

MINUTES
DAYTON CITY COUNCIL
REGULAR SESSION
NOVEMBER 6, 2017

PRESENT: Mayor Elizabeth Wytoski
Councilor John Bixler
Councilor John Collins
Councilor Kitty Mackin
Councilor Trini Marquez
Councilor Nikki McGraw
Councilor Darriek Price

ABSENT:

STAFF: Scott Pingel, City Manager
Rochelle Roaden, City Recorder
Steve Sagmiller, Public Works Director
Denny Muchmore, City Engineer

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 there was a quorum with all Councilors present.

C. APPEARANCE OF INTERESTED CITIZENS

Pam Horst, 414 5th Street, Dayton, Oregon, gave an update on the last Dayton School Board meeting.

Kelly Haverkate, 523 Ash Street, Dayton, Oregon, on behalf of the Dayton Community Development Association, wanted to make sure everyone received their invitation for the appreciation event on Monday, November 13th. Kelly publically thanked Scott Pingel, City Manager, for his work over the years and stated that he will be missed.

D. ACTION ITEMS

1. 2016-2017 Financial Audit Report

Tom Glogau, Grover, Mueller and Swank, presented the 2016-2017 financial statements including a financial ratios report with benchmark information. He further noted that there were no adjusting entries in the audit which speaks well of staff and that the financial data provided throughout the year is reliable data.

2. City Manager Recruitment Discussion

Sean O'Day, Mid-Willamette Valley Council of Governments (COG), gave a brief description of his background and his current role. He further explained the recruitment process for a City Manager and the proposal for services.

Mayor Wytoski commented that she would prefer that the Council engage the COG for this process. The background and references checks are laborious and the COG has done a great job in the past. Discussion continued.

DARRICK PRICE MOVED TO APPROVE THE CITY MANAGER RECRUITMENT PROPOSAL WITH THE COUNCIL OF GOVERNMENTS FOR \$7,500. SECONDED BY JOHN BIXLER. *Motion carried with Bixler, Collins, Mackin, Marquez, McGraw, Price and Wytoski voting aye.*

Sean O'Day recommended changing the agenda sequence to: Public Hearing on City Manager Recruitment Process, Approval of City Manager Recruitment Process, Public Hearing on City Manager Profile, and Approval of City Manager Profile.

E. PUBLIC HEARINGS

Mayor Wytoski opened the Public Hearing at 7:03 pm and stated the City Council will hold a public hearing to obtain citizen input on the City Manager Recruitment Process.
Sean O'Day, COG, presented the staff report detailing the process. Discussion continued.
No one had signed up to comment.
Mayor Wytoski closed the Public Hearing at 7:26 pm.

JOHN BIXLER MOVED TO APPROVE THE CITY MANAGER RECRUITMENT PROCESS AS AMENDED CHANGING A MEETING DATE FROM JANUARY 15TH TO JANUARY 16TH. SECONDED BY DARRICK PRICE. *Motion carried with Bixler, Collins, Mackin, Marquez, McGraw, Price and Wytoski voting aye.*

Mayor Wytoski opened the Public Hearing at 7:27 pm and stated the City Council will hold a public hearing to obtain citizen input on the City Manager Profile.
Sean O'Day, COG, presented the staff report. Discussion continued.
No one had signed up to comment.
Mayor Wytoski closed the Public Hearing at 7:37 pm.

JOHN COLLINS MOVED TO APPROVE THE CITY MANAGER PROFILE AS AMENDED CHANGING THE CITY HALL PHOTO CAPTION TO INCLUDE LIBRARY. SECONDED BY DARRICK PRICE. *Motion carried with Bixler, Collins, Mackin, Marquez, McGraw, Price and Wytoski voting aye.*

F. ACTION ITEMS CONTINUED

3. Approval of Mutual Agreement and Order with the Oregon Department of

Environmental Quality (DEQ)

Scott Pingel, City Manager, explained the renewal process for our NPDES permit which allows the City to discharge treated sewer water to the river. Currently DEQ is looking at new mercury removal requirements for NPDES permits and therefore a new permit may not be possible at this time. DEQ has suggested the City enter into this agreement allowing the City to continue discharging under the current NPDES permit conditions while the mercury removal requirements are established. This agreement provides much needed leeway for the City in regards to treatment and discharge. Discussion continued.

JOHN BIXLER MOVED APPROVAL OF MUTUAL AGREEMENT AND ORDER NUMBER 2017-183 WITH THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY. SECONDED BY KITTY MACKIN. Motion carried with Bixler, Collins, Mackin, Marquez, McGraw, Price and Wytoski voting aye.

4. **Approval of Resolution 17/18-6 Changing Signature Authority for City Checking Account**

Mayor Wytoski commented that with Scott Pingel leaving, we will be down one signer until the new City Manager is brought on board. She recommended adding Darrick Price since he is working close and available.

KITTY MACKIN MOVED APPROVAL OF RESOLUTION 17/18-6 A RESOLUTION CHANGING SIGNATURE AUTHORITY FOR US BANK PRIMARY CHECKING ACCOUNT TO INCLUDE ELIZABETH WYTOSKI, JOHN BIXLER, JOHN COLLINS AND DARRICK PRICE. SECONDED BY JOHN BIXLER. Motion carried with Bixler, Collins, Mackin, Marquez, McGraw, Price and Wytoski voting aye.

5. **Approval of Resolution 17/18-7 Appointing an Interim City Manager and Establishing Employment Conditions**

Mayor Wytoski stated Scott Pingel's final day is December 1, 2017. After discussing options with Sean O'Day, COG, she proposes appointing Rochelle Roaden as Interim City Manager to manage day to day operations, administration, and staff issues. Discussion continued.

KITTY MACKIN MOVED APPROVAL OF RESOLUTION 17/18-7 A RESOLUTION APPOINTING AN INTERIM CITY MANAGER AND ESTABLISHING EMPLOYMENT CONDITIONS. SECONDED BY TRINI MARQUEZ. Motion carried with Bixler, Collins, Mackin, Marquez, McGraw, Price and Wytoski voting aye.

6. **Approval of Resolution 17/18-8 Establishing Signature Authority for On-Going Projects**

Mayor Wytoski stated that due to her working with Scott Pingel on the on-going projects that it makes sense to give her the authority to deal with projects until a new City Manager is brought on board. Once a new City Manager is hired, the Council will need to give project authority as the Charter does not designate it. Discussion continued.

DARRICK PRICE MOVED APPROVAL OF RESOLUTION 17/18-8 A RESOLUTION ESTABLISHING AUTHORITY FOR THE EXECUTION OF PROJECT DOCUMENTS, CONTRACTS, PAY AND REIMBURSEMENT REQUESTS. SECONDED BY JOHN COLLINS. *Motion carried with Bixler, Collins, Mackin, Marquez, McGraw, Price and Wytoski voting aye.*

7. **Approval of Resolution 17/18-9 Adopting Public Works Design Standards Update No. 8**

Scott Pingel and Denny Muchmore, City Engineer, presented the update. Discussion continued.

JOHN BIXLER MOVED APPROVAL OF RESOLUTION 17/18-9 A RESOLUTION ADOPTING PUBLIC WORKS DESIGN STANDARDS UPDATE NUMBER 8 DEPENDENT UPON THE COST OF THE METER BOXES. SECONDED BY DARRICK PRICE. *Motion carried with Bixler, Collins, Mackin, Marquez, McGraw, Price and Wytoski voting aye.*

G. CITY COUNCIL COMMENTS AND CONCERNS

Councilor Mackin asked when the handicapped parking lines will be repainted in front of City Hall. Scott Pingel stated he had not heard back from ODOT on their scheduling.

Councilor Marquez asked if the street cleaner had changed their schedule from the first Tuesday. Scott Pingel stated he was not aware of any changes but would check into it.

Councilor Price asked if there was a meeting on November 20th. Mayor Wytoski stated the 20th would be our annual holiday party in place of the working session.

Councilor Price stated that he had appreciated working with Scott Pingel for the last few years. He further stated that Scott had done a great job as City Manager.

Councilor Collins inquired into a check written for Suzanne Hurford for \$2000 listed on the September Check Report. Scott Pingel stated that this is the annual payment for leasing property at the watershed.

Councilor Collins commented that the Council knows about the Facebook page he moderates and that he makes sure to inform readers that it has nothing to do with the City. He is planning to hand this off to someone who has the wear-with-all to manage it well. He wants to step away as he does not like being a

Councilor and doing this work. If anyone knows of someone who might be interested to let him know.

Councilor Collins asked if there was an information piece being worked on for Dayton's historical homes to be given to the homeowners. Scott Pingel stated that the Historic Preservation Committee took on that project a few years ago and sent a letter out to homeowners.

Councilor Collins inquired about the Transient Lodging Tax handout and the listing of Westhaven, LLC. Scott remarked that they did pay their taxes and Heather Martin, City Attorney, stated that if they did the activity, then they owe the tax. The tax is evidence that they are operating in an illegal manner. Scott and Heather put together a cease and desist letter as they are operating illegally and that the fine could be \$500 per day. The letter was mailed to Westhaven, LLC.

Councilor Bixler thanked Scott Pingel for serving the City of Dayton.

Councilor McGraw asked about the status of the Dayton Landing. Mayor Wytoski commented that it's been an ongoing process and that she had asked the County to transfer ownership about three years ago because they have failed to maintain it adequately. From communications with the County Parks Manager, a Marine Board grant is jointly being pursued. This will fund parking lot improvements with lighting, new spaces and replacement of the dock. The planning and permitting process is extensive and could take 3-4 years.

Councilor McGraw thanked Scott Pingel for his service.

Mayor Wytoski stated that the High School is having a Veteran's Assembly for Veteran's Day and are providing lunch for the Veterans. She asked if the Council supported donating \$300 to help cover the cost of the lunch which is approximately \$800 and was not planned to cost this much. They are worried they will have to turn away Veterans for lunch. The Council cannot take action but if anyone is opposed, please comment. No one was opposed.

Mayor Wytoski commented that the Holiday party will be Monday, November 20th. The Mayor and Staff are cooking the food and it will be held at the Community Center.

H. INFORMATION REPORTS

I. City Manager Report

Scott Pingel gave an update on the Transient Lodging Tax report handed out noting the revenue has exceeded at mid-year what we received in total for the prior year. This is mainly due to the RV park revenue.

Scott stated that the City has received our preliminary determination on the West Parcel water rights at Fisher Farms. It has been noticed in the News Register and with no responses we should be getting the final determination. Out of the East Parcel our water rights include 442.5 gallons per minute. The East Parcel is 533 gallons per minute for a total of 976 gallons per minute. That's the water right not the

production. Production was measured at 400 gallons per minute during the due diligence testing for all the wells.

Scott mentioned the Quarterly Financial Report which was included in the packet noting that the revenues do not include the working capital from the prior year. We are in good shape with nothing out of the ordinary except that building and planning activities have been high.

Scott stated that it has been awesome to work in Dayton and he appreciates the Council very much. He would put this Council up against any Council. It's been a pleasure to work for the Council and he has appreciated how professionally they conduct themselves and how they consider things. He would never have been able to predict the growth he has experienced here and that is due to the Council.

I. ADJOURN

There being no further business, the meeting adjourned at 8:35pm.

Respectfully submitted:



By: Rochelle Roaden
City Recorder

APPROVED BY COUNCIL on June 4, 2018.

As Written As Amended


Elizabeth Wytoski, Mayor