommendations look to include the area between Ninth and Eleventh streets bordered by the Linden Lane extension. This would provide the potential to partition the large lots off of Ninth Street for commercial development next to an extension to Tenth Street. The goal of the project is to acquire depth off of Highway 99W for commercial development. Eaton noted the Planner's intent to include this as part of the amendment to the TSP also. Daykin pointed out the potential connection between Ninth and Eleventh streets could demarcate between commercial and industrial and provide the needed parallel cross connection to Highway 99W.

Mayor Crawford inquired Joyce Colling's preference. Colling, representing the Woman's Club property, supports connectivity through use of Alder and Tenth streets.

After further discussion the majority consensus was for the lower left option on page 86 of the agenda packet, a street connection from Linden Lane/Ninth Street to Eleventh Street, and does not include an extension of the existing Tenth Street stub. Eaton noted the Tenth Street stub will be designed as a driveway in Phase 1 of the TE sidewalk/streetscape project and which will continue to accommodate parking and new surface water treatment facilities.

Mayor Crawford asked if the Transportation Enhancement (TE) project would proceed this summer. Eaton relayed he has not received the electrical plans for the street lighting. He referred to the difficulty of the undergrounding the private utilities and stressed if the city doesn't do it now with this project, then it won't be done. Councilor Pugsley inquired the status of the First Street crosswalk. Eaton relayed ODOT's head transportation engineer is currently reviewing it. Their big concern is the acceleration lane does not meet the minimum length requirements before it interferes with Fox Farm Road.

New Business

Resolution No. 2014-04, Supplemental Budget

The resolution adopts the Supplemental Budget for additional resources, not identified in the original budget document, needing to be appropriated:

- Tourism Fund: a private contribution towards the sign project, additional work carried forward from the previous fiscal year, and closing the marketing study
- Water CIP Fund: debt service payment and the ODOT reimbursement for the waterline conflict projects
- Sewer CIP: sewer main upgrade on Fulquartz Landing Road (ODOT will reimburse).

The motion was made and seconded to approve Resolution No. 2014-04, a resolution adopting a supplemental budget for fiscal year 2013-2014. **The motion** passed unanimously.

Resolution No. 2014-05, Budget Transfers

The resolution moves appropriations within the fund from one category to another category for the State Revenue Sharing Fund and the Fire Station Fund to remain within the appropriation limit. **The motion** was made and seconded to approve Resolution No. 2014-05, a resolution transferring budget line item amounts within a department or fund for fiscal year 2013-2014. **The motion** passed unanimously.

Council Concerns and Committee Reports

None.

Mayor's Report

ODOT has submitted the application for the Tiger VI grant to address the fishhook issues and to fund a pedestrian/bike trail. Construction bids are out for the \$60 million Dundee portion; with bids scheduled to be opened on June 6th. The highway pavement preservation projects on either side of the city have been delayed a month. The first Bypass bridge east of Fulquartz Landing Road has been completed.

City Administrator's Report

County Commissioner Kathy George convened a meeting of the old Water Task Force group to introduce a place-based planning initiative for water plans through the Oregon Water Resources Department (OWRD). Workshops will be conducted state wide. Daykin relayed an example of the State of Washington; where the state is divided into basins for groups to do regional planning for the watershed. They will receive grants to help with the process and incentives to help fund identified improvement projects. Whether this is voluntary or mandated varies from state to state. The workshops will consider what will work for our state including responsibilities and representation for all types of water uses. Several other local cities are dealing with large water losses from their systems; while McMinnville Water and Light has a 5% or less water loss. The McMinnville Water and Light general manager noted that the restrictions on the Willamette River water right recently acquired for McMinnville, Dayton, Lafayette and Carlton has a curtailment provision that if river levels are too low then it will not allow them to draw water from the river at certain times of the year. They are considering acquisition of existing water rights that predate these restrictions.

C.A. Daykin relayed a conversation with the representative from ODOT on the Oregon Transportation Infrastructure Bank (OTIB) loans to determine when the city will start drawing funds for local street improvements. One of the phases of improvements could extend beyond the three-year limit in the loan documents. The representative advised the limit could be extended.

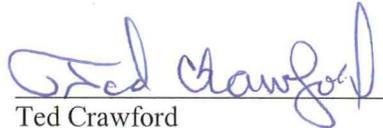
City Engineer Eaton advised that \$100,000 of State funds have been added to Dundee's portion of the TE project to allow removal of the preservation funds and their accompanying restrictions. An intergovernmental agreement is pending.

Staff is working to complete the PGE franchise renewal.

Public Comment

None.

The meeting was adjourned at 9:23 P.M.



Ted Crawford
Mayor

Attest:



Debra Manning, CMC
Assistant City Recorder