

**CITY COUNCIL MEETING
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June 21, 2011**

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City of Dundee
City Council Meeting Minutes
June 21, 2011

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, Nelson, Pugsley, and Reddell.
Staff members: Rob Daykin, City Administrator, Cindy Phillips, City Attorney, Jessica Nunley, City Planner, Alan Mustain, Public Works Supervisor, and Debra Manning, Assistant City Recorder.

Public Attendance

Brian Ginter, MSA, Andrew Wise, and Gary Manning.

Agenda Changes:

Item 7.5 Purchase Order No. 5168, Water Tanks was added to New Business.

Public Comment:

Andrew Wise, expressed concern for the safety of children with the possible extension of Maple Street and the development of the neighborhood park on the old Fortune property by Chehalem Park and Recreation District (CPRD). Mayor Crawford suggested Mr. Wise address the issue at the upcoming meetings for the update to the Transportation System Plan (TSP). Councilor Adlong inquired the outcome from the CPRD meeting for the park improvements. Wise replied their family is excited and looking forward to the park development. City Administrator Daykin advised the application process should appear before the Planning Commission in July or August. It will come to the Council since it involves a zone change and park facility plan approval. Planner Nunley advised a major issue is the TSP calls for Maple Street to be extended; a TSP amendment would be required to change that requirement.

Consent Agenda

The motion was made and seconded to approve Consent Agenda items 5.1 City Council Minutes, June 7, 2011 and 5.2 Financial Report Ending May 31, 2011. **The motion** passed unanimously.

Old Business

Interim Water Supply Study

Brian Ginter, Murray, Smith and Associates, is returning a plan to consider development of interim water supplies, which were used by the City in the past. The objective is to review the potential interim sources to determine if they are feasible, their capacity, risks, and the costs involved. Sources and issues to be reviewed to provide the highest opportunity for near term water source development:

- 1) Spring Source (ground water): condition of the existing spring boxes, quality of the water, quantity available, regulatory issues involved, how to get it online, and cost.
- 2) Harvey Creek source (surface water): quality of the water, quantity available, regulatory issues involved, how to get it online, surface water treatments, and cost.
- 3) Aquifer Storage and Recovery (ASR -the use of the existing spring field wells as storage for water injected from winter surplus from the Spring Source and/or Harvey Creek to cover summer demands): potential yield of the wells, recharge capacity, license issues, analysis of the water quality issues, and cost.

Ginter cautioned ASR involves risk and to proceed carefully to determine its feasibility. GSI Water Solutions will be the sub consultant for the task. A report will be returned to the Council by the end of the year. The Spring Source and Harvey Creek were selected as the most likely candidates to provide additional water supply at a reasonable investment. The river well and the ground water well are not included in the scope of work.

Councilor Pugsley asked if MSA would address potential fatal regulatory flaws at the beginning of the project. Ginter replied that was the plan including taking the Drinking Water Program onsite for a consultation of the spring's boxes.

Mayor Crawford asked for examples of other fatal regulatory flaws. Ginter replied classification of the water source for the springs, if a determination is made it is not ground water, but under the influence of surface water. Some of the fatal flaws for ASR include obtaining a limited license, proving the water put into the ground will remain and be recoverable, and the right to use the water.

Public Works Supervisor Mustain shared that staff has been monitoring the flow from the springs and it is estimated at forty gallons a minute. He inquired which well would be used for the ASR. Ginter replied that is not determined at this point.

Mayor Crawford suggested that the City of Lafayette might be able to share useful data on their ASR. GSI Water Solutions, also subcontracted to City of Lafayette, will do a comparison including a historical study of Lafayette Springs.

Councilor Nelson questioned the advantage of extending the project to collect another cycle of data. Ginter replied it may be necessary to capture data from next spring. Mustain shared that the Health Department monitored the stream and the well for a year in the early 1990's to determine they were not influenced by the creek.

The motion was made and seconded to approve the proposed work order, not to exceed \$42,000, with MSA and to authorize the City Administrator to sign it. **The motion** passed unanimously.

Ginter reviewed the status of the draft Water Management Conservation Plan. The updated revision including staff comments will be forwarded for the County for their review (30 days) and then the State will review (90 days). The approval for the final plan from the State is expected by the end of the year.

First Street Sidewalk Bids

The Small City Allotment (SCA) grant project for First Street SCA involves two components: 1) the sidewalk improvements and 2) the overlay. Three bids were received for the sidewalk work: Canby Excavating, Inc., Raugust Excavating, and Concrete Solution, Inc. Concrete Solutions, Inc. was the low bidder at \$15,557.60. The Engineer's recommendation is to award the contract to the low bidder. Bids for the overlay will be brought to the second Council meeting in July. The expectation is to have a final report to the State by August 31st to allow the City to be eligible to apply for the upcoming SCA grant application due by August 1st. The program will be more competitive since the per grant amount has been increased to \$50,000, but the overall funding for the program has not been increased.

C. Adlong questioned the difference in the bids. C. Nelson shared that Concrete Solutions, Inc. are great contractors, based out of McMinnville, who specialize in sidewalks.

The motion was made and seconded to appoint the contract for the NW First Street sidewalk improvements to Concrete Solutions, Inc. in the amount not to exceed \$15,557.60. **The motion** passed unanimously.

Ordinance No. 503-2011, Riverside District

C.A. Daykin noted the memorandum included in the packet from Mary Dorman addressing the changes in the ordinance brought back from the hearing.

The Mayor clarified that the Exhibit "A" identified in the memorandum is Appendix "A" of the Riverside District Master Plan.

C. Nelson asked who would be responsible for the cost for the right turn lane. Daykin replied the City's position is it would be the responsibility of the developer, possibility through a Transportation SDC or other shared financing mechanism. Typically with capacity increasing SDC projects, the city has to fund the construction up front. This usually means incurring debt to do so. The City would then have to rely on the revenue from future SDCs to pay down the debt. If development does not take place then you have to access funds from your ongoing resources. It is a guess whether the debt will match up with the debt service and the risk is to the city to make it work. Daykin noted the right turn lane requirement is imposed if 130 or more dwelling units are constructed. However, if the Bypass is in place, this requirement no longer applies. Nelson stated the property owner would be waiting for that to occur.

C. Pugsley asked if we didn't effectively already have the turn lane. Mustain shared that we currently do not have a right turn stacking lane. Also, ODOT rail would require railroad arms at an estimated cost of \$700,000 for the crossing. (Note: the Plan requires the railroad crossing improvement on 5th Street at much higher development levels than the right turn lane requirement). Daykin advised that ODOT estimates the stacking of vehicles at peak hour with twenty-five feet allotted per vehicle and you are okay as long as you are clear of the railroad tracks. The Mayor inquired what it would take to change the net trip number in the future if the standards on Highway 99W are lessened. Daykin replied that relationship is unclear; one discusses the mobility standard for Highway 99W versus the safety of vehicle stacking at the railroad crossing and Fifth Street. It is probable there would be a transportation analysis and agreement needed from ODOT. Planner Nunley clarified that this is a reference document to the Comprehensive Plan. C. Pugsley inquired if new traffic studies would be required for the zoning review. Nunley replied that these studies are relatively new and could possibly be used. Mayor Crawford asked to review the "24 net new trips during peak hour" number for the right hand turn lane when we address the interim measures with ODOT. Daykin stated the issue will come up in the TSP update process. C. Pugsley asked if the TSP would supersede this ordinance. City Attorney Phillips advised it should dovetail. C.A. Daykin stated that DKS Associates, the TSP update subcontractor, is aware of the City's wish to identify in the TSP who is responsible for certain costs and the process.

C. Adlong questioned what happens to continued access to the riverside on Eighth Street if the Bypass doesn't go through. The City Administrator noted that the City holds the easement for the right-of-way from the termination of Eighth Street at the Rolling Acres subdivision to the river, which can allow public access.

C. Nelson inquired if the final Riverside District Master Plan was mailed to the Edwards. C.A. Daykin noted that Mary Dorman has forwarded all documentation to the participants previously, but he was uncertain in this case. Daykin noted that the public hearing was closed and following deliberation by the council, directed staff to bring back the revised plan for adoption, including changes requested by Jessica Cain. After further discussion of the need for an opportunity for the

primary property owners to be able to reply to the final draft; the majority consensus was to table the issue and prepare to open the hearing with public notice to receive comment on the final draft followed by deliberation.

C.A. Daykin advised that staff will clarify public notice procedures and bring the issue to the next Council meeting.

Resolution No. 2011-08, Setting Sewer Rates

The issue was tabled from the June 7th meeting for additional information provided in the graph of combined water and sewer charges for the ten cities in Yamhill County, which the City Administrator reviewed. The resolution will adopt the second phase of rate increases as prepared in 2010. The rate consultant advised monitoring to determine if rates need to be increased more than anticipated in the third phase.

C. Adlong expressed concern that the sewer rate structure does not provide sufficient incentive for conservation. C.A. Daykin noted the base allowance (550 cubic feet) was established with the rate consultant's assistance to collect a targeted amount of service fee revenue from the fixed fee component as determined by the Council. He suggested the Council review the high water use surcharge in the water rates to address conservation issues.

C. Munson expressed concern to communicate efficiently with the residents why the City is increasing sewer rates including the new water treatment standards being imposed by the state and what benefits the city and the residents will receive from a new treatment plant. Daykin confirmed the newsletter would address the issue. Munson requested that the Mayor address the issue in his letter to the citizens.

C. Nelson inquired when SDCs will be reviewed. Daykin advised that he is meeting Preston Van Meter, Kennedy/Jenks, and Deb Galardi, the rate consultant, on Wednesday to start that work.

The motion was made and seconded to approve Resolution No. 2011-08, a resolution setting sewer rates effective August 1, 2011 and repealing Resolution No. 2010-09. **The motion** passed unanimously.

New Business

Purchase Order No. 5168, Water Tanks

Lael Alderman, MSA has recommended the purchase of three, five thousand gallon, propylene water tanks from United Pipe at a cost of \$8,064. The tanks will allow storage of water from the 200,000 gallon reservoir so city staff can bypass the reservoir and maintain fire flow pressures while the tank is recoated. Ginter stated that the pump station would have to work continuously without the reservoir in service and water pressure would not be available in a fire flow event.

C. Nelson inquired the length of time the reservoir will be out of service. Daykin replied four to six weeks. Nelson asked if the tanks will require special installation. Public Works Supervisor Mustain stated that staff can accommodate the installation.

C. Pugsley inquired the resale value of the tanks as surplus. Ginter replied there is not a lot of resale value and it is dependent on the market. C. Nelson suggested possible reuse by Public Works staff for watering purposes.

The motion was made and seconded to authorize the City to purchase the water tanks for the 200,000 reservoir painting project for \$8,064. **The motion** passed unanimously.

Code Assistance Grant

Planner Nunley advised that the City is working with Siegel Planning on an audit of the Dundee Development Code. The City is looking for funding from the Oregon Transportation and Growth Management Program (TGM) for Phase II of the code rewrite addressing major policy issues identified by the by the code audit. A letter of support by the Mayor and a letter of request from the Planner will accompany the application.

C. Pugsley questioned if the current work by the City on the Riverside Master Plan and with ODOT on Highway 99W corridor would help the City acquire grant funding. Daykin replied the project is basically on a first come first serve basis.

Adlong questioned if this process or the TSP would update the street standards. Nunley shared it would happen through the TSP process. Daykin advised that issues such as the Victorian overlay will not be addressed with the code assistance grant; it would address issues such as the inclusion of street trees in subdivision code and other items from Siegel Planning's review. Adlong inquired when the TSP process would be completed. Daykin advised the process could take eighteen months. Nunley advised that the code assistance grant could review the Riverside District design standards.

The motion was made and seconded to direct staff to pursue the grant application and approve the letter of support for the TGM Code Assistance grant application to support the Dundee Development Code rewrite. **The motion** passed unanimously.

Parks Advisory Committee Appointments

The current terms for the Parks Advisory Committee expire June 30th, 2011. Five of the active members have requested to be reappointed to the Committee. David Bergen has applied for the Committee's open position. **The motion** was made and seconded to reappoint Nicholas Gilbert, Kimberly Felton, Joyce Stalcup, Susan Baird, and Jesse Dillow to the Dundee Parks Advisory Committee to terms expiring June 30, 2013 and to appoint David Bergen to the Dundee Parks Advisory Committee to the term expiring June 30, 2013. **The motion** passed unanimously.

Committee Qualifications

The Council changed the committee qualifications for the Planning Commission to allow a nonresident, meeting requirements for ownership of property in the City to apply and repealed a code section requiring one year of residency as a condition to committees in general, which allowed the appointment of two budget committee members who did not meet the one year residency requirements. There is consideration to place the repealed section back in the code for general qualification to be registered electors for a period of a year minimum. The language to accomplish this is included in the packet with the addition of the language to allow it to be superseded by a more specific qualification requirement adopted by ordinance or resolution. Daykin asked for direction on residency requirements for the Budget Committee.

C. Nelson stated the discussions during the March council meetings were confusing, addressing residency, length of residency and registered electors. He suggested wording: "all appointments to city boards, commissions or committees shall reside within the City of Dundee." Nelson was not in favor of the qualification regarding registered electors. He supported applicants must reside in the City as a baseline for a committee, with the Council's option to admit a non-resident.

Pugsley questioned if one member for the Planning Commission would be allowed as a non-resident meeting the property ownership requirement. Nelson noted that would fall under "superseded by establishment for specific committees".

Discussion followed whether Budget Committee members should be required to be a resident for a specific period of time and the majority consensus was it is not necessary. An ordinance will be returned to the Council to reinsert 2.04.070 E., “all appointments to City boards, commissions or committees shall reside in the City of Dundee. This provision may be superseded by establishment of qualification to a specific City board, commission or committee by resolution or ordinance of the City Council.”

Banner Policy Review

The new Farmer’s Market is operating on Wednesdays, from June 1st to the end of September. They placed a banner for a two-week period of the first quarter ending June 30th. The City Administrator has interpreted the event to be an ongoing program, where a sign may be posted for a two-week period per quarter. The banner may be posted again for two weeks during the timeframe of July 1st and September 20th. Mayor Crawford has returned the issue for consideration of the need for signage to draw commuters to the Farmer’s Market event, which is an interest to the community held once a week.

After discussion of: other possible ongoing events which might want consideration, a first come first serve basis, rotation of the banners, limitation of long-term events to provide space for short-term events, the majority consensus was in favor of a two-week term per month during the duration of a long-term event.

Council Concerns and Committee Reports

C. Munson noted that the Transportation Enhancement Grant party is Wednesday, June 22nd at Dobbles Family Estate from 6P.M. to 7P.M.

C. Munson shared that the date of Sunday, September 11th has been set for Party in the Park; the time is to be determined.

C. Pugsley shared that the rental trailer, power, internet, phone, and a security camera is in place at the Chehalem Paddle Launch. Three canoes and sixteen kayaks were launched this past weekend. The launch could be open for business this weekend.

Mayor’s Report

The “If I were Mayor” contest will be judged Monday at 8 P.M. at the Newberg City Hall. The awards are savings bonds: Elementary: 1st place-\$100, 2nd-\$75, and 3rd -\$50, middle school: 1st-\$200, 2nd-\$100, 3rd-\$75, and high school: 1st-\$500, 2nd-\$200, and 3rd-\$100. The City’s share of the cost is \$250.

The Red Hills trails are moving forward to connect from Dundee to the Abbey. The Mayor noted the potential for the City to consider the purchase of twenty-three acres next to Harvey Creek.

The Fueled by Wine Half Marathon, Sunday, July 10th, has 1,300 participants signed up.

Yamhill County has received a large grant to aid cities to formulate an Emergency Management Plan (EMP). This item will be on staff’s agenda.

City Administrator’s Report

There is a Special City Council meeting for a training workshop on urban renewal districts with facilitator Suzanne Dufner, Mid-Willamette Council of Governments, scheduled for Tuesday, June 28th, at 7P.M.

The Council was polled to determine interest in a photo of the Council groundbreaking at the Wastewater Treatment facility. The majority consensus was not in favor.

The City Administrator asked the help of the Council to select the exterior paint scheme for City Hall. Councilor Reddell volunteered to share the job with his spouse. C. Pugsley suggested the posting of the City's logo to the building exterior. C. Adlong inquired the status of the removal of the arborvitae hedge. Daykin replied that CPRD has no objections to removal of the hedge and suggested acting on the issue this fall.

Public Comment:

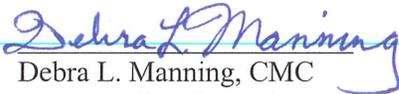
Gary Manning referred to tabled agenda item 6.3, Riverside District and informed the Council that the rail line is embargoed by the Portland and Western Railroad from the north end of Newberg to Sherwood, meaning that without major improvements the line will not be used other than the local switcher. Manning confirmed the cost estimate of \$700,000 for railroad arms. He noted that the line was not built for mainline traffic, it was a commuter line.

The meeting was adjourned at 10:09 PM.



Ted Crawford
Mayor

Attest:



Debra L. Manning, CMC
Assistant City Recorder