

**CITY COUNCIL MEETING
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April 21, 2015**

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City of Dundee
City Council Meeting Minutes
April 21, 2015

Call to Order

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

Council and Staff Attendance

Present: Mayor David Russ, Councilors Jeannette Adlong, Ted Crawford, Storr Nelson, Doug Pugsley (7:05 P.M.), Kristen Svicarovich and Tim Weaver. Staff members: Rob Daykin, City Administrator and Debra Manning, Assistant City Recorder.

Public Attendance

Ted Riffel.

Agenda Changes

None.

Public Comment

Ted Riffel, property owner at Dogwood Drive and Third Street right-of-way (ROW), returned with his request to Council of June 3, 2014 for the city to replace his riding lawnmower used to maintain his property and the ROW adjacent to his property. He advised that his lawnmower no longer works and asked for the city to either replace it or to cut his lawn at the same time as the city completes maintenance in the ROW. He stated that the grass is too high for a regular mower. The city has not maintained the ROW as the owner has been completing maintenance. In 2014 the City Attorney and the City Administrator counseled that the city doesn't remunerate citizens for maintaining ROWs. If the property owner doesn't do it the city would do it to city standards. Staff will follow up with public works.

Consent Agenda

The motion was made and seconded to approve Consent Agenda items 5.1 City Council Minutes, April 7, 2015 and 5.2 Financial Report Ending March 31, 2015. **The motion** passed unanimously.

Old Business

Ordinance No. 539-2015, Marijuana Dispensaries in Commercial Zones

The Council passed the first reading of the ordinance at the April 7th meeting. The ordinance includes the amended language per the Council's vote. **The motion** was made and seconded to adopt Ordinance No. 539-2015, an ordinance amending the Dundee Development Code to incorporate standards for marijuana dispensaries. The Mayor read the ordinance by title. Councilor Weaver relayed the public input he has received does not support marijuana dispensaries in Dundee. **The Vote:** Mayor Russ-aye, Councilors Adlong-aye, Crawford-aye, Nelson-aye, Pugsley-aye, Svicarovich-aye, and Weaver-nay. The second reading of the ordinance passed six to one. City Administrator Daykin inquired if the Council wished to impose further regulations through business licensing to have something in place prior to the State's regulations on recreational marijuana. Councilor Crawford inquired if hours of operation for a dispensary could be restricted in one part of the city differently from another part of the city; such as the riverside versus along Highway 99W. The majority Council consensus was to move forward now to have regulations in place. Council members will email their input to the City Administrator and the issue will return to the May 5th meeting for further consideration.

New Business

Utility Rates Review

Staff's recommendations (packet pages 35-42) address water, sewer and storm water rates. The Council may: find the need to request further information, appoint a committee to further investigate the issues, or direct staff to return a resolution to a June Council meeting to allow notice of rate increases to be published in the July newsletter prior to the effective date of the changes.

Water: Last year changes were made to: the base rate, decrease the amount of water allowed in the base rate, and add a high volume rate. Overall revenue was higher than expected due to high water consumption. Staff recommends no change to water rates until the update of the Water Master Plan and future projects are identified. There is enough revenue to support the projects we have committed to currently.

Sewer: In 2010 a cost of service rate study was completed by Galardi Consulting resulting in a rate structure recognizing certain users cost the system more to process their waste. The study identified: different user strength classes for nonresidential accounts, their impacts to the Waste Water Treatment Plant (WWTP) in terms of operating costs and construction; and developed a tiered structure based on effluent strength. The base charge includes a component of a fixed fee for all accounts, addressing the effect of Inflow and Infiltration (I & I) on the WWTP, and a component was established at four different rates to reflect the strength of effluent by class. The table on packet page 37 reviews prior, current and proposed rates. In 2014 the sewer rates were increased \$3.50 for the I & I component. Staff is proposing a 3% rate increase to achieve the revenue needed in the Sewer Fund.

Councilor Pugsley inquired how restaurants will be informed of the sewer class changes. Daykin responded they will be advised of the change to a different category by mail and invited to a Council meeting for their input. The recommendation is to reclassify all restaurants to the high strength rate. Daykin gave an option for Fast Food restaurants to be classified at medium strength compared to dine-in restaurants. They have about half of the Biological Oxygen Demand (BOD) or Total Suspended Solids (TSS) loadings of a typical restaurant since they do not have dish washing. Currently we do not have any fast food restaurants in the city. The majority Council consensus agreed to reclassify all restaurants to the high sewer class.

Mayor Russ asked if rates could be increased later if there are insufficient sewer funds for the I & I work. Councilor Nelson relayed his understanding that the I & I work will cost more than anticipated through the rate study. The Council suggested considering other factors for the I & I component, such as usage, land area, or impervious surface; instead of a flat fee per account. Daykin responded options could be considered for future rate studies. The majority consensus agreed on the need for the rate increase to fund I & I projects.

C. A. Daykin asked Council's direction for the proposed sewer rate increase. He relayed there is not a comprehensive database to help compare sewer strength uses. He noted that grease traps, grease interceptors, removing food grinders, and food scrap recycling do not significantly change the BOD/TSS enough to affect the sewer class range for a restaurant. After further discussion the majority consensus approved the proposed rates and the non-residential sewer classes (page 37) without the Restaurants-Fast Food class. A resolution will be brought back to the June meeting.

Storm Water: the storm water fee was created in 1997 at \$5 a month for residential customers and has never been increased. Major storm water projects include the Public Works equipment storage building, 40% of the Viewmont Greenway project, and storm water improvements along Highway 99W as part of the TE Sidewalk/streetscapes project. Staff

recommends a 10% increase or \$0.50 per month per residence. Funding needs, whether SDC or utility fee related, will be clarified once the Storm Water master plan is completed later this year and system improvements are identified.

C. A. Daykin relayed a meeting with representatives from CH2M Hill and staff on the hydraulic study and mapping issues. The main issue is where the restrictions are to accommodate fire flow. The city's storage to meet the fire flow and other needs of the city is not as severe as originally thought. Staff has to collect financial information for the engineers regarding historical cost records for the city's infrastructure. The intent is to have the Water Master Plan on a June agenda. City Engineer Eaton will update the Storm Water Master Plan this winter.

Mayor Russ questioned when work will start on the storm water projects. Daykin relayed City Engineer Eaton's consideration of the possibility to add the Transportation Enhancement (TE) project's storm line work with one of the projects along Highway 99W identified in the Department of Environmental Quality (DEQ) loan application.

C. Pugsley inquired where storm water drains to. Daykin replied into a variety of basins. The city is tasked by the DEQ to take action to prevent pollutants from entering the Willamette River. The plan is to develop a regional treatment facility to take and treat water from the city streets before the water enters the river. City Engineer Eaton will be available at the next meeting to address storm water requirements. The majority consensus supports the rate increase. A letter will be sent to notify businesses subject to sewer strength reclassification of the changes to the rate structure. After adoption of the rates, notice will be posted prior to the August 1st effective date.

Council Concerns and Committee Reports

The Taste of Dundee Block Party is scheduled for May 2nd and will include about fifteen wineries and six restaurants.

The Tourism Committee has received payment for nineteen banners from local wineries and businesses to be placed along Highway 99W. The banners have been ordered.

Councilor Svcarovich attended the Yamhill County Road Improvements Advisement Committee. She and five others have applied for the one open seat on the committee and are awaiting the committee's decision.

Mayor's Report

An email has been received from a resident on Fir Court regarding standing water which has not drained over the past two weeks. Public Works staff has been tasked to determine if there are blockages in the storm water system.

Mayor Russ brought up the question should the Council members have city maintained email accounts. Daykin estimated that the city pays \$9 per current email address per month. Russ suggested the city's website provider may be able to setup a bulk email system through them instead of on an individual basis. The majority consensus was in agreement with the need for city provided email accounts for Council members.

C. Crawford shared an update from the Parkway Committee on the Bypass:

- The bridge beams should be delivered about the end of May
- The Neiderberger Road side is still settling
- Residents from the Ladd Hill subdivision on Wilsonville Road are lobbying ODOT to reconfigure the interchange where the Bypass meets Highway 219 to keep traffic off of Wilsonville Road.

Mayor Russ relayed that the Parkway Committee is planning a bus tour along the Bypass route on May 21st.

City Administrator's Report

A copy of the audit engagement letter for services was distributed to the Council. The auditors have asked for the mayor to sign the letter noting this is a means of communication to the governing body of the City's responsibilities and the auditor's services. Daykin advised that the fees described in the letter are fees that the Council has previously approved.

The new audio video system has been installed in the Community Room at the Fire Hall. The Budget Committee meetings will be held at the Fire Hall starting with Thursday's meeting on the 23rd. The first Council meeting at the Fire Hall will be on May 5th.

The work the Council authorized with Streamline West Engineering for the TE project has been completed. There is additional work for them as the City Engineer has been inundated with development permits. Another scope of work will be brought for Council's consideration.

There will be a pre-construction meeting with representatives from Stettler Supply and Construction tomorrow for the water system improvement project.

After the April 7th Council meeting City Attorney Rihala responded to Astound's attorneys via email regarding the fee issue for the franchise. There has been no further communication.

The Fire Department Pancake Feed had a good turnout. The volunteers received \$3,800 in donations.

Public Comment

None.

Executive Session:

The City Council entered Executive Session at 8:35 P.M. in accordance with ORS 192.660 (2) (i) to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. Executive Session ended at 9:16 P.M. and the Council did not reconvene.



David Russ
Mayor

Attest:



Debra L. Manning, MMC
Assistant City Recorder