

MINUTES
DAYTON CITY COUNCIL
REGULAR SESSION AND
EXECUTIVE SESSION
February 2, 2015

PRESENT: Mayor Elizabeth Wytoski
Councilor John Bixler
Councilor John Collins
Councilor Annette Frank
Councilor Trini Marquez
Councilor Darrick Price
Councilor Erin Taylor

ABSENT:

STAFF: Scott Pingel, City Manager
Steve Sagmiller, Public Works Director
Peggy Selberg, City Recorder
Debra Lien, Community Development Specialist

A. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Wytoski called the meeting to order at 6:34 pm and those present gave the Pledge of Allegiance.

B. ROLL CALL

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

C. CONSENT AGENDA

1. **Approval of Meeting Minutes**
 - a. **Regular Session of January 5, 2015**
 - b. **Special Session/Work Session of January 20, 2015**

DARRICK PRICE MOVED TO APPROVE THE CONSENT AGENDA INCLUDING MINUTES OF THE REGULAR SESSION OF JANUARY 5, 2015 AND THE SPECIAL SESSION/WORK SESSION OF JANUARY 20, 2015. SECONDED BY ANNETTE FRANK. Motion carried with, Collins, Frank, Marquez, Price, Taylor and Wytoski voting aye.

D. APPEARANCE OF INTERESTED CITIZENS

No one had signed up for comment.

E. ACTION ITEMS

1. **Appoint new City Councilor**

Mayor Wytoski noted they had received three applications for the vacant City Council position and all three applicants were present. Councilor Frank stated she would like each candidate to introduce themselves. Katherine Brown stated she has been a resident for 16 years and has

volunteered at the library for many years. John Bixler stated he has been a resident of Dayton for 7 years and had previously been on the City Council. Khaleen Dunn stated he has lived in the Dayton area for 10 years and has lived within Dayton city limits for the past year and feels that Dayton is a great place to raise a family. Peggy Selberg, City Recorder, passed out the ballots and asked Councilors to vote for one of the applicants. Mayor Wytoski stated she was excited that there were three great applicants. Councilor Collins stated this was the kind of problem that the city would want – to have three very qualified citizens for Council to choose from to fill the vacancy. Peggy Selberg gave the results from the ballots – Councilors Collins, Marquez, Price, Taylor and Mayor Wytoski voted for John Bixler and Councilor Frank voted for Katherine Brown. Peggy Selberg stated John Bixler was now the new City Councilor. John Bixler was sworn into office by Debra Lien.

2. Elect Council President

Mayor Wytoski reminded Council that the nominations from the January 5th Council meeting were still in place; consequently, Councilors would vote for either Councilor Collins or Councilor Frank for Council President. Peggy Selberg counted the votes and stated that Councilors Bixler, Frank, Marquez, Price, Taylor and Mayor Wytoski voted for Councilor Frank and Councilor Collins voted for himself.

3. Donation request from Dayton Fiesta Run

Mayor Wytoski introduced Steve Hopper. Mr. Hopper stated the Dayton Fiesta Run will be on September 12. He stated the Fiesta Run was asking for a \$600 donation. Mr. Hopper stated he was planning on having the cooperation of all of the churches in Dayton for supplying volunteers for the Dayton Fiesta Run. He stated with the additional advertising that has been done this year they should be able to bring more people into Dayton the day of the run.

JOHN BIXLER MOVED TO APPROVE A \$600 DONATION TO THE DAYTON FIESTA RUN. SECONDED BY ANNETTE FRANK. Motion carried with, Bixler, Collins, Frank, Marquez, Price, Taylor and Wytoski voting aye.

4. Resolution 14/15-6 – equipment surplus

Scott Pingel stated the city had recently entered into a new lease agreement with Copiers Northwest for a new copier/printer/scanner for city hall. He explained the maintenance agreement on the old copier had included an automatic 10% increase per year for the cost of copies and the new lease agreement with Copiers Northwest was about half the cost per copies. Pingel stated they did not have room or need for the old copier; consequently, they would need to declare it as surplus.

DARRICK PRICE MOVED TO ADOPT RESOLUTION 14/15-6 A RESOLUTION DECLARING CERTAIN PROPERTY AS SURPLUS AND AUTHORIZING ITS TRANSFER, SALE OR

OTHER DISPOSITION. SECONDED BY JOHN COLLINS.
Motion carried with Collins, Bixler, Frank, Marquez, Price, Taylor and Wytoski voting aye.

5. Second Reading of Ordinance 623 – Comcast Franchise

Councilor Bixler performed the second reading of Ordinance 623.

DARRICK PRICE MOVED TO APPROVE THE SECOND READING OF ORDINANCE 623, AN ORDINANCE GRANTING A FRANCHISE FOR THE OPERATION OF A CABLE SYSTEM TO COMCAST OF OREGON II, INC. TO USE CITY RIGHTS OF WAY TO PROVIDE CABLE SERVICES; AND DECLARING AN EMERGENCY. SECONDED BY TRINI MARQUEZ. *Motion carried with Bixler, Collins, Frank, Marquez, Price, Taylor and Wytoski voting aye.*

ANNETTE FRANK MOVED TO ADOPT ORDINANCE 623, AN ORDINANCE GRANTING A FRANCHISE FOR THE OPERATION OF A CABLE SYSTEM TO COMCAST OF OREGON II, INC. TO USE CITY RIGHTS OF WAY TO PROVIDE CABLE SERVICES; AND DECLARING AN EMERGENCY. SECONDED BY ERIN TAYLOR. *Motion carried with Bixler, Collins, Frank, Marquez, Price, Taylor and Wytoski voting aye.*

6. First Reading of Ordinance 624 – Transient Lodging Tax

Scott Pingel reminded Council this topic had been discussed at a meeting last year in October and the general consensus of the council at that time was affirmative to establish a Transient Lodging Tax (TLT). He stated the Transient Lodging Tax in other cities in Yamhill County had ranged from 7% to 9%. Pingel stated the owners of the two entities that would be most immediately effected by Transient Lodging Tax had indicated that they would not be opposed to a TLT. Scott Pingel asked Council to review the proposed Ordinance so they could discuss the highlighted areas. He explained under section 3.8.020 staff would like some time before the tax went into effect in order to get policies and documents established. He stated he did not think initially there would be much revenue from the tax. He stated the RV Park would be the only entity in Dayton that would currently be subject to the tax and that would only be for their clients that stayed in the RV Park for less than 30 days. Mayor Wytoski would like to discuss section 3.8.505 and how common was it to exempt vacation cabins and/or private homes from the tax. Scott Pingel stated this ordinance was a fairly common ordinance and the city attorney highlighted that area because of the emergence of the sharing economy. He stated the way some cities were dealing with the sharing economy was to not exempt private homes and/or vacation cabins. Pingel felt that with staff size and the ability to enforce that exemption it would be

difficult to even be able to determine which homes in Dayton would fall under that category. He stated it was definitely something that they would need to stay aware of especially as the downtown grows and the city would need a stronger enforcement ability than they currently have. Councilor Collins stated he would like to have Council wait to act on this ordinance because there were areas that he felt needed to be fixed. Councilor Collins stated this tax would eventually make a big difference in revenue for the city; consequently, Council needed to make sure they did it correctly the first time. He stated the sharing economy is definitely a growing business and he would like to make sure that the ordinance exception language does not allow what is really a business to slide under the radar. Mayor Wytoski agreed that it would be prudent to table this discussion for a future work session so they could look at some other language options and see how other cities are handling this situation. Scott Pingel stated he has talked with a few other cities and they all have different views on the sharing economy situation, and he did agree that they should not be in a rush to get this done. Council agreed to table this until a later work session.

7. **System Development Charges discussion**

Councilor Price declared a conflict of interest and recused himself from discussion. Councilor Price stated the organization he works for is hoping to develop a project for moderate and low income families in Dayton and they will be affected by this change.

Scott Pingel reminded Council that Deb Galardi of the Galardi Rothstein Group in November had presented her methodology and findings on the new rates for System Development Charges. He stated they would be required to do a 90 day public notice and staff will need to have the methodology available 60 days before the public hearing. He stated the earliest they could have the public hearing would be at the May 18th Council meeting but he would suggest June 1st for the public hearing. Pingel stated staff was recommending only implementing the reimbursement and improvement portions of the SDS's and not the compliance portion. He stated this would then increase the Water SDC from \$3,633 to \$4,243 and the Wastewater SDC would increase from \$1,265 to \$7,564 and staff was recommending a phase-in approach for the Wastewater SDC. Scott Pingel stated Council would need to decide when to establish the initial increase and how to phase-in the Wastewater SDC. He would also like Council to consider including in the ordinance the ability to adjust SDC's annually based on inflation. Mayor Wytoski stated she was in agreement with the recommendations. Councilor Frank also agreed with staff's recommendations.

**ANNETTE FRANK MOVED TO DIRECT CITY STAFF
ACCORDING TO THE CITY MANAGER
RECOMMENDATIONS. SECONDED BY JOHN BIXLER.**

*Motion carried with Bixler, Collins, Frank, Marquez, Price, Taylor
and Wytoski voting aye.*

8. **Adopt 2015-2016 Budget Calendar**

Scott Pingel stated he was changing the budget calendar this year to have the budget meetings in May instead of in April. He explained this would help in budgeting more accurately the ending

fund balances.

ANNETTE FRANK MOVED TO APPROVE THE 2015-2016 BUDGET CALENDAR. SECONDED BY ERIN TAYLOR.
Motion carried with Bixler, Collins, Frank, Marquez, Price, Taylor and Wytoski voting aye.

9. Review of financials as of December 31, 2014

Scott Pingel did a brief review of the 6 month financial.

F. CITY COUNCIL COMMENTS/CONCERNS

G. INFORMATION REPORTS

1. City Manager's Report

Scott Pingel stated SHPO had decided that with the new Beaverboard in Courthouse Square it would not be necessary to have interpretive panels for the fountain. He said SHPO would rather see an updated version of Courthouse Square Park Preservation and Development Plan and this would be the main mitigation.

Mayor Wytoski closed the Regular Session at 8:04 pm and stated Council would move into the Executive Session pursuant to ORS 192.660(2)(i) to review and evaluate the job performance of a chief executive officer, other officers, employees and staff, if the person whose performance is being reviewed and evaluated does not request an open hearing.

Mayor Wytoski closed the Executive Session at 8:45 and moved back into the Regular Session.

ANNETTE FRANK MOVED TO APPROVE A 6% SALARY INCREASE AND A 2 YEAR EXTENSION ON THE CONTRACT AND TO ELIMINATE THE SALARY RANGE. SECONDED BY DARRICK PRICE.
Motion carried with Bixler, Collins, Frank, Marquez, Price, Taylor and Wytoski voting aye.

Councilor Price asked to give a brief review of the organization that he is Executive Director of, Community Home Builders (copy attached hereto and made a part hereof).

H. ADJOURN

There being no further business, the meeting adjourned at 9:02

Respectfully submitted:


By: Peggy Selberg
City Recorder

APPROVED BY COUNCIL on March 2, 2015

As Written As Amended


Elizabeth Wytoski, Mayor