

MINUTES
DAYTON CITY COUNCIL
REGULAR SESSION/EXECUTIVE SESSION
August 3, 2015

PRESENT: Mayor Elizabeth Wytoski
Councilor Annette Frank
Councilor John Bixler
Councilor John Collins
Councilor Trini Marquez (arrived 6:37 pm)

ABSENT: Councilor Darrick Price
Councilor Erin Taylor

STAFF: Scott Pingel, City Manager
Rochelle Roaden, City Recorder
Heather Martin, Beery, Elsner & Hammond LLP

A. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Wytoski called the meeting to order at 6:32 pm and those present gave the Pledge of Allegiance.

B. ROLL CALL

Mayor Wytoski noted there was a quorum with Councilors Bixler, Collins, and Frank. Mayor Wytoski noted the absence of Councilors Marquez, Price and Taylor.

C. CONSENT AGENDA

- 1. Approval of Meeting Minutes**
 - a. Regular Session of July 6, 2015**
 - b. Special Session of June 20, 2015**

ANNETTE FRANK MOVED TO APPROVE THE MINUTES OF THE REGULAR SESSION OF JULY, 6, 2015, AND THE SPECIAL SESSION OF JUNE 20, 2015 AS WRITTEN. SECONDED BY JOHN BIXLER. Motion carried with Collins, Bixler, Frank and Wytoski voting aye. Marquez, Price and Taylor absent.

Mayor Wytoski closed the Regular Session at 6:35pm and stated Council would move into the Executive Session pursuant to ORS 192.660(2)(f) to consider information or records that are exempt by law from public inspection.

Mayor Wytoski closed the Executive Session at 6:50 pm and moved back into the Regular Session at 6:53 pm.

D. APPEARANCE OF INTERESTED CITIZENS

Mayor Wytoski introduced Kitty Brown. Ms. Brown (1119 Ferry Street, Dayton) wanted to suggest that the City Council set up a youth committee which could contribute to developing literacy, drug prevention, and service in the community.

Mayor Wytoski remarked that she held a citizen feedback meeting regarding traffic concerns. She talked about possibly appointing a public safety advisory committee, a group of adult residents who could serve as an intermediary between the Council and the community. Councilor Collins asked if there is an active public safety advisory committee or if the previous committee had been dissolved. Mayor Wytoski stated that if there is one, it has not been used in this manner and has not been contacted for a minimum of at least 5 years. Councilor Frank commented that she was on the last public safety advisory committee which was formed for the prior levy and has not been active in some time.

Mayor Wytoski introduced Reba Stoller from the Dayton School Board between the second and third action items. Ms. Stoller gave an update of the Tuesday, July 14th Dayton School Board meeting. Two new members were sworn in, Raylinda Price and Pamela Horst. Also, two additional for year term members were sworn in, Francisco Mentelongo and Debbie Kearns. The Dayton School Board is focused on acquiring a STEM (Science Technology, Engineering and Mathematics) Grant for approximately one million dollars. Currently in the second phase of the approval process. If acquired, the Umatilla School Board would assist Dayton with the program. Also, the Innovation Consortium is working to help redesign teaching especially in mathematics.

E. ACTION ITEMS

1. Donation Request from Dayton High School Cheer

Heather Oliveira, Cheer Advisor for the High School Cheer Team, and Sunny Bowlin addressed the Council to request a donation of two hundred dollars to help take the girls to cheer camp. Mayor Wytoski remarked that the Council had repeatedly been advised by legal counsel to be very careful serving as an alternative funding sources for school programs. Mayor Wytoski remarked that she would not feel comfortable approving this donation request as it is currently written. Mayor Wytoski advised them to apply again for a donation that will be a benefit to the entire community.

2. Kiosk Information Discussion/Approval

Mayor Wytoski presented the two design choices and the two locations to choose from. Scott explained that second location for the kiosk would be between the trees and set back off the sidewalk. Counselor Collins commented that the bicycle riders hang out under the trees between the bathroom and the picnic shelter and so placing the kiosk in that area would be beneficial. Councilor Frank commented that the original design is nice but that it is too modern for the park. Scott Pingel commented that the focus for the Council should be on the design and the location. The Ford Leadership group should focus on the budget and what is

going to be included in the budget. Preference should be noted regarding using the timbers and what the cost associated is. Judy Gerrard (305 Main Street, Dayton), Ford Leadership Group, stated that any further funding needed for design changes will not be provided by the Ford Leadership Group.

ANNETTE FRANK MOVED TO APPROVE THE TRI-SIDED WITH TIMBERS KIOSK IN THE SHADE BETWEEN THE TWO TREES ON THE NORTHWEST SIDE OF THE PARK ON FOURTH STREET. SECONDED BY JOHN COLLINS. Motion carried with Bixler, Collins, Frank, Marquez, and Wytoski voting aye. Price and Taylor absent.

3. **Approval of Resolution 15/16-1 Local Option Levy**

Scott Pingel remarked that the Council's preference at the last work session was to do a renewal on the levy. He further explained that the State responded stating that the Council can ask for as many local option levy's as our residents will approve, but one does not replace another. Mayor Wytoski commented that we could discontinue the first levy if that was needed. Scott Pingel agreed but wanted to point out that a new separate levy would need to be approved. Counselor Frank asked how we would get the information out to the public. Mayor Wytoski remarked that a new public safety advisory committee could help with distributing this information. Counselor Frank suggested putting together a list of interested citizens to contact for the public safety advisory committee. Mayor Wytoski mentioned that Council will have to tackle public education regarding the levy.

ANNETTE FRANK MOVED TO APPROVE RESOLUTION 15/16-1 A RESOLUTION OF THE DAYTON CITY COUNCIL SUBMITTING TO THE REGISTERED VOTERS OF THE CITY FOR THEIR APPROVAL A LOCAL OPTION TAX AT A RATE OF \$1.85 PER \$1,000 OF ASSESSED VALUE ANNUALLY FOR 3 YEARS BEGINNING IN FISCAL YEAR 2016-2017 TO PROVIDE POLICE SERVICES. SECONDED BY JOHN COLLINS. Motion carried with Bixler, Collins, Frank, Marquez, and Wytoski voting aye. Price and Taylor absent.

4. **Approval of Resolution 15/16-2 Mutual Agreement and Order with the Department of Environmental Equality**

Scott Pingel stated that the Department of Environmental Equality (DEQ) agreed to the

changes requested.

ANNETTE FRANK MOVED TO APPROVE RESOLUTION 15/16-2 A RESOLUTION APPROVING A MUTUAL AGREEMENT AND ORDER WITH THE DEPARTMENT OF ENVIRONMENTAL EQUALITY TO ALLOW THE CITY OF DAYTON TO DISCHARGE HIGH QUALITY EFFLUENT TO THE YAMHILL RIVER BETWEEN MAY 1 AND OCTOBER 31 OF THE YEARS 2015 AND 2016. SECONDED BY JOHN BIXLER. *Motion carried with Bixler, Collins, Frank, Marquez, and Wytoski voting aye. Price and Taylor absent.*

5. **Approval of Resolution 15/16-3 and Resolution 15/16-4 Assessing Liens for Sidewalk Improvements.**

Scott Pingel remarked that in order to impose a lien on a property a resolution is required. If it changes hands or goes into foreclosure, the lien will enable the City to be reimbursed.

ANNETTE FRANK MOVED TO APPROVE RESOLUTION 15/16-3 A RESOLUTION ASSESSING A LIEN FOR COSTS OF SIDEWALK IMPROVEMENTS AT 400 FERRY STREET, TAX LOT #R4317DD-00100, DAYTON OREGON. SECONDED BY JOHN COLLINS. *Motion carried with Bixler, Collins, Frank, Marquez, and Wytoski voting aye. Price and Taylor absent.*

ANNETTE FRANK MOVED TO APPROVE RESOLUTION 15/16-4 A RESOLUTION ASSESSING A LIEN FOR COSTS OF SIDEWALK IMPROVEMENTS AT 409 FERRY STREET, TAX LOT #R4317DA-02200, DAYTON, OREGON. SECONDED BY JOHN COLLINS. *Motion carried with Bixler, Collins, Frank, Marquez, and Wytoski voting aye. Price and Taylor absent.*

6. **Approval of Resolution 15/16-5 Yamhill Regional Water Authority (YRWA)**

Scott Pingel remarked that he will provide notice on August 4th via email to reiterate the city's position.

ANNETTE FRANK MOVED TO APPROVE RESOLUTION 15/16-5 A RESOLUTION OF THE DAYTON CITY COUNCIL DECLARING THE CITY OF DAYTON'S WITHDRAWAL FROM THE YAMHILL REGIONAL WATER AUTHORITY ("YRWA") AS OF AUGUST 4, 2016 OR EARLIER IF PERMITTED BY OTHER YRWA ENTITY GOVERNING BOARDS. SECONDED BY JOHN BIXLER.
Motion carried with Bixler, Collins, Frank, Marquez, and Wytoski voting aye. Price and Taylor absent.

7. **2nd Reading of Ordinance 628 Amending Chapter 5 of the Dayton Municipal Code Related to Bees**

Counselor Frank requested the definition of a fly way barrier. Mayor Wytoski stated that it is a barrier that forces the bees up and not through such as a dense hedge. Counselor Frank requested that the registry only contain addresses. Counselor Bixler inquired as to why 3 hives are required. Councilor Collins stated that 3 hives is a standard in the Willamette Valley for sustainment reasons and to allow hives to be split to create additional colonies. Counselor Bixler expressed concern regarding the allergies to the bees.

Councilor Frank performed the 2nd reading of Ordinance 628.

JOHN COLLINS MOVED TO APPROVE THE 2nd READING OF ORDINANCE 628 AN ORDINANCE AMENDING CHAPTER 5 – ABATEMENT OF A PUBLIC NUISANCES, OF THE DAYTON MUNICIPAL CODE TO MAKE SPECIFIC CHANGES TO SECTION 5.2.10 BEE HIVES TO AMEND THE RULES REGARDING THE KEEPING OF BEES AND TO MAKE OTHER MISCELLANOUS CHANGES TO CHAPTER 5 REGARDING BEES. SECONDED BY TRINI MARQUEZ.
Motion carried with Collins, Frank, Marquez, and Wytoski voting aye. Bixler voting nay. Price and Taylor absent.

JOHN COLLINS MOVED TO APPROVE TO ADOPT ORDINANCE 628 AN ORDINANCE AMENDING CHAPTER 5 – ABATEMENT OF A PUBLIC NUISANCES, OF THE DAYTON MUNICIPAL CODE TO MAKE SPECIFIC CHANGES TO SECTION 5.2.10 BEE HIVES TO AMEND THE RULES REGARDING THE KEEPING OF BEES AND TO MAKE OTHER MISCELLANOUS CHANGES TO CHAPTER 5 REGARDING BEES. SECONDED BY TRINI MARQUEZ.
Motion carried with Collins, Frank, Marquez, and Wytoski voting aye. Bixler voting nay. Price and Taylor absent.

F. CITY COUNCIL COMMENTS/CONCERNS

Councilor Collins apologized for the delay in responding to the Transient Tax issue. He will complete his research and submit it in the form of a letter to the Council. Scott Pingel remarked that he has spoken with Lincoln City, Medford, Ashland and Bend and he would appreciate any research John Collins can offer.

Mayor Wytoski gave a summary report of the Mayor's Conference she attended including the CIS Manager Evaluation seminar, economic development planning, meeting with most stage agency directors including ODOT, DEQ, and the DLCB regarding the UGB adjustment and annexation.

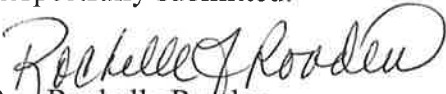
G. INFORMATION REPORTS

1. City Manager's Report

H. ADJOURN

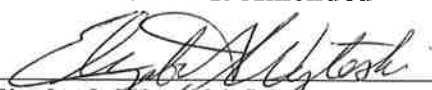
There being no further business, the meeting adjourned at 8:24 pm.

Respectfully submitted:


By: Rochelle Roaden
City Recorder

APPROVED BY COUNCIL on October 5, 2015

As Written As Amended


Elizabeth Wytoski, Mayor