

**CITY COUNCIL MEETING  
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June 21, 2016**

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**City of Dundee**  
**City Council Meeting Minutes**  
**June 21, 2016**

**Call to Order**

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

**Council and Staff Attendance**

Present: Mayor David Russ, Councilors Jeanette Adlong, Storr Nelson, Kristen Svicarovich, Tim Weaver, Doug Pugsley, Ted Crawford. Staff members: Rob Daykin, City Administrator; Shelby Rihala, City Attorney; Jessica Pelz, City Planner; Greg Reid, City Engineer; Melissa Lemen, Administrative Assistant.

**Public Attendance**

Tess Fields, Comcast; Renata Wakeley, Mid-Willamette Valley Council of Governments; Tom & Kay Edwards, River Farms, L.L.C.; Larry Anderson, River Farms, L.L.C.; Darrick Price, River Farms, L.L.C.; Rod Grinberg, Lindquist Family; Nathan Bean; Brian Rupp

**Agenda Changes**

Item 6.4, Block Party Application, Brian Rupp was added to the consent agenda.

**Public Hearing: LURA 16-06, Code Amendment – LI Zone Design Standards**

Mayor Russ called the hearing to order at 7:01 P.M. to adopt design standards for industrial development.

**Call for Declarations of Conflict or Bias by any members of this body:**

None.

**Objections to jurisdiction by any members of this body:**

None.

**Staff Report:**

Planner Pelz reviewed the staff report. Pelz notes that although the City has talked about setting design standards for industrial development for quite some time, now is a good time to proceed with development picking up. Pelz reviewed the proposed amendments, noting that some also amend several existing code sections, such as fence standards. A section is being added stating that fences in the industrial zone which are taller than 6 feet can't be chain-link, and that fences shall not exceed 8 feet tall except where used for outdoor storage and not adjacent to the right-of-way. Pelz noted that we are also adding a section for minimum landscape area, increasing it from 6% to 10% of the gross lot area. Also, rooftop mechanical equipment has been added to the list of things that should be screened and buffered from view. Pelz noted that added was a section to the parking lot landscaping and screening standards where any parking area of drive aisle adjacent to lot lines gets some additional landscaping and screening as well.

**Public Input:**

None.

**Questions from Council:**

Mayor Russ asked for clarification of Item 1 of the General Standards under 17.202.050 Fence Standards which Pelz reviewed. Mayor Russ noted that if barbed wire fencing was needed in the future in the industrial zone area, we could potentially change the design standards to allow that. Adlong expressed concern that at this time she feels the City should be getting away from barbed wire fencing, and possibly expand the prohibition of barbed wire fencing through all of the zones in the future.

**Opponents:**

None.

**Deliberations:**

C. Crawford inquired about how adoption of these amendments would affect present fencing that might not be in compliance. Planner Pelz responded by explaining that when new standards are adopted, it is not required that nonconforming things be brought into compliance until updates/changes are made. At C. Adlong's request, Pelz explained the details of the landscape requirements under Ordinance No. 547-2016, comparing the look of the layout as similar to the Dundee Fire Station. Mayor Russ inquired about the number of parking spaces required and Pelz explained that the number is usually based on one parking space per 300 SF of gross floor area, or 700 SF, depending on what the use is. C. Svicarovich inquired about whether there is a preferred plant list for landscaping. Pelz responded that there is not a specified list, but generally a mix is specified.

**Ordinance No. 547-2016, Design Standards for Industrial Development**

**The motion** was made and seconded to adopt Ordinance No. 547-2016, an ordinance amending the Dundee Development Code to add design standards for industrial development. **The motion** passed unanimously.

**Public Comment**

Nathan Bean, 660 SE Locust Street, approached the Council with his request that the City ordinance pertaining to the keeping of chickens be expanded to include turkeys as well. He suggested a maximum number of two turkeys. Mr. Bean indicated that in Newberg a no-cost permit can be obtained to keep turkeys. He is interested in a similar permit being available to Dundee residents, and suggested the idea of adding a small fee of \$2 to \$5. Mr. Bean indicated that presently he has a chicken coop which is in compliance. He stated that his neighbor voices complaints about various issues on a regular basis pertaining to his property, and/or the animals on his property. City Administrator Daykin advised that he received a complaint about the keeping of a turkey, which at this time is not allowed under our nuisance ordinance, and so a letter was sent to Mr. Bean regarding this and informing him that the turkey needs to be removed from the premises. Mr. Bean indicated that he misunderstood the ordinance allowing poultry, assuming that it included turkeys as well. C. Pugsley inquired about whether turkeys are noisy. Mr. Bean replied that his hens have not been, although he believes that toms can be. C. Pugsley noted that this should be considered with regard to the ordinance as well. C. Nelson inquired further about the details of the no-cost permit available in Newberg for turkeys. City Planner Pelz advised that she will look into the details of Newberg's permit. The consensus of the Council is to put this issue on a future agenda, while holding off on enforcement of the current situation with regard to Mr. Bean.

Tess Fields, Director of Government Affairs from Comcast, 9605 SW Nimbus Avenue, Beaverton, Oregon, approached the Council to discuss the forced relocation of their above ground aerial wires to underground. Ms. Fields explained that Comcast has a franchise agreement with the City and indicated they pay 5% of their gross revenue to the City. She also indicated that

Comcast is in support of the beautification project in Dundee, including placing all of the wires underground and placing street lights. Ms. Fields advised that prior to their franchise agreement there was an ordinance passed in 2009 that states that if the City Council or the City wants Comcast to relocate their wires, then financially Comcast must cover those expenses. Ms. Fields indicated that in some areas where the wiring would be moved underground the City is providing for trenching and conduit. There is another part that is not provided by the City. The cost estimate that Comcast has deduced, depending on the amount of conduit and trenching that is provided, is anywhere from \$185,000 to \$445,000. Ms. Fields indicated that, although Comcast could be required by the City to incur those costs, what they would like to do is to meet the City halfway. She indicated that Comcast cannot absorb these costs independently, and that it could potentially raise the rates of their customers here. She further pointed out that Dish Network, Direct TV, and others don't pay franchise fees because they are satellite companies and don't need access to the public right-of-way. She explained that already there is a disparity between what they have to charge their customers versus what they (satellite companies) need to charge their customers. Ms. Fields advised that they are trying to stay competitive in their market. She indicated that they are prepared to work with the City and spend \$185,000 for the beautification project, but they would like to see the City provide, in addition to providing the trenching and the conduit for the areas that are already allocated, to do it for the rest of the length of the project as well. She indicated that during the construction process, Comcast services of internet and cable services will have to shut down for a period of time, which will impact businesses and local residents. In addition, she indicated that if a "working together" agreement isn't reached, then the proclivity for their customers' cable rates to go up is definitely a possibility.

C. Nelson inquired if Ms. Fields is aware of any other cities in which undergrounding was required that did impact the customer rate. Ms. Fields responded that most of the force relocation work they do is directly equitable to public safety and they do absorb that cost. She stated that presumably that is passed on to rate payers, at least partially, but she doesn't know all of the data pertaining to that. She pointed out that for this particular project in Dundee, it is not a public safety issue. She noted that the poles will remain standing and PGE will continue to utilize them. She indicated that public cable entities are the only ones being asked to relocate due to the street lights that are being put in; there needs to be a specified distance between where their lines fall and the street lights come to. Mayor Russ pointed out that due to the potential cable line interaction with the light fixtures, as well as the need for light on the street, that this is a public safety issue. Mayor Russ felt that the issue of Comcast being competitive as a business is a continuous issue that needs dealt with regardless of the project in Dundee. Mayor Russ went on to explain that our funding for the project is very tight and inquired of the possibility of doing an LID for the undergrounding costs, inquiring if payments to Comcast over ten years would affect the viability of the situation. Ms. Fields mentioned that one alternative as well would be to cut franchise fees to help pay for the project.

C. Crawford inquired about the number of customers who may benefit downstream from Dundee cable project. C. Crawford pointed out that it's unfair for Dundee residents to pay for cables that are servicing other communities further downstream. Ms. Fields responded that she is unsure of those numbers but that she will provide those.

Ms. Fields indicated that Comcast is waiting to get further information from the City Engineer on the exact number of feet for the trenching and conduit that needs to be placed. She indicated she will continue to work with the City Administrator. Ms. Fields informed the Council that their customers want them in Dundee. She pointed out that Comcast is a really solid business partner with the City, that they provide significant revenue to the City to access the public right-of-way, and that they want to work with the City but are also looking to form a partnership for the project. Mayor Russ responded that he feels the City has done some partnering with Comcast along the

way thus far, and explained that the City is trying to do and give all that it can to the project. Ms. Fields reviewed that it is the desire of Comcast to support the project and work with the City, but in areas where the trenching and conduit is not being provided they'd like to try and partner with the City so that there is not a consequence to their customers.

## **Consent Agenda**

**The motion** was made and seconded to approve Consent Agenda items 6.1 City Council Minutes, June 7, 2016, 6.2 Financial Report Ending May 31, 2016, 6.3 OLCC Liquor License Application, Ariniello Vineyard, and 6.4 Block Party Application, Brian Rupp. **The motion** passed unanimously.

## **Old Business**

### **Riverside District Master Plan**

City Planner Pelz indicated that implementation of the Riverside District Master Plan has been discussed with the property owners over the past couple of years. Pelz reviewed the background of the Plan, including work completed and the steps remaining. We are still in the beginning stages and development cannot move forward until either the new Riverside District zone is established or until the master plan is repealed to allow the application of existing zones. Pelz reviewed the options beginning on page 28 of the agenda packet. In the first option in which the property owners fund an outside planning consultant, Pelz reviewed the fact that the preliminary estimate from Angelo Planning Group is \$29,000, which does not include any changes to the Master Plan itself, which is felt to likely be necessary due to conversations with the property owners about the mix of uses; additional changes could potentially increase project cost by \$10,000 or more. Pelz feels that development will be really limited in the flood plain due to a risk assessment initiative by FEMA, which might have repercussions for the plan. Pelz detailed the second option in which grant funding would be pursued to hire a consultant to create the zone. She indicated the Oregon Transportation and Growth Management Program (TGM) would be a good candidate for a grant project, especially because this was a grant-funded project to begin with. The caveat is that the funding for the grant would not be available until July 2017, so work could not begin until then. In the third option the City Council could repeal the Riverside District Master Plan, meaning that the property owners would be able to apply for a zone change to any of our existing zones. She further outlined the details of this option as written on page 69 of the agenda packet. Pelz explained that the downside of this option is that the City does not currently have a mechanism for park land dedication and/or payment; this would require a separate Development Code amendment if the City wished to pursue this policy. Mayor Russ inquired whether our Master Plan specifically states the need for a consultant and C.A. Daykin and Pelz both indicated this is not the case. There is also no specific law stating the need for a planning consultant.

C. Pugsley inquired about what the costs to the City would be for each option outlined. Pelz noted that in Option 2 (the grant) the cost to the City would be very minimal but would include the planning time need to manage it, possibly approximately 80 hours. Pelz explained that Option 1 would need to be a coordinated effort so that it's something that works for the entire Riverside district. C.A. Daykin states that typically the City would be responsible for the legislative process, but it was known back in 2011 that we do not have the resources available. This information was previously shared with the owners, along with the option of pulling together their resources if they wished to move things along more quickly, with the City helping coordinate this effort on their behalf. The cost of this option would be more than if we hired an independent contractor through the state program, at least triple the staff hours, plus the cost for the consultant as well. In Option 3, C.A. Daykin explained that the cost depends upon how much work will need to be done. If the Master Plan is repealed, additional work could involve developing residential design standards or standards for developing parks. Minimal costs would

be involved if we are going to replace the comp plan map with new designations that match up with our zoning districts and rely on current Development Code standards. To save on costs, Mayor Russ inquired if it would be possible to authorize our Planning Commission to recommend zones to the City Council, including minimum zones for parks, and send that back as a recommendation. Pelz explained that the zone creation itself is a big project because the Riverside Zone needs to implement the Master Plan. Conversation ensued regarding the details of this process. It would likely take a year or more to go through this sort of a process. Mayor Russ expressed concerns that the funds from the grant process may not be enough to cover the whole project, but Pelz reassured him that there is typically enough funding. C.A. Daykin explained part of the complexity of implementing the Riverside District Plan. In the Plan the subareas are allotted a maximum number of dwelling units and a maximum amount of square footage of either industrial or commercial buildings, but there are not standards in place to guide how these uses are developed. When the zone change applying the change is done there must be a Master Plan specific to the subarea. C.A. Daykin explained that we don't have a process for reviewing Master Plan requirements in our development code. We would need to come up with a process that makes sense for us. Conversation ensued regarding the details of the potential process. Given the various complexities of the project, C.A. Daykin doesn't feel the Planning Commission alone will be able to effectively facilitate this process. C. Svicarovich inquired about who the third party would be in mediating the process regarding the zones. Pelz responded that the City would typically be the project manager for a TGM grant, especially for legislative actions.

Rod Grinberg, representing the Lindquist family, expressed concerns regarding the overwhelming complexity and difficulty of trying to complete the Riverside Master Plan. He advised the Council that a portion of their property is on the west side of the bypass, fitting in with the residential grid of the existing streets. He indicated that the family attempted to work with a private consultant regarding preparation of a zone with development standards, but that didn't end up working out. Mr. Grinberg indicated they would like to find a way to make the project more simplified, maybe by finding a phased solution that might work. Their feeling is that by breaking down the project into smaller pieces, allowing some development to start happening now, this may provide a much better process while we work through the larger Master Plan thus giving momentum to the project as a whole.

Larry Anderson, Anderson Engineering in Newberg, and Darrick Price, Financial and Development Consultant, indicated they are pleased that the project may be moving again. Mr. Anderson noted that there have been a lot of changes since the plan was adopted, mainly with transportation. He indicated he was involved in original planning, but that was prior to the bypass project construction beginning. Conversation ensued regarding additional changes that have taken place. Mr. Anderson indicated that they like the idea of a set of standards for all development within the plan, so that they can pass this information along to home buyers who will then know what to expect in future phases. He also advised they would like to look again at the viability of the size of the commercial centers and that they are looking to see what kind of flexibility they would have in that. They want to know the City's perspective on how to move through the process and how to move forward.

C. Crawford expressed concern regarding the sewer line which needs to be built to service the Edwards property as well as the Lindquist property. He suggested that the property owners work together to help pay for the consultant and move forward to start to build the sewer infrastructure. Mr. Price discussed the two sewer options in more detail. He indicated that the Bypass related roads have been fixed and the water line is in the ground, so there are no water supply issue as well as no issue regarding the treatment system capacity. Mr. Price stated the City has an ordinance for advanced financing of public improvements if they need to get across the Lindquist

property or they bring the sewer across to them. He suggested the means are in place for the City to reimburse whoever builds the sewer for the other person's benefit. He added that we need to start with the early planning steps. Mayor Russ advised that we need to make sure the project is done right for the future of the City and the happiness of the residents in that area, as well as the viability of their investment. Mayor Russ acknowledged that while a staged project would be nice, without the development of a plan the individual stages cannot even be discussed. Mr. Price indicated that they are present today because they want to learn what the next steps in the process involve so they can move forward.

C. Pugsley expressed concerns to Mr. Anderson regarding the direct 5<sup>th</sup> street access outside of the UGB no longer being viable, and inquired whether this has changed his commercial viability computations. Mr. Anderson indicated that quite some time back, before the bypass was certain, the thought was that in order to make that work you would need to have good access to highway 99. With the bypass in place, the downtown improvement plan, and all of the underutilized commercial land right in the heart of the city that Dundee is going to blossom. Mr. Anderson went on to suggest that it wouldn't be desirable or viable to have a large commercial center with a vacant parking lot; this area would likely be better utilized (under Edwards plan) for a residential area with the park land and river front. He emphasized that unlike other developers, the owners really want something nice for this property, a quality product. Mayor Russ shared his perspective on the future of the bypass. Although exactly what it will look like is not entirely clear, part of his vision includes an exit off the bypass potentially somewhere near that area which would then make it more accessible to all of the residents (as well as commercial) and be very good for the City.

The consensus of the Council is to move forward with implementation of the 2011 Riverside Master Plan, and remove Option 3 from consideration. Mayor Russ stated that he would like the City attempt to obtain the TGM grant to help out with the situation, but notes that won't pay for the entire process. Mayor Russ suggested that someone put money forward now to begin the process if possible, and that the landowners work together if feasible. C. Pugsley proposed beginning with Option 2, which may answer some of the questions being brought forward. City Planner Pelz referenced the zone details as outlined on page 117 of the agenda packet. In addition to this would be the changes to the Master Plan itself as previously discussed. C. Nelson pointed out that the City beautification, sidewalk improvements, transportation changes (specifically 11<sup>th</sup> street), and potential Urban Renewal is going to change the whole dynamic downtown.

At the end of the discussion, Rod Grinberg suggested that this would be a good time to get together with the Edwards' to discuss Options 1 and 2. He advised that next month they potentially could return to discuss their consensus on what they think would be best.

C. Crawford inquired about what the land use requirements are for the City. Pelz advised there is the 20 year supply, and that our UGB is very small in Dundee because we have the entire Riverside area which is undeveloped. State law requires planning for a 20 year supply of every category of land, and if you don't then an urban growth boundary expansion is initiated. A buildable land inventory was done when the commercial zone work and rezoning was done. Pelz indicates that although she doesn't know the exact numbers, this is something that we would have to take into consideration. C.A. Daykin also indicated that we don't have design standards for residential development or multifamily residential developments. We also don't have a process to explain how a Master Plan is produced for a subarea, what's to be included in it or what process to use. He also advised that we need to come up with a process for development of parks that everyone is going to be in agreement is a good process (those that maintain the parks, those who own the parks, and those that are putting assets into development of the parks). The

consensus of the Council at this time is to move forward with Option 1 for the next 30 days, until we hear back from the property owners, and then make a clear choice whether it's Option 1 or 2 after that.

### **Urban Renewal Plan Proposal**

Renata Wakeley, Community Development Director with the Mid-Willamette Valley Council of Governments (COG) discussed with Council a scope of work for assistance from the OCG for the preparation of an urban renewal plan. Ms. Wakeley indicated that typically they don't work on the financial analysis aspect, and have reached out to Eco NW that also does financial analysis. Although she does not have quotes available at this time, the hope is that by July 5<sup>th</sup> she will hear from them and be able to bring a proposal. Ms. Wakeley also informed the Council that they can provide maps which provide identification of the urban renewal area, and some design standards, but they don't have landscape architects, etc. on staff to provide drawings for the plan document, so that would be something that could be subcontracted out if we are interested. Ms. Wakeley referenced the project timeline, estimating that a series of 3-5 meetings at a minimum of two hours each will be needed to move the plan forward. She advised that if we wanted the consultants to attend additional meetings, or add other work to the scope, that is a possibility but she would need to know that in advance. Ms. Wakeley estimated that the financial subcontractor costs could be between \$8,000-\$10,000 given the number of meeting and the timing requirements. Ms. Wakeley inquired of the Council whether they would like to serve as the Urban Renewal Agency, or assign a Technical Advisory Committee or Steering Advisory Committee. Options for meeting arrangements were discussed. Mayor Russ indicated that he likes the idea of having a certain number of Councilors and citizens at-large on the committee. C. Svicarovich suggested the idea of adding members from the Planning Commission to the group as well. The consensus of the Council was to hold the Urban Renewal Agency meetings separately from City Council meetings. Initially, the City Council will need to convene as the Agency and adopt bylaws and rules, and then determine how to go forward. The consensus by the Council pertaining to the future of the Urban Renewal Agency is to likely have three City Council members, two Planning Commission members, and two citizens form a committee. Ms. Wakeley will hope to have the proposal ready to present to the City Council on July 5<sup>th</sup>. At City Administrator Daykin's suggestion, the Council agrees to meet as the Urban Renewal Agency following the City Council meeting on July 19<sup>th</sup>. At that time there will be a short Urban Renewal Agency meeting to adopt bylaws and appoint people for the committee, and then a date will be set for the next Agency meeting.

### **Resolution No. 2016-13, Budget Transfers**

**The motion** was made and seconded to approve Resolution No. 2016-13, a resolution transferring budget line item amounts within a department or fund for fiscal year 2015-2016. **The motion** passed unanimously.

### **Resolution No. 2016-14, Budget Adoption**

**The motion** was made and seconded to approve Resolution No. 2016-14, a resolution adopting the 2016-2017 fiscal year budget, appropriating funds and levying property taxes for the fiscal year 2016-2017. **The motion** passed unanimously.

## **New Business**

### **Alder Street Parking Restrictions**

City Administrator Daykin reviewed the issue of parking on Alder street. He indicated that the police department has advised him that they cannot conduct enforcement action if vehicles are parked on the east side of Alder street, in the areas between 7<sup>th</sup> Street and Upland. C. Svicarovich expressed concerns about the proposed signage, stating they could get hit or removed by unhappy residents/citizens. C. Nelson suggested a combination of signage and striping. C.A. Daykin

advised he will work with the City Engineer to place the signs appropriately. C. Svicarovich expressed additional concerns about a sign being placed in front of a residence. C.A. Daykin explained that the only other means beyond signing in our ordinance that indicates no parking would be a painted yellow curb, and given the fact that there is no curb present in this area this would not be an option. C. Nelson suggested the idea of placing two signs, one at each end of the restricted parking area, without having additional signage between them. C. Svicarovich reviewed the fact that the reason for the parking restriction is for the issue of safety, including pedestrian safety. **The motion** was made and seconded to prohibit parking on Alder Street between 9<sup>th</sup> Street and Upland Drive. **The motion** passed unanimously.

#### **Resolution No. 2016-15, Banking Services**

Mayor Russ briefly reviewed the banking comparison information. He inquired whether access to U.S. Bank was convenient for Staff. City Administrator Daykin responded that although the bank location in Newberg is not as convenient, more of our banking is done online as time goes by. **The motion** was made and seconded to approve Resolution No. 2016-15, a resolution authorizing persons in specific positions with the City of Dundee to transact business with U.S. Bank and repealing Resolution No. 2015-01. **The motion** passed unanimously.

#### **Tourism Committee Appointment**

Mayor Russ indicated that he and Tourism Committee Chair Ted Crawford are recommending appointment of Diana Szymczak to the Committee. At-Large resident Robin Sikkens has relocated to Newberg and is no longer eligible to serve in that position. **The motion** was made and seconded to appoint Diana Szymczak to the Tourism Committee with a term expiring December 31, 2017. **The motion** passed unanimously.

#### **Resolution No. 2016-16, Municipal Services Certification**

**The motion** was made and seconded to approve Resolution No. 2016-16, a resolution certifying the municipal services provided by the City of Dundee. **The motion** passed unanimously.

#### **Council Concerns and Committee Reports**

C. Adlong reported that the Parks Advisory Committee met earlier in the month to discuss and review some of the costs associated with the development of the Viewmont Greenway Park. She indicated that items in the budget are costing more than their original budgeted amount. C. Adlong advised that they are reviewing the costs associated with the items needed, and taking a closer look at each component of the park. She noted the loss in the investment of the plants placed at the park by the student volunteers. She indicates that about 90% of the plants have been lost due to lack of irrigation and no weeding done. C.A. Daykin advised that Brian Stewart (CPRD) took a look at the area and is fairly confident that a lot of the plants are there and he's going to be spraying the weeds around them and trying to preserve the plants. C. Adlong informs the Council that a subcommittee has been formed to come up with some ideas for doing additional fundraising, possibly utilizing tiered levels of fundraising where people in the community could donate and get recognition for their donations along the trail. Mayor Russ suggested the idea of potentially adding this information to the City Newsletter for July. C. Adlong indicated she will get the information submitted by mid-next week. C.A. Daykin stated City crews have been busy trying to clear off the stockpiled asphalt grindings, allowing the soil to aerate and dry out, and then a contractor will be brought in to do some final shaping work before we then install the forms for the picnic area and pour the concrete. We will be relying on Public Works Staff to do much of the work, but their availability is limited.

## Mayor's Report

Mayor Russ indicated that last week he traveled with the Mayors of Newberg and McMinnville, the Chair of the Parkway Committee, and County Commissioner Primozich to Hood River to talk with the Oregon Transportation Commission (OTC). He indicated their petition to the Commission was to put into the State Transportation Improvement Program the purchase of right-of-way for what we're calling Phase 2 of the bypass between 219 and 99W at Rex Hill. Mayor Russ stated that they approved that pending that the entities of Dundee, Newberg, McMinnville and the County of Yamhill all agree to leave their savings from the bypass in the fund. Dundee's contribution is somewhere between \$6,000-9,000. Mayor Russ indicated a Resolution to approve this will be brought to the next Council meeting. He also goes on to explain that having a portion of the right-of-way bought will make it a higher priority for construction funding. This is also going to protect it (the land) because the land owners were starting negotiations to sell it off to get it developed which would have put a big blockage because the price would have gone way up. Mayor Russ indicated that this is a major step forward for the bypass and the future of the bypass, Dundee, Newberg and all of Yamhill County because the issues at Springbrook Road are a much bigger issue than the Fishhook (Bypass connection to 99W south of Dundee). Mayor Russ pointed out that he feels if that portion gets built, it will put so much pressure on the Fishhook that ODOT will have to do something to address that very quickly

## City Administrator's Report

C.A. Daykin advised that he recently heard from Michael Humm, Kennedy/Jenks Consultants, who recently had a meeting with the Ovivo (membrane consultant) on the waste water treatment plant problems and the permeability. He indicated that they're coming up with a plan for cleaning but to keep costs down it would require an intensive amount of work utilizing our staff. The recommendation is to pull the filters out and do intensive manual cleaning, probably requiring 20+ days to complete. C.A. Daykin is concerned about this affecting other projects that we have going on.

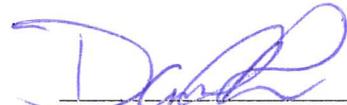
C.A. Daykin advised that we are planning to advertise the open vacancy on the Planning Commission so that appointment can be made at the August 2<sup>nd</sup> Council meeting. C.A. Daykin inquired about whether applicants will be interviewed, as the process has been done previously. Consensus by the Council is to continue the same process and C.A. Daykin stated he will advise applicants. C.A. Daykin informed the Council that we still have not received a letter of resignation from Mr. Sikkens. It is the consensus of the Council that the position is considered vacant with the change of residency by Mr. Sikkens from moving from the City of Dundee to the City of Newberg.

## Public Comment

None.

## Executive Session

The City Council entered Executive Session at 9:03 P.M. in accordance with ORS 192.660 (2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. Executive Session ended at 9:25 P.M. and the Council did not reconvene.

  
\_\_\_\_\_  
David Russ, Mayor

Attest:

  
\_\_\_\_\_  
Rob Daykin, City Administrator/Recorder