

MINUTES
DAYTON CITY COUNCIL
WORKING/SPECIAL SESSION
October 17, 2016

PRESENT: Mayor Elizabeth Wytoski
Councilor John Bixler
Councilor John Collins
Councilor Annette Frank
Councilor Trini Marquez (arrived 6:44pm)

ABSENT: Councilor Darrick Price
Councilor Erin Taylor

STAFF: Scott Pingel, City Manager
Rochelle Roaden, City Recorder
Laura LaRoque, City Planner

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 and Frank. Mayor Wytoski noted the absence of Councilors Marquez, Price and Taylor.

C. APPEARANCE OF INTERESTED CITIZENS

No one present.

D. CONSENT AGENDA

1. **Approval of Meeting Minutes**
 - a. Special Session, September 26, 2016
 - b. Regular Session, October 3, 2016

JOHN BIXLER MOVED TO APPROVE THE MINUTES OF THE SPECIAL SESSION OF SEPTEMBER 26 AND THE REGULAR SESSION OF OCTOBER 3, 2016 AS WRITTEN. SECONDED BY JOHN COLLINS. Motion carried with Bixler, Collins, Frank, and Wytoski voting aye. Marquez, Price and Taylor absent.

E. ACTION ITEMS

1. **Approval of Second Reading of Ordinance 636 Amending the Penalty for Discharge of Weapons**

John Collins performed the second reading of Ordinance 636.

JOHN BIXLER MOVED TO APPROVE THE SECOND READING OF ORDINANCE 636 AN ORDINANCE AMENDING CHAPTER TWO-OFFENSES, OF THE DAYTON MUNICIPAL CODE TO MAKE

CHANGES TO SECTION 2.6 DISCHARGE OF WEAPONS. SECONDED BY JOHN COLLINS. *Motion carried with Bixler, Collins, Frank, and Wytoski voting aye. Marquez, Price and Taylor absent.*

2. Adoption of Ordinance 636 Discharge of Weapons

Councilor Frank asked if air guns were considered weapons and discussion followed regarding what is defined as a weapon and what is allowed within City limits.

JOHN BIXLER MOVED TO ADOPT ORDINANCE 636 AN ORDINANCE AMENDING CHAPTER 2-OFFENSES OF THE DAYTON MUNICIPAL CODE TO MAKE CHANGES TO SECTION 2.6 DISCHARGE OF WEAPONS. SECONDED BY ANNETTE FRANK. *Motion carried with Bixler, Collins, Frank, and Wytoski voting aye. Marquez, Price and Taylor absent.*

3. Approval of Intergovernmental Agreement with ODOT

Scott Pingel reviewed the changes on the 3rd Street ADA Improvements Agreement with a soft budget of \$94,500 which will be reimbursed to the City. The terms of the agreement have a placeholder of \$50,000 as an estimated budget with the total project cost being subject to change. The agreement to be signed will be updated with the correct changes (page 17 “surface jurisdiction”; page 27 “Exhibit A – Project Locations” updated with all locations) and project budget numbers.

ANNETTE FRANK MOVED TO APPROVE RESOLUTION 16/17-4 A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE OREGON DEPARTMENT OF TRANSPORTATION TO REIMBURSE THE CITY FOR 3RD STREET SIDEWALK IMPROVEMENTS FOR AMERICANS WITH DISABILITIES ACT COMPLIANCE AND AUTHORIZE THE CITY MANAGER TO SIGN THE AGREEMENT WHEN HE DEEMS IT AGREEABLE WITH THE UNDERSTANDING THAT THE \$50,000 BUDGET ESTIMATE IS A PLACEHOLDER FOR A MORE DETAILED AND ACCURATE BUDGET ESTIMATE, AND AUTHORIZE THE CITY MANAGER TO NEGOTIATE MINOR CHANGES IN THE AGREEMENT, AND TO NEGOTIATE A FINAL BUDGET NUMBER FOR THE AGREEMENT. SECONDED BY JOHN COLLINS. *Motion carried with Bixler, Collins, Frank, Marquez and Wytoski voting aye. Price and Taylor absent.*

4. Urban Growth Boundary Adjustment Process Presentation and Discussion

Laura LaRoque, City Planner, gave an update on Oregon’s land use planning program in regards to UGB adjustment/swap options, the process including the completion of a simplified land inventory and costs involved. Discussion followed.

5. Noise Code Discussion

Scott Pingel, City Manager, presented noise code language examples from other cities to review and determine what changes the Council would like to make to the current code. Mayor Wytoski commented that updating the language is a good idea but due to noise being so subjective that getting too detailed may not be the best approach. Discussion continued and it was decided to focus on specific distances or area instead of trying to define decibels.

F. CITY COUNCIL COMMENTS AND CONCERNS

Trini Marquez asked if the 3rd Street ADA improvements will affect the drainage on 3rd street. Scott Pingel said it would not. Trini also inquired as to who pruned the trees on the street in front of her home.

John Collins had a conversation with the McMinnville airport manager after he submitted a formal complaint about the flight pattern going right over his property. There is a brochure given to pilots that has certain areas that landowners have asked to not have planes fly over. He would like the City of Dayton to be included in this brochure to deal with the planes making their approach over the City.

Annette Frank asked if the City code deals with homeowners who have cameras outside their homes directed at their neighbors property. Scott Pingel will research.

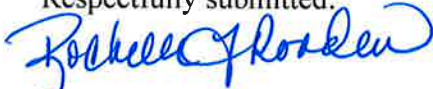
G. INFORMATION REPORTS

1. City Manager Report

H. ADJOURN

There being no quorum, the meeting adjourned at 8:00 pm.

Respectfully submitted:



By: Rochelle Roaden
City Recorder

APPROVED BY COUNCIL on January 3, 2017.

As Written As Amended


Elizabeth Wytoski, Mayor