

**CITY COUNCIL MEETING
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July 6, 2021**

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**City of Dundee
City Council Meeting Minutes
July 6, 2021**

Call to Order

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

Council and Staff Attendance

Attendance: Mayor David Russ; Councilors Tim Weaver, Patrick Kelly, Ted Crawford, and Jeannette Adlong. Attendance Via Zoom: Councilor Storr Nelson. Absent: Councilor David Ford. Staff Attendance: Rob Daykin, City Administrator; Bill Monahan, City Attorney; Greg Reid, City Engineer; and Melissa Lemen, Administrative Assistant.

Public Attendance

Teresa Stevenson, 680 NW 1st Street, Dundee; and Robert Moxley, 23155 NE Hagey Road, Dundee.

Agenda Changes

C.A. Daykin provided Council with a revised copy of Ordinance No. 574-2021, Second Amendment Sanctuary Ordinance; change on page 21, Section A-2, reference to County was revised to City and Section A-3 was deleted as it was not part of the original Yamhill County ordinance. C. Atty Bill Monahan explained that these were the items that Atty Kahl spoke of at the June 15, 2021 City Council meeting; apparently the updated version reflective of those changes had not been sent. M. Russ voiced that Agenda Item 5.3 Ordinance No. 574-2021, Second Amendment Sanctuary Ordinance, will be moved to the City Council meeting on July 20, 2021.

Public Comment

None.

Consent Agenda

A **motion** was made and seconded to approve Consent Agenda Item 4.1 City Council Minutes, June 15, 2021. **The motion** passed unanimously.

Old Business

Planning Commission Appointment

Teresa Stevenson was present and available to answer any questions. Brief conversation ensued. Stevenson explained that her kids are now grown, and she is interested in being involved in the community. C. Adlong voiced support of Stevenson and feels she knows the community very well and would be a great addition to the Planning Commission, especially given her experience in the wine & tourism industry. A **motion** was made and seconded to appoint Teresa Stevenson to the Dundee Planning Commission to complete an unexpired term ending December 31, 2021. **The motion** passed unanimously.

Parks Advisory Committee Appointment

Robert Moxley was present and available to answer any questions. C. Adlong explained that Moxley lives just outside of the city limits and would be eligible for the Committee as a non-resident member. Moxley discussed that he is involved with the Oregon Department of Fish & Wildlife Columbia River Advisory Committee; he holds an elected position and is currently in his

fourth term. He discussed his position briefly and explained that he has been very successful with that opportunity in providing better opportunity for the recreational outdoor enthusiast. Moxley also discussed that he has volunteered in various advisory positions at the City of Newberg with planning, affordable housing, and zoning with Doug Rux and Mayor Rick Rogers. C. Adlong noted that there is also another opportunity to volunteer through Chehalem Park & Recreation District for the Trail Advisory Committee which will be forming in August. Brief discussion ensued. **A motion** was made and seconded to appoint Robert Moxley to the Dundee Parks Advisory Committee. **The motion** passed unanimously.

Ordinance No. 574-2021, Second Amendment Sanctuary Ordinance

C. Crawford raised a point of order question pertaining to the Mayor's decision to table this agenda item to the next City Council meeting. He discussed his belief that to remove an agenda item requires a motion of Council. C. Atty Monahan discussed that from a strict procedural point of view it would be appropriate for Council to take an action (because it was advertised on the agenda) to carry this item over to the next meeting. **A motion** was made and seconded to carry this meeting agenda item over to the July 20, 2021 City Council meeting. **The motion** passed unanimously.

Fire Finance Work Group

C.A. Daykin discussed his agenda report on page 41 of the meeting packet. C.A. Daykin noted that C. Ford volunteered to be a member of the work group prior to the meeting tonight. C. Adlong and C. Weaver volunteered to join the work group as well.

Engineer's Report – Alder Street Improvements

C.A. Daykin provided background information. He reviewed that last fall the City Council initiated an LID for the portion of Alder Street from 9th Street to Upland Drive for collector street standard improvements along that entire segment. Subsequently Staff came back and made a recommendation to actually look at breaking it up into three projects to take advantage of the SCA Grant process which Council did acknowledge that. The described Alder Street improvements would be inclusive of the first phase of that overall project. C.A. Daykin discussed that this meets the requirements in the city Ordinance for presenting a report that shows which projects are involved in the LID, what the improvements are, the estimated costs, and the methodology for assessments against those property owners. C.E. Reid was present to answer questions about the Report. Council reviewed the report and questions were addressed. C.A. Daykin discussed that when the property was partitioned on Lot 601 decades ago, the dedicated 10 feet of right-of-way (ROW) to match up to the original 40 feet of Alder Street on that side, placed those two garage shed structures right on the ROW (or even a little bit into the ROW); even before the 10 feet, it was not the safest approach to those with only the 10 feet going into a street. C.A. Daykin explained that City Staff are recommending no driveway constructions at that location; simply sidewalk construction as it would not be safe to have a driveway accessing those buildings. Brief discussion ensued. C.A. Daykin clarified that lot 1103 will be reconfigured just to have one standard driveway. He also explained that lot 1101 has been arranged such that a partition could be created in the future, creating a flag lot. C.A. Daykin explained that if the property owner chose to have another driveway, the City would have discussions with them about participating in that cost. C. Nelson inquired about access to the sheds on lot 601 and C.E. Reid explained that at this time they have not designed any connection to the sheds; the driveways would be removed, and the curb would be extended through the area. C.E. Reid offered to evaluate the possibility of providing a pedestrian access from the sidewalk though indicated he would need to look at that during further design when he can look at the grades better. C. Nelson felt it would be important to maintain some sort of access to the shed structures. C.A. Daykin discussed that at this time City Staff are not certain whether either of the shed structures are located in the public ROW or not; this will require a survey which was not

factored into the project costs at this time though this may need to be reconsidered. Discussion ensued. C. Adlong expressed concern about the costs to the property owners and inquired about whether these are standard types of costs for an LID. C.A. Daykin discussed that the three lots are very large, and some could be further divided at a profit for the property owner if they chose to do so. He also pointed out that when the lots were partitioned decades ago, the requirement of the City Code at that time was to provide for street improvements, including sidewalks, curbs, etc., and that was allowed to be deferred. C.A. Daykin discussed the process moving forward if Council would like to proceed. The consensus of Council was to include some survey costs in the project as well. Discussion ensued and additional Council questions addressed. C.A. Daykin explained that the breakdown based on the budget estimates would include the grant at \$100,000, the LID at \$74,833, the additional street resources of \$9,819, and storm CIP resources of \$64,188. The consensus of Council was to favor the basic methodology based on a square footage approach of frontage. C.A. Daykin indicated that City Staff will bring back the estimates and a resolution for a future meeting.

New Business

2022 SCA Grant Project

C.A. Daykin discussed the details contained in his meeting agenda report on page 53. C. Adlong discussed concerns about the condition of Myrtle Street. C.A. Daykin discussed that he did receive a call from a gentleman who lives on Myrtle Street (in the section which will be paved). He explained that this gentleman's wife had attended the meeting, but he inquired about whether the City will be replacing the curb or replacing driveways, etc., though he explained that the decision was made to move forward with just the pavement and at some future date the City Council may be interested in seeing a sidewalk improvement project along the entire length of Niederberger to Eleventh Street. C.A. Daykin noted that this person was not able to attend the meeting tonight though he wanted the information shared that he is interested in seeing those improvements. C.E. Reid explained that he also had recently spoke to a property owner in the area who hadn't attended the original meeting, though is now expressing more of an interest. C.E. Reid pointed out that the Alder Street section is also just as bad and has no curbs or sidewalks; the pavement is a real issue as well. C. Nelson inquired about the trip counts on Alder Street vs. Myrtle Street vs. at Third Street. C.A. Daykin and C.E. Reid pointed out that by far Alder Street would have the most trip counts, though the numbers are not known. Though C. Nelson acknowledged the importance of completing the Myrtle Street work, he voiced support of the Alder Street project for the 2022 SCA Grant Project. The fact that additional Alder Street work will need to be completed in a phased approach was discussed. C.A. Daykin reviewed that the SCA grant program has been expanded to allow entities to submit applications that are only pedestrian safety improvements; discussion ensued. **A motion** was made and seconded to authorize the City Administrator to prepare and apply to the 2022 SCA grant program for Alder Street. **The motion** passed unanimously.

Resolution No. 2021-11, Land Use Fees

A motion was made and seconded to pass Resolution No. 2021-11, a resolution establishing land use application fees and repealing Resolution No. 2015-13. C. Nelson inquired about whether the fees in other cities are similar to those proposed in this resolution. C.A. Daykin indicated his belief that this is the case and noted that in his research of the appeal fees, some other area cities were significantly higher than Dundee's though Newberg's were closer to what is proposed to the change to the appeal fees. Brief discussion ensued with clarification provided as needed. **The motion** passed unanimously.

C. Adlong voiced interest in discussing annual business license renewal fees. C.A. Daykin discussed that related to the standard short-term rental, with the new process property owners

now have to provide additional information when they renew their business license. Melody Osborne completed an analysis of the new process moving forward and provided a list. The new renewal process was reviewed in detail. C.A. Daykin discussed that the annual business license renewal fee has remained the same \$45 fee since 1998. He explained that over the years there have been discussions about changing or updating this fee process. C.A. Daykin offered to provide Council with information and potential options for changing/updating this process if so desired. Discussion regarding potential options for change ensued. C. Crawford suggested that a tiered approach may be a good option. C.A. Daykin discussed that that City Staff will begin doing the research; there should be sufficient time to complete this process before November, at which time notices are sent out for renewals.

Resolution No. 2021-12, Modified Declaration of Emergency

C.A. Daykin provided a brief explanation as also detailed in his agenda report on page 67. A motion was made and seconded to pass Resolution No. 2021-12, a resolution modifying a declared state of emergency.

Settlement Agreement – Wilder Claim

A motion was made and seconded to authorize the City Administrator to sign the settlement agreement for the Andrew Wilder complaint on behalf of the City of Dundee. **The motion** passed unanimously.

Council Concerns and Committee Reports

C. Crawford discussed that he read that Willamette Valley Vineyards is going to be moving their entire production facility from south of Salem to just outside of Dundee. He noted that they produced 175,000 cases last year; they hope to double that. C. Crawford discussed that they are a locally owned Oregon grown company.

C. Adlong discussed the recent heatwave and expressed concern about how hot the black pavement got during this time. She discussed that there aren't many options for lessening the heat effect in the pavement other than planting shade trees right now. C. Adlong voiced support of planting adequate trees for the Alder Street project. Potential future ideas were discussed briefly though it was noted that there are no other good options available at this time. C. Adlong voiced support of being proactive about the impacts of climate change and try to figure out what the City can do in the future.

C.A. Daykin discussed that he and C.E. Reid met with DEQ as a follow up. He reviewed that DEQ had been implementing penalties for not complying with the city TMDL. C.A. Daykin explained that they will be having a follow up session with DEQ to lay out an outline of how Dundee will be able to reach their specifications. He discussed that their main concern is with regard to the riparian areas and making sure that proficient shading is provided for those areas to keep water temperatures from getting too warm. It was noted that at this time a lot of the riparian areas do not have trees for shading.

C. Adlong inquired about what will be planted along the highway. C.E. Reid discussed that the extensive plan does include extensive amounts of plants including a combination of trees; he offered to provide Council with the landscape plan. C.A. Daykin explained that the landscape plan was prepared by an ODOT landscaper; though they allowed City input, none was reflected in the ODOT landscape plan. C.E. Reid explained that the landscape will be fairly dense and the City will be doing the irrigation portion of it. ODOT indicated that the final lift is anticipated to be done this year at the end of September/October, and then they will move straight into the first layer of mulch and planting at that time. Discussion ensued pertaining to the construction work on the highway project; many felt the project was going extremely well though C. Nelson

expressed concern about the process involved with the temporary closure of Fifth Street. C.E. Reid indicated that the will provide those concerns to ODOT.

C. Crawford inquired about whether any street trees were lost as a result of the recent heatwave. C.E. Reid discussed that though he hasn't seen any dead trees yet, though the trees on Locust Street put in a few years ago are getting stressed. He indicated that public works will be getting more watering bags out on those trees. Council members expressed concern about various stressed trees around town. C. Crawford expressed concern about blackberries and stinging nettle near the bridge on the Harvey Creek Trail, as well as general overgrowth along the trail. C. Adlong explained that they have a volunteer who will be doing some spraying along the trail sometime soon. C. Crawford pointed out that additional funds were approved in the recent budget process for park maintenance; he would like to see some of the funds used to care for the trail before it gets too overgrown. It was noted that there is difficulty right now in finding short-term help to assist with this type of work.

C. Crawford discussed that the owner of B & S Market has expressed concern to him about the neighboring property not being cared for and presenting a fire hazard. He indicated that he had complained to the City about it already. C.A. Daykin discussed that he has already received this information which was passed to Wine Country Legacy Partners who told him that they would address the concern. C.A. Daykin discussed that one last area of concern is regarding the Lindquist property; though it was missed in the initial abatement process, he keeps talking to the Lindquist representatives who are also having trouble finding people to complete the work. He explained that the City may resort to just going through an official abatement process and have City crews complete the work as has been done in the past, though public works staff is presently being pulled in many directions right now. C. Crawford expressed concern about trees on the property which have all fallen down and now pose a fire hazard themselves and suggested these be removed also.

C. Adlong discussed that "no burning" in Dundee seems to be confusing to residents and they don't realize the no burning is allowed in the city limits. She voiced support of educating those who live in the city limits that there is no burning of backyard debris anytime of the year. Providing this information in the fall newsletter would likely be helpful. C.A. Daykin discussed that next time the quarterly newsletter is prepared; a postcard notification process will be utilized to provide residents with mail notice and a link or perhaps a QR code.

Mayor's Report

M. Russ discussed that there were funds leftover from the bypass project for the trail which is now being discussed with CPRD; Newberg is also working on obtaining grants for the project. M. Russ discussed that last year the Governor also said she would put \$32 million in her personal earmark toward the bypass which has been added. The project was noted to be nearly shovel ready for the next phase up Rex Hill. M. Russ inquired about whether ODOT has provided any information about their traffic study reports. C.A. Daykin explained that he has not talked to them since the last time he inquired; he is unsure why they haven't been able to complete the necessary work or whether there may just be other projects going on or lost heart in this particular project. He offered to follow up with ODOT for find out a status. Brief discussion ensued. M. Russ explained that the bypass 219 interchange has been determined to be a standalone functioning project; it could be funded and built separately without completing Phase 2 up to Rex Hill.

City Administrator's Report

C.A. Daykin provided Council with additional materials from Scott Dadson, including the survey response answers from the City Councilors who participated in providing their priorities for the

recruitment process. Dadson provided a draft of the recruitment profile for Council review; he will follow up with Council at the July 20, 2021, meeting as well as the additional material provided in his memo.

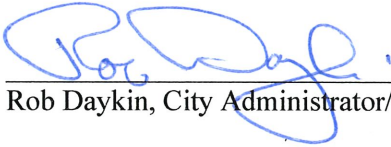
C.A. Daykin discussed that the City did get the application in for CPRD's land use approval for the Sander Estate Park. He explained that the Planner as deemed the application as being complete, so a meeting has been scheduled with the Dundee Parks Advisory Committee to provide feedback as part of the pre-hearing process of agency review. C.A. Daykin explained that it is a Type 3 process though there are some notations in the City Development Code that instead of going to Planning Commission it will go to City Council. He noted that the second City Council meeting in August (August 17) is being looked at to schedule the hearing for the Sander Estate Park hearing review and approval. C. Adlong expressed concern that the water feature is not planned out on their revised plan at this time. This will be a topic of discussion at the Parks Advisory Committee meeting tomorrow night.

The meeting was adjourned at 8:18 P.M.



David Russ, Mayor

Attest:



Rob Daykin, City Administrator/Recorder