

MINUTES
DAYTON CITY COUNCIL
REGULAR SESSION
July 2, 2018

PRESENT: Mayor Elizabeth Wytoski
Councilor John Bixler
Councilor John Collins
Councilor Kitty Mackin
Councilor Trini Marquez
Councilor Darrick Price

ABSENT: Councilor Nikki McGraw

STAFF: Zoe Monahan, 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 6:31 pm and those present gave the Pledge of Allegiance.

B. ROLL CALL

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

C. APPEARANCE OF INTERESTED CITIZENS

Larry Smurthwaite, 773 Joel Palmer Way, Dayton, Oregon, stated he is here to discuss a situation on Joel Palmer Way regarding the city and county boundary jurisdiction. A motor home, previously parked on Joel Palmer Way, has been moved and is now parked on a lot located within Yamhill County's boundary but still in clear sight. He is questioning whether the City has any jurisdiction over lots located in the county. Mayor Wytoski advised the City has previously looked in to complaints regarding this area but because the lots aren't within City limits and are on private property the City has very limited authority. She has been in contact with the county and stated that one of their commissioners will have their attorney look into this and how they can support us. Discussion continued.

D. CONSENT AGENDA

1. Approval of Meeting Minutes
 - a. Regular Session, February 5, 2018
 - b. Regular Session, March 5, 2018

KITTY MACKIN MOVED TO APPROVE THE MINUTES OF THE REGULAR SESSION OF FEBRUARY 5, 2018, AND REGULAR SESSION MINUTES OF MARCH 5, 2018, AS WRITTEN. SECONDED BY TRINI MARQUEZ. *Motion carried with Bixler, Collins, Mackin, Marquez, Price and Wytoski voting aye. McGraw absent.*

E. ACTION ITEMS

1. Approval of Second Reading of Ordinance 642 Development Code - ADU

John Bixler performed the second reading of Ordinance 642 Development Code – ADU.

JOHN COLLINS MOVED TO APPROVE THE SECOND READING OF ORDINANCE 642 AN ORDINANCE AMENDING THE DAYTON DEVELOPMENT CODE, CHAPTER 7 OF THE DAYTON MUNICIPAL CODE, RELATED TO ACCESSORY DWELLINGS UNITS AND RESIDENTIAL USES ON RESIDENTIAL PROPERTIES OCCUPIED BY HOUSES OF WORSHIP, AND DECLARING AN EMERGENCY (Case No. LUCA 18-01). SECONDED BY DARRICK PRICE. *Motion carried with Bixler, Collins, Mackin, Marquez, Price and Wytoski voting aye. McGraw absent.*

2. Adoption of Ordinance 642 Development Code - ADU

JOHN COLLINS MOVED TO ADOPT ORDINANCE 642 AN ORDINANCE UPDATING THE DAYTON LAND USE AND DEVELOPMENT CODE (DLUDC) TO PERMIT ACCESSORY DWELLING UNITS (ADUS) IN ALL ZONES WHERE SINGLE-FAMILY DWELLINGS ARE PERMITTED AND TO SET STANDARDS RELATED TO ADUS. ADMENDMENTS TO ADDRESS RESIDENTIAL DEVELOPMENT IN RESIDENTIAL ZONES WHERE A HOUSE OF WORSHIP EXISTS. SECONDED BY JOHN BIXLER. *Motion carried with Bixler, Collins, Mackin, Marquez, Price and Wytoski voting aye. McGraw absent.*

3. Approval of Resolution 18/19-1 Local Option Levy

Zoe Monahan, City Manager, stated that the City’s Local Option Levy for police services was briefly discussed by the City Council at their goal setting meeting in March 2018. The City Council expressed an interest in renewing the local option levy at its current rate for another 3 years, starting in 2019 and evaluating a potential 5 year local option levy in the future.

KITTY MACKIN MOVED TO APPROVE RESOLUTION 18/19-1 A RESOLUTION OF THE DAYTON CITY COUNCIL SUBMITTING TO THE REGISTERED VOTERS OF THE CITY FOR THEIR

APPROVAL A LOCAL OPTION TAX AT A RATE OF \$1.85 PER \$1,000 OF ASSESSED VALUE ANNUALLY FOR 3 YEARS BEGINNING IN FISCAL YEAR 2019-2020 TO PROVIDE POLICE SERVICES. SECONDED BY TRINI MARQUEZ. *Motion carried with Bixler, Collins, Mackin, Marquez, Price and Wytoski voting aye. McGraw absent.*

4. Approval of Resolution 18/19-2 Purchase Sales Agreement with Yamhill County

Zoe Monahan stated the City Council has expressed interest in affordable housing development. The City has the opportunity to purchase 12 lots within the City of Dayton for \$30,989 from Yamhill County. All of these properties are foreclosures. The City will pay the back taxes and half of the associated fees to acquire these properties.

John Collins stated he would like to see the City take the opportunity with the 12 votes they will acquire to create bylaws, set up a general fund and a reserve fund account for the Homeowners Association. He would also like to encourage a General Membership Meeting to discuss creating a plan regarding the infrastructure of Dayton Village, stating they currently do not have a plan in place to repair or maintain the common areas.

JOHN COLLINS MOVED TO APPROVE RESOLUTION 18/19-2 A RESOLUTION APPROVING THE PURCHASE SALES AGREEMENT WITH YAMHILL COUNTY AND AUTHORIZING MAYOR WYTOSKI TO SIGN THE AGREEMENT ON BEHALF OF THE CITY OF DAYTON. SECONDED BY JOHN BIXLER. *Motion carried with Bixler, Collins, Mackin, Marquez and Wytoski voting aye. McGraw absent and Price recused.*

5. Approval of Resolution 18/19-3 General Fund Transfer to Building Reserve Fund

Zoe Monahan stated that in the FY 2018-2019 Budget, the City did not allocate funds to be spent out of the Building Reserve Fund. The \$152,418 fund was all put into the unappropriated ending fund balance category to save for a future City Hall Building. There is \$162,549 available in the General Fund contingency line item. The City can transfer \$30,989 to the Building Reserve fund for this purchase. In order to transfer the fund from the General Fund to the Building Reserve Fund, the Council is required to pass a resolution.

KITTY MACKIN MOVED TO APPROVE RESOLUTION 18/19-3 A RESOLUTION AUTHORIZING THE TRANSFER OF \$30,989 FROM THE GENERAL FUND TO THE BUILDING RESERVE FUND. SECONDED BY TRINI MARQUEZ. *Motion carried with*

Bixler, Collin, Marquez, Mackin and Wytoski voting aye. McGraw absent and Price recused.

6. Approval of Resolution 18/19-4 Refreshing Youth Collections Grant Award/MOU

Zoe Monahan stated that the City of Dayton was awarded \$3,000 from the State Library of Oregon to purchase resources which will be added to the youth collection. In order to receive the funds up front rather than a reimbursement, a Memorandum of Understanding (MOU) is needed. The State has identified a list of acceptable books. The reading material must be on one of the lists to qualify for this funding. The state will provide the funds once the MOU is signed.

JOHN BIXLER MOVED TO APPROVE RESOLUTION 18/19-4 A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDAM OF UNDERSTANDING WITH THE STATE LIBRARY OF OREGON FOR THE USE OF REFRESHING YOUTH COLLECTIONS INITIATIVE FUNDS. SECONDED BY KITTY MACKIN. *Motion carried with Bixler, Collins, Mackin, Marquez, Price and Wytoski voting aye. McGraw absent.*

7. Cost of Living Adjustment (COLA) Discussion/Approval

Zoe Monahan stated that each year the City Council reviews the recommendations of the City Manager for employee benefits and salary range adjustments for the upcoming year. She recommends the City Council provide a Cost of Living Adjustment (COLA) of 2% to City Staff for the 2018-2019 fiscal year.

John Collins stated he has concerns regarding the proposed 2% COLA advising he thinks it is too low and suggested it be increased by 1/2%. He also suggested adding to policy that the CPI-W West-Size Class BC be used in determining the Cost of Living Adjustments.

KITTY MACKIN MOVED TO APPROVE THE AMENDED COST OF LIVING ADJUSTMENT FOR CITY STAFF OF 2.5% EFFECTIVE JULY 1, 2018. SECONDED BY DARRICK PRICE. *Motion carried with Bixler, Collins, Mackin, Marquez, Price and Wytoski voting aye. McGraw absent.*

8. League of Oregon Cities Priority Discussion

Zoe Monahan advised that the League of Oregon Cities has asked the City to provide the top four issues it recommends be added to the priorities for the League's 2019 legislative agenda. She has identified her top four recommendations. Mayor Wytoski asked if Council would like to first review the list and make their top selections before hearing the City Managers. It was collectively determined that Annexation Flexibility, Infrastructure Financing and Resilience,

Place-Based, Water Resource Planning (Program Support) and Waste Water Technical Assistance Program will be the Council's recommendation. Discussion continued.

KITTY MACKIN MOVED TO AUTHORIZE ZOE MONAHAN, CITY MANAGER, TO INDICATE TO THE LEAGUE OF OREGON CITIES OUR PRIORITIES OF ANNEXATION FLEXIBILITY, INFRASTRUCTURE FINANCING AND RESILIENCE, PLACE-BASED, WATER RESOURCE PLANNING (PROGRAM SUPPORT) AND WASTE WATER TECHNICAL ASSISTANCE PROGRAM. SECONDED BY DARRICK PRICE.
Motion carried with Bixler, Collins, Mackin, Marquez, Price and Wytoski voting aye. McGraw absent.

F. CITY COUNCIL COMMENTS AND CONCERNS

John Collins commented on the issue of camping in vehicles. Living across the street from Courthouse Square Park he has noticed vehicles that park overnight stating that in the last 120 days he has counted at least 200 vehicles that have parked overnight. He believes people are living in their vehicles and foresees this problem increasing. A discussion ensued regarding the possibility of establishing a camping ordinance. He also stated that he saw a young teen who bent a picnic table in the park. He spoke with him and although he wasn't successful the teen did try to fix the table.

Trini Marquez expressed a concern regarding people going through the trash both curbside and on private property. Mayor Wytoski mentioned that she is aware of two men who go through garbage cans looking for recyclables. One of them donates the funds he receives from recycling to Freedom House Church to help purchase bread for their give-a-ways. Trini Marquez also mentioned noticing park benches stacked in the bandstand expressing her concern for the safety of those utilizing the park. John Collins stated the benches are generally stacked there to keep them from getting wet on the grass.

Kitty Mackin asked about Andrew Smith Park, stating the grass needs to be mowed and there are quite a few weeds that need to be taken care of. She also mentioned Courthouse Square Park inquiring why the fountain is still running when the City is asking residents to conserve water. She feels the perception is that the City is asking for conservation but is not doing it themselves. Mayor Wytoski advised when there are water restrictions in place the fountain is turned off. Discussion continued. Kitty Mackin advised she would like to follow-up with the County Commissioners regarding ODOT and ADA concerns, Mayor Wytoski advised the Commissioners contact information is posted on the Board of Commissioners website.

G. INFORMATION REPORTS

1. City Manager Report

Zoe Monahan stated the footbridge was closed on June 26, 2018, due to safety concerns. The City is looking at several options such as having a load assessment done, working with Business Oregon

regarding their One Stop Program funding sources and having students from the University of Oregon who will look at different funding option for repairing the footbridge. Discussion continued.

The Yamhill County Sheriff's office notified us that a new Deputy has been assigned to the City.

In August the City will be moving forward with another Small Cities Allotment grant.

Zoe Monahan attended the Planning Commission training and has materials which she offered to share with Council. She will also be attending the OCCMA Conference is next week.

H. ADJOURN

There being no further business, the meeting adjourned at 8:12 pm.

Respectfully submitted:



By: Rochelle Roaden
City Recorder

APPROVED BY COUNCIL on October 1, 2018.

As Written **As Amended**


Elizabeth Wytoski, Mayor