

**CITY COUNCIL MEETING
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February 5, 2019**

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City of Dundee
City Council Meeting Minutes
February 5, 2019

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 Storr Nelson, Jeannette Adlong, Kristen Svicarovich, Patrick Kelly and Ted Crawford. Staff members: Rob Daykin, City Administrator; Tim Ramis, City Attorney; Melissa Lemen, Administrative Assistant; and John Stock, Fire Chief.

Public Attendance

Elizabeth & Jerry Seeberger, 18145 NE Fairview Drive; Jesse Nemece, JT Smith Companies; Janis Sander; John Kester; Michelle Cannon; Tom Schaad; B. Hoss; Andrea Babb; and Bill Coffey, NLC Service Line Program.

Agenda Changes

None.

Public Comment

Elizabeth Seeberger reminded Council that she is from the Dundee Worden Hill neighborhood group, who are presently involved in trying to limit the size of Ste. Michele Winery Tasting Room. She provided an update and explained that their neighborhood organization had made the decision to go to LUBA. She discussed that on January 30, 2019 the County asked for an extension from LUBA to consider what they wanted to do moving forward; Ste. Michele had requested the County to withdraw their approval. Seeberger explained that it is her understanding that Ste. Michele would like to cut out approximately 5,000 square feet out of the proposed 32,000 square foot building, meet with the neighbors, and also discuss the road issues that would be a concern with an expansion. She discussed that she is hopeful that the City of Dundee is still interested in the traffic congestion that a facility of this size would create on Ninth Street and Highway 99W and also at the Ninth and Alder Street intersection. Seeberger explained that they have hired their own traffic study engineer; he reviewed and found issue with the traffic study information provided on the evening of the last hearing on December 5, 2018. She discussed that their neighborhood association is moving forward and believe that they have 90 days for an extension. She asked that the City of Dundee take advantage of those 90 days and continue to join with them voicing concerns about the influx of traffic; they would like to work with the City. M. Russ reviewed that the City has tried to offer support as they can and will continue to assist, if possible.

Jesse Nemece, JT Smith Companies, introduced himself and indicated that they are developing the property at Seventh and Alder Streets. He explained that he is not happy to be at the meeting this evening but indicated that his company felt strongly that the City is aware of some frustrations they've been experiencing while trying to do business in the City of Dundee, particularly with City Engineer Reid. Nemece discussed that a pattern of non-response to communication has developed between their company and C.E. Reid, whether to emails or phone calls. He explained that even when he resorted to text messaging this was only effective on a couple of occasions and then no response was received. Nemece explained that he had to pull C.A. Daykin from a meeting

recently to discuss pressing issues regarding their project. Following his conversation with C.A. Daykin, C.E. Reid immediately called him back within the hour at which point in time he requested additional information; materials that had already been provided to him which were apparently lost. Nemec expressed frustration that he has tried to reach out to C.E. Reid a number of times since then to try to find out if he's found these documents that they had sent to the City; they need to know if tests need to be redone or whether they are still under review. Nemec explained that they are working on a project and he is trying to get to a point where he can record a subdivision plat. He reviewed that they are working on a 12 lot subdivision worth approximately \$11 million including all of the homes; six of the homes are "sold". Nemec pointed out that he cannot enter into a contract with the interested parties because he doesn't have legal lots of record. He explained that they are substantially complete with the subdivision and are waiting on a couple of last few things. He indicated that they have a punch list and noted that the project is 100% bonded. Nemec emphasized that he needs to get the project moving and he's in a situation where he cannot move it forward because he cannot get the answers he needs.

M. Russ expressed appreciation for Nemec sharing his concerns tonight. C.A. Daykin explained that last week when the City followed up on the recent communication there were a number of items that were yet to be completed. He discussed that one of the big hold backs is the fact that Frontier Communications has been very late in following through with removal of the large cable; there is still a telephone pole in the street which still needs to be completed, both curb and completion in the street. C.A. Daykin discussed that there are a number of punch list items, including voids that were created by one of the communication franchises that bored a hole underneath the new street and created two places where there are now cavities in the street which need to be refilled. He explained that he is not involved in all of the details to know what all of the other items were. He reviewed the discussion he had with C.E. Reid last week; the Frontier Communications issue is understandably frustrating. C.A. Daykin indicated that he had the impression from C.E. Reid that he was going to communicate that sometime early this week the City would be in a position to be able to sign depending upon whatever information was lacking which was previously provided.

M. Russ inquired as to what Nemec's position and needs are at this time with regard to the project. Nemec explained that the project is substantially complete. There is a pole that needs to get pulled by Frontier Communications though there is nothing he can do to remedy that; he has been told by Frontier on a weekly basis that the pole will be removed though it hasn't happened yet. Nemec explained that the last couple of items that need completed cannot be done until Frontier pulls their pole out and then they can patch the rest of the concrete in. C.A. Daykin discussed that at this point he will reach out to C.E. Reid and bring this communication to his attention, and will hope to get things resolved in a timely manner. Nemec discussed that his biggest concern is in keeping the project moving forward and getting the plat recorded; he indicated that he is about to get into a point where they will be financially damaged due to the delay.

C.A. Daykin explained that he was under the impression that C.E. Reid had required a separate agreement regarding the completion of the sidewalks. Nemec explained that the first time that he and C.E. Reid had a conversation about the sidewalks was on the project site approximately 3 months ago where he discussed this requirement. Nemec discussed the information he provided to C.E. Reid at that time though Reid indicated that he hadn't been satisfied with the bond amount due to the potential prevailing wage costs the City would incur if they had to complete that work. Nemec expressed frustration that he still has not been provided with the information C.E. Reid had indicated he would provide with regard to the bond amount. C. Svicarovich inquired about the ADA ramps and Nemec explained that they will go in with the flat work which will occur with the last 18 foot section of curb once the pole is removed; the work to be completed was

discussed in detail. Nemecek offered that the most recent information provided by Frontier Communications was that they have two fiber mains that they have to splice which must be done at night.

Tom Schaad offered comment with regard to the house on the Jan Sander Property and the Parks Committee recommendations. He reminded Council to take into consideration that the word "library" was not included on the Parks Survey, and wanted them to consider how the recommendation report might be different if a library option would have been provided. He pointed out that CPRD had said to the Parks Advisory Committee that they would consider working with them on whatever amenities they desired for the property with no limits set.

Consent Agenda

A **motion** was made and seconded to approve Consent Agenda item 5.1 City Council Minutes, January 15, 2019, Item 5.2 Financial Report Ending December 31, 2018, and Item 5.3 Dundee Urban Renewal Agency FY 2017-18 Annual Report. **The motion** passed unanimously.

Old Business

Jan Sander Property – Parks Committee Recommendations

C. Adlong reviewed that the Parks Advisory Committee met a couple of times to discuss the results of the Parks Survey. She indicated that at the most recent meeting on January 9, 2019 the Committee formulated a preliminary recommendation for the Sander property. A Powerpoint presentation was provided. C. Adlong reviewed the guidelines the Committee established for evaluating the options for the Jan Sander property. She discussed that the Committee took into consideration the foundational planning documents that the City has towards parks. She reviewed that in 2008 a formal parks plan was developed for Dundee. She noted that this plan was paid for 50% by CPRD. CPRD participated in the development of the Plan with the City and the Plan was adopted formally by the City Council and is part of the Comprehensive Plan now. C. Adlong discussed that the Transportation System Plan is another important document that must be taken into consideration. She discussed that the property owners adjacent to the Sander property, in the area where a street is indicated to go through the property, expressed frustration of a street going through the area. The exact street connections were located on the map provided in the Powerpoint presentation and discussed in detail. With regard to the potential connection piece between the Sander property and the post office, between Sixth Street and Seventh Street there are approximately six houses present which would be impacted in order to put a street in that location. C. Adlong discussed that it almost seems more logical put place a street on the east side of the post office property where the pathway connection is presently. She asked Council to consider whether they felt that a street would be needed in this area at all and, if so, is that the proper location for a street.

C. Adlong provided a detailed map of the Jan Sander Property and the nearby areas, including Billick Park. She reviewed the amenities present nearby at Billick Park and Dundee Elementary School. She pointed out that presently approximately 4 to 4.5 acres of the Sander property is covered by a hazelnut orchard, which will likely be removed fairly soon. C. Adlong discussed that the mostly strongly supported results of the survey were the Willamette River park and kayak facility and a bike and pedestrian trail from Dundee to Newberg. Additionally, she pointed out that a splash pad/water fountain concept was a very popular item desired somewhere in Dundee. Discussion ensued regarding other supported features. C. Adlong highlighted the popular active recreational and passive recreational highly supported features, including an all abilities playground and perimeter park trail. Additional discussion ensued. She discussed that many cultural activities were suggested for this area including an outdoor gathering space, a reading room, and a library (which was not included on the survey). C. Adlong explained that a library is not a normal function of a parks district and, following discussion with the Parks Committee, it

was not included on the survey though a reading room provided as a selection. She discussed that the survey provided questions about revenue generation due to the fact that it was one of the ideas raised up by CPRD. The idea of a dedicated venue was not highly supported; respondents seemed to desire to enjoy the property themselves and not necessarily be required to pay for it. There was not high support for the property to be developed strictly into a revenue generating type of venue, though the availability, though being able to rent spaces through CPRD could potentially be a possibility.

C. Adlong provided and discussed in detail the summary of Sander Park recommendations as provided by the Parks Advisory Committee. She discussed at length their thoughts regarding indoor and outdoor facilities. C. Adlong noted that the library option was discussed at a previous City Council meeting, and C.A. Daykin had explained some of the obstacles in creating a library on the Sander property. He explained that CPRD is not authorized under State law to operate a library though they can lease the property, presumably to the City who is authorized to operate what is called a "public library" under State law. C. Svicarovich recalled that the cost benefit ratio of Dundee residents paying the fee for membership to the Newberg Public Library seemed to make more sense than operating a library. C.A. Daykin informed that there are a large number of Dundee residents who pay the fee to the City of Newberg for full access of the library; children have some access to the library for no charge. As defined under State law, in order to form a "public library" the City would have to organize and move forward with this; the problem with the City is that they would not be members of the Chemeketa circulation system because Dundee is not within that taxing district. Detailed discussion ensued with regard to Newberg's participation in that district and the fact that they are the third largest library in that system. Additional discussion ensued and C.A. Daykin noted that the idea is something that City Council could explore if they so desired. C.A. also shared that the library director in Newberg had suggested the more cost-effective approach of a "free little library" where there are donated materials available though no Staff maintained to curate the facility, a similar idea to a reading room. C. Nelson pointed out that even though the library option was not provided on the survey, the City has done due diligence since that time; it appears that there are some pretty substantial challenges, including financially, to become part of the Chemeketa district. C.A. Daykin reviewed in detail the results of the survey and additional discussion ensued with regard to the interest shown in a library facility. M. Russ voiced support of the reading room option and suggested that this option would require between 1-3 volunteers to maintain things.

C. Adlong discussed that the Parks Advisory Committee has made recommendations as well for improvements at Billick Park. Though the highly desired water feature option may not be a good fit for the Sander property, it was recommended that incorporating this into Billick Park may provide a better option. Detailed discussion ensued. Due to the large interest in an all abilities playground at the Sander property, and given the fact that there is already a playground present across the street at Billick Park, the Committee is recommending CPRD make improvements to the already established playground area at Billick Park. C. Adlong discussed the difficulty in making recommendations as no parameters have been provided by CPRD with regard to what resources and funding are available. Discussion ensued.

C.A. Daykin discussed that in order to develop the Sander property from a farm use to a park there is a land use process to go through to get Planning Commission approval of a facility plan. Due to the size of the property there is a two-step process which involves a notification which goes to all residents to participate in what they would like to see, though it is his belief that this requirement has already been accomplished. He discussed that the next phase would be for CPRD to prepare the facility plan as a land use application that would go to the Planning Commission; the Planning Commission would then be the deciding body on the approval of that plan. With regard to the TSP, C.A. Daykin discussed that some of those who live near the

vicinity of the Graystone area, were questioning the need for an extension of the street to Fifth Street. He discussed that they explained to them that this an element of the City's Comp Plan and is going to be required when that property is developed for connectivity and circulation for the general pedestrian and motoring public. Additionally, he explained that one aspect to development of the property is that there are requirements in the Development Code that would likely have conditions of approval for a number of things, not only construction of any required streets, but Fifth Street would have to be widened, sidewalks installed, the overhead wires would need to be placed underground and the water main that's along that frontage would need to be upsized. He also discussed that improvements would be required for storm water and storm water detention as well as treatment too. He pointed out that there are many costs just for the public infrastructure improvements no matter what that property will be used for when it's developed. C.A. Daykin suggested that, depending on the use being brought forward, consideration from the Urban Renewal Agency about potentially using urban renewal resources to help facilitate those public improvements be considered.

M. Russ inquired about if the park were to be developed in phases, and the first phase is the utilization of amenities already present, would this trigger the development necessary of the infrastructure improvements. C.A. Daykin indicated that he would assume it would trigger those things though C. Svcarovich discussed the proportionality component of site improvements. M. Russ suggested that initially likely only additional parking would be needed from it is now to becoming more functional. C. Svcarovich discussed the effects of a new impervious surface parking lot and the ripple effect that would follow.

C.A. Daykin reference the map of the Sander property and surrounding area. He discussed that the Committee felt it important not to duplicate facilities already present at Billick Park. He discussed that a lot of the property is orchard, with the barn and the house at the east end near the post office. C.A. Daykin asserted that the approximate 3 acres with the existing facilities (not including the orchard) is more than an adequate amount of land with the type of amenities discussed. He pointed out that in the Comprehensive Plan there was never a need identified for another passive park across the street from an existing passive park. He inquired as to whether Council would consider recommending to CPRD to surplus the orchard acreage and allow it to be developed for housing; those resources could then be put into other needs, either development of the amenities for the Jan Sander Park or the improvements discussed for Billick Park, or even acquiring new park land that is desired according to the Park Master Plan along the riverfront. C.A. Daykin pointed out that a lot of CPRD resources were used to acquire the orchard property, but it was never identified in the City Park Plan as something that was desired. He explained the importance of having this discussion prior to meeting with CPRD. C. Nelson discussed that he is not in favor of breaking up a large valuable piece of property, though it may seem to make a lot of sense financially; there have been many great ideas suggested for use of the space. C.A. Daykin explained that what has been discussed is that it would be nice if there were more affordable houses in that area that would be closer to the park and able to take advantage of the amenities. He also pointed out that at this time Billick Park is not maintained in an optimal manner; would the new park across the street also maintained in that same manner? C. Nelson pointed out that the Sander property was presented to the City for this use and discussed that it is his belief that the whole intent is to have something different than Billick Park such as pathways and beautiful features and possibly a natural water feature. C. Adlong discussed that the TSP calls for a street to go through the top part of the park which might be a good place to cut of the park; the cut off portion could offer good potential for development. The exact location of the street connection was discussed in detail. C. Nelson offered some history with regard to the desire of a street connecting Fifth and Seventh Street and voiced support of one of the two connections. Additional discussion ensued and C.A. Daykin pointed out that there are limited resources for developing and maintaining parks and suggested Council consider whether this is

the location where they desire to see the development of a new park in Dundee. M. Russ offered his thoughts and discussed the different sides of the issue as well as the complexities; if a potential development brought in \$1 million that could then be put towards a riverside park development it could be something beyond what was envisioned and a huge asset for Dundee. C. Svicarovich pointed out those nearby homes are situated on larger lots which already provide access to open spaces, and indicated that she does see the value in having higher residential housing next to park space. C. Crawford discussed that the history of CPRD isn't really strong with regard to park maintenance. C. Crawford voiced support of the City gaining park access on the river, if possible, and reestablishing the kayak facility; CPRD would need to agree with that. He also offered support that it may be a better use of funding to upgrade all of the current facilities rather than purchasing new property. C.A. Daykin pointed out that eliminating the orchard property wouldn't totally degrade the use of the Sander property amenities; there is a lot of property present for facilities.

C. Svicarovich raised the topic of Dundee Elementary school and its plans for the future, especially with regard to potential impacts to the Billick Park we know today. C.A. Daykin noted that this is a very complicated issue. He explained that when the park was developed, the lower section of the park (which is owned by the school district) was leased between CPRD and the school district. When CPRD went after a Federal grant to develop the park, the grant required that those improvements remain in perpetuity. There is a conversion process which can be gone through which requires State officials to review and approve removing park facilities funded by the federal grant and replacing it with facilities of equal value. Additional detailed discussion regarding the process was provided. C.A. Daykin confirmed that the number one priority for the school district appears to be replacement of the Dundee Elementary School. One of their interests is in not having the school located so near to the highway; how this would be accommodated is not yet known. Discussion ensued regarding potential future scenarios. Once a new permanent superintendent arrives and this topic addressed with their Board more answers will likely be known.

C. Weaver discussed that there has always been a problem with parking and commuter parking for the elementary school, especially when events are taking place at the school. He pointed out that the biggest hazard he's noted with the present elementary school is with regard to the safety of the commuting students in and out of the school. C. Weaver suggested that this topic will be continue to be of importance, especially as new or improved facilities are located in the area and draw more people.

C. Svicarovich discussed that she is aware that CPRD is also going through a similar type of park visioning process for another parcel of land that is in Newberg right now. She inquired as to whether or not the process by which they have gone through is similar to what Dundee has experienced, and whether there is anything that CPRD would have done as part of that process that Dundee has not done. What will CPRD with the information once Dundee provides it to them? C.A. Daykin discussed that CPRD is going through a robust process right now with regard to the 360 acre parcel on Parrett Mountain. He voiced his belief that a lot of good information was provided by the community with regard to the Sander property, and that a future land use process with additional opportunities for input is part of the process to come. Discussion ensued with regard to the meeting with CPRD on February 9, 2019, and the importance of Council sharing their basic recommendations with regard to the property at that time. He pointed out that it is CPRD's property and they will need to develop a facility plan to be brought through the land use process. C.A. Daykin explained that C. Adlong will be providing a Powerpoint presentation about the Sander property as well as existing amenities which need to be improved.

C.A. Ramis explained that TSP's are ever changing and a work in progress, and there is the ability to amend them when necessary. He also explained that when a particular facility is taken out, does it somehow change the impact on the rest of the system in a way that's significant and should be considered. C.A. Ramis offered that another way of approaching the issue would be to complete it in phases. Additional lengthy discussion ensued. The consensus of Council was that there is no need to readdress the TSP on this issue and it will be dealt with as development takes place in the area.

John Kester voiced comment from the audience that he doesn't see the value in the streets for connectivity given the volume of traffic he has seen in the area

Discussion ensued about the issue of the orchard property which would not be needed to support facilities to consider recapturing that tax asset for repurposing in other park improvements in Dundee. C. Adlong supports a portion of the property being used for a street with homes on either side; this would leave approximately 4-5 acres of property for a nice park. Discussion ensued and M. Russ indicated that he liked the idea of developing a higher density end and potentially gaining property elsewhere. He voiced the importance of the higher density housing being apartments which are not available in Dundee now. Presently the zoning was noted to be R-1. C.A. Daykin explained that if it were changed to R-3 then the Comp Plan Map would need to be changed as well as the Zoning Map. Detailed discussion ensued with regard to potential scenarios moving forward with the desire to place high density housing in this area. C. Svicarovich voiced support of high density housing near park areas, and noted that the discussed seems logical, though she would look to CPRD to let Council know how much space is needed for the facilities desired at the Sander property. She recommended waiting to see if it is determined that excess space is available which would lend itself to a conversation at that time. C. Nelson expressed concern about approaching CPRD with this idea and it leading to a larger than desired area of development. C. Adlong pointed out that the improvements will cost CPRD a large amount of money, as would it to maintain a park of that size. C.A. Daykin suggested that urban renewal funds could be used to participate in costs of development if things are done which are a good fit for the community. The consensus of Council was to provide general recommendations as discussed and wait to see what the response is from CPRD with regard to the property and funding availability, as well as their vision for the property.

City Utility Discount Program Review

C.A. Daykin reviewed the information provided in his agenda report on page 43. Discussion ensued and M. Russ suggested that if a change is made today it could then be reviewed again in the future; C.A. Daykin discussed that the poverty guidelines are updated yearly. C. Crawford noted that the costs on the utility bill represent the costs to operate the system; providing discounts to someone means that the rest of the citizens are paying for it.

C.A. Daykin pointed out that at this time the program is not limited to senior citizens, whose restricted income is unlikely to change from year to year. He discussed one potential concern could be with regard to those who qualify and are on unemployment; the City is relying on them to disclose once they are gainfully employed again as the application process is done annually. C. Kelly suggested that providing a dual track with age criteria might be one option. C.A. Daykin discussed that some communities do provide for this and the City of Dundee used to also. M. Russ discussed the complexities of someone who might be of a lower age but also on disability; their criteria is also unlikely to change from year to year. C. Crawford suggested that seniors and those on disability could fall into the same group. C.A. Daykin suggested that administratively it would be much easier to increase the 150% to a different factor and monitor it; if abuse is suspected it could be reported back to Council. The consensus of Council was to increase the limit to 165% of the poverty guidelines.

With regard to Linda McGougan, C.A. Daykin explained that she has not been on the program since she was no longer eligible July 1, 2018. He discussed that she had apparently been hospitalized and did not make her concerns known to the City until the January 15th City Council meeting; there were 6 months when she could have been on the program if the new adjustment was in place. The consensus of Council was to make the change from this point moving forward as opposed to it being retroactive.

ESCI Proposal – Dundee Fire Department Study

The costs of the ESCI proposal were discussed at length and concerns were expressed by Council members with regard to the scope of the study. C.A. Daykin explained that with regard to the 2019 proposal, he and Chief Stock had in-depth discussions with the consultant over the phone on a variety of issues. It is his belief that parameters of the study seem to be the logical information to review at this time; it will help the Department define their staffing requirements both today and as future population growth occurs. He pointed out that included in the study will be a review of the volunteer program and whether there are strategies or changes that could be made to retain volunteers. C.A. Daykin also discussed that ESCI will also be discussing the possibility of shared resources with other entities. He voiced support of completing this body of work so there is a better understanding of the Department needs before having a discussion with another agency, if those discussions indeed will be had. Once the study is complete, C.A. Daykin discussed that the City will be provided with a series of recommendations that may require further exploration.

C. Svicarovich asked Chief Stock his opinion with regard to the scope of work provided with the proposed study, and whether this meets his expectations. Chief Stock voiced his surprise of the costs associated with the proposed study, though he indicated that he has not reviewed it in-depth. He acknowledged that something needs to be done moving forward and that at least some of the proposed study, if not all, of the information does need to be evaluated. Chief Stock discussed that he does have data on-hand already with regard to call scrutiny; this is something the Department has strived to do well and is consistently improving on.

M. Russ discussed that the information he feels is important to gather is with regard to the resources needed moving forward with the expansion of the City. He pointed out that this information could then be used to help guide decisions with regard to potentially moving into another district or share equipment, etc. Chief Stock voiced his belief that the information in the Study seems adequate to move forward with some of the decisions regarding the Department. He also voiced support that Fire Department could potentially be sustainable moving forward with a few minor changes. C. Svicarovich discussed that her concern stemmed from the large amount of data requested which Staff would need to provide prior to the analysis. She supported a detailed review of the scope and potentially cut out things which may not be serving the City well. Discussion ensued and concern expressed about potentially removing Task II-D: Service Delivery & Performance from the proposal; C.A. Daykin explained that this was discussed with the consultant and they pointed out that the study done in 2006 is old information and no longer relevant. Though C.A. Daykin informed that the consultant had agreed to make himself available by phone call during the meeting tonight, Council did not feel it was necessary to contact him. Though it is not Council's desire to substantially alter the project, it was the consensus of Council to have the scope of the study reviewed in detail in an attempt to reduce the cost. Detailed discussion ensued and C. Svicarovich pointed out that the City is already paying the COG to provide the City's GIS information, and they could likely produce any sort of mapping that would be needed. C.A. Daykin discussed that ESCI is a preeminent firm; they are an international consulting group and there are no comparable firms in the Northwest region to complete this sort of evaluation.

Tourism Committee Appointment

A motion was made and seconded to appoint Tracy Smith to complete the unexpired term ending December 31, 2019. The motion passed unanimously.

New Business

Utility Line Warranty Program

Bill Coffey, NLC Service Line Warranty, provided a Powerpoint presentation for Council. He informed that they have been in business since 2003 and their partnership with the National League of Cities began in 2010. He discussed the program benefits and noted that for residential lateral lines for the water line and sewer lines are typically not handled by homeowners insurance policies and definitely not handled by the City. Coffey discussed that there is no cost for the City to participate in the program; they look after the marketing, the claims management, lining up the local area plumbers to do the work, and they also take care of the call center. He briefly discussed the Royalty program though noted that only approximately one-third of the cities across the Northwest participate in that option. Coffey explained that information is provided to home owners by a direct mail piece which also educates them about their lateral line responsibilities; three letters go out each year with a reminder two weeks later, though nothing is mailed out without the City approving it first. He discussed the call center operations in detail and the process by which customer calls and repairs are handled.

Sewer/septic lateral coverage as well as water/well line coverage were discussed in detail. Coffey pointed out that their programs are optional and voluntary for the home owner, and they can cancel at any time. C. Svcarovich inquired about potential preexisting issues and Coffey explained that NLC Service Line Warranty does not exclude for preexisting conditions even if that were the case. He noted that while most repairs would likely cost less than the \$8,500 coverage limit per repair incident, if costs were above that it would be the responsibility of the home owner to pay that difference.

Coffey discussed the interior plumbing and drainage coverage in detail. He discussed that there are multiple payment method options available for both programs, though most home owners opt to pay annually or monthly with a credit card. He reviewed their marketing approach in detail. Coffey explained the process by which the marketing materials they use would not be sent out without review and approval by the City; shortly before the first campaign/letter is sent out, they will work with the City and put together a press release so that the whole community will know that there is a program which has been approved by the City. Coffey discussed that the program requires the use of the City logo; the logo would appear on the envelope and on the letter, along with their logo. He discussed that, if approved, they will also have a presence on the City website where those who prefer to look online can obtain the information. Coffey explained that following claim, a survey is sent out to the customer so they can provide feedback. Program success statistics were discussed in detail and he noted that the program has been very strong and very well received. He discussed the sign-up process which can be done by mail, phone or online; there are Spanish translators available by phone. Coffey confirmed their presence now in 41 states.

C. Crawford inquired as to what the average percentage of utility customers within a City typically opt to sign up for their programs. Coffey discussed that the programs are available for single family households only and not available for commercial businesses, condos or apartment buildings. He indicated that after three years, typically 7-10% of households sign up for one of their programs. Coffey explained that they currently serve a little over 3.6 million customers in the U.S. He noted that there have been over 1.2 million claims in the last three years totaling \$394 million; infrastructure is getting older and there are claims. Coffey briefly discussed some of the

highlights of their four page agreement. He explained that it is a three-year agreement with one-year renewals after that and does require the use of the City logo.

C. Nelson inquired about the claim limit amounts and when the last time was that they were lifted or altered. Coffey explained that approximately 1.5 years ago those amounts were established at what they are today; details pertaining to that process were discussed. C. Nelson next inquired about how plumber rates are monitored and established. Coffey discussed that they vet the plumbers and place them a price point that everyone can live with; it provides additional business for plumbers locally. Discussion ensued and Coffey noted that they are talking with other local communities about the program as well, including the City of Lafayette in April. C. Kelly inquired about whether the coverage is transferrable when property changes ownership. Coffey explained that the new buyer would need to sign up themselves in order to participate in the program. C. Crawford inquired as to whether or not there is a discount offered for those who pay their premium annually in a one-time payment. Coffey discussed that there is a small discount offered for paying annually, an amount approaching 10%. Discussion ensued about the details of the Royalty Program. Pros and cons were discussed and Coffey pointed out that most Cities do not opt to participate in the program. Coffey discussed that their program is only available to home owners within Cities who have approved and sign up for the program; coverage is not offered outside of the NLC program. He informed that they received endorsement from the League of Oregon Cities for the whole state in 2018. C. Weaver inquired as to how the warranty program compliments home owners insurance. Coffey discussed that typically home owners policies don't cover the outside water and sewer lines, unless by rider or typically a high deductible. He encouraged Council to contact their insurance agents, if they so desire, to look into whether this coverage is available, and what costs, exclusions and terms would be.

C.A. Daykin inquired as to whether Coffey has been involved in cities which are actively pursuing investigation of inflow infiltration from the sewer system. He inquired about their policies pertaining to the repair of laterals which appear to be allowing ground water to enter them, if the City were to provide notice to those home owners. Discussion ensued and C.A. Daykin further explained that the discovery would be systematic; if a particular area or region had notably high flows the City may then follow up with an investigation which could potentially lead to an identified problem. Coffey recalled this concern from a previous conversation with C.A. Daykin and advised that he will double check on their coverage for that. He supported that with older infrastructure it is known that these types of problems do occur, though he will need to confirm coverage for such claims. Additional discussion ensued.

A motion was made and seconded to authorize the city administrator to execute the Marketing Agreement with Utility Service Partners Private Label, Inc. C. Svicarovich voiced that she would like to know the answer to the question pertaining to coverage for I&I issues. She acknowledged that there is an active I&I problem in the City which will continue to be pursued; if that is a conflict with coverage she expressed concern that this may not be a good fit for residents in Dundee. C. Nelson voiced support of this as well. **The motion** was amended to be contingent upon receiving an affirmative answer back from Bill Coffey/Utility Line Warranty Program with regard to the I&I question. C. Adlong discussed that she is opposed to this as she doesn't believe in pairing the City logo with a private company logo. C. Nelson and C. Kelly acknowledged C. Adlong's concern but voiced support of the voluntary program. C. Nelson voiced support of the City providing information stating that the program is not a requirement but is being offered as an opportunity to have coverage in a lower cost scenario; this could potentially be accomplished on the City website or potentially on utility mailings. C. Weaver inquired as to whether there are other similar companies to which Coffey indicated that they are the only nationwide company, though sometimes a local plumbing company may offer some type of program. Discussion ensued and C. Weaver voiced support of this as a protection for the community. C. Svicarovich

inquired about the retention rate amongst Cities to which Coffey discussed was high; discussion ensued. **The motion** passed with M. Russ, C. Weaver, C. Nelson, C. Svicarovich and C. Kelly voting in support; C. Adlong voting nay.

Council Concerns and Committee Reports

C. Crawford inquired about OLCC renewals and whether this is a yearly requirement. He noted that some Cities are electing to waive the fee. The renewal costs were noted and C.A. Daykin noted that he is unsure of what level of effort Staff makes in the collection of the annual fees. Discussion ensued and C. Crawford noted that this was a topic of conversation on the Tourism Committee. M. Russ inquired as to whether Chalice Farms is required to complete an annual renewal as they are now licensed through the OLCC though C.A. Daykin voiced that he is unable to answer that question at this time. The consensus of Council was not to revisit the fee schedule for OLCC liquor licenses at this time, unless the Tourism Committee feels this is appropriate at this time.

C. Svicarovich voiced appreciation for Jesse Nemecek coming to the meeting tonight. She expressed concerns with regard to why the pole had remained and was appreciative to know that it was being held up by Frontier. C.A. Daykin expressed frustration that this was not coordinated better with the franchise utilities, plus the fact that they did not accommodate when they paved the street to allow for a conduit. Discussion ensued with regard to the fact that punch list items were provided. Concerns were expressed regarding the lack of communication from the City Engineer which C.A. Daykin advised he will check into.

Mayor's Report

M. Russ indicated that he had a nice meeting this week with Mayor Rogers from the City of Newberg. He noted that M. Rogers expressed an interest in developing a better relationship between Newberg and Dundee, which M. Russ voiced support of this as well. He noted that M. Rogers also expressed an interest in a creative development of the Dundee-Newberg area. Though ideally both Cities would likely prefer this area not develop, as Mayors they understand that this is likely impossible. With cooperation from the Cities and the County, M. Russ discussed that there may be some things that could be done to encourage development in that area that would block the kind of development that is not desired. M. Russ informed that he and M. Rogers will likely meet quarterly or biannually moving forward in an effort to create more cohesiveness between the Cities.

City Administrator's Report

C.A. Daykin discussed that the City did win the auction on the First Street property at a bid of \$3,000, though he is still waiting for paperwork to come through to complete the process. He discussed that he will bring the information back to the Parks Advisory Committee to talk about improvements to that piece of property in the future. M. Russ expressed concern that some level of maintenance is handled immediately which C.A. Daykin voiced support of as well. He noted that the first step will be to bring in some fill dirt.

C.A. Daykin informed that the sewer main project has been completed this week; the Beech Street project which was a huge source of I&I based on the condition of the pipe itself. He discussed the method by which the repair was completed.

C.A. Daykin informed that the Agreement for the street lights, as of the 24th of January, was received by ODOT and then amended and sent back to the agreement writer. The ODOT representative indicated that it will be arriving though C.A. Daykin explained that he was not provided a date for that at this time. He also informed that they are still in the process of negotiating an amendment contract with DKS for that part of the work for the City.

C.A. Daykin discussed that the recent City newsletter did advertise for Budget Committee appointments. He explained that over the last 2-3 years there have been vacancies on the Committee which have not been filled. C.A. Daykin expressed concern that filling the vacancies will be worse this year, and he implored the City Council to encourage local residents to apply for the open positions.

C.A. Daykin discussed that his annual evaluation process will be coming up soon. He reviewed that in the past, every other year a more informal process has been done. He discussed that last year a 360 type of evaluation was coordinated by the COG and inquired as to whether Council would like to move forward with that type of approach for his review this year. C. Weaver noted that he thought that Council had made a decision to use the COG every other year, with a more informal review in between. Additional detailed explanation was provided with regard to the process completed for the city administrator position last year. The consensus of Council was to complete a more information review process utilizing the COG this year and utilize the 360 evaluation process on alternate years. C.A. Daykin indicated that he will contact the COG Director and make that arrangement.

C.A. Daykin reminded Council that their joint meeting with Chehalem Park & Recreation District will be held this Thursday, February 7, 2019, at 6:00 pm at the Dundee Fire Station. Dinner will be served beforehand at 5:30 pm.

Public Comment

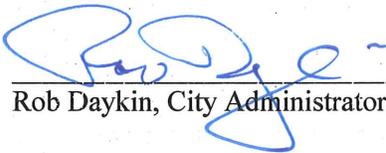
None.

The meeting was adjourned at 9:58 P.M.



David Russ, Mayor

Attest:



Rob Daykin, City Administrator/Recorder