

**AGENDA
DAYTON CITY COUNCIL
REGULAR SESSION**



DATE: MONDAY, OCTOBER 3, 2016
PLACE: CITY HALL ANNEX, 408 FERRY STREET
TIME: 6:30 PM

Dayton – Rich in History....Envisioning Our Future

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE #</u>
A.	CALL TO ORDER & PLEDGE OF ALLEGIANCE	
B.	ROLL CALL	
C.	APPEARANCE OF INTERESTED CITIZENS	
This time is reserved for questions or comments from persons in the audience on any topic.		
D.	CONSENT AGENDA	
	1. Working/Special/Executive Session, July 18, 2016	1-4
	2. Regular Session, August 1, 2016	5-7
	3. Working/Special Session, August 15, 2016	9-10
	4. Regular Session, September 6, 2016	11
	5. Working/Special Session, September 21, 2016	13-16
E.	SCHOOL BOARD REPORT	
F.	ACTION ITEMS	
	1. Approval of First Reading of Ordinance 636 Amending the Penalty for Discharge of Weapons	17-21
	2. Approval of Resolution 16/17-3 Amending Library Fines and Fees	23-26
G.	CITY COUNCIL COMMENTS/CONCERNS	
H.	INFORMATION REPORTS	
	1. City Manager's Report	27
I.	ADJOURN	

Posted: 09/29/16
Rochelle Roaden, City Recorder

Persons with hearing, visual or manual impairments who wish to participate in the meeting should contact the City of Dayton AT LEAST 32 WORKING HOURS (4 DAYS) prior to the meeting date in order that appropriate communication assistance can be arranged. The City Hall Annex is accessible to the disabled. Please let us know if you need any special accommodations to attend this meeting.

NEXT MEETING DATES
City Council Special/Work Session, October 17, 2016
City Hall Annex, 408 Ferry St, Dayton

MINUTES
DAYTON CITY COUNCIL
WORKING/SPECIAL/EXECUTIVE SESSION
July 18, 2016

PRESENT: Mayor Elizabeth Wytoski
Councilor John Bixler
Councilor John Collins
Councilor Erin Taylor
Councilor Trini Marquez

ABSENT: Councilor Annette Frank
Councilor Darrick Price

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 6:30 pm and those present gave the Pledge of Allegiance.

B. ROLL CALL

Mayor Wytoski noted there was a quorum with Councilors Bixler, Collins, Marquez and Taylor. Mayor Wytoski noted the absence of Councilors Frank and Price.

C. CONSENT AGENDA

1. **Approval of Meeting Minutes**
 - a. **Work/Special Session, April 18, 2016**
 - b. **Regular Session, May 2, 2016**

JOHN BIXLER MOVED TO APPROVE THE MINUTES OF THE WORK/SPECIAL SESSION ON APRIL 18, 2016, AND THE REGULAR SESSION OF MAY 2, 2016. SECONDED BY ERIN TAYLOR. Motion carried with Bixler, Collins, Marquez, Taylor, and Wytoski voting aye. Frank and Price absent.

D. APPEARANCE OF INTERESTED CITIZENS

None.

E. SCHOOL BOARD REPORT

None.

F. ACTION ITEMS

1. **DCDA Discussion**
No one present.
2. **Cost of Living Adjustment Discussion/Approval**

Scott Pingel stated that the CPIW for the year is .04. He is requesting a 1.5% increase due to the strong working capital and the General Fund is as high as it has been.

Council President Collins posed a question regarding the request for a higher COLA than the CPI. Scott Pingel explained that in prior years city staff was not given a COLA when the economy was lagging. The increased request is to help offset those years. Council President Collins stated that he would vote for a 1.0%.

ERIN TAYLOR MOVED TO APPROVE A 1.0% COST OF LIVING ADJUSTMENT FOR CITY STAFF EFFECTIVE JULY 1, 2016. SECONDED BY JOHN COLLINS. *Motion carried with Collins, Marquez and Taylor voting aye. Bixler and Wytoski voting nay. Frank and Price absent.*

3. Approval of Alder Street Waterline Project

Scott Pingel gave an update on the project.

JOHN COLLINS MOVED TO APPROVE THE ALDER STREET WATER LINE CROSSING AND AWARD THE PROJECT TO LEO'S EXCAVATING WITH A BUDGET NOT TO EXCEED \$41,000. SECONDED BY TRINI MARQUEZ. *Motion carried with Bixler, Collins, Marquez, Taylor and Wytoski voting aye. Frank and Price absent.*

4. City Council Goals Review

Scott Pingel advised lowering the priority of obtaining funding for the water system's short-term capital improvement needs (Fisher Farm Wells and replacing main transmission line) from a Priority 1 to a Priority 2 due to how well the Springs have been performing and because the City was not awarded the Water Supply Development funds.

Council President Collins suggested proclaiming by resolution that the pedestrian walkway of the Foot Bridge as a tourist facility enabling the use of some of the Transient Lodging Tax (TLT) to repair the walkway. City Attorney, Heather Martin, stated she would research the legality of using the TLT funds. This project was moved from a level 4 priority to a level 2 priority since it would not happen in the current fiscal year.

5. Public Notice Requirements and Policy Review

Scott Pingel reviewed the current processes followed by City staff regarding public notice requirements and confirmed that the processes are within the parameters of the legal requirements. Discussion followed.

Mayor Wytoski closed the Regular Session at 7:25 pm and stated Council would move into the Executive Session pursuant to ORS 192.660(2)(f) to consider information or records that are exempt by law from public inspection.

Mayor Wytoski closed the Executive Session at 7:50 pm and moved back into the Regular Session at 7:51 pm.

G. CITY COUNCIL COMMENTS/CONCERNS

Erin Taylor commented that the new kayak business is parking his vehicle with a business sign right on the corner of Ferry across from US Bank. Scott Pingel remarked that this is not in accordance with our sign code and it will be dealt with.

John Collins commented that a duplicate sign has been put up on Ash Street. Additionally, he contacted the LOC about attending the Councilor workshop only and confirmed that's possible.

Beth Wytoski remarked that she will be attending the Oregon Mayor Association conference this week in Lincoln City.

H. INFORMATION REPORTS

1. City Manager's Report

Scott Pingel and Rochelle Roaden gave an update on the server issues experienced in June and July including ransomware encrypting data and the mail server failing. The city email software will be migrated to Microsoft 360 a few months earlier due to the issues experienced.

Scott Pingel stated that the environmental review has been turned in. Denny Muchmore, City Engineer, is completing the preliminary engineering report. Once completed and submitted, the City will then be eligible for a funding award from DEQ for interim financing as well as Rural Development.

Erin Taylor stated that since family that spotted the UFO which has inspired the McMinnville UFO festival lived in Dayton that it might be a good idea to do something in Dayton. Discussion followed.

Scott gave an update on the OCCMA conference and commented that other City Managers are noticing Dayton and impressed with what Dayton has accomplished.

Alaska Airlines magazine is doing a highlight on the Oregon wine country and will be mentioning Dayton specifically.

I. ADJOURN

There being no further business, the meeting adjourned at 8:13 pm.

Respectfully submitted:

By: Rochelle Roaden
City Recorder

APPROVED BY COUNCIL on October 3, 2016.

As Written **As Amended**

Elizabeth Wytoski, Mayor

MINUTES
DAYTON CITY COUNCIL
REGULAR SESSION
August 1, 2016

PRESENT: Mayor Elizabeth Wytoski
Councilor John Bixler
Councilor John Collins
Councilor Trini Marquez
Councilor Erin Taylor (arrived 6:37 pm)

ABSENT: Councilor Annette Frank
Councilor Darrick Price

STAFF: Scott Pingel, City Manager
Rochelle Roaden, City Recorder

A. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Wytoski called the meeting to order at 6:33 pm and those present gave the Pledge of Allegiance.

B. ROLL CALL

Mayor Wytoski noted there was a quorum with Councilors Bixler, Collins, Marquez and Taylor. Mayor Wytoski noted the absence of Councilors Marquez and Price.

C. APPEARANCE OF INTERESTED CITIZENS

Jim Thompson, 3380 Mistletoe Road, Dallas, Oregon, 97338, State Representative Candidate for HD 23 and Travis Menwissen, 1900 NE 5th Street, Salem, Oregon, 97301, Citizens for James Thompson, gave a candidate introduction.

D. SCHOOL BOARD REPORT

No one present.

E. ACTION ITEMS

1. 2nd Reading of Ordinance 635 Regarding Noise, Right of Way Regulations, and Utility Service Termination

John Bixler performed the second reading.

JOHN COLLINS MOVED APPROVAL OF THE SECOND READING OF ORDINANCE 635 AN ORDINANCE AMENDING CHAPTER 2 – OFFENSES, CHAPTER 6 – PUBLIC IMPROVEMENTS, AND CHAPTER 8 – UTILITIES, OF THE DAYTON MUNICIPAL CODE TO MAKE CHANGES TO SECTION 2.4 STORAGE OF VEHICLES OR OTHER PERSONAL PROPERTY ON STREETS OR PUBLIC PROPERTY, SECTION 2.8 EXCESSIVE NOISE DEFINED (RESIDENTIAL AND COMMERCIAL ZONES), SECTION 6.12 ENCROACHMENTS ON CITY PROPERTY, AND SECTION 8.0.8 PROCESS FOR TERMINATING UTILITY SERVICES. SECONDED BY TRINI MARQUEZ. Motion carried with Bixler, Collins, Marquez, and Wytoski voting aye. Taylor voting nay. Frank and Price absent.

2. **Adoption Ordinance 635 Regarding Noise, Right of Way Regulations, and Utility Service Transmission**

Discussion regarding the time allowed for the use of basketball hoops ensued. It was decided to be consistent with the noise regulation hours from 7 am to 10:30 pm.

JOHN COLLINS MOVED TO ADOPT ORDINANCE 635 AN ORDINANCE AMENDING CHAPTER 2 – OFFENSES, CHAPTER 6 – PUBLIC IMPROVEMENTS, AND CHAPTER 8 –UTILITIES, OF THE DAYTON MUNICIPAL CODE TO MAKE CHANGES TO SECTION 2.4 STORAGE OF VEHICLES OR OTHER PERSONAL PROPERTY ON STREETS OR PUBLIC PROPERTY, SECTION 2.8 EXCESSIVE NOISE DEFINED (RESIDENTIAL AND COMMERCIAL ZONES), SECTION 6.12 ENCROACHMENTS ON CITY PROPERTY, AND SECTION 8.0.8 PROCESS FOR TERMINATING UTILITY SERVICES AS AMENDED. SECONDED BY TRINI MARQUEZ. Motion carried with Bixler, Collins, Marquez, and Wytoski voting aye. Taylor voting nay. Frank and Price absent.

3. **Food Truck Discussion**

Mayor Wytoski suggested reviewing information from other cities like Keizer who have spent a large amount of time setting up code to meet the needs of existing businesses and allowing mobile vendors. Discussion continued.

F. CITY COUNCIL COMMENTS/CONCERNS

Trini Marquez remarked that citizens are asking about the status of the boat ramp/park project on a local social media site. Scott Pingel will give an update on the project during his City Manager Report.

John Collins commented that after reading the ruling on the serial meeting case, he feels that having a quorum is a critical part of the decision. Mayor Wytoski provided feedback from a training on public meetings law at the Mayor’s Association she attended. Discussion continued.

John Collins commented about an initial idea regarding a Dayton Forward discussion about interconnecting the two downtown parks with a walkway.

Erin Taylor asked about the situation with the lighting on the crosswalk near the Block House. Scott Pingel remarked that a new pole would be required and ODOT would have to agree to it. John Collins commented about modifying the ground up lighting from the Fort to provide illumination on the crosswalk.

Mayor Wytoski gave a summary of the Mayor’s Association conference including discussions with ODOT regarding making improvements to their property at the Dayton city entrance and with DCLD regarding the sidewalk project to Flower Lane.

G. INFORMATION REPORTS

1. City Manager's Report

Scott Pingel gave an update on the Main Pump Station and the boat landing park projects.

H. ADJOURN

There being no further business, the meeting adjourned at 8:17 pm.

Respectfully submitted:

By: Rochelle Roaden
City Recorder

APPROVED BY COUNCIL on October 3, 2016.

As Written **As Amended**

Elizabeth Wytoski, Mayor

MINUTES
DAYTON CITY COUNCIL
WORKING/SPECIAL SESSION
August 15, 2016

PRESENT: Council President Collins
Councilor John Bixler
Councilor Annette Frank
Councilor Darrick Price
Councilor Erin Taylor

ABSENT: Mayor Elizabeth Wytoski
Councilor Trini Marquez

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

Council President Collins called the meeting to order at 6:33 pm and those present gave the Pledge of Allegiance.

B. ROLL CALL

Council President Collins noted the there was a quorum with Councilors Bixler, Frank, Price and Taylor. Council President Collins noted the absence of Councilor Marquez and Mayor Wytoski.

C. APPEARANCE OF INTERESTED CITIZENS

None.

D. ACTION ITEMS

1. Dayton 2016 Wastewater System Improvements Presentation and Discussion

Scott Pingel gave an update on the funding for the replacement of the Main (Footbridge) Sewer Pump Station and the Ferry Street Trunk Sewer noting the Main Pump Station replacement as being the priority project. Denny Muchmore, City Engineer, gave an in depth update on the projects.

Suzanne (Zan) Kraus, 501 1st Street, Dayton, and Alan Christensen, 85 Alder Street, Dayton, both residents who own property near the proposed new Main Pump Station site, addressed the Council with various questions. Specifically, the paving of the area, the generator's location, the noise volume and emissions associated with the operation and testing of the generator, and any noise barriers the City will provide. Denny Muchmore will research their questions and provide answers as soon as possible.

2. Approval of the New Main Sewer Pump Station Site

JOHN BIXLER MOVED TO APPROVE THE MAIN PUMP STATION SITE AS PART OF THE DAYTON 2016 WASTERWATER SYSTEM IMPROVEMENTS. SECONDED BY ERIN TAYLOR. Motion carried with Bixler, Collins, Frank, Price and Taylor voting aye. Marquez and Wytoski absent.

E. CITY COUNCIL COMMENTS/CONCERNS

Annette Frank asked about gunshots she heard at her residence. Scott Pingel remarked that the gunshots were target shooting on private property off of Fletcher Road and were not associated with the traffic stop occurring at the same time.

F. INFORMATION REPORTS

1. City Manager's Report

Scott Pingel commented that door hangers were put out last week to all the residence's affected by the new Main Sewer Pump Station inviting them to the Council meeting.

City Hall Week is coming up. Keizer is the closest Host City and the date is Wednesday, September 14, 2016 at the Keizer Civic Center. Scott will email the information to everyone.

G. ADJOURN

There being no further business, the meeting adjourned at 8:25 pm.

Respectfully submitted:

By: Rochelle Roaden
City Recorder

APPROVED BY COUNCIL on October 3, 2016.

As Written As Amended

Elizabeth Wytoski, Mayor

MINUTES
DAYTON CITY COUNCIL
REGULAR SESSION
September 6, 2016

PRESENT: Mayor Elizabeth Wytoski
Councilor John Bixler
Councilor Erin Taylor

ABSENT: Councilor John Collins
Councilor Annette Frank
Councilor Trini Marquez
Councilor Darrick Price

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

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 not a quorum. Mayor Wytoski noted the absence of Councilors Collins, Frank, Marquez and Price.

C. APPEARANCE OF INTERESTED CITIZENS

None.

D. SCHOOL BOARD REPORT

Rita Stoller gave the update.

E. ADJOURN

There being no quorum, the meeting adjourned at 6:37 pm.

Respectfully submitted:

By: Rochelle Roaden
City Recorder

APPROVED BY COUNCIL on October 3, 2016.

As Written As Amended

Elizabeth Wytoski, Mayor

MINUTES
DAYTON CITY COUNCIL
WORKING/SPECIAL SESSION
September 19, 2016

PRESENT: Mayor Elizabeth Wytoski
Councilor John Bixler
Councilor John Collins
Councilor Annette Frank
Councilor Trini Marquez
Councilor Darrick Price

ABSENT: Councilor Erin Taylor

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

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 the there was a quorum with Councilors Bixler, Collins, Frank, Marquez and Price. Mayor Wytoski noted the absence of Councilor Taylor.

C. APPEARANCE OF INTERESTED CITIZENS

None.

D. CONSENT AGENDA

1. **Approval of Meeting Minutes**
 - a. **Regular Session, June 6, 2016**
 - b. **Special Session/Joint Work Session, June 20, 2016**

ANNETTE FRANK MOVED TO APPROVE THE MINUTES OF THE REGULAR SESSION OF JUNE 6, 2016 AND THE SPECIAL SESSION /JOINT WORKING SESSION OF JUNE 20, 2016. SECONDED BY TRINI MARQUEZ. Motion carried with Bixler, Collins, Frank, Marquez, Price and Wytoski voting aye. Taylor absent.

E. ACTION ITEMS

1. **Approval of Resolution 16/17-1 Amending the Planning Fees Table**

ANNETTE FRANK MOVED THE ADOPTION OF RESOLUTION 16/17-1 AMENDING THE PLANNING FEES TABLE. SECONDED BY JOHN COLLINS. Motion carried with Bixler, Collins, Frank, Marquez, Price and Wytoski voting aye. Taylor absent.

2. **Approval of Resolution 16/17-2 Declaring the Footbridge a Tourism-Related Facility**

JOHN COLLINS MOVED APPROVAL OF RESOLUTION 16/17-2 A RESOLUTION DECLARING THE FERRY STREET PEDESTRIAN BRIDGE OVER THE YAMHILL RIVER AS A TOURISM-RELATED FACILITY. SECONDED BY ANNETTE FRANK. *Motion carried with Bixler, Collins, Frank, Marquez, Price and Wytoski voting aye. Taylor absent.*

Councilor Bixler posed a question regarding the bypass project possibly affecting the bridge and thereby violating ORS 320.300 in some manner. Discussion continued.

3. **Dayton 2016 Wastewater System Improvements Discussion**

Scott Pingel gave an update on the project noting that this meeting was publicly noticed as a requirement by USDA. Additionally, the USDA interest rate will likely decrease from 2.5% to 2.0%.

4. **MBR-RO Discussion**

Scott Pingel gave an update of the MBR – RO system noting the frustration City Staff is having with the inconsistent performance of the MBR system which results in the inability of testing and running the RO system. City Staff is hesitant to recommend the fairly expensive electrical upgrades and larger blower costs (approximately \$75,000) James Reilly is recommending to expand the system and provide for it to run at optimal levels without more assurance the system will actually work. James Reilly remarked that an issue that is causing the inconsistent performance is not having a holding tank between the MBR and RO systems. He noted another issue as the need for more power to run more blowers which he started requesting in April. Discussion continued resulting in a consensus to put a holding tank in to test the performance of the MBR system.

JOHN COLLINS MOVED TO AUTHORIZE THE CITY MANAGER, SCOTT PINGEL, TO SEVER THE MAINTENANCE AGREEMENT WITH JAMES RILEY IF AND WHEN HE DEEMS NECESSARY. SECONDED BY JOHN BIXLER. *Motion failed with Bixler, Collins voting aye. Frank, Marquez, and Wytoski voting nay. Price recused himself. Taylor absent.*

DARRICK PRICE MOVED TO ADD THE REPLACEMENT OF THE 11TH STREET WATER LINE TO THE MEETING AGENDA. SECONDED BY JOHN COLLINS. *Motion carried with Bixler, Collins, Frank, Marquez, Price and Wytoski voting aye. Taylor absent.*

5. Replacement of the 11th Street Water Line

Scott Pingel reported on a water leak on 11th street about a week ago which has been temporarily fixed but needs a permanent solution as it is an emergency situation. Leo's Excavating was in town working on Alder Street and were able to provide the temporary fix. Steve Sagmiller reported that when the subdivision was originally plotted about 40 years ago all the water and sewer lines were installed incorrectly and the water line is actually above the curb line and is Schedule 160 irrigation pipe which is very thin. Isolation valves were also not originally used so that will be included in the permanent fix.

JOHN BIXLER MOVED APPROVAL OF DECLARING AN EMERGENCY OF THE REPLACEMENT OF THE 11TH STREET WATER LINE AND AWARDED THE PROJECT TO LEO EXCAVATING WITH A BUDGET NOT TO EXCEED \$49,999. SECONDED BY ANNETTE FRANK. *Motion carried with Bixler, Collins, Frank, Marquez, Price and Wytoski voting aye. Taylor absent.*

F. CITY COUNCIL COMMENTS/CONCERNS

John Bixler remarked about his concern for the amount of money being spent on research and development with the MBR-RO system. Discussion continued.

Annette Frank commented about a curve on Church Street from the high school, there is a home whose resident's park on both sides of the street going the wrong way. It causes a safety concern when driving down the street.

John Collins stated he does not have a good feeling about James Riley and the behavior he has displayed recently.

Trini Marquez commented on the condition of 212 Ferry Street and that children are now living there. Scott Pingel stated that City Staff is working on the nuisance code issues. The building inspector has walked by but the door has not been open.

Darrick Price briefed the council on his dealings with James Riley and apologized for having to recuse himself from the issue.

G. INFORMATION REPORTS

1. City Manager's Report

Scott Pingel reviewed the 2015-2016 Year End Budget vs Actual financial report noting that every fund except for the Sewer and Sewer Capital funds (due to the MBR-RO project, the Main Pump Station or lift station issues), we ended the year with much higher working capital

than we started.

H. ADJOURN

There being no further business, the meeting adjourned at 7:58 pm.

Respectfully submitted:

By: Rochelle Roaden
City Recorder

APPROVED BY COUNCIL on October 3, 2016.

As Written As Amended

Elizabeth Wytoski, Mayor

To: Honorable Mayor and City Councilors

From: Scott Pingel, City Manager

Issue: Approval of the 1st Reading of Ordinance 636 An Ordinance Amending Chapter 2 – Offenses, of the Dayton Municipal Code to Make Changes to Section 2.6 Discharge of Weapons.

Background and Information

Recently, Deputy Wilkinson along with other Yamhill County Sheriff’s Deputies responded to an incident where a resident was shooting a BB gun around town. The deputies were able to take care of the situation. Afterward, however, Deputy Wilkinson let me know that they were only able to give the shooter a warning because of the way the “Penalty of Violation” language reads in the code. Currently, the penalty of violation refers to the applicable ORS. The challenge with this is that the only ORS violation code for discharge of a weapon is under the criminal code. Even if Deputy Wilkinson could cite the shooter under the criminal code, it would get thrown out because a Circuit Court judge will not hear a municipal code matter. For this reason, we need to change this section of the code and refer it to our Fee Schedule. Deputy Wilkinson suggested that discharge of a weapon become a Class A violation, which is the highest class of violation in our code and carries a maximum fine of \$500.

City Manager Recommendation: I recommend approval of the first reading of Ordinance 636.

Relevant Council Goal: Goal F – Engage in efficient and effective activities to promote community safety and wellness

Potential Motion to Approve: “I move approval of the 1st Reading of Ordinance 636 An Ordinance Amending Chapter 2 – Offenses, of the Dayton Municipal Code to Make Changes to Section 2.6 Discharge of Weapons.”

Council Options:

- 1 – Approve the first reading as recommended.
- 2 – Approve the first reading with amendments.
- 3 – Take no action and direct staff to do further research or provide further options.

**ORDINANCE 636
CITY OF DAYTON, OREGON**

An Ordinance Amending Chapter 2 – Offenses, of the Dayton Municipal Code to Make Changes to Section 2.6 Discharge of Weapons.

WHEREAS, the City Council desires to amend Chapter 2 – Offenses, of the Dayton Municipal Code to make changes to section 2.6 Discharge of Weapons as attached in Exhibit A; and

WHEREAS, the City Council considered said amendments in a public meeting on October 3, 2016; and

WHEREAS, on October 3, 2016, the City Council considered the information provided by staff and deliberated on the proposed action.

The City of Dayton ordains as follows:

Section 1. The City Council hereby adopts Ordinance 636; and

Section 2. The City Council adopts the amendments to Chapter 2 of the Dayton Municipal Code attached as Exhibit A and incorporated by reference herein.

PASSED AND ADOPTED by the City Council of the City of Dayton on this ____ day of _____, 2016.

Mode of Enactment:

Date of first reading: _____ In full _____ or by title only _____

Date of second reading: _____ In full _____ or by title only _____

____ No Council member present at the meeting requested that the ordinance be read in full.

____ A copy of the ordinance was provided to each Council member; three copies were provided for public inspection in the office of the City Recorder no later than one week before the first reading of the Ordinance.

Final Vote:

In Favor:

Opposed:

Absent:

Abstained:

Mayor

Date of Signing

ATTESTED BY:

Rochelle Roaden
City Recorder

Date of Enactment

Exhibit A

(additions in italics and deletions in strikethrough)

2.6 Discharge of Weapons.

2.6.1 **Discharge Prohibited.** No person, other than a peace officer, may fire or discharge within the City any air gun, pellet gun, BB gun, bow and arrow, cross bow or any device defined as a weapon under Oregon Revised Statutes, except in defense of human life.

2.6.2 **Penalty of Violation.** A violation of any provision of section 2.6 of the Dayton Municipal Code is punishable as ~~stated in the applicable Oregon Revised Statute.~~ *a Class A violation under the City's Fee Schedule.*

To: Honorable Mayor and City Councilors

From: Scott Pingel, City Manager

Issue: Approval of Resolution 16/17-3 Amending Library Fines and Fees

Background and Information

From time to time, the Chemeketa Community Regional Library System (CCRLS) changes its fines and fees policy. This resolution simply makes those changes for the City's Library system in accordance with the CCRLS change. These changes were part of the renewed contract the City Council passed by resolution in June. This resolution is necessary to make the changes to the City's Fee Schedule.

City Manager Recommendation: I recommend approval of Resolution 16/17-3 A Resolution Amending Library Fines and Fees.

Potential Motion to Approve: "I move approval of Resolution 16/17-3 A Resolution Amending Library Fines and Fees."

Council Options:

- 1 – Approve Resolution 16/17-3 as recommended.
- 2 – Approve Resolution 16/17-3 with amendments.
- 3 – Take no action and direct staff to do further research or provide further options.

**RESOLUTION No. 16/17-3
City of Dayton, Oregon**

TITLE: *A Resolution Amending Library Fines and Fees.*

WHEREAS, the City of Dayton City Council adopted the City of Dayton Fee Schedule per Resolution No. 13/14-2; and

WHEREAS, Library Fines and Fees are included in the Fee Schedule; and

WHEREAS, the City of Dayton contracts with the Chemeketa Community Regional Library System (CCRLS) for system support and services; and

WHEREAS, CCRLS recently changed a few of their policies regarding fines and fees; and

WHEREAS, the City of Dayton desires to keep local policies in conformance with the regional system.

The City of Dayton resolves as follows:

- 1) **THAT** the Library Fines and Fees policy is hereby amended and adopted according to Exhibit A (attached hereto and made a part herein); and
- 2) **THAT** this resolution shall become effective immediately upon adoption.

ADOPTED this 3rd day of October 2016.

In Favor:

Opposed:

Absent:

Abstained:

Elizabeth Wytoski, Mayor

Date Signed

ATTEST:

**Rochelle Roaden
City Recorder**

Date of Enactment

Exhibit A

SECTION 8:

Library Fines and Fees

Adopted July 7, 2008

Resolution 08/09-02

\$60.00	Annual Fee for non-city and out of district residents wishing <u>for</u> full-service cards (please note – children’s cards through age <u>175</u> will still be available free of charge, but may only be used for children’s and young adult items.)
\$20.00	Local Option Card <u>annual fee</u> for non-city residents who wish to check out books only from our Library. Patrons with this type of card may also use it to place holds on Dayton items only.
\$0.00	Basic Card for Adult, Child, Teens and Seniors will still be free, but holders are limited to <u>10one</u> items checked out and <u>10one</u> items on hold at one time in the CCRLS system.
\$.25/day	Late Fees for Books & Audio Books
\$.50/day	Late Fees for Videos & DVD’s

Report Criteria:

Report type: Summary

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Check Amount	
08/16	08/11/2016	21940	1282	Natalie Hill	REFUND	1	100.100.750.20	.00	350.00-	V
08/16	08/31/2016	21980	1289	Jack Price Stables, Inc.	77	1	500.500.752.30	.00	200.00-	V
08/16	08/11/2016	21984	1288	Stoller Family Estate	61616	1	500.500.752.10	.00	4,040.00-	V
08/16	08/03/2016	22005	870	Heather Nelson	ADVANCE 0	1	100.000.201.00	.00	600.00	
08/16	08/10/2016	22006	513	Elizabeth Wytoski	REIMB 0810	4	500.500.752.00	.00	181.54	
08/16	08/15/2016	22007	679	A1 Backflow Services, LLP	7635	1	300.300.705.00	.00	20.00	
08/16	08/15/2016	22008	329	Alexonet Inc	866	10	400.400.705.30	.00	1,923.70	
08/16	08/15/2016	22009	179	Aramark Uniform Services	862473424	10	100.104.707.00	.00	204.96	
08/16	08/15/2016	22010	1292	Avista Technologies	60662	1	400.400.616.00	.00	1,346.74	
08/16	08/15/2016	22011	127	Baker & Taylor	Multiple	1	100.104.715.00	.00	573.98	
08/16	08/15/2016	22012	151	Beery, Elsner & Hammond	13086	2	100.100.700.00	.00	1,851.69	
08/16	08/15/2016	22013	250	Better Homes & Gardens	FULL YEAR	1	100.104.601.00	.00	10.99	
08/16	08/15/2016	22014	255	Cascade Columbia	673331	2	300.300.616.00	.00	1,889.00	
08/16	08/15/2016	22015	166	Cascade Form Systems	1527	2	400.400.601.00	.00	335.97	
08/16	08/15/2016	22016	105	City of Dayton	Multiple	1	300.301.707.00	.00	1,521.03	
08/16	08/15/2016	22017	379	City of Dundee	CCD 081816	1	500.500.752.00	.00	270.00	
08/16	08/15/2016	22018	362	City of Newberg	JULY 2016	2	100.106.716.00	.00	5,617.70	
08/16	08/15/2016	22019	169	City of Yamhill	00268	1	101.101.705.40	.00	250.00	
08/16	08/15/2016	22020	860	City Sweepers, LLC	9505	1	200.200.614.40	.00	390.00	
08/16	08/15/2016	22021	423	Comcast Cable	5130578164	1	300.301.602.00	.00	104.85	
08/16	08/15/2016	22022	1127	Copiers Northwest, Inc	INV1418286	10	400.400.601.00	.00	477.53	
08/16	08/15/2016	22023	111	DCBS Fiscal Services	JULY 2017	1	100.106.700.35	.00	671.12	
08/16	08/15/2016	22024	150	Debra Lien	REIMBURSE	1	100.104.601.00	.00	137.41	
08/16	08/15/2016	22025	789	Edge Analytical	Multiple	1	300.300.751.00	.00	288.00	
08/16	08/15/2016	22026	839	Ferguson Waterworks	0533094	1	300.300.616.20	.00	450.00	
08/16	08/15/2016	22027	614	Frontier	Multiple	1	300.300.602.00	.00	275.60	
08/16	08/15/2016	22028	694	GPEC Electrical Contractors	3634	1	300.300.614.40	.00	85.00	
08/16	08/15/2016	22029	167	GSI Water Solutions, Inc	0107.019-17	1	300.300.705.00	.00	460.00	
08/16	08/15/2016	22030	134	Iron Mountain Records Mgmt	MVT3836	10	400.400.601.00	.00	54.89	
08/16	08/15/2016	22031	107	League of Oregon Cities	Multiple	1	500.500.611.00	.00	930.00	
08/16	08/15/2016	22032	139	Lowe's	Multiple	6	400.400.617.00	.00	181.13	
08/16	08/15/2016	22033	1296	Maria Torres Cruz	WD REFUND	2	400.400.750.00	.00	47.80	
08/16	08/15/2016	22034	1295	Nancy Lee Hackworth	16-0139 REF	1	101.101.799.00	.00	60.00	
08/16	08/15/2016	22035	1282	Natalie Hill	REFUND V2	1	100.100.750.20	.00	350.00	
08/16	08/15/2016	22036	109	News Register	45152	1	100.100.725.00	.00	102.70	
08/16	08/15/2016	22037	871	OfficeMax Inc	Multiple	10	400.400.601.00	.00	149.64	
08/16	08/15/2016	22038	392	OLA/CSD	PERFORME	1	100.104.730.00	.00	5.00	
08/16	08/15/2016	22039	173	One Call Concepts, Inc.	6070356	2	400.400.799.00	.00	34.32	
08/16	08/15/2016	22040	163	Oregon Dept of Revenue	JULY 2016	1	101.101.700.35	.00	595.00	
08/16	08/15/2016	22041	1294	Oscar Marquez	REFUND	1	100.100.750.20	.00	200.00	
08/16	08/15/2016	22042	213	Pitney Bowes Purchase Power	072516	10	400.400.601.10	.00	10.80	
08/16	08/15/2016	22043	106	Recology Western Oregon	04930749	2	200.200.603.00	.00	240.38	
08/16	08/15/2016	22044	224	Ridgeway Supply	Multiple	1	300.300.616.00	.00	186.41	
08/16	08/15/2016	22045	1194	Rochelle Roaden	REIMB 08/16	21	100.105.611.00	.00	91.00	
08/16	08/15/2016	22046	751	Roth Heating & Cooling	VW19772	1	100.100.707.30	.00	545.00	
08/16	08/15/2016	22047	615	Schneider Water Services	7977	1	300.300.614.40	.00	4,731.70	
08/16	08/15/2016	22048	937	Schulz-Clearwater Sanitation, Inc	Multiple	1	100.103.619.00	.00	282.00	
08/16	08/15/2016	22049	1288	Stoller Family Estate	61616REVIS	1	500.500.752.10	.00	2,040.00	
08/16	08/15/2016	22050	1027	Sunny Bowlin	REFUND	1	300.300.750.00	.00	4.78	
08/16	08/15/2016	22051	171	Terminix Processing Center	357111724	10	100.104.707.00	.00	70.00	
08/16	08/15/2016	22052	225	USA Bluebook	I57138	1	400.400.616.00	.00	858.76	
08/16	08/15/2016	22053	186	VFW post # 10626	16-007	1	101.101.705.00	.00	37.50	
08/16	08/15/2016	22054	154	Westech Engineering, Inc	Multiple	1	700.700.910.40	.00	7,104.30	

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Check Amount
08/16	08/15/2016	22055	112	Wilco	107951	7	400.400.614.10	.00	640.76
08/16	08/15/2016	22056	115	Yamhill County Sheriff	16-007	1	101.101.700.35	.00	197.00
08/16	08/15/2016	22057	117	YCOM	2016-2BB	1	101.101.770.00	.00	2,331.41
08/16	08/18/2016	22058	1110	James P. Reilly	01-00008	1	700.700.910.00	.00	4,500.00
08/16	08/18/2016	22059	1285	Victoria Jelderks P.E.	01-00014	1	700.700.910.00	.00	4,999.00
08/16	08/18/2016	22060	150	Debra Lien	REIMB PETT	2	500.500.752.10	.00	157.67
08/16	08/31/2016	22061	1221	A1 Janitorial Supply	A1S24627P	1	400.400.616.00	.00	563.06
08/16	08/31/2016	22062	190	AFLAC	750508	1	100.000.220.00	.00	189.52
08/16	08/31/2016	22063	1292	Avista Technologies	60905	1	400.400.614.40	.00	1,107.00
08/16	08/31/2016	22064	127	Baker & Taylor	Multiple	1	100.104.715.00	.00	21.44
08/16	08/31/2016	22065	255	Cascade Columbia	Multiple	2	400.400.616.00	.00	1,602.00
08/16	08/31/2016	22066	189	CIS Trust	SEPT 2016	22	400.400.594.00	.00	8,070.80
08/16	08/31/2016	22067	519	Comcast Cable - phone	0011596 081	10	400.400.602.00	.00	304.01
08/16	08/31/2016	22068	670	Corey Brown	EXP REIMB	2	400.400.611.00	.00	1,056.18
08/16	08/31/2016	22069	1299	Craig & Valarie Snider	REFUND 08	1	300.300.750.00	.00	5.45
08/16	08/31/2016	22070	532	Dayton Community Development	1043	1	500.500.752.60	.00	4,000.00
08/16	08/31/2016	22071	339	Dayton School District	REFUND 08	1	100.100.750.20	.00	50.00
08/16	08/31/2016	22072	789	Edge Analytical	Multiple	1	300.300.751.00	.00	840.00
08/16	08/31/2016	22073	1304	Equestrian Wine Tours	10	1	500.500.752.30	.00	200.00
08/16	08/31/2016	22074	543	Ferrellgas	1092977050	1	100.100.600.10	.00	142.78
08/16	08/31/2016	22075	614	Frontier	8643275 081	1	400.400.602.00	.00	82.14
08/16	08/31/2016	22076	891	Gopher Patrol	11270	1	400.400.614.40	.00	570.00
08/16	08/31/2016	22077	542	Grainger	9198229552	4	400.400.616.00	.00	296.35
08/16	08/31/2016	22078	178	Hach Company	10030722	2	400.400.614.00	.00	3,856.00
08/16	08/31/2016	22079	1303	Isabel & Angel Aguiar	REFUND 08	2	400.400.799.00	.00	109.53
08/16	08/31/2016	22080	1298	Janet Phillips	REFUND 08	2	400.400.750.00	.00	44.49
08/16	08/31/2016	22081	1300	Joel Escamilla	REFUND 08	1	100.100.750.20	.00	650.00
08/16	08/31/2016	22082	1297	John & Thelma Knox	REFUND 08	1	300.300.750.00	.00	1.36
08/16	08/31/2016	22083	313	Little Fire Equipment	8815	10	400.400.601.00	.00	528.70
08/16	08/31/2016	22084	139	Lowe's	Multiple	3	100.100.904.40	.00	1,605.82
08/16	08/31/2016	22085	1301	Maria S Vargas	REFUND 08	1	100.100.750.20	.00	650.00
08/16	08/31/2016	22086	121	McMinnville Water & Light	67508 08161	1	300.301.600.00	.00	647.08
08/16	08/31/2016	22087	124	Mid-Willamette Valley COG	1617061	1	100.105.705.20	.00	217.25
08/16	08/31/2016	22088	109	News Register	RENEWAL 0	1	100.104.601.00	.00	89.00
08/16	08/31/2016	22089	392	OLA/CSD	H NELSON	1	100.104.730.00	.00	5.00
08/16	08/31/2016	22090	256	Oregon Dept of Revenue	AUGUST 20	1	100.000.212.00	.00	2,073.29
08/16	08/31/2016	22091	103	PGE	Multiple	1	400.400.600.00	.00	8,532.96
08/16	08/31/2016	22092	621	Portland Engineering, Inc	5896	2	300.301.705.00	.00	60.00
08/16	08/31/2016	22093	1079	Portland General Electric	M2147850	1	200.200.799.00	.00	150.00
08/16	08/31/2016	22094	903	Scott Pingel	REIMB 0831	10	400.400.611.00	.00	38.23
08/16	08/31/2016	22095	1302	Sector 5 Productions	REFUND 08	2	400.400.750.00	.00	91.16
08/16	08/31/2016	22096	119	Sprint	414585229-1	10	400.400.602.00	.00	315.11
08/16	08/31/2016	22097	477	Steve Sagmiller	REIMB 0829	2	400.400.611.00	.00	176.90
08/16	08/31/2016	22098	171	Terminix Processing Center	357661014	1	100.100.707.30	.00	56.00
08/16	08/31/2016	22099	1006	US Bank	Multiple	10	400.400.611.00	.00	893.41
08/16	08/31/2016	22100	225	USA Bluebook	031771	1	400.400.616.00	.00	879.68
08/16	08/31/2016	22101	114	Yamhill County Sheriff	AUGUST 20	1	101.101.705.10	.00	10,627.26
Grand Totals:								.00	98,484.72