

**CITY COUNCIL MEETING
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July 5, 2016**

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City of Dundee
City Council Meeting Minutes
July 5, 2016

Call to Order

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

Council and Staff Attendance

Present: Mayor David Russ, Councilors Jeanette Adlong, Storr Nelson, Kristen Svicarovich, Doug Pugsley, and Ted Crawford. Absent: Councilor Tim Weaver. Staff members: Rob Daykin, City Administrator; Shelby Rihala, City Attorney; and Melissa Lemen, Administrative Assistant.

Public Attendance

Michael Humm, Kennedy/Jenks Consultants; Tom Burns, Chalice Farms; David Haugeberg, Parkway Commission; David Rath, Tour Devine By Heli; Matt Parker, Precision Helicopter; Richard & Nancy Ponzi, Dundee Bistro; Kim Buckholtz; Linda L. Stone.

Agenda Changes

None.

Public Comment

Linda L. Stock, 661 SE Maple Street, approached the Council with concerns regarding the potential helicopter nuisance ordinance. Ms. Stock explained that she finds the helicopters very disruptive during the weekends as they fly directly over her house every 15-30 minutes. She doesn't feel this should be allowed due to the fact that we don't have an airport in Dundee. She also noted that she saw a recent news story pertaining to helicopter wine tours in the area. Mayor Russ advised that an ordinance will be reviewed this evening pertaining to the helicopter issue.

Kim Buckholtz, 561 SE Maple Street, approached the Council with concerns regarding the new coffee stand business near the Arco gas station, Bombshell Bikini coffee stand. Ms. Buckholtz expressed concerns regarding the business name and her opinion that she doesn't feel it to be "family friendly" or represent Dundee in a positive way. Mayor Russ reviewed the fact that this is an established coffee business which has a new owner and business name. Ms. Buckholtz expressed concerns that they are selling coffee while wearing bikinis, and inquired about the process of approval for their business. Mayor Russ responded that there is not a specific ordinance in place regarding her concern about their dress, and advised that this is allowable as long as they are in compliance with state and federal laws pertaining to the matter. C. Crawford indicated that he is aware of similar situations in Forest Grove and Salem recently, and inquired of City Attorney Rihala regarding the matter. C.A. Rihala advised she is unaware of how this issue has been handled in other cities, but stressed concerns regarding the likelihood of it being a free speech/freedom of expression issue. She indicated that she will check further into the issue and report back. Mrs. Buckholtz expressed further concerns regarding a person holding a spinning sign that the business utilizes, and City Administrator Daykin responded that there is no prohibition regarding that manner of sign display.

Tom Burns, representing Chalice Farms, 2323 SW Park Place, #704, Portland, approached the Council and indicated that the business is facing a problem due to the 10% tax imposed by Dundee on marijuana sales. Mr. Burns explained that due to multiple factors including sales, competition amongst their competitors in McMinnville, and the way that the federal government

treats marijuana that they are in danger of not being able to stay in business if the tax remains 10%. He indicated that this is not something they want to have happen, and notes that the City Council also wouldn't be in favor of this happening as they contribute a portion of the general fund revenue. Mr. Burns explained that he is aware that effective July 1, 2016 the City of Newberg will also implement a 10% tax on marijuana sales. He indicated that they will wait and see how this affects their business, but pointed out that potential customers who stop in often times leave to shop better prices in McMinnville, and are making their purchases there. Mr. Burns referred to the passing of House Bill No. 3400 last year, specifically Section 34-A, and reviewed this with the Council. Mr. Burns acknowledged that the City of Dundee passed the 10% marijuana tax ordinance prior to this bill, which he indicated allows local governments to impose a 3% tax on the sale of marijuana. He expressed further concerns in this regard and notes that this potentially could put the City at risk should a court decide that a tax was imposed improperly. Mr. Burns suggested that the City could potentially be asked to return those funds, although he indicated they would not ask for them to be returned as Chalice Farms first came to the City and accepted the terms proposed at that time. He encouraged the Council to re-examine the 10% tax, and to look at the authority vested in themselves and the voters under Bill 3400 to impose just a 3% tax. Mr. Burns went on to advise that this is something that would need to be put to the voters at the general election in November, and that time is of the essence in doing so to meet the appropriate deadlines. Mr. Burns stated that he is asking the Council to repeal the 10% tax and impose a 3% tax immediately, with a further request to establish that as a permanent tax through a vote of the people in November. He advised that he's available to discuss his concerns when appropriate.

Mayor Russ pointed out that one obstacle facing the Chalice Farms business in Dundee is their inability to conduct business in a timely manner due to the fact they are only allowed to assist one customer at a time. Mayor Russ suggested that this issue may become more of a problem with increased business. Mr. Burns explained that they are hopeful that by the end of the year they will be granted an OLCC license, which will omit this rule. He further explained that the rule applies to them now due to the medical rules imposed by the Oregon Health Authority.

C. Pugsley suggested adding this as an agenda item for discussion at a future City Council meeting. Mayor Russ indicated that this will be added to a City Council agenda in the near future, and encouraged Mr. Burns to attend and partake in further discussion.

David Rath, Managing Director at Precision Helicopter in Newberg, indicated that he started the Tour Devine by Heli with about two dozen wineries. Mr. Rath expressed concerns over the ordinance being discussed at the meeting tonight which will disallow any helicopter or aircraft landing on property within the city, and suggested a process instead of engaging in discussions within the industry to work together to come up with a workable solution. He informed the Council that he has been conducting wine tours since 2003 in the Dundee area, with one of his first hop ride events even being for the Ponzi family in early 2000. He indicated they have received approximately four complaints regarding the helicopters which they have tried to respond to individually. Mr. Rath acknowledged the nuisance issue of the helicopters and is not opposed to finding a different landing site. Mayor Russ pointed out that Dundee is the heart of the wine industry and, while he really would not like to completely shut down helicopter operations in the City, he does feel it is necessary to do so at this time until the issue can be addressed more in-depth at a future time. Mr. Rath indicated that he has already begun the process of looking at different hubs at various wineries, and presented the idea of only landing in the City on a potential monthly basis or for special occasions only. The Council encouraged Mr. Rath to remain to at the meeting until Ordinance 548-2016 is discussed as per the agenda.

Consent Agenda

The motion was made and seconded to approve Consent Agenda item 5.1 City Council Minutes, June 21, 2016. The motion passed unanimously.

Old Business

Resolution No. 2016-17, Bypass Construction Savings

David Haugeberg, Chair, Yamhill County Parkway Committee, emphasized that although a lot of money has been put forth for Phase I of the bypass, Phase II is a very important component as well. ODOT has determined that there is going to be approximately 10.5 million dollars of savings from the first phase of the project; about 90% of this money is ODOT's money, while about 10% of it is from partnered local entities. Two weeks ago the Oregon Transportation Commission (OTC) met in Hood River and they voted to include Phase II in the State Transportation Improvement Program. Haugeberg further informed the Council that the OTC also allocated the 10.5 million dollar surplus from Phase I to go towards acquisition and work on the next phase; the OTC indicated that they would put their money towards this if the other contributors were willing to do the same, allowing Phase II to move forward. Haugeberg indicated that although much work has been done to get support for this project, it's been difficult to get it from outside of the immediate area. The Marion County Commissioners have recently become concerned with the fact that if Phase II isn't built there will be potential consequences of increased traffic going across northern Marion County, thus the Marion county Board of Commissioners voted unanimously to support the construction of Phase II of the bypass. The Mid-Willamette Valley Commission on Transportation recently voted to do the same, and they also urged ODOT to protect and acquire the needed right-of-way for Phase II now so that it wouldn't be lost. Haugeberg advised that while the OTC agreed to contribute their 9.5 million, it is now up to the local entities to adopt the resolutions to contribute the remaining 1 million of money to propel the project forward. Additionally, the federal government has named this as a high priority corridor, one of two in Oregon and one of seventy in the United States, which makes this project available for federal funding on a priority list. Haugeberg indicated that the Oregon legislature is discussing a big transportation bill and indicated that he, the mayors, and many others will continue to work hard to make sure that this next phase gets added into the state legislative process. Haugeberg also advised that the local entities have agreed to double their lobbying efforts, an important factor towards the funding for the next phase. Haugeberg reviewed the importance of the money being invested through this proposed Resolution, and the potential of it being an extraordinary investment for the community.

C. Nelson expressed concerns regarding the "fish hook" area of the bypass (i.e. bypass connection to Highway 99W south of Dundee), and questioned why efforts aren't being focused on this area. Haugeberg explained that the "fishhook" area has not been forgotten, but that the importance of protecting the right-of-way for the future of Phase II is of more importance at this time as we may not have the opportunity in the future. He acknowledged the importance of the "fish hook" issue and advised that the Parkway Committee and the citizens will not abandon this project, although it can be addressed at a later date. Haugeberg also pointed out that protecting the next phase has an enormous impact on the functionality of the first phase.

C. Svicarovich inquired about what is being done to reach out to our partners beyond Yamhill county and mid-Willamette Valley of Governments, etc., to make sure that we are going to be successful and not incur a repeat of the issues we had with Wilsonville Road. Haugeberg believes that ODOT learned a valuable lesson as a result of the Wilsonville Road project, and he informed the Council of his commitment to the Mayor that he will either personally or through the Parkway Committee be at the table for future conversations. Mayor Russ added that the OTC shares this same concern.

The motion was made and seconded to approve Resolution No. 2016-17, a resolution authorizing and approving amendments to the loan agreement, between the State of Oregon acting by and through its Department of Transportation (“ODOT”) and the City of Dundee, a municipal corporation of the State of Oregon (“Dundee”), dated July 1, 2013 (the “loan agreement”). **The motion** passed unanimously.

Urban Renewal Plan Proposal

C.A. Daykin reviewed the report dated June 28, 2016, regarding the Urban Renewal Plan Agreement. Daykin informed the Council that following the next City Council meeting the first scheduled Urban Renewal Agency meeting will take place. Several actions will need to take place at that meeting including adopting bylaws and adopting the process for the Advisory Committee. The consensus of the Council is to have a variety of Committee members as shown in the draft resolution provided by C.A. Daykin. C.A. Daykin suggested that the Council members consider who they would like nominate to the Urban Renewal Committee, and bring those nominations with them to the next Council meeting. The anticipated number and length of meetings for the Committee were reviewed. C.A. Daykin reviewed the process he has proposed for this Committee to work on a consensus-based approach rather than simple majority. He anticipates the first meeting being focused on goals and objectives, with not only the advisory committee but with the full Urban Renewal Agency as a special meeting. C.A. Daykin indicated he feels it is very important for the Advisory Committee to have a clear understanding of what’s important from the Urban Renewal Agency’s perspective. **The motion** was made and seconded to approve the agreement with the Mid-Willamette Valley Council of Governments for assistance with the development of an urban renewal plan. **The motion** passed unanimously.

Sewer Systems Repair Bids

Michael Humm, Kennedy/Jenks Consultant, reviewed the process for which they sought bids for the sewer system repairs. They did not receive any bids back, and are now making calls to both potential contractors and the contractors they were working with during the advertisement period to try and understand why that is the case. Humm explained the fact that general contractors are very busy right now during the height of construction season, and he also feels that the small size of the job may have affected the lack of bids as well. He indicated there was some interest from the trenchless repair contractors but they didn’t want to be the general contractor, or couldn’t be one, or couldn’t find a general contractor to sub to. Humm indicated they are now trying to pursue both ends of the problem, trying to find a general contractor to do the open cut work and also a trenchless contractor to do the trenchless work. He went on to mention that they have also been working with Frontier to urge them to repair their own work. Humm advised they were able to get the proposal from one of the trenchless contractors who submitted to a general contractor, C-More Pipe (the contractor who did the manhole repair project); the Council was provided with a copy of the proposal. Regarding a general contractor, Humm advised that it’s been difficult to gain interest. He advised that Frontier verbally confirmed that they could hire a general contractor to do two of the more time sensitive repairs. The repairs on Locust Street and the one on First Street are scheduled to be paved this summer, which makes them a priority. Humm indicated that they are working with the contractors to try and negotiate a price for the trenchless work, and still need to find a contractor to do or postpone the other repairs for possibly later in the summer but before the wet season. Humm advised that the cost for the City portion of the project was estimated at approximately \$70,000, plus some contingency. The trenchless components that have been identified for the City portion have been quoted at approximately \$30,000. Humm further explained that there is some exploratory work that needs to be done in order to determine what action will need to be taken. The C-More Pipe proposal includes the Frontier conduit conflicts, but it assumes the conduit would be cut and spliced to allow the trenchless method. However, Frontier does not want their conduits cut so some open cut work required, and he will try to define what the trenchless focus will be and what needs to be open cut. In either case,

Frontier will be responsible for the cost of repairs due to their conduits damaging the sewer mains. City Attorney Rihala advised that this will be an exception to the public procurement process. She explained that the state statute and rules allow that we can basically exempt classes or specific contracts from the rules for public contracting. She indicated that they will prepare findings for Council that lay out the process through unsuccessful results of the competitive process, and then indicate findings that this is an appropriate exclusion and that the City didn't do anything that would have otherwise discouraged competition in this. C.A. Rihala further explained that this will show that we have done our good faith efforts to try to get competition and we were unsuccessful in doing that. She indicated that Council action will be required on those findings to approve it. Humm reviewed the fact that it was publically advertised in the Daily Journal of Commerce, and they directly solicited four other contractors that were in this line of work. Humm indicated that he is proposing to vet the scope and those budget numbers over the next couple of days, and then will have a firm number that we can feel confident about. Humm indicated that the earliest date C-More Pipe is available is July 30th. C.A. Daykin advised that this allows enough time to bring back a total package with the quote that we receive to the next Council meeting.

WWTP MBR Maintenance Quotes

Michael Humm, Kennedy/Jenks Consultant, indicated that the permeability of the membrane bioreactor (MBR) plates in basin 2 has been declining, likely related to running them at high flux rates over extended periods. Humm explained that when they attempted to restore the permeability by doing a clean-in-place, it recovered (although not quite to the preexisting condition) but it declined very quickly afterwards. They have been working with Ovivo, the supplier, to understand what these symptoms may indicate and how it can be corrected. The good news is that based on the testing data that we've given them and the operation and water quality that are being produced, it is recoverable. Ovivo does think that we will get back to where we need to be and have provided a 3-step process. The first step is a drawdown test where the basin is first drained and then a top down inspection is done, including inspecting the diffuser. The diffuser is a critical component and sits underneath the cassettes; it provides the air and scours out the mixed liquid & solids out from in between the plates. There are a series of 400 plates that sit in a cartridge; they are very close together and the air from the diffuser scours it out. Upon inspection of the diffuser, the air bubble pattern coming out of the diffuser was good and it wasn't clogged, so they think that's a positive sign. The second step Ovivo proposes is a clean-in-place using an acid cleaning. This has not yet been completed. The third step indicated if that doesn't prove out would be a manual clean. Humm advised that this chemical clean is planned for mid-July, sometime in the next two weeks, but we're also preparing to have to do the manual cleaning as well. Humm noted that the manual clean basically consists of power washing the cassettes and the plates inside of them. Humm indicated that during the drawdown process what was seen was as it was being sprayed were bricks of sludge popping out from in between the plates. What that indicated was sludge dewatering. So, as opposed to it being very liquid in between the plates, it looked like it was actually dewatering the sludge and was becoming very compacted. Humm noted that while it's important to go through the second step of the process with the acid and to clean-in-place, he wants to be prepared to go ahead and do the manual clean if that doesn't prove out. Manual cleaning entails removing the cassettes from the tanks and taking the cover plate off, and then spraying off the insides of the plates. If the sludge sticks to the plates and we can't spray it off, then the plates would need to be removed. It is during that removal process that if it's really sticky it can be very difficult to remove the plates without causing damage. Humm expressed concern that once we start touching the membranes it could become a much larger operation. Two walkthroughs have been done at the plant with contractors, including one contractor who has installed an Ovivo plant and has performed this cleaning process. The plan would be for the City staff to do the actual cleaning, and then the contractor to come back probably two weeks later to put them back into place in the basins.

Mayor Russ inquired about the reason that we need a contractor for the project. Humm indicated that it is work in a confined basin which is not necessarily difficult work but is awkward. The cassettes are suspended in the air, one at 14 feet and one about six feet in the air. It's tight quarters and there is a crane involved in the operation, so being able to communicate with the crane attendant and the coordination piece for staff that don't have that experience would be an issue. Mayor Russ pointed out that we are a little early from the original projections of when we would have to reach this point of cleaning for the membranes. He questioned whether there was a misunderstanding about what we are dealing with, and expressed concern looking to the future if this would continue to be a short-term issue. Humm responded by explaining that the high flow issue is certainly the cause of running the MBR's at full tilt for longer durations than designed. Humm indicated that while we've been processing peak flows, there hasn't been a cessation of flows long enough to do the clean-in-place's that we should be doing. Humm further explained that when a clean-in-place is done, the basin is taken off-line. Humm pointed out that this is likely how we got to where we are now. Moving forward, Humm explained that we have put things in place now where those peak flows are better managed at the plant. He advised that this should help prevent us from getting back to where we are now, and indicated that he feels this has been a build-up over a long duration. C. Pugsley pointed out that we will need to purchase back-up plates. Humm informed the Council that there is not a lot of allowance in the budget for this. Humm further explained that we've come to understand the complexity of the process and the potential issues that can be costly. C. Pugsley inquired about whether unused plates are returnable and Humm responded that he is unsure but can check into it. One option might be to hold onto any extra plates should we want to move forward with this process on train 1 (we are presently addressing train 2) as the plates do not have a limited shelf life. Humm explained that when the membranes were installed initially it was all under Ovivo and they had brought in Kubota membranes and supplied those. Since that time, the two companies have divided and now both offer membranes. Humm indicated that he has also tried to work with Kubota to see what their replacement costs and recommendations would be. Kubota was notably more optimistic about the clean-in-place, while both companies have volunteered staff to assist on-site. C.A. Daykin informed the Council that Ovivo had suggested a 5% loss in terms of the plates through this process. Kubota's recommendation on this was to simply remove the side panels for cleaning. Humm pointed out that he's not sure how effective Kubota's hosing down approach would be. Ovivo suggested that each individual plate needs pulled out, which is where the potential lies for damaging the plates. Humm advised that in the videos they viewed, large bricks of sludge popped out at the top of the plates being washed. It appeared to be pretty effective with only the water and was not sticky. Whether or not it's as easy of a task for our situation remains to be seen. Mayor Russ inquired about whether there is enough space to allow a visual inspection to see how clean it gets without pulling the individual membranes out. Humm indicated that he is not sure if this would be the case, but suggested the idea of spot checking a few membranes after it appears they are clean. C. Svicarovich inquired about the process of cleaning and how it will be known whether or not we need to proceed with the next step in the cleaning process. Humm pointed out that the window of opportunity we have to perform the manual clean is going to close quickly because we need the membranes back installed before the high flow season. Humm advised that the permeability has been seen to drop off within a couple of weeks, and thus believes we'll have to make a pretty quick decision as to how effective it may have been. Humm pointed out that it is known where the membranes should recover to, and if they don't hit that metric it will be known. C.A. Daykin pointed out that at this time there are no solid cost estimates for pulling the membranes out of the basins, and advised that this information should be available by the next meeting. Humm indicated that they've walked the site twice and that he sent out the request for the quote last week. Humm further indicated that they solicited four contractors and they expect to have quotes back soon. C.A. Daykin noted that when Kubota viewed the video, they did not think the air pattern was as severely restricted as they've seen in much worse situations where they have had good success with the protocols that they're laying

out. C.A. Daykin also added that Kubota offered to deconstruct one of the membrane units, at no charge, it we wanted to analyze it to see if there are some sort of unique factors present.

Public Comment

Richard Ponzi, Dundee Bistro, indicates he has been operating the Bistro for 17 years, and he has tried to generate an interest with the community to come to his restaurant. He also indicated that his business has expanded over the years to the point where he's had to expand the parking area to accommodate customers. The patio area has also been expanded for outdoor seating. He shared with the Council regarding a time when dust and debris from a helicopter landing accumulated on his patio area and affected the diners at his restaurant. He acknowledged that the problem is more than the dust and the debris, but is also the nuisance from the loud noise and the danger of landing in such a congested area. Mr. Ponzi went on to suggest that the problem not only affects the diners and those parking in the area, but also those walking in the area or on the trail behind their property that is used. While he indicates that he is not opposed to the helicopters, he acknowledged how this issue also affects his tenants and the neighbors as well.

Ordinance No. 548-2016, Helicopter Landing Nuisance

Mayor Russ reviewed the proposed ordinance in detail, and indicated that he also shares similar concerns. City Administrator Daykin pointed out that although there is a provision in our zoning code already for airports and heliports to be located in an industrial zone, individual helipads are not addressed. C.A. Daykin advised that while the ordinance could still be adopted, we could also begin a second process of directing the Planning Commission to investigate the possibility of whether or not a helipad is appropriate. C.A. Daykin advised that if turns out that something is adopted that allows for that change in the zoning, then the nuisance can be modified to recognize that type of use. Mayor Russ supported the idea of encouraging the Planning Commission to check into the matter, but for now also supports the implementation of Ordinance 548-2016. C. Nelson inquired about whether there are other cities in which Precision Helicopter is allowed to land. David Rath, Precision Helicopter, responded by informing the Council that Cornelius is the only other city in the region that he is aware of that has a similar ordinance to the proposed. He also explained that this ordinance would affect their ability to participate in an upcoming proposed fundraiser at the Dundee school carnival. Rath proposed an idea similar to that of other cities they sometimes go into whereby they are required to seek fire department approval, including use of a checklist system, and at times fire department presence during the helicopter event. Conversation ensued regarding the details of this idea. Rath also suggested the idea of having special planned events/flights that are scheduled in advance as an option. Mr. Rath also indicated that they have been considering other possible landing site options and will continue to do so. He expressed concerns regarding the passage of this ordinance as written and suggested finding other solutions now instead. Mayor Russ expressed concerns regarding charity events, and supported the Life Flight helicopter presence at the fire station pancake breakfast. C. Svicarovich suggested the possibility of utilizing a permit process for special events. C.A. Daykin advised that an application process in advance of an event could be an option, with City Council approval at their discretion; though this process could not be completed tonight and would need to be addressed at a subsequent meeting. C. Crawford inquired about what steps are involved in becoming a registered heliport. Mr. Rath advised that, although he is not knowledgeable about what all of the steps are, he is aware of the need for approval from the state and federal aviation administration. He advised that he is aware of being able to land at a potential heliport for up to 90 days until the application is reviewed and approved. Conversation further ensued with Mr. Rath and the Council regarding the details of the application process. C.A. Daykin explained that the City doesn't have standards in place for airports and heliports (which typically accommodate multiple helicopters, and is usually a permanent facility) in an industrial zone. C.A. Daykin pointed out that we don't have standards in place for a helipad for an accessory use for another use, such as a hospital, business, etc.; those standards would need to

be established if there is interest. C.A. Daykin explained that if the proposed ordinance is passed, it could be modified by amendment. C.A. Daykin went on to explain that this ordinance is a nuisance regulation, while the other issue is a land use regulation issue which would need to be initiated by motion of Council. City Attorney Rihala indicated she would like additional time to look at the context of the code, etc. further, as opposed to working on the process of adding the language to the nuisance regulation at this time. Discussion ensued with the Council on the ordinance at-hand, as well as how this pertains to heliports and helipads in the City. C. Crawford inquired about clarification of the options if this ordinance passes, which C.A. Daykin addressed. C. Pugsley expressed his present concerns regarding pets and pedestrians in relation to the helicopters landing as they do now. He felt strongly that at this time for reasons of safety that this ordinance should be passed. Mayor Russ further expressed his concerns regarding the safety and serenity of the residents of Dundee now, with having the option of making appropriate amendments/adjustments in the future. C. Adlong pointed out the vision that was adopted states that noise levels and light levels are in harmony with the environment. She informed the Council that she feels the ordinance should be adopted now, and at a later date looking very carefully at a limited number of allowable events in the future. Matt Parker, Precision Helicopter, pointed out the importance of the jobs created by this industry and the amount of tourism dollars spent as a result of clientele brought to the City via helicopter and associated with the industry. Richard Ponzi reiterated the fact that while he is not opposed to the helicopters, his concerns lie in the safety and noise, as well as the nuisance of how it affects the neighborhood. He also acknowledged the importance of helicopters to the wine industry and suggested further regulation to address this issue. C. Crawford further pointed out that the helicopter industry won't be permanently shut down with this ordinance; we will plan to open it up to limited permitting in the future through the proper process. Mayor Russ indicated that staff will be advised to draw up an amendment, which he welcomed input from the helicopter industry on, regarding regulated conditional use. Mr. Parker inquired about the use of small hobby-type quad rotor type planes as well as those used for real estate photography and notes them to be defined as aircraft by the FAA. C. Pugsley responded that they would fall under this ordinance. **The motion** was made and seconded to approve Ordinance No. 548-2016, an ordinance relating to nuisances affecting public health and safety and amending Chapter 8.16 of the Dundee Municipal Code. **The motion** passed unanimously.

Mayor Russ suggested that we should look towards modifying this ordinance in the future, possibly towards a Council approval permitting system of sorts, at the advice of legal counsel. Mayor Russ indicated and Council consensus was that the information is beyond the scope of this meeting at this point for the council to make further decisions regarding this matter. **A motion** was made and seconded to have the Planning Commission look into land use process for helicopter landings in Dundee. **The motion** passed unanimously.

New Business

2017 SCA Grant Program

C.A. Daykin advised the Council that we are not eligible to apply for the 2017 SCA Grant Program unless the pending grant for Dogwood Drive improvements is certified complete by September 1, 2016. It is not known at this time whether or not we will achieve that date. If the date is met, however, staff recommends preparing an application to the 2017 SCA grand program for the construction of a constrained collector, per the Dundee TSP, on Alder Street to match up with the street improvement that will be required for the development of the 3 acre parcel next to Seventh Street. C. Crawford inquired about the proposed work to be done on Alder Street which City Administrator Daykin explained the constrained collector street in detail. C.A. Daykin further indicated that discussions have ensued with potential developers of the 3 acre site further up the hill as well. C. Crawford inquired about the stage of the 3 acre parcel. C.A. Daykin informed that no applications have yet been received, and that there was a pre-application

meeting and some conversation ensued with the City Engineer about the street requirements. A resolution for Council will be brought back to the next meeting.

LOC Legislative Issues Survey

City Administrator Daykin reviewed the Council League of Oregon Cities (LOC) legislative priorities ballot on page 30 of the meeting agenda packet. He indicated that a collective decision would need to be made regarding the top 4 priorities. He advised that a decision could be made tonight or it could be discussed and decided upon at the next meeting. C.A. Daykin informed that the ballot needs to be submitted to the LOC by July 22nd. The consensus of the Council was that more time would be needed to review the information.

Council Concerns and Committee Reports

None.

Mayor's Report

None.

City Administrator's Report

C.A. Daykin informed the Council that the Yamhill County Commissioners will attend a Town Hall meeting at 6:00 P.M. prior to the July 19 city council meeting. He advised that they will join the city council meeting at 7:00 P.M. and have a joint workshop. The Commissioners would like to listen to the City Council in regards to what their concerns & priorities are, and look for opportunities where they can help or collaborate on different issues.

C. Crawford inquired as to when ODOT will be attending another Council meeting. C.A. Daykin advised that Kelly Amador is scheduled to attend the August 2, 2016 meeting. She is slated to bring bids and quotes on components to the bridge aesthetics, and will plan to have Council look at the samples and help guide that decision. C. Crawford indicated that he will not be at that meeting and will contact her directly.

C. Crawford inquired about whether an OLCC permit was obtained by Dog Zin Heat tasting room. C.A. Daykin doesn't recall offhand whether or not this has taken place. Mayor Russ expressed concerns regarding the painting on the side of their building with regard to the City sign ordinance. C.A. Daykin responded that these items will need addressed to make sure they are not in violation.

Public Comment

None.

Executive Session

The City Council entered Executive Session at 8:55 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 9:14 P.M. and the Council did not reconvene.



David Russ, Mayor

Attest:



Rob Daykin, City Administrator/Recorder