

MINUTES
DAYTON CITY COUNCIL
REGULAR SESSION & EXECUTIVE SESSION
March 3, 2014

PRESENT: Mayor Elizabeth Wytoski
Councilor John Bixler
Councilor John Collins (arrived at 6:38)
Councilor Annette Frank
Councilor Sandra Utt

ABSENT: Councilor Darrick Price

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

A. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Wytoski called the meeting to order at 6:31 pm and those present gave the Pledge of Allegiance.

B. ROLL CALL

Mayor Wytoski noted there was a quorum with Councilors Bixler, Frank, and Utt. Councilor Collins would arrive later and Councilor Price had an excused absence.

C. CONSENT AGENDA

- 1. Approval of Meeting Minutes**
 - a. Special Session/Work Session of February 18, 2014**

**ANNETTE FRANK MOVED TO APPROVE THE MINUTES
OF THE SPECIAL SESSION/WORK SESSION OF
FEBRUARY 18, 2014. SECONDED BY JOHN BIXLER.**
*Motion carried with Bixler, Frank, Utt and Wytoski voting aye.
Collins and Price absent.*

D. APPEARANCE OF INTERESTED CITIZENS

Mayor Wytoski introduced David Russ. David Russ (1102 N Springbrook Rd, Newberg) stated he was currently a Dundee City Councilor and was one of the candidates for Yamhill County Commissioner position # 1 and wanted to introduce himself to the City Councilors.

Mayor Wytoski introduced Randal Malcomson. Randal Malcomson (912 Village Place) stated as President of Village Place Homeowners Association he would like some clarification regarding code enforcement at Village Place. He stated when they have called City Hall for code enforcement they are told that since they are a Homeowners Association with a private street and private property, any code enforcement was their responsibility. Mr. Malcomson stated they would like to have the basic simple city code taken care of. Scott Pingel stated city staff cannot drive up the private road and enforce city code. Scott Pingel asked Mr. Malcomson to explain the types of code violations they were experiencing at Village Place. Mr. Malcomson stated they were mainly cats and dogs running onto and into other peoples houses and property and also some code violations for junk on property. Scott Pingel stated if city staff could see those types of violations from the street they could address those code violations; however, city staff could not drive up the private road to observe the violation. Mr.

Malcomson asked if city staff had permission from the Homeowners Association would they be able to address those types of violations. Mayor Wytoski stated staff may have to discuss this issue with the city's attorney to see if getting permission from the Homeowners Association would be adequate for city staff to go onto private property to enforce city codes.

Mayor Wytoski noted the arrival of Councilor Collins.

E. ACTION ITEMS

1. Mary Starrett – Yamhill County Commissioner candidate

Mayor Wytoski introduced Mary Starrett. Mary Starrett (35775 Smith Rd, Newberg) stated she was one of the candidates for Yamhill County Commissioner position # 3 and wanted to introduce herself to the City Council.

2. Approve appointment to Historic Preservation Committee

ANNETTE FRANK MOVED TO APPROVE THE APPOINTMENT OF DAVID HARGETT TO THE HISTORIC PRESERVATION COMMITTEE. SECONDED BY SANDRA UTT. Motion carried with Bixler, Collins, Frank, Utt and Wytoski voting aye. Price absent

3. 2nd Reading of Ordinance # 617 – prohibiting marijuana facilities for 180 days

Councilor Bixler performed the second reading of Ordinance # 617.

ANNETTE FRANK MOVED TO APPROVE THE SECOND READING OF ORDINANCE # 617, AN ORDINANCE OF THE DAYTON MUNICIPAL CODE ADDING CHAPTER 2.28 PROHIBITING MEDICAL MARIJUANA FACILITIES IN THE CITY OF DAYTON FOR 180 DAYS AND DECLARING AND EMERGENCY. SECONDED BY JOHN COLLINS. Motion carried with Bixler, Collins, Frank, Utt and Wytoski voting aye. Price absent

4. Adopt Ordinance # 617 – prohibiting marijuana facilities for 180 days

ANNETTE FRANK MOVED TO ADOPT ORDINANCE # 617, AN ORDINANCE OF THE DAYTON MUNICIPAL CODE ADDING CHAPTER 2.28 PROHIBITING MEDICAL MARIJUANA FACILITIES IN THE CITY OF DAYTON FOR 180 DAYS AND DECLARING AND EMERGENCY. SECONDED BY SANDRA UTT. Motion carried with Bixler, Collins, Frank, Utt and Wytoski voting aye. Price absent

5. Preliminary budget discussion – local option tax, street, other

Scott Pingel stated the main changes in the Local Option Tax Fund were approximately a 4.5% increase in the Sheriff's contract and a 13% increase for 911 services. He stated they should have about the same amount of carry over at the end of this year as last year. Scott Pingel stated in the Street Fund the State Highway Revenue has increased over last year. He stated the main change was in the street and alley repair and maintenance expense line items. Pingel explained he would like to continue to go after as much patching work as possible to maintain the streets while they continue to overlay a few streets each year. He also stated they would be transferring \$10,000 less to the Street Capital Fund than last year. Councilor Collins asked if there could be a line item in the Street Fund for street trees. Council agreed that they would like to see that item in the budget. Scott Pingel stated in the Street Capital Fund there was the \$175,000 ODOT grant for the construction of the sidewalk on Ferry Street from 5th to the crosswalk. Other sidewalk improvements will be full sidewalk replacement from the front of Romans to the Community Center and pouring the concrete on the path between Howard Jordan Loop and Ash Street. Councilor Frank asked if there could be more lighting along 4th Street between Ferry and Alder Streets. Mayor Wytoski stated with the new LED lights that PGE will be replacing might help make that area lighter. Scott Pingel stated they could look and see if there needed to be another streetlight there. Pingel stated with the other capital funds the only thing that might be considered was investigating the possibility of solar panels on the Community Center. He stated the State had an enhancement grant that the city may be eligible for. He stated the main things in considering solar panels would be the process and how much the out of pocket costs would be versus how long they last before they would have to be replaced and if it would be worth the savings. Pingel stated looking at it without the enhancement grant would be difficult to justify the cost, unless the reason is solely to be energy efficient.

6. Harvest Festival discussion

Councilor Frank stated she felt the Council needed to decide what their goal is for the city for promoting the Harvest Festival – is it for city awareness, to build community interest or is it several different things. Mayor Wytoski stated she feels that there are different opinions from differing people. Councilor Collins agreed that they needed to have a mission statement for the Harvest Festival. He felt that there is no way to please everybody and it will never meet everyone's expectations. Mayor Wytoski stated the feedback she has received from community members is that they would like the festival to focus on this community. Mayor Wytoski did not think that they needed a larger festival. She stated she would like to have a Council work session to discuss creating a mission statement and perhaps identify more specific goals. Scott Pingel stated he felt that with the new Friday night events the Harvest Festival did need to be discussed so it wouldn't turn into just another Friday night that was not on a Friday night. Councilor Frank stated she would like to make sure that Council also gets staff input. Scott Pingel explained staff's biggest concern was to be able to understand their role and having control over their role. He stated he would plan a work session next month for this discussion.

F. CITY COUNCIL COMMENTS/CONCERNS

Councilor Frank stated she would like to see a crosswalk across Ferry Street at 4th Street. She understands Ferry Street is a state highway; however, she has seen many cars not stopping for pedestrians at that location. Mayor Wytoski agreed. Scott Pingel stated staff had started the process with ODOT for a crosswalk at that location.

Mayor Wytoski stated about a year ago she had asked if a seatbelt could be put on the handicap swing in Courthouse Square and wanted to know if that was possible. Peggy Selberg stated staff had checked with the manufacturer and was told that they could purchase one but since it had not originally come with the swing they could not guarantee it; consequently, it could become a liability issue for the city. Mayor Wytoski stated she will look into it herself to see if it would be possible to have a seatbelt on that swing. Mayor Wytoski stated she had gotten some complaints about the area on Ferry Street between 9th and Flower Lane. She knows Council has discussed having a sidewalk there and the cost for that, but she would like at least to be able to look at adding some streetlights there to at least make it a little safer. Scott Pingel stated he would talk to PGE and it shouldn't cost the city anything.

G. INFORMATION REPORTS

1. City Manager's Report

Scott Pingel wanted Council to know that the well 5 rehabilitation was completed.

Mayor Wytoski closed the Regular Session at 7:58 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 being reviewed and evaluated does not request an open hearing.

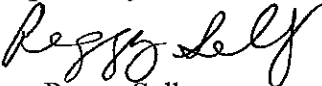
Mayor Wytoski closed the Executive Session at 8:34 and moved back into the Regular Session.

ANNETTE FRANK MOVED TO APPROVE A 5% INCREASE TO THE CITY MANAGER, SCOTT PINGEL, EFFECTIVE MARCH 1, 2014. SECONDED BY JOHN BIXLER. Motion carried with Bixler, Collins, Frank, Utt and Wytoski voting aye. Price absent

H. ADJOURN

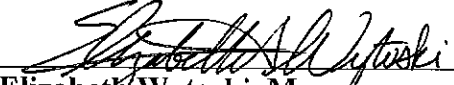
There being no further business, the meeting adjourned at 8:36 p.m.

Respectfully submitted:


By: Peggy Selberg
City Recorder

APPROVED BY COUNCIL on April 7, 2014

As Written As Amended


Elizabeth Wytoski, Mayor