

**CITY COUNCIL MEETING
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May 19, 2015**

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City of Dundee
City Council Meeting Minutes
May 19, 2015

Call to Order

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

Council and Staff Attendance

Present: Mayor David Russ, Councilors, Ted Crawford, Storr Nelson, Doug Pugsley, Kristen Svicarovich, and Tim Weaver (7:08 P.M). Excused Absence: Jeannette Adlong. Staff members: Rob Daykin, City Administrator, Peter Watts, City Attorney, Charles Eaton, City Engineer, John Stock, Fire Chief, and Debra Manning, Assistant City Recorder.

Public Attendance

Mayor Bob Andrews, City of Newberg.

Agenda Changes:

Items 7.2 Brush Rig Cab and Chassis Bid and 7.3 TE Sidewalk Project - Colored Tile were added to Old Business.

Public Comment:

None.

Presentation:

If I Were Mayor Contest

Mayor Russ announced the third place winner in the competition for "If I Were Mayor" contest is Emily Negra, a Dundee Elementary fifth grade student. She received a check to fund a \$25 savings bond and a certificate for the Paddle Launch. Mayor Andrews, City of Newberg, and Mayor Russ were photographed with Emily's poster as she was not able to be present. Mayor Andrews thanked Mayor Russ and the City for participating in the contest. He acknowledged there were over forty-five entries from the Newberg School District and C.S. Lewis Academy.

Consent Agenda

The motion was made and seconded to approve Consent Agenda item 6.1 City Council Minutes, May 5, 2015 and 6.2 OLCC Liquor License Application, Ma Belle Fleur Wines LLC. **The motion** passed unanimously.

Old Business

Cooperative Improvement Agreement - ODOT

Council addressed this issue about a year ago. The agreement has been delayed through ODOT's process and due to concerns that the City did not want ownership of the bridges connecting local streets over the Bypass at Parks and 8th Streets. ODOT's policy is that bridges that they build to connect local roads becomes the local agencies responsibility. The final agreement compromised with the City agreeing to maintain the bridge's surface, snow removal, and street lighting and ODOT will retain ownership and responsibility for long term bridge replacement. ODOT will build the connecting roads on Edward's property, the connecting road between Parks Drive and Fulquartz Landing Road, and additional improvements near the Waste Water Treatment Plant (WWTP). The new roads will be turned over to the city. The payment of \$268,000 will be paid to the city upon execution of the agreement. Staff's recommendation is to approve the Cooperative Improvement agreement.

Mayor Russ asked for the City Attorney and the City Engineer's recommendation. City Attorney Watts approved the agreement which relieves the city of the responsibility to replace the bridge. City Engineer Eaton added it equals the cash values for use of the city's streets and upgrading segments of streets that ODOT did not want to upgrade as part of the Bypass project.

Councilor Nelson inquired how much of the total payment applies to Eighth Street. Eaton replied that the street will get an overlay of the existing paved section and new road construction at the end of Eighth Street where ODOT is building the new local road leading to the bridge. Eighth Street has to be realigned by ODOT again. ODOT initially advised the city of the haul routes. The City Engineer calculated estimates to repair the streets after the Bypass construction is completed and added some of the items we wanted in the Bypass project that they would not address. We also have the Yamhill County's share of funds for the roads they turned jurisdiction over to the city.

Mayor Russ asked if the price of asphalt has increased. C. Nelson advised it has remained stable.

Councilor Crawford questioned the wording in the Terms of Agreement item 5. ...The Project shall be completed within ten calendar years..... (packet page 16). He expressed concern for the landscaping of the mounds. Eaton noted the IGA was started four years ago and was intended to be executed before ODOT started expending funds. ODOT will be responsible for maintenance of the mounds. The city will be responsible for landscaping maintenance at the entry points to the city along Highway 99W underneath the fishhook.

C. Nelson questioned when the first phase is expected to be completed. Eaton replied Phase D is to be completed in 2016. Mayor Andrews stated that ODOT is targeting the winter of 2017 for the project to be open to the public.

After further discussion **the motion** was made and seconded to approve the Cooperative Improvement Agreement and authorize the Mayor and City Administrator to sign the agreement. **The motion** passed unanimously.

Brush Rig Cab and Chassis Bid

Newberg Ford transposed the bid amount at \$26,659 when it should have been \$29,659. Chief Stock noted it was an honest mistake; we received a bid with the incorrect amount that nobody caught. He was aware they had quoted \$29,659. Newberg Ford is still the low bidder for the Brush Rig cab and chassis. After further discussion **the motion** was made and seconded to authorize the City Administrator to sign the purchase order for the corrected price of \$29,659 for the 2015 Ford F-350 Chassis SD Super Cab from Newberg Ford. **The motion** passed unanimously.

TE Sidewalk Project - Colored Tile

City Engineer Eaton referred to the potential slickness of the glass treatment to the surface of the tiles. The usual size of the tiles is 9" X 9". The city's tiles will be 18" X 18". If glass was applied to the entire surface it may be too large of an area for that type of treatment. With the smaller tile a foot spans the tile and encounters a non-slippery surface in the stride. He inquired if the Council wants to apply glass to: 1) the entire tile, 2) the river, 3) the river and sky or 4) none of the tile. After a review of the cost with the glass versus a savings of \$9,750 without glass; it was noted that the aesthetics will be paid by ODOT from the Bike/Pedestrian funds. The city's match is 10.27%. City Attorney Watts counseled that anything that knowingly creates a slip and fall hazard is a cause for concern. The Mayor inquired if there are sealants to create slip resistance on the tile surface. Eaton confirmed a sanded resin could be applied; it would dim the brightness of

the tile's surface. The majority consensus was to place clear glass in the blue water section only of the tile.

New Business

Ordinance No. 541-2015, Emergency Billing

Chief Stock is interested in using a third party contractor to help with emergency services billing by the Fire Department. The ordinance will allow the city to bill the insurance company of the person who received services in lieu of billing the person directly and relying on them to process the billing. The expectation is the third party contractor has more resources and industry contacts for easier payment processing and better response. If the ordinance is approved a resolution will be brought to the Council setting the fees along with the agreement for contracting the billing service. The agreement is currently under review by the City Attorney.

C. Nelson questioned if the state laws and administrative rules have favorable rates. Daykin shared that Fire Recovery USA suggested the city complete an analysis of the cost of service for different emergency response scenarios. The past city billing procedure was based on actual time elapsed. The State Fire Marshall's schedule deals with equipment and manpower; they do not give consideration for overhead and being prepared for responses. Nelson asked if we are allowed to access late charges of 18% or 12% per year. Daykin replied the model agreement had 18% and the ordinance has 12%. The percentage is Council's choice. Nelson asked if emergency billing would be directed to the insurance companies. Watts clarified the billing would be directed to the insurance company first and if not paid it would be forwarded to the individual. Staff intent was to make it easy for fire services so their time is not spent in paperwork and fair to outside customers receiving the services. It was noted billing fees are dependent on services provided. The cost of service is increased when multiple engines are required for an extended amount of time. Fire Recovery USA provides their usual and customary rates; but they suggest the city reflect the cost of service. Their typical level 1 motor vehicle accident fee, the most common billing, is \$435; while a car fire billing fee is \$625.

Councilor Svcarovich questioned if language noting how often the fees will be reviewed should be included in the ordinance or the resolution. Daykin confirmed it could be included in the resolution.

The motion was made and seconded to adopt Ordinance No. 541-2015, an ordinance relating to cost recovery of emergency services and amending the Dundee Municipal Code, replacing Chapter 2.20, Emergency Service Charges. **The motion** passed unanimously. A resolution setting the fees will be brought to the Council.

Council Concerns and Committee Reports

Councilor Pugsley expressed concern that the paint on the crosswalks, along Highway 99W, is basically gone; creating a severe hazard. Mayor Russ concurred. City Engineer Eaton advised it is ODOT's responsibility. Once the TE project is completed the city will maintain the new crosswalks. It was noted that other complaints have been received from the public on the issue. The Mayor shared he received a certified letter from an attorney stating a pedestrian was struck in a crosswalk in Dundee; receiving multiple fractures. The City Attorney advised that this has been forwarded to Citycounty Insurance Services. ODOT will be informed of the incident noting the Dundee's past requests for the issue to be addressed and the lack of response on ODOT's behalf. C. Crawford questioned the accident site. Daykin stated it was at the Tenth Street crosswalk. Eaton cautioned that ODOT's solution may be to remove the crosswalks. He noted the only marked crosswalk that has an ODOT order is at Fifth Street. If we paint the crosswalk then we would be responsible for all of its maintenance. Mayor Russ recommended continued pressure on

ODOT to address the issue. C. Pugsley stated that ODOT should be reminded they are going against the community's needs and wishes if they remove crosswalks. City Engineer Eaton noted all the crosswalks will be relocated during the TE project. Watts confirmed the message to ODOT is community safety. There has been an accident with multiple fractures; maybe it could have been prevented by better crosswalks. The Council has been expressing their concerns on the issue for some time without any response and hopes the next accident will not be worse.

Councilor Weaver took the Bypass tour with Representative Bonamici. ODOT representatives heard the request for a fix for the fishhook from many in attendance; including Dave Haugeberg, Yamhill Parkway Committee and Mayor Andrews, City of Newberg. Weaver questioned why ODOT is connecting the Bypass to Springbrook Road instead of the original plan by the hospital. The homeowners along Wilsonville Road are expressing their concerns with traffic flow. ODOT is developing additional emergency access part way along the Bypass.

C. Crawford advised that there are nineteen Dundee Hills AVA's banners placed on the poles along Highway 99W. There are also twelve summer themed banners and twelve Fueled by Fine Wine banners; which will be hung for the summer. They will be followed by the Dundee Hills AVA's banners until the holiday banners are hung. Three rotations in all.

The Tourism Committee wants to apply for the Wine Country License Plate matching grant program to purchase a mobile information kiosk with the Dundee Hills AVA. The kiosk can be relocated to different sites. This would be a \$40,000 project requiring a \$20,000 match (\$10,000 from the city and \$10,000 from the Dundee Hills AVA). The committee is waiting on the Dundee Hills AVA's decision as to the joint application; which is due by July.

Mayor's Report

The Mayor, City Administrator and City Engineer will meet with representatives from the Department of Environmental Quality (DEQ) tomorrow. They are looking for suggestions to help cities. The Councilors offered suggestions; to speed up the review process, to provide funds for I & I improvements, a solution to the I & I problem, and a local liaison to work with them.

C. Crawford shared that he will be taking the Bypass tour.

C. Crawford questioned when the Council could tour the Public Works building. C. A. Daykin updated that they are just starting to move into the building and will make arrangements for a tour when completed.

The Dundee Community Closet provides clothes to the community for \$1 a piece. They had lost their clothing source; but now they have two sources. The Closet provides funds for the rebuild of the Dundee Community Center.

Mayor Russ inquired the timeframe for the downtown loan grant program. Daykin advised that the June Tourism Committee meeting will address how to target the funds and how to approach the program. The application for the funds has the process laid out. Daykin stated the program requires recommendations from the Tourism Committee on the types of projects to be funded be forwarded to the Council. C. Pugsley suggested a point system; where points are given for sites lacking design elements.

City Administrator's Report

The Fueled by Fine Wine Half Marathon will take place in Dundee this summer. They have applied for a parade permit from the Newberg-Dundee Police Department. They will have to come to the City Council for a variance to the noise regulation in June.

The solar array at the WWTP is up and running. Crawford asked if excess generated power goes back to the grid. Daykin advised it is required to go to the grid as part of the net-metering program administered by PGE. We receive credit for power generated against power used. PGPV owns the system and the City is provided a guaranteed benefit of \$5,000 per year for the 15 year term. Crawford suggested storage of energy through batteries. If we want to do something like that we would have to do it on our own. C. Pugsley questioned what we produce and the credit amount the city receives. Daykin replied the WWTP system is a 100 kilowatt system; ten kilowatt is generated at the Fire Station earning a \$1,000 per year. The larger systems have fewer subsidies, so the benefit is not proportionate.

The Astound Broadband agreement has been forwarded to them. They indicated they would accept the changes. We are awaiting the return of the signed agreement.

Public Comment:

None.

The meeting was adjourned at 8:30 P.M.



David Russ
Mayor

Attest:



Debra L. Manning, MMC
Assistant City Recorder