

**CITY COUNCIL MEETING  
TABLE OF CONTENTS FOR MINUTES  
September 6, 2011**

|  |   |
|--|---|
| Call to Order .....  | 2 |
| Agenda Changes .....   | 2 |
| Presentations:.....  | 2 |
| “If I Were Mayor” contest winner: Natalie Nelson .....   | 2 |
| Public Hearing: Chehalem Park & Recreation District (CPRD) –MP-11-12, Fortune Park Master Plan | 2 |
| Public Comment.....  | 3 |
| Presentations:.....  | 3 |
| Fueled By Fine Wine Half Marathon .....  | 3 |
| Council and Staff Attendance .....   | 3 |
| Public Attendance .....  | 3 |
| Consent Agenda.....  | 4 |
| Old Business.....  | 4 |
| WWTP Construction Project .....  | 4 |
| Status Report.....   | 4 |
| Water Feasibility Study .....  | 5 |
| Resolution No. 2011-15, Public Display of Information at City Hall.....                        | 5 |
| Yard Debris Program .....  | 6 |
| New Business .....   | 6 |
| Tourism Fund Authorization .....   | 6 |
| Council Concerns and Committee Reports.....  | 7 |
| Mayor’s Report.....  | 7 |
| City Administrator’s Report .....  | 7 |
| Public Comment.....  | 7 |

**City of Dundee  
City Council Meeting Minutes  
September 16, 2011**

**Call to Order**

Mayor Crawford assisted by “Honorary Mayor” Natalie Nelson called the meeting to order at 7:00 P.M.

**Agenda Changes**

Item 6.1 “If I Were Mayor” contest winner: Natalie Nelson was repositioned after agenda item 3.

**Presentations:**

**“If I Were Mayor” contest winner: Natalie Nelson**

Mayor Crawford presented Natalie Nelson, the state winner of the “If I were Mayor” poster contest, with a certificate bestowing “Honorary Mayor” of Dundee for the day.

**Public Hearing: Chehalem Park & Recreation District (CPRD) –MP-11-12, Fortune Park Master Plan**

Mayor Crawford called the hearing to order at 7:04 P.M. to consider the Fortune Park Master Plan.

**Call for Objections to the notice given:**

None.

**Objections to jurisdiction by any members of this body:**

None.

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

None.

**Staff Report:**

City Planner Nunley read the staff report into the record. The request is to approve a master plan to develop a neighborhood park on .96 acres located between Highway 99W and the Willamette River. The conditions of approval: 1) install a drinking fountain, 2) install asphalt path connection between Maple Street and Locust Street, 3) consult with the City Engineer to address potential hazards by traffic on Locust Street, 4) record a construction deferral agreement for ¾ street improvements to Locust Street, 5) dedicate sixty feet of right-of-way to extend Maple Street south across the property, and 6) record a construction deferral agreement for full street improvements to the Maple Street extension.

**Staff recommendation:**

1) Consider the Planning Commission Order of Recommendation, staff report, written and oral testimony. 2) Deliberate and make findings showing that the proposal is consistent with city policies. 3) Adopt a Land Use Order approving the proposed Fortune Park Master Plan.

**Proponents:**

Jim McMaster, Chehalem Park and Recreation District, expressed his appreciation to the Parks Advisory Committee, the Planning Commission, and the neighborhood for their work on the project. He stressed the need to start construction of the park before the weather changes.

**Opponents:**

None.

The hearing was closed at 7:13 P.M.

**Deliberations:**

City Administrator Daykin clarified that CPRD wants to start work on the project as soon as possible. City Engineer Monson advised that initial grading could be addressed prior to completion of conditions 4-6. McMaster noted the concerns are completion of the asphalt path, the basketball court, and the irrigation. Staff has asked CPRD to prepare the dedication documentation for the sixty foot right-of-way for Maple Street. Staff's recommendation was to require items 4-6 to be completed prior to the installation of the playground equipment.

**The motion** was made and seconded to modify exhibit A: items 4-6 must be completed prior to installation of the playground structures. **The motion** passed unanimously.

**The motion** was made and seconded to approve the Fortune Park Master –MP-11-12 as recommended by the Planning Commission, based on the findings set forth in the staff report along with the conditions of approval set forth in the staff report and modified by the Council and that staff embody the decision in an appropriate land use order for the Mayor's signature. **The motion** passed unanimously.

**Public Comment**

Faith Gerstel, Dundee Woman's Club, submitted a letter to the Council requesting allowance to post information at City Hall, as they have in the past. She noted that Dundee has no place to provide this information to the public.

Gary Manning, Yamhill County Historical Society, added that the City does not have a Chamber of Commerce and no place to post anything public or private. That people search out the information presented at City Hall. He supported the use of City Hall until another option is available to our citizens. He noted that the current trend is in the interest of fairness no one shall be able to do anything, which is a reduction of the citizen's rights and not fair. Manning supported the need for the City to remain politically neutral. C.A. Daykin clarified that the proposed resolution would allow only non-profits providing certain services. Manning noted there are many County non-profits who benefit the citizens of our city and disagreed with exemption of those non-profits. He asked for Council's consideration for the County non-profits.

**Presentations:**

**Fueled By Fine Wine Half Marathon**

Chris Nagy was not present. The majority consensus of the Council was to request a written response to the noise complaints from the Fueled by Fine Wine Half Marathon.

**Council and Staff Attendance**

Present: Mayor Crawford, Councilors Adlong, Munson, Nelson, Pugsley, and Reddell. Excused; Councilor Miller. Staff members: Rob Daykin, City Administrator, Cindy Phillips, City Attorney, Jessica Nunley, City Planner, and Debra Manning, Secretary.

**Public Attendance**

Jim McMaster, Chehalem Park and Recreation District, Natalie Nelson, Blanca Nelson, Betty Nelson, Gary Manning, Yamhill County Historical Society, Michael Humm, Kennedy/Jenks, Preston Van Meter, Kennedy/Jenks, Faith Gerstel, Dundee Woman's Club, and Truman Stone.

## Consent Agenda

The motion was made and seconded to approve Consent Agenda items 7.1 City Council Minutes, August 16, 2011 and 7.2 Financial Report ending July 31, 2011. The motion passed unanimously.

## Old Business

### WWTP Construction Project

#### Status Report

Michael Humm, Kennedy/Jenks, updated the Wastewater Treatment Plant project:

- Headworks: the piles are installed and the concrete forms are started, concrete should be poured in a couple of weeks
- MBR structure: the piles and a crushed rock bed has been installed, drain lines will be installed followed by a concrete pour in about a week.
- Operations building: the concrete slab has been completed
- Facultative Sludge Lagoon: the contractor is working on the water seepage issue

Preston Van Meter, Kennedy/Jenks, estimated mid-October for the base slabs to be completed and the walls started. The outfall structure and the swale are ready to go out to bid. Options include a twenty foot permanent easement (forty foot temporary easement during construction) centered on the swale or a forty foot easement. The design will be submitted to DEQ for approval, with bidding in January or February, and construction next summer.

Councilor Nelson questioned the size of flow through the swale per day. Van Meter estimated 300,000 gallons a day.

Van Meter noted it is time to start negotiations with the adjacent property owner. Pay estimate 2 is under review. No change orders have been approved. There are three requests for quotes: RFQ's 2 and 3 (\$1,500 estimate) and RFQ 4 (information passed to the Council) includes item 2a & 2b for the franchise utility trench excavation, backfill and electrical conduit installation, which was excluded from the bid at a cost of \$61,000. The design was amended to overhead the utilities into the headworks site, this would leave options open with the bypass and local roads undecided. The contractor was asked to expand an existing trench from the headworks to the operations building; reducing the amount of conduit needed. The cost for the additional trenching costs \$7,205.34 compared to \$39,000. The prime subcontractor's proposal (Team Electric) is now at \$52,000 down from \$77,000. Van Meter stressed the need to complete the trench within the next month. He suggested a change order to cover the additional trenching at \$7,200 and require the general contractor to purchase materials and complete the conduit installation with payment for labor.

Councilor Pugsley questioned if there would be further change orders. Van Meter advised none known; other than the original consideration to purchase extra membranes to fill the remaining two membrane basins. Pugsley inquired the status of the project's budget. Van Meter referred to the 5% reserved for change orders during construction. This is the first change order and it is under 1%.

C.A. Daykin reviewed the options: 1) accept the lump sum proposal, 2) complete the electrical work as time and materials, or 3) to get other quotes from additional subcontractors. Van Meter recommended the second option under Kennedy/Jenks' supervision. The majority Council consensus was to proceed with the change order for the trenching at \$7,200 and to get additional bids for the electrical subcontractor. A special Council meeting will be held on Wednesday, September 14th at 7:00 P.M. to review bids.

### **Water Feasibility Study**

Preston Van Meter, Kennedy/Jenks, reviewed the proposed scope for the Recycled Water Feasibility Study included in the packet. C. Nelson asked for the report to include direction toward the next step after the report. Van Meter stated the goal would be something the community can fund, afford and direction on how to move forward. Nelson inquired if the Public Works Standards would need to be modified. Van Meter suggested the addition of a section on recycled water, which Kennedy/Jenks can help compile. **The motion** was made and seconded to approve the scope of work for Recycled Water Feasibility Study for a price not to exceed \$28,500. **The motion** passed unanimously

### **Resolution No. 2011-15, Public Display of Information at City Hall**

Councilor Munson inquired if the Dundee Woman's Club was currently displaying brochures at the Chehalem Valley Chamber of Commerce. Faith Gerstel replied they were not.

Mayor Crawford questioned if the City provided any support to the Dundee Woman's Club. Gerstel replied that the City provides water to the club. C.A. Daykin advised that the City should probably not be doing this. One of the provisions of the pending loan agreements with the State is to not provide water free of charge. Daykin suggested the water service without charge may be in exchange of the historical public use of the building.

C. Pugsley asked what other organizations would want to use City Hall to display their information. Gerstel suggested the Methodist Church, the Promise Pantry, the Dundee Civic Association (DCA), or the Dundee Community Committee (DCC). Gary Manning suggested other Yamhill County 501(c)(3) organizations, such as the Yamhill Historical Society and the non-profit responsible for the Pioneer Cemetery. He stated it was very arbitrary to accept 501(c)(3) organizations supported by the City and to exclude other 501(c)(3) organizations that are based outside of the City. It is an insult to the excluded groups, who would provide services to our citizens.

Councilor Adlong asked for information on organizations included the 501(c)(3) classification. City Attorney Phillips replied a 501(c)(3) organization provides public services in realm of education. Gerstel added social services, cultural services, among others. Adlong asked why the Dundee Woman's Club meets the 501(c)(3) classification. Gerstel stated they are a social, civic, nonpolitical and cultural association. The City Attorney stated the question is how wide the Council wants the focus. Gerstel asked who brought the issue to the Council's attention. It was noted that Craig Rogers brought the issue forward.

C. Nelson noted that having the information in City Hall gives the appearance that the City is endorsing the activity/organization. He added to include only what we want we have to exclude some things we don't want to. Nelson stated that City Hall may not be the best place to have the information, but it may be the only place. Manning agreed that City Hall may not be the best location, but at this time it is the only location. He suggested a disclaimer "not endorsed by the City of Dundee". He supports allowing nonprofits and registered community service groups in the County, noting this appears to be a situation of "I don't like it therefore no one can do it". Tolerance was what made our Country, until the city has a chamber, it should be a right of the citizens. Manning recommended inclusion of 501(c)(3) organizations registered in the county.

Councilor Reddell asked if it was decided that for profit businesses could not place information at City Hall. Counsel recommended no for profit businesses advertisements in City Hall and limiting to nonprofits, governmental agencies, and services the City supports financially. Reddell expressed concern for what the citizens in the room were stating that the resolution was crafted too narrowly.

Truman Stone suggested reviewing Newberg Library's restrictions on placing information at the library. He noted you might be excluding other educational opportunities.

The Council asked for more information on 501(c)(3) organizations, which ones might want to display information at City Hall, how the Newberg Library handles information brought to it for display, and what 501(c)(3) organizations might want to display information at City Hall. The matter will return to the September 16th meeting.

### **Yard Debris Program**

This returns as a reduced one month program alternated between four locations at an estimated cost of \$2,026.36. A twenty yard dumpster with a four foot sidewall is available. In regards to the question from the last meeting there appears to be a negligible impact to the roll cart debris program during the period of April 15th to June 15th. It appears that there are materials being placed in the bins, which would not have been burned if the ban was not in place. Staff would like to complete a survey after the fall program. There is \$3,800 in this year's budget for the yard debris program.

C. Reddell suggested inclusion in the newsletter article for the fall program: *SP Newsprint in Newberg accepts wood debris.*

C. Adlong expressed a concern to have more than four locations for the spring collection (the larger collection) and to review the program after the fall debris collection.

**The motion** was made and seconded to approve the fall 2011 special yard debris program as presented. C. Nelson stated this program should be a transition away from burning and foresees its future as a community weekend event. C. Munson questioned why the locations were selected. C.A. Daykin replied it was based on the usage between the east and west sides of Highway 99W. **The motion** passed unanimously.

## **New Business**

### **Tourism Fund Authorization**

In 2009, when they City started to receive transient room taxes, the City Council elected to delete the provision from the ordinance requiring appointments to a tourism committee. The Dundee Civic Association (DCA) created a Tourism Committee to work with the City on options for use of the funds, with a presentation to the Budget Committee. The City Administrator referred to the four funding areas: 1) DCA Tourism Website, 2) Identity Projects, 3) Tourism Grants, and 4) Tourism Agencies. The Tourism Grants niche was not further defined. The committee reviewed proposals for expenditures from that funding area, with authorization coming from the City Administrator. There is \$2,500 for Tourism Grants in the 2011/12 fiscal year budget along with specified projects including: the branding strategy (which will be brought to Council for approval), banner replacements, support of the Chehalem Valley Chamber of Commerce (recently addressed) and tourism facilities. Under consideration for tourism facilities are park like improvements to the city owned Alder Street lots which would be reviewed through the Parks Advisory Committee for a recommendation to the Council. C.A. Daykin inquired what method the Council wants for authorization of these expenditures and reviewed the questions from the report in the Council packet. He suggested creation of a form, which the committee could use to document funding requests through the Tourism Grants account.

C. Munson expressed her support for an appointed committee. There would be more accountability, formality, and structure. C. Nelson inquired who the members of the DCA Tourism Committee are. Munson replied: Sheryl Kelsh, Chehalem Valley Chamber of Commerce, Mayor Crawford, C.A. Daykin, Kendall Bergstrom, Valerie Cutz, Nancy Ponzi, Andrew Ponzi, Deanna

Vonada, Myrna Miller, and Chris Nagy. Mayor Crawford noted that the attendance by certain members of the DCA Tourism Committee has not been consistent. C.A. Daykin added the same problems of attendance and continuing interest may occur with appointed members and as an appointed committee there will be more work by city staff for support services.

Gary Manning shared a concern that the DCA might have a conflict with a non-member as part of its committee, as only individual or corporate members are allowed voting rights.

After further discussion of a DCA committee versus a City appointed committee the majority consensus of the Council was for an appointed committee with direction from the Council. The committee will have seven members: one City Councilor, two representatives from the tourism industry (hotel/restaurant), one member of the executive board of the Newberg Area Chamber of Commerce (with appointed alternatives), and three at large members. C. Munson suggested a change to the terms of service to a two-year term. This will return to the September 16th meeting.

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

Parks Advisory Committee will meet Wednesday at 7:00P.M. in Council Chambers with guest speaker Jan Newhouse presenting a proposal for a Community Garden.

Party in the Park is Sunday from noon to 4:00 P.M. the City will host a booth.

### **Mayor's Report**

Mayor Crawford will bring forward a resolution noting the City supports the local match concept of House Bill 2001. The bill, which increases gas taxes, asks Yamhill County and it's cities to provide a portion of the increase, on a per capita basis, for the Newberg Dundee Bypass. This could help the chances of receiving a Federal TIGER 3 (Transportation Investment Generating Economic Recovery) grant for the Bypass. The resolution will not commit the City to funding.

The Worden Hill Trail might not require City funding. There is a possibility that the ditch can be moved versus installation of a closed stormwater facility. The proposed improvement is mainly an expansion of the roadbed to provide a pedestrian/bike area similar to Alder Street.

The Newberg Graphic ran an article on the proposed fire station.

The DCA Tourism Committee filed a grant application with Travel Oregon for funds for the branding project.

Newberg Rotary has provided funds to the Chehalem Paddle Launch; improvements include gravel, cinder blocks, steps and a handrail. They will be open to the end of September. A group from the George Fox University Serve Day will be working at the launch on Wednesday.

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

The water reservoir coating project will be started in the near future. The reservoir bypass process has been tested and is working.

The prospectus for Dundee's Transportation Enhancement project has been completed. An intergovernmental agreement (IGA) is expected to be on the agenda for the September 16th Council meeting.

### **Public Comment**

None.

The meeting was adjourned at 9:52 PM.



Ted Crawford  
Mayor

Attest:



Debra L. Manning, CMC  
Assistant City Recorder