

MINUTES
DAYTON CITY COUNCIL
REGULAR SESSION
April 7, 2014

PRESENT: Mayor Elizabeth Wytoski
Councilor John Bixler
Councilor John Collins
Councilor Annette Frank
Councilor Darrick Price
Councilor Sandra Utt

ABSENT:

STAFF: Scott Pingel, City Manager
Steve Sagmiller, Public Works Director
Peggy Selberg, City Recorder

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 Bixler, Collins, Frank, Price and Utt.

C. CONSENT AGENDA

1. **Approval of Meeting Minutes**
 - a. **Special Session/Executive Session of January 21, 2014**
 - b. **Regular Session/Executive Session of February 3, 2014**
 - c. **Regular Session/Executive Session of March 3, 2014**

ANNETTE FRANK MOVED TO APPROVE THE MINUTES OF THE SPECIAL SESSION/EXECUTIVE SESSION OF JANUARY 21, 2014, THE REGULAR SESSION/EXECUTIVE SESSION OF FEBRUARY 3, 2014 AND THE REGULAR SESSION/EXECUTIVE SESSION OF MARCH 3, 2014. SECONDED BY SANDRA UTT. Motion carried with Bixler, Collins, Frank, Price, Utt and Wytoski voting aye.

D. APPEARANCE OF INTERESTED CITIZENS

Mayor Wytoski introduced Debra Bridge (16670 Fairview Dr. Dundee). Ms. Bridge stated she was one of the candidates for Yamhill County Commissioner and wanted to introduce herself to the Council. Mayor Wytoski introduced Kelly Haverkate (523 Ash St. Dayton). Ms. Haverkate stated she was representing the Dayton Community Development Association and the downtown business owners. She stated she wanted to let Council know about some of the discussions these organizations had regarding the Dayton Friday Night events. Ms. Haverkate introduced Chelsea Williams (16305 Kreder Rd. Dayton). Ms. Williams stated she was assisting Kelly Haverkate with developing the Dayton Friday Night events. She stated they were looking at ways to promote this event and would like to distribute posters around the community. Ms. Williams stated they would like to have banners

at various locations in Dayton. She stated the event would begin May 23 and run through Labor Day and the plan was to designate a "Friday Night captain" that would be on the grounds during the event. Ms. Williams stated the businesses had agreed to be open until 8:00 pm during the event. She stated there would be vendors and music during these events.

E. ACTION ITEMS

1. Appoint Wayne Herring to the Historic Preservation Committee

SANDRA UTT MOVED TO APPOINT WAYNE HERRING TO THE HISTORIC PRESERVATION COMMITTEE. SECONDED BY JOHN COLLINS. Motion carried with Bixler, Collins, Frank, Price, Utt and Wytoski voting aye.

2. Your Community Mediators donation request

Mayor Wytoski introduced Rene Volm from Your Community Mediators. Ms. Volm stated Your Community Mediators was asking for a donation \$1,941. She stated Your Community Mediators received funding from the State, Yamhill County and all of the cities in Yamhill County. Ms. Volm stated last year Dayton donated \$1,550. She explained the amount requested was directly connected to the number of Dayton citizens that were served by Your Community Mediators. Scott Pingel stated this donation would not be made until next fiscal year.

ANNETTE FRANK MOVED TO DONATE \$1,700 TO YOUR COMMUNITY MEDIATORS. SECONDED BY JOHN COLLINS. Motion carried with Bixler, Collins, Frank, Utt, Price and Wytoski voting aye.

3. Approve mower purchase

Scott Pingel stated the City has had the current mower since 1999 and recently it has cost the City more in repairs than may be worthwhile. He stated there were funds in the budget for the purchase of a new mower.

JOHN COLLINS MOVED TO APPROVE THE PURCHASE OF A DIXIE CHOPPER FOR \$12,500. SECONDED BY ANNETTE FRANK. Motion carried with Bixler, Collins, Frank, Price, Utt and Wytoski voting aye.

4. First Reading of Ordinance 618, declaring a moratorium on Medical Marijuana facilities

Councilor Frank performed the first reading of Ordinance 618.

SANDRA UTT MOVED TO APPROVE THE FIRST

READING OF ORDINANCE 618 DECLARING A MORATORIUM ON MEDICAL MARIJUANA FACILITIES, ADDING CHAPTER 2.28 PROHIBITING MEDICAL MARIJUANA FACILITIES IN THE CITY OF DAYTON FOR 180 DAYS TO THE DAYTON MUNICIPAL CODE, AND DECLARING AN EMERGENCY. SECONDED BY JOHN COLLINS. *Motion carried with Bixler, Collins, Frank, Price, Utt and Wytoski voting aye.*

5. **Second Reading of Ordinance 618, declaring a moratorium on Medical Marijuana facilities**

Councilor Bixler performed the second reading of Ordinance 618

SANDRA UTT MOVED TO APPROVE THE SECOND READING OF ORDINANCE 618 DECLARING A MORATORIUM ON MEDICAL MARIJUANA FACILITIES, ADDING CHAPTER 2.28 PROHIBITING MEDICAL MARIJUANA FACILITIES IN THE CITY OF DAYTON FOR 180 DAYS TO THE DAYTON MUNICIPAL CODE, AND DECLARING AN EMERGENCY. SECONDED BY ANNETTE FRANK. *Motion carried with Bixler, Collins, Frank, Price, Utt and Wytoski voting aye.*

6. **Adopt Ordinance 618, declaring a moratorium on Medical Marijuana facilities**

ANNETTE FRANK MOVED TO ADOPT ORDINANCE 618 DECLARING A MORATORIUM ON MEDICAL MARIJUANA FACILITIES, ADDING CHAPTER 2.28 PROHIBITING MEDICAL MARIJUANA FACILITIES IN THE CITY OF DAYTON FOR 180 DAYS TO THE DAYTON MUNICIPAL CODE, AND DECLARING AN EMERGENCY. SECONDED BY JOHN COLLINS. *Motion carried with Bixler, Collins, Frank, Price, Utt and Wytoski voting aye.*

7. **Discussion and approval of Springs Project change order**

Scott Pingel stated he had received information on the change orders that were necessary for the actuator and the turbidimeter at the springs. He stated the cost for those would be \$63,390; however, there were other change orders that have previously been approved. He explained all of these changes would be together; consequently, there would be an additional cost of \$18,390. Scott Pingel stated the total amount in change orders that would need to be approved was approximately \$85,000. He stated even with these additional change orders the project was still under budget.

DARRICK PRICE MOVED TO APPROVE THE ADDITIONAL SPENDING AT THE SPRINGS AND AUTHORIZE THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO \$85,000. SECONDED BY ANNETTE FRANK. *Motion carried with Bixler, Collins, Frank, Price, Utt and Wytoski voting aye.*

8. Dayton Gathering Place location

Richard Thompson from the Amity Dayton Ford Foundation group stated they had met all of the requirements from their meetings with the Historic Preservation Committee and the Planning Commission. He reminded Council that there was a general consensus of the City Council at the December 2, 2013 council meeting that the gathering place/bike racks would be located on the southwest side of Courthouse Square Park near the playground. Mr. Thompson stated this location had been discussed at the Historic Preservation Committee and the Planning Commission and was now coming back to Council for their approval. Mr. Thompson explained after receiving approval from Council he would be able to send documentation of the approval to the Ford Family Foundation for that part of the grant. Mayor Wytoski stated she had some concerns regarding if wood was used as part of this structure how long it would be before any materials would have to be repaired or replaced. Mr. Thompson stated the type of materials used would be discussed with the potential contractors when the project was put out to bid and they would get the contractor's recommendations. He stated he realizes the desired look and feel of the structure was for it to fit in with the community and to use materials that would weather to bring out the natural colors. Mayor Wytoski stated she was still concerned with not knowing a timeframe for maintenance and repairs before a contract for construction was put in place. Mr. Thompson stated they would be relying on the recommendations from contractors based on the look and feel that the Council wants. Scott Pingel stated the Amity Dayton Ford Foundation group will not have to follow public bid requirements and do not have to be so specific during the bid, so they should be able to work with the contractor to make sure that the proper materials are used.

SANDRA UTT MOVED TO APPROVE THE LOCATON AND SITE DESIGN OF THE DAYTON GATHERING PLACE. SECONDED BY ANNETTE FRANK. *Motion carried with Bixler, Collins, Frank, Price, Utt and Wytoski voting aye.*

F. CITY COUNCIL COMMENTS/CONCERNS

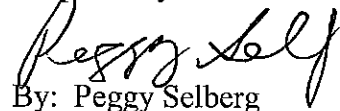
G. INFORMATION REPORTS

1. City Manager's Report

H. ADJOURN

There being no further business, the meeting adjourned at 8:30 p.m.

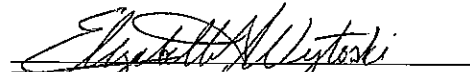
Respectfully submitted:



By: Peggy Selberg
City Recorder

APPROVED BY COUNCIL on May 19, 2014

As Written As Amended


Elizabeth Wytoski, Mayor