

**CITY COUNCIL MEETING
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September 3, 2013**

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City of Dundee
City Council Meeting Minutes
September 3, 2013

Call to Order

Mayor Crawford called the meeting to order at 7:00 PM.

Council and Staff Attendance

Present: Mayor Crawford, Councilors Munson, Nelson, Pugsley, and Weaver. Excused Absence: Councilors Adlong and Russ. Staff members: Rob Daykin, City Administrator, Peter Watts, City Attorney, Charles Eaton, City Engineer, Michael Humm, City Engineer, and Debra Manning, Assistant City Recorder.

Public Attendance

Gary Rodney, Dundee Community Committee, Todd Thomas, Tony Seashore, TS Gray Construction, Val Cutz, Chong Park, and James Schultz.

Agenda Changes:

None.

Public Comment:

Tony Seashore, TS Gray Construction, the low bidder on the Public Works Shops facility acknowledged the bids came in way over budget. He suggested they are willing to work with staff to bring the pricing within budget. They just completed a comparable building in Carlton for \$400,000 and could build an adequate facility in Dundee for the same amount. A reduction in scope could bring it in at \$360,000.

Gary Rodney, Dundee Community Committee (DCC), shared the DCC hosts the Easter Egg Hunt, Party in the Park and Cookies and Cocoa with Santa. Three years ago they lost a major funder and are struggling with their current funding sources. They asked for financial support from the city. City Administrator Daykin shared a meeting with Mark Martin, CPRD, and Gary Rodney to discuss funding their needs. He advised typically these requests are funded through the Budget's State Shared Revenue fund; which is fully allocated. Funds could be appropriated from the Tourism Fund for advertising and promotional needs or the Council could consider discretionary funding from the General Fund, Administrative Department, miscellaneous expense of \$1,000. Daykin shared the request for \$500 to keep the programs moving forward. Councilor Nelson questioned what the \$1,000 is typically expended for. Daykin replied it is a catchall account for materials and services that are not specifically identified with other accounts. He also stated that changes in the Special Yard Debris Program could supply funds. Councilor Munson noted difficulties with the bottle/can project and the lack of volunteer support has also affected funding. She stated the funding request should have been presented during the budget preparation. Councilor Pugsley inquired if CPRD had been approached for funding. Rodney replied that CPRD's commitment is to provide employees Mark Martin and Matt Compton to help the committee. He shared the Dundee Fire Department Volunteers and the Dundee Woman's Club also participates with the Party in the Park. Councilor Pugsley expressed concerns on setting a precedent by addressing needs out of the budget cycle. He asked for the DCC to bring matching funds and a written request for funding to be placed on the Council's agenda. The majority consensus was for the DCC to submit a formal request for funds for Council's consideration.

Todd Thomas, 12th and Maple Wine Co., stated that they do not object to the proposed LID.

Val Cutz, 440 SE 5th Street, requested that the city not remove parking on Fifth Street to accommodate the Bypass construction activity. Semi trucks and farm equipment regularly use Fifth Street without any special consideration. C. Nelson inquired if tree trimming would assist with the field of vision on the street. Limited parking closer to the intersection signs was suggested. Cutz shared the city had trimmed the trees in the past. C. Pugsley asked for suggestions of changes which would help with the safety issues. Cutz stated the construction drivers take the corner too fast and suggested signage or parking on one side only. Pugsley recommended limiting parking restrictions to the weekdays and questioned a temporary construction speed limit.

Consent Agenda

The motion was made and seconded to approve Consent Agenda items 5.1 City Council Minutes, August 20, 2013 and 5.2 Financial Report Ending July 31, 2013. **The motion** passed unanimously.

Old Business

Public Works Shops Facility Bids

City Engineer Humm advised five bids were received; all significantly higher than anticipated and budgeted. The engineer's recommendation is to reject the bids and rescope the project to start with a slab and a shell followed by phased improvements. Humm recommended detailing the areas where the bids appeared to be excessive and rebidding early in 2014.

C. Nelson asked for examples where the bid came in significantly higher than expected. Humm replied there was confusion on the moving dirt work related to the Waste Water Treatment Plant project. Construction has been completed on the interior berm for the decommissioning of Lagoon 1. The original bid specifications included that work; which was removed by addendum and not picked up by all the contractors. There appears to be duplicate scopes of work in the bids. The HVAC and the electrical both came in higher than expected. Humm suggested the masonry wall around the perimeter could be eliminated or completed later. Nelson questioned the Special Construction division. Humm stated it is the metal building and temporary tanks for fire storage water. The waterline into the plant is too small for additional fire flow; the alternative is to store water. C.A. Daykin asked if fire flow needs would change if the building did not include occupied space. Humm advised a reduction in the building's footprint or height would affect the fire flow needs as they are based on the volume of the building.

Mayor Crawford questioned Tony Seashore, TS Gray Construction, how Carlton's Public Works building compared to Dundee's proposed building and the differences involved. Seashore replied same footage and the cost difference appears to be design driven as Carlton's building involved minimal improvements. A rescope of the project could provide a concrete slab and the metal building. Other improvements such as the drywall, HVAC, and the masonry work could be phased later.

Staff recommends rejecting bids, reviewing the project and returning it early in 2014 for competitive bids. C. Nelson suggested placing a bare project to bid with additions of alternates. **The motion** was made and seconded to reject all bids at this time. C. Weaver inquired how this will affect operations. Daykin replied there will be equipment which will be stored under temporary covers and certain work will require completion under weather. Humm advised if the bid is received in February; the project could be completed by next fall. **The motion** passed unanimously.

Bypass Utility Conflict Relocations

The Phase 1 conflict resolution included the relocation of the Eighth Street waterline. Phase 2 encompasses conflicts with the Bypass impacting water, sewer and storm water facilities in the area of Parks Drive and Fulquartz Landing Road. Costs are reimbursable through ODOT for design and construction. Work along Fulquartz Landing Road will impact the city's water and sewer line. The proposed scope of work includes design and construction services related to an investigative study on the sewer line, replacement cost of the water and sewer lines, relocation of meters and valves along Parks Drive and Highway 99W. There is an eighteen inch concrete sewer pipe, near the end of its design life, along Fulquartz Landing Road at an estimated depth of fifteen feet. ODOT does not consider this a conflict, but the City needs to make a case that the line needs to be replaced. The project's cost would be negotiated with ODOT. The city's stand is now is time to replace the line. Humm noted if the line had a failure it is likely it would be catastrophic and subject to high fees from DEQ for any subsequent spills. The investigative study includes a video inspection. Engineer Eaton asked if this included any of the intersection work at Parks Drive and Highway 99W. Daykin confirmed it includes minor conflicts. Humm shared that the conflicts along Parks Drive is where Fulquartz Landing Road lines tie into Parks Drive and Highway 99W and Parks Drive and Fulquartz Landing Road. ODOT has required the schedule be completed by February 20th. Work would start immediately. **The motion** was made and seconded to authorize the City Administrator to sign the proposal from Kennedy/Jenks for engineering services related to Phase 2 Bypass utility conflict resolution. **The motion** passed unanimously.

LID No. 2013-1 Formation

The formation of a local improvement district (LID) is proposed in order to complete a uniform sidewalk/streetscape project throughout the city along Highway 99W. The proposed assessment methodology provides for 50% owner/50% city split of costs for sidewalk improvements, the city will pay 25% of driveway construction (for properties with driveways-based on the number of properties using the driveway), new curbs will be paid by the property owner. Typically, commercial or multifamily property would be required to pay all frontage improvements as a condition of their land use approval process. Sidewalk repairs are the responsibility of the abutting property owner. New subdivisions are required to place full street improvements, including sidewalks, paid for by the developer. Council can determine additional revenue sources at a later date; up to the determination of the final assessments. Daykin reminded the Council of previous discussions regarding the use of an increase to the franchise fees for undergrounding utilities and increasing the gas tax revenues to offset our share of the local match for the bypass loan from street funds. He stressed the need to move ahead with design for the 2014 project with ODOT. Daykin recommended accepting the LID as originally proposed, form the LID and initiate the work.

Mayor Crawford reminded the Council that Council can amend the City code to change the repayment term to twenty years, reducing the annual installment payment.

Engineer Eaton shared that ODOT wants to know now if the LID is being formed so they can complete the design and start the estimation process. If the property owners had to complete the improvements themselves they would have to comply with ODOT requirements including permits, bonds, insurance certificates, flaggers, pedestrian lighting, landscaping, storm water facilities, traffic control, and legal counsel, etc. Eaton cautioned since ADA deficiencies have been identified, the city is obligated to address them. City Attorney Watts stated that historically ADA requirements are becoming more astringent and expensive to comply with.

The general consensus was to preserve the scope of the project with use of the LID. C. Nelson suggested an even split for all: sidewalks, driveways, and curbs. He estimated a 50% split would

be an additional cost to the city of \$92,000; which would be paid by all the citizens. Daykin suggested forming the LID based on today's methodology; which can be changed to a lesser amount at a future date. Formation of the LID will allow ODOT to start the design work and provide better cost estimates. He suggested a financing workshop session. Mayor Crawford suggested passing savings to the LID assessments if the project comes under budget. If the project goes to bid in February or March; work could start in April or May. Daykin clarified a deposit representing the TE grant match and costs in excess of the TE project budget will be required by ODOT prior to the bid.

The motion was made and seconded to direct staff to prepare a resolution for the establishment of Local Improvement District No. 2013-1 and ordering the construction of the improvements as described in the Preliminary Engineering Report. Daykin recommended further discussion on the breakdown of cost responsibility for the improvements after cost estimates are received from ODOT. He noted related issues of the pending cost estimates for illumination and the final design for the street stub improvements such as the Eighth Street ROW and Third Street. Once more information is received a special allocation workshop will be scheduled. Nelson suggested adjusting the assessment percentage now. City Attorney Watts cautioned changing the assessment for all to reflect a City contribution of 40% for all improvements, could negatively affect a property owner with only sidewalk improvements increasing their assessment. It would make the public notice incorrect; but he noted that property owners would not object if they are paying less. **The motion** passed unanimously.

Use of Local Streets for Bypass Construction Activities

Staff has not received the Intergovernmental Agreement (IGA) on the use of local streets by ODOT. The amount negotiated with ODOT to offset potential damage and cost of repairs to local streets is \$190,000. Engineer Eaton recommends a temporary no parking order on the northwest corner of Fifth Street and Edwards Drive.

Val Cutz stated she doesn't have a problem with a no parking zone from the yellow flowers east of her driveway to the intersection at Edwards. Eaton stated the problem with the intersection is the right turn without stopping; both directions swing wide in the turn. Moving the striping on Edwards Drive would only provide an extra foot.

C. Nelson asked if the driving lanes could be striped through the intersection. Eaton replied a dotted line (6 inch dash and two foot gap) is appropriate. Nelson noted the trees need to be trimmed. They present a visual impediment. Daykin inquired if a three way stop would be appropriate. Nelson suggested: delineating the turning lanes thru the intersection, reducing parking from the yellow flowers to the corner, and no parking on the east side of Edwards Drive. Eaton stated there is a liability issue with a striped intersection; the parking on that corner would have to be removed. The trucks cannot cross the delineated line; which will push them onto the bulb out. He suggested posting advance warning signs on truck turning movement. The city can limit loads on the city streets until an IGA is in place. C. Pugsley requested Load Limits for City Streets be placed on the September 17th agenda.

Daykin asked if the consensus was to restrict parking on eastside of Edwards Drive between Fifth and Eighth streets. He suggested placement of a bike lane. Eaton noted that would make it illegal for trucks to turn wide and suggested a dashed white line nearing the intersection. The majority consensus was in agreement for an ordinance for restricted parking with a yellow curb, striping from Locust Street to Edwards Drive and from Fifth Street/Edwards Drive to Sixth Street with lane delineation through the intersection, and trimming the trees. Daykin queried temporarily restricting parking in the intersection area by a resolution and Counsel confirmed. C. Nelson asked for completion of the striping and tree trimming prior to parking restrictions.

C. Weaver expressed concern regarding mud/debris from the construction trucks on the local roads. Eaton noted the contractors on Highway 219 are washing down the roads; it should be included in the IGA. Weaver expressed concern for the railroad crossing. Eaton stated our estimate includes rebuilding the asphalt under the railroad crossing.

ODOT Walkway/Bikeway Project Agreement

ODOT will provide the City \$134,000 from their Bicycle and Pedestrian Program Fund to assist with sidewalk and other related improvements on the west side of Highway 99W between Seventh and Tenth Streets. This will allow the City to replace the existing waterline under the sidewalk in advance of the TE Sidewalk/Streetscape project. Staff requested the Council accept the proposed agreement. **The motion** was made and seconded to authorize the Mayor to execute the ODOT Walkway/Bikeway Project Agreement. **The motion** passed unanimously.

IFA Loans – Water Projects

In 2010 application to the Safe Drinking Water Revolving Loan Fund was made for funding the 400,000 gallon reservoir and water line improvements; the city self-funded the project prior to acknowledgment of the loan funding. Complications separated the project for funding into two separate projects/loans: 1) the new reservoir at the cemetery and 2) a new water line from the reservoir to the Upland reservoir. The decision to take the loans or not has been discussed by the Council on multiple occasions, particularly, whether the loans would be needed to help finance possible construction of a new water treatment plant and river intake facility. Council requested an extension last year on the loans in order to continue study on less costly measures to address long-term water supply. It appears the 2005 test well's production capacity and the proposed recycled water program can meet the city's water demands. Reserves from the Water CIP Fund are being used up to replace the waterline between Seventh and Tenth streets. Other water system improvements include development of the test well into a production well with the next phase of telemetry improvements; additional waterline replacements for the Dogwood Drive and Canyon Place are required prior to new street surfacing, and an update of the 2003 Water Master Plan. Taking the combined loan financing of about \$1.2 million would allow those projects to move forward. It would also allow cash funds for the upfront financing of the LID; charging the same interest rate to the property owners and repaying the water loans with LID assessment payments. This would be a less costly method of financing the LID rather than seeking new financing. Daykin noted a final decision needs to be made to Oregon Infrastructure Financing Authority on whether to take disbursement of the loans or not. No prepayment penalty applies to the loans should the City choose to repay them early.

C. Pugsley expressed concern that the developers need to help pay for infrastructure developments such as the production well development/telemetry. C.A. Daykin stated the developers could still be required to pay for improvements through the SDC reimbursement fee. Pugsley suggested taking disbursement of the SDWRLF for \$345,553; which would provide funding for the Master Plan update and the Waterline improvements. Daykin stressed the need for funds to finance the LID.

C. Nelson questioned how the assessments will repay the loans in the short term. Daykin replied for example, if \$300,000 of total assessments elects to take the installment plan with a semiannual payment; the payments would repay that portion of the loan to the Street CIP Fund back to the Water CIP Fund, with the funds from the Water CIP Fund repaying the loan to the State. Nelson questioned if there would be enough cash to fund the three projects and a slow repayment of the LID. Daykin confirmed. Nelson supported taking the Water/Wastewater loan for \$833,459; it was estimated this would provide funds of \$300,000 for the LID, \$150,000 for the Water Master Plan update, \$200,000 for the waterline improvements. C.A. Daykin shared there is a \$20,000 grant for Water Master Plan updates which staff would like to pursue. **The motion** was made and seconded

to authorize the city administrator to request full disbursement for the Water/Wastewater Loan program at 4.04% for \$833,459. **The motion** passed unanimously.

Resolution No. 2013-12, Amend VEBA Program

The motion was made and seconded to approve Resolution No. 2013-12, a resolution amending Resolution No. 2013-02 and revising the HRA VBA contribution amount for fiscal year 2013-14 starting January 1, 2014. **The motion** passed unanimously.

New Business

Special Yard Debris Program

The City Administrator inquired if the Council wanted to hold a fall yard debris disposal program (final one) or another course of action. C. Nelson has received public comment that it would be beneficial to have the program in place both in fall and spring. Mayor Crawford suggested a one day spring clean up event. Daykin inquired a one day service provided by Waste Management for material disposed by Dundee residents at a specific site, operated by their employees, with the cost recovered through the garbage rates. The majority consensus was for a fall yard debris disposal program and to bring a cost proposal for a spring community cleanup by Waste Management back to the Council.

Council Concerns and Committee Reports

C. Nelson has received complaints on the hours and the speed of construction trucks on Eighth Street. C.A. Daykin noted the current noise ordinance would apply with enforcement by the police department. The City Attorney stated the noise ordinance prohibits construction on Sunday and limits the start hours to 7:00 A.M. for the other days. Nelson suggested a reminder letter to the contractors and ODOT. Staff will follow up.

Mayor's Report

Comcast CNN newsmakers interviewed Mayor Crawford on the Bypass. It will be televised in the Portland Metro and Vancouver area.

Award is pending in September on the TIGER Grant V; which would fund a trail along the Bypass and fix the fishhook.

The Mayor requested a Goal Setting Workshop facilitated by the League of Oregon Cities for the first of the year.

Mayor Crawford suggested an appreciation event for members of the Planning Commission and city committees. The majority consensus was for an event to be held the first part of the next year.

City Administrator's Report

The city has recognized a savings of \$150,000 with DEQ's approval of the decommissioning plan for the lagoons at the Wastewater Treatment Plant. The bio solids will remain on site and do not require lime application. Quotes are being requested to remove the lining from Lagoon 2 and to recontour and reseed the site.

The George Fox University Serve Day is next Wednesday; a group will work on the new landscaping at City Hall. Scott Picker, Aspen Creek Landscaping, completed the design and Bryan Stewart, CPRD, will oversee the work. An updated proposal will be brought back to the next meeting for the new City Hall sign.

Applications are being requested for the vacancy on the Planning Commission. They are due by the 10th.

The fill material, which was used for the old Public Works shop, at the Fire Hall site, was poor quality. The City's geotechnical engineer has directed the contractor to over excavate. The contractor's price is \$46 per cubic yard; the estimate is nine hundred cubic yards at \$41,400. This was not included in the base bid. It is unknown what fill material will be found under the old station when it is demolished. Change orders will be brought to the first Council meeting of the month; some savings will also be brought forward due to value engineering by the contractor. It was noted that there are no presentations included in the quote; if Council wants presentations from the architect then it will be an additional cost. Nelson cautioned the amount of material seems high.

Dundee Hills AVA has acknowledged they will participate in funding the "Welcome to Dundee" sign at the entrance to the city.

Public Comment:

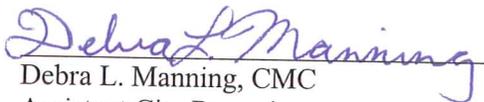
None.

The meeting was adjourned at 10:15 PM.



Ted Crawford
Mayor

Attest:



Debra L. Manning, CMC
Assistant City Recorder