

MINUTES
DAYTON CITY COUNCIL
WORK/SPECIAL SESSION
July 17, 2017

PRESENT: Mayor Elizabeth Wytoski
Councilor John Collins (arrived at 6:49 pm)
Councilor Kitty Mackin
Councilor Trini Marquez
Councilor Darrick Price

ABSENT: Councilor John Bixler

STAFF: Scott Pingel, City Manager
Rochelle Roaden, City Recorder
Heather Martin, City Attorney

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 Mackin, Marquez, and Price. Mayor Wytoski noted the absence of Councilors Bixler and Collins.

C. CONSENT AGENDA

1. **Approval of Meeting Minutes**
 - a. **Regular/Executive Session, June 5, 2017**
 - b. **Working/Special Session, June 19, 2017**

KITTY MACKIN MOVED TO APPROVE THE MINUTES OF THE REGULAR/EXECUTIVE SESSION OF JUNE 5, 2017, AND THE WORKING/SPECIAL SESSION OF JUNE 19, 2017, AS AMENDED. SECONDED BY TRINI MARQUEZ. Motion carried with Mackin, Marquez, Price and Wytoski voting aye. Bixler and Collins absent.

D. APPEARANCE OF INTERESTED CITIZENS

Randy Wheeler, 86 Alder Street, Dayton, with Dayton Kayak Rental, recognized the Dayton Fire Department for their wonderful response to his auto accident a few weeks ago. Mr. Wheeler presented a \$100 gift card to Lone Star Barbecue for the firefighters. Scott Pingel will forward the message and gift card to the Dayton Fire Department.

Mr. Wheeler informed the Council that he is the owner of Dayton Kayak Rentals, and is here to discuss the sign (located on the corner of 3rd and Ferry) he has been issued a code violation for. Mr. Wheeler noted two sections of the City of Dayton Municipal Code under 7.2.111.07 Section D, paragraph 11. He currently has permission from the property owner at 3rd and Ferry to have his sign

located there and feels that he is correctly interpreting the code. He further stated that the sign is definitely important to his business and it generates additional business for other businesses in town. He also requested that if the Council could grant an exception in this situation, he would like to ask that an exception is considered.

Mayor Wytoski responded explaining that the Council normally does not step into code enforcement issues and noted that in another section of the code immediately following 7.2.111.07 Section D, paragraph 11, it states that signs are not allowed on vacant lots. Therefore, the code is being interpreted correctly by the Code Enforcement Officer. A possible option might be to place the sign across the street at the gas station with permission from the lot owner. This property is outside of the CBO and therefore the code would not be applicable. Issuing a variance to this code is a staff level decision. Discussion continued.

Judy Gerard, 205 Main Street, Dayton, representing the Ford Family Foundation and Amity/Dayton Cohort, commented that funds were remaining from the project so the funds were divided between Amity and Dayton. Judy presented a check to the City of Dayton in the amount of \$228.73 and three cans of Pledge wood polish to maintain the sign.

Judy Gerard, 205 Main Street, Dayton, commented that having a way finding sign for the waterfront would be a great way to resolve the issue presented by Mr. Wheeler.

E. ACTION ITEMS

1. Cost of Living Adjustment Discussion/ Approval

Scott Pingel, City Manager, stated that the CPWI index for 2017 shows a 1.7% cost of living increase.

DARRICK PRICE MOVED TO APPROVE A 1.7% COST OF LIVING ADJUSTMENT FOR CITY STAFF EFFECTIVE JULY 1, 2017. SECONDED BY KITTY MACKIN. Motion carried with Collins, Mackin, Marquez, Price, and Wytoski voting aye. Bixler absent.

2. Approval of Resolution 17/18-1 Public Contracting Rules

Scott Pingel stated that the update includes increasing maximum dollar amounts for personal services contracts as well as small procurements from \$5,000 to \$10,000 to match State maximum dollar amounts.

KITTY MACKIN MOVED TO APPROVE RESOLUTION 17/18-1 A RESOLUTION AMENDING PUBLIC CONTRACTING

RULES. SECONDED BY JOHN COLLINS.
Motion carried with Collins, Mackin, Marquez, Price, and Wytoski voting aye. Bixler absent.

Councilor Price asked if the Public Contracting Rules address when there are multiple contracts to the same vendor that total more than \$10,000.
Discussion continued.

3. **Approval of Resolution 17/18-2 Renaming the Community Center**

KITTY MACKIN MOVED TO APPROVE RESOLUTION 17/18-2 A RESOLUTION RENAMING THE COMMUNITY CENTER. SECONDED BY DARRICK PRICE. *Motion carried with Collins, Mackin, Marquez, Price, and Wytoski voting aye. Bixler absent.*

4. **Approval of Resolution 17/18-3 Special City Allotment Application**

DARRICK PRICE MOVED TO APPROVE RESOLUTION 17/18-3 A RESOLUTION AUTHORIZING APPLICATION FOR THE SPECIAL CITY ALLOTMENT GRANT. SECONDED BY TRINI MARQUEZ. *Motion carried with Collins, Mackin, Marquez, Price, and Wytoski voting aye. Bixler absent.*

5. **1st Reading of Ordinance 640 Food Trucks and Push Carts**

Councilor Collins noted seven changes to the Ordinance as written.
Discussion continued and it was determined that too many changes were needed so the first reading would not be completed at this time.

Mayor Wytoski closed the Regular Session at 8:08 pm and stated Council would move into the Executive Session pursuant to ORS 192.660(2)(h) to consult with counsel concerning legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Darrick Price recused himself from the Executive Session and exited the meeting.

Mayor Wytoski closed the Executive Session at 8:26 pm and moved back into the Regular Session.

F. CITY COUNCIL COMMENTS AND CONCERNS

Councilor Mackin asked if there were more specific details on the chip-seal process happening in August. Scott Pingel explained that it is chipped rock laid down on the road and covered with glue. It will be fog coated so it will look more like a regular asphalt street. The sealing process occurs after it has been driven on for a while.

Councilor John Collins inquired if a daylight basement in a house with a kitchen or bathroom would be required to have a separate meter. Scott Pingel stated that a separate meter would not be retroactively required in that situation. If they have a separate dwelling unit, they would be charged two EDU's with one meter. Discussion continued.

Mayor Beth Wytoski reminded the Council that July 28th is Old Timer's Weekend with the parade, Senior Court, pony rides and other events. Please plan to attend if possible and get the word out.

G. INFORMATION REPORTS

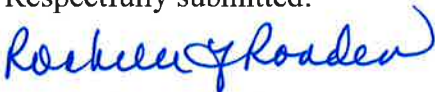
1. City Manager Report

Scott Pingel updated the Council on the current negotiations with DEQ for discharging. A meeting for August 9th is scheduled after which DEQ will provide a revised/finalized Mutual Agreement Order (MAO).

H. ADJOURN

There being no further business, the meeting adjourned at 8:39 pm.


Respectfully submitted:



By: Rochelle Roaden
City Recorder

APPROVED BY COUNCIL on October 2, 2017.

As Written As Amended


Elizabeth Wytoski, Mayor