

**CITY COUNCIL MEETING
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March 17, 2020**

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**City of Dundee
City Council Meeting Minutes
March 17, 2020**

Call to Order

Mayor David Russ called the meeting to order at 7:01 P.M.

Council and Staff Attendance

Present: Mayor David Russ; Councilors Tim Weaver, Storr Nelson, Ted Crawford and Patrick Kelly. Attendance Via Zoom: Councilors Kristen Svicarovich and Jeannette Adlong. Staff members: Rob Daykin, City Administrator; Greg Reid, City Engineer; Melissa Lemen, Administrative Assistant; and Amy Hanifan, Interim Fire Chief. Staff Attendance via Zoom: Tim Ramis, City Attorney.

Public Attendance

None.

Agenda Changes

New business item 8.4 Resolution No. 2020-02, a resolution declaring a state of emergency, was added to the meeting agenda.

Presentation: Corona Virus Update – Interim Fire Chief Amy Hanifan

Chief Hanifan was introduced to the Council. She discussed the recent impacts of the Covid-19 outbreak locally, including the concerning symptoms for first responders. She discussed that so far in the State of Oregon there have been 65 documented cases. Chief Hanifan discussed how some of the testing and reporting procedures are changing and the fact that the Corona Virus is now being viewed as a community transmittable disease rather than just specifically spread through air travel or contact with someone who has tested positive for it. There has been one positive test case in Yamhill County and one reported death in Oregon. Chief Hanifan explained that many nearby cities are declaring a state of emergency, mostly in preparation to be able to mobilize funds given the uncertainty of the next couple of months; things will get worse before they get better. She discussed that personal protective equipment (PPE) is a real concern as well as potential staffing shortages, especially in volunteer organizations. Chief Hanifan discussed that the Department is scaling staffing down as far as contact with all patients, with precautions taken at each call inclusive of full PPE, if needed. She noted that they have been in close contact with their medical director, Dr. Heizer, as well as TVF&R regarding their practices. Discussion ensued and Chief Hanifan explained that they have canceled the upcoming Pancake Feed, Easter Egg Hunt, and Volunteer Banquet have all been canceled. It was also announced today that school will be closed until April 28, 2020. Discussion ensued with regard to precautions being taking within the Department including the implementation of virtual training to be provided over the next several weeks. Chief Hanifan answered a few brief questions.

Public Comment

None.

Consent Agenda

A **motion** was made and seconded to approve Consent Agenda Item 6.1 City Council Minutes, February 18, 2020 and Item 6.2 Financial Report Ending February 29, 2020. **The motion** passed unanimously.

Old Business

Budget Committee Appointments

It was noted that three applications were received for four vacancies on the Committee. Brief discussion ensued. A **motion** was made and seconded to appoint Ryan Hess and Jeanne Marie Callahan to the Budget Committee with a term ending December 31, 2022 and to appoint Mordechai Kotler to the Budget Committee with an unexpired term ending December 31, 2021. C. Nelson inquired as to whether the applications have been present in the order in which they were received. It was noted that Kotler's application was received most recently. **The motion** passed unanimously.

Streetlight Project Bid Award

It was noted that of the two bids received, Northstar Electrical Contractors was found to be the lowest responsive bidder at a cost of \$552,000. Discussion ensued regarding the banner arms, which C.A. Daykin discussed that the thought process is that the City could purchase those through the next budget cycle as part of the tourism fund; the tourism fund also needs the arms for banners, which they will also want to install. Discussion ensued regarding costs associated with the installation of the banner arms. C.E. Reid pointed out that the second bid received was significantly higher than NorthStar. He explained that he had anticipated receiving two additional bids though he is unsure why they were not received. It was noted that this is specialty work for which he did not expect to receive a lot of bids. Discussion ensued. C.E. Reid expressed concern that if the project were rebid or if ODOT were to do the work the costs would increase, delaying the work would not likely be a benefit. C.A. Daykin pointed out that the City worked with NorthStar previously on several different projects in Dundee going back at least ten years when there was a conversion from the drop lens style light to the flat lens style light. He discussed that they are very easy to work with and are very familiar with Dundee. A **motion** was made and seconded to award the Highway 99W Phase A Street Light Project to Northstar Electrical Contractors for the cost of \$495,000, which excludes Bid Item No. 8 Banner Arms. **The motion** passed unanimously.

Waterline Relocation Easement

C.E. Reid reviewed the detailed background information contained on page 45 of his report. He explained that where the water line will need replaced parallel to the highway, placing it in an easement right behind the sidewalk is recommended so that the City doesn't have to reconstruct previous improvements. The specific locations where the water lines would be impacted were described in detail. C.E. Reid explained that in these areas the City would need to gain easements from the property owners; the City is looking to obtain substandard easements because in the CBD zone the property owners are not able to build in the first five feet; the easement costs would increase significantly if 15 feet were requested (as required by the standards) and this would impact their means of developing their property. Detailed discussion ensued regarding potential options by which the City could negotiate/acquire the easements. C.E. Reid noted that he is only proposing to consider an offer to install and maintain landscaping within the 5 feet along the applicable highway areas. C.A. Daykin provided additional detailed clarification. C. Svicarovich inquired about how deep the water line will be placed and whether a contractor has confirmed that this work can be accomplished in 5 feet of space. C.A. Daykin explained that a temporary easement would be requested during the construction phase, but the final easement would be only the 5 feet. He explained that there is a similar situation present already across the street from this location where the 10-inch water line is underneath the sidewalk at this time without a lot of room for access. C.E. Reid explained that the City is also considering boring the water lines in to attempt to reduce the amount of disruption. Discussion ensued. C. Nelson asked whether there are any other utilities which may utilize that easement in the future. C.E. Reid noted that this is the next item of discussion and explained that potentially this would be the case

as that would be where the PUE would be located. Additionally, he explained that the franchise easements have already been placed under the sidewalk, so the only other potential at this time would be electrical. Discussion ensued. C. Svicarovich inquired about whether the easement along the railroad tracks is within railroad right-of-way which C.E. Reid confirmed that it is only adjacent to the right-of-way. The consensus of Council is for Staff to move forward with securing the easements.

Undergrounding PGE Design

C.E. Reid reviewed background information contained in his report on page 51 of the agenda packet. He provided a detailed discussion about options associated with the electrical undergrounding, including some of the pros and cons. C.E. Reid explained that he could plan for the undergrounding of the distribution and place the conduits in the ground; if the City decides not to spend the money now, at least the opportunity is there. C. Nelson voiced that he is in favor of the flexibility of having the undergrounding option available. C.E. Reid pointed out that one of the big benefits would be that if the City were to go underground with the distribution lines, the City could potentially lose about half of the transmission poles down the east side as they would no longer be needed to support just the transmission; the number of poles are there because they are supporting two systems. Discussion ensued, including very preliminary potential cost information for the undergrounding work. C.A. Daykin provided clarification that the costs discussed are simply to take advantage of the highway reconstruction project so that the City can lay pipe in before they place the new highway surface on top. Additional detailed discussion ensued, and C.E. Reid explained that the easement costs would be in addition to the \$1.3 million preliminary cost estimate. Lengthy conversation continued and questions from Council were addressed. The consensus of the Council was to support the design for the conduits to be placed beneath the highway and to be designed to accommodate the undergrounding of the distribution and/or transformers along the easterly side.

New Business

Personal Protective Equipment Quote

A motion was made and seconded to approve the purchase of updated fire protective gear for six firefighters from Curtis Tools for Heroes at a cost \$12,678. **The motion** passed unanimously.

Planning Services Agreement

C.A. Daykin discussed that the City has history with each of the vendors who provided proposals. He reviewed that MIG seems better prepared to move forward quickly with the topic of vacation rentals given the amount of work that they have been doing in this area, representing a number of different cities. C.A. Daykin discussed that his recommendation is to award the initial contract to MIG and start the first project with the vacation rental work. He suggested that moving forward the City could continue working with MIG or perhaps by that time a new planner would be on board to pick up some of the work. C.A. Daykin explained that he's not that optimistic about the City of Newberg having a new city planner who would be available to assist Dundee as he was told there is a huge back log of work at Newberg presently. C.A. Daykin discussed that the cost would be more on an hourly basis with MIG, but this way they would be working for the City of Dundee and perhaps would be able to move more quickly to get the work done. M. Russ inquired as to whether the City of Dundee is still paying the City of Newberg on a contract to which C.A. Daykin explained that this is only done on an hourly basis when work is being performed. Discussion ensued and additional questions from the Council were addressed. **A motion** was made and seconded to authorize the City Administrator to enter into agreement with Moore Iacofano Goltsman, Inc. for planning services in an amount not to exceed \$25,000 provided the agreement is first reviewed and approved by the City Attorney. **The motion** passed unanimously.

Resolution No. 2020-01, Supplemental Budget

C.A. Daykin provided brief discussion and explained that the resolution provides a summary explanation of the additional funds and the proposed uses. They include funds from the state for helping the City prepare the street addressing information for emergency services and reimbursement on fire conflagrations. He also reviewed that, as previously discussed, more property taxes were received than were anticipated, as well as a higher beginning fund balance. Discussion ensued and he explained that this will be a two-part process to amend the budget and he will bring forward a resolution to authorize transfer of budgeted appropriations. C.A. Daykin explained that the other part of the supplemental budget relates to a project the City Council approved, the extension of the Tenth Street main; an appropriation is needed to cover that work. The second part of that would be budget transfer appropriations that he will bring forward to close out the fire construction fund. **A motion** was made and seconded to pass Resolution No. 2020-01, a resolution adopting a supplemental budget for fiscal year 2019-2020. **The motion** passed unanimously.

Resolution No. 2020-02, Declaration of State of Emergency

C.A. Daykin discussed that C. Atty Tim Ramis is available tonight to answer any questions pertaining to this resolution. C.A. Daykin discussed that, as Council is aware, City Hall has been closed to the general public this week. He explained that the office at City Hall is still being manned from 8:00 a.m. to 5:00 p.m. and staff is available to answer phone calls and emails. Deliveries are received at the door utilizing the doorbell. When there are instances where people/businesses need to come in and transact business with the City this can be done on an appointment basis. C.A. Daykin discussed some of the daily ongoing business activities related to municipal court and indicated that much of this work can be done via email, over the phone or by appointment if necessary. He explained that Staff will be available to accommodate the needs of the public while also limiting the amount of public access to the building. C.A. Daykin explained that Staff will also be able to take advantage of working remotely though will still be available to addresses issues that come up during the 8:00 a.m. to 5:00 p.m. workday. M. Russ suggested that a plan be in place in case a "Stay In Place" order is issued by the Governor for Oregon.

C. Crawford inquired as to whether the City Emergency Operating Plan (EOP) provides information pertaining to a pandemic. C.A. Daykin explained that the EOP is more of an outline of process and doesn't provide the detailed instructions on how to act in a particular type of incident. C.A. Daykin reviewed a list of upcoming meetings which were discussed in detail. The consensus of Council is to cancel the April 1st Parks Advisory Committee meeting, cancel the Tourism Committee meeting on March 25th, cancel the Planning Commission on April 15th, and plan to begin the Budget Committee process on May 7th. The April 7th City Council meeting will be canceled, and the next meeting will be held on April 21, 2020. Discussion ensued regarding potential upcoming meeting agenda items. C.A. Daykin discussed that the City has a limited public works crew and each of them understand the roles of what needs to be completed by the other; there is good back-up coverage if there is one person who is not able to perform. He explained, however, that there is one exception which is that there is only one person who is qualified to run the WWTP lab. When this has come up as an issue in the past, the required sampling is then taken to independent labs for testing. It was noted that Operator Jared Nunley is most skilled at managing the WasteWater Treatment Plant, though much of that work can also be monitored remotely. C.A. Daykin discussed in detail some of the daily responsibilities of public works employees.

C. Weaver suggested that C.A. Daykin be provided the independence to manage situations which might be presented by new executive orders from the Governor, and voice support of good communication as well. C. Crawford voiced support that electronic Zoom meetings could replace

in-person meetings, if needed. C.A. Daykin confirmed that the City will be subscribing to Zoom so this type of meeting could be an option moving forward. Discussion ensued.

C. Crawford inquired about protocols which might be in place to cover if there are fire department employees who become quarantined. C.A. Daykin discussed that either hours will be bought, or the City will need to look at mutual aid, though he indicated he will rely on Chief Hanifan to assist the City through that process if necessary.

C.A. Daykin discussed that many cities are suspending their "shut off" programs for water service for delinquent accounts. Discussion ensued. C.A. Daykin voiced his recommendation would be to suspend "shut offs" for at least the month of March. C. Weaver pointed out that a relaxing of some regulations is being provided by some companies and governments; suspending shut offs would be in line with this.

M. Russ inquired about whether it is known at this time when the Governor's State of Emergency terminates to which C. Atty Ramis is not aware of a known date or if there is an end date at this time. M. Russ inquired about whether the City is required to have a date or whether it could be tied to the Governor's order. C. Atty Ramis voiced that he is not aware of a date and noted that it may be a week to week decision. C. Atty Ramis discussed that the City should probably set a date; it is good practice to do that and the date is easy to extend. C. Crawford pointed out that the President has declared the United States to be in a State of Emergency as well. Discussion ensued with regard to potential options regarding an end date to the State of Emergency Declaration. C. Atty Ramis supported that Section 5 could be removed from the Resolution if Council desires. **A motion** was made and seconded to pass Resolution No. 2020-02, a resolution declaring a state of emergency for the City of Dundee. The motion was amended to remove Section 5 from the resolution. **The motion** passed unanimously.

Council Concerns and Committee Reports

C. Svcarovich voiced appreciation for the opportunity to participate in the Council meeting tonight via Zoom.

C. Weaver voiced appreciation of the briefing from Interim Fire Chief Hanifan.

C. Crawford requested an update on the garbage pile located on Ninth Street. C.A. Daykin discussed that at this time there has been some protective fencing placed, though this is not the only thing which has been asked of the owner. C.E. Reid discussed that he has continued to request that the property owner to fence the debris pile and make it safe. He discussed that the owner has told him that the debris pile is present because they eventually wish to crush it and stabilize the soils though he has received no project information, though no formal plan has ever been received. C.E. Reid explained that he has sent an email to the property owner requesting them to file for and begin construction on a project to stabilize soils with this material, remove it, or complete a planning application for a conditional use for storage and salvage (which would require improvements to accommodate that). At this time C.E. Reid has not received a response from the property owner and he noted that the next step is enforcement. Discussion ensued and C.A. Daykin explained the potential legal process moving forward; the property owner would first be served a citation to appear before the Judge. The City would then need to prepare a case for the Judge.

Mayor's Report

M. Russ voiced his belief that likely the present actions being taken will have an impact on the pandemic we are facing. He discussed that the Governor has made some wide-reaching executive orders which in his opinion declare martial law without declaring martial law. He encouraged

citizens to stay home and social distance as much as possible to protect themselves but at the point where they feel that their lives and their livelihood are being threatened by not participating in life, they should also participate in life in a safe and orderly manner, continuing to wash their hands and keep some social distancing. He shared that he does not necessarily recommend that people lock themselves up and prevent themselves from having a life regardless of statements from government.

City Administrator's Report

C.A. Daykin discussed that the City Administrator annual evaluation process typically takes place at this time of year. He inquired of the Council if they would still like to complete the evaluation process and, if so, if they would like to use the same process that was used last year. C.A. Daykin reviewed last year's process in detail. C. Crawford asked if C.A. Daykin has a retirement date in mind to which he indicated may be June 2021. C.A. Daykin explained that he still does not have the results of the 2020 Goal Setting Session to share with Council at this time, but that had laid out a program moving forward which he was going to follow. The consensus of Council was to cancel the annual evaluation process for the City Administrator this year.

C.A. Daykin discussed that computer work has been being performed at the fire department. C.A. Daykin authorized Blackpoint I.T. to install a new switch and some new wireless devices along with a firewall; they will be migrating the computer system over to the City server so that their email will be preserved, and the system protected. The estimated cost for completing the computer work is \$4,600. Similar work was done for public works a number of years back.

C.A. Daykin discussed that the State Parks grant for Viewmont Greenway Park was closed late last week; final paperwork was submitted online last week along with photos. A response was received back from the grant coordinator shortly thereafter who indicated that it was a great project. A check was received in the mail 3-4 days later.

C.A. Daykin discussed that he did receive a Planning Commissioner application late. He explained that this particular applicant does happen to reside near where four other Planning Commissioners reside in the same neighborhood. C.A. Daykin explained that at this time there still is no representation from the east side of the highway. He will hold off until the April 21st meeting before presenting this application to Council. Brief discussion ensued.

Public Comment

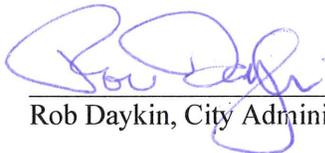
None.

The meeting was adjourned at 8:26 P.M.



David Russ, Mayor

Attest:



Rob Daykin, City Administrator/Recorder