

MINUTES
DAYTON CITY COUNCIL
REGULAR SESSION
NOVEMBER 2, 2015

PRESENT: Mayor Elizabeth Wytoski
Councilor Annette Frank
Councilor John Bixler
Councilor John Collins (arrived 6:34)
Councilor Trini Marquez (arrived 6:32)
Councilor Darrick Price
Councilor Erin Taylor

ABSENT:

STAFF: Scott Pingel, City Manager
Rochelle Roaden, City Recorder

A. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Wytoski called the meeting to order at 6:30 pm and those present gave the Pledge of Allegiance.

B. ROLL CALL

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

C. CONSENT AGENDA

- 1. Approval of Meeting Minutes**
 - a. Regular/Executive Session of September 8, 2015.**

**ANNETTE FRANK MOVED TO APPROVE THE MINUTES
OF THE REGULAR/EXECUTIVE SESSION OF
SEPTEMBER 8, 2015. SECONDED BY ERIN TAYLOR.**
*Motion carried with Bixler, Frank, Price, Taylor and Wytoski
voting aye. Collins and Marquez absent.*

D. APPEARANCE OF INTERESTED CITIZENS

Judy Gerrard, 305 Main Street, Dayton, continued the kiosk discussion noting that 80% of the cohort were agreeable to using the original design at an unspecified location. Keeping the same design in both locations would be at no additional cost and would include the timbers. Her concern is with moving forward on this project.

E. 2014-2015 AUDIT REPORT

Devin Ash and Kathy Wilson of Grove, Mueller & Swank, P.C., introduced the audit report. This audit is the cleanest audit that they perform. It is also the first audit that is completed in the audit season. He commended Scott Pingel and his staff.

F. SCHOOL BOARD REPORT

Rita Stoller reported on the last school board meeting.

G. ACTION ITEMS

1. Approval of 2nd Reading of Ordinance 630 Outdoor Cooking and Eating

Councilor Bixler performed the second reading of Ordinance 630.

JOHN COLLINS MOVED TO APPROVE THE SECOND READING OF ORDINANCE 630 AN ORDINANCE AMENDING CHAPTER 7 – DAYTON LAND USE AND DEVELOPMENT CODE TO MAKE SPECIFIC CHANGES TO SECTION 7.2.105 COMMERCIAL RESIDENCE ZONE AND SECTION 7.2.106 COMMERCIAL ZONE REGARDING OUTDOOR EATING AND COOKING. SECONDED BY DARRICK PRICE. *Motion carried with Bixler, Collins, Frank, Marquez, Price, Taylor and Wytoski voting aye.*

2. Approval of Ordinance 630 Outdoor Eating and Cooking

JOHN BIXLER MOVED TO ADOPT ORDINANCE 630 AN ORDINANCE AMENDING CHAPTER 7 – DAYTON LAND USE AND DEVELOPMENT CODE TO MAKE SPECIFIC CHANGES TO SECTION 7.2.105 COMMERCIAL RESIDENCE ZONE AND SECTION 7.2.106 COMMERCIAL ZONE REGARDING OUTDOOR EATING AND COOKING. SECONDED BY ANNETTE FRANK. *Motion carried with Bixler, Collins, Frank, Marquez, Price, Taylor and Wytoski voting aye.*

3. Approval of the 1st Reading of Ordinance 631 Transient Lodging Tax

Councilor Price performed the first reading of Ordinance 631.

ANNETTE FRANK MOVED TO APPROVE THE FIRST READING OF ORDINANCE 631 AN ORDINANCE ADDING A NEW SECTION TO THE CITY CODE

**RELATING TO TRANSIENT LODGING TAX.
SECONDED BY ERIN TAYLOR.** *Motion carried with Bixler,
Collins, Frank, Marquez, Price, Taylor and Wytoski voting aye.*

Councilor Bixler expressed concern about the penalties and interest noting that there is a petition option available to remove or reduce penalties. Scott Pingel stated that it was similar to others and lenient as it is billed quarterly. Mayor Wytoski remarked that most tax compliance penalties are relatively steep to encourage compliance.

Councilor Collins would like to amend the language in Section 3.8.050 B Exemptions removing “incidental to” and replacing it with “occupancy fewer than 30 days per year”. Councilor Bixler commented that Section 3.8.050 C specifies “rents out facilities for less than 30 days per year”. Scott Pingel recommended striking out Section 3.8.050 B which would remove the ‘incidental to’ language. Therefore, Section 3.8.050 will be amended so A will stay A, B will be stricken, C will become B and the second C which is a typo will remain C.

Mayor Wytoski moved to reapprove Ordinance 631 as amended. *Motion carried with Bixler, Collins, Frank, Marquez, Price, Taylor and Wytoski voting aye.*

4. Pump Station Funding Discussion

Scott Pingel met with US Bank regarding financing the upfront costs for the environmental review and engineering report. US Bank rates are 3.75% compared to 5% through the Rural Community Assistance Corporation (RCAC). US Bank is also offering a line of credit for the interim financing. Once USDA long term funding kicks in, the upfront and interim financing would be paid.

Councilor Price inquired about the plan if USDA long term financing did not come through. Scott responded that the repayment of upfront and interim financing should be budgeted in 2016/2017. If the project is completed and USDA funding is not acquired, a US Bank stipulation is loan repayment over 20 years as compared to a 40 year term with USDA.

H. CITY COUNCIL COMMENTS/CONCERNS

Councilor Price inquired about the status of the pump station with the previous rain storm. Scott commented that we received 4 inches of rain the last weekend and had no issues.

Councilor Frank stated that Andrew Smith Park is very dark at night. After the holidays, she would like the City to host an informational meeting about resurrecting a Friends of the Nature Trail using the Code 1 nonprofit organization already in place.

Councilor Collins would like the Council to get ahead of the curve and tighten up the language in the code around short term rentals. Scott informed Council that Joey Shearer, City Planner, will hopefully

be in attendance at the November 16th Council Meeting to discuss vacation rentals specifically relating to land use.

Councilor Bixler informed the Council that the elementary school received a \$50,000 grant from the Spirit Mountain Community Fund this week. A portion of the grant is to be used on the Natural Trail.

Mayor Wytoski announced that the Christmas Tree Lighting ceremony is December 5th.

I. INFORMATION REPORTS

1. City Manager's Report

ODOT will be doing construction work to fix the Stringtown Road intersection between July 15th and September 15, 2016.

Scott confirmed that the alternate kiosk design would cost the project \$2,250. He will confirm that this cost includes the timbers. The Council consensus is to proceed with the alternate design located in the northwest corner of the Courthouse Park.

J. ADJOURN

There being no further business, the meeting adjourned at 7:25 pm.

Respectfully submitted:



By: Rochelle Roaden
City Recorder

APPROVED BY COUNCIL on February 1, 2016.

As Written As Amended


Elizabeth Wytoski, Mayor