

**MINUTES**  
**DAYTON CITY COUNCIL**  
**REGULAR SESSION**  
**June 1, 2015**

**PRESENT:** Mayor Elizabeth Wytoski  
Councilor John Bixler  
Councilor John Collins  
Councilor Trini Marquez  
Councilor Darrick Price

**ABSENT:** Councilor Annette Frank  
Councilor Erin Taylor

**STAFF:** Scott Pingel, City Manager  
Peggy Selberg, City Recorder

**A. CALL TO ORDER & PLEDGE OF ALLEGIANCE**

Mayor Wytoski called the meeting to order at 6:35 pm and those present gave the Pledge of Allegiance.

**B. ROLL CALL**

Mayor Wytoski noted there was a quorum with Councilors Bixler, Collins, Marquez and Price. Councilors Frank had an excused absence and Councilor Taylor had unexcused absence.

**C. APPEARANCE OF INTERESTED CITIZENS**

Mayor Wytoski introduced Kathy Beckwith (3455 SE Locks Rd, Dayton). Ms. Beckwith want to thank Council for allowing the Dayton Grade School Young Mediators use of the City Hall Annex. She stated it made a real difference in how the students were able to connect with that learning experience.

Mayor Wytoski introduced Kelly Haverkate (523 Ash St, Dayton) from the Dayton Community Development Association. Ms. Haverkate gave an update on Dayton Friday Nights. She stated even after just two weeks the event continues to improve and the downtown businesses are extremely busy and some have had to hire additional help.

**D. PUBLIC HEARING**

Mayor Wytoski opened the Public Hearing at 7:00 and stated the City Council will hold a public hearing to obtain citizen input on System Development Charge Methodology and Fee Schedule.

No one had signed up to comment.

Mayor Wytoski closed the Public Hearing at 7:01.

Mayor Wytoski opened the Public Hearing at 7:02 and stated the City Council will hold a public hearing to obtain citizen input on the budget for the fiscal year beginning July 1, 2015 as approved by the City of Dayton Budget Committee.

No one had signed up to comment.

Mayor Wytoski closed the Public Hearing at 7:03.

Mayor Wytoski opened the Public Hearing at 7:04 and stated the City Council will hold a public hearing to obtain citizen input on the proposed uses of State Revenue Sharing Funds in the City of

No one had signed up to comment.

Mayor Wytoski closed the Public Hearing at 7:05.

Mayor Wytoski opened the Public Hearing at 7:06 and stated the City Council will hold a public hearing to obtain citizen input on a proposed water and sewer rate increase.

No one had signed up to comment.

Mayor Wytoski closed the Public Hearing at 7:07.

**E. ACTION ITEMS**

**1. Resolution 14/15-7 – Supporting Efforts to Create a Willamette Falls National Heritage Area**

**JOHN COLLINS MOVED TO APPROVE RESOLUTION 14/15-7 A RESOLUTION SUPPORTING EFFORTS TO CREATE A WILLAMETTE FALLS NATIONAL HERITAGE AREA AND URGING DESIGNATION OF SUCH BY CONGRESS. SECONDED BY DARRICK PRICE.**

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

**2. Resolution 14/15-8 – Establishing Water and Sewer Billing Policy**

**JOHN COLLINS MOVED TO APPROVE RESOLUTION 14/15-8 A RESOLUTION ESTABLISHING WATER AND SEWER UTILITY CUSTOMER USE AND ACCOUNT POLICIES. SECONDED BY DARRICK PRICE.**

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

**3. Resolution 14/15-9 – Establishing Water Rate Schedule**

**DARRICK PRICE MOVED TO APPROVE RESOLUTION 14/15-9 A RESOLUTION ESTABLISHING THE RATE SCHEDULE FOR WATER SERVICES PROVIDED BY THE CITY OF DAYTON. SECONDED BY JOHN BIXLER.**

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

**4. Resolution 14/15-10 – Establishing Sewer Rate Schedule**

**DARRICK PRICE MOVED TO APPROVE RESOLUTION 14/15-10 A RESOLUTION APPROVING THE SEWER SERVICE MONTHLY RATE SCHEDULE. SECONDED BY JOHN BIXLER.**

*Motion carried with Bixler, Collins,*

**BY JOHN BIXLER.** *Motion carried with Bixler, Collins, Marquez, Price and Wytoski voting aye. Councilors Frank and Taylor absent.*

5. **Approval of Recology Western Oregon rates**

Mayor Wytoski introduced Fred Stemmler, General Manager for Recology Western Oregon. Scott Pingel stated the proposed rate increase is 0.9%, which is within the parameters of the franchise agreement.

**DARRICK PRICE MOVED TO APPROVE RECOLOGY WESTERN OREGON RATE INCREASE OF 0.9% ON WASTE AND RECYCLING PICKUP. SECONDED BY JOHN BIXLER.** *Motion carried with Bixler, Collins, Marquez, Price and Wytoski voting aye. Councilors Frank and Taylor absent.*

6. **Second Reading and Adoption of Ordinance 624 Online NW Franchise**

Councilor Bixler performed the second reading of Ordinance 624.

**TRINI MARQUEZ MOVED TO APPROVE THE SECOND READING OF ORDINANCE 624 AN ORDINANCE GRANTING A TELECOMMUNICATIONS FRANCHISE TO MCMINNVILLE ACCESS COMPANY TO USE CITY RIGHTS OF WAY TO PROVIDE TELECOMMUNICATIONS SERVICES. SECONDED BY JOHN COLLINS.** *Motion carried with Bixler, Collins, Marquez, Price and Wytoski voting aye. Councilors Frank and Taylor absent.*

**JOHN BIXLER MOVED TO ADOPT ORDINANCE 624 AN ORDINANCE GRANTING A TELECOMMUNICATIONS FRANCHISE TO MCMINNVILLE ACCESS COMPANY TO USE CITY RIGHTS OF WAY TO PROVIDE TELECOMMUNICATIONS SERVICES. SECONDED BY JOHN COLLINS.** *Motion carried with Bixler, Collins, Marquez, Price and Wytoski voting aye. Councilors Frank and Taylor absent.*

7. **Second Reading and Adoption of Ordinance 625 - No Smoking in Public Parks**

Councilor Price performed the second reading of Ordinance 625.

**JOHN BIXLER MOVED TO APPROVE THE SECOND**

**– OFFENSES OF THE DAYTON MUNICIPAL CODE TO MAKE CHANGES TO SECTION 2.10 PUBLIC PARKS TO PROHIBIT SMOKING IN ALL PUBLIC PARKS, AND TO MAKE OTHER MISCELLANEOUS ADJUSTMENTS. SECONDED BY JOHN COLLINS.** *Motion carried with Bixler, Collins, Marquez, Price and Wytoski voting aye. Councilors Frank and Taylor absent.*

**JOHN BIXLER MOVED TO ADOPT ORDINANCE 625 AMENDING CHAPTER 2 – OFFENSES OF THE DAYTON MUNICIPAL CODE TO MAKE CHANGES TO SECTION 2.10 PUBLIC PARKS TO PROHIBIT SMOKING IN ALL PUBLIC PARKS, AND TO MAKE OTHER MISCELLANEOUS ADJUSTMENTS. SECONDED BY DARRICK PRICE.** *Motion carried with Bixler, Collins, Marquez, Price and Wytoski voting aye. Councilors Frank and Taylor absent.*

**8. First Reading of Ordinance 626 – Adopting a SDC Methodology and Fee Schedule**

Councilor Darrick Price recused himself from the discussion and abstained from voting for agenda items 8 and 9. He stated this ordinance would have an impact on the company he worked for.

Councilor Bixler performed the first reading of Ordinance 626.

**JOHN COLLINS MOVED TO APPROVE THE FIRST READING OF ORDINANCE 626 AN ORDINANCE ADOPTING A SYSTEMS DEVELOPMENT CHARGE METHODOLOGY, FEE SCHEDULE AND RELATED MUNICIPAL CODE AMENDMENTS. SECONDED BY TRINI MARQUEZ.** *Motion carried with Bixler, Collins, Marquez and Wytoski voting aye. Councilor Price abstained. Councilors Frank and Taylor absent.*

**9. Second Reading and Adoption of Ordinance 626 – Adopting a SDC Methodology and Fee Schedule**

Councilor Bixler performed the second reading of Ordinance 626.

**JOHN COLLINS MOVED TO APPROVE THE SECOND READING OF ORDINANCE 626 AN ORDINANCE ADOPTING A SYSTEMS DEVELOPMENT CHARGE**

**METHODOLOGY, FEE SCHEDULE AND RELATED MUNICIPAL CODE AMENDMENTS. SECONDED BY TRINI MARQUEZ.** *Motion carried with Bixler, Collins, Marquez and Wytoski voting aye. Councilor Price abstained. Councilors Frank and Taylor absent.*

**JOHN COLLINS MOVED TO ADOPT ORDINANCE 626 AN ORDINANCE ADOPTING A SYSTEMS DEVELOPMENT CHARGE METHODOLOGY, FEE SHCHEDULE AND RELATED MUNICIPAL CODE AMENDMENTS. SECONDED BY TRINI MARQUEZ.** *Motion carried with Bixler, Collins, Marquez and Wytoski voting aye. Councilor Price abstained. Councilors Frank and Taylor absent.*

**10. First Reading of Ordinance 627 – amending Chapter 8 of the Dayton Municipal Code**

Councilor Bixler performed the first reading of Ordinance 627.

**DARRICK PRICE MOVED TO APPROVE THE FIRST READNG OF ORDINANCE 627 AN ORDINANCE AMENDING CHAPTER 8 – UTILITIES, OF THE DAYTON MUNICIPAL CODE TO MAKE SPECIFIC CHANGES TO SECTION 8.0 GENERAL TO REMOVE OWNER AS SURETY FOR FEES LANGUAGE, ADJUST THE PROCESS FOR TERMINATING UTILITY SERVICES, REMOVE REQUEST FOR HEARING LANGUAGE AND TO MAKE OTHER MISCELLANEOUS ADJUSTMENTS THROUGHOUT CHAPTER 8. SECONDED BY TRINI MARQUEZ.** *Motion carried with Bixler, Collins, Marquez, Price and Wytoski voting aye. Councilors Frank and Taylor absent.*

**F. CITY COUNCIL COMMENTS/CONCERNS**

**G. INFORMATION REPORTS**

**1. City Manager’s Report**

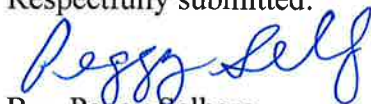
Scott Pingel stated he had been approached by a new business owner in Dayton that will be opening a BBQ restaurant and that restaurant will be using an outdoor BBQ. He explained the Dayton Municipal Code stated any business needed to operate their business within their building; consequently, this outdoor BBQ would not be allowed. Scott Pingel stated he did not want to keep this owner from operating their business in the manner that they want to. He

stated he had explained to the owner that if staff did receive complaints regarding the smoke, etc, he would have to stop using the BBQ. Scott Pingel would like to have feedback from Council on if they would be interested in changing the code to allow this type of business. Councilor agreed that they would like to look at possible changes to the code. Scott Pingel stated he would work with the City Planner and let Council know the process at a later meeting.

**H. ADJOURN**

There being no further business, the meeting adjourned at 8:25 p.m.

Respectfully submitted:



By: Peggy Selberg  
City Recorder

**APPROVED BY COUNCIL on July 6, 2015**

As Written  As Amended

  
Elizabeth Wytoski, Mayor