

**CITY COUNCIL MEETING
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City of Dundee
City Council Meeting Minutes
September 18, 2012

Call to Order

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

Council and Staff Attendance

Present: Mayor Crawford, Councilors Adlong, Miller, Munson, Pugsley, and Reddell. Excused: Councilor Nelson. Staff members: Rob Daykin, City Administrator, Jim Bennett, City Attorney, Brian Casey, Newberg/Dundee Police Chief, and John Stock, Fire Chief.

Public Attendance

Scott Moore, Group Mackenzie, Robin Laughlin, Group Mackenzie, Chad Daarud, Group Mckenzie, Linda Stock, Kim Buckholtz, Janelle Bolt, Andrew Bolt, Truman Stone, Tim Weaver, Jose-Luis Masjuan, and Don Clements, CPRD.

Agenda Changes:

Added New Business item 9.3 Resolution 2012-16, USDA Rural Development Loan.

Public Comment:

Truman Stone informed the Council the gun range club has been at its present location for about fifty years. Shooting ranges are exempt from noise ordinances under both County and State law. He suggested an appropriate reply to the complaint the City received would be the club is in compliance with the statutes and is not violating any laws.

Linda Stock relayed a request for the installation of a streetlight at the Maple Street cul-de-sac/footpath to Fortune Park for public safety and security. She noted that the foot traffic through the neighborhood and graffiti has picked up with the opening of the park. C.A. Daykin noted this could be addressed under agenda item 8.2 Fortune Park. Councilor Pugsley asked if this issue would be part of the Maple Street improvement. Daykin replied the installation of a streetlight is a condition of approval for the zone change/partition process. Past discussion considered deferral of the street light installation dependant on the Transportation System Plan (TSP) update with the possibility that the street will not go through. Mayor Crawford suggested a reassessment of streetlight coverage for the riverside and requested a cost estimate for the Maple Street light.

Mayoral Proclamation: Oregon Days of Culture

Mayor Crawford read the proclamation into the record proclaiming October 1st through 8th as Oregon Days of Culture.

Presentation:

Fire Station Design

Scott Moore, Group Mackenzie, handed out updated information. A charrette was held three weeks ago to discuss the appearance of the fire station and the site. The site plan constructs the station on the southern portion of the property to allow continued operation of the current station during construction. The input received from the meeting was reviewed. Robin Laughlin, Group Mackenzie, reviewed landscape options A and B including a visual rain garden to handle storm water run-off. Moore advised the initial study was narrowed to four schemes presented in the handout. The options were narrowed to two schemes with modifications by the City Administrator and Chief Stock. Scheme 3 was modified with a rotation of the sloped elements to allow better light penetration into the apparatus bay, the training room and the lobby areas and the

roof structure for scheme 4 was modified. The handouts include potential views of the two schemes from the hillside. Scheme 3 is the preferred option.

Councilor Adlong inquired if any of the existing trees will be saved. Moore advised that one of the existing evergreens may be able to be saved. He noted the size of the tree will make it stick out and the tree's survival will be in question with the change in its environment. He suggested reviewing strategies to replace it. The suggestion was made to recycle the timber from the trees at the site for uses in the station dependent on the quality of the timber.

Moore advised the flat roof will be cheaper, easier to maintain, and will provide a good mechanical platform for the facility. Option 3 has less surface area than the other options. Once the Council determines the scheme, it will be further developed as regards to building materials, structural elements and project cost. A series of plan/engineering drawings will be ready in about three weeks. The cost estimator will price and compare to the budget to determine any needed changes. The exterior building materials will be reviewed during this time frame. The majority Council consensus was in support of scheme 3.

C. Adlong inquired if features such as solar panels would be included in the cost estimates. Moore replied they are required to use a percentage of the construction funds for solar energy, whether it is solar panels, additional windows for day lighting or solar water heaters. Strategies with cost and payback will be reviewed during the development of the design and the construction documents.

Councilor Pugsley suggested the option of an organization such as Solar City, who installs the solar equipment and splits the power costs. Mayor Crawford noted the project design should ensure the system has the capacity to allow such future options. Moore suggested reviewing options to design the roof to support the panels or the use of covered parking for the panels.

Consent Agenda

The motion was made and seconded to approve Consent Agenda item 7.1 City Council Minutes, August 29, 2012 and 7.2 City Council Minutes, September 4, 2012. **The motion** passed unanimously.

Old Business

Fire Station Design & Construction Services Agreement

Rural Development is requiring a specific format for the fire station design and construction contracts. The agreement with Group Mackenzie is under review by City Attorney Hickey. The base fee has been increased by \$609.00 (\$4,085 to cover costs of additional work related to Rural Development requirements and a decrease of \$3,476 by addressing land use issues in house).

Mayor Crawford inquired when updates to the Council would occur. Moore replied after milestones such as: schematic development, design development, and construction documents; about every other month until construction. The Mayor inquired how Group Mackenzie handles change orders. Moore advised they will advise the impacts of changes as they occur; additional services fees are dependent on considerable impacts to the project scope.

C. Pugsley questioned page 2 of Attachment A of the agreement, i.e., the delay of the physical fitness facilities and the build-out associated with the sleeping quarter, which could be built out initially if budget allows may be subject to an increase in A/E fees. Moore advised that the building square footage has been increased from about 15,000 to 17,000 plus square feet in the proposed schemes, which includes the sleeping quarters and physical fitness areas, and is covered in the base design fee. The additional A/E fees may be required for a substantial increase to the

floor plan, such as addition of additional rooms/space or other structural changes that occur after approval of the schematic plans which would then entail additional work by the design team. In that situation any additional fees to accommodate significant changes during the advanced stages of design or during the course of construction would be discussed upfront with the City.

The motion was made and seconded to authorize the City Administrator to execute the agreement with Group Mackenzie for fire station design services pending review and approval of the final draft of the agreement by the city attorney. **The motion** passed unanimously.

Fortune Park Street Improvements

C.A. Daykin referred to the memo in the packet on the Fortune Park street improvements. After meeting with Don Clements and Larry Anderson, CPRD, they noted a specific concern of the cost estimate for Locust Street being based on a ¾ street (the standard development requirement). A Local Improvement District (LID) would typically involve additional properties to help fund the project, including the property on the other side of Locust Street. CPRD is willing to provide a payment in lieu based on a half street calculation. The funds would be deposited into a dedicated account as their share of the improvements. If the funds are insufficient to their share they would be assessed the difference; they would receive a refund if the cost is less. Maple Street is currently a planned street in the TSP. The TSP update could remove it as a planned street, at which point the dedication would be vacated back to CPRD. CPRD would ask for the agreement to require the non-park property (divided through the partition process) to be responsible for street improvements. Two additional requirements of the re-zone and partition process are: 1) the continuation of a waterline through Maple Street and 2) the requirement for a streetlight near the intersection of Seventh and Maple streets. City Attorney Bennett counseled the intent, if a LID is not used for the street improvements, the city can require the improvements at the time of development and use the dedicated funds for the improvements on the park side; no matter the mechanism used to improve the street.

C. Pugsley supported addressing the streetlight issue separately. Daykin suggested installing the light now with the cost shared equally by CPRD and the city (\$1,500 estimated). Clements advised that the funds are not a problem. He shared that CPRD has found they are often requested to remove lighting after it has been placed, with the idea it has attracted nuisances. Tim Weaver, retired NDPD, supported that this is often the case. Chief Casey noted it goes both ways, it can attract and it can be a deterrent.

C. Adlong questioned a connection along Maple Street if the street is not put through. Clements advised the park would be enlarged with a connecting path.

The majority consensus was to accept the actions as presented and to direct staff to prepare a construction deferral and/or payment in lieu agreement that satisfies the conditions of approval for the Fortune Park Master Plan.

New Business

City Hall Security

Brian Casey, Newberg/Dundee Police Chief, relayed that the chances of a violent assault happening at a public meeting is rare. Intervention, prevention and minimizing casualties are to be considered to protect public officials and citizens at meetings. You need to know where the threat comes from to intervene (known person with an issue), to be aware of and address the issue prior to escalation. Prevention can entail trespass notices, increases in security, property/personal searches, metal detectors, panic alarms, monitoring cameras, and one-way viewing rooms. It was noted that the City of Newberg has a reserve officer for the Council meeting and their chambers have an escape route. Dundee's chambers do not have an escape route. Chief Casey suggested

mentally preparing a plan to address a situation. He advised concealment is something you can hide behind, but it will not stop a bullet and cover is something you can hide behind that will stop a bullet such as a brick wall. The City of Newberg added skirting to the Council tables, which provides a concealment cover. Casey cautioned not to sit still; the best thing to do is to move. He suggested considering adding skirting to the current tables. C. Adlong questioned the addition of a door. Casey added the last option is to fight, such as throwing a chair at the instigator. He relayed a discussion with the City Administrator of an option to have an officer present for the first fifteen minutes of each meeting and suggested the addition of a panic button for chambers. The City Attorney suggested recessing the meeting to de-escalate a heated situation. The majority consensus was to look into an emergency fire exit for chambers.

Old Business

Ordinance No. 513-2012, Council Meetings

C.A. Daykin noted that State law does not preclude the Council from taking actions on items for a special meeting, which were not included in the notice. He shared one city which does limit actions for a special meeting to the items noticed for the meeting. The ordinance clarifies the city's right to conduct special meetings with less advanced notice for bona fide emergencies. **The motion** was made and seconded to adopt Ordinance No. 512-2012, an ordinance relating to Council meetings and amending the Dundee Municipal Code. **The motion** passed unanimously.

Fire Station Property Exchange

Karen and John Bergstrom are in agreement with the fire station property exchange agreement in the package. **The motion** was made and seconded to authorize the City Administrator to execute the Property Exchange Agreement with Karen and John Bergstrom. **The motion** passed unanimously.

New Business

Planning Commission Appointment

Planning Commissioner Nick Wymore has resigned the Planning Commission effective following the September 19th meeting. C. A. Daykin asked the Council if they would like to receive applications from potential candidates by the October 2nd meeting or at special meeting a week later. The majority consensus was to review applications at the October 2nd meeting. It will be posted at City Hall and on the website.

Resolution No. 2012-16, USDA Fire Station Loan

The resolution is required by USDA for the City to receive a letter of acceptance with conditions. The city will decide at the close of construction whether or not to use the loan or general obligation bonds. This is a resolution of intent to comply with the rules if the city takes the loan. **The motion** was made and seconded to authorize the Mayor and City Administrator to sign Resolution No. 2012-16. **The motion** passed unanimously.

Council Concerns and Committee Reports

Councilor Munson inquired if staff had followed up on her inquiry of a hanging rod at the bus stop. Daykin replied that public works staff reattached the protective sheathing covering a guy wire.

C. Munson relayed that the street light at Hemlock and Third Street is not working properly.

C. Munson advised the Tourism Committee will meet on Monday, September 24th.

Mayor's Report

The Oregon Business Magazine is writing an article on the Newberg/Dundee area to be published in mid-November.

City Administrator's Report

The City Administrator, City Attorney Steve Shropshire, and Larry Eaton, GSI Water Solutions, Inc. will meet with staff from the Oregon Water Rights Department on Monday, September 24th regarding the water right transference to the 2005 test well. Shropshire has advised that the current water rights are not the same depth as the test well.

The Personnel Committee has had their first introductory meeting; a second meeting will be held in about six weeks.

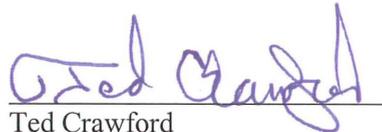
PGE notified the city of a proposed tariff for LED street lighting. They are committing to converting the PGE owned cobra lens to LED lens by the end of 2014. PGE has asked if the city wants assistance with this process. More information will be brought back to the Council.

The Rural Fire District has completed their bond sale and has signed the amendment to the Fire Services agreement, based on the transfer of the bond proceeds to the city. The city has received a check for approximately \$1.2 million from the district. The city has completed the bond anticipation note process with Key Bank.

Public Comment:

None.

The meeting was adjourned at 9:45 PM.



Ted Crawford
Mayor

Attest:



Debra L. Manning, CMC
Assistant City Recorder