

MINUTES
DAYTON CITY COUNCIL
SPECIAL SESSION/WORK SESSION
&
EXECUTIVE SESSION
March 17, 2014

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

ABSENT:

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, Frank, Price and Utt.

C. APPEARANCE OF INTERESTED CITIZENS

Mayor Wytoski introduced Jim Seufert (Seufert Winery, 415 Ferry St). Jim Seufert stated he would like Council to consider the current city ordinance regarding public consumption of alcohol. He explained that ordinance appears to be somewhat incongruent with state law and he thought it might be a good idea to reevaluate that ordinance. Mr. Seufert stated the ordinance implies public consumption by being in a public space with a previous opened container of alcohol. He stated this could raise an issue if his sales representative for Seufert Winery was returning from an event and was carrying opened wine bottles from her car into the winery and she technically would be in violation of that ordinance. Mr. Seufert stated the state law allows guests at restaurants to leave with a partially consumed bottle of wine that they purchased while eating dinner. Mr. Seufert stated another issue that is allowed under state law is the concept of a "sidewalk café" which can be on either public or private properties and are places for consumption of alcohol out of doors. He explained that any business wanting to have a sidewalk café has to follow a fairly lengthy process with the state to develop an alcohol monitoring control plan that the business would be legally obligated to abide by. He stated most cities in Oregon do allow these sidewalk cafés and he felt this concept could help with the revitalization of Dayton's downtown and at the same time bring Dayton in alignment with the state's over all approach for alcohol control monitoring. Mr. Seufert stated his request from Council would be to ask the City Manager to investigate how other cities were handling this and what it would take for Dayton to become aligned with state laws. Mayor Wytoski stated she would ask staff to look at the state law to make sure that Dayton's ordinances were in alignment. She stated Council had in the past looked into sidewalk cafés and felt that because of the location of Courthouse Square Park right across the street from the restaurants, Council did not want alcohol served outside so close to where children would be playing in the park. Mayor Wytoski stated this did not preclude the Council from

considering this issue again but she did want Mr. Seufert to be aware that Council had discussed the idea of sidewalk cafés.

Mayor Wytoski introduced Scott Bateman and mentioned that Council would be talking about this during the action items but allowed Mr. Bateman to make comments at this time. Mr. Bateman explained he was a member of an organization called the Fast Draw Club. He stated the Fast Draw Club would like to be able to hold the 2014 Oregon Six Gun World Championship in Dayton on August 22-24. Mr. Bateman stated this event would consist of approximately 50 – 60 competitors and 150 spectators. He stated he had talked to Kelly Haverkate regarding using the vacant lot on the corner of Main Street and 4th Street to hold this event. He explained they build a backdrop that looks like an old west town and that is what they shoot at. He stated the competition would last three days and the people coming for the event would be eating at the restaurants in town. Mr. Bateman stated he and Scott Pingel had discussed holding it at Legions Field; however, he would like to hold it closer to Courthouse Square Park so the participants could have shaded areas to relax after competing. He reminded Council they did have a Fast Draw demonstration at last year's Harvest Festival. Mayor Wytoski stated Council would continue this discussion during agenda item 3.

D. ACTION ITEMS

1. Emergency Operations Plan Training – Sue Lamb, Yamhill Co. Emergency Manager

Mayor Wytoski introduced Sue Lamb. Ms. Lamb stated she wanted to explain the role of the City Councilors during an emergency. She reviewed the hand-out which was a diagram of a disaster (copy attached hereto and made a part hereof). Ms. Lamb explained that as elected officials the City Councilors would become the Dayton policy group. She stated the City Manager was designated as the Emergency Manager. She explained the Councilors would need to be informed of what was going on during the emergency and the City Manager as the Emergency Manager would be the one to keep them informed. Ms. Lamb stated the Councils main focus would be on public policy and public direction and to be available to give staff direction on budgetary issues that could arise during an emergency.

2. Sign Code discussion with downtown businesses

Mayor Wytoski stated this was strictly a work session and Council would not be asked to take any action at this time. Mayor Wytoski allowed John Rock (400 Ferry St.) to make a comment. Mr. Rock stated he wanted to know why the city was looking at adopting sign codes for the downtown businesses. He stated it was signs that drew customers to the businesses. Mayor Wytoski stated there were many reasons for sign codes, i.e. general appearance and appealing to citizens and customers. She stated Council did not want to limit the businesses ability in attracting customer. Scott Pingel stated this meeting was intended to get feedback from the business owners. Mayor Wytoski stated that Scott Archibald, owner of Archies Ice Cream and Eatery, wanted to make some comments. She stated he had contacted her to let her know that he would not be able to be at the meeting until later; consequently, she would like to continue this discussion later in the meeting. Council agreed.

3. Fast Draw Event discussion

Mayor Wytoski stated she felt that the Fast Draw demonstration that had been held at last year's Harvest Festival was successful. She stated her only concern for this event was the suggested location of the empty lot on the corner of 4th Street and Main Street. Mayor Wytoski stated she felt this location was too close to homes due to the noise and did prefer the location at Legion Field. Scott Pingel asked Mr. Bateman for the dimensions of the space that they would need for the competition. Mr. Bateman stated they would need a space measuring approximately 40ft x 60ft. Scott Pingel asked if Council would be opposed to having this event in Courthouse Square Park. Councilor Frank stated Council was not opposed to it at last year's Harvest Festival and could not see why they would be opposed for this event. Councilor Collins asked for clarification on the reasons that Legion Field would not work for the event. Mr. Bateman explained that Legion Field did not have any kind of shaded area that spectators and contestants could use to get out of the sun. He stated Legion Field was also a couple of blocks from the downtown businesses. Councilor Frank asked if Council would need to make a motion to allow this event in Courthouse Square Park. Scott Pingel stated if it was the general consensus from Council that it would be okay to hold the Fast Draw event in Courthouse Square Park he would take that as direction from Council. Councilor Collins suggested using the basketball court in the park for the space needed for the event. Mayor Wytoski stated Council agreed to have the event in Courthouse Square Park.

Mayor Wytoski stated Council would now return to the sign code discussion.

Jim Seufert, owner of Seufert Winery, stated for his business he thinks the sign code is great and it sets the right look and feel for Dayton. Mr. Seufert asked for clarification on how this sign code would be enforced. Scott Pingel stated the enforcement part was still in draft form; however, he stated signs would need to be approved and there would also be an appeals process. Mayor Wytoski stated previous Council discussion had been to give existing businesses plenty of time to come into compliance with the new sign code. Scott Archibald, owner of Archies Ice Cream and Eatery, stated his concern with the sign code was the shape of the roof line of the building might make it a little difficult for him to be able to have specific signs for his business. He stated he would like to put a sign on the roof of the building but did not know if that would fall under billboard type of sign. Mr. Archibald stated he did feel fairly comfortable with most of the other areas of the code.

4. **Preliminary budget discussion- General Fund and Parks Capital Fund**

Scott Pingel stated in the General Fund revenue the building permit fees and the taxes collected would be more than last year. He stated there were not a lot of changes in the expenses. Scott Pingel explained he was trying to stay fairly conservative with expenses. He stated the General Fund was projected to retain a very healthy working capital (approximately \$430K). He stated in the Parks department the biggest change would be the increase to the Parks Reserve Fund to help with the rehabilitation of Miller Fountain. Scott Pingel stated the main change to the Library department was the increase for book purchases and the addition of the line item for the Ready to Read Program. He stated the Parks Capital Fund assumes \$67,000 for Courthouse Square Park improvements, which hopefully would pay for the Miller Fountain rehabilitation

and, if possible, the interior pathway improvements. He stated the \$8,600 for 11th Street Park would be used to add benches and do other improvements to that park.

E. CITY COUNCIL COMMENTS/CONCERNS

F. INFORMATION REPORTS

1. City Manager's Report

Scott Pingel stated he and Steve Sagmiller had met with GSI regarding the flow test on the wells on the Fisher Farms property. He stated any water rights that were certificated could be transferred from nursery use to municipal use; however, any water rights that were just water use permits could not be used for any other use. Scott Pingel explained that in order to change the use of those permits, the permits would first have to be certificated. Until that process is accomplished, the actual amount of water rights that the city will be able to take advantage of is unknown. However, the potential could be substantial. Pingel stated they currently know they can transfer approximately 150 gallons a minute. He stated the flow test did look good.

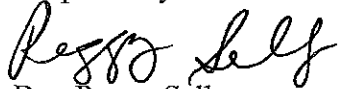
Mayor Wytoski closed the Special Session at 9:00 pm and stated Council would move into the Executive Session pursuant to ORS 192.660(2)(e) to conduct deliberations with persons designated by the governing body to negotiate real property.

Mayor Wytoski closed the Executive Session at 9:34 and moved back into the Regular Session

H. ADJOURN

There being no further business, the meeting adjourned at 9:35 p.m.


Respectfully submitted:



By: Peggy Selberg
City Recorder

APPROVED BY COUNCIL on May 5, 2014

As Written As Amended


Elizabeth Wytoski, Mayor