

**CITY COUNCIL MEETING
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May 15, 2018**

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City of Dundee
City Council Meeting Minutes
May 15, 2018

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 Kristen Svicarovich; Councilors Tim Weaver, Doug Pugsley, Jeannette Adlong and Ted Crawford. Absent: Councilor Storr Nelson. Staff Members: Rob Daykin, City Administrator; Tim Ramis, City Attorney; Greg Reid, City Engineer; and Melissa Lemen, Administrative Assistant.

Public Attendance

Joyce Colling, Dundee Women's Hall; Emily Croft; Colby Croft, Liberty Harvest; and Ryan Harris, Wine Country Legacy Partners.

Agenda Changes

Item 7.6 Small City Allotment Agreement was added to New Business

Public Comment

Ryan Harris, cofounder and co-owner of Wine Country Legacy Partners, introduced himself. He informed that he and his business partner, Evan, formed Wine Country Legacy Partners about two years ago after realizing the potential that the community and City of Dundee has to become the vision already established as well as the heart and soul of wine country. He informed that he has been in the wine business for 23 years. Harris indicated that the sole intent of his company is to help develop Dundee; he reviewed that they have acquired seven lots, all in the central business district, across about five acres, and have one additional lot in escrow. He pointed out that this represents about 15% of Dundee's central business district, and informed that their intentions are to develop to the best and highest use of that space.

Harris informed that Wine Country Legacy Partners have hired an architecture firm from out of state which specializes in hospitality and building world class developments. He indicated that they are master planning the parcels in order to make sure everything is receiving the best and highest use and also works together, not only for their business but also for the community, residents, and will attract tourists from around the world. Harris shared their belief that the potential exists to bring in well over \$100 million in development to the town of Dundee. He informed that they have partners that they've already engaged in this process that have the means to do so and are experts in their field in various areas that they are looking to develop. He noted their excitement of not only the project itself, but also Dundee and what it represents to the emergence of wine country here in Oregon. Additional discussion ensued. Harris discussed that their intention is to complete the project in stages, beginning in the next 2-3 years, working with City Council and the Planning Commission to ensure that the project complies with existing regulations and also helps to achieve the mutual vision which he believes is shared for the town.

Harris informed that in the short-term they are looking to utilize a 1.5 acre portion of property for something which could help offset some of the costs for property tax, utilities, etc., which they are currently bearing, as well as bring some interest to the town and serve a need which they believe is unmet. He reviewed that they have met with C.A. Daykin and are proposing to create a high end food cart pod on the front part of the property that borders Highway 99 and Ninth Street,

where people could come and experience a top rated food cart prior to their visit to wine country. He detailed that their vision would include 8-12 pods offering a diversity of food for the area. He discussed his belief that they are fully compliant with the City's regulations to do so with one exception which is the parking ordinance requiring hard surface paving. He informed that they have already had drain rock installed and compacted in the area, including a larger area, which would allow them to expand and have enough parking available for the pods. Harris explained that they are not interested in paving it permanently because of the temporary use, and pointed out that it really goes counter to the ultimate development plan which he briefly reviewed. Harris discussed that they are not interested in placing a massive amount of infrastructure now, only to need to tear it out later. Additionally, Harris reviewed that he spoke with C.A. Daykin who pointed out that with pavement comes storm water issues, which are all complications which he explained that they wouldn't be able to do for a short-term project such as this. He informed that they haven't yet gone through the formal application process; he wanted to share their vision with Council and get an early read on any kind of feedback, concerns or questions which they may have to determine how they may be able to approach requests. Harris informed that they would be requesting a temporary exemption, potentially for two years, or until they can start the development process. He pointed out that some of these exemptions have already been granted, whether through grandfathering in or specific exemptions, which he discussed in detail.

C. Adlong requested additional clarification with regard to this type of food cart pod arrangement. C.A. Daykin explained that a food cart is classified as a temporary business and provided a one-year term which requires annual renewal. He pointed that there are some standards with regard to food carts including the temporary use application. C.A. Daykin explained that the conflict is that under the Development Code the parking of vehicles (customer parking specifically) must be on a hard surface. C.A. Daykin informed that as the City Administrator he cannot authorize the use of a gravel parking lot which is contrary to the Code. He reviewed a discussion with Harris where he explained that in the past if Council wanted to modify the Code to consider some possible changes they could potentially adopt a Resolution reflecting those desires. C.A. Daykin pointed out that though this has happened previously, it is a rare occurrence. Discussion ensued. City Attorney Ramis informed that administratively this cannot be accomplished; a process could be undertaken if Council so desired.

C. Svicarovich discussed her belief that paved accessible ADA parking and site access would still be required from a public walkway to a business requirement. C.A. Daykin informed that they posed this question to City Planner Cheryl Caines and she was unclear as those requirements are more of a building requirement, though it was noted that the requirement is also covered to some extent in the Planning Code. C.A. Daykin explained that Harris had indicated that he would be willing to provide more detailed information about the proposal if Council would be interested in this potential idea.

Mayor Russ expressed with regard to potential drainage issues and supported a review by the City Engineer. C. Svicarovich pointed out that gravel is usually classified as an impervious surface, especially if it is compacted, which is a factor which should be taken into account. M. Russ noted that he has seen drainage systems installed in gravel areas. C.A. Daykin explained that another issue is whether or not the food carts would be able to be placed on sod or whether they would need to be placed on gravel, though as a wheeled vehicle it is his belief that they would need to be placed on a hard surface as well. C. Crawford inquired as to when the Master Plan for the proposed project will be available to which Harris informed would be in 4-6 weeks. M. Russ inquired about whether the City has any specific ordinance pertaining to pods to which C.A. Daykin indicated there is not. In addition to not meeting the parking lot standards, M. Russ expressed doubts that a pod arrangement would meet the required architectural standards as well.

Harris suggested that the City of Dundee give consideration to the food pod concept, especially given their rising popularity. He pointed out that what they would be proposing would be temporary over the next couple of years. C. Svicarovich pointed out that restroom facilities would be an additional concern and need to be addressed as well. She also inquired about whether or not SDC fees would apply to which C.A. Daykin indicated they would not for a temporary use; if the discussed area were to be paved this would not be the case.

C. Pugsley voiced that he is not opposed to looking at exceptions though agrees with all of the discussed concerns. He indicated support of the importance of listening to how local restaurants would feel about the project, and pointed out that the Council has strived to be fair and transparent in their decision making process with regard to making changes/exceptions to the Code, requiring a thorough evaluation from many angles. M. Russ expressed interest in knowing how much money is presently being spent on food in Dundee, and pointed out that this type of arrangement would add multiple restaurant options, diluting things as a whole. Harris explained that they are not interested in diluting what already exists in Dundee now, and pointed out that there are approximately 40,000 cars driving through Dundee with the vast majority not stopping now; a food pod arrangement would provide a reason for travelers to stop. Additionally, Harris noted that he sees over 60,000 visitors at the winery, the majority of which he indicates are not eating in Dundee currently for various reasons. He stressed the importance of meeting this need in the community and noted the future potential for tax revenue as well.

C. Pugsley voiced potential support of a grand vision which would include a public restrooms and parking lot facility in the downtown area. C. Crawford pointed out that the Tourism Committee has been setting aside money to fund a restroom facility and information center with potential grants; land for the facility is needed. Additional discussion ensued. Harris explained that their Plan includes a significant amount of open space that they view as being partly for the community. The importance of developing a visual center in an effort to create a downtown feel was noted to be a key part of their Plan and was discussed in detail. C. Crawford reviewed that within the Urban Renewal Plan are funds planned for a restroom/visitor/parking facility as well.

C. Weaver inquired as to whether their long-term plan included application for liquor licenses which Harris affirmed. Additional brief discussion ensued.

Consent Agenda

The motion was made and seconded to approve Consent Agenda Items 5.1 City Council Minutes, April 17, 2018; City Council Minutes, May 1, 2018; and financial report ending April 30, 2018. **The motion** passed unanimously.

Old Business

Transportation System Plan Policies

C.A. Daykin explained that the issue is with regard to development of a street in a commercial/industrial zone and the process to use to decide whether the planter strip may be omitted in favor of curb tight sidewalks. Detailed discussion ensued. C.E. Reid explained that he needs to understand the direction Council wishes to take with regard to development reviews he will be completing. He pointed out that the Code in the commercial district, especially along the Highway, is pushing businesses in closer proximity to the Highway, leaving less room for green space. C.E. Reid suggested one potential idea would be to require street trees that are in street wells with grates over them. The pros and cons of the multiple options were discussed at length. C. Adlong discussed that she is uncomfortable walking on sidewalks that are next to traffic and voiced support of providing street trees as much as possible, potentially with grates. Additional detailed discussion ensued. C.E. Reid discussed that if curb tight sidewalks were placed, a planter strip could still be placed behind the sidewalk or the sidewalk could be widened and

include tree wells. M. Russ emphasized the importance of keeping the green. C. Adlong voiced that she is more in favor of the curb tight sidewalks with tree wells in the commercial areas than residential areas, though this would still only be the case if there were some sort of geographical constraint, etc. It was suggested that though a planter strip is preferred, tree grates would be favored in areas where there is constraint where curb tight sidewalks are elected. Options for providing pockets of non-grass plantings in these areas were also discussed. C. Svicarovich and M. Russ favored something consistent. C.A. Daykin suggested that City Staff could provide schematics reflective of Council's preferences. These ideas could be presented at a future meeting along with a map which could be detailed. C.E. Reid reviewed the preferences discussed, and pointed out that there are areas of close proximity where the zone changes which will need to be considered. Detailed discussion ensued. C.A. Daykin informed that City Staff will provide Council potential design options which could then be used to amend the Transportation System Plan (TSP).

C.E. Reid asked for clarification with regard to what Council prefers for the green space. He also pointed out that how street trees are selected is not defined, and it is not known what is to be between the street trees in the planter strip. The importance of defining what the City would like to see place was discussed. C.A. Daykin confirmed that the City does have a list of street trees in the Development Code though it is a little out of date and may include some undesirable species. Additionally, he pointed out that in some communities the tree species are mapped out for developers in the commercial areas. C. Weaver voiced support of the importance of selecting consistent trees, though C.E. Reid pointed out that there are approximately 30 trees on the list at this time. C. Adlong volunteered to review and offer input with regard to the list of allowable street trees. She supported the idea of having each block contain a similar type of tree. C. Svicarovich suggested breaking the tree list down into functional classification to avoid reviewing every street; discussion ensued. C.A. Daykin suggested allowing individual residents or developers to make tree decisions in the residential areas while planning this out more specifically within the commercial areas to provide consistency. C. Crawford suggested that the Parks Advisory Committee may be a good option for making these decisions, though C. Adlong pointed out that other than Jesse Dillow, she was not aware of anyone else on the Committee who has expertise regarding plants. M. Russ suggested the use of low ground cover which is potentially drought resistant, though C. Adlong discussed that these types of plants sometimes die and are not as hardy as low shrubs which tend to have a longer life and are easier to maintain.

C. Svicarovich inquired about the building of new collector streets with regard to how storm water from these surfaces would be managed. C.A. Daykin offered brief discussion and noted that the City is looking at some potential regional treatment facilities. Additionally, C.A. Daykin informed that a new Storm Water Master Plan will be developed where this will be reviewed further, particularly with regard to the Riverside area. He noted that C.E. Reid met with Oregon Department of Transportation (ODOT) today to discuss their plans for modifying the storm sewer system on Highway 99W and placing treatment facilities. C.A. Daykin noted that there has also been discussion about potentially partnering for local streets; there are opportunities to do this type of more regionalized treatment for public streets as well. C.E. Reid explained that part of the Master Plan update that will be done with Civil West will look at the green and mechanical facility options and develop the pros and cons of each; the new Master Plan will be the recommendation of what the City would like to move forward with. It was noted that ODOT and the City of Newberg have both gone to all green facilities. Additional discussion ensued and C.E. Reid noted that he will be meeting with ODOT and their designers and will find out where things stand with regard to the permitting process. He also discussed that due to the full reconstruction of the Highway that ODOT will be completing, they are therefore required to provide water quality for the Highway as well. C.E. Reid discussed that ODOT proposed putting a whole new trunk line all of the way down the Highway today, which would abandon the 36" inch pipe that

has already been installed. He noted that the City is looking at partnering with ODOT and discussed in detail a potential plan which would utilize the 36" pipe ending at Parks and go right to ODOT's property. C.E. Reid indicated that he suggested the placement of a water quality facility at this location to complete treatment, hopefully a facility that could be expanded for City capacity in the future. He noted that Tony Snyder was open to the idea. C.E. Reid also pointed out that the City of Dundee will be taking over the maintenance of the facilities. Additionally, he explained that one idea ODOT designers had was to place two separate systems down the Highway, one for the City water coming down the hill and one for ODOT's water. The difficulties of this type of arrangement were briefly discussed. Additional discussion ensued and C.E. Reid explained that the direction moving forward will be to try to combine the systems and hopefully gain a regional facility which could be used for City capacity, all of which could be incorporated into the new Master Plan.

C.E. Reid initiated a discussion regarding the proposed street connection between Eleventh Street and Ninth Street near Linden Lane, as well as the Tenth Street connection into that. C.E. Reid described the very curvy connection as reflected in the TSP and pointed out that to make those curves much land will be utilized. He asked for input from Council on whether the intent was to make it a free flowing road or if connectivity through the commercial and industry was the desire. He pointed out that it might make more sense to bring Tenth Street straight up, then curve it over to Linden, and then "T" in to the connection over to Eleventh Street. This route would minimize the impacts to the adjoining property owners. M. Russ recalled that when the connection was developed in the TSP the desire was simply to make the connection, the exact details of which were to be sorted out at a later time. C.E. Reid discussed the map of the area in detail with Council. C. Svicarovich shared concerns with regard to the properties involved and the importance of moving forward in such a way which would still allow existing property owners to maximize their property. Lengthy detailed discussion ensued. C. Svicarovich indicated that though she wasn't opposed to the Tenth Street proposal, she would want to see turn templates as well as agreements from all of the adjacent property owners indicating their support of the alignment before she would offer her support as well. Additional details regarding the potential curve radius options were discussed. The consensus of Council was to keep the proposed curves though try to reduce them using turning templates; the curve should also shift to the northwest a bit. Once an alignment is set, the importance of conducting a future meeting involving all affected property owners was also discussed.

New Business

Dundee Community Center Parking Lot

Joyce Colling, Dundee Women's Club, approached the Council with regard to the proposed project and funding gap. Colling noted that she expects the project to cost at least \$65,000. She explained that Faith Gerstel, now deceased, had been handling the project which Colling has since taken over. Colling explained that initially the thinking was that the project would cost approximately \$35,000-\$39,000, which was later determined to not be inclusive of all costs.

Regarding funding already received, Colling noted that they have \$15,000 of their own money on-hand, have received approximately \$2,000 from the Newberg Community Foundation, and noted that she plans to write to the Early Bird Rotary and request \$30,000, though she is unsure if this amount is possible. C. Crawford, a member of Early Bird Rotary, discussed that a large donation is unlikely from Rotary this year. He explained the difficulty with regard to the funding situation this year, though voiced support of their cause. C.A. Daykin reviewed that the Dundee Women's Hall had also made a request to the Dundee Tourism Committee for \$2,500 for the project, the Committee is likely willing to provide additional funds for that project. C.A. Daykin outlined options in which the City could help out with the project, if Council wishes to do so, as detailed in the Agenda Report on page 53.

C. Svicarovich asked who owns the Dundee Women's Hall property as it relates to it functioning within the City as a Community Center. Colling explained that the women in Dundee built the Dundee Women's Hall building in 1915 with property that was deeded to them by the owners of the property, the Herring Family. She noted that they have been maintaining the building and the property since that time. Dundee Women's Club was noted to be the owner and a non-profit.

C. Crawford informed that the Tourism Committee has approximately \$100,000 set aside in the Tourism Fund for infrastructure improvements; the possibility of a loan being drawn from that fund due to the potential of this being a tourism facility was discussed. C. Pugsley inquired about potential public use of the parking facility during busy weekend afternoons. Colling explained that their feeling is that the facility belongs to the community and can be used by the community whenever there is available space. She did note that their Community Closet is open on Sunday afternoons from 1:00-3:00 pm, though she pointed out that it does not get terribly busy. C. Crawford pointed out that some nearby tasting rooms also have concerts and special events on weekend nights which draw a decent amount of people to the area.

C. Weaver discussed that this organization has been in place for many years and are steady, consistent and very committed and accountable. He noted that their vision aligns with that of the City and voiced his support.

C. Adlong inquired about whether or not the discussed parking lot will be constructed to the City's parking lot standards to which C.A. Daykin confirmed that it will need to be. Colling informed that it will also be landscaped by two Master Gardeners who are also members. C. Adlong expressed concern with regard to the present outdoor lighting at the Dundee Women's Hall which is located on the building itself. Colling explained that the present wiring won't support anything additional, and noted that addressing electrical improvements is the next project on their list. Colling offered that solar lighting could potentially be placed temporarily. C. Adlong voiced concerns about the present lighting being inadequate and voiced her preference that the lights be in conformance with City code, especially since they will be required to change it out in the next couple of years anyway. C. Crawford pointed out that there may be a street light placed nearby to which C.A. Daykin acknowledged as well.

C.A. Daykin outlined potential savings which the City could provide if Council desired and as discussed:

	Value/Savings
City Waiving Permit Fees	\$3,500
City purchase of 600 SF of property	\$5,000
City pays for Storm Line Extension (with manhole)	\$8,000
Tourism Fund – additional match	\$2,500
Contribution from Façade Program	<u>\$5,000</u>

Total: **\$24,000**

C. Crawford inquired about the potential of the Urban Renewal District providing a loan for this public parking facility. Colling indicated that she would be very agreeable to this scenario as the parking situation has become an issue in recent years and raising the funds for the project has been difficult. C. Pugsley suggested encouraging public parking only during the daylight hours of between 9:00am to 4:00pm for the time being. Colling explained that she will also make application to the Early Bird Rotary, though she was told to wait to do so as the Rotary may have more available funding in June.

C. Pugsley voiced his support of the previously discussed contribution amounts from the City, as well as potentially an additional \$5,000 in Urban Renewal loans. C. Svicarovich explained that her concern with utilizing Urban Renewal dollars is that the property, according to the storm water report, should have a total of twenty-five parking spaces on the site in order to meet the capacity needs of the building while only eight parking spots are being provided with this project. She acknowledged the existing site condition with limitations, though she noted her concern that adequate parking isn't provided today and questioned whether a benefit will be received with the addition of only eight parking spaces. Colling reviewed the existing parking and pointed out that there will also be parallel parking available on the back of the building as well, bringing the cumulative total to approximately twenty-five parking spaces. C. Crawford inquired as to whether or not there is any possibility of acquiring more property to construct a larger parking facility. C.A. Daykin reviewed that the property to the South is owned by The O'Brien Company. Colling informed that they did approach the owner about this leg of property though he did not seem interested; they are unsure of what his plans are for the property. C. Crawford briefly mentioned the possibility of acquiring the property for a public use, and pointed out the small size of the parking lot compared to the costs involved; if a larger parking lot were constructed the unit cost would go down and a greater benefit would be received. Colling supported this idea. Additional detailed discussion ensued regarding the possibility of Urban Renewal purchasing the leg of property for public use. C.A. Daykin pointed out that the biggest issue would be the driveway. He also informed that the City does plan to have a discussion with The O'Brien Company as well as several other property owners with regard to the future of Tenth Street; if the 600 foot right-of-way were able to be obtained than it would no longer be a barrier to continue Tenth Street through the O'Brien Company property.

C.A. Daykin reviewed that the consensus of Council was in favor of the City's participation at \$24,000 as previously outlined. He indicated that he would provide Council with a formal Agreement which they could review and potentially approve in the future. C. Crawford suggested again the potential option of obtaining a loan (to be paid back) from the Dundee Urban Renewal Agency. Detailed discussion ensued. The consensus of Council was to have a discussion pertaining to this potential option at the upcoming Urban Renewal Agency meeting in June.

Outside Water Use – Hydroponic Greenhouse

Colby and Emily Croft, 20900 NE Neiderberger Road, approached Council with regard to their outside water use request. The exact location of their property was discussed. Emily Croft pointed out that they are outside of the City limits and have restricted use of City water. Colby Croft reviewed that though they are still in the planning stages of building the greenhouse, they have purchased a used structure and have obtained an Ag exemption from the County to build it; water supply is the present issue at hand. Though the Croft's believe they could potentially build a well on their property at a future date, they indicated that this option does not make financial sense given the amount of water they would need to use. C. Pugsley inquired as to whether or not the exception has previously been made for water to be used for a business. C. Crawford inquired and C.A. Daykin confirmed that Columbia Empire Farms does use City water; they have significant water use, much more than the proposed hydroponic greenhouse would use. Colby Croft explained that their proposed greenhouse plan would use water very efficiently. C.A. Daykin discussed that his concern would not be with regard to the amount of water being used, it would be with regard to the restriction of use for outside of the City limits.

C. Svicarovich inquired about whether there might be a way to establish a rural commercial rate for outside of the City limits to which C.A. Daykin affirmed. He also noted that it has been observed that some of the non-City systems are tracking much higher water use during the

summer; the presumption is that they are using water for irrigation. M. Russ expressed concern about the water use with regard to future development. He discussed his concerns at length with regard to the fact that though there is enough water available to meet the City's needs now, future development will impact those needs in a way that is not yet fully known. He expressed the importance of this decision as it could potentially impact future decisions with regard to outside water use requests.

C. Crawford supported the idea of proposing a required renewal every three years, so that the effects of anticipated growth could be reevaluated at that time. C. Adlong supported the idea of reviewing the rates for irrigation. C.A. Daykin suggested that the City could enter into a contract with the property owners for the discussed use on a limited duration with review. City Attorney Ramis confirmed that a contract could be set up to address Council's concerns. Emily Croft voiced support of a contract for now if the City desired; in the future they hope to be able to put in a well and supply their own water. C. Svicarovich inquired as to whether or not Agreements made for water connections outside the City limits include a nonremonstrance agreement for annexation. C.A. Daykin reviewed that this is a preexisting water line which is outside the City, but indicated that because this is a negotiation process at this point and it could be added. He also noted that when new connections are added this is part of the requirement.

C. Crawford inquired about the Crofts' proximity to NW Wines which they indicated are located right behind their property. C. Crawford suggested that they could be a potential option for a water source at some point in the future as opposed to having their own well installed. Brief discussion ensued with regard to the potential complexity of this idea.

C. Adlong expressed concern about the amount of outside water requests the City has been receiving. It is fundamentally her belief that the City should not be providing water to those outside of the City, though she expressed her opinion that this is a fantastic use for water. C. Adlong suggested that reviewing the rates is an important factor, especially for those with an increased use seen over the summer months, beyond that of normal household use. She voiced support of increasing the rates for high water use on all of the lines outside the City limits. C.A. Daykin voiced his support of this as well, and suggested that ensuring compliance for non-irrigation use may be achieved by increasing the surcharge for the high volume use. Additional discussion ensued, and C. Svicarovich suggested that Council may need to have additional discussion with regard to outside water use prior to making a decision regarding the Croft's request. C.A. Daykin shared his belief that the 20% surcharge was low in comparison to other communities; typically it's 50% more, up to twice what an inside customer would pay. The present 20% surcharge presently in place was noted to be as a result of a policy change City Council made a number of years back. M. Russ suggested Council revisit the pricing and rules regarding outside water use. C. Weaver suggested moving forward with a decision with regard to the Croft's request at this time, while addressing Council concerns and the issues discussed separately. C. Weaver also inquired as to whether or not reclaimed water could be used in this case to which it was discussed that it could possibly be used for cooling, though potable water would be required for the plants.

A motion was made and seconded to approve the water service request from Colby Croft for 20900 NE Niederberger Road, with a contract which limits the time for their water to three years, with an opportunity for renewal to be considered. C. Svicarovich inquired as to whether the Croft's are using water from their existing connection to grow microgreens at this time. Colby Croft confirmed that they are though pointed out they have only been using close to 20 gallons per week. **The motion** passed unanimously.

WWTP Blower Repair

C.A. Daykin reviewed the detailed information regarding the WWTP blower issues as presented in his Agenda Report on page 77. He explained that Staff confirmed that it did not show up in their manuals to be checked periodically, so it was never a part of their maintenance requirements though that has now been changed to include disassembling and checking it on a monthly basis. **A motion** was made and seconded to approve the repair estimate from Aerzen in the amount of \$9,794.82. **The motion** passed unanimously.

City Utility Rates Review

C.A. Daykin corrected a typo on page 82: the total sewer rate amount of Domestic/Low I&I for the Current 2017 year in the table should be \$67.46 and not \$66.46. Council reviewed the information provided.

Resolution No. 2018-06, Sewer Rates

A motion was made and seconded to adopt Resolution No. 2018-06, a resolution setting sewer rates and repealing Resolution No. 2017-04. **The motion** passed unanimously.

Small City Allotment Agreement

A copy of the 2018 Small City Allotment Agreement was provided to Council for their review. **A motion** was made and seconded to grant authority to the City Administrator to accept the 2018 Small City Allotment Agreement with regard to the paving of SW Charles Street. **The motion** passed unanimously.

Council Concerns and Committee Reports

None.

Mayor's Report

M. Russ inquired about whether or not any additional research had been done with regard to the previously discussed idea of a potential wine bottling tax. M. Russ pointed out that there are several bottling facilities in town. C. Crawford suggested that those affected by such a tax could decide to move their bottling to areas outside of the City of Dundee. C.A. Daykin informed that this idea hasn't yet been researched though noted that doing so will be expensive. C. Pugsley voiced that he does not feel favorable toward the bottle tax idea. C. Crawford pointed out that he had discussed the potential of a bottle tax with County Commissioner Primozech, who indicated that he would discuss the possibility with the County's legal counsel; this could potentially save the City of Dundee money on research. C. Crawford pointed out that though the wineries are felt to be the main tourist attraction in Dundee, the hotels are more burdened to pay for the tourism impacts. C. Crawford pointed out that there are likely approximately 2 million bottles of wine bottled in the City of Dundee in a year; a small tax would add up quickly. C.A. Ramis indicated that he can look into that but will check with the County first. It was clarified that this is not an alcohol tax, but a bottling tax idea.

M. Russ inquired about the roof drains at the Community Center after recalling a previous water issue. C.E. Reid confirmed that there is no longer an issue; once the last phase of the sidewalks was completed they were connected in and should be draining through the curb now to the gutter. M. Russ pointed out that no one removed the piece of pipe that still sticks out in the area which C.E. Reid advised he will check into.

M. Russ inquired as to whether or not the Tourism Committee will be looking into adding new Christmas décor this year. C. Crawford reviewed that it was discussed at the last meeting. He pointed out that there is a lot of uncertainty about whether the street lights will even be in place at

that time. He noted that there was some talk about seeking some grant dollars for decorations. Additionally, C. Crawford explained that there is a promotion called "Deck the Hills" that the Tourism Committee is hopeful to take a more active role in. He reviewed that there was supportive of the idea of decorations though pointed out that they are very expensive.

C. Adlong inquired as to whether putting lights up on the trees has been considered. M. Russ supported lights on the trees or decorations on the street lights; he would like to see additional decorations in the City. C. Crawford pointed out that if the decorations are tied into Deck the Hills because a grant would be more likely.

C. Crawford informed that A.J. Rama recently attended the State's conference on Tourism, and he was approached by someone in the State of Oregon who has been in talks with a Japanese City that wants to have a sister City that's related to wine. He informed that the interested City is located in the Nagano area, a City of approximately 10,000 people and is the second biggest wine area in Japan. The Council voiced support and interest in this idea.

City Administrator's Report

C.A. Daykin advised that he and C.E. Reid recently met with Civil West Engineers and had an initial discussion on updating the 2006 Storm Drain System Plan. He noted that he expects to bring back a scope of work and fee for Council's consideration at the June 19, 2018 meeting.

C.A. Daykin informed that Staff did hear back from Tony Snyder regarding the presentation to the OTC regarding the additional \$3.5 million for the reconstruction of the highway in Dundee was approved. He indicated that they are now going through the process of getting all of the various funding buckets and procedures set up; they have already started the beginnings of design and dealing with storm water.

C. Crawford inquired as to whether there has been any update received with regard to the funding agreement for installation of street lights which C.A. Daykin indicated that there has been no update received.

Public Comment

Ryan Harris, Wine Country Legacy Partners, approached Council and noted that it has come to their attention that the Verizon cell tower is back on the proposal plan at a lower height. He reconfirmed their opposition of that cell tower, as well as pointed out that those residents and businesses they have spoken to side the same on the issue as well. He pointed out that Wine Country Legacy Partners are about to secure a significant investment in the City of Dundee, and indicated that there's nothing that could work more directly against that than the potential to create an unsightly 75 foot cell tower. He stated that they would view this as a very short-term and less than intelligent move on the City's part, simply because it would offer short-term pennies at the expense of long-term significant dollars. He pointed out that with what they could bring into the community as far as the development, the tax base and what that will generate for urban renewal, which placing the cell tower would be a very short sighted mistake. Harris also suggested that this type of technology will likely be obsolete within ten years. He then stated that their plans of \$100 million in development would not happen if there is a cell tower right in the view of a hospitality center, hotel, plaza, etc., as it would be the major thing that people would see. Additionally, Harris noted that they will go all of the way to LUBA if they have to fight that process which will slow things down. He stated that they would not develop and would cease planning if the cell tower is approved; they would put the properties up for sale because it would completely defeat the purpose of what they are trying to do. Though he pointed out that this is not a threat by any means, and simply the facts, and what they will be looking at. He suggested that the addition of a cell tower would be a major move against everything that the Council and

City has done with regards to the Transportation Plan, beautification plans, etc., and would be taking a major step back. He pointed out that the only person in town that they've seen who is in favor it was a person who voiced concern about their rent going up; they want to keep their rents low and they think that the uglier the town is the lower their rent is going to be. He stated that Wine Country Legacy Partners are the only people in town who get notified of it as they are the only property owners in the City within 100 feet; they are ready to renew the effort to fight that once they are notified that it's been reapplied for. He also pointed out that they've spent close to \$100,000 tearing down unsightly buildings in Dundee which he detailed. He informed that they completed these improvements using their own money and not because it made economic sense, but because it made the town look better. He explained that the less expensive thing to do would have been to let those buildings stand and crumble until they were ready to develop, though they went ahead and put that money in to take those buildings down so that everyone in the town and who drives through it has something better to look at; they would appreciate the same consideration from the City.

Harris encouraged City Council to speak with 12th & Maple Wine Co. who have the condemned green restaurant building that should be torn down or burned down. He stated that it seems like a health hazard as it's completely molded out and could collapse on someone. He stated that it's blight on the town, and pointed out that now that they've removed the biggest blights of the Kwanza huts and the Riteway Building, they will now focus on the next one. He discussed their hope that building by building hopefully the aesthetics of the town will be improved and therefore increases the tax base, urban renewal, and creates a virtuous cycle.

C. Pugsley inquired as to why Harris believes that cell towers will be obsolete technology in ten years. Harris reviewed that at a previous meeting the Verizon representative had indicated that the technology is changing so fast; the reason they have to build all of these new towers closer and closer together is because they keep adding more and more data capabilities to phones. When the question was raised about the possibility of technology changing to the point when an actual cell tower won't be needed anymore, Verizon indicated that things are moving in that direction though it is unknown how long it will take; in the future physical cell towers won't be required as communication will be done by satellite, etc.

C.A. Ramis advised that it is his understanding that the cell tower is an application that actually has been filed and it could, therefore, come before Council on appeal. He pointed out that this is an ex-parte communication which should be recorded and include it in the hearing process, and second, if the matter should come to Council on appeal, this conversation will need to be disclosed to all of the participants so they will have an opportunity to respond to it.

The meeting was adjourned at 9:12 P.M.


Kristen Svcarovich, Council President

Attest:


Rob Daykin, City Administrator/Recorder