

**CITY COUNCIL MEETING  
TABLE OF CONTENTS FOR MINUTES  
August 2, 2016**

Call to Order .....2  
Council and Staff Attendance .....2  
Public Attendance .....2  
Agenda Changes .....2  
Public Comment.....2  
Consent Agenda.....3  
Old Business .....3  
    Planning Commission Appointments.....3  
    Dundee Bypass Bridge Aesthetics .....4  
    Street Paving Bids .....7  
New Business .....8  
    Fence Encroachment Request .....8  
    Universal Field Services – Easement Appraisals .....9  
    Resolution No. 2016-21, Volunteers Worker’s Comp .....9  
Council Concerns and Committee Reports.....10  
Mayor’s Report.....10  
City Administrator’s Report .....10  
Public Comment.....11

**City of Dundee**  
**City Council Meeting Minutes**  
**August 2, 2016**

**Call to Order**

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

**Council and Staff Attendance**

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

**Public Attendance**

Rick Rogers, Habitat for Humanity; Tom Burns, Chalice Farms; Shannon Howland; Don Howland; Kevin Swanson, Planning Commission; Kelly Amador, ODOT; Bill Ciz, Parametrix; Ryan Thomas; Kim Buckholtz; and Linda Stock.

**Agenda Changes**

None.

**Public Comment**

Rick Rogers, Executive Director, Dundee area Habitat for Humanity, approached the Council to invite them, as well as City Staff, to the Elected Officials Build Day on Saturday, August 27, 2016 from 9:00 A.M. to 4:00 P.M. The build project at 929 S. Blaine Street in Newberg is a single family home. Following the build project, the group will move to the ReStore on Meridian Street. The courtesy of an R.S.V.P. to the Habitat for Humanity office is requested for those attending. The Allison will provide lunch. Mr. Rogers further indicated that, although the local Habitat for Humanity has been in business for over 20 years, they have never built in Dundee. He expressed a strong desire to build a house or more in Dundee if land were available that would be suitable for the building of decent, safe, and affordable homes for families in need.

Tom Burns, representing Chalice Farms, approached the Council and indicated that he is specifically representing the President of Chalice, who was unable to attend the meeting tonight due to illness. Mr. Burns provided a handout to the Council and other Staff present. Mr. Burns advised that Chalice has purchased the house associated with their property on 99W and is in the process of redoing the home. He indicated that they are in the process of cleaning up the parking lot and repaving or graveling it. He further indicated that they are partnering with Purple Hands to build the access between the two businesses through that parking lot. He also advised that they are in the process of developing a partnership with Red Hills Market to do something further with the house. Mr. Burns indicated that Chalice has paid over \$57,000 in taxes to the City of Dundee, but also acknowledged that they presently owe approximately \$2,500 additionally which they will mail to the City. He informed that while Chalice does appreciate the fact that the City has taken steps to put the 3% tax on the ballot for November, they find the current local tax of 10% unsustainable. Mr. Burns indicated that he and other representation from Chalice Farms met with City Administrator Daykin recently and shared with him that Chalice is going to take unilateral action. He indicated that effective July 25, 2016 they have reduced what they collect in the store by 7%, meaning that they are only collecting a 3% tax, and that in the future they will pay 3% tax. Mr. Burns advised that they recognize this is a problem, and Chalice understands that they are placing themselves at legal risk. He indicated that they understand that the City will take the appropriate actions, but Chalice does not think the business will be here in January if they do not

make these changes. Mr. Burns advised that Chalice would like to stay in Dundee and believes that if they are not here the City may not be able to receive any State revenues that might start flowing over the course of the next six months. He indicated that Chalice Farms recognizes that the City may take appropriate actions, although it is their hope that this does not happen. He shared that they are willing to work with the City regarding this issue, and expressed concerns that if a legal action is taken, and the action goes against the City, what will happen to the \$57,000 paid thus far? He advised that Chalice is willing to say publicly that they have no interest in looking at that issue, but if the courts were to decide otherwise then Chalice would work with the City to address that. He further explained that Chalice has no interest in looking backwards, only in looking forward, with regard to any taxes that they have paid thus far. Mr. Burns referred to the handout provided, specifically the Dundee Marijuana Tax 2016 remittance report. He informed of a mistake in tracking sales in their computer for the month of March, and informed that March sales were in the range of \$76,000. Mr. Burns next referred to the information he provided from Leafly.com, and consumer comments indicated that while they do have a great store, their prices (Chalice) are high and there are competitors within five miles who are less. He further explained that they felt that if they are to remain in business until January, when the 3% voter approved tax would potentially take effect; they would need to take action today.

C. Nelson inquired as to whether there are more dispensaries in the area now as opposed to how many there were in January 2016. Mr. Burns responded that this indeed is the case, most notably in Newberg, which he indicated now allows dispensaries to sell recreational marijuana. He further advised that Newberg also has a 10% tax, but they do not know what that impact that has presently. Mr. Burns explained that potential customers who visit their store leave to shop elsewhere due to their high prices. He suggested that these customers likely travel on to McMinnville which he indicated has no local tax. C. Nelson next inquired as to whether Chalice owns or leases the property on 99W. Mr. Burns responded that he presently doesn't have an answer to that, although he believes they likely own it due to the property improvements they are making, and indicated that he will find out that information and report it to C.A. Daykin.

C. Crawford inquired about the number of stores Chalice owns. Mr. Burns responded that they do have 4 stores. He further explained that he is a consultant of the company and not a member of the company, and that it has been explained to him that each of the stores are separate corporations (LLC). C. Svicarovich inquired regarding the tax amounts being paid at their other store locations. Mr. Burns responded that they are only paying the current state tax at the other three locations.

## **Consent Agenda**

**The motion** was made and seconded to approve Consent Agenda items 5.1 City Council Minutes, July 5, 2016; 5.2 Financial Report Ending June 30, 2016; 5.3 OLCC Liquor License Application, Purple Hands Winery; and 5.4 OLCC Liquor License Application, Methven Family Vineyards. **The motion** passed unanimously.

## **Old Business**

### **Planning Commission Appointments**

Two applications were received from Shannon Howland and David Johnson. Shannon Howland is the only applicant present. C. Nelson asked Howland why she is choosing to apply for a Planning Commission position after having lived in Dundee for ten years. Howland replied that she indeed has lived here for 10 years, raised her family here and also works in Dundee. She pointed out that Dundee is in a transitional stage of growth and development right now, and that looking ahead to the ultimate goals and vision for Dundee will require careful and thoughtful planning, taking into account all of the stakeholders in the community and coming together to

make it work for everyone. She further indicated that she cares very much about Dundee, and as her kids are getting a bit older now she has more time available to give back to what she's come to love and to hopefully enrich it. C. Adlong asked Howland what she has come to love about Dundee. Howland replied that she likes the sense of community, values the neighborhood elements, and also values the easy accessibility of things in town being within walking distance for her. She feels Dundee is quiet, comfortable, safe, interesting, and offers a variety of things to do. Mayor Russ inquired about Howland's experience with regard to the kinds of issues that the Planning Commission deals with on a regular basis. Howland responded that she is good at research, preparation, understanding, listening, and possesses the ability to look at details as far as codes and ordinances are concerned, as well as understanding how that relates into a larger picture. With regard to her professional experience, she indicated that she does a lot of detail work, including analyzing details and looking at the impact that has on the larger part of what she's working on, and is also able to analyze the risks and benefits of making decisions or adjustments required to keep in line with a plan that makes sense. She further shared that she has the ability to work with a lot of different teams, is comfortable with public speaking and working with large groups of people, and strives to listen carefully and patiently to others. She explained that she has some experience with legal phrasing which she feels could come in handy with interpreting code language. **The motion** was made and seconded to appoint Shannon Howland to the Dundee Planning Commission to fill the unexpired term ending December 31, 2017. **The motion** passed unanimously.

### **Dundee Bypass Bridge Aesthetics**

Kelly Amador, ODOT, and Bill Ciz, Parametrix, are here to provide an update and options for the Dundee Bypass Bridge aesthetics. Ciz advised that they advertised the Dundee River plans and specifications on a goods & services contract through ODOT from June 9<sup>th</sup> to July 14<sup>th</sup>. There were five potential bidders present at the mandatory pre-bid meeting on June 20<sup>th</sup>, though only Trovo Design, a Portland-based company who also created the original test sample, was the only contractor who submitted a bid sample and bid. Both the original test sample and the submitted bid sample from Trovo are present before the Council tonight. If the Council approves the sample submitted, they will then move forward with the award process with Trovo Design. C. Nelson inquired about whether or not they received any feedback from others present at the pre-bid as to why they didn't submit. Amador responded that they did not hear back from any of the others, but that one of the potential bidders present at the pre-bid had indicated that their business deals more in sculpture work so she hadn't expected a bid from them. She had expected a better turnout, especially after the amount of pre-work they did in talking with arts communities, different state agencies that provide artwork, and reaching out to other entities as well. Ciz reviewed the samples present with the Council and explained the specifications of what they asked of the bidders in submitting their samples. C. Nelson inquired as to whether or not the contractor who prepared the original sample was present at the pre-bid meeting and Amador responded affirmatively. C. Crawford inquired as to whether the panels will be hung flat on the bridge and Ciz responded that they will spend some time carefully positioning the panels with the 5-7 degrees of adjustability they will have each way. Ciz further advised that it may take a couple of days to hang all sixteen panels in correct adjustment prior to locking them into place. He also indicated that the most crucial side of the bridge is the south side because of the reflection of the sun in the wintertime. C. Weaver agreed with this concern as well. Ciz shared a Trovo Design brochure with the Council and described the different aspects of their business. Amador explained the bid process, and the fact that this was originally to be done in a two-part process with the bids to be opened only after the City Council chose one or two samples.

The samples were viewed at length by the Council, opinions shared, and many questions answered. C. Svicarovich inquired about whether or not the art has a warranty, guarantee or life expectancy. Ciz described in detail the process by which Trovo painted the sample using

automotive paint and a clearcoat finish, comparing the durability to that of car paint. He explained that they don't have a way to guarantee or warrant the finish. C. Nelson suggested the potential addition of a maintenance plan. Amador explained that ODOT's bridge unit has a schedule for cleaning and maintaining bridges, and she feels that many potential issues regarding the artwork hung would be addressed during those visits as a part of their regular maintenance.

C. Adlong inquired about the length of time until the project would be completed. Ciz responded that once the bid process is complete and the submitted sample/bid are accepted, it is estimated that we would be under contract with them by September 1, 2016. She advised that in the bid documents it is specified to be completed by January of 2017, at which time each 16 foot panel will be wrapped and put into storage. The contractor that will be building and installing the hills portion of the project will also be responsible for the installation of the river panels. This contractor will fabricate the hills along with the support structure for the river. Ciz further informed that everything should be in place by the end of April 2017.

Ciz reviewed that at the meeting last year, the color of the hills was discussed. He indicated that the Council came up with the idea of using two colors from the Dundee logo, the orange-brown and the redder-brown colors. After some review and simulations, they recommend staying with the sole darker red-brown logo color. Three concerns were identified with the two-color option including their opinion that the orange-brown was too orange and might contrast too much with the river. Ciz pointed out that the color of the hills when powder coated is going to vary by the time of day, the season of the year, the cloud coverage, and sometimes the perception of two colors may be hard to see. He further advised that if two colors are used the design may appear differently at different times, causing some to believe one color may have faded, etc. They recommended keeping things simple and sticking with a single powdered coated color. He presented to the Council simulated photos on the projection screen of two-color and one-color sample views. Conversation ensued regarding the potential variables with regard to the color options. C. Nelson inquired about the mesh portion, the possibility of perceiving a difference of color when it is added, and whether the mesh will be all the same size. Ciz responded that the mesh size will not all be the same size, that it will graduate between sections, and that it is very difficult to simulate that effect in their photos.

C. Weaver inquired about the future possibility of indirect lighting on the bridge, and referenced a new bridge in the Woodburn area that is lighted. Amador responded that at this time the bridge is not wired for electrical. She was unsure if their maintenance unit would be able to maintain something of that nature, and indicated that further discussions would need to take place if there were interest in that as she is not sure if this is a possibility.

Conversation ensued regarding the color options for the design, and further variables and opinions were discussed with questions answered pertaining to the matter. Ciz informed the Council that the powder coated finish should last at least ten years without fading, but that after that time the more orange color is more apt to fade than the darker red color. The consensus of the Council was to move forward on the bridge project using one color for the hill design, with the knowledge that the mesh will be a contrasting component.

Regarding the construction of the hills, Ciz advised that the contract was advertised on the State website on Friday. Bids need to be submitted by Aug. 19, 2016, and it is estimated that it will likely be sometime in mid-September before a contractor will be under contract for the project. Ciz further advised that the contractor should complete the fabrication of the hills and the support structure by the end of February, with installation to be complete by March or April of 2017.

C. Crawford inquired about when the fencing will be complete on the other overpass structures, including the Fulquartz overpass and 8<sup>th</sup> Street. Amador responded that they are working on all of the bridges right now in various stages, but that she is unaware of the exact schedule. Conversation further ensued regarding additional details pertaining to the current overpass work in progress. C. Crawford inquired about the color of the overpass fencing to which Amador replied would be black.

C. Crawford inquired about whether side facing pillars would be placed. Amador responded that, although she does not have a photo to share at this time, they have been working with their sign shop regarding this. She informed that the colored leaf is approximately 4 ½ feet tall and almost as wide. She also shared that she is very happy with how it turned out and further indicated that she will email a photo. She advised that she will check on specifics, but that the leaves should be ready to put up fairly soon. C. Crawford inquired about whether a leaf design could be put up at 8<sup>th</sup> Street in addition. Amador responded by indicating that she would need to check with Shane on that before she would have an answer.

C. Crawford advised that in a recent construction update it was mentioned that all of the concrete on the Chehalem Bridge would be poured beginning this week. He expressed concern regarding their mentioned delivery route of Parks & 5<sup>th</sup> Street. He inquired as to why the fishhook and bridge aren't the designated route as it's all paved and poured concrete. Amador responded that she would need to check with Shane with regard to this, and that she was unaware that this is what they were planning to do. She informed that she will email C.A. Daykin and let him know.

C. Adlong expressed concerns regarding the lighting recently placed along highway 99W just past the "Fish hook" area but before the dip of the Dundee Bypass project. Adlong observed that new Cobra drop lens street lights were installed. She is concerned and notes that the City has a dark sky ordinance, and further suggested that flat lenses be placed. Amador advised that she will drive through this area and observe the lighting on her way home tonight so that she can provide an accurate answer with regard to C. Adlong's concerns. C. Adlong also inquired about the type of street lights that will be installed on the fishhook. Amador responded that any of the lighting installed around the fishhook area itself is required to be interchange-type lighting. This is the standard which they are not allowed to deviate from. She further advised that the lighting on the bridges or other places will be downward lighting, and not the reflective type.

C. Crawford inquired about the property underneath the overpass just in the city limits on the border of Parks Street and 99W. He advised that opening up that property for use in the future has been discussed. He inquired about the possibility of ODOT discussing with the City the possibility of constructing a bathroom facility, parking area or small rest area in that location. Amador responded that this would need to be discussed with their new district manager, Cole Mullis. She further indicated that she has already mentioned to him that the City is interested in utilizing the area under there, and so he is aware of this interest. C. Crawford expressed interest in the possibility of utilizing the space to host the Taste of Dundee festival next spring. Amador advised C. Crawford to provide her with the details of the event as they become available and she will discuss this with Cole when appropriate. C. Crawford also informed that he is working on a Bike, Paddle & Run event with the Tourism Committee and the local Rotary that is slated for October of 2017. He indicated that some discussion had ensued regarding the potential for athletes to run on the bypass before it opens. Amador indicated that the Parkway Committee has discussed a few different ideas pertaining to this, and that as an end point nears that further conversations will likely ensue.

C. Crawford inquired about an update on the Springbrook Road portion of the Newberg-Dundee Bypass Project. Amador indicated that K & E is moving quite quickly. She advised that

intersections are being widened, work is being done on Highway 219 presently, work has been done down Springbrook Road (including the installation of two sound walls in front of the manufactured home park), and they are also finished or near completion of sound walls near Avalon on Highway 219. Amador advised that they are going to start work in the next 1-2 weeks on the Highway 99W work, including a lot of night work. She further indicated that they haven't started work on the water line on Springbrook Road yet.

C. Adlong inquired about the large amount of cedar trees that have been planted near the 8<sup>th</sup> Street Bridge on the berms. While Adlong is pleased with the amount of trees, she expressed specific concerns about the large amount of cedar trees planted, which she further indicated do not do well in Dundee. She expressed disappointment that no native oaks were planted. C. Adlong inquired about what will be done in the future if the cedar trees die, and also about the possibility of getting deciduous or native trees placed. Amador responded that there is a three year plant establishment agreement with the contractor, which will require their replacement if they die within three years, and she further suggested that there may be a possibility of replacing them with something else should this occur. C. Pugsley inquired about whether local organizations could potentially add supplemental plantings with ODOT's permission. Amador responded that this would need to be discussed with the District, but that willingness to help maintain the area would likely be required if this were to be considered. C. Pugsley suggested alder trees as a good native tree choice.

### **Street Paving Bids**

C.A. Daykin reviewed that the City has a combination of street segments that are being considered for paving. The first segment on Dogwood Street, which was being partially funded with a \$50,000 grant, is also noted to have some utility work located on it. There are also several other street segments being considered that are part of the continuation of the loan program that the City had through the Oregon Transportation Infrastructure Bank. Daykin informed that approximately \$77,000 of unexpended loan proceeds are available that can be drawn to complete that work. The City Engineer was present to discuss the options and recommendations regarding the bids.

City Engineer Reid reviewed that a bid was put out for doing a new water main on Dogwood and part way down Viewmont, making the connection, and then extending it up Viewmont so that we can have a future tie-in. Also included were a couple of inlets on the bottom of Dogwood as well as repaving it and widening Dogwood about 8 feet to provide a stripe. Rather than creating an asphalt drainage berm, Reid advised he will reverse the slope (creating a swale there) and slope it up at 2% which will make the connections to the driveways better. Reid further indicated that the street overlays on First Street and Canyon Place were part of the base bid as well; the overlays on Locust Street and Beech Street were listed as alternates because of cost concerns. Reid advised two bids were received, with C&M Excavation & Utilities providing the lowest bid at \$233,065. After the bids were evaluated, it was identified that the overall bids were significantly over budget. It was discovered that C&M was low on the waterline work but high on the paving work (they subbed it out) on Dogwood, while Kodiak's price for the First Street and Canyon Place paving work were much cheaper and almost within budget. Reid advised that the C & M bid, though lower overall, was completely over budget because they were so high on the asphalt component. C&M's water line work was right in line with what was anticipated and in-budget. Reid proposed only awarding Dogwood to C&M. Reid advised he has discussed this with City Attorney Rihala as well as C&M, and they are satisfied with that plan. C.A. Rihala advised that the paving of First Street and Canyon Place may be removed from the base bid and the City may award the bid for the remaining work, allowing Dogwood to be completed since the bids exceeded the engineer's estimate. She noted that the reduced project is about \$25,000 over budget, and advised that we would need to come up with more money to make that happen.

Regarding the overlay work, Reid advised that Kodiak indicated that they would re-bid it, likely providing a similar price. Reid further indicated that some of the other contractors would likely re-bid it as well, but he recommended extending out the completion time beyond October to try to get a better price. This would allow the contractor the option of working into next year if needed due to wet weather. Discussion ensued regarding the complications that could arise from potentially wet weather. Reid advised that there are contractors with availability to do the work this fall, so we put it up to bid now we would expect to get new bids, though Kodiak would likely bid the same as they did. The other option would be to hold on it for now and wait until next spring to re-bid it. The option of combining the project with some additional work to try and get some better bids was discussed. Reid explained that one idea C.A. Daykin had was to include it with the LID work on Locust Street which would expand the project. Reid advised that some of the bidders suggested bundling more work together would yield better prices. Reid indicated that one risk in waiting until next spring is that we don't know how costs might change by then; though the weather would be better, there is no guarantee that we would necessarily get better bids. Reid further advised that the residents at First Street and Canyon Place have been anticipating to have this work done this fall, so if the timeline changes he suggested communicating that delay with them. C.A. Daykin advised that when the loan was taken out in 2013 a moratorium was placed on the state loan program and since then they have reactivated it, so it's still a very viable program. Daykin explained that one option would be to tell the State to consider the loan complete, and start the process for repaying it back, rather than taking out the maximum amount of loan proceeds remaining (\$77,000). Daykin advised that another option that could be considered would be taking out a new application, and including the streets that we did not pave that we intended to pave, along with the Locust Street LID. Daykin further advised that it was presented as a fairly straightforward process, though it would take 3-4 months to go from start to finish from the pre-app to the final agreement being provided to the City.

C. Crawford felt that the infrastructure loan would be the best option. C. Nelson inquired about what work could potentially be combined with the overlay work to which Reid responded that the LID work on the rest of Locust Street from 7<sup>th</sup> to 8<sup>th</sup> Street had been considered. C. Nelson asked for clarification on how much curb, gutter and sidewalk work was slated to be done. Daykin advised that this is to be done on both sides on Locust Street. Discussion ensued regarding potential options regarding how to proceed. C. Nelson recommended extending the contract out due to the potential for wet weather in October as well as cool overnight temperatures which can make paving difficult. He also felt that we could likely get better pricing early next year as well. Reid advised that when he spoke with C&M they recommended removing and repaving the work on those streets due to the large amount of prep work involved with doing overlays. Reid expressed concerns regarding removing the pavement during the fall when there are risks of losing subgrade if it rains. If subgrade were lost, the expense to stabilize that and put new rock down would be well beyond the budget. There doesn't appear to be a subgrade issue at this point, which makes doing overlays a very appealing option. To clarify, Daykin reviewed that our current loan package that was taken out in 2012 expires December 1, 2016. The consensus of the Council was to start with a new loan application for any work next year. Daykin advised we have spent \$207,000 at an interest rate of 2.54%, with 2.04% interest being charged on a comparable 20-year term loan at this time. **The motion** was made and seconded to award the Dogwood portion of the project only to C&M Excavation & Utilities. **The motion** passed unanimously.

## **New Business**

### **Fence Encroachment Request**

C.A. Daykin reviewed that Ryan Thomas, 720 SW Graystone Place, was present and to address the City Council regarding a recently installed fence on his property. C.A. Daykin indicated that Mr. Thomas had previously contacted the City regarding his desire to place a fence. There was

some misunderstanding about the requirements for a fence in terms of setbacks and the fence was inadvertently placed on the City's property (see map on page 64 of agenda packet). Discussion ensued with the property owner regarding the details of the fence placement. Mr. Thomas indicated that he spoke with Alan Mustain regarding the fence placement but a misunderstanding was had regarding where their property line was located. He further indicated that he removed multiple trees in that area (including trees on City property) prior to building the fence as the area was very overgrown into the present walkway. C. Crawford inquired as to whether the owner built the fence himself which Mr. Thomas confirmed. Discussion further ensued regarding the difficulty of moving the fence. C. Svicarovich noted that the area had previously been very overgrown and encroaching onto the sidewalk area. Many options were discussed regarding a decision on this matter. C.A. Daykin pointed out that the property owner placed a gate on the fence which opens into the pedestrian way which needs addressed. Daykin informed the Council that there is no Homeowners Association that maintains this walkway. C. Weaver inquired about what, if any, utilities are underground in the right-of-way area. C.A. Daykin informed that a waterline is present underneath the sidewalk as well as some pedestrian lighting present in the area. Discussion ensued regarding the potential option of the property owner assuming care of the pedestrian walkway area, and the details of that process. C. Adlong expressed concern regarding the fence being so close to the sidewalk, and inquired about the City fence permit process. C.A. Daykin reviewed the City's fence permit requirement, referring to the Resolution pertaining to the matter which was passed a number of years ago, and explained the process. C. Weaver pointed out that Mr. Thomas has done a tremendous amount of work as well as improved the walkway area. Conversation ensued regarding potential options pertaining to the matter of the fence. The consensus of the Council was to come up with a license with general terms, including a maximum limit of 15 years. It was also the consensus of the Council that the license be terminated upon sale of the property. C.A. Daykin suggested imposing a small annual fee to the property owner for the license arrangement, which the Council was in favor of and agreed upon a \$10 yearly fee. C. Nelson suggested the City be consistent with other areas in the City where fences are in the public right-of-way as well, including a license agreement which includes a termination date as well.

### **Universal Field Services – Easement Appraisals**

City Engineer Reid informed the Council that ODOT will be providing the funds to build the storm system from 11<sup>th</sup> Street to 12<sup>th</sup> Street through an easement provided by the City, and so it needs to be negotiated with the owners. To do that, Reid advised we need to set a fair price. Reid reviewed the details as provided in his report dated July 28, 2016, on page 73 of the agenda packet. Conversation ensued regarding the details of the easement locations. Reid pointed out that although the storm sewer easement area won't be buildable, it could still be paved or a driveway placed to allow access. Reid reviewed the \$6,000 total cost of have the two appraisals done for the storm sewer easements, and an additional \$1,800 for valuation with regard to the street corners. Reid advised that the City needs to acquire right-of-way on the corners (as shown on the maps on pages 75-76 in the agenda packet) to redo the ADA ramps for the sidewalk/streetscape project. Having these evaluations and appraisals in place will allow the City to make good decisions and a reasonable offer to the property owners. **The motion** was made and seconded to approve the budget not to exceed \$7,800 to Universal Field Services, for appraisal of right-of-way areas. **The motion** passed unanimously.

### **Resolution No. 2016-21, Volunteers Worker's Comp**

City Administrator Daykin reviewed the details of his report dated July 28, 2016, regarding Resolution No. 2016-21. C. Svicarovich inquired as to whether or not we should add the Urban Renewal Agency to be included within this coverage. C.A. Daykin responded and indicated that it would be best to wait until an Urban Renewal budget is established; possibly something to consider in the next fiscal year. Mayor Russ inquired as to whether or not the Urban Renewal

Advisory Committee would be covered under this plan. C.A. Daykin informed that they are not covered under this plan, unless they are selected to be added. C. Crawford pointed out that volunteers are not actually employees of the City. Discussion further ensued regarding the pros and cons of moving forward with this coverage for the volunteer boards beyond the mandated coverage for Volunteer Firefighters. C. Pugsley pointed out the low cost of about \$8.00 per board for the coverage, as opposed to \$8.00 per person. **A motion** was made and seconded to adopt Resolution No. 2016-21, a resolution extending the City of Dundee worker's compensation coverage to volunteers of the City of Dundee and repealing Resolution No. 2007-11. **The motion** passed unanimously.

## **Council Concerns and Committee Reports**

C. Pugsley encouraged the Council to attend the Habitat For Humanity home building project that will take place this Saturday, August 6, 2016.

## **Mayor's Report**

None.

## **City Administrator's Report**

City Administrator Daykin advised that he has met with Verizon officials. He indicated that they are interested in making a proposal back to the City for locating a cell tower on the fire station property. He further indicated that Verizon has had some recent discussions with Chief John Stock as well as C.E. Reid regarding the matter. C.A. Daykin expects to receive a proposal from Verizon in the next 30 days which he will then present to the Council. Mayor Russ pointed out that Verizon would own the tower and would sublet, though the City could potentially have a contract in place to collect a percentage of the sublet amount. C.A. Daykin agreed, and indicated that the City does have a co-location requirement in our Development Code as well which would allow an opportunity for use by others. C. Daykin advised that Chief Stock participated in discussions pertaining to these issues.

C.A. Daykin indicated that the Marijuana Tax Ordinance measure has been officially filed for the November 8 general election. It was assigned Measure 36-184.

C.A. Daykin informed that the Wastewater Treatment Plant Project of the membrane cleaning is going to start next week. The chemical clean will be done on Friday, and the contractor will be on-site next Tuesday to pull the MBR's out of the basin.

C.A. Daykin reported that the maintenance has been completed on the banners, though they were not able to get to one of the banners (possibly the one near Argyle), and he is not sure whether it was due to the equipment that was leased or because of the location of the banner. C.A. Daykin indicated that the metal strapping was replaced as well. He reported the cost was approximately \$343 for the rental of the equipment for the two days.

C.A. Daykin pointed out that the Dundee fence permit process was actually adopted by a resolution. He further recommended a discussion at the next available City Council meeting regarding whether or not the City would like to require permits for fences. C.A. Daykin advised that he is unaware of any other city that requires this. He advised that if we would like to require permits for fences, this information needs properly documented and updated in the Dundee Development Code to include that authority within the code itself.

Mayor Russ inquired about a possible update on the TE Projects. C.A. Daykin indicated that they did once again meet with the project manager, Tony Snyder, last week and also had another conversation with him today. Snyder advised that he is working with those writing the

amendments and indicated that those are still in process. Snyder informed that it is being made clear from the top down that this is a priority for everyone, and when it goes to DOJ they are going to advise them that they are willing to pay overtime to accelerate the process under the attorney's review. Snyder indicated that by doing so this will greatly expedite the process. It is not known specifically at this time when this will happen.

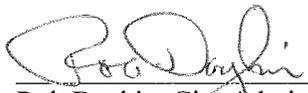
**Public Comment**

None.

The meeting was adjourned at 9:09 PM.

  
Jannette Adlony  
Council President  
David Russ, Mayor

Attest:

  
Rob Daykin  
Rob Daykin, City Administrator/Recorder