

**CITY COUNCIL MEETING  
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January 3, 2017**

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**City of Dundee**  
**City Council Meeting Minutes**  
**January 3, 2017**

**Call to Order**

Mayor David Russ called the meeting to order at 7:00 P.M.

**Council and Staff Attendance**

Present: Mayor David Russ; Councilors Jeannette Adlong, Storr Nelson, Tim Weaver, Doug Pugsley, Kristen Svcarovich, and Ted Crawford. Staff members: Rob Daykin, City Administrator; Shelby Rihala, City Attorney; and Melissa Lemen, Administrative Assistant.

**Public Attendance**

Brian Davidson, possible future owner of 727 SE Locust Street; Don Clements, Superintendent, Chehalem Park & Recreation District (CPRD), Jessica Cain and Daniel Danicic, Del Boca Vista,; Eric Kuehne, 13140 A NE Kuehne Road, Dundee; Kelly Amador and Christina LeFleur, Oregon Department of Transportation (ODOT); K. Gauntt; Mark Colby; Alexandera Rollandi; and Sherree Rollandi.

**Oath of Office Administered**

City Administrator Daykin administered the Oath of Office to re-elected Mayor, David Russ, as well as to re-elected City Councilors Jeanette Adlong, Kristen Svcarovich and Tim Weaver.

Councilor Jeannette Adlong nominated Councilor Kristen Svcarovich for the position of Council President, which was seconded by Councilor Doug Pugsley. The motion passed unanimously.

**Agenda Changes**

None.

**Public Hearing: Locust Street Local Improvement District**

Mayor Russ called the hearing to order at 7:05 P.M. for the Locust Street Local Improvement District (LID).

**Public Input:**

Brian Davidson, possible future owner of 727 SE Locust Street, approached the Council. He indicated that he was sent the minutes and agenda of a meeting from 2016 which indicated that Fortune Park is a neighborhood park. He advised that based on the reading he has done, it appears that only the seven other lots in the area, not including CPRD, are being asked to support the LID. Mayor Russ responded that generally LID's are for the properties that are specifically affected by the improvements. He advised that CPRD is being charged for their linear footage on Locust Street.

Don Clements, Superintendent, Chehalem Park & Recreation District, approached the Council. He advised that he located the signed remonstrance agreement, and further advised that CPRD will honor what they agreed to at that time. He inquired as to why curb and gutter is desired for the Locust Street improvement, and suggested that there are large advantages to not doing that and allowing the water to run off. M. Russ advised that this project includes storm water treatment swales between the sidewalk and the curb, which significantly reduces storm water issues which can be caused by curbs. C.A. Daykin advised that the City is adhering to the new

standard of treatment, and advised that the proposal which the Engineer had in this draft budget is to show a treatment facility; that may be altered somewhat depending on whether a different kind of treatment can be done downstream. At this time, C.A. Daykin further advised, the plan is to use the swales as the treatment methodology for that entire block. C. Pugsley noted that the ADA regulations for pedestrians are very strict with regard to having curb and sidewalk in place, even if the area is marked as a pedestrian way. Mr. Clements acknowledged that across the country ADA regulations are being discussed.

Jessica Cain, Del Boca Vista, 645 NE Third Street, Suite 200, McMinnville, approached the Council along with Daniel Danicic, also of Del Boca Vista. Mr. Danicic advised that Del Boca Vista is building the homes along the south side of Locust Street. He indicated that as they saw the intent of the LID, they became concerned about what was driving this particular project at this time. He advised that it doesn't appear to be a safety issue as he is not aware of any increased incidents of pedestrian-vehicle issues on the south side of town. He advised that the City is transforming what is now a narrow street, which results in slower traffic, into a full width curbed street which he suggested will give opportunity for increased traffic speeds. He pointed out his belief that wider streets provide more room for speeding, as well as his feeling that this street acts as a bypass street for traffic cutting through. He further advised of their concern regarding the approach for the drainage; there are swales being proposed, but there are already existing ditches that he believes carry more water than constructed swales could convey. Mr. Danicic advised that the result of the concern that they have is that given all of the drainage problems on the south side of town, this would be creating a situation where more run off will be collected from a more impervious area because the road is wider, and then discharging it into the upper end of a drainage system that has downstream problems. Mr. Danicic informed that they believe a more appropriate approach would be to work upwards from the bottom of the hill and make the drainage improvements in that manner. He further shared their opinion that placing sidewalks on the Park side of the project would match the existing sidewalk from 7<sup>th</sup> Street to 5<sup>th</sup> Street, and would provide adequate pedestrian access to the local park attraction. Mr. Danicic also shared that he has twenty years of public sector experience doing many different LIDs. He suggested that whether the project is small or large, the administrative costs are similar. He expressed their feeling that with this small project there is an increased administrative overhead cost that is being shouldered by a smaller group; a larger project allows the costs to be spread over a larger entity. He pointed out that the costs would be more evenly spread out not only from an administrative standpoint, but also from the construction standpoint; mobilization costs are roughly the same for one block or four blocks of project he noted. Mr. Danicic advised that they are working hard to provide reasonably priced homes in the market; they are pricing homes at a level that they can keep lower than what they're doing comparably in Newberg for the same product. Mr. Danicic also advised they believe the project to be too small and not quite the right time to initiate. Jessica Cain added that with the LID, there is an opportunity to assess properties for a larger scale or a larger vision than this proposal is looking at. She pointed out that there are three affected property owners and a very small impact to the community. She expressed her opinion that the water service, storm water issues and street improvement issues could potentially be spread across a much larger area, where a LID would be much more beneficial than what's being proposed today. Ms. Cain advised that a non-remonstrance has been signed and they accept that they are required to participate in whatever projects are going to be presented, but pointed out that they do not feel this to be best alternative for the City given the circumstances that exist on the south side of town. She advised that they feel there is a better overall analysis that could be done, and that this LID could be spread in a much larger fashion to make it more affordable for everyone. Ms. Cain felt that a pedestrian access or pathway would provide any benefit that the City is looking for in that regard. In closing, Ms. Cain reviewed that they don't believe this proposal to be in the best interest of the City or the property owners involved.

Mayor Russ pointed out that the scale of a project cannot always be large size, especially given the small City of Dundee. C.A. Daykin advised that when Del Boca Vista took out the building permits, they were required to put in curbs and sidewalks which they were allowed to defer until the City brought the elevation to the correct level for a future street improvement. The City was already aware of a commitment from CPRD, and is further aware that when the vacant industrial property is ever developed that they also will be obligated to put in street frontage improvements. It was noted that at an earlier presentation to the City Council, the consensus was that this is the right time to initiate this process. C.A. Daykin noted that if the Council desires to extend the project further south on Locust Street and pick up additional properties, the process would need to be restarted as the costs of the larger project would need to be recalculated. This option and the process involved was described in detail to Council. C.A. Daykin further informed that when he previously discussed with the City Engineer the idea of scale of the project with regard to savings, it was not felt that there would be a significant savings elongating this project another block or two. M. Russ also pointed out that if the project is extended there are also additional costs to the City potentially with regard to sewer and/or water line improvements. C.A. Daykin confirmed that if we do extend the project to the south there is a deteriorated line that was scheduled to be replaced. Funding to replace that line is not available at this time, so the street improvements would be delayed until the water line is completed first; this would result in a delay of at least a year.

Councilor Pugsley inquired as to the square footage and selling price of the houses that are being built by Del Boca Vista. Mr. Danicic responded that the square footage is in the 1500-1700 SF range and selling for close to \$300,000. C. Pugsley pointed out that development triggers improvements, and given the fact that there is a park on one side opposite new houses on the other, the timing is good to make these improvements. Ms. Cain reiterated the fact that Del Boca Vista has signed the non-remonstrance agreements, but feels that there is a better LID that could be created and suggested including their participation in what that project looks like as well as CPRD.

**Deliberations:**

Councilor Svicarovich inquired about whether or not there were additional ramps that could be installed to provide future connectivity across Eighth Street and also across Seventh Street on the east side. C.A. Daykin responded that this was discussed with the City Engineer. Since the City is trying to keep costs down for the project, the desire wasn't to create ramps that really do not connect to anywhere at this point. C.A. Daykin pointed out that this is a preliminary design for a preliminary budget. He further indicated that when the actual design of the project is being addressed, it will be presented to the City Council with a refined design before it would go out for bid, allowing an opportunity for further review at that time. C. Svicarovich supported the idea of completing this piece of roadway, but noted that now would also be a good opportunity to provide those additional ramps for future connectivity at some point in time. Mayor Russ inquired about the impact of the project on the storm water system. C.A. Daykin advised that the project is going to be designed to provide treatment, thus eliminating downstream impacts. Councilor Crawford inquired about whether or not this design of the street is in the TSP. C.A. Daykin confirmed that this reflects the TSP model, the details of which were discussed.

Councilor Adlong inquired about the location of the present pathway at the park with respect to the placement of the new sidewalk. C.A. Daykin informed that the City would work with CPRD, as well as the other property owners, with regard to some of the finer details of the design issues. He confirmed that part of the pathway is in the right-of-way and would need to be removed; the details of this process with regard to the ultimate design would include discussions with representatives of the owners to make sure that it is completed in the most efficient manner. C. Adlong supported the idea of having the variation of a more meandering pathway as opposed to a

straight sidewalk. C.A. Daykin advised that likely the sidewalk and pathway would be merged, and that there will still be a meandering pathway from the sidewalk to the play area as well as the trail that goes to Maple Street. He further advised that as per the standard, the sidewalk itself would be parallel to the street.

Councilor Nelson inquired about the potential sewer project that needed upgraded by the City, specifically regarding projects that could potentially be combined with this one to make a potentially larger LID. C.A. Daykin confirmed that the proposed LID could be extended, though explained that the challenges with those other blocks (besides the water line) would include the fact that there would be more obstructions (improvements) that would need to be dealt with in comparison to the proposed LID. Conversation ensued regarding further details of this potential option.

C. Pugsley advised of his sensitivity to the affordability question though also noted that this assessment is about a 5% cost on a pretty affordable home. C. Pugsley pointed out that when there are new developments the expectation is that the improvements follow. He expressed his opinion that people who are purchasing new homes understand that and know that. He further stated that he believes it to be a lot easier, the case of development, to argue for the LID than to extend it to established homes where people have resided for quite some time. He expressed his support of the proposed LID at this time though he feels the concerns are fair.

C. Nelson pointed out that just because there have not been safety incidents on the south side, doesn't mean there aren't safety issues there. He went on to share that his kids go to that park and they note people traveling pretty fast on Locust Street. He pointed out that while a wider street may make it easier for people to drive faster, it is also going to allow the pedestrians to get off of that street. C. Nelson explained that while he does understand that argument, he does not necessarily agree with that assessment. He further advised that, while he does feel this area is kind of an "island", he believes this is an opportunity to improve this entire block and leans towards approving the formation of this LID. C.A. Daykin pointed out that the proposed area for the LID is really an extension of the improvements that are already from Fifth Street to Seventh Street in terms of the roadway width and curbs. C. Nelson explained that when he referenced the area in terms of being an "island", he was implying the fact that the area is difficult to connect to other areas where work needs to be done.

C. Adlong pointed out that at the time when the park was developed the decision was made to defer street improvements until the vacant property across the street was developed. She advised that it is her feeling that this is the appropriate time to complete the improvements, though she does empathize with the property owners.

#### **Resolution No. 2017-01, Locust Street LID Formation**

**A motion** was made and seconded to approve Resolution No. 2017-01, a resolution establishing the formation of Local Improvement District No. 2016-1 and ordering the construction of street and other public improvements on Locust Street from Seventh Street to Eighth Street. **The motion** passed unanimously.

C.A. Daykin advised that they will notify the City Engineer of the decision of the Council and he will begin the process of preparing a bid package and documents of the final design. He further informed that this process will take a month or so to complete. C.A. Daykin invited the property owners to contact either himself or the City Engineer directly if they wish to share any additional information or ideas that would affect the design.

## Public Comment

Eric Kuehne, 13140A NE Kuehne Road, Dundee, approached the Council and identified himself as a local farmer in the community. He provided the Council with a packet of three pages of information to review, including two maps of the property off of Fulquartz that he is here to discuss, as well as a letter from Blue Water Drilling Company. He explained that the City water main ends at the point where there is a turn towards the Waste Water Treatment Plant (WWTP). He advised there is a water meter in that area that extends to feed five additional residences. He informed it is 2 inch PVC and believes it to be managed by Hiland Water Corporation. He informed that he spoke with a resident in the area, Alan Love, regarding the five users on the line. He advised that he is aware of the City Ordinance pertaining to extending water service out of the City limits. He referenced the letter from Blue Water Drilling Company that he provided to Council, and pointed out the potential \$50,000 expenditure of installing a domestic well on his property. Mr. Kuehne informed that he also has spoken with Alan Mustain from Public Works pertaining to the water line which feeds the area. He noted that Mr. Mustain informed him of the 110 PSI and the fact that he didn't feel it would be a problem to add an additional user on this line. Mr. Kuehne advised that he is hopeful that Council will consider his request to add onto the existing line of 5 users, or consider future options as wells are added with increased development in the area. He noted that he is not expecting a decision be made at this meeting.

C.A. Daykin explained that he and Mr. Kuehne have had some conversations regarding the City policy, and the fact that what he is requesting doesn't quite match the City policy with regard to connecting to the City main. C.A. Daykin further explained that Mr. Kuehne is asking to connect to this preexisting private rural line (that was established many years ago, possibly in the 1960s) that the City contracts with and provides water service to with a present limit of five users.

Mayor Russ asked how Mr. Kuehne is presently getting water to the property. Mr. Kuehne informed that he presently does not have any water. C.A. Daykin explained that Alan Mustain, Public Works Supervisor, feels that the 2 inch pipe could provide sufficient capacity for an additional service. He further informed that apparently the owners of that line are willing to take on another customer but would have to have Council permission to do so because of the contract with this rural line with a limit of five users. The details of how this water line is potentially managed through Hiland Water Corporation were discussed, including the fact that there is one master meter that water is purchased from. M. Russ inquired as to further details of the connection process and C.A. Daykin explained that the City would be potentially changing the contract with regard to the private system to allow them to increase from five users to six users. As a condition of that additional user, C.A. Daykin noted, the City would ask them to pay that equivalent SDC to the City of Dundee. M. Russ expressed potential concern regarding the possibility of setting precedence in the City. City Attorney Rihala advised that these unique situations are so fact dependent that it isn't likely one deviation would create a huge precedence that would impact the City long-term, though how these types of questions are approached should be considered in terms of consistency. C. Nelson inquired as to whether or not the City has any other water agreements with a limited number of users. C.A. Daykin explained that presently there is one other community service right now which has 4 or 5 users south of Dundee on 99W, the old Ward Line. C.A. Daykin noted there to be one master meter, they use a 2 inch line, and the users are responsible for their own billing.

C. Crawford inquired as to whether or not there is a renewed contract on the five users being discussed. C.A. Daykin informed that it's possible there is a contract and pointed out that this would be a good time to review that contract. C. Pugsley supported this idea and further explained that Dundee does not have a lot of water and that every decision pertaining to water use in Dundee is thoroughly examined carefully. C. Pugsley advised that he believes the contract should be reviewed to confirm that if an emergency situation arose, the City had the option to

cease all water supplies to that particular group if necessary. Mr. Kuehne expressed an understanding of this possibility as well after reviewing the City Ordinance. C. Weaver inquired as to what Mr. Kuehne's plans for the property mentioned might include once water is supplied. Mr. Kuehne informed that he is farming the property presently and his hope would be to place an agricultural shop on site at some point, though notes he would not be a heavy user on the line. He also expressed an interest in possibly building a home on the property at some point in the future if this was a possibility. He briefly reviewed the potential costs associated with using the water, as well as noted his awareness of the monies he would potentially be required to pay to the City for a hook up to the discussed line; this would be quite a notable cost savings. C.A. Daykin pointed out that if Council wishes to consider this issue, more information could be provided at a future meeting. The consensus of the Council was to review additional information prior to making their decision on this matter.

### **Consent Agenda**

**The motion** was made and seconded to approve Consent Agenda items 8.1 City Council Minutes, December 6, 2016 and 8.2 Financial Report Ending November 30, 2016. **The motion** passed unanimously.

### **Old Business**

#### **Bypass Project Update – Kelly Amador, ODOT**

Kelly Amador, ODOT, approached the Council and introduced, Christina LeFleur, Region 2 Signal and Illumination Designer, ODOT. Mayor Russ requested an update on the bypass project in general. Ms. Amador advised that at the Dundee end of the project Hamilton is moving along. Completion date for Phase 1 of the bypass is December of 2017. Ms. Amador advised that Hamilton and K & E, who have been working on the Dundee end of the bypass, have been making great progress and are expected to be finished by the end of summer, though it could be earlier. She further advised that there is remaining landscaping to be completed as well as bridge painting, rail work, protective screening, signs and remaining finish work. Regarding the river and hills contract, though it's taken a bit to get that up and running, they have cut out all of the panels for the river. The mounting and finishing processes were described in further detail. Ms. Amador further advised that Trovo has not had a state contract before which has contributed some to them being able to move forward at a more efficient pace, though they are moving along quite well now. C. Crawford inquired as to when the panels will be placed on the bridge. Ms. Amador explained that Wildish Construction has the contract for the screening on the hills, and what will be the screening for over the railroad. They are working on getting the screening going and they are also fabricating the framework that will hold the river panels. She advised of an April-May timeframe to get all of that mounted and connected. Further details of the completion work were discussed. Ms. Amador reviewed the fact that right now it is too cold to complete much of the painting needed, and that as spring nears more of that will be done. Though not open to the public, Ms. Amador informed that the roadway is completed from 99W to the fishhook and over Bridge 8 (over Chehalem Creek). Additional updates regarding the bypass project were provided. She informed that the Dundee end of the bypass project is approximately 85-90% complete with the Newberg portion approximately 70% complete at this time.

C. Adlong pointed out that the City of Dundee has a dark sky ordinance, and noted that all lights installed in Dundee on residential, industrial, and in the public right-of-way are full cutoff lights to prevent lights from escaping upwards. She further pointed out that the lights that ODOT installed just bordering the Dundee City limits along Highway 99 are all Sag drop lens Cobra lamps that are not compliant with our ordinance. She noted that although this is outside of the City limits, it is bordering the City. She also pointed out that initially the bypass was supposed to be further way from the City on Fulquartz Landing Road. C. Adlong expressed her displeasure

with the approach into Dundee with these type of lights. She pointed out that it is not difficult to convert those types of lights to flat lens lights, and requests this to be completed. Though not the original Illumination Designer for the project, Ms. LeFleur offered an explanation with regard to the lighting for the project in this area. She advised that she was asked give a second opinion with regard to the lights to see if an LED conversion would be viable. She advised that when she looked at the analysis, including reviewing several different types of LED fixtures, she found there to be dark spots between the lights without the same uniformity as the high pressure sodium lights. Ms. LeFleur further informed that at the time of bid for this project, it was not the policy of ODOT to use the LED lights for Cobra heads at all. She advised that that policy has since been changed. The State Illumination Engineer later approved several different fixtures for LED's, which she notes is why there is a difference on the Dundee end of the bypass which had a much later bid date. She further informed that if there were to be an LED light conversion that her recommendation would be to add poles. Mr. Russ pointed out that this will be a requirement eventually as technology surpasses the high pressure sodium (HPS) lights. C. Svicarovich reviewed her perception of the lights present in the bypass area on the west side of the City. She pointed out that the step up from the sag lens fixture to the flat lens fixture that has full cutoff would be an improvement. She further advised that at some point in time there will be a point where HPS fixtures become obsolete and will have to be upgraded. She pointed out that it appears that on the loop ramp are flat lens fixtures, but at the signal itself are where the drop sag lens fixtures are located. Ms. LeFleur informed that she would need to review that in the field as she previously viewed the signal plans. C. Svicarovich pointed out that the signal plan calls for a 400 watt fixture and the lighting plan calls for a 200 watt fixture; she feels strongly that this warrants a significant evaluation and field visit. C. Svicarovich supported replacing the lights with flat lens fixtures, and further noted that after eight years when they no longer work they can be replaced with LED fixtures. C. Pugsley inquired as to how many lights could be changed to flat lens lights to which C. Svicarovich replied that there are five at the traffic signal and three on the merge ramp. C. Svicarovich further noted that just converting those sag lens to flat lens fixtures could make a significant improvement to dark sky, which should be a 1:1 conversion. Mr. Amador advised that she will discuss this further with Ms. LeFleur and will need to research the cost information, etc., before that decision can be made. C. Weaver supported strongly the idea of making this change/conversion to consistency now and prior to the opening of the bypass. Ms. Amador pointed out that staying within the budget that they have for completion of the bypass project is important, and this information will need to be evaluated further. C. Crawford pointed out that he notes cost savings from Phase 1 of the bypass going to Phase 2 of the project. He suggested that making the changes to the lights is a part of Phase 1 and suggested this be done as a part of that before that money is moved to Phase 2. Ms. Amador informed that she will take that information back to Salem with her.

C.A. Daykin inquired as to whether the issues with the traffic signal have been resolved. Ms. Amador noted that she believes the problem to be fixed; she is unaware of any further problems since the signal was switched to radar before thanksgiving. She further explained that the cameras that were initially placed had an issue with the fog. Additionally, it was noted that at times a police officer had parked to observe the intersection and was found to be interfering with the traffic signal as well; this issue was discussed with police and has been resolved as well.

C. Crawford inquired as to whether or not ODOT has had any issues with landslides in the area just before the Chehalem Creek Bridge; he notes that some modifications were done in that area. Ms. Amador advised that she believed there to be a small issue with that area but noted there was a larger one last summer in the Columbia Empire Farms area. She advised that some repair work had to be done after they'd placed some of the gravel and fill in that area. She indicated that they have had instruments in there monitoring the situation, and there might have been another small

one that they are presently monitoring though nothing significant that she is aware of. Discussion ensued further regarding slide issues with regard to the bypass project.

C. Adlong inquired about the trees that have been lost and when they will be replaced. Ms. Amador advised that due to the cold weather it is likely the trees will not be replaced until springtime. She further advised that any of the trees or plants that have been lost are the responsibility of the contractor to replace; there is a one year plan establishment typically. C. Crawford advised that Ted had indicated there was a three-year replacement guarantee for the trees to which Ms. Amador advised she will confirm. C. Svicarovich expressed concern regarding a stack of trees she noted to have been placed near the construction site during our cold weather. Ms. Amador advised she is aware of that situation and it has been addressed; the contractor is responsible for replacing whatever trees/plants are lost.

C. Adlong advised that she spoke with an ODOT Bridge Inspector on the Eighth Street bridge last weekend. She further advised of his surprise when she commented that the bridge is being used. She pointed out that she felt it was likely due to the fact that there is no railing present. Discussion ensued with Ms. Amador regarding this. Ms. Amador informed that placing a guard railing is part of the finish work that will be completed, though she does not know the exact timing of that plan.

C. Crawford inquired about a completion date for the paving being completed by Wildish Construction, Ms. Amador advised that a previously scheduled meeting had been canceled due to weather, but that she is in the process of rescheduling the meeting to talk about a celebration of opening the bypass. She further informed that the majority of the paving needs to be completed by the end of September as per ODOT requirements; she would assume that most of the paving will be complete by then. She advised she will try to pinpoint that timeframe so that hopefully some kind of opening ceremonies can be planned while the weather is still decent.

Ms. Amador noted that she would be happy to receive any photographs from Council of pictures they have taken of the Bypass work for documentation purposes.

#### **Ordinance No. 553-2017, Recreational Vehicles**

C. Crawford inquired as to how this ordinance will be enforced. C.A. Daykin informed that the Council can decide how they would like the ordinance to be enforced. A complaint-driven process would be similar to how it's been done before with our limited resources. This process was described in further detail as well as additional enforcement options. C. Weaver expressed his support of relying on the neighborhoods to report these concerns as opposed to burdening Staff. C.A. Daykin pointed out that there is a temporary exemption for actually sleeping in an RV on the street for up to 24 hours out of concerns for other issues dealing with discrimination and homeless issues, etc. C. Crawford inquired as to whether this information could be posted in the next Dundee City Newsletter to make citizens aware. C.A. Daykin advised of the intent to publish this information in the next quarterly newsletter to let citizens know that there is a new policy regarding RV's.

**A motion** was made and seconded to adopt Ordinance No. 553-2017, an ordinance relating to the occupancy of recreational vehicles and amending the Dundee Municipal Code. **The motion** passed unanimously.

#### **Ordinance No. 554-2017, Vehicle Storage on Streets**

**A motion** was made and seconded to adopt Ordinance No. 554-2017, an ordinance relating to storage of motor vehicles on streets and amending Section 10.14.160 of the Dundee Municipal Code. **The motion** passed unanimously.

### **TE Sidewalk/Streetscape Project Funding Agreement**

C.A. Daykin reviewed the fact that this new Agreement contains much more favorable language than other IGA's for the City. He further expressed that they have also been very accommodating to the City in terms of negotiating this Agreement. C.A. Daykin also noted that he is planning to have a meeting this Friday with the City Engineer and the Project Manager, Tony Snyder, with the intent of returning to the City Council meeting on January 17, 2017 to provide the best update possible with regard to these two projects. C. Crawford inquired as to whether or not street resurfacing is considered Phase 2 of the project. C.A. Daykin confirmed that resurfacing Highway 99W is contained within ODOT's Phase 2. C. Svicarovich expressed concern with regard to Item 3 under "Terms of Agreement" where it is stated that the Project shall be completed no later than January 31, 2018. She inquired as to whether that is referring to punch list items or the entire project being completed by that date. She expressed concern relating to the fact that this project hasn't gone out to bid yet. C.A. Daykin advised that he is hopeful that the City will meet that date and the Agreement won't have to be amended, but noted that it can potentially be amended.

**A motion** was made and seconded to authorize the City Administrator and the Mayor to execute the Cooperative Improvement Agreement No. 31730 with ODOT. **The motion** passed unanimously.

### **New Business**

#### **Tourism Committee Appointments**

C. Crawford asked the Council to consider expanding the size of the Tourism Committee to nine people. He further explained that part of the issue is given the fact that it is a volunteer committee. C. Crawford pointed out that Newberg's Tourism Committee has thirteen members. He noted that the addition of two more committee members, one at-large citizen and one business representative, could be beneficial. He advised that he will present this idea at the next Tourism Committee Meeting. M. Russ advised that if he receives a recommendation to do so from the Committee, to bring that request back to the Council and they will consider that. C.A. Daykin inquired if setting longer terms would be helpful for this Committee. The Committee presently has a two-year term which C. Nelson supported as a good way of keeping ideas fresh.

**A motion** was made and seconded to approve the re-appointment of Ted Crawford, Nancy Ponzi, and Jennifer Sitter to the Tourism Committee. The motion passed unanimously.

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

C. Pugsley remarked that upon a recent visit to Viewmont Greenway Trail he found it to be beautifully completed. He offered thanks to C. Adlong and the Parks Advisory Committee, as well as C.A. Daykin and City Staff. C. Svicarovich suggested the idea of adding the Viewmont Greenway Park information to the City Newsletter. C.A. Daykin advised that he has walked both Viewmont Greenway and the Harvey Creek Trail recently and both looked great except for some litter on Harvey Creek. He supported the idea of forming a volunteer group to help with weed pulling, litter clean-up, or for any low-maintenance activities that might be needed. C. Adlong inquired about posting this information in an upcoming newsletter, and C.A. Daykin advised the spring newsletter would be the next available option.

C. Weaver noted that the Dogwood/Viewmont paving has received numerous accolades as well. C.A. Daykin noted that PW Supervisor Mustain pointed out that there are roof drains that are depositing water on the property side of the curb which will need to be addressed due to erosion problems. C. Crawford noted this to be true as well. C. Svicarovich pointed out that when she was recently in the area she noted a small white car to be parked in the pedestrian area near the barricade on Dogwood, and inquired as to whether a "no parking" sign would be placed in this

area. C.A. Daykin informed that a new resident was noted to have started parking in the walking path area; a conversation was had with the resident and they have since moved and are parking on the opposite side. Conversation ensued regarding this and additional parking issues within the Park area. C. Svicarovich also noted that while the white stripe has been placed, no reflectors have been placed. C.A. Daykin advised that reflectors were not in the plan this time. C. Adlong pointed out that the striping down Fifth Street has gotten quite faded, and inquired as to whether or not there are plans in place to have this repainted. C.A. Daykin explained that the City tried to contract with the County to have this done last year, but he will try again this year. C. Crawford informed that Ninth Street would also be a good candidate for striping as well, which M. Russ supported. Further discussion ensued regarding striping in these areas. C.A. Daykin advised that we don't normally stripe those local streets within the City which was discussed in detail. C. Nelson supported the idea of having all of the collector streets striped at some point. C. Svicarovich also supported striping to help slow people down as well. C.A. Daykin advised that he will obtain a quote for the street striping.

C. Crawford advised that he notes pedestrians leaving their dog waste bags along the Harvey Creek Trail as there are no garbage cans to dispose of dog waste. He noted there to be a garbage in Viewmont Park. C.A. Daykin advised that a garbage can could be placed on Harvey Creek Trail, though they can be expensive and much of the Parks Fund has already been spent. C. Crawford offered to discuss the matter at an upcoming Tourism Committee meeting. C. Adlong noted that there are some additional signs that need to be placed as well and C.A. Daykin confirmed that the sign regarding disposing of pet waste had been stolen after it was installed. C.A. Daykin informed there are also additional signs to be placed on the Harvey Creek Trail. C. Pugsley pointed out that the sign at the cemetery at the top of the Harvey Creek Trail indicates "no unauthorized vehicles," and he believes people think they are not allowed to park there. C.A. Daykin advised that he is aware of this, and PW Superintendent Mustain has been advised that when placing the new Harvey Creek pet waste sign to also relocate the no parking sign behind the gate.

C. Crawford inquired about the highway property with the four small buildings. C.A. Daykin advised that the owner of the property obtained a permit for demolition. He noted that it was his understanding that they may have done this as a condition of sale. C.A. Daykin informed that he cannot verify who purchased the property, but that the City has not received an application of development of the property yet. C. Crawford additionally inquired about the former Riteway Meats property potentially being acquired. C.A. Daykin advised that he has not received direct communication from someone who is an owner or represents themselves as an owner, but he heard that the same people who were purchasing the highway frontage property were also interested in purchasing that property. It has not been confirmed whether or not that has actually happened.

C. Crawford expressed concern regarding halogen flood lighting at the home of a police officer on Seventh Street, specifically with regard to the Dark Sky Ordinance. C. Adlong advised that she is also aware of this issue. C. Crawford indicated that multiple halogen flood lights are placed on three sides of his house that are extremely bright. C. Svicarovich was also familiar with the lights and indicated that they are sometimes triggered when she drives by in her car, but they do turn back off. C.A. Daykin advised that the City can talk to the property owner, but noted that there are some exceptions for lights on timers that go on and off within a certain period of time not being required to comply with the full cutoff requirements. C.A. Daykin did note, however, that the lights could potentially be a nuisance glare issue. He advised he will talk with the property owner to see if they can reduce the wattage on the bulbs or light direction.

## Mayor's Report

M. Russ pointed out that the sign is now in place in front of the Dundee Fire Station. C.A. Daykin informed the Chief Stock will be meeting with the sign consultant soon.

M. Russ shared that over the holiday season he had the opportunity to drive through Donald, Oregon, and noted them to have very nice holiday decorations on their poles. He expressed interest in Dundee expanding on their holiday decorations, especially with the upcoming improvements in Dundee.

## City Administrator's Report

C.A. Daykin advised the our Planner, Jessica Pelz, has resigned from her position at the City of Newberg, and noted her last day to be this Friday, January 6<sup>th</sup>. He further informed that she has taken a new position with Washington County as a Senior Planner with their transportation division. C.A. Daykin informed Council that Doug Rux will fill in for Dundee's Urban Renewal process, and noted that he has a lot of experience in that area. He also advised that he is in the process of contracting with the COG; there is not a person yet who would be assigned to Dundee, but Mr. Rux assured him that he would continue to provide quality control over review of this temporary person's work for the City of Dundee.

C.A. Daykin informed that Jim Omundson from Pinnell-Busch has resigned. He shared that Jim had been one of the key people that the City relies on for his expertise and his testimony as we go into mediation and ultimately arbitration. He advised that the City still has a contract with Pinnell Busch, Jeff Hankins is still working on a few items with the City as far as closing out that last phase of work, but he needs to get a new proposal from Jim. The City Attorney still feels that we should carry both names, Pinnell Busch forward as well as retain Jim because of his knowledge and expertise in this forensic construction field.

C.A. Daykin reminded the Council that they had opted to meet at 6:00 PM before the next City Council with the Urban Renewal Agency and Advisory Committee in a joint meeting to do the presentation of the Draft Plan. The consensus of the Council was to provide snacks and beverages for the meeting.

M. Russ inquired as to the current status regarding Pinnell Busch and the status of issues with the Fire Department building. C.A. Rihala advised that she would need to discuss this with City Attorney Jacob Zahniser. C.A. Daykin advised that he believes they are at the stage where Jacob will be starting to push forward in more earnest mediation, but noted it to be unlikely to result in repairs this summer and more likely a 2018 project as far as the repairs. M. Russ inquired whether or not an air quality test had been done to which C.A. Daykin advised there was no negligible degradation.

## Public Comment

None.

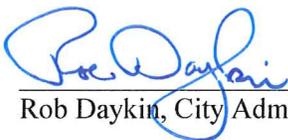
The meeting was adjourned at 8:46 PM.



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David Russ, Mayor

Attest:



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Rob Daykin, City Administrator/Recorder