

**CITY COUNCIL MEETING  
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August 18, 2020**

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**City of Dundee  
City Council Meeting Minutes  
August 18, 2020**

**Call to Order**

Mayor David Russ called the meeting to order at 7:01 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, Jeannette Adlong and Patrick Kelly. Staff Attendance via Zoom: Rob Daykin, City Administrator; Tim Ramis, City Attorney; Chuck Simpson, Public Works Superintendent; Brent VanKeulen, Interim Fire Chief; and Melissa Lemen, Administrative Assistant.

**Public Attendance**

Attendance Via ZOOM: Paul Welch, Oregon Department of Transportation (ODOT); Mike Connors, Attorney At Law, Hathaway Larson, LLP, 1335 NW Lovejoy, Suite 950, Portland, OR 97209; and one unidentified phone-in attendee.

**Agenda Changes**

C.A. Daykin provided two corrections to the meeting agenda packet. On page 15, it was noted that executive session began at 9:20 p.m. and on page 45, a typo on the last line of the recommendation was corrected from "Range 28" and replaced with "Range 38".

**Public Comment**

None.

**Consent Agenda**

A **motion** was made and seconded to approve Consent Agenda Item 4.1 City Council Minutes; August 4, 2020. **The motion** passed unanimously.

**Old Business**

**Council Order – Appeal Decision, Verizon Wireless CU/SDR 20-06**

C.A. Daykin briefly reviewed the process. M. Russ asked about C. Atty Ramis' support of the Order which he affirmed. A **motion** was made and seconded to adopt Council Order CU 20-06, SDR 20-07, an order approving conditional use and a site development review for a wireless communications facility at the Dundee Fire Station at 801 N. Highway 99W, Tax Lot 00800 on map 3325CC. C. Nelson raised questions regarding the design modifications requested by Council for the tower. Discussion ensued and it was noted that the 74-foot monopole design was found to be most appropriate by Council. C. Atty Ramis reviewed that in the course of the proceedings the record provides that the City Council was clear about what type of tower was desired and the Applicant was clear that they were will to build exactly what Council desired. He explained that the requirement that Council set forth for the described monopole design is the requirement which Staff will look to enforce. C.E. Reid explained that he will review the site design issues during the process, though noted City Staff will ensure the correct tower is placed as well. C.A. Daykin explained that the understanding from Staff perspective is that the color of choice for the monopole is a matte gray finish. C. Nelson inquired about the antenna height and Atty Mike Connors explained that the height of the monopole is established by the decision and

limits the height of the antenna tip to 74 feet. **The motion** passed with M. Russ, C. Weaver, C. Nelson, C. Svicarovich and C. Kelly voting in favor and C. Adlong voting nay.

### **FD Captain Position – Salary Schedule Change**

C.A. Daykin explained that he did review the costs of the proposal as well as additional information provided by Interim Fire Chief VanKeulen, and today he discussed that with Sheryl Hartman, Office Manager, who affirmed that the changes do fit within the appropriations that the City adopted for personnel services. C.A. Daykin discussed additional considerations for the overall budget. **A motion** was made and seconded to approve the Fire Department Captain job description and authorize the placement of the Captain position at Range 38 on the salary schedule. **The motion** passed unanimously.

C. Weaver inquired about Chief VanKeulen's thoughts as he has stepped into his position at the Department. Chief VanKeulen discussed that the Fire Department volunteers and the paid Staff are a group who are dedicated to serving the community and have a strong energy; City Staff have also been welcoming and supportive of integrating him into the system. He explained that since the change in the Fire Chief position and change in some of the methods that were used to get the most out of people, Department Staff are settling into more of a balanced approach to their ability to volunteer and also their ability to work and be compensated in the paid positions. Chief VanKeulen explained that there has been a reduction in the operational capability; they will compensate for that with some restructuring with the Captains position. He discussed that presently there are three firefighters at the Department and only one of them is qualified to drive (the employee who will be reclassified to Captain) the fire engine; a plan will need to be made quickly to fill the engineer position. Chief VanKeulen explained that a couple of quick early changes in the Department will be made (with the support of C.A. Daykin) to stabilize operations and support the demand in the City. The ESCI report will likely be received in the next 2-3 weeks. Chief VanKeulen discussed that he is going to meet with the Rural Fire Protection Board on September 1, 2020; they have interest in participating in reviewing that technical report. He explained that following discussion with C.A. Daykin, they may come back to Council seeking a representative to sit on a task force to review the technical report; discussion ensued. Chief VanKeulen discussed that at present there are no written policies at the Department to speak of; this was not anticipated and he informed that he will need to come up with a quick plan to remedy this given the risks operationally. He discussed his belief that this has led to some inconsistent approaches and somewhat of a lack of consistent understanding of the Staff. Chief VanKeulen will ask Staff to pull together McMinnville's operating guidelines as well as TVF&R's and complete a review of the two to as quickly as possible in order to establish at least a baseline written standard operating guideline and policies.

### **Cooperative Improvement Agreement – Hwy 99 Improvements Project**

C.A. Daykin reviewed that earlier today he did email out an updated version of the Agreement, a copy of which has been added to the meeting agenda packet. He explained that there was one new item that was added that dealt with recognizing the City authority relating to franchises within the ODOT work area. C. Atty Ramis discussed that he has reviewed the updated version of the Agreement and explained that the change referenced is a good one for the City. C.A. Daykin reviewed the details of his agenda report on page 53. M. Russ asked for clarification on the price of the conduits at \$163,460. C.E. Reid explained that the conduits being placed are both irrigation conduits for the landscape areas that ODOT will construct as part of the project and crossings for electrical undergrounding as discussed, as well as some franchise conduits that didn't get placed during Phase A. Discussion ensued.

C. Crawford inquired about when the work will go to bid. Paul Welch, ODOT, discussed that in about 2 weeks they will send the package over to their Project Controls office where they will

then prepare it to go out to bid. The project will be advertised starting October 8, 2020. Welch explained that there is a 5-week advertisement period for the project, and it will go to bid on November 12, 2020. Welch discussed that construction is anticipated to begin Spring of 2021. He explained that due to the amount of work that they are doing, along with the work being incorporated into the project, they are anticipating one full season to complete the majority of the work with a return in 2022 for some clean-up work, if everything goes as they have it on paper. The project is anticipated to be completed in July 2022. Welch discussed that he became the Project Manager for this project in January 2020; he understands the long history of the project and is looking forward to the completion of the project for the betterment of the community of Dundee. **A motion** was made and seconded to authorize the City Administrator to sign the Cooperative Improvement Agreement pending review and approval by the City Attorney. **The motion** passed unanimously.

## **New Business**

### **Owner's Appeal to Tenant Utility Charges**

C.A. Daykin reviewed his agenda report on page 65 of the packet. He explained that during this same time the State had also discouraged or put a hold into effect on evictions; in talking to the property owner, the tenant was also not paying rent to him during this same time period. C.A. Daykin explained that John Carroll was notified that this would be on the meeting agenda tonight and was encouraged to be available in case he had any questions though he does not appear to be present. Discussion ensued. C. Crawford pointed out that Oregon law prevented Carroll from evicting his tenant. City Council discussed options including setting up payment terms or potentially crediting back a portion of the charges or the most recent billed monthly charges. C. Kelly inquired about whether the City has encountered a similar situation before to which C.A. Daykin could not recall; even a recent discussion with the utility billing clerk, Melody Osborne, did not uncover any similar situations as most customers are making a good effort to catch up on their accounts. C. Adlong suggested that potentially flagging those accounts which have tenant paid utility bills could be helpful, though she also acknowledged that there is added responsibility that comes with a property owner asking their tenant pay their own utility bill. C. Kelly suggested that a one-month credit along with a payment plan option might be helpful for this property owner. **A motion** was made and seconded to grant an adjustment to the final charges incurred by Jacob Lauer at 661 SE Locust Street in the amount of the most recent month's charges as well allow a 10-month payment agreement for the remaining balance. **The motion** passed unanimously.

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

C. Kelly discussed that he received a report from a neighbor who had some skunks attack his chickens; he later had two skunks trapped and disposed of. C. Adlong discussed that she's noticed that since the work has been completed on Upland Drive (which interfered with some skunk habitat) she has seen fewer skunks in the area though they are not gone; she feels the skunks have dispersed and are perhaps looking for new homes on other nearby streets. C.E. Reid discussed that skunks had been living in both of the storm culverts replaced at Red Hills Drive and Walnut Street. Brief discussion ensued.

C. Svicarovich inquired about the installation of a crosswalk at Graystone and Seventh Street as part of the recent development at Alder Hill subdivision. C.E. Reid affirmed that and indicated that the striping will be installed.

C. Crawford noted out that the paving looks great on Walnut Street. C.E. Reid discussed that a 3+ inches of material was applied in this area. C.A. Daykin discussed that when the work was completed at Red Hills Road, there were a number of unpermitted, or substandard, driveways that

had to be dealt with by doing some additional asphalt of 5 feet in length from the street in order to prevent gravel from kicking into the street. He explained that some of the driveways predate when the regulation required certain things, and others are property owners who did work without asking for authorization. C.E. Reid expressed concern about the issue and discussed that different streets have different numbers of additional driveways, but Red Hills Drive had many including the addition of second gravel driveways to access backyards or a new shop structures; for others it appears that they never installed the asphalt approach when they built their house and have two driveways which are both gravel. C.E. Reid explained that while some driveways are stable and are not causing a problem, he notes a lot of people adding these driveways to backyards and shed areas. He recalled one driveway on Upland that is continually kicking gravel onto the street which is creating a safety hazard and wearing the pavement more quickly in this area. C.E. Reid discussed that he'd like to be able to enforce having property owners upgrade and install the asphalt approach (and require them to keep the gravel off of the street) in areas where there are problems. Discussion ensued. The consensus of Council was to have a more in-depth discussion of the issue and establish some policy directives on this matter at a future Council meeting. C. Weaver pointed out that many of the driveways could have been built by prior owners. C.E. Reid offered to provide examples of some different situations and also offer suggestions.

C.A. Daykin asked C.E. Reid to discuss the asphalt curb which was installed on Red Hills Drive. C.E. Reid discussed that during the original grading at Red Hills Drive, the original design was to try to put in a swale instead of sloping a wing up on the downhill side to capture the water. He explained that upon grading out the areas, particularly on some of the lower driveways, quite a hump would have been created which would have been detrimental to their approach; he decided at that point to go back to the asphalt berm approach to channeling the storm water. Discussion ensued regarding the resultant curb. C.E. Reid explained that a flow test was completed in this area and he was pleased with the way the water flowed to the inlet and the way the test performed. He noted that some property owners are not very happy with the berm across their driveway that wasn't there before. Though he has only heard of one person who may be having issues getting over the berm, he explained that they are also one of the properties who have a gravel driveway; the gravel has dropped away from the new 5-foot approach installed and needs to be regraded, and then likely this issue would resolve. C. Nelson discussed that he drove by the area recently and voiced that the contractor did a very good job on the berm; it is a top notch job and he praised C.E. Reid for the way in which the berm was lowered for each driveway. Discussion ensued and C. Nelson shared that the berm he saw was well compacted and should be very durable.

C. Kelly discussed that the walking path around Billick Park is eroding and crumbling away behind the baseball dugout and along up behind the restroom stretch; there are large chunks of asphalt on the pathway in this area that he removed off the path. C. Adlong expressed frustration and reviewed that pathway maintenance is one of the items that has been discussed with CPRD, though they haven't responded. She discussed that there are also a number of trees which have been planted alongside the path between the park and the school; these trees will apparently be left to grow though they will likely lift the path in that area as some previous trees did.

C. Adlong discussed that at the last Parks Advisory Committee meeting on August 5, 2020, Casey Creighton from CPRD did attend and shared the new draft plan for the Sander property. She discussed that though the Plan will still go through more revisions, she indicated that she is unsure how much more public input will be received. C. Adlong briefly described the plan and explained that though it is mostly passive use, Creighton had indicated that eventually someone would be working at the park. She also noted that the new draft plan reflected a parking lot that would come in off of the Graystone side, even though previously a lot of concern had been expressed about having a street go all of the way through between Graystone and Fifth Street.

Discussion ensued with regard to a potential parking lot or street in this area; it was noted to interfere with the street shown on the TSP. C.A. Daykin briefly reviewed the land use process required for the proposed park.

### **Mayor's Report**

None.

### **City Administrator's Report**

C.A. Daykin discussed that though the 24-hour door hangers have been being placed, no fee has been charged; though water has been shut off, there has been no restoration fee charged. He asked Council if they would like these fees brought back for the month of August. Council discussed potential options moving forward. C. Crawford pointed out that the impacts of the supplemental unemployment insurance being eliminated are not yet known, though the impacts may be known over the next month. C.A. Daykin reviewed the procedure for shutoff notices and shutoffs themselves. The consensus of Council was to continue with the present placement of doorhangers without a fee as well as no fees assessed in association with shutoffs themselves until City Staff has an opportunity to print the fall newsletter and include an announcement about the reinstatement of those fees.

C.A. Daykin discussed that a notice will be mailed out to all postal patrons in Dundee regarding a new online survey on vacation rentals. He explained that the survey will be open until September 4, 2020. The results of the survey will be presented to the Planning Commission on September 16, 2020 with the consultant.

C.A. Daykin discussed that on September 28, 2020 there will be a pilot project, a "friction seal", on Oak Street in Dundee. He discussed that a friction seal is an asphalt-based material similar to a slurry seal but has more resistance to reflective cracking; it will expand and contract without cracking. He noted that there will be some other agencies who will be visiting Dundee for the project as well. C.E. Reid discussed that it is similar to a slurry seal though has its own process and utilizes specialized equipment; it is a mixed sprayed on application which is thicker and has more aggregate added to it. It is supposed to have more placidity and greater longevity than a slurry seal.

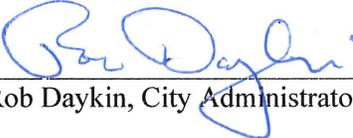
### **Public Comment**

None.

The meeting was adjourned at 8:01 P.M.

  
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David Russ, Mayor

Attest:

  
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Rob Daykin, City Administrator/Recorder