

**CITY COUNCIL MEETING
TABLE OF CONTENTS FOR MINUTES
January 7, 2020**

Call to Order	2
Council and Staff Attendance	2
Public Attendance	2
Agenda Changes	2
Public Comment	2
Presentation: Employee Service Recognition	2
Presentation: Brian Casey, Newberg-Dundee Chief of Police – Annual Report	2
Consent Agenda	3
Old Business	3
Planning Commission Appointments	3
2020 Council Goals Process	4
New Business	4
Third Street Trail Improvement	4
TE Grant Agreement Amendment No. 2	6
Council Concerns and Committee Reports	6
Mayor’s Report	7
City Administrator’s Report	8
Public Comment	8

City of Dundee
City Council Meeting Minutes
January 7, 2020

Call to Order

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

Council and Staff Attendance

Present: Mayor David Russ; Council President Tim Weaver; Councilors Ted Crawford, Jeannette Adlong, Kristen Svcarovich and Patrick Kelly. Absent: Storr Nelson. Staff members: Rob Daykin, City Administrator; Tim Ramis, City Attorney; Greg Reid, City Engineer; and Melissa Lemen, Administrative Assistant.

Public Attendance

Delwin Linck, Newberg-Dundee Public Safety Association (NDPSA); Angela Linck, Tom & Xan Sattler, Brian Hagen, Paul Rapet, Heather Fults and Jeromy Pilon, NDPSA; Chief of Police, Brian Casey, Police Captain Jeff Kosmicki, and Chris Briggs, Dave Junkin and Dennis Hohstadt, Newberg-Dundee Police Department (NDPD); Ed Carlisle, Doug Pugsley; Dustin Swenson; Rebecca Minifie; Jill Bilka; Mark & Judy Tokstad, 459 SW Dogwood Drive; and Tal & Lisa Munson, 441 Dogwood Drive.

Agenda Changes

A presentation from the Newberg-Dundee Police Department was added to the meeting agenda.

Public Comment

Delwin Linck, Newberg-Dundee Police Department, approached Council and indicated that he was representing the NDPSA tonight. He explained that in November they read a letter of support for their police administration to the Newberg City Council; tonight they wish to share that message in Dundee. Linck read their statement from November 4, 2019 into record, a copy of which was added to the agenda packet.

Presentation: Employee Service Recognition

Mayor Russ acknowledged Office Manager, Sheryl Hartman, for 15 years of continuous service for the City of Dundee. Though Hartman was not in attendance at the meeting tonight, she will be provided with an award certificate and gift card from the City.

Presentation: Brian Casey, Newberg-Dundee Chief of Police – Annual Report

Brian Casey, Chief of Police, approached Council and provided them with information regarding the 2019 Police Department statistics for Dundee. He reviewed the information and noted that there were 3899 calls for service in 2019. Chief Casey discussed that Newberg and Dundee were ranked as the safest cities in Oregon for communities of their size, which he informed is quite an accomplishment given that they are located near the metro area. He discussed that the new radio tower will expand the radio coverage in Dundee for police and fire as well as EMS. Additionally, Chief Casey explained that the City of Newberg has also funded a radio upgrade project at a cost of approximately \$7 million; later this year the implementation of switching from the current system to the Digital 800 system will take place. The new system will help with interoperability; communication will be possible with virtually every police, fire & EMS entity in Washington, Clackamas and Multnomah Counties. C. Crawford inquired about the cost of the communication tower to which Chief Casey confirmed to be just over \$1 million; it is 260 feet tall and has an

additional 10 feet of antenna at the top. Chief Casey discussed the \$900,000 grant they received to complete the seismic upgrade to the police station, which will be the designated emergency operations center for police/fire if required. He explained that the NDPD is an accredited Police Department and discussed that they are in compliance with all of the nationally recognized standards for law enforcement. Chief Casey discussed that he is officially retired and is working back on a one-year contract; the hope is that Captain Kosmicki will be able to step in and take over as the Chief of Police at some point. It was noted that Captain Kosmicki began as a Reserve Officer and has been with the Department for 23 years. There was brief discussed about the management of abandoned recreation vehicles in the City.

C. Svicarovich inquired about how the Department feels the bypass has impacted the community. Police Chief Casey discussed that though it has been good for traffic, he acknowledged the complexities and frustrations of the bypass at the west side of Dundee. He discussed that there have been two fatalities on the bypass. It was noted that high speeds have been seen on the bypass and approximately 10 cars stopped for speeding in excess of 100 mph. Though the bypass was noted to have made an impact on local traffic congestion, the congestion on Highway 99W in Dundee does seem to be gradually increasing; it has been estimated that by the year 2025 the traffic count will be essentially the same as it was before the bypass, approximately 40,000 vehicles per day.

C. Adlong inquired about whether an Animal Control Officer would likely be added back to the Department. Chief Casey explained that though at the current time there is no plan to implement an animal control officer, he is hopeful funding will be available at some point in the future as this would be very helpful to both communities. He discussed that a variety of animal control issues end up being handled by the police department, which can be very time consuming.

C. Crawford inquired about the City contract with the Police Department and noted that previously this has increased due to COLA (annual wage increases to the police officers). Chief Casey explained that the contract won't increase beyond that amount; the discussed projects have all been funded and paid for. It was noted that historically Dundee has not been asked to contribute towards these types of large projects. C. Crawford inquired about the details of the WCCCA radio project and Chief Casey discussed the details of the upgrade to digital 800 MHz radios. C. Crawford discussed that the Dundee Fire Department will be making decisions regarding upgrading their radios in the future; Chief Casey offered to provide his thoughts and feedback at a future time if Council felt would be helpful. Discussion ensued regarding communications County-wide. It was noted that presently Yamhill County can only communicate with Newberg-Dundee Police outside of their own jurisdiction.

Chief Casey briefly reviewed the services the NDPD provides to the community, and Council expressed their appreciation for the Department.

Consent Agenda

A motion was made and seconded to approve Consent Agenda Item 6.1 City Council Minutes, December 3, 2019 and Item 6.2 Financial Report Ending November 30, 2019. **The motion** passed unanimously.

Old Business

Planning Commission Appointments

M. Russ announced that there are six applicants for four available positions on the Planning Commission. Each applicant present was invited to come before Council in the order presented in the meeting agenda packet. Rebecca Minifie approached Council and announced that due to

personal circumstances in her family, she would like to withdraw her application at this time. She emphasized the importance that City Councilors and the Planning Commission continue to consider the citizens on both sides of Highway 99W when making decisions for the future of Dundee. Maria Hinoveny was not present at the meeting. Eugene Gilden, who has been actively serving on the Planning Commission, came before Council and addressed their questions. Dustin Swenson, who has been actively serving on the Planning Commission, approached Council and explained that he has a young family which is consuming a lot of his time right now; he offered to assist with Planning Commission if he is needed to fill a vacancy, but otherwise would like to step down and withdraw his application at this time. David Hinson, who has served on the Planning Commission previously, came before Council and addressed their questions. Doug Pugsley came before Council and addressed their questions. A **motion** was made and seconded to appoint David Hinson, Eugene Gilden, Doug Pugsley and Maria Hinoveanu to the Dundee Planning Commission. **The motion** passed unanimously.

2020 Council Goals Process

C.A. Daykin discussed the options for the 2020 Council Goals process as outlined in the agenda packed on page 47. Conversation ensued regarding the potential options for the process. The consensus of Council was to move forward with the goals process with the consultant through the COG program (fixed fee-based program). C.A. Daykin indicated that he would provide a survey to Council to determine the best dates/times for the group as full participation would be needed. It was noted that the interviews would be conducted as a separate process outside of the goal setting meeting, and C.A. Daykin will reach out to Sue Dicile so she can begin this process.

New Business

Third Street Trail Improvement

Judy Tokstad, 459 SW Dogwood Drive, approached Council and discussed the concerns she also detailed in her email to Rob Daykin on page 57 of the agenda packet. She noted during her discussion that she and her husband had previously worked with attorney, John Bridges, regarding granting the City the 25 feet of property requested. Discussion ensued and Tokstad expressed concerns about safety associated with the removal of the looped ingress/egress access to their property from Dogwood through the Third Street right of way. She stated that the proposed project would definitely negatively impact their property. Tokstad inquired about the fencing details on the conceptual plan to which C.A. Daykin explained that if the project is approved and the grant received there will be future meetings to discuss the design and details of the trail improvement.

Tal Munson, 441 SW Dogwood Drive, approached Council and indicated that he has many of the same concerns expressed by Tokstad. He explained that his biggest concern is the ingress/egress access to his home to the north on the map. C.A. Daykin offered clarification that what the plan shows is that what is to the north of the fence would be still retained as driveway to access Munson's lower garage facing Third Street since that is the only pragmatic route. Additional discussion ensued. Munson expressed concerns about the location of the covered area shown on the conceptual plan as well as concerns about pedestrians and potential vehicular traffic in the area.

Though C. Adlong emphasized with Tokstad about their driveway access, she pointed out that in order for the City to potentially acquire the grant from the State, the City cannot utilize a driveway for access; it would also be very dangerous for those traveling on the trail (including children) to cross over a driveway area. C. Adlong explained that the expense of the project would require the City to obtain a grant in order to be able to complete the improvements. She pointed out that a berm placed by a neighbor of Tokstad's was actually placed in the middle of

the Third Street right-of-way (not on their own property), likely in an attempt to make their property larger. In doing this, C. Adlong explained, it made the right-of-way area for people to walk more narrow and less enjoyable than it was before. C. Adlong discussed that the proposed trail in this location is the Dundee Parks and Open Space Plan, which was adopted by City Council. She also explained that extending the curb beyond the Tokstads' driveway may create an on-street parking space which could be helpful. Tokstad pointed out that the area in front of their driveway is a dangerous location; traffic doesn't always obey the stop sign and oftentimes vehicles travel in excess of the speed limit. In addition, she suggested there should be a recorded easement on Third Street though C.A. Daykin could only reference a deed for the roadway purpose on page 59 of the agenda packet. He explained that when he searched the official record he found that this was constructed as part of the development for the Graystone subdivision; the City had required them do offsite improvements on Dogwood and the initial applicant agreed to it (which was a decision of the Planning Commission) though later new developers and contractors came on board and questioned doing this work. C.A. Daykin discussed that it was part of the official decision; the City provided over \$70,000 of funds to assist with those improvements because part of the improvements were deferred from a prior subdivision across the street. Additionally, he explained that one item noted in the record by the engineer of record at that time was that any need for ROW to accommodate the modified Fifth Street intersection of Upland/Dogwood is the responsibility of the Developer and not the City (though he did reference that the City could act as a mediator in the process). C.A. Daykin explained that other than this deed, he was unable to locate any other official record or announcement made regarding this document in the City Council minutes. He discussed that he is unsure of what exactly transpired or whether a City official participated in the process. C.A. Daykin offered that C.E. Reid is present tonight to discuss any issues dealing with the design or the use of the existing driveway before and after, and to answer any questions that the City Council might have.

M. Russ noted that at the bottom (southern) portion of the conceptual plan there is a bit of a space between the proposed walkway and the ROW; he inquired as to whether this would be accessible for use by the Tokstad's. C.E. Reid explained that the proposed plan would block off the side drive through; it would not need to be eliminated completely and could still be used for parking. C. Svcarovich pointed out that their driveway would end essentially at the ROW line and C.E. Reid confirmed that there would be an 8-foot-wide landscape buffer between the two areas. He also explained at the more northern property location the proposal would be to reduce the width of the driveway so that the property owners could still access that lower garage through the ROW.

Concern was expressed about whether there is a need for an 8-foot-wide trail given the light volume of people that were noted to utilize the area. C. Kelly voiced support that part of the reason for the lighter pedestrian traffic is because many residents use it hesitantly as they are unsure of whether the area is private property. C.A. Daykin explained that the Parks Advisory Committee had discussed the option of an asphalt path, which would be a minimum is 8 feet in width using paving equipment, as well as a 6-foot-wide concrete pathway option.

C. Svcarovich discussed that as the City Council, they are responsible for being stewards of the public ROW and making the best decisions about the public ROW for the members of the community. She explained that her concern is that this is ROW that has been used over time by adjacent property owners because it has been there, and the ROW has not actually been utilized to its best ability. She voiced support that the addition of a trail connection would be utilizing the property to its best ability. Additionally, she pointed out that having a trail connection in this location versus having a roadway connection is the preferred direction at this time. C. Svcarovich stated that allowing this piece of property to remain undeveloped because of adjacent property owners using public ROW for their own private use is not a decision she (as a City

Councilor) would feel good about as it would not be in the best interest of the community; the best interest of the community is to develop the land. C. Svicarovich voiced that in her opinion creating a public trail would be an excellent use of the property; it is something which has been adopted in the Parks Master Plan and is something which would be a tremendous benefit to the community. C. Svicarovich also emphasized with the adjacent property owners who feel impacted by this change and in how things will function for them. She reviewed that at this point in time, since there is no documentation of an easement for the driveway access, her viewpoint is that a park/trail area is the best use of that public ROW. M. Russ voiced support of this use as well. He also pointed out that while this Council feels a trail would be beneficial, if no changes are made to the property a future Council could potentially feel that a road in that location would be preferred. C. Svicarovich discussed that though it's not ideal or in best practice to have a driveway that close to an intersection, it is seen in existing condition throughout the community and is not uncommon. She explained that the Tokstads' are fortunate in that they have an all-way stop adjacent to the intersection near their home; there are therefore lower speeds associated with vehicles approaching the intersection as well as accelerating from the stop. Tokstad noted that vehicles do indeed seem to travel through the area at accelerated rates of speed even given the stop sign. Tokstad indicated that she will check with their attorney's office to see what paperwork may still be on file regarding their property. Additional discussion regarding the history of the intersection area ensued, and C.A. Daykin noted that over the past 14 years to his knowledge there have not been any incidences of accidents or problems.

The consensus of Council was to support moving forward with the grant application process for the Third Street Trail Improvement project. The Tokstad's were informed that this would provide another opportunity for them to provide any new information they'd like to share with Council which might bear any light on the decision-making process. C.A. Daykin indicated that he will prepare a Resolution for the Council to consider and bring it back to the next Council meeting; there will also be an accompanying document that would designate a portion of this ROW as being restricted for park use for a certain number of years. Detailed discussion ensued regarding the grant application process for this project.

TE Grant Agreement Amendment No. 2

Amendment No. 2 to the TE grant agreement between ODOT and the City recognizes changes in the project's scope of work, including the reduction in available TE grant funds due to a prior exchange of grant funds for state funds that were provided directly to the City and changes to the City's obligation for sidewalk/streetscape work to be completed on Highway 99W. **A motion** was made and seconded to authorize the city administrator to execute Amendment Number 02 to the Transportation Enhancement Grant Agreement No. 28069. **The motion** passed unanimously.

Council Concerns and Committee Reports

C. Kelly noted the low response received on the 2019 Dundee Community Survey. He explained that he reached out to the Newberg School District to see if an announcement about the survey could be networked through their parent contact system though the request was denied. C.A. Daykin informed Council that the survey results were provided to them tonight in their mail folders. He explained that two years ago the City had approximately twice as many respondents to the survey than this year; next time the City will likely go back to providing individual mailings to each Dundee postal patron rather than including the information in the utility billing statements. It was noted that there was also an article about the survey included in the City Newsletter, though this was prior to the survey launch. M. Russ encouraged City Staff to consider utilizing Every Door Direct Mail in the future, which he described in detail. C. Adlong suggested that the survey may have been impacted by the holiday season, and C.A. Daykin offered that providing the survey at a different time of year might be beneficial.

C. Crawford provided a Tourism Committee update. He discussed that they created the Request for Proposal (RFP) for marketing and C.A. Daykin explained that it was emailed directly to four firms; there have also been two contacts who have noticed the advertisement on the League of Oregon Cities website. C. Crawford noted that presently the Committee is spending approximately \$10,000 a year on the marking/social media website maintenance though are prepared to increase this up to \$30,000 to \$50,000 per year. C. Crawford voiced that he anticipates being able to provide more information to Council on who the Committee selects by mid-February.

C. Kelly read a Newberg-Dundee Citizens Group Facebook post from December 29, 2019 where a citizen expressed concern regarding a child being approached by a slow-moving white van (detailed description provided) at First and Dogwood Streets. C. Kelly explained that he lives on Dogwood and was therefore particularly concerned about the post, though he did later see the described van which he noted to be driven by an elderly couple.

C. Crawford inquired about a transient lodging update and whether this will be added to the Planning Commission agenda to begin work on. C.A. Daykin reviewed that the Planning Commission had discussed doing a workshop on vacation rentals following other work being completed last summer; the City Planner has since left her position and things are now at a standstill until a new Planner is designated. C.A. Daykin explained that restarting the process utilizing the interim City Planner through the COG is not a favorable option.

C. Svcarovich inquired as to whether City Staff have received many applications for Accessory Dwelling Units (ADUs) as she notes that surrounding communities have seen a lot of them. C. A. Daykin indicated that he is unaware of anyone making an application at this time. He also pointed out that there was a legislative change that the City will need to correct in the Code; requiring additional off-street parking for an ADU is now prohibited.

C. Crawford again inquired about the new outbuilding located at 279 SW Third Street, suggesting it looks like a possible apartment. C.A. Daykin explained that the project is still not finished; he will check into the permit. Concern was expressed about the structure being built/engineered to the appropriate safety requirements for livability. C.E. Reid acknowledged that he reviewed the application for the engineering details which met appropriate standards, though doesn't recall the exact details of the project. C.A. Daykin indicated that he would confirm whether or not a restroom was included in the plans for the project and report back to Council.

Mayor's Report

M. Russ suggested that Council consider setting up some level of a forced density zone within the City, the first step of which he indicated would be to send a recommendation to the Planning Commission. He pointed out that though there presently isn't the land availability, he believes this should be in place as an option. Detailed discussion ensued regarding zoning options. C. Svcarovich pointed out that to her knowledge there has never been a Housing Needs Assessment done for Dundee, and thus it is difficult for the Council to determine what the housing need allocations are for the City based off of the urban growth boundary. C.A. Daykin confirmed that a Housing Needs Assessment has not been successfully completed in recent years. Conversation ensued. C.A. Daykin discussed that the body of work that the Planning Commission finished for the Riverside District was not formally adopted, so this will still need to come back to City Council for final adoption once there are financing plans in place to allow the zoning to be moved forward; this would provide an opportunity to potentially review and adjust some of the provisions regarding the diversity of housing in the area zones, including apartments. Discussion ensued and C.A. Daykin briefly discussed the process moving forward. C. Atty Ramis discussed that imposing a mandatory minimum on zones is not difficult to draft; if in finalizing the zoning

for a property it is decided that the discretion would be taken away to underutilize certain property, that mandatory minimum could be imposed fairly easily. C.A. Daykin pointed out that the Riverside District does have mandatory density minimums, but it also allows a mix of a combination of different types of housing types to achieve the target density. Additional detailed conversation continued. M. Russ discussed that his goal is to identify a tool that could be utilized to assist in planning for the future. C.A. Daykin suggested Council have a joint workshop session with the Planning Commission to have an overview of the process and to discuss the concept the Mayor has introduced. C. Atty Ramis explained that once the finance plan and infrastructure components join together with the planning that's been done, along with any adjustments, the Riverside District Master Plan would be ready to go.

City Administrator's Report

C.A. Daykin discussed that City Staff are still hoping to go out to bid on the streetlight project. C.E. Reid explained that they have been pushing the consultant to get the final plans and specs out. He discussed that he did receive the final plans late last week and provided minor comments back; hopefully by the end of the week he will receive the plans back stamped with the specs and be able to put the bid package together and get it out to bid. C. Svicarovich inquired about the previously discussed issue concerning the base plates in front of the fire station. C.E. Reid explained that unfortunately the foundation plates in front of the fire station are not correct; the plan will likely be to demo the top of them and place new bases next to them. It was noted that no explanation for the error has been identified. Discussion ensued. M. Russ noted that the safety cones have been shifting off the bases.

C. Crawford discussed that there have been several changes in ODOT personnel and inquired about the impact to the City. C.E. Reid discussed that he recently met the new project manager for the Highway 99W improvements project and began working with him last week. He noted that ODOT has maintained that they are very dedicated to completing the project as scheduled.

C. Crawford discussed that there have been a lot of positive things which have come out of recent Parkway Committee meetings regarding future phases of the bypass. Detailed discussion ensued. C. Crawford explained that the bypass project has been set up as the priority project to find the funding to get the ROW for Phase 2 as well as being the priority project for any future Federal grants; if there is major funding received from the Federal government, the full build out of the bypass will be one of the projects that ODOT will push to the Federal government to get funded. Discussion ensued.

Public Comment

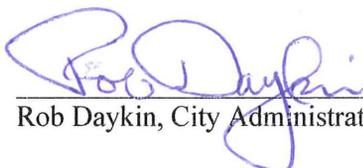
None.

The meeting was adjourned at 9:07 P.M.



David Russ, Mayor

Attest:



Rob Daykin, City Administrator/Recorder