

**CITY COUNCIL MEETING
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June 16, 2015**

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City of Dundee
City Council Meeting Minutes
June 16, 2015

Call to Order

Mayor Russ called the meeting to order at 7:00 P.M.

Council and Staff Attendance

Present: Mayor David Russ, Councilors Jeannette Adlong, Ted Crawford, Storr Nelson, Doug Pugsley and Kristen Svicarovich. Excused: Councilor Tim Weaver. Staff members: Rob Daykin, City Administrator, Peter Watts, City Attorney, Jim Jacks, Interim City Planner, and Debra Manning, Assistant City Recorder.

Public Attendance

Carl Springer, DKS Associates, Dixie Hancock, and Pete Nelson.

Agenda Changes

None.

Public Hearing: LURA 15-10/CPA 15-09, Transportation System Plan (TSP) Update

Mayor Russ called the hearing to order at 7:01 P.M. for the hearing to consider the update to the Transportation System Plan and related Comprehensive Plan and Development Code amendments.

Call for Declarations of Conflict or Bias by any members of this body:

Councilor Svicarovich advised she is an employee of DKS Associates and does not believe she has a statutory conflict of interest. Consultation with the Oregon Ethics Commission helped her reach this decision.

Objections to jurisdiction by any members of this body:

None.

Staff Report:

Jim Jacks, AICP, Interim City Planner, Mid-Willamette Valley Council of Governments, gave a summary of the staff report noting the TSP is comprised of two volumes: Volume 1 is the actual plan and Volume 2 has the inventory data, analysis and proposed amendments to the Comprehensive Plan Goals, Objectives and Policies and amendments to the Development Code. The staff recommendation is to adopt Ordinance No. 542-2015 with the following changes to Exhibit B Development Code Amendments:

1. Change item 4 on page 11, Exhibit "B": to read "Deferrals of sidewalk improvements are not permitted when there is an existing curb along the frontage of the site or the site is abutting an existing curb or sidewalk."
2. Remove the proposed definitions of "addition" and "remodel", item 17 on page 21, Exhibit "B".
3. Add the sentence "Significant addition or remodel means an increase in floor area equal to or exceeding 25% of the existing floor area, or valuation of improvements to an existing structure equal to or exceeding 25% of the assessed value of the existing improvements on the site." to the end of the paragraph for item C-2 on page 23, Exhibit "B".

Carl Springer, DKS Associates, gave a summary of the TSP update, in process since 2012, highlighting the differences between the current and the updated version:

- recognizes financial limitations of the city and ODOT
- downtown circulation modified to better serve riverside growth
- street standards modified to be more flexible
- highway crossing and safety projects added

Typically a transportation plan focusses on the higher level streets with improvements directed to the collector streets. A parkway through the Eleventh /Twelfth streets area is a new addition. A map noting connectivity was added. Three tiers of funding were identified as 1) items likely to be funded, 2) items that would be nice to be funded, and 3) items to be addressed if funding becomes available. Funding options for new street construction will come through: conditions of land use approval, System Development Charge program (SDC), property assessments such as Local Improvement Districts (LID), and state grants. The plan embraces sidewalks on both sides for new streets and reconstruction of existing streets should have sidewalks on at least one side; preferably two sides.

Mayor Russ questioned if W2, the sidewalk on the south side of First Street between Birch and Dogwood, was to be removed from the Figure C Projects - Sidewalk map (packet page 65) as per previous discussion. Springer will follow up for the Volume 1 plan.

Councilor Nelson questioned the policy language for sidewalks (packet page 38). He offered that placing a sidewalk becomes less important when there is a sidewalk in place on one side of the street. City Engineer Eaton advised sidewalks on both sides are a concern with ADA requirements. Nelson readdressed the question to requiring sidewalks on both sides of new and existing collectors. Eaton reminded this is a plan; the Council does not have to do the projects unless they choose to. City Administrator Daykin noted collectors have a higher traffic volume and the possibility for more conflicts with pedestrians; where a sidewalk on both sides would be desired subject to the city's budget and Council's intent. The Mayor suggested an option of a sidewalk on one side and a swale on the other with property owners on both sides paying equally. City Attorney Watts responded that property owners own to center of the street, even though it is a right-of-way (ROW), you would have to form a zone to share the costs of improvement. Counsel would have to review that option further. Daykin stated the developer is responsible to improve a street frontage to $\frac{3}{4}$ street standards (curb and sidewalk on their side only), under the current Development Code, if there is a substandard street next to a development application property. The city does not have to complete the other side of the street until there is a funding source or priorities change. Neither the plan nor the code require completion of sidewalks on the opposite side.

Councilor Crawford questioned what determines a Constrained Collector (packet page 43) and where they are identified as such. City Engineer Eaton replied slope is a determinant and they are not identified in the plan. Daykin cited this as an example of the flexibility of the new TSP; it allows the City Engineer to determine a Constrained Collector due to the circumstances. Mayor Russ relayed a concern to retain the rural feel on existing streets without requiring a sidewalk on both sides in areas with narrow ROWs. Eaton noted the definition of a Constrained Collector will be in the update of the Public Works Design Standards; which will be completed once the TSP is passed.

Councilor Adlong expressed concern that the local street standard is too wide with two lanes and parking on both sides; the planter strips need to be retained. The City Attorney noted that street width is also driven in part by the Fire Department as they need room to access properties past parked vehicles in the event of an emergency. "Skinny" streets allow parking on one side to

maintain emergency access for fire/rescue vehicles. Crawford supports wider streets with parking on both sides, noting the View Crest and Falcon Crest subdivisions with parking on both sides. They don't feel too wide once the street trees mature.

C. Crawford inquired how the Linden Lane extension would interfere with 50% of the development of the LMN, LLC property (packet page 5) on Ninth Street. The Planning Commission approved the removal of the Ninth/Tenth road alignment; they added a bike/pedestrian connection from Ninth to Tenth streets to connect to Eleventh Street (packet page 66). The City Engineer relayed it is up to the developer to figure out the best fit for a cross street on property at the time of application. Planner Jacks referred to the letter from LMN, LLC stating that the owner would not be able to build the planned middle building if Linden Lane is extended and the southern parcel (towards Highway 99W) would become so small that it would not be buildable either. Engineer Eaton inquired if the Council wants a road connection between the Ninth and Eleventh streets. Crawford cautioned that removal of the Ninth/Tenth connection removes the Worden Hill Road/Ninth Street connection to the riverside. Nelson suggested adding back the Ninth/Tenth road connection. Eaton shared that the standards will fit with the proposed bungalow construction at Tenth Street. Daykin relayed LMN, LLC's plans are to construct boutique wineries as production facilities with the ability to retail wine as an accessory use. Planner Pelz has determined this will be appropriate in the industrial zone. The property owner feels that Alder Street will be sufficient to handle traffic from Ninth to Eleventh streets.

Proponents/ Opponents:

None.

The motion was made and seconded to close the public hearing. **The motion** passed unanimously. The hearing was closed at 8:22 P.M.

Deliberations:

C. Svicarovich expressed concern for safety at the skewed intersection of Alder Street and Ninth Street under heavy traffic volumes. Crawford stated a Ninth/Tenth road connection would open up the property for development. Daykin clarified the Tenth Street extension from Highway 99W to the bike /pedestrian connection to Ninth is proposed to be one-way with diagonal parking; you would you need a turnaround to use the Eleventh to Tenth for two-way traffic.

The motion was made and seconded to amend the TSP to include a connection from Ninth to Eleventh for a street. **The motion** passed unanimously.

C.A. Daykin reviewed the Exhibit "B" changes to the Development Code.

1. Change item 4 on page 11 to read "Deferrals of sidewalk improvements are not permitted when there is an existing curb along the frontage of the site or the site is abutting an existing **curb or** sidewalk." *This added the bolded wording.*
2. Remove the proposed definitions of "addition" and "remodel", item 17 on page 21.
3. Add the sentence "Significant addition or remodel means an increase in floor area equal to or exceeding 25% of the existing floor area, or valuation of improvements to an existing structure equal to or exceeding 25% of the assessed value of the existing improvements on the site." to the end of the paragraph for item C-2 on page 23. *This helps define what significant addition or remodel means. The original code had 100% and staff recommended 25%. A waiver cannot be granted if the improvement to a resident exceeds 25%, but a deferral is still possible.*

C. Nelson inquired the definition of a planned funded sidewalk (packet page 95, item 3C). Eaton clarified it is a sidewalk which the city has planned and actually obligated funds to.

After further discussion regarding item 3 of the staff recommended changes, C. Crawford suggested deleting “existing floor area”. The Council discussed the use of assessed value versus real market value (RMV). Daykin stated the language directs assessed value. Eaton noted the intent is to take the valuation from the building permit; where a statewide figure is used. This facilitates processing. The Mayor suggested replacing the phrase exceeding 25% of the assessed value with 25% of the RMV as determined by County Assessor. Planner Jacks stated this would reduce the opportunities to require sidewalks.

Ordinance No. 542-2015, Adopt TSP and Code Amendments

The motion was made and seconded to adopt Ordinance No. 542-2015, an ordinance adopting the 2015 Transportation Systems Plan update to the Dundee Comprehensive Plan and associated Comprehensive Plan text and Development Code text amendments (LURA 15-10/CPA 15-09), with the following amendments:

1. Change item 4 on page 11 to read “Deferrals of sidewalk improvements are not permitted when there is an existing curb along the frontage of the site or the site is abutting an existing curb or sidewalk.”
2. Remove the proposed definitions of “addition” and “remodel”, item 17 on page 21.
3. Add the sentence “Significant addition or remodel means an increase in the valuation of improvements to an existing structure equal to or exceeding 25% of the assessed value of the existing improvements on the site.” to the end of the paragraph for item C-2 on page 23.
4. Include a connection between Ninth and Eleventh streets for a street in the TSP.

The motion passed unanimously.

Public Comment

None.

Consent Agenda

The motion was made and seconded to approve Consent Agenda items 6.1 City Council Minutes, June 2, 2015, 6.2 Financial Report Ending May 31, 2015, and 6.3 OLCC Liquor License Application, Tina’s. **The motion** passed unanimously.

Old Business

TE Sidewalk/Streetscape Project Update

Two funding agreements for the sidewalk project: 1) Transportation Enhancement (TE) grant and 2) the Bike/pedestrian funds for Phase 1. Phase 1 has expanded and the city is negotiating the transfer of funds from the TE grant to the Bike/pedestrian funding. The City has been advised to take action to secure the funds in the current biennium on what has been negotiated. Staff recommends adoption of the amendments; which will increase the overall grant funding to the city. Engineer Eaton shared the Transportation Commission is considering amendments to next year’s biennium; they want to get the funds in the current biennium obligated. **The motion** was made and seconded to authorize the Mayor and the City Administrator to execute Amendment No. 2 to agreement No. 28069, Transportation Alternatives and Enhancement Program Project and Amendment No. 1 to Agreement No. 29623, Walkway/Bikeway Project Agreement. **The motion** passed unanimously.

The City Engineer updated the project’s status:

- ODOT’s section, Phase 2, has been delayed. Expect the highway resurface work to be completed at the end of summer 2016.

- Our section is seeing delays from additional federal regulations on ODOT in regards to ADA issues which now require upgrades to sidewalks when any type of asphalt improvements are completed.
- The crowns on the crosswalks will be too high (10% grade) and will require a change to the grades of the city designed ramps to comply with ADA standards.
- ODOT has asked the City Engineer to redesign Seventh, Ninth and Eleventh streets to include crosswalks with the associated ADA ramps on all legs. Eaton noted that by state law all intersections are crosswalks, whether marked or not. If an intersection has a marked crosswalk; previously ADA ramps were required by ODOT only at the leg with the marked crosswalk. The State Traffic Safety Engineer may authorize the closing of a crosswalk.
- Additional ROW acquisitions will be required for the new ADA ramps and possible design changes to the ADA ramps.
- Staff is negotiating with ODOT for them to provide funding to replace the curbs on Highway 99W throughout the town to help solve the design issues.

In addition to modifying the grade for the crosswalks to accommodate ADA standards, ODOT wants an increase in the curb reveal. The underlying concrete in Highway 99W continues to be a problem. The asphalt layer over the concrete may not be reduced and removing the concrete would be too expensive and trigger water quality improvements along the entire length of the project. Eaton estimated a two month delay on the primary portion of the city's improvements and ODOT has delayed their work until March 2016.

New Business

Well 8 Pump Replacement Quotes

Two quotes were received from Stettler Supply Company (\$9,220.57) and Schneider Water Services (\$9,982.60) for replacement of the pump and motor of Well No. 8. This will include installation of a 1" conduit to accommodate a future water level transducer. The staff recommendation is to accept the quote from Stettler Supply Company. **The motion** was made and seconded to accept the quote from Stettler Supply Company for replacement of the pump and other related work at Well 8. **The motion** passed unanimously.

Office Equipment Lease Proposals

Staff has reviewed the current photocopier at City Hall taking into consideration that the new utility bills will be processed on it. A copier can be leased for less than the maintenance cost of our current copier (\$429 monthly). It is not cost effective to add a folding/stuffing machine to the lease. C. Nelson inquired if the old copier could be used by another city department. Daykin advised it is too large with too high of a maintenance cost. C. Crawford asked if there would be an advantage to have copiers for all city departments under one lease. He suggested the possibility of networking them at some point in the future. Daykin will follow up. Staff recommends the Ricoh rebuilt copier from Ricoh. They will replace it if it doesn't perform. **The motion** was made and seconded to approve the lease option on the Ricoh MPC 4501 (Rebuilt) from Ricoh at the lease cost of \$6,610.80 over a 60-month term. Nelson asked if the maintenance cost is a fixed cost. Daykin advised that the maintenance cost is based on a per copy basis; duplexing will count as one copy. **The motion** passed unanimously.

Council Concerns and Committee Reports

C. Crawford updated the Wine Country License Plates Matching Grant Program: the grant worksheet deadline was last week. The consensus of the Tourism Committee was there was not enough information to submit the application for a mobile kiosk and the Dundee Hills Wine Growers Association was not interested in the project. A worksheet was submitted for a video campaign. The Dundee Hills AVA has hired a contractor to complete a video and the Dundee

Hills Wine Growers Association has allocated \$10,000. The video proposed by the Tourism Committee will highlight the wineries, culinary options and other Dundee attractions.

The new Fueled by Fine Wine Half-Marathon and summer themed banners will be installed this week.

Mayor's Report

None.

City Administrator's Report

On Wednesday, staff will meet with Yamhill Commissioner Mary Starrett, who is reconvening the Yamhill County Water Task Force.

This Friday staff will meet with representatives from ODOT to discuss the possibility of spreading bio solids from the Waste Water Treatment Plant on ODOT's unused Bypass ROW.

The Chehalem Valley Focus Group plans to host an Elected Officials meeting on the evening of October 8th.

City Administrator Daykin has been called for jury duty for the month of July for Yamhill County.

C. Svicarovich asked for an update on the Fire Hall issues. City Attorney Watts relayed that City Attorney Hickey recommended having Pinnell/Busch review the issues at the site. They specialize in remediating construction defects. The City has retained them in case their testimony is required. They reviewed the site under the existing contract and will bring the Council specific recommendations on both issues. Staff has a conference call scheduled at 3:00 P.M. this Thursday. Counsel advised that the City is moving in the right direction with the issues. Daykin added that a detailed proposal for a complete plan and additional inspections will be brought to the Council.

C. Crawford inquired when Council would be able to tour the Public Works building. Time was scheduled for a tour on Tuesday, June 23rd at 6:15 P. M., prior to the Council Workshop.

Public Comment

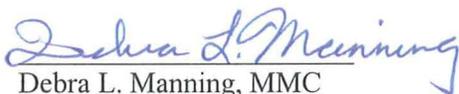
None.

The meeting was adjourned at 9:47 P.M.



David Russ
Mayor

Attest:


Debra L. Manning, MMC
Assistant City Recorder