

**CITY COUNCIL MEETING  
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September 7, 2021**

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**City of Dundee  
City Council Meeting Minutes  
September 7, 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 Ted Crawford, Tim Weaver and David Ford.  
Attendance Via Zoom: Councilors Jeannette Adlong, Storr Nelson. Absent: Councilor Patrick Kelly. Staff Attendance: Rob Daykin, City Administrator; Melissa Lemen, Administrative Assistant; and Chuck Simpson, Public Works Superintendent. Staff Attendance Via Zoom: Ed Trompke, City Attorney; Jeff Kosmicki, Police Chief;

**Public Attendance**

Ben Jeffris, 1229 SW Upland Drive; Donald R. Olson, owner, Torii Mor Winery, 18325 NE Fairview; Larry Moffett, 1049 SW Upland Drive; Jennifer Andrea, 220 SW Seventh Street; Keith Tilton, 675 SW View Crest Dr.; John & Karen Roberts, 237 SW Oliver Court; and Valerie Brewer (8:25 P.M.), 359 SW Seventh Street. Attendance via Zoom: Michael Humm, P.E., Kennedy/Jenks; Allen Holstein; Dustin Perket, The Automation Group; and one guest identified only as "Sarah".

**Agenda Changes**

None.

**Public Comment**

Larry Moffett, 1049 SW Upland Drive, approached Council and read a prepared statement into record in support of Ordinance No. 575-2021; a copy of the statement was added to the meeting agenda materials. He also provided copies of receipts from Advanced Wildlife Removal LLC for Council review.

Jennifer Andrea, 220 SW Seventh Street, introduced herself and read a prepared statement into record regarding concerns about Seventh Street. A copy of her statement is included in the meeting agenda materials.

Ben Jeffris, 1229 SW Upland Drive, introduced himself and provided a written proposal to Council to reduce speed limit and add signage on SW Upland Drive; copy provided for the record. He also provided a petition which he indicated had been signed by those living in the neighborhood.

Donald R. Olson, 18325 NE Fairview, introduced himself and indicated that he is the owner of Torii Morr Winery. He explained that he has taken a long-term lease at the old radiator shop property which he intends to use as a distilled spirits tasting room. He noted that he has a source of blue agave and will be making tequila. Olson discussed that he is making interior beatification changes though no structural modifications. He did voice concern about the bus stop which he indicated blocks his parking; he is hopeful that Council will address this concern with a better solution. Olson addressed brief questions from Council and noted that he anticipates it taking 3-4 months to complete the improvements he desires at the facility. Olson suggested that removing the bus stop entirely or moving it down the street may be options to consider, though he cannot think of a solution which would solve all issues with the bus stop itself. Brief discussion ensued.

M. Russ called upon Shane Anderson to provide public comment though he was not in attendance at the meeting tonight in person or via Zoom. He had emailed Melissa Lemen, Administrative Assistant, previously and indicated that he would like to provide public comment this evening.

## **Consent Agenda**

A **motion** was made and seconded to approve Consent Agenda Item 4.1 City Council Minutes, August 17, 2021 and 4.2 Financial Report Ending July 31, 2021. C. Crawford referenced the Tourism Fund on page 24 and expressed concern that the park project was being accounted for twice in the budget. C.A. Daykin explained that this is a draft report and that the audit process is not yet complete to close out the prior year; there are some numbers which still need adjusted. He affirmed that the \$185,000 is the correct amount for the capital outlay; he is uncertain what the \$132,000 represents without the detailed information. **The motion** passed unanimously.

## **Old Business**

### **Kubota MBR Purchase Order**

Engineer Michael Humm, Kennedy Jenks, provided an update for Council. He discussed that they have been working with Kubota to secure a proposal, as well as working with the City Atty to review the wording of the sole source publication. Humm explained that once Council approves the proposal from Kubota, they would then solicit contractor bids for actual installation work. He discussed the scheduling complexities between the equipment supplier (Kubota) providing the equipment and having it delivered onsite, and a contractor under contract and available to unload it and begin the work. Humm explained that part of the work of the project involves the coordination piece and making sure this information is clarified in the contract documents for the contractor. M. Russ inquired about the installation process. Humm explained that Kubota has several field days included in their scope of work and they (Kennedy/Jenks) have several site visits included in their construction services which have already been contracted. He explained that the programming is a skilled task; Kubota will be using their own programmer which Humm pointed out will provide a lot of security. M. Russ stressed the importance of things being installed correctly so that the programmer is then able complete that very important piece of the work. Humm discussed that there is very little programming of new equipment involved in the process; most of the hardware and infrastructure has already been installed onsite.

C. Ford expressed concern about the costs being \$21,000 over the estimate. C.A. Daykin explained that in his memo he suggested having a future discussion about the financing of the project, though he initially proposed using more of the ARPA grant funds. It was noted that once the bid for the full installation has been received the total cost of the project will become clear. A **motion** was made and seconded to authorize the city administrator to sign acceptance of the Kubota quotation following expiration of the appeal period and no appeals have been filed. **The motion** passed unanimously.

### **Bus Stop Shelters**

C.A. Daykin reviewed that this issue has been discussed previously. He explained that when the concern first arose, C.E. Reid met with the owners of the radiator shop and reviewed the issues; the conclusion was that the bus shelter does not interfere with parking or access to the parking. C.A. Daykin discussed that presently there is a substandard parking lot with no curb grade and only wide open area for people to pull in. He explained that once this property is developed to City standards the driveway will be further away from the highway. He discussed that the City did receive a Level 1 site development review application for the new use which has been forwarded to the City Planner, though the City has not yet received a complete site plan to scale. C.A. Daykin explained that he discussed with Mr. Olson that upon going through these processes

there may be requirements for completing the parking improvements, including other associated improvements (including landscaping, storm water, etc.), and that it could be a burden to someone who wants to start up a business in a preexisting building that has these substandard facilities. C.A. Daykin noted that there may be an opportunity that Mr. Olson may wish to come back to a future Dundee Urban Renewal Agency meeting to make a request for some sort of assistance with the public improvements.

C.A. Daykin explained that the map provided on page 61 of the meeting agenda packet was drawn by the owner of the property but pointed out it is not drawn to scale. He discussed that at this time it is not known whether head-in parking really would work in this area to allow for the turning movements; the present routine of movement of backing up into Ninth Street cannot continue. C.A. Daykin discussed that with the development of the properties towards the railroad there will be a lot more traffic coming to and from the highway into that property. He explained that careful evaluation would need to be completed to determine whether there is sufficient maneuvering room for vehicles to turn around and exit the parking area in a forward fashion. Discussion ensued and C.A. Daykin addressed Council questions. He explained that City Staff will be requesting that the application be accompanied by the project drawn to scale (which will have some engineering involved) which shows how the parking is meeting City standards for not only development of the parking lot but also maneuvering in the parking lot, as well as the location of the driveway meeting City standards. It was noted that the City is not responsible for completing the engineering work for this project; the property owner will need to do so.

C. Crawford inquired about whether Wine Legacy Partners has moved forward with plans to develop Ninth Street. C.A. Daykin explained that they have land use approval and approval for starting some mitigation work/seismic work on the existing building though they have not yet begun. He noted that they will be developing the access from Ninth Street to their property as well as a second driveway further to the north.

C. Ford pointed out that regardless of where the bus stop is located, there is an issue from a health perspective which needs addressed. Conversation ensued. C.A. Daykin explained that the presumption from Yamhill County Transit (YCT) is that the City will maintain the bus stop area to some extent. He suggested that perhaps the Tourism Committee could take this project on and potentially add some landscaping beautification along with ongoing trash pick-up. It was noted that these increased efforts will likely remedy the issues of concern. M. Russ pointed out that the operation of a business (rather than a vacant building) in this area will provide a different atmosphere and improve these issues as well. M. Russ suggested that bringing these concerns to the attention of the Newberg-Dundee PD may result in extra patrols for the area.

C.A. Daykin discussed that there is a second bus shelter available which has not yet been installed for the southbound lanes. Though the City doesn't have the right-of-way (ROW) to locate the southbound bus stop across from the present one on Ninth Street, there is sufficient ROW to place the bus shelter on the north side of Eighth Street stub next to Hwy 99W. Discussion ensued and support was voiced for the Eighth Street location. Additional potential placement locations for the bus shelter were also discussed. C.A. Daykin indicated that Staff would obtain more information to bring back for further discussion with Council. It was noted that this is a complicated issue and Council members indicated that were open to hearing additional thoughts and ideas on the topic. C.A. Daykin inquired about whether Council favored using public funds to complete some additional improvements to the bus shelter (landscaping and trash service). M. Russ favored hardscape improvements rather than landscaping which would require maintenance. C. Ford voiced support of checking to see if a community group would be willing to take on the bus shelter as a service project. C.A. Daykin explained that years ago there was a downtown business association which formed; among other things they created the Tourism Committee

before it eventually became a city committee. M. Russ discussed that Dundee seems to be in a transitional period right now; once the highway project is complete there may be a slightly faster development along Highway 99W. He explained that as new businesses join the downtown area perhaps a downtown business association would redevelop. C. Crawford suggested that the city apply for a grant from the Early Bird Rotary Foundation for improvements related to the bus stop shelter; discussion ensued. Options for the placement and maintenance of a garbage can for the bus shelter were discussed at length.

#### **Ordinance No. 574-2021, Second Amendment Sanctuary Ordinance**

C. Ford discussed his thoughts regarding the CIS document provided on page 65. He felt it was more specifically focused on if the City were directing folks to specifically take actions that are illegal, which he does not believe the ordinance would do at this point. C. Ford shared his belief that it's clear that the city is not asking city officials or our contractors to violate the law, but rather directing them about how they are going to prioritize their focus of time and energy, which he felt was reasonable. Brief additional discussion ensued. **A motion** was made and seconded to adopt Ordinance No. 574-2021, and ordinance declaring a second amendment sanctuary in the City of Dundee. C. Nelson voiced his belief that this is an overstep of the City Council and that he has not changed his opinion or will change his vote. C. Crawford and C. Adlong voiced agreement with C. Nelson's statement. **The motion** was a tie vote with M. Russ, C. Ford and C. Weaver voting in favor; C. Nelson, C. Crawford and C. Adlong voting nay. C. Atty Trompke voiced that with a 3:3 vote the ordinance has not passed; neither side is prevailing. It was noted that the agenda item will be brought back for another vote at the next meeting. Brief discussion ensued and it was noted that C. Kelly is absent tonight.

#### **Ordinance No. 575-2021, Attracting and Feeding Wild Animals**

It was noted that tonight's public testimony was very compelling; brief discussion ensued. C. Adlong stated that there is one change she would like to make to the ordinance. She referenced the definition of "water feature" on page 76 and suggested that the word *moving* be removed from the sentence. She explained that the word *moving* precludes just a standing birdbath which many property owners place out for birds. Brief discussion ensued. M. Russ suggested that once this ordinance has passed, information should be provided in an upcoming city newsletter. M. Russ also suggested Council revisit this issue in 6-12 months; if there is still an issue, it may be a good idea to see how other cities are addressing this problem. **A motion** was made and seconded to adopt Ordinance No. 575-2021, an ordinance related to attracting and feeding wild animals and amending the Dundee Municipal Code. **The motion** was amended to reflect amending the definition of water feature (6.12.020) by removing the word *moving*. **The amended motion** passed unanimously.

#### **Alder Street Park Naming**

C.A. Daykin discussed that he did receive one item of correspondence from Elizabeth Sundeen concerning this issue. He shared that, in summary, she felt that there has been some persistent exclusion of women who are historically significant and she voiced support of naming the park The Jacob and Susanna Jones Shuck Park – they are identified in the Dundee historical stories of old Dundee and possessors of the original claim site that eventually became Dundee. Lengthy discussion ensued about potential names for the park. C. Adlong voiced support of naming the park after Susanna Jones Shuck or Bessie Meyer, who came from Scotland with her husband, John Meyer, in the mid-1800's. She also voiced strong support that the name Harmony Park is an appropriate name for a park at this time. Conversation ensued. M. Russ voiced support for community involvement, though expressed concern about the potential costs involved in doing public outreach. C. Ford voiced support of citizen involvement and community outreach as well; it is nice to see people interested in city matters and participate in these processes. Placing the information on the city website and/or advertising in the local newspaper was suggested;

community outreach could be kept simple. C. Weaver suggested that perhaps the Community Committee might be interested in assisting with this task; C.A. Daykin indicated he will reach out. It was also suggested that a large response could also likely be obtained via social media right now in addition to the local newspaper. C. Crawford, Tourism Committee Chair, clarified that there is no rush on naming the park. C.A. Daykin discussed that there would be some costs involved but offered that an insert could also be provided in the next monthly utility bill though C. Nelson did not favor this approach. C.A. Daykin suggested that this information could be included in the next city newsletter as well as highlighted on the postcard which will be sent out to residents which Council supported.

## **New Business**

### **Seventh Street Traffic and Parking**

M. Russ voiced concern about some of the parking spaces at Red Hills Market being used for things other than parking for their patrons. C.A. Daykin discussed some of the details included in his meeting agenda report beginning on page 85. M. Russ voiced support of marking parking spaces on Seventh Street as well as identifying no parking areas with paint; these actions will likely help the situation. It was noted that limiting parking to only one side of Seventh Street may result in the area appearing to be a faster thoroughfare and thus encouraging people to travel at faster speeds in this area; the parking will also likely be pushed further up the street. C. Ford noted that limiting parking to one side would also negatively impact residents in the area. C. Ford suggested that a phased approach may be best. He supported initially completing the striping and marked parking/no parking areas, and also felt that Red Hills Market should be held to the number of parking spaces that they were required to have. Discussion ensued regarding the congestion on Seventh Street. C. Ford discussed that additional measures could be taken if these steps don't adequately resolve the issues. It was noted that a long-term parking solution is necessary to address this problem so that people are able to safely park and enjoy walking in the area. Discussion ensued regarding potential long-term solutions for parking in this area. C. Weaver voiced hope that taking care of the parking issues will assist with the visibility issues in the area and help the nearby residents. He stressed the importance of keeping Seventh Street a safe street for vehicles and pedestrians, as well as local residents.

C.A. Daykin asked if Council is interested in adopting a regulation to restrict parking adjacent to clustered mail boxes. C. Weaver inquired about the possibility of having Cluster Box Units (CBU) placed along Seventh Street. C.A. Daykin explained that with the parking plan, striping and identifying parking spaces, and given the fact that the mailboxes are close to the driveway intersections, painting the curb yellow (no parking) will allow access for the mail carrier. C. Weaver supported that the formal USPS cluster box may still be a good option. C.A. Daykin discussed that if a regulation is adopted it still must be signed to advise people of what the regulation is. Discussion ensued. Council voiced support of City Staff engaging in conversation with the Ponzi's regarding their nearby property and parking options. M. Russ voiced support of striping Ninth Street (between Hwy 99W and Alder Streets) at the same time striping work is completed for Seventh Street. C.A. Daykin will check a price on this scope of work. Jennifer Andrea voiced appreciation for the efforts of Council and introduced her neighbor, Valerie Brewer, who recently arrived at the meeting. Brewer described her concerns and issues they have experienced living on Seventh Street. She explained that it seems to them that there has been an increase in parked vehicles with wine tours often originating from this location; though she acknowledged that this is also great (for businesses); the amount of vehicular traffic is disproportionate to the parking space available. Brewer voiced support of the installation of sidewalks in the area as a top priority for her as well. Discussion ensued and M. Russ voiced that one future option, if necessary, may be to consider permit parking options.

M. Russ raised the topic of Upland Drive and suggested that a conversation is indicated concerning this unique but complex street. He discussed that if a 15 mph speed limit were placed in this area, he suggest that the reduced speed begin at Walnut Street rather than Alder Street. C.A. Daykin explained that speed limits are regulated by the State, which would require him to do some research into the process; the City cannot unilaterally modify a speed limit. M. Russ pointed out that the section of street between Walnut and Red Hills Road is hazardous. Possible suggestions for improving traffic speed and potential traffic calming measures were briefly discussed. C. Weaver explained that the State Speed Control Board moves very slowly; getting the warrants and completing the studies on this type of issue takes a lot of time and there are also costs involved. It was noted that Red Hills Drive poses a concern as well. C. Crawford pointed out that there are no speed limit signs in the discussed area; posting a 25 mph speed limit sign as a reminder would likely help. Jeffries voiced that many people coming down the hill reach speeds of over 40 mph; many of the offenders are delivery trucks including FedEx, UPS and Amazon, though also local residents who live on Red Hills Drive. It was noted that many pedestrians walk in the area though there are no sidewalks. C.A. Daykin will check into posting speed limit signs and follow up with public works. The complexities of speed studies were discussed. C. Weaver pointed out that some delivery companies monitor their delivery vehicles and drivers. Discussion ensued.

### **WWTP SCADA System Upgrade**

Chuck Simpson, Public Works Superintendent was present and available to answer questions. Dustin Perket, The Automation Group, was also present. There was only brief conversation on the topic. **A motion** was made and seconded to authorize the city administrator to solicit quotes for updating the SCADA system. **The motion** passed unanimously.

### **WWTP Screen Replacement**

C.A. Daykin briefly discussed his agenda report on page 95. The screen basket was noted to be made of stainless steel. **A motion** was made and seconded authorizing the purchase of the screen basket with 2mm perforation from Parkson in the amount of \$11,210. **The motion** passed unanimously.

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

C. Crawford noted that he discussed with the Tourism Committee recently about doing some sort of a celebration/official lighting of the Christmas lights on the poles on the highway this year to celebrate the new park and sidewalks. He discussed that the Committee is interested in doing a combined lighting of the lights event with the Deck the Hills annual event. Brief discussion ensued. It was noted that the Committee is also considering purchasing additional holiday lighting fixtures as well.

### **Mayor's Report**

None.

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

C.A. Daykin discussed that there was a kickoff with CJ Construction for the Alder Street Park project. He explained that Chuck Simpson did some location of the irrigation meter that will be used; some other aspects of the design were also reviewed. C.A. Daykin discussed that C.E. Reid will be meeting with them tomorrow to do a full blown layout of the pathway based on some engineering drawings he's getting from the architect. Work is expected to start immediately (tomorrow). Additionally, the contractor was asked to take a look at the City's First Street property, the triangular piece of property west of Ione Street. C.A. Daykin explained that the Parks Committee had met to discuss an overall plan of having a path coming through the property

where there would be a seating area and some landscaping. CJ Construction was asked to provide a cost estimate to complete the sidewalk extension as well as the connecting path between the two legs. It was noted that \$10,000 was budgeted this project this year, though it may cost more than that; there is \$4,000 presently in the maintenance budget as well. C.A. Daykin explained that he will talk with the Parks Committee and bring a recommendation back to the Council hopefully soon.

C.A. Daykin discussed that he received a call today from Scott Dadson who indicated that to date they have 14 applications for the city administrator position. Dadson will prepare a memo which will be brought back to the next Council meeting to discuss the next steps in the process. Brief additional discussion ensued. It was noted that the city attorney will review the memo first in case Council has any questions regarding the process.

C.A. Daykin discussed that the hearing for the Jan Sander Estate Park will be held at the next City Council meeting on September 21, 2021. He explained to Council that this will be a Quasi-Judicial action.

C.A. Daykin discussed that City Staff just completed the water leak survey though the full report is not yet available. It was noted that the work was contracted out for two days, which was accounted for in the budget. C.A. Daykin explained that he was able to talk to the contractor who said that for the most part things look really good. Some freezer plates were found to be leaking. It was noted that one significant issue was discovered in that one of the Billick Park irrigation meters was not turning though water is going through it. C.A. Daykin discussed that the public works staff also did a record search of all meters that are not showing significant movement to determine whether or not buildings are occupied or there are meters which need replaced. Simpson indicated that there are approximately 20 meters that they would suspect aren't functioning correctly; these will be investigated. M. Russ inquired about whether a review is done in the office prior to billing. C.A. Daykin explained that an exception report is generated for meters reading too low or too high; this information is reviewed by Staff.

C.A. Daykin discussed that there are three parking spaces which are currently blocked at Red Hills Market: one is being used for the storage of wood that is used in their wood stove, and two of the spots are being taken up because they have extended canopy tents covering them. The consensus of Council was to move forward in sending them notice indicating that they need to free those parking spaces up. Discussion ensued regarding larger sized outdoor events on their lawn areas which have been occurring and feature food items. It was noted that they have been seeing an uptick in the number of people attending, with up to 250 people in attendance. C.A. Daykin explained that it is his understanding that the events are not taking place in the parking lot area but in the lawn areas. He explained that upon discussing this with the City Planner, it is unclear whether that is something which should be allowed or not allowed; it is not that clear as there are certain restrictions on outdoor activities in commercial zones, though the city does allow for outdoor dining associated with restaurants. It was noted that if these events become an issue, the City Staff may come back to Council to see if they would like this resolved. C. Ford voiced concern about Red Hills Market hosting a lot of special events which may be exacerbating the parking situation. He suggested C.A. Daykin convey to them that there have been concerns expressed about the parking and congestion by the neighbors. Conversation ensued and C.A. Daykin indicated that he will provide the information to Red Hills Market.

C.A. Daykin advised Council that the new City Planner is Adam Moore. His last place of work as a Planner was Flint, Michigan, where he was heavily involved in community development and park facility planning as well.

C.A. Daykin explained that his intent had been to bring some of the Ninth Street construction project back to City Council as an Urban Renewal Agency discussion item at a meeting tonight though he was not able to obtain all of the information he needed. Discussion ensued regarding the upcoming public hearing and scheduling concerns, and C.A. Daykin indicated that he will push the DURA meeting out until the first meeting in October. Brief discussion ensued pertaining to the future meeting agenda.

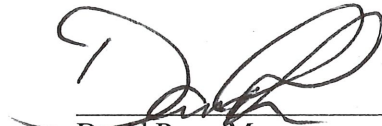
M. Russ reviewed that a postcard reminder about the online City newsletter had been sent out previously. Council voiced their approval of the postcard and inquired about potential tracking methods to determine the number of people viewing the newsletter. Discussion ensued.

M. Russ discussed that he did receive a complaint pertaining to the music at Methven Family Vineyards. C.A. Daykin discussed that there is no permit required for music in this location; they do have to abide by the excessive noise regulation. Discussion ensued pertaining to the complaint driven process.

The meeting was adjourned at 9:50 P.M.

### **Public Comment**

None.



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David Russ, Mayor

Attest:



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Rob Daykin, City Administrator/Recorder