

**CITY COUNCIL MEETING
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July 21, 2020**

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City of Dundee
City Council Meeting Minutes
July 21, 2020

Call to Order

Mayor David Russ called the meeting to order at 7:00 P.M. over ZOOM teleconferencing meeting platform.

Council and Staff Attendance

Attendance Via ZOOM: Mayor David Russ; Councilors Tim Weaver, Storr Nelson, Kristen Svicarovich, Ted Crawford and Patrick Kelly. Absent: Councilor Jeannette Adlong. Staff Attendance via Zoom: Rob Daykin, City Administrator; Tim Ramis, City Attorney; Chuck Simpson, Public Works Superintendent; and Melissa Lemen, Administrative Assistant.

Public Attendance

Attendance Via ZOOM: "David Brent" as indicated by electronic device.

Agenda Changes

None.

Public Comment

None.

Consent Agenda

A **motion** was made and seconded to approve Consent Agenda Item 4.1 City Council Minutes, July 7, 2020. The **motion** passed unanimously.

Old Business

Furioso Vineyards Water Agreement

C.A. Daykin reviewed that the City Council approved a request for City water from Furioso Vineyards at the May 19, 2020 meeting pending additional consideration of a special fee paid to the City for the privilege of connection, similar to what other projects on Worden Hill Road water line have done in the past. He discussed that City Staff reviewed information provided from Furioso about the costs for development of a well, as well as the costs associated with connecting to the City; Staff supports assessment of a special fee in the amount of \$22,300. C.A. Daykin explained that Furioso Vineyards had also requested that they be permitted to pay the special fee in twelve monthly installments which could be allowed with Council approval. C.A. Daykin expressed concern as Furioso Vineyards had indicated that they would be present at the meeting tonight to provide testimony and/or answer questions of Council though they do not appear to be in attendance.

C. Crawford inquired about whether the funds collected from the special fee would then be used for improvements for the Worden Hill line. C.A. Daykin explained that at some point in the future these funds could be paired with additional funds to continue improvements on the Worden Hill Line, though likely \$50,000-\$60,000 would likely be required for a worthwhile project. A **motion** was made and seconded to approve the imposition of a special fee to Furioso Vineyards in the amount of \$22,300 that is in addition to the SDC fee and actual connection costs to the City water main, and to authorize the payment of the fee in twelve monthly installments. C. Crawford inquired about whether the Dundee Manor is planning to turn into a small winery. C.A. Daykin

affirmed that they did get authorization from the County for permit to construct a new tasting room, though he is unsure of whether they are actually going to produce wine on the premises or not; the City has not been approached with a request for water. It was noted that they do have their own water system, though it is unknown whether it is sufficient to meet their requirements or not. Brief discussion ensued. **The motion** passed unanimously.

Resolution No. 2020-13, DEQ Loan Agreement

C.A. Daykin noted that an updated meeting agenda page 17 was emailed to the City Council prior to tonight's meeting. He explained that the difference between the existing loan and what the new outcome with this loan is over the next 12.5 years is that the City is going to save over \$252,000. **A motion** was made and seconded to adopt Resolution 2020-13, a Resolution authorizing Amendment No. 4 to Clean Water State Revolving Fund (CWSRF) Loan Agreement No. R29650 with the Oregon Department of Environmental Quality. **The motion** passed unanimously.

City Utility Billing Delinquency Procedures

C.A. Daykin reviewed the details of the utility billing process and discussed his agenda report on page 19 in detail. He discussed that 9 of the 25 customers that are currently on the shut-off list are those participating in the contract payment arrangement which was provided previously; under City rules if they do not comply by making the timely payment for the amount due, they would not be allowed to be placed on a second contract payment. Therefore, under City rules water would not be turned on unless the minimum past due payment was received. Council discussed the matter and potential delinquency procedures. C. Weaver expressed concern about not overloading Staff with too many special needs. C. Crawford pointed out that if the extra \$600 in weekly unemployment benefits is reduced or discontinued there may be more delinquent customers as a result. Mayor Russ suggested that customers ideally not drop behind in payments more than three times their highest bill amount. C. Weaver discussed the importance of delinquent customers maintaining communication with the City and making efforts to pay a portion of their bill as they can. The consensus of Council was to move forward with providing 24-hour notices to delinquent customers and moving forward with shut-offs while not charging the related fees and continue working with customers as much as possible. For those already participating on the contract payment plan and who continue to be delinquent, their plan will be invalidated and they will not be permitted to go onto a new payment plan; Staff will continue to work with them to accept minimum payments in order to provide them service.

New Business

Upland Drive Reservoir Fencing

Council reviewed photos of the fencing options provided on page 25 of the meeting agenda packet. C.A. Daykin inquired about the desired height of the fence to provide adequate protection to which Chuck Simpson discussed that the standard fence height is 6 feet; a shorter fence would be a custom order. Simpson described that the fencing would act as a crown around the top of the tank.

C. Svcarovich inquired about whether a zone change is required if fencing is only placed on the top of the reservoir. C.A. Daykin discussed that the R-1 zone is very restrictive in terms of fencing and the City couldn't place a tall perimeter fence under current guidelines; the Public (P) zone would not have those same restrictions, though there is a process which would need to be undertaken to do so. It was noted that a fence on top of the structure would likely be considered as part of the structure. Discussion ensued. M. Russ inquired about whether the reservoir is fully secure without a fence around it on the outside or edges. Simpson discussed that it is totally open to contact from the public, though no one can get into it through a secured vent and hatch cover

on the tank. C.A. Daykin discussed that there would be concerns with installing a fence on the old concrete roof of the reservoir and M. Russ suggested that a better option might be installing a fence on the ground around it. Simpson pointed out that of concern is the fact that the reservoir is approximately 10 feet away or less from Upland Drive on one side; placing a fence in that area would be difficult. C. Weaver inquired about the age of the reservoir, which C.A. Daykin indicated was believed to be constructed during the early 1960s. C.A. Daykin discussed that the reservoir condition was studied approximately 10 years ago; it was thought to have a lifespan of approximately another 40 years at that time. C. Nelson pointed out that concrete foundations are typically designed for 50 years. Simpson discussed that the last inspection went really well with no major problems discovered other than concerns about fencing; the rules are a little more stringent as Dundee reaches a population of 3300. C.A. Daykin discussed that this site will probably be the site of a new larger reservoir in the future though unfortunately under current zoning regulations the City is not allowed to place a reservoir in an R-1 zone. He explained that not including water reservoirs as an allowed use in the present zoning is likely an oversight. C.A. Daykin discussed that the City could try to modify the R-1 zone to add that to the table of uses or go back to the P zone; if the zoning is changed to P not only would reservoirs be allowed, but also there would not be fencing restrictions as well. Council voiced support of changing the zoning back to the P zone. M. Russ suggested that perhaps placing some barbwire fencing atop the reservoir that extends outward could be an option. The consensus of City Council was to move forward with initiating a zone change to change that property zoning to Public. C.A. Daykin explained that Staff will conduct additional research to find out what needs to be done to secure the reservoir. Additional conversation ensued.

City Website Update Agreement

Brief discussion was had regarding some of the potential benefits of the website update. A **motion** was made and seconded to accept the proposal from GovOffice for development of a new City of Dundee website and to authorize the City Administrator to sign the Service & License Agreement. **The motion** passed unanimously.

Council Concerns and Committee Reports

C. Svicarovich explained that as part of the development on Seventh Street a marked crosswalk was to be put in place at the intersection of Seventh Street and Graystone Place due to the closure of the ADA ramp on the north side of that intersection. She inquired about when it is anticipated that the crosswalk will get painted. Though C.A. Daykin indicated that he is unaware of that requirement and will look into it.

C. Crawford commented that Willamette River Keepers purchased 9 acres on Ash Island (the up river tip) in the last week. He discussed that they plan to clean it up and potentially place some campsites in the area with potentially an intern staffed during the summer. C. Crawford explained that they are still interested in purchasing the entire island, though it was noted that presently the cost of doing so is very high.

C. Crawford explained that The Dundee Bistro closed down due to a COVID-19 scare involving an employee. He explained that he spoke with Nancy Ponzi today who indicated that the employee tested negative and their business has been back open for the past couple of days.

C. Weaver discussed that last week Dundee Fire Rescue responded to a call on Maple Court. The family of local police veteran, Larry Wiltshire, voiced their appreciation of the Department, though Wiltshire passed away later that evening at a Portland hospital. C. Weaver explained that Wiltshire had retired in 2000; he began his career as a Reserve officer in 1966.

Mayor's Report

M. Russ discussed that he attended a Parkway meeting last Thursday where ODOT provided a presentation showing their proposals for four new interchange areas for the full completion of the bypass project. He indicated that ODOT discussed different facets of the project including changes impacting Dundee. M. Russ explained that one big complication that ODOT discussed pertaining to Dundee is that the large interchange areas being discussed are located outside of the UGB at this time and located on land they don't currently own. M. Russ noted that the Highway 219 to Rex Hill piece of the bypass is moving forward fairly quickly; 85-90% of the right-of-way has been purchased. Brief discussion ensued. It was noted that presently the Parkway meetings are being held over Zoom.

City Administrator's Report

C.A. Daykin discussed that Verizon did file an appeal to the Planning Commission decision regarding the proposed cell tower and that City Council will be conducting a hearing on the appeal at their August 4, 2020 meeting. C. Atty Ramis provided an overview of the process and discussed that the entire record from the Planning Commission does become part of the record before the Council, though additional evidence may also be provided during the process. C. Atty Ramis cautioned Council about avoiding ex parte contact and discussed the process involved in disclosing that information if indicated. C. Nelson inquired about when the ex parte contact window began. C. Atty Ramis explained that he typically feels this begins at the time of the pre-application conference on the particular application being heard; anything that was long before the current application would not be technically an ex parte communication. Brief discussion ensued. C. Svicarovich expressed concern about a public comment made by Rebecca Minifie at the City Council meeting on July 7, 2020. The comment had been interrupted and was noted to potentially be ex parte contact. C. Atty Ramis explained that as long as the information is summarized and contained in the City Council minutes from that meeting that would suffice.

C.A. Daykin discussed that he, Councilor Weaver and Doug Rux recently had a meeting with Stu Lindquist and his development team. He explained that they are interested in pursuing development of Sub Area C. C.A. Daykin noted that besides the Riverside area, an additional parcel that was purchased that's outside of the Riverside area is part of the overall project plan. He explained that discussion was had about some of the requirements to move forward in order to get the zoning in place. On the advice of the C. Atty, C.A. Daykin explained that the City's intent is to allow Lindquist to present a conceptual plan to the Planning Commission and get feedback before he actually moves forward with a full application. Discussion ensued and it was noted that the meeting with Lindquist's team will likely take place in October.

C.A. Daykin explained that there will be an online survey conducted on the issue of the short-term vacation rentals in Dundee. He explained that his hope is to have the survey available next week though it may be the week following. A mass mailing to all City residents is planned; they would have an opportunity to provide feedback on that issue through the survey. C.A. Daykin explained that those results would be brought back to the Planning Commission in a workshop type meeting to assist in facilitating that process.

C.A. Daykin discussed that slurry sealing will be taking place Monday and Tuesday (July 27 & 28) in the City, and that crack sealing recently took place in those areas which will receive slurry seal. C.A. Daykin explained that the contractor also had work from last year that he did not end up completing for the City; a reduction in price was negotiated and the 2019 work will be completed along with the 2020 work. C.A. Daykin explained that the contractor was able to come up with a plan to complete the work with the least amount of disturbance to the neighborhoods.

C. Crawford inquired about whether any updates have been received regarding the streetlight project. C.A. Daykin explained that the poles are expected to arrive in early to mid-August; there are some parts which are still backordered though the poles themselves will be arriving. It was noted that all of the service connections are ready to go and some work has been being completed already. Installation should move relatively quickly once the poles and the fixtures are received.

Public Comment

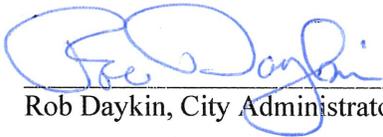
None.

The meeting was adjourned at 7:45 P.M.



David Russ, Mayor

Attest:



Rob Daykin, City Administrator/Recorder