

**CITY COUNCIL MEETING
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November 1, 2016**

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**City of Dundee
City Council Meeting Minutes
November 1, 2016**

Call to Order

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

Council and Staff Attendance

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

Public Attendance

Sean Maddox, Project Manager, MD7 and representing Verizon Wireless; Tom Schaad, 610 SW Alder Street; Michelle Cannon; John Stock, Dundee Fire Chief; and Andrew Thomas, 359 SW 11th Street.

Agenda Changes

None.

Public Comment

Tom Schaad, 610 SW Alder Street, approached the Council with continued concerns regarding the parking situation in front of his house on Alder Street. He further expressed his opinion that he would like the “no parking” signs removed as he can no longer park in front of his house. Mayor Russ advised that the signs were placed out of concern for safety in that area, especially with regard to two vehicles being able to safely pass one another in that location. Mayor Russ along with Councilors Crawford and Pugsley suggested further discussion be scheduled regarding the Alder Street area as well as other collector streets in Dundee. Topics of concern noted were pedestrian safety, parking availability on the street, and also consistency in how these issues are managed. Mayor Russ summarized that the Council would like to review an analysis of the collector streets, parking availability, street widths, etc. Councilor Nelson suggested this discussion and review be held at a City Council meeting after the first of the year which Mayor Russ favored as well.

Consent Agenda

The motion was made and seconded to approve Consent Agenda items 5.1 City Council Minutes, October 18, 2016, and 5.2 Financial Report Ending September 30, 2016. **The motion** passed unanimously.

Old Business

Resolution No. 2016-23, Repealing Fence Permit Requirement

Mayor Russ reviewed that a discussion was held previously regarding fence permits. He advised that a recommendation has been received from the Planning Commission to repeal our fence permit requirement and, therefore, not requiring a permit process. Councilor Adlong mentioned the recent granting of a temporary license agreement to a property owner who had placed a fence in the public right-of-way by mistake, and expressed concerns regarding the potential for property owners to come forward in the future with similar requests because they may be unaware of the fence standards. She expressed concerns that the information be properly communicated to property owners so that this doesn't happen. City Administrator Daykin explained that he has

discussed this with Staff, and that because the fence regulation refers to other sections in the Code, it may be hard for a layperson to locate the applicable information. He suggested that developing the City website further to include more specifics on targeted topics of interest would be helpful. The addition of this type of information to the website has been discussed as an update is being considered. C.A. Daykin informed that the Planning Commission discussed that fences in front yard and particularly those near intersections are frequently observed by the Public Works crews as they are being built. It was noted that the Planning Commission felt that if Public Works note that a fence is not in compliance with the vision clearance, they can make contact at that time. C. Svicarovich advised that she is in favor of adding commonly asked question information to the website. She inquired about what the most commonly asked questions are from those phoning the City from our community. C. Adlong reiterated the importance of communication, and felt strongly that a process for providing information pertaining to fences should be in place moving forward. She suggested that moving forward without a fence permit process will likely result in more nonconforming fences being built. Discussion ensued regarding potential issues with the fence permit process, and the fact that this will not likely prevent all nonconforming fences. C.A. Daykin advised that there is no sanction in place if a property owner does not choose not to take out a permit; the resolution is not an enforcement action. C.A. Daykin further explained that if a fence permit process is desired, it was suggested to be added as part of the Development Code and, therefore, if a permit is not obtained it would subsequently be a violation of the Development Code which would have sanctions. C. Svicarovich suggested the potential option of leaving our present permit process in place until the City website is updated to provide this information more clearly. C. Nelson suggested the idea of information added quarterly to the website that addresses common and seasonal concerns. C. Weaver agreed with this as well and added that the quarterly newsletter also offers the opportunity to communicate that information as well. Thoughts and ideas for the further development of the City website were reviewed and discussed at length. Discussion ensued regarding the fact that presently there is no enforcement for not having a fence permit, but there is enforcement for a non-conforming fence. C.A. Daykin advised that the vast majority of fence permits are for new home construction. Additionally, he advised that the vast majority of nonconforming fences are brought to attention by way of a complaint. C. Crawford indicated that he has not seen a large amount of nonconforming fences in the City that have remained over time. He is in support of the permit process. C. Adlong suggested that the biggest issue comes from fences placed in the front or side yard, especially with regard to appropriate height of the fence. She supported expanding the website to include this information. C. Pugsley inquired about the present City website and further discussion continued regarding potential upcoming changes to it. C.A. Daykin advised that due to heavy workloads and new office staff, the process of moving forward with updating the website hasn't occurred yet. Conversation ensued regarding the present functionality of the City website. C. Nelson suggested the idea of outsourcing the website update. C. Crawford pointed out the time consuming process involved in maintaining the site as well. C.A. Daykin informed that the purpose of this resolution is to repeal the original resolution, although this doesn't have to be done at this time. C. Nelson supported the idea of not repealing it until there is additional communication provided to property owners. The consensus of Council was to defer taking action on Resolution No. 2016-23, a resolution repealing Resolution No. 06-14, relating to requiring a permit for the construction of a fence.

OTIF Street Improvements Loan

C.A. Daykin advised that this is one of the last opportunities to take advantage of the current local street improvement loan through the Oregon Transportation Infrastructure Fund (OTIF). C.A. Daykin also briefly discussed the importance and benefits of moving forward with the draw, which are further addressed in his report. **The motion** was made and seconded to authorize the city administrator to execute a final draw of \$65,000 on the OTIF loan for local street improvements. **The motion** passed unanimously.

New Business

Verizon Tower Lease Proposal

Mayor Russ briefly reviewed the objectives for the presentation regarding the proposed Verizon Tower Lease. Sean Maddox, project manager, MD7, and representing Verizon Wireless, provided a Powerpoint presentation to the Council regarding the Verizon Tower Lease Proposal. The intent of the presentation was to show what the project might look like, and discuss some other issues that City Council may be interested in. If the Council is interested in moving forward and pursuing a lease, a discussion regarding potential lease arrangements would commence during Executive Session. Sean Maddox introduced himself and reviewed the site design, describing the options of a mono-pole versus a monopole design. Mr. Maddox explained that a mono-pole is not favored by Verizon for the reasons outlined in the letter from Meagan Dockter, Site Acquisition Manager from MD7. Mayor Russ inquired as to why the mono-pole design is noted to be more difficult to maintain. Mr. Maddox explained that mono-pole design makes completing the required maintenance and necessary technological upgrades more difficult, as well as can make troubleshooting and getting to the equipment more of a challenge when compared with the monopole design. Discussion ensued regarding the potential maintenance requirements of the tower, as well as pros and cons of the tower design. C. Svicarovich inquired about how much additional equipment and/or attachments are allowable on a tower. Mr. Maddox explained that this is dependent on several factors including landlord preference, structural capacity (which varies based on the geotechnical analysis of the soils), tower height and wind load. Topography of the area is also a factor. He further advised that a 10-20 foot clearance area is needed between the levels of radius/antennas to avoid interference. The RF Engineers are tasked with determining the best site selection and radius height to determine what the most optimal functioning network would be.

C. Crawford inquired about this proposed tower with regard to the potential communications upgrade that the Newberg City Manager discussed at the October 18, 2016 Dundee City Council meeting. Chief Stock indicated that this is indeed being looked at as a possible benefit to that system; County Communications has also expressed an interest in the tower space as well. Mayor Russ inquired about whether or not the above mentioned components could all work together on the same tower. Mr. Maddox informed that most likely their engineers would be able to sort out the details of the arrangement on the tower such that there would be no interference. Discussion ensued further pertaining to the details of having multiple components on the tower using different frequencies and bands which Mr. Maddox reassured the Council was typical and workable. Mr. Maddox further informed that even the addition of the new Digital 4G Communications System should not pose a problem; it could be arranged in such a way that Dundee Communications gets first priority. C. Crawford inquired about the amount of space required at the base of the tower, as he feels the information is not clearly provided. Mr. Maddox advised that site plans should be available soon which will show the details of this more clearly. The area at the base is noted as being 8 feet wide by 37 feet long with a landscaping buffer as well; the details of which were described further. C. Crawford inquired about the height of the fence to which Mr. Maddox advised are generally 6-8 feet tall, but they can accommodate particular specifications for the landlord or to meet code requirements if necessary. Discussion ensued further regarding this. C. Adlong inquired about whether the proposed tower height of 110 feet was the lowest height possible allowable. Mr. Maddox advised that the engineers have requested the tower be of this height, but that if the Council was not in favor of a tower this tall it could be brought to the attention of the engineers but could potentially pose a problem. C. Nelson inquired as to whether or not towers are designed with the anticipation that there is going to be another carrier to help defray the costs. Mr. Maddox advised that is not necessarily the design in mind because the carrier who might defray the costs is a competitor to Verizon. He further pointed out that it is a competitive advantage for Verizon to have their own tower.

However, it was also noted that the City Code requires that colocation be the first priority. C. Nelson further inquired as to why then Verizon wouldn't propose a tower which would prevent colocation. Mr. Maddox explained that City Code would prevent that, and that a new tower that is over 35 feet tall is required to be designed specifically to allow for colocation in the future.

Mr. Maddox shared his Powerpoint presentation further, specifically the slides reflecting the viewpoints alternating between the use of a tree camouflage tower and a monopole design. He also advised that the monopole design could be painted to any color desired. C. Pugsley expressed concerns about whether or not the top of the tower would be red in color or have a light in place. Mr. Maddox advised that unless it's specifically required, Verizon doesn't place lights at the top. C. Weaver inquired about whether they would be tapping into the onsite generator or have their own source of power. Mr. Maddox advised that the plan would be to tap into the generator already in place which wouldn't rob them of much power. C. Crawford inquired as to the height of the power poles along Highway 99W. Mr. Maddox felt they were typically about 40 feet tall; C. Svicarovich added that she believes them likely to be 60 feet tall. C. Nelson inquired as to whether this tower would have any benefit for the City's SCADA system (radio based data acquisition and controls) or for other communications that we need. C.A. Daykin advised that the City Engineer did meet with Verizon Engineers to discuss the site considerations. He further advised, as the Chief already noted, that we would want to let Verizon know our desire to reserve at least the possibility of two emergency communication antennae on the tower for the Washington County System and the Yamhill County System. He advised that he has not looked into the tower being a platform for the SCADA system; he is unaware if it's needed or not. C.A. Daykin informed that all of our facilities are communicating right now without any difficulty. C. Nelson advised that he is in favor of moving forward with this and is in favor of the mono-pine style of pole. C.A. Daykin advised that he was made aware that there is this type of pole at a location in Washington County; once he is able to obtain the address he will forward that information to the City Council members. C. Pugsley noted that he favors a lower tower option. C. Pugsley inquired about the height of the tower on Fulquartz Landing Road. Mr. Maddox advised that he will check into that.

C. Svicarovich inquired as to whether or not the public works property was considered for the tower as it's further off of Highway 99W. Mr. Maddox advised that the Fire Department property was in the very center of the search ring identified from RF, zoned appropriately, and further noted that only public use property may allow for a pole height of over 45 feet. C. Weaver expressed his opinion that it seems appropriate for a communication tower of this nature to be placed at the proposed location of the Dundee Fire Department. Mr. Maddox advised that he finds this to be true in his experience as well, and reviewed some of the benefits of this placement including providing some revenue to the City as well. C. Adlong inquired about whether or not lights will be placed on the top of this tower to which Mr. Maddox indicated that there are no planned lights to be placed; lights are only placed on the top if it's close enough to an airport that the FAA requires it. C. Adlong expressed concerns about hot air balloons as well. C. Crawford inquired about the height of the surrounding trees to which Mr. Maddox estimated to be 75-90 feet in height. Tom Schaad added, in comparison, that he believes the wind turbine on the top of Chehalem Mountain to be a total height of 120 feet tall. He further suggested that it stands alone and there are no lights on it even though aircraft and hot air balloons travel in the area. **The motion** was made and seconded to authorize the city administrator to negotiate a lease with Verizon for use of Dundee Fire Station property for a cell phone tower facility on Fire Station property. **The motion** passed unanimously.

Council Concerns and Committee Reports

Councilor Pugsley proposed having a future discussion pertaining specifically to Habitat for Humanity having waived SDC charges within our development code by the end of this year or

early 2017. He further advised that Newberg has a similar situation and indicated that there was a recent Summit with builders, the Austin Family and other service industries to discuss the crisis in median income and median housing in this area. Mayor Russ supported having this conversation as well. C. Crawford noted that Newberg does place a limit of no more than two houses per year. C.A. Daykin advised that this topic could be added to the City Council Agenda in early 2017.

C. Crawford noted that with regard to the bypass, there is some black chain-linked fencing that has begun being placed around the Bypass water quality pond area next to 99W. He noted that the fence was slated to be lower than 6 feet in height. C. Crawford also advised that this fence is also not supposed to go completely around the pond, and he is hopeful that they won't continue the installation in such a fashion. He further advised that upon reviewing the original discussion on the Fishhook, he noted it stated that low trees were to be included, with a fence only in a portion of the area. C. Adlong added that there are supposed to be trees planted along the Neiderberger road edge as well. C. Crawford suggested that they likely just haven't been planted yet. C.A. Daykin advised that he did forward an email today to ODOT Project Manager Kelly Amador, and also requested the Site Plan but have not heard back yet.

C. Svicarovich advised that she has been emailing with C.A. Daykin regarding the lighting issue in the Fishhook area, after being able to take a look at the existing lighting present. She also indicated that she was able to take a look at the ODOT record drawings for the area. She informed that they are working on formulating an email to send back to ODOT about the light fixtures. She advised that from her general observation of the plans that it appears everyone else is getting LED lights except for us in our area. She advised that she believes it has to do with the fact that much of what's going on at the Newberg end is within the City limits, and our end in Dundee is technically outside of the City limits. She felt there is a very good argument with regard to us having LED lights as it's a continuous roadway that should be lit consistently with the same type of light. She suggested her point further due to the present bright orange light at the south entrance of the City which then changes to nice white lights as you proceed through town. C. Adlong pointed out that it wouldn't be that expensive to change out the lights.

C. Weaver announced that the Strategic Economic Vitality Summit will be held on Monday, November 14, 2016 from 9:00a.m. to 3:00p.m. at the Newberg Cultural Center. The cost is \$20.00. He advised that he and C. Svicarovich have already registered for the event.

Mayor's Report

None.

City Administrator's Report

City Administrator Daykin informed that we did receive a draft funding agreement for the additional \$900,000 for Dundee's phase of the sidewalk/streetscape project yesterday. He advised that he and City Engineer Reid are reviewing it and they will get comments back to them before they forward it on to the Department of Justice. He indicated that he is unsure how long the process will take moving forward, but is pleased that we have a draft agreement in place. C.A. Daykin advised that he and C.E. Reid have discussed the importance of being prepared to go out to bid following signing off on that. C.A. Daykin explained that once we approve the agreement, it typically takes only a week for them to sign and return it to us. C. Crawford noted that McMinnville made mention at the Parkway Meeting that bids for their transportation work have come in at or below their estimates.

Public Comment

Andrew Thomas, 359 SW 11th Street, approached the Council and advised that he is Ron Claassen's neighbor. He indicated they live on flag lots with a shared driveway. He advised that last week it was brought to his attention that he was in violation with regard to storage of items on his property. He advised that he has cleaned up the problems and is hopeful that he is now in compliance. He also expressed concerns regarding his driveway and requested clarification as to whether his driveway is private or a fire lane. He further advised that he'd like to put his house up for rent hopefully at the beginning of the year and would like to be able to provide accurate information to renters regarding his property. C.A. Daykin advised that there is a "no parking" sign on one side of the driveway next to his property, although it applies to the entire width of the lane. He further advised that Mr. Thomas has taken care of the problems with regard to his property and he doesn't believe there to be any further issues at this time. Discussion ensued further regarding the width of the driveway. Chief Stock advised that there is a fire easement in place and the driveway width is 19 feet; a width of 26 feet is required before parking can be allowed on one side. Chief Stock clarified that no parking is allowed on either side of the driveway. He further indicated that he will follow up and review the signage.

Mr. Thomas advised that he helps troubled youth and has two boys residing at his home presently. He described the fact that one of them is presently working while the other is trying to obtain his G.E.D. He expressed his support for Habitat for Humanity and additional low income housing in the Dundee area.

The meeting was adjourned at 9:10 PM.

Executive Session

The City Council entered Executive Session at 9:11 P.M. in accordance with ORS 192.660(2)(e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions. Executive Session ended at 9:41 PM and the Council did not reconvene.



David Russ, Mayor

Attest:



Rob Daykin, City Administrator/Recorder