

**CITY COUNCIL MEETING  
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August 18, 2015**

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**City of Dundee**  
**City Council Meeting Minutes**  
**August 18, 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, Kristen Svicarovich, and Tim Weaver. Staff members: Rob Daykin, City Administrator, Peter Watts, City Attorney, Charles Eaton, City Engineer, and Debra Manning, Assistant City Recorder.

**Public Attendance**

Don Clements, CPRD, Jim McMaster, CPRD, Jennifer Marsicek, Scott/Edwards Architecture, Deena Clark, Luke Matteucci, Kristie Jensen, and Lambie Swenson.

**Agenda Changes:**

None.

**Public Comment:**

Luke Matteucci, Dundee resident, a Drug and Alcohol Counsel, expressed concern with the marijuana dispensary. He advised mental health issues are exasperated by marijuana use. People trying to quit alcohol or other chemical usage tend to get addicted to marijuana. The cost of treatment for chemical addiction is expensive. He does not support having a marijuana dispensary in this community.

Deena Clark, Dundee resident, submitted a letter asking the Council to impose an ordinance to prohibit the early sale of recreational marijuana in Dundee. She noted the difference in the THC levels from today's product at 20% compared to 3 to 4% found in the product in the 1970/80's. Clark surmised people will come to Dundee from areas where the sale has been banned to buy the product and then will drive under its influence. She expressed concern for additional crime in the city and that any tax collected from the sales will not cover the additional costs for police and fire/medical responses.

**Presentation:**

**Aquatic Facility Project Update**

Jim McMaster, Chehalem Parks and Recreation District (CPRD), introduced Jennifer Marsicek, Scott/Edwards Architecture. Marsicek shared the existing building will be repurposed for a fitness gym with a running track on the second floor. The new facilities include a 6,000 sq. ft. leisure pool, a lazy river, a rock climbing wall, and a competition pool with eight lanes, locker rooms and bleacher seating. The parking lot is expected to accommodate 140 to 160 stalls. McMaster relayed the public's request to keep the existing facility open during construction. The new facilities will be located to the east of the existing facility. The parking area will be relocated between the street and the facility. CPRD will phase work to allow swimming for most of the construction period. The fitness and weight rooms will not be available for a period of time.

Councilor Nelson asked if the schematic showed an outdoor pool. McMaster confirmed.

Councilor Adlong inquired if the competition pool is a cold water pool. McMaster responded it is a cold water pool with water at 81degrees while the water in the recreation pool will be 89

degrees. CPRD's intent is to keep the recreation pool open during competitions. C. Adlong inquired if they were still considering reducing the use of chemicals in the pools. McMaster replied they would continue to use chlorine, which is required by state law. Salt water pools are very expensive and the salt is very corrosive on the equipment. Ultraviolet lights will be installed for all the pools.

The concepts have been presented; the next step is costing the project which will determine what can actually be built. C. Nelson questioned what could be cut if the project exceeds cost. McMaster responded public input and the advisory committee would help determine any cuts.

City Administrator Daykin questioned the construction timeframe. McMaster replied a two-year timeline.

C. Nelson questioned temporary parking during construction. Marsicek stated they are considering constructing some parking first, probably a gravel area until completion of construction.

## **Consent Agenda**

**The motion** was made and seconded to approve Consent Agenda items 6.1 City Council Minutes, August 4, 2015 and 6.2 Financial Report Ending July 31, 2015. **The motion** passed unanimously.

## **Old Business**

### **Ordinance No. 543-2015, Public Improvements Design Standards**

The update in the Design Standards has been under consideration for the last five years. Wallace Engineering had completed a draft in 2012, when they resigned. At which point the project fell to City Engineer Eaton. The draft was placed on the City's website on Friday. The City Engineer advised that Wallace Engineering had updated the old Westech Engineering Inc. standards; which were based on the City of Salem's standards. The major change is the new one is based on the Oregon State standards and includes Total Maximum Daily Load (TMDL) storm water standards, water quality changes (not addressed in the old standard), and purple pipe standards. City Attorney Watts clarified if there is a change to a national standard; then our design standard will automatically be updated. Dundee centric rules will remain until the Council directs otherwise. Eaton added that the old drawings were not compliant with ADA standards and have been removed; now it refers to ODOT's drawings.

It was unclear to Council members that the standards were available on the website for the review; also the reclaimed water (purple pipe) section was missing. **The motion** was made and seconded to table discussion to allow the Council additional review time. C. Crawford inquired about a Table of Contents. Eaton advised it will be in the final draft; he had run out of time. Eaton noted that his last day as City Engineer is Friday; if this is not passed by then he cannot stamp it without the City of Milwaukie's approval (his new employer). This means the city would then have to pay for another engineer to review the whole process; from the old standards to the proposed draft. C. Svicarovich questioned how difficult it is to make changes after the ordinance is approved. Eaton replied that the ordinance gives the city engineer authority for changes. City Attorney Watts clarified that the ordinance provides authority for administrative changes; such as a change to comply with state and/or federal law. Changes to city policies such as the Dark Sky policy would need to be brought to the council. Eaton added that the council can ask for changes at any time.

C. Nelson questioned the expense to have another engineer review the project to stamp it even though it is basically federal, ADA and state standards. Watts responded they would have to review all documentation to be able to present the draft to the Council. **The motion** and the

second were withdrawn. The Council relayed their trepidation of approving an ordinance without having the design standards to review prior to the meeting. C. Pugsley inquired the most appropriate and cost considerate method to handle the ordinance. The City Attorney recommended a special meeting, if the Council determined 48 hours is enough review time. The status of the IGA for Engineer Eaton's services between the two cities is unknown and needs to be ratified by both Councils. If it doesn't work then the city would have to hire an engineer to address the whole project. After further discussion the **motion** was made and seconded to table discussion on Ordinance No. 543-2015, Public Improvements Design Standards to a special meeting on Friday, August 21st at 7:00 A.M. at City Hall. **The motion** passed unanimously.

### **Fee Structure for Type B Development Permit**

Type B permits cover infrastructure improvements in the right-of-way (ROW) and other improvements related to commercial developments, such as parking. Currently the city collects a fee based on a percentage of their estimated construction costs for the permit. The city does not refund any portion of the fee if the city's costs are less than what has been collected, however, the city is able to bill the applicant for costs that exceed deposited fees. Daykin clarified that the fees are adopted by resolution. He inquired if the it is Council's direction to bring back a revised resolution to provide for refunds if the actual cost to the city is less than what has been collected. The majority consensus was for a resolution allowing refunds to be brought to the Council for consideration.

### **Engineering Services Intergovernmental Agreement**

City Manager Monahan, City of Milwaukie, has agreed to a limited arrangement for the City of Dundee to utilize Engineer Eaton's services at a rate of \$110 per hour as long as it does not interfere with his work for the City of Milwaukie. It is less than other private firms; but higher than the \$75 we are currently paying through the City of Amity. The agreement is under legal review by the City of Milwaukie. Daykin asked the Council to authorize the City Administrator to execute the IGA pending a review by Dundee's City Attorney of any changes made to the IGA by the City of Milwaukie.

C. Svcarovich questioned Eaton's work load availability to address Dundee's projects. Daykin relayed the intent is for Eaton to review another contracted engineer's work, acting as lead on the projects, be the key person for communication with ODOT, and provide quality control. Svcarovich questioned the TE project. Daykin replied Greg Reid, Streamline West Engineering, has been working on the TE project. He has been asked to provide a proposal for engineering services to be presented at the September 1st Council meeting. We also have a contract with Kennedy/Jenks; who has been used for sewer related work and other major engineering projects.

C. Adlong questioned the Viewmont Greenway. Eaton advised that the city has been unsuccessful receiving bids from the concrete contractors and information from K & E Excavating for the Phase II grading. Public Works staff will construct the bridge. The city will ask for a time extension for the grant from State Parks, although the intent is to still complete the trail work this fall.

**The motion** was made and seconded to authorize the City Administrator to execute the IGA with the City of Milwaukie for engineering services pending a review by legal counsel of any changes made by the City of Milwaukie. **The motion** passed unanimously.

### **Urban Renewal Feasibility Study Update**

Jennie Messmer, Mid-Willamette Council of Governments, has recommended appointment of an Urban Renewal Area (URA) project team to give input defining boundaries and types of improvements for the district. Daykin asked the Council to recommend people for the City

Administrator to contact to determine their interest in serving on the committee. A list of candidates would be returned to the Council for appointment.

C. Adlong inquired why include a representative from the Parks District and a realtor. Daykin replied CPRD will be impacted by the formation of the Urban Renewal district. Mayor Russ added a realtor could discuss land values and how values could change based what happens in the community. Councilor Crawford suggested a commercial real estate realtor.

The Council will email potential suggestions to the city administrator. Mayor Russ and Councilor Svicarovich will represent the Council on the committee. Approval of the committee members will be brought back to the September 1st agenda. Svicarovich suggested posting the opening for a community member for the committee on the city's website.

### **Councilor E-mails**

Two options were presented at the August 4th meeting for emails for Council members. A third option is to obtain a domain name for Council emails. C. Crawford supported option 1 setting up councilor email on the dundee.org domain managed by Microsoft Office 365. That option would cost \$6 per month per account. Option 3 would cost an estimated \$12 or less to purchase the domain. Crawford espoused the calendar, skype and the chat components of Microsoft 365. Assistant City Recorder Manning cautioned the chat as a dangerous tool; where council members could be holding an unnoticed meeting. Watts stressed caution with chats becoming a public meeting. He supported the emails for the Councilors as a great way to handle public records requests. C. Weaver suggested email addresses for the Planning Commissioners. After further discussion the majority consensus supported option 3 a separate domain at an estimated \$12 a year of Dundeeoregon.us.

### **New Business**

#### **Yamhill County Transit Area Advisory Committee Appointment**

The new transit manager for Yamhill County, Cynthia Thompson, is interested in reinstating the Yamhill County Transit Advisory Committee. She has asked for a recommendation from the Council to the County Commissioners. C. Weaver volunteered to represent the city on the committee. **The motion** was made and seconded to recommend appointment of Tim Weaver to the Yamhill County Transit Area Advisory Committee. **The motion** passed unanimously.

#### **Energy Trust of Oregon Showerhead Giveaway**

Energy Trust of Oregon (ETO) is offering the opportunity to provide water efficient shower heads to our customers. The obligations to the city would be to store and distribute the showerheads, and to provide a report of customer addresses that received the showerheads. **The motion** was made and seconded to authorize the City Administrator to execute the Memorandum of Understanding with Ecova, Inc. **The motion** passed unanimously.

### **Council Concerns and Committee Reports**

The Tourism Committee recommended increasing the façade grant to \$5,000 and no loans; which could be hard to track. They will identify several businesses to approach to determine their interest in the program. Suggested improvement drawings will be returned to interested business owners to allow their decision whether or not to apply for a grant. There is \$22,000 available for the project. The two convenient stores and Solstice are under consideration. C. Nelson suggested considering the storage unit.

C. Adlong inquired if the street sign by Parks Drive was posted backwards. Engineer Eaton replied it is placed correctly; Parks Drive will continue over the bridge to Fulquartz Landing

Road and become the parkway. With the construction of the Bypass, Fulquartz Landing road will not continue to Edwards Drive, and Edwards Drive will continue around the corner to the Parks Drive intersection at the bridge.

### **Mayor's Report**

Mayor Russ referred back to previous discussions of flooding at the Alder Terrace Mobile Home Park; which the owners were to address. They held off on repairs until dry weather arrived and as of now have not done anything. Russ asked for the options open to the city. Daykin replied the owners were also notified that they need to make corrections to their sewer system. They are getting quotes to determine the next step. Daykin advised if they don't comply with the standing water issue then they could be cited them into the Dundee Municipal Court. He will address that issue once they have a corrective action plan for the sewer system. City Attorney Watts suggested noticing Alder Terrace that the city has received concerns from citizens that this will be an ongoing problem and that enforcement action has been requested since Alder Terrace has not taken corrective action taken. He also suggested disclosing the fine amount, then the owners might consider taking action sooner rather than later.

### **City Administrator's Report**

City Engineer Eaton and C.A. Daykin met with representatives from the Dundee Woman's Club to discuss the Tenth Street improvements and the need for the city to acquire a waterline easement. They have steps encroaching into the highway ROW which will need to be replaced. The city has offered to rebuild the steps in exchange for the easement. Details will be brought to the Council for review.

Pinnell & Bush Inc will start moisture investigation work with the invasive openings at the Fire Station on August 31st. We have not received recommendations for the concrete slab repair.

There is a new ODOT grant program, Enhanced Non-highway Funds program. Staff discussed a possible project of improvements to Ninth Street from Highway 99W to Red Hills Drive with Dan Fricke, ODOT. The improvements could include: bike lanes, sidewalks, storm water collection systems, lighting, and a possible realignment of the Alder and Ninth Street intersection. Fricke is reviewing to determine what work would be eligible under the grant. A preproposal is due September 11th with the grant application due in November.

ODOT had asked the city to increase the elevation of corner ramps along Highway 99W to meet the ADA cross slope requirements. The city suggested raising the curbs. ODOT agreed and are looking for funds to supplement the work. C. Crawford questioned the sidewalks for Argyle. Eaton advised that they elected not to place the sidewalks; the sidewalks will be completed with the TE project.

The permit has been approved for Wave Broadband to install their fiber optic system through the city. They can't attach fiber to all the PGE poles due to other conflicts; so a portion of their system is being undergrounded. The overhead part of their system starts by Argyle and continues south through the city.

The redesign of the ramps to meet bike/pedestrian guidelines and the addition of the crosswalks for Seventh, Ninth and Eleventh Streets required by ODOT has been completed. This has created additional ROW requirements; including at the City Center Market.

Engineer Eaton relayed he has enjoyed his work with the Council and City staff.

**Public Comment:**

None.

The meeting was adjourned at 9:00 P.M.



Jeannette Adlong  
Mayor Pro-tem

Attest:



Debra L. Manning, MMC  
Assistant City Recorder