

**CITY COUNCIL MEETING
TABLE OF CONTENTS FOR MINUTES
October 15, 2013**

Call to Order	2
Council and Staff Attendance	2
Public Attendance	2
Agenda Changes:.....	2
Public Comment:.....	2
Consent Agenda.....	2
Old Business	2
TE Sidewalk/Streetscape Project Update.....	2
I&I Repair Project Change Order.....	3
Decommissioning Lagoon No. 1	4
Bypass Utility Conflict Relocations	4
Planning Commission Appointment.....	5
New Business	5
Ordinance No. 526-2013.....	5
SDC Pre-existing Use Allowance.....	5
Council Concerns and Committee Reports.....	6
Mayor's Report.....	6
City Administrator's Report	6
Public Comment:.....	6

City of Dundee
City Council Meeting Minutes
October 15, 2013

Call to Order

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

Council and Staff Attendance

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

Public Attendance

None.

Agenda Changes:

None.

Public Comment:

None.

Consent Agenda

The motion was made and seconded to approve Consent Agenda items 5.1 City Council Minutes,
October 1, 2013. **The motion** passed unanimously.

Old Business

TE Sidewalk/Streetscape Project Update

Engineer Eaton updated the Council on the Parks Drive/Neiderberger Road intersection:

Transportation Enhancement (TE) will not fund the right turn lane improvements in the intersection; those improvements are considered traffic needs not pedestrian needs. Options include: 1) fund it ourselves (TE would pay for part of the island and pedestrian improvements), 2) a minimal approach of constructing a curb return/a ramp and out to the paved shoulder (this could drop the pedestrian in the grass if there is no road surface at the return), or 3) stop the TE project short of the intersection and leave a gap between the bypass and the TE project.

Councilor Nelson inquired if the crosswalk with the median refuge located between Parks and Twelfth Street will be still be included in the TE project. Eaton confirmed it would be included with the pedestrian activated flashing beacon.

Councilor Russ suggested a temporary solution of placing the full corner with painted lines delineating the island until the island can be added at a future date.

City Administrator Daykin noted the adjacent property owner, 12th and Maple Wine Company, would be responsible for full street improvements on both Highway 99W and Parks Drive when they develop the property. Another future option is to consider a local improvement district (LID) to fund pedestrian improvements across the railroad tracks to Maple and complete Maple Street. The LID could apply to both sides of Parks with property owners on both sides responsible for the assessments for the improvements.

Councilor Adlong inquired the size of the island. Eaton advised that ODOT wants a design standard at the intersection to handle a 67 foot traffic trailer turning radius; which would mean a

small island without landscaping. Also, all westbound traffic on Parks to the highway will be routed to the north of the island. Eaton advised the standard requirement results from Federal involvement; the State does not require that size standard. Another issue of concern is the cross movement from Parks Drive to Neiderberger Road, which would have a circuitous route through the intersection.

Mayor Crawford inquired the status of the utility realignments. Eaton noted that PGE will bury everything except the high transmission lines through Parks Drive and to the south side of the overpass structure. PGE will require the other private utilities leasing their poles to underground their lines in that same area.

C.A. Daykin recommended stopping the TE project south of the crosswalk and addressing a redesign of the intersection at a future date. Eaton noted this will free up funds to apply to the lighting budget. The majority Council consensus agreed.

Eaton advised ODOT's current schedule slates Design Approval Plans (DAP) by June 2014 with construction in 2015. ROW acquisition will take a year; delaying construction. The City may complete ROW acquisition through the LID portion of the project, which would not be subject to Federal Highway ROW acquisition rules. Daykin shared the design has sections of sidewalk going around the driveways on private property. ODOT representatives advised the city would have to acquire dedications or easements on private property; which would affect every driveway on Highway 99W. Pat Fisher, TE Program Manager, suggested funds could be traded between TE and the State to allow sidewalk and waterline replacement where there is restricted right of way; thereby removing the Federal rules of acquisition from that portion of the project.

Mayor Crawford wants construction started in 2014, noting the project has already been postponed by ODOT previously. Eaton noted that some of ODOT's departments have not started on the project; including Access Management and Water Treatment. This will not be one construction project. The State funds will be split from Federal and Preservation funding; this should facilitate an earlier DAP date. Mayor Crawford asked if the intergovernmental agreement (IGA) for local street preservation had been received. Daykin confirmed it has not been received. Eaton relayed the proposal to start work on everything but light poles and water on the center core, from Twelfth to Seventh streets on the westside and Eleventh to Sixth streets on the eastside, in 2014.

City Attorney Watts counseled communicating to ODOT that we need something in writing, as we have patiently waited upon the IGA from their verbal representations, or the city will have to take action to prevent further deterioration of our local streets by their trucks. Staff will follow up with ODOT on the IGA. Staff will initiate the funding change process with Pat Fisher to proceed with a project rescope to work on the center core with the intentions of going out to bid in January. Eaton noted an IGA amendment for the TE project will follow.

I&I Repair Project Change Order

City Engineer Michael Humm updated the current inflow and infiltration (I&I) repair project, placing a cured-in-place-pipe CIPP in an estimated 1500 feet lineal feet of sewer pipe on the east side of Highway 99W (Eighth to Eleventh streets) at an estimated cost of \$42,000. The WWTP had high I&I issues during heavy rain events. The video inspection, completed just after the recent heavy rainfall, showed significant infiltration at an estimated 80 to 120 gallons per minute in the area to be repaired. Michels Pipe Services, the subcontractor, recommends grouting eight leak locations prior to installation of the CIPP liner. This will remove some of the water flow and ensure a good seal for the liner installation. The change order is an estimate; the project will be billed on a time and material basis. Work will start on Wednesday. The engineer recommends approval of the change order. Daykin clarified the change order amount includes a previously

approved change order of \$937.50 for video inspection of the main collector system on Fulquartz Landing Road. Approval is being sought for the \$5,080 for the pre-grouting work.

Engineer Van Meter noted a ten month WWTP inspection report is due in a couple of months, which evaluates the facility's performance. The goal is to keep DEQ from ordering the City to fix the I&I problems on their terms and schedule. It will help if we can state that I&I is being proactively addressed with the work completed.

The motion was made and seconded to approve Change Order #2 for the 2013 I&I Repair Project contract with Michels Pipe Services, involving pre-grouting work estimated at \$5,080 prior to the installation of the CIPP liner. **The motion** passed unanimously. Van Meter reminded the Council that I&I work is a slow and steady process. It is possible that the repaired section of the collection system will result in the discovery of increased I&I downstream.

Decommissioning Lagoon No. 1

Decommissioning of Lagoon 2 was completed this summer with DEQ's approval by drying out the solids, and completing in place mixing and seeding. Materials from the east berm of Lagoon 2 and from the spoils pile have been temporarily added as a divider to Lagoon 1. Van Meter proposed decommissioning both sides of Lagoon 1, letting the half farthest from the hillside naturally fill with storm water, and removing the berm along the hillside slippage area. The engineers recommend proceeding with the decommissioning. The plan DEQ approved will save an estimated additional \$150,000. They are allowing the wastewater to be transferred from Lagoon 1 into Lagoon 4. C. Adlong inquired the time frame for decommissioning. Van Meter replied all summer to dry out; with work completed in late September. Daykin relayed the intent to apply for the grant for the nature park in April of 2015. He cautioned the state of readiness is considered as part of the grant application evaluation criteria.

Bypass Utility Conflict Relocations

Phase 1 of the Eighth Street waterline relocation project has been completed. Phase 2 is the trenchless installation of pipe to replace the temporary service line located in the construction easement. This phase is necessary to avoid the conflict with the wick drain installation for the overpass abutment, and will be completed after ODOT gives the order to proceed.

The 2014 bypass utility conflict locations include: Highway 99W and Parks Drive, Parks at the Fulquartz Landing overpass, and the water and sewer lines along Fulquartz Landing Road.

Highway 99W and Parks: ODOT's proposed storm water line will conflict with the City's water line. The section of waterline north of Parks Drive is in the highway right of way; work on highway right of way is not reimbursable by ODOT. The City will be financially responsible for improvements north of Parks Drive. The engineer recommends placement of the waterline along the same route of the City's sewer line in the Fourteenth Street right of way. Improvements on Parks Drive is ODOT reimbursable cost. Engineer Eaton cautioned there is potential for further conflicts as the waterline extends all the way up Highway 99W and ODOT's storm line may be extended with the TE project. The engineers will review options. They noted there will be city cost involved to address the conflicts. Daykin stated a form will be sent to ODOT addressing what the City will do to eliminate the conflict. Engineer Humm estimated a cost of \$40,000 to address the issues north of Parks. Van Meter will proceed with the conflict design. The engineers are continuing review of the waterline and ODOT's storm water line issues for further conflict potential.

Van Meter updated the **Fulquartz sewer line** is in relatively good shape, without a lot of leakage. The impact of vibratory loads from the highway is a concern on the piping at the end of its useful

service life. The engineers suggested a slip line. They are continuing work to determine if a request can be submitted to ODOT for reimbursement to replace the line.

Planning Commission Appointment

No applications were received for the vacant Planning Commission seat. The vacancy will remain open until filled. Two Planning Commissioners have terms which expire at the end of the year.

New Business

Ordinance No. 526-2013

The proposed updates to sewer regulations were reviewed by Public Works staff, the city engineer and the city attorney. The main concerns deal with current issues facing the city; including I&I and grease. Excessive I&I may cause the WWTP to exceed high flow design capabilities, resulting in additional stress to the MBR panels and jeopardizing the manufacturer's warranty. Excessive grease decreases the efficiency of the WWTP process, creates operational challenges, and additional cleanings reduces the life of the MBR panels. Public Works Supervisor Mustain is consulting with staff from the City of Newberg on their procedures for their grease inspection program. The ordinance also clarifies the property owner is responsible for their sewer line to the connection into the sewer main.

The Mayor questioned allowing a Supervisor authority to grant a variance on a grease trap cleaning schedule. Van Meter advised a larger grease trap, with a history of minimal grease; would be a candidate for the inspector to grant a variance to amend the schedule for less frequent cleanings. Daykin confirmed the Public Works Supervisor would have authority to grant a variance. The appeal process was also added to the ordinance.

C.A. Daykin noted the correction to section 13.16.090 to correct wording on the last sentence to: "Higher discharge concentrations of BOD and TSS may be authorized by the city engineer so long as the authorized BOD and TSS levels are subject to a tiered rate structure authorized by the city council." **The motion** was made and seconded to adopt Ordinance No. 526-2013, an ordinance relating to sewer, and amending the Dundee Municipal Code with the correction to section 13.16.090. **The motion** passed unanimously.

SDC Pre-existing Use Allowance

C.A. Daykin referred to a situation which occurred earlier this year: a property owner with a building, where water service had been stopped, with no monthly billing, and the meter was pulled, asked to restart water service. The property owner also wanted to remodel the building. They were given two options: to pay a System Development Charge (SDC) or to retroactively pay the monthly standby fee for period the water was shut off. They opted to pay the monthly fee. Daykin noted the preexisting use allowance exemption in the code appears to be awkwardly worded. He asked if the property owner should receive a credit for SDC calculation as a preexisting use for a preexisting structure at the time the SDC ordinance was adopted and who has since disconnected from water service and now requests to be reconnected.

Engineer Eaton referred to State statute allowing SDCs: a building; which existed and was connected to services prior to adoption of the SDCs by the city is grandfathered and cannot be charged SDCs unless redeveloped. City Attorney Watts advised if they change the meter size; a SDC could be charged. He suggested use of an incentive to remain connected to the system; such as requiring payment associated with a video inspection of the pipes and reinstallation of a meter for reconnects. Watts agreed that it is unfair for a property owner, who is benefitting from the system, to not have to pay in for a period of time and then reconnect without any negative repercussions. C. Nelson inquired how they were benefitting from the system. Watts stated if they are grandfathered in, they did not pay a SDC and they are not paying monthly minimum; they have not contributed to the cost of the existing system. Daykin asked if a SDC could be charged if

a new methodology was adopted. Watts counseled new laws on SDCs make it easier to challenge SDCs. Daykin questioned the situation where a property owner demolishes the structure and replaces it at a later date and asked if a property owner would get credit for the preexisting structure. Eaton referred to the building code; which allows replacement, in the same footprint, within a year. He suggested after a year then SDCs would apply. C. Russ supported the use of fee incentives for the situation with an existing building.

C.A. Daykin inquired if the city should maintain the current policy of not charging itself for its own public project's SDCs. The majority consensus agreed with the current policy.

The Council was asked if improvements such as parking lot paving, which adds impervious surface, should call for a reevaluation of the SDCs. Engineer Eaton confirmed nonresidential improvements of that type would call for a reevaluation. Daykin noted the problem is SDCs are collected through a permit and a paving project can be done without permit. Eaton noted it is important to be able to track what is going into the building, the impervious surfaces, and have procedures in place to collect the SDCs. Staff will research further. A hearing will be held January 7, 2014 for the update of the sewer system development charge methodology.

Council Concerns and Committee Reports

The footings have been poured for the city sign. The sign is being fabricated and power is being brought in to the site. Staff is working with the Yamhill County inspector on concerns regarding the power connection. C. Adlong expressed concern that vegetation will hide the sign. Daykin noted the area will be landscaped about 50 feet around the sign.

Mayor's Report

Alternative High School is looking for a project. They are considering work on the Harvey Creek Trail; possibly placing nest boxes for woodpeckers and trimming vegetation down by the bridge.

The Fueled by Fine Wine Half Marathon has adopted *The Family Place* as one of the charities to make donations to. The Family Place focuses on at risk (0-3 year old) children.

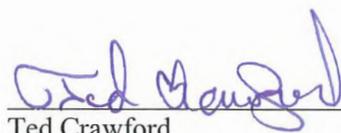
City Administrator's Report

C.A. Daykin confirmed the Alternative High School is interested in bank restoration work at Harvey Creek and they have requested \$250 to cover the cost of the netting and plants.

Public Comment:

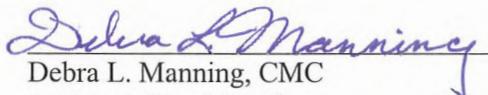
None.

The meeting was adjourned at 9:25 PM.



Ted Crawford
Mayor

Attest:



Debra L. Manning, CMC
Assistant City Recorder