

**AGENDA  
DAYTON CITY COUNCIL  
WORK/SPECIAL SESSION**



**DATE:** TUESDAY, JANUARY 18, 2022  
**TIME:** 6:30 PM  
**VIRTUAL:** ZOOM MEETING – ORS 192.670/HB 2560

If you would like to attend the meeting virtually, please click the link: <https://us06web.zoom.us/j/84897226900>  
to join the webinar or Telephone: 1 720 707-2699 or 1 253 215-8782

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

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<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE #</u>
A.	CALL TO ORDER	
B.	ROLL CALL	
C.	APPEARANCE OF INTERESTED CITIZENS	
<div style="border: 1px solid black; padding: 5px; background-color: #f0f0f0;"><b>This time is reserved for questions or comments from persons in the audience on any topic.</b></div>		
D.	<b>DISCUSSION ITEMS</b>	
	1. Approval of Dayton’s Building Operations Plan	1-12
	2. Police Services Levy – Discussion	
	3. City of Dayton 2021 Survey Results – Discussion	13-47
	4. Council Rules Review/Update – Discussion	49-72
E.	<b>CITY COUNCIL COMMENTS/CONCERNS</b>	
F.	<b>INFORMATION REPORTS</b>	
	1. City Manager’s Report	73-74
G.	<b>ADJOURN</b>	

Posted: January 14, 2022  
Patty Ringnald, 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 DATE  
City Council Regular Session, Monday, February 7, 2022 – virtually via Zoom  
City Council Regular Session, Monday, March 7, 2022 – virtually via Zoom



**To:** Honorable Mayor and City Councilors  
**From:** Rochelle Roaden, City Manager  
**Issue:** Approval of Dayton's Building Operations Plan  
**Date:** January 18, 2022

**Background and Information**

On January 1, 2022, OAR 918-020-0105, Renewal of Existing Programs, Building Codes Division Chapter 918's updated rules went into effect. Under the new rules, municipalities that administer an existing Building Program and procure services from a contract building official must notify the Department of Consumer and Business Services, Building Code Division, State of Oregon as well as submit an operating plan and a copy of the City's fee schedule by January 31, 2022.

Attached in your packet is the City of Dayton's Building Department Operations Plan for your review. This is based on the City of Newberg's plan as they are our contracted Building Official.

**City Manager Recommendation:** I recommend approval.

**Potential Motion to Approve:** "I move to approve the City of Dayton's Building Operations Plan."

**Council Options:**

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

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# OPERATING PLAN

## City of Dayton Building Department

416 Ferry Street  
PO Box 339  
Dayton, Oregon 97114  
[www.ci.dayton.or.us](http://www.ci.dayton.or.us)

Updated: January 18, 2022

Contact Person: Rochelle Roaden, City Manager  
[rroaden@ci.dayton.or.us](mailto:rroaden@ci.dayton.or.us)  
[www.ci.dayton.or.us](http://www.ci.dayton.or.us)  
(503) 864-2221

## ADMINISTRATIVE STANDARDS

The City of Dayton contracts building inspection services through the City of Newberg's Building Division by an intergovernmental agreement (IGA) since April 13, 2009. Such contracts are authorized and provided for by the provisions of ORS 190.010. Services provided by the City of Dayton and City of Newberg are indicated individually in each section below.

### A. Funds

The City of Dayton Building Department is a department of the City of Dayton's General Fund. The Department is a fee supported enterprise fund. Fees collected are used to fund the Building Department's operation in conformance to ORS 455.210.3(c).

Monies collected are accounted for separately by function and expenditure and are listed as separate line items.

Any fee changes to add new or change existing fees will be processed in compliance with OAR 918-020-0220.

### B. Retention & Reference of Records

All records required by the State Archivist will be maintained through "hard copies". Residential, commercial, and industrial permits have been electronically archived. All residential, commercial and industrial plans are placed in storage in accordance with state record retention rules. Electronically archived items are available to view through a pdf file placed on the server. Building permit record retention is handled by the Dayton Building Department.

### C. Equipment

City of Dayton staff is supplied with the equipment reasonably necessary to administer and enforce the state specialty codes and other functions in an efficient, effective, timely and acceptable manner. Such equipment may include, but is not limited to, vehicles, computers, copiers, cellular telephones, code books, forms, business cards, identification, and other resources necessary to carry out their individual functions.

### D. Authority and Responsibilities of the Building Official, Plan Reviewers and Inspectors

**Building Official:** Newberg Building Official provides interpretations of the Oregon Structural Specialty Code in conformance with the intent and purpose of the code and adopts and enforces rules and supplement regulations to clarify the application of its provisions.

**Plans Examiners:** Newberg Plans Examiners examine construction plans, blueprints, architectural drawings, designs, and other documents for compliance with codes for commercial and industrial structures, one- and two-family dwellings, mechanical, plumbing, energy and fire protection. Plans Examiners provide code interpretation guidance and council on technical issues and technology and advice and problem-solving assistance to division staff, the public, architects, engineers and designers. Plans Examiners may also perform structural, mechanical, and plumbing inspections as certified and needed.

**Structural/Mechanical Inspectors:** Newberg Building Division Structural and Mechanical Inspectors enforce the State of Oregon Structural and Mechanical Codes through plan reviews and inspections on structures of all levels of complexity and may perform plumbing inspections as needed and certified.

**Plumbing Inspectors:** Newberg Plumbing Inspectors enforce the State of Oregon Plumbing Code through plan reviews and inspections on structures of all levels of complexity and may perform structural and mechanical inspections as needed and certified.

**Electrical Inspectors:** Yamhill County Electrical Inspectors enforce the State of Oregon Electrical Code through inspections of all types of structures.

## **E. Appeals Process to the Building Official**

When there is an appeal of a Newberg Building Division staff interpretation of code during plan review or inspection, the following process is followed:

**Plan Review Appeal:** In an informal appeal of a Newberg plans examiner's decision, the appeal is forwarded to the Building Official. After consultation with the appellant and the appropriate technical staff, the Building Official reviews the request and may respond either verbally or in writing depending on the request of the appellant.

**Inspection Appeal:** In an informal appeal of a Newberg inspector's interpretation of code, the following process is used:

In the structural and mechanical code section, the appeal is forwarded to the Newberg Plans Examiner who reviewed the structure or system. The plans examiner may make a decision on the matter and respond either verbally or in writing depending on the request of the appellant.

In the plumbing code section, the appeal is forwarded to the Chief Newberg Plumbing Inspector for review. The Chief Plumbing Inspector may make a decision on the matter and respond either verbally or in writing depending on the request of the appellant.

**Building Official Appeal:** In the structural, mechanical, and plumbing code sections, the appeal may be further appealed to the Newberg Building Official for a decision. After consultation with the appellant and the appropriate technical staff, the Newberg Building Official reviews the request and may respond either verbally or in writing depending on the request of the appellant. If the appeal is clearly an interpretation, the matter may be appealed to the State of Oregon Building Codes.

**State of Oregon Appeals:** Following a decision by the Newberg Building Official, the appellant may further appeal to the State of Oregon Building Codes. The applicant is advised of the procedures contained in the follow:

- OAR 918-001-0130 – Alternative appeal procedures.
- ORS 455.060 – Rulings on acceptability of material, design or method of construction, effect of approval; and
- ORS 455.475 – Appeal of decision of the Newberg Building Official.

**F. Receipts Collected in the Administration and Enforcement of Building Inspection Programs**

**Expenditures:** The City of Dayton’s Building Department (Department), in conformance with City budget policy, has one combined budget. The Dayton Building Department accounts separately for expenses for each function in the budget, including expenditure charges for City administrative overhead and for internal Department overhead charges.

**Revenue:** The Dayton Building Department is totally fee dependent for its operation. All revenue in excess of operational expenses is maintained by the Department in a General Fund Balance Account. Unless otherwise mandated by the City Council, this account is to be kept at a maximum of two year’s operating expenses. The Division tracks revenue by individual function. For management purposes the Newberg Building Official keeps both monthly and yearly track of expenses and revenue for each functional area of the Division. This is a budgetary requirement of the city.

**G. Availability of Operating Plan**

A copy of the Operating Plan will be on file with the City of Dayton’s Planning & Building Department. It may be reviewed upon request. The address is 416 Ferry Street, PO Box 339, Dayton, OR 97114. The Operating Plan will also be available on the Internet at the City of Dayton web site at [www.ci.dayton.or.us](http://www.ci.dayton.or.us).

**H. Hours of Operation for Public Inquiries, Comments, Complaints, Customer Questions, Obtaining Permits, Issuance of Permits and Inspection Requests**

The Dayton Building Department is open to the public Monday through Friday, excluding holidays, from 8:00 a.m. to noon and from 1:00 pm to 5:00 p.m. Dayton Building Department Staff is also available by telephone, in person, by electronic mail, mail, and fax between these hours. The phone number is 503-864-2221. We also have a fax machine operating 24 hours a day, seven days a week. The primary fax number is 503-864-2956. Newberg’s inspection request fax number is 503-554-7714. The inspection address is City of Newberg, 414 East First Street, PO Box 970, Newberg, OR 97132.

**I. Identification of Persons Requiring These Rules**

The Dayton Building Department does not maintain any list to which notices should be sent regarding these rules.

**PERMITTING STANDARDS**

**A. Policies and Procedures for Receiving Permit Applications**

Prior to plan submittal, the applicant may be asked to obtain the approval of several Dayton in-house Departments. The city will follow the procedures and plan review checklists developed by the City of Dayton. Planning and engineering approval may be required.

**Building, Mechanical, Plumbing and Manufactured Building Permits:** Building permits may be taken in over the counter, by mail, electronic mail, and fax. Plan submittal requirements are available by fax, phone, mail, electronic mail, the City of Dayton’s website or in person at the counter at Dayton City Hall. Prior to issuance of the permits the Dayton Building Department verifies contractor licenses and registration.

It is necessary, for Dayton Building staff, to review the permit application before it is accepted for processing. Applicants of incomplete permits are notified of any problems. If the plans are complete and free of obvious error, the plans are processed and submitted to Newberg Building Division. Being deemed complete at the counter does not mean the information submitted is correct.

When the Newberg plan examiner begins reviewing the plan and finds incorrect or incomplete information, such as engineering calculations, the applicant will be notified by Newberg Building staff of the need for additional or corrected information.

**Electrical Permits:** Yamhill County provides Electrical Inspection Services for The City of Dayton.

**B. Third Party Plan Review Services**

City of Newberg, when necessary, will solicit parties to provide third-party plan review services. Both the solicitation and all contracts will be reviewed and approved by the City of Newberg’s Attorney to assure compliance with applicable laws. Applicants must have the appropriate license. Three contractors will be chosen from those applying, based on their proposed efficiency of service, convenience to our customers, and performance record with this office. Once the contractors have been chosen, City of Newberg will post a notice on their City web site and at their front counter. They will also notify the Homebuilder’s Association of Metropolitan Portland and other interested parties in writing.

**Master Plan Program:** There is no master plan permit program available at this time, and there has been no request to develop such a program.

**C. Time Periods for Advising Applicants on the Status of their Permits**

At the time of application, the applicant is advised of the time frame involved for issuing the permit. Applicants may call the Dayton Building Department to verify permit status.

Permits that require plan review are generally reviewed for completeness at time of submittal. Applicants are notified of problems. See sections above on structural, mechanical, plumbing, manufactured buildings and electrical.

**D. Newberg Building Division Goals for Reviewing Complete Permits**

**Structural Building Permits:**

- 10 business days - new simple single-family residences,
- Four to six weeks - other new single-family residences,

- 10 business days - residential remodels and additions,
- Six weeks - new commercial projects and larger commercial remodels, and
- 10 to 14 business days - depending on size and complexity small or simple commercial remodels, tenant improvements.

**Mechanical Permits:** Dayton Building Department issues minor mechanical permits over-the-counter. Plan review is performed by Newberg Building Division.

- 10 to 14 business days - new commercial permits, depending on complexity; and
- Exceptions to that goal will have to be made where the building plan and the mechanical plan must match and be reviewed simultaneously.

**Plumbing Permits:** Dayton Building Department issues minor plumbing permits over-the-counter. Plan review is performed by Newberg Building Division

- 10 to 14 business days – major proposals,
- One to two weeks - small commercial or tenant improvement (as dictated by HB 3092), and
- Exceptions to that goal will have to be made where the building plan and the plumbing plan must match and be reviewed simultaneously.

**Manufactured Buildings:**

- 10 to 4 business days – new residential manufactured homes in a manufactured park, and
- Four to six weeks – new manufactured homes on a lot and commercial buildings.

**Electrical Permits:** Permits that require no plan review are issued over-the-counter via Yamhill County Building.

- When plan review is required, that review will be done by Yamhill County.
- Permits for new single-family residences or residential remodels are issued at the same time the building permit is issued.

These plan review goals set by Newberg Building Division do not necessarily reflect actual permit review timeline.

## **PLAN REVIEW STANDARDS**

### **A. Purpose**

Plan review is provided on a number of residential and commercial projects by Newberg Building Division. For commercial projects in particular, Newberg’s plan review processes have been established for the following reasons:

- Dayton Building Department preps plans and performs initial screening of plan review for completeness and Dayton Municipal Code compliance. Initial screening at the front counter

has been shown to eliminate unnecessary delays later in plan review processes, thereby decreasing time and frustration to all involved.

- Newberg Building Division performs additional plan screening and plan review. These processes minimize the chance for error during construction, saving contractors both time and money.
- Newberg's use of the permit tracking system to record the status and position of permits in their system, provides both the staff and clients, with a quick way to know where a permit is in the process. This improves the ability to provide quality public service.
- Newberg's tracking process improves inspection efficiency by letting the inspector know what he should be looking for on the job. This eliminates the need to stop and attempt to do a "plan review" while simultaneously doing an inspection.
- For both plumbing and electrical permits, construction has become increasingly complex, with performance of downstream components of any system tied to specific features of upstream system components. Newberg Plan review processes incorporated below ensure that all system components work together safely.

## **B. Applications Requiring Plans**

If a permit requires a review prior to issuance, plans are required. Two sets of plans are required for plan review.

## **C. Plans Complete but not in Compliance**

When a plan has the required information but is found to be in non-compliance with the applicable code, a plan review notice requesting further information or clarification of information is mailed, faxed, sent by electronic mail or requested by phone of the applicant by Newberg Building Division. The notice identifies the areas of non-compliance and asks for corrections. This process is repeated until the information received is correct. The plan review is placed in "pending" status until the information is received.

## **D. Plans Complete and In Compliance**

When plans are deemed complete and in compliance with code, the plan will be approved by Newberg's plans examiner. No plan will be issued without all departments involved in the process approving the permit. On complicated permits the Plans Examiner may issue partial permits to move the project along while other issues are being resolved. This is done to keep projects moving. Again, in no instance will permits be issued without all approvals.

## **E. Plan Review Process**

**Structural/Mechanical Plan Review:** The Newberg Building Division Plans Examiners review structural, mechanical, fire and life safety, and energy plans to ensure compliance with the applicable codes. Checklists for various types of plan submittals are available at the Dayton Building Department counter. The on-staff plans examiner uses these lists to check for completeness. This position also verifies appropriate professional stamps as needed.

To help maintain consistency, the Newberg Building Division has policies and procedures manuals, the state interpretation manual, and a variety of code interpretation manuals published by ICC and other professional organizations.

**Plumbing Plan Review:** The exterior plumbing is reviewed first. The exterior plumbing may be issued separately from the interior plumbing, pending approval from all other Departments. The processes of plan review for complete and incomplete plans are the same as the structural/mechanical section. Plan review and customer service is done by the Newberg's Chief Plumbing Inspector. All plumbing plan review will be in compliance with HB 3092.

**Electrical Plan Review:** All plans are reviewed by Yamhill County.

## **INSPECTION STANDARDS**

### **A. Inspection Services**

The Newberg Building Division allows anyone with the proper information to request an inspection. By special arrangement, inspections can be made after normal business hours and on weekends. All inspections requested prior to 7 a.m. of a given business day will be completed that day except for unusual circumstances. When inspections cannot be completed the applicants are phoned and the inspection is rescheduled for the following day.

### **B. Permit Type**

Structural  
Mechanical  
Plumbing

### **C. Inspection Process**

Newberg Building Division inspection requests will include the following information:

Permit Number  
Type of Inspection Requested  
Site Address  
Name of Requestor  
Phone number of Requestor

When inspection requests are received, complete information must be given, or the inspection cannot be done. Newberg Building Staff will attempt to contact the applicant or requester to obtain such information. Inspections will not be performed until all required information has been provided.

The Newberg Building Division inspector will verify that the permit is posted and that plans are available. Plans are required to be on site. The inspector will prepare a written report that describes the inspection results and any corrections that may need to be made. A copy of the

inspector's report will be left on the job site. The inspector may approve, approve with corrections, partial approve or deny an inspection. Re-inspection fees may be assessed.

Stop work orders are posted as necessary to halt construction when either a required permit has not been obtained or has proceeded to the extreme without conforming to the approved plans or building codes.

Newberg Building Division Inspectors also investigate violations of various State Building codes enforced by the Dayton Building Department. When appropriate, violators are posted with a notice to discontinue work. The responsible parties are required to contact the Dayton Building Department office to resolve the problem. Those violators who ignore the notice are referred to the appropriate department for further action.

## **COMPLIANCE STANDARDS**

### **A. Procedures to Respond to Public Complaints**

Public complaints that are received by Dayton Building Department are written up on standard complaint forms. Information solicited from complainant includes at a minimum: name and location (address/legal description) of the alleged violation and a detailed description of the alleged violation. Complaints are taken by phone, over the counter, in writing or online. The complaints are forwarded to the appropriate department/division.

Public complaints regarding licensing issues are referred to the State Building Codes Division.

### **B. Investigation of Complaints**

Complaints received or referred to the Dayton Building Department for enforcement action generate the creation of a file. The complaint is reviewed for jurisdiction responsibility. The complaint along with any accompanying documents, is forwarded to the appropriate Building Department/Division for inspection and verification of the alleged violation. The responsible department/division determines the nature and extent of the alleged violation. If it is determined that the violation is the responsibility of the Dayton Building Department, in most cases, the code enforcement officer will post or hand the owner or person in possession of the property a "warning notice". In some instances, predicated on public urgency or health and safety, a "stop work" order is posted.

The "warning notice" gives the alleged violator the appropriate amount of time to contact the issuing building department to discuss requirements and time limits in which to submit required documentation. If contact is not made, the violator is sent a letter along with information on requirements and requests compliance and submittal of documents within a specified period of time. If the alleged violator does not comply or contact the City and agree to a compliance plan of action, a "certified" ten (10)-day violation warning notice is sent, return receipt requested. Following, if no contact is made with the City to discuss resolution of this matter, a citation may be issued, and the matter referred to the Municipal Court.

**C. Issuance of Notices of Proposed Assessments of Civil Penalties**

The City of Dayton typically enforces structural and specialty code violations by filing a formal complaint with a request for legal action with the Compliance Hearings Officer. The complaint can include a request for the imposition of civil penalties. Civil penalty requests are referenced to the State Law that applies and the applicable civil penalty stated in the law. Although recommendations for civil penalties are stated in the complaint, the amount assessed is at the discretion of the Hearings Officer. The amount of civil penalty is determined based on the extent and nature of the violation, the Compliance Hearings Officer Ordinance and the City of Dayton Hearing Rules. The Code Hearings Rules set forth mitigating and aggravating factors for assessing civil penalties. The amount of civil penalty and order to comply with the building and specialty codes are memorialized by a final order of the Hearings Officer. Review of the final order by an aggrieved party, including City of Dayton, is by Writ of Review as provided in ORS 34.010 – 34.100.

The dispositions of violations, including civil penalties, which are referred to City Counsel for legal action with the Courts, are at the discretion of the Courts.

**D. Contractor licensing requirements**

Consistent with the requirements of OAR 918-020-0090(8) (h), City of Newberg inspectors will randomly check on-the-job workers for appropriate certifications or licenses required in and by the State of Oregon. If unlicensed workers are found, a report shall be filed with the Oregon Building Codes Division, consistent with the Division’s practices.

**To:** Honorable Mayor and City Councilors  
**From:** Rochelle Roaden, City Manager  
**Issue:** City of Dayton 2021 Survey Results Discussion  
**Date:** January 18, 2022

**Background**

The first City of Dayton survey was rolled out in the fourth quarter of 2020. The 2021 survey was rolled out mid-December and was closed on December 31, 2021. The survey is created through Survey Monkey and respondents can select from a drop-down menu for English or Spanish versions.

For the 2021 survey, we updated our collector methods to include a bilingual direct home mailer to every address within the Dayton city limits to reach our residents who are not online. It included information to call city hall for a hard copy to be mailed directly to them. It also included a QR code so respondents could access the survey via their smart phone. We also pushed out an app notice linking the Poll button in our smart phone app to the survey. And, as last year, we sent out emails to all the utility account emails on file. Email reminders were sent out twice during the survey period.

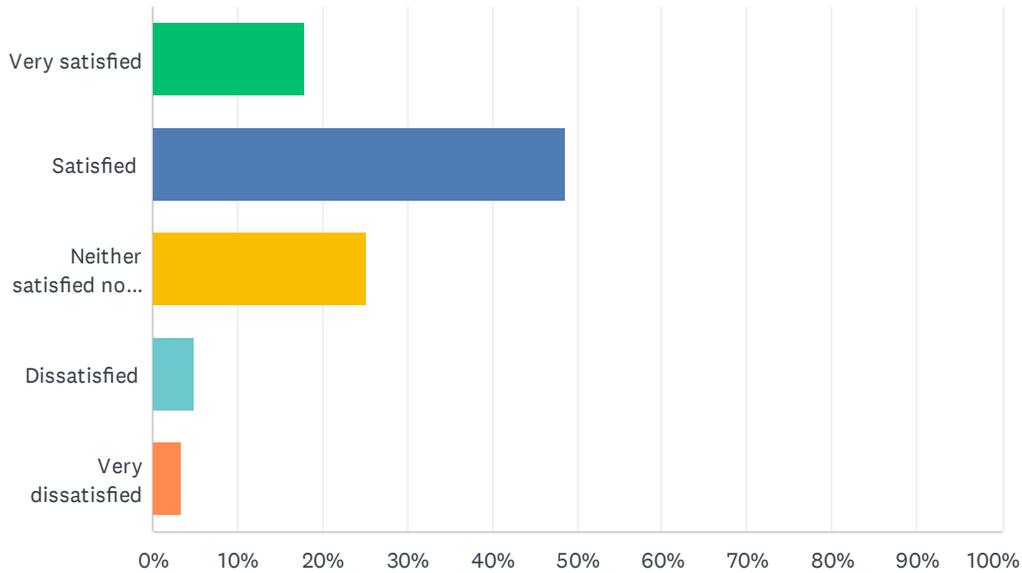
206 responses were received this year which is down from the 247 received last year. Last year we had a better response via the email invitations than this year. We received 1 hard copy response, 49 through the direct home mailer QR code, 16 via our website link, and 140 from email invitations. We had a 95% completion rate for those that started the survey and the average time to take the survey was 7 minutes and 21 seconds.

Following is a listing of each question, a chart, and the response data for your review.

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# Q1 How would you rate your overall satisfaction with the services provided by the City of Dayton?

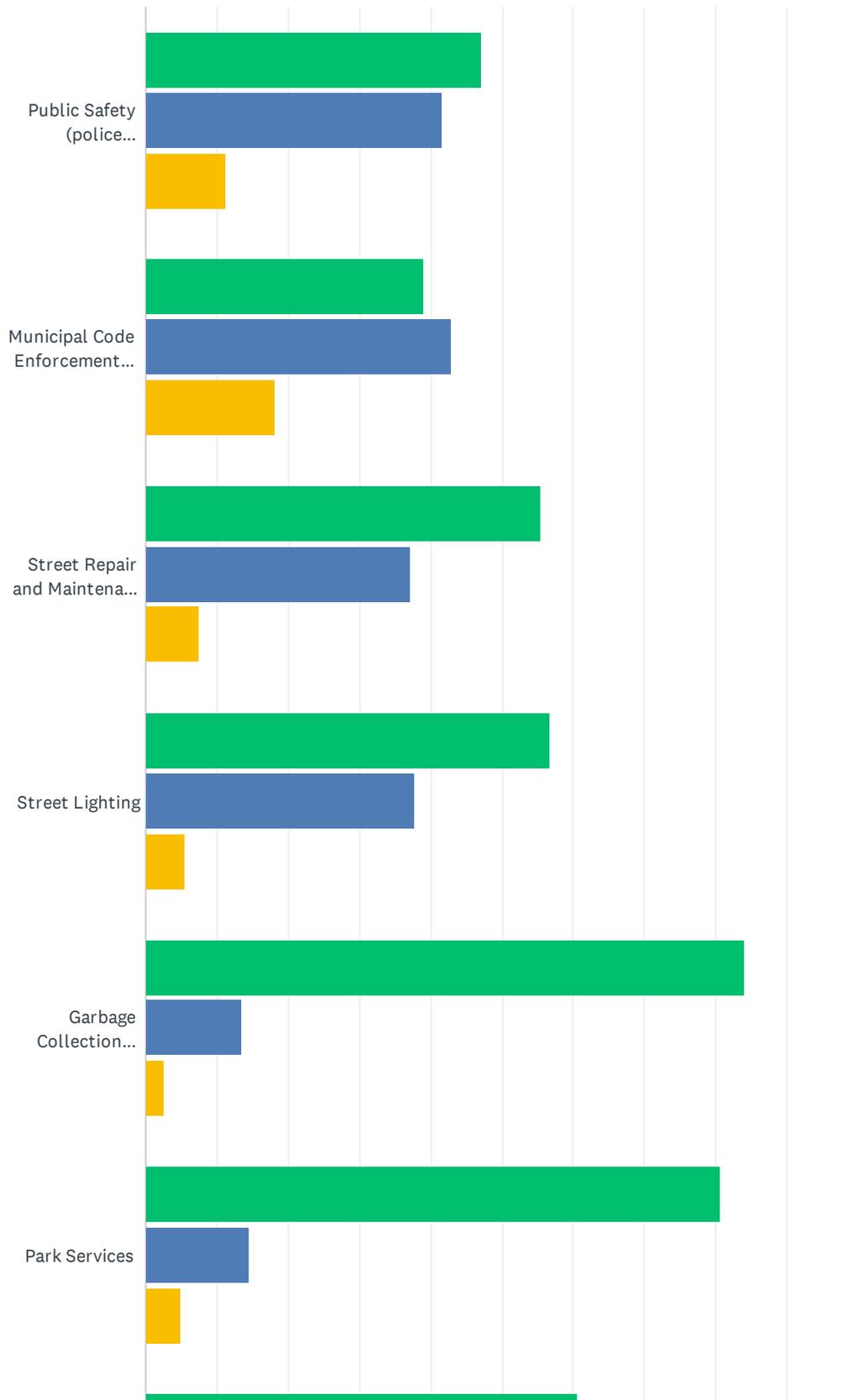
Answered: 206 Skipped: 0



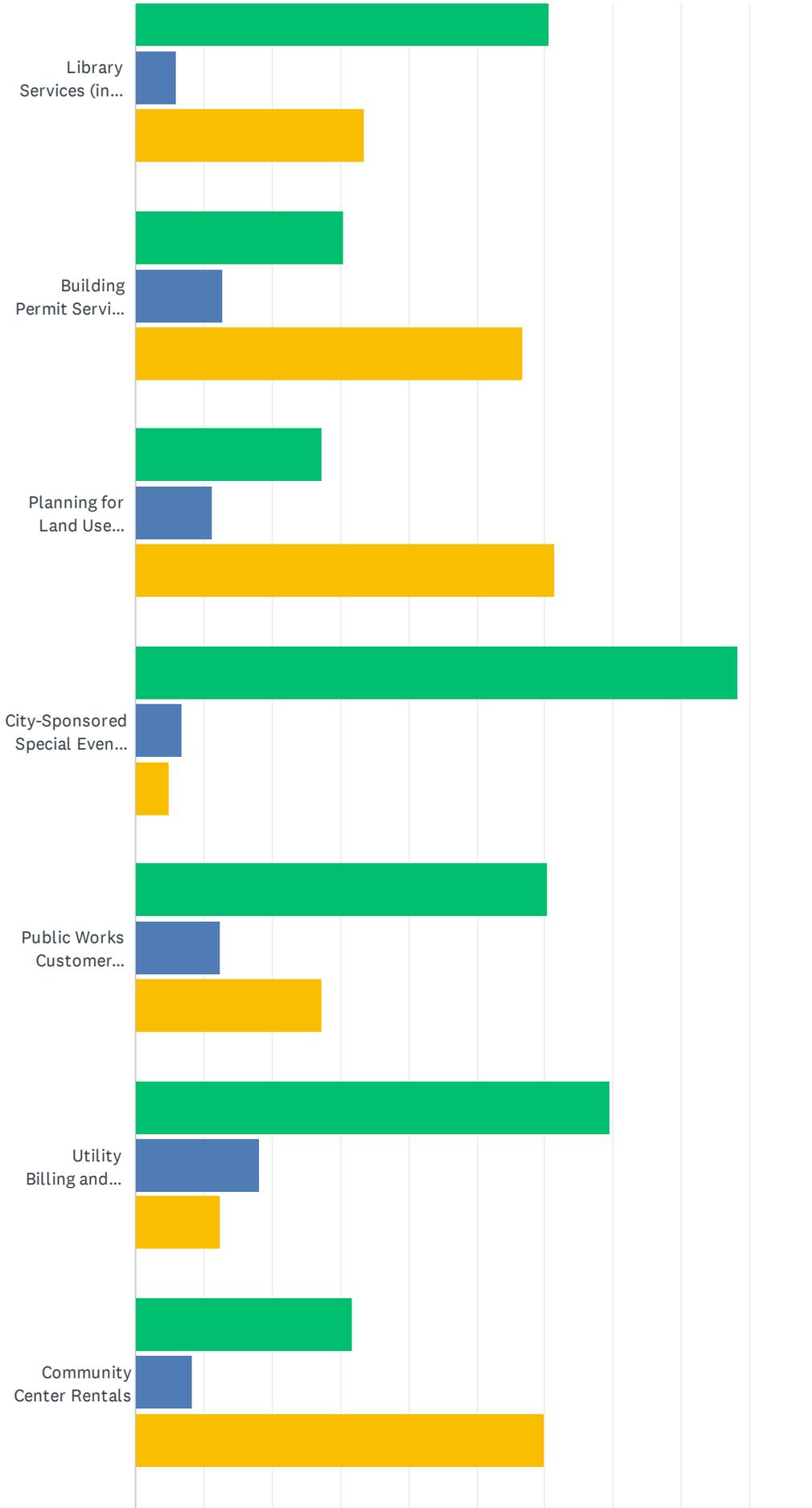
ANSWER CHOICES	RESPONSES	
Very satisfied	17.96%	37
Satisfied	48.54%	100
Neither satisfied nor dissatisfied	25.24%	52
Dissatisfied	4.85%	10
Very dissatisfied	3.40%	7
<b>TOTAL</b>		<b>206</b>

## Q2 How satisfied are you with the following city services?

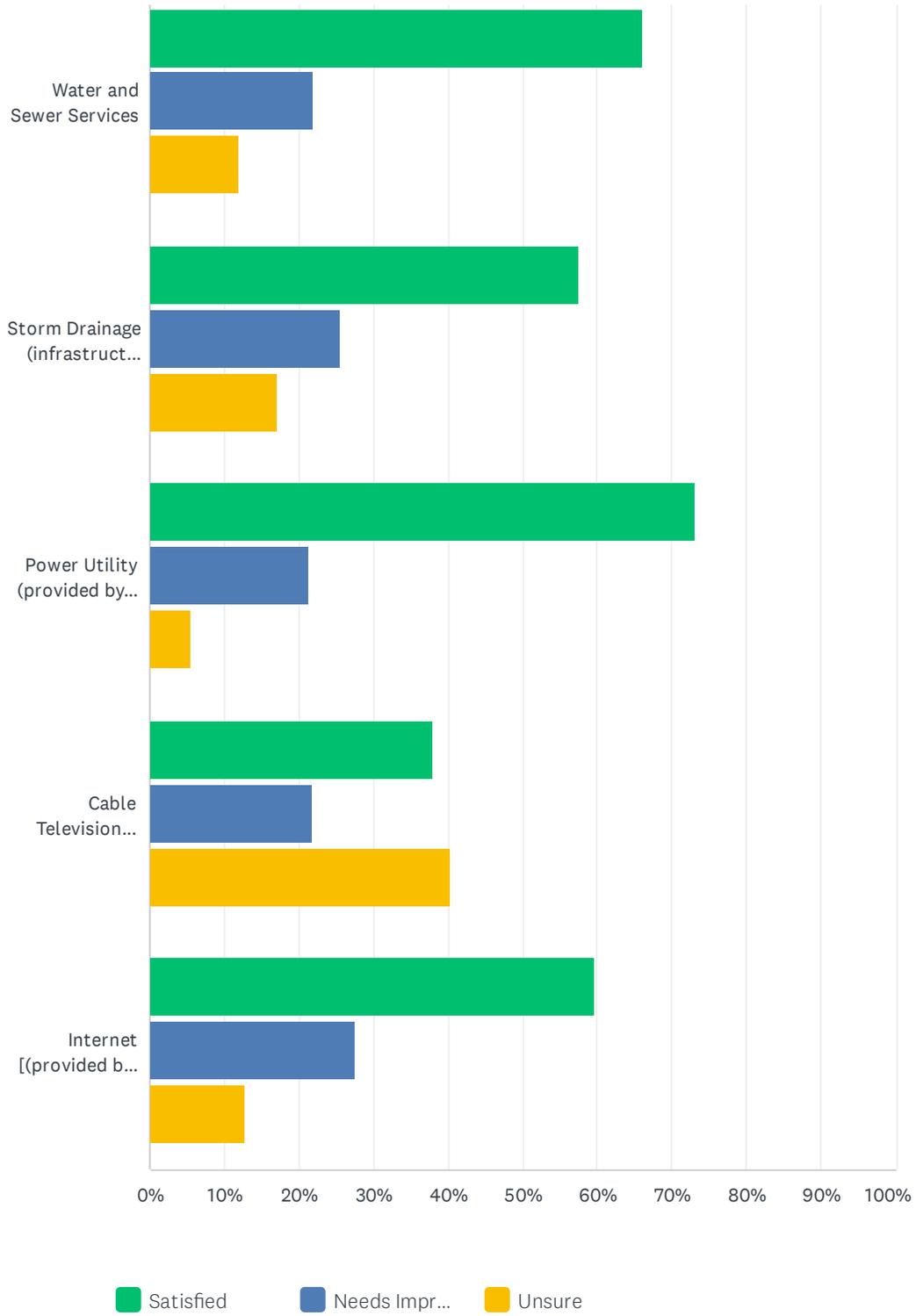
Answered: 206 Skipped: 0



City of Dayton Survey 2021



# City of Dayton Survey 2021

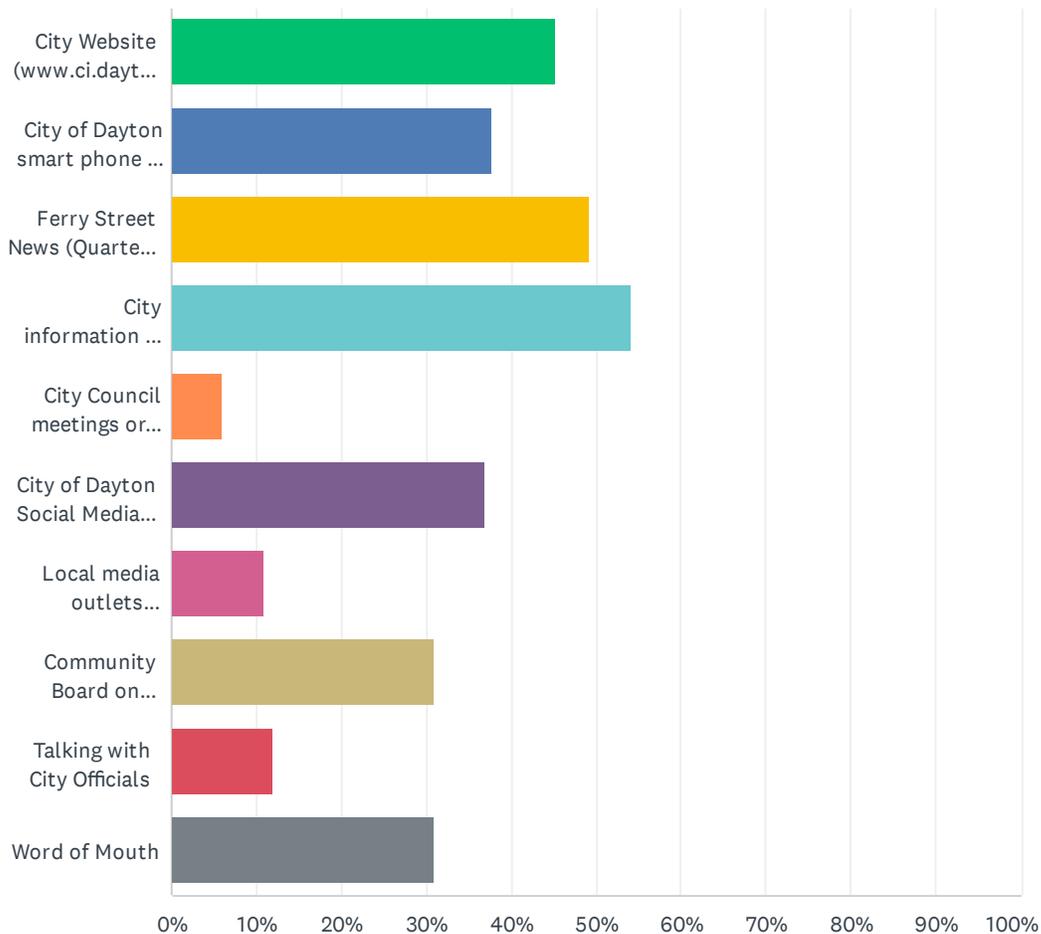


City of Dayton Survey 2021

	SATISFIED	NEEDS IMPROVEMENT	UNSURE	TOTAL	WEIGHTED AVERAGE
Public Safety (police services contracted through the Yamhill County Sheriff's Office)	47.06% 96	41.67% 85	11.27% 23	204	1.47
Municipal Code Enforcement (complaint driven regarding noise, animals, noxious vegetation, junk, parking, etc.)	39.02% 80	42.93% 88	18.05% 37	205	1.52
Street Repair and Maintenance	55.50% 111	37.00% 74	7.50% 15	200	1.40
Street Lighting	56.72% 114	37.81% 76	5.47% 11	201	1.40
Garbage Collection (contracted through Recology)	84.08% 169	13.43% 27	2.49% 5	201	1.14
Park Services	80.50% 161	14.50% 29	5.00% 10	200	1.15
Library Services (in partnership with Chemeketa Cooperative Regional Library Service - CCRLS)	60.59% 123	5.91% 12	33.50% 68	203	1.09
Building Permit Services (application processing to building inspector services contracted through the City of Newberg)	30.54% 62	12.81% 26	56.65% 115	203	1.30
Planning for Land Use Services (contracted through Mid-Willamette Valley Council of Governments)	27.23% 55	11.39% 23	61.39% 124	202	1.29
City-Sponsored Special Events (Dayton Friday Nights, Old Timer's Weekend, Breakfast with Santa, Tree Lighting, etc.)	88.18% 179	6.90% 14	4.93% 10	203	1.07
Public Works Customer Service	60.40% 122	12.38% 25	27.23% 55	202	1.17
Utility Billing and Customer Service (water and sewer services)	69.46% 141	18.23% 37	12.32% 25	203	1.21
Community Center Rentals	31.68% 64	8.42% 17	59.90% 121	202	1.21
Water and Sewer Services	66.17% 133	21.89% 44	11.94% 24	201	1.25
Storm Drainage (infrastructure designed to drain excess rain and ground water from impervious surfaces like paved streets, parking lots, sidewalks, and roofs.)	57.50% 115	25.50% 51	17.00% 34	200	1.31
Power Utility (provided by PGE)	73.13% 147	21.39% 43	5.47% 11	201	1.23
Cable Television (provided by Comcast)	37.93% 77	21.67% 44	40.39% 82	203	1.36
Internet [(provided by Online NW/Comcast/Ziplay (formerly Frontier)]	59.61% 121	27.59% 56	12.81% 26	203	1.32

### Q3 How do you receive or access information from the City of Dayton ? Please select all that apply.

Answered: 201 Skipped: 5

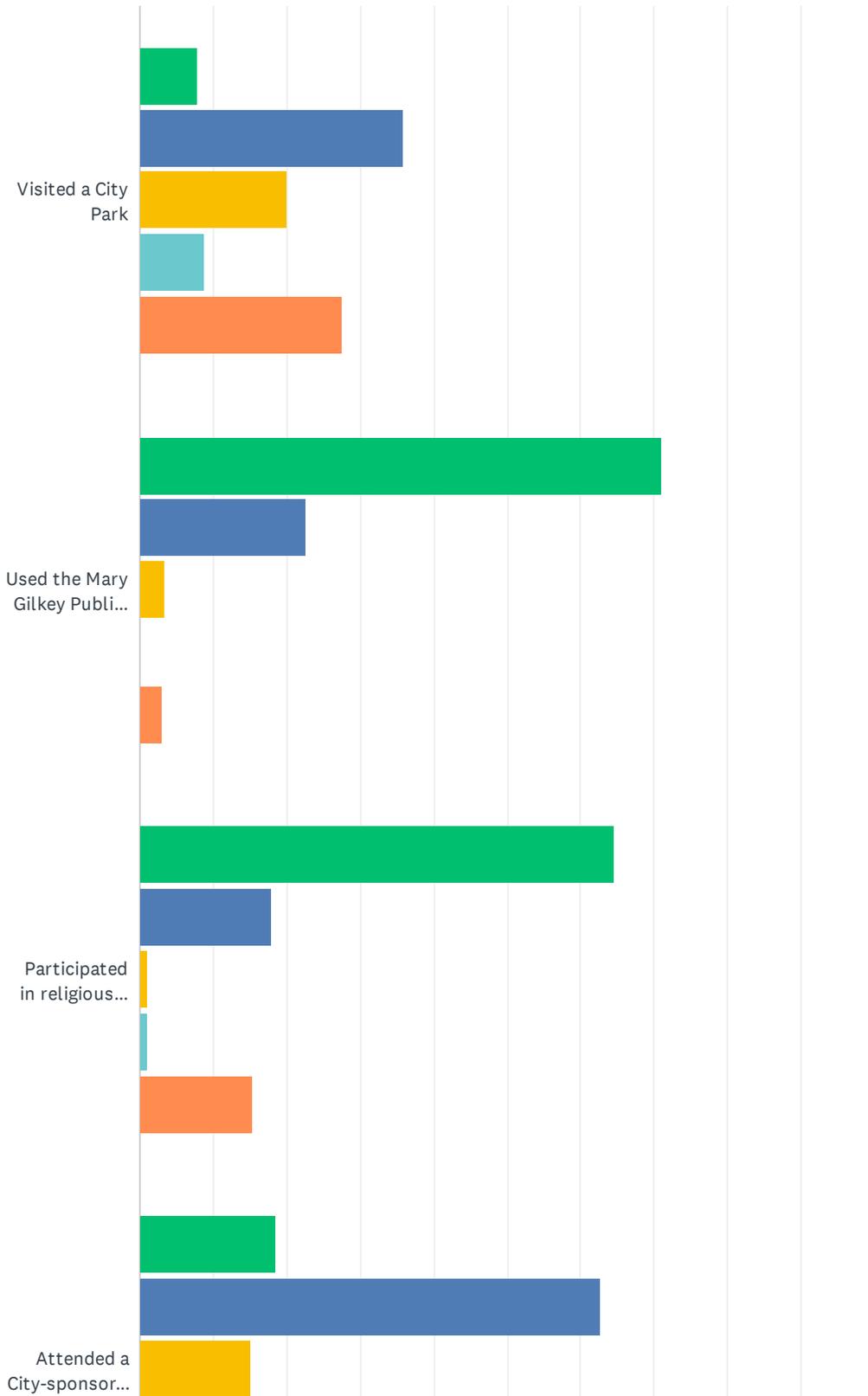


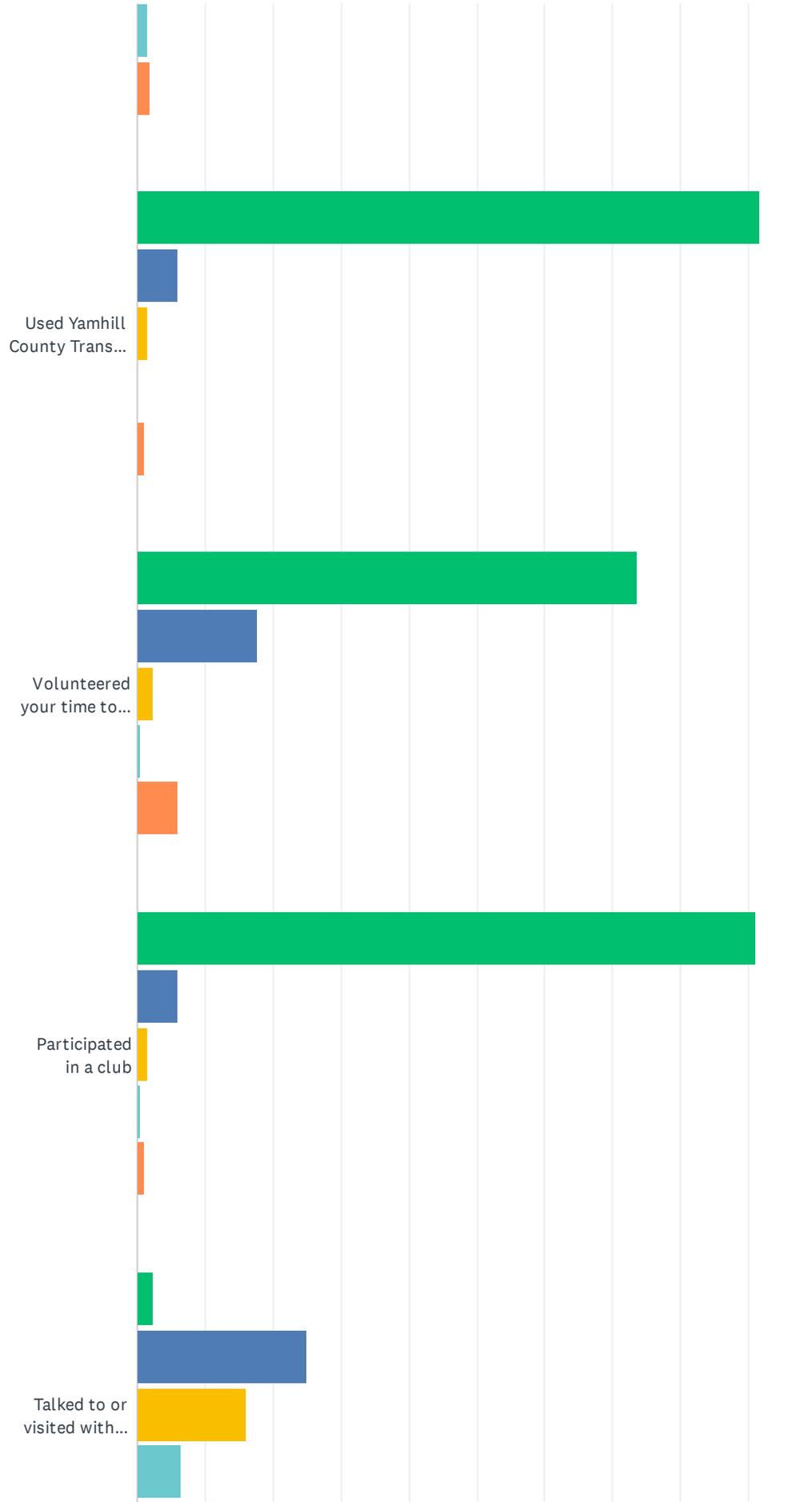
City of Dayton Survey 2021

ANSWER CHOICES	RESPONSES	
City Website (www.ci.dayton.or.us)	45.27%	91
City of Dayton smart phone app (available on google play and app store)	37.81%	76
Ferry Street News (Quarterly Newsletter)	49.25%	99
City information on brochures or water bill	54.23%	109
City Council meetings or other public meetings	5.97%	12
City of Dayton Social Media (Facebook, Instagram, Twitter)	36.82%	74
Local media outlets (Newspaper, radio)	10.95%	22
Community Board on Facebook	30.85%	62
Talking with City Officials	11.94%	24
Word of Mouth	30.85%	62
Total Respondents: 201		

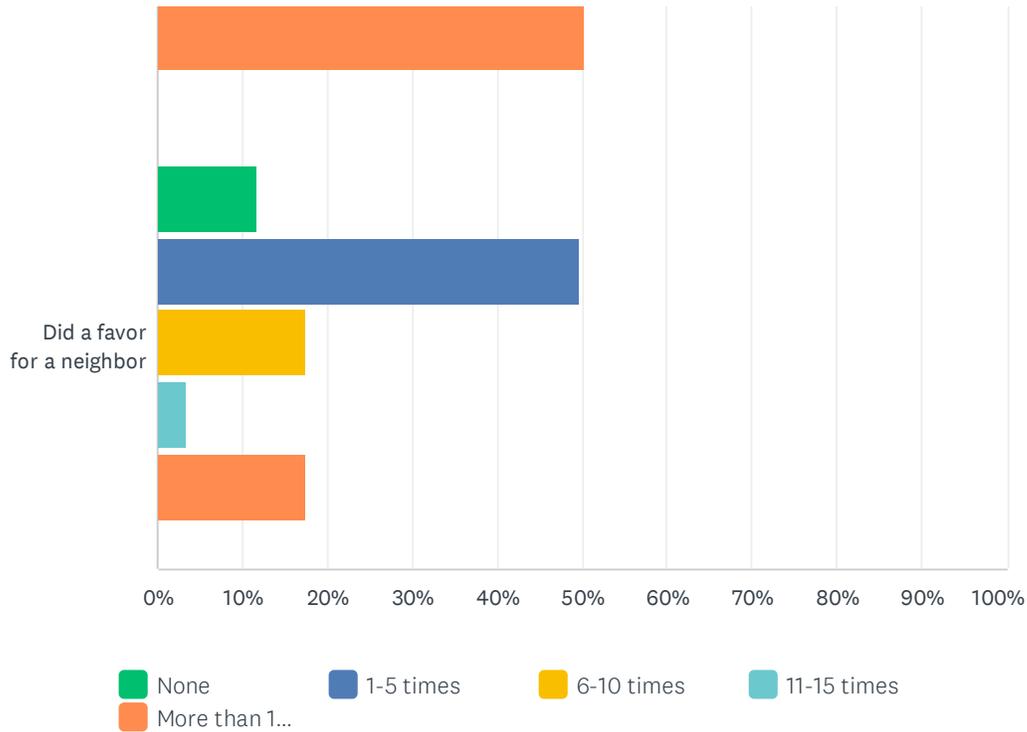
# Q4 In the last 12 months, about how many times have you done any of the following in Dayton?

Answered: 206 Skipped: 0





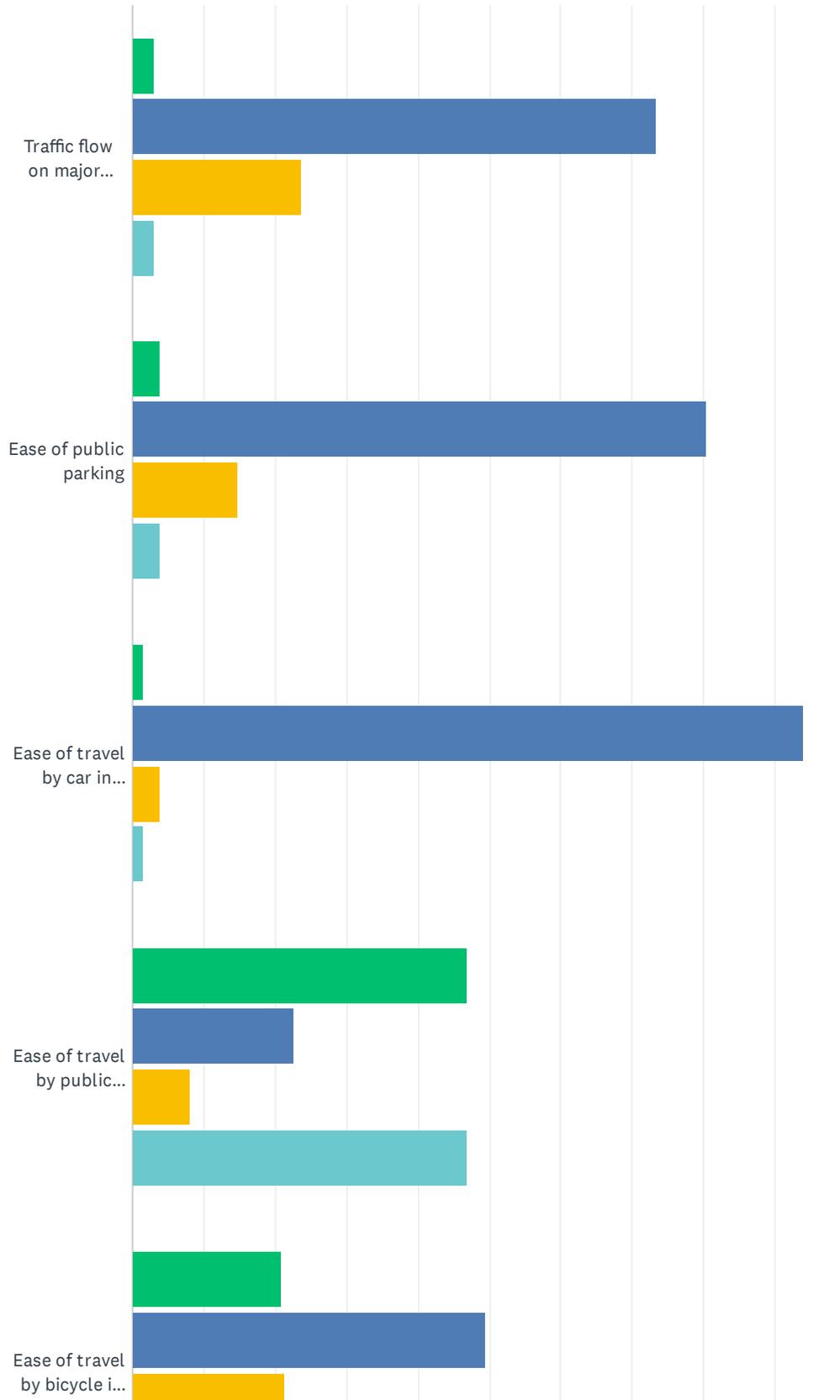
City of Dayton Survey 2021



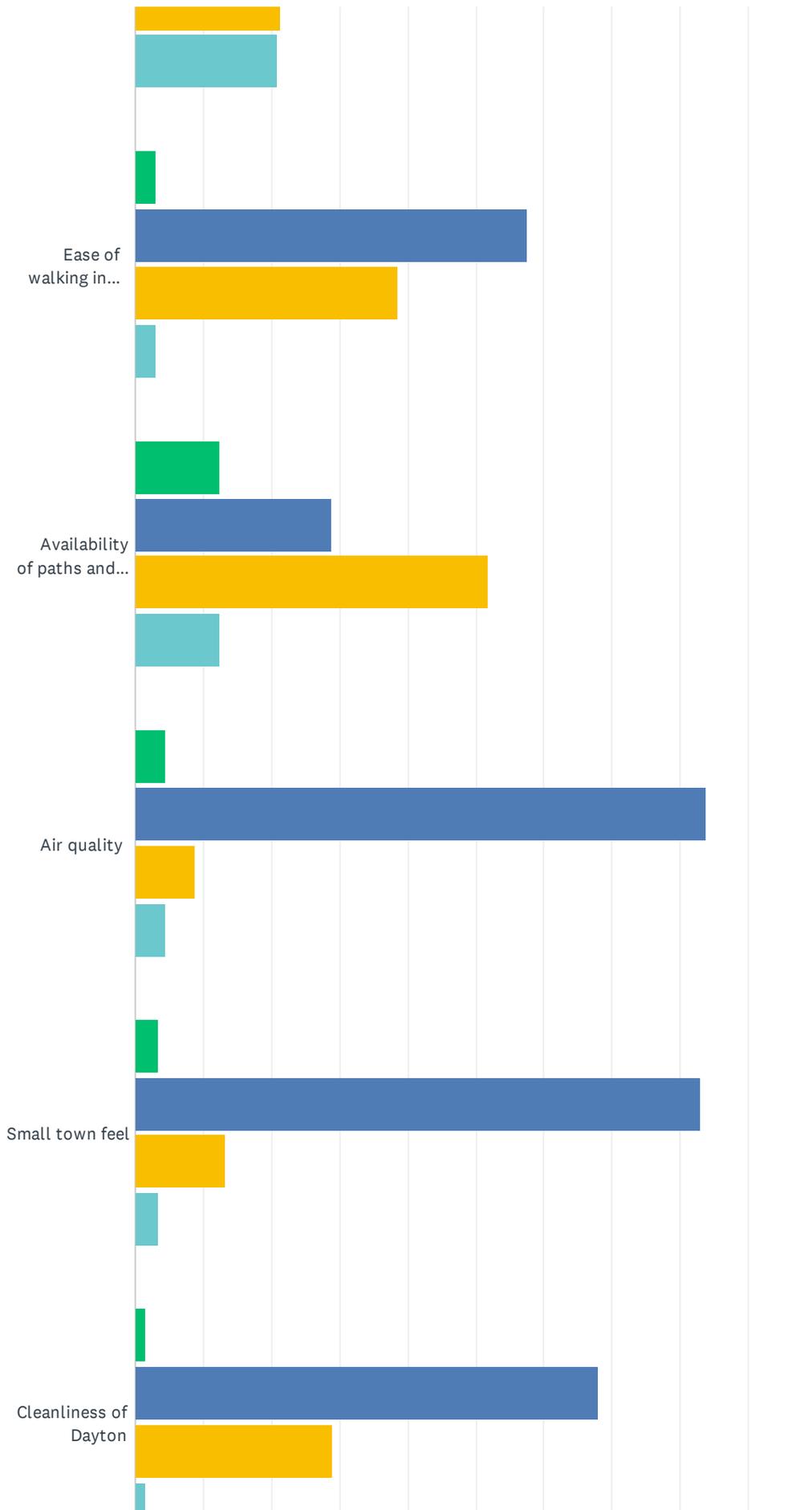
	NONE	1-5 TIMES	6-10 TIMES	11-15 TIMES	MORE THAN 15 TIMES	TOTAL
Visited a City Park	7.84% 16	35.78% 73	20.10% 41	8.82% 18	27.45% 56	204
Used the Mary Gilkey Public Library	71.08% 145	22.55% 46	3.43% 7	0.00% 0	2.94% 6	204
Participated in religious or spiritual activities in Dayton	64.68% 130	17.91% 36	1.00% 2	1.00% 2	15.42% 31	201
Attended a City-sponsored event	18.63% 38	62.75% 128	15.20% 31	1.47% 3	1.96% 4	204
Used Yamhill County Transit instead of driving	91.67% 187	5.88% 12	1.47% 3	0.00% 0	0.98% 2	204
Volunteered your time to some group/activity in Dayton	73.53% 150	17.65% 36	2.45% 5	0.49% 1	5.88% 12	204
Participated in a club	91.04% 183	5.97% 12	1.49% 3	0.50% 1	1.00% 2	201
Talked to or visited with your immediate neighbors	2.44% 5	24.88% 51	16.10% 33	6.34% 13	50.24% 103	205
Did a favor for a neighbor	11.71% 24	49.76% 102	17.56% 36	3.41% 7	17.56% 36	205

### Q5 As a Dayton resident, how do you feel about the following?

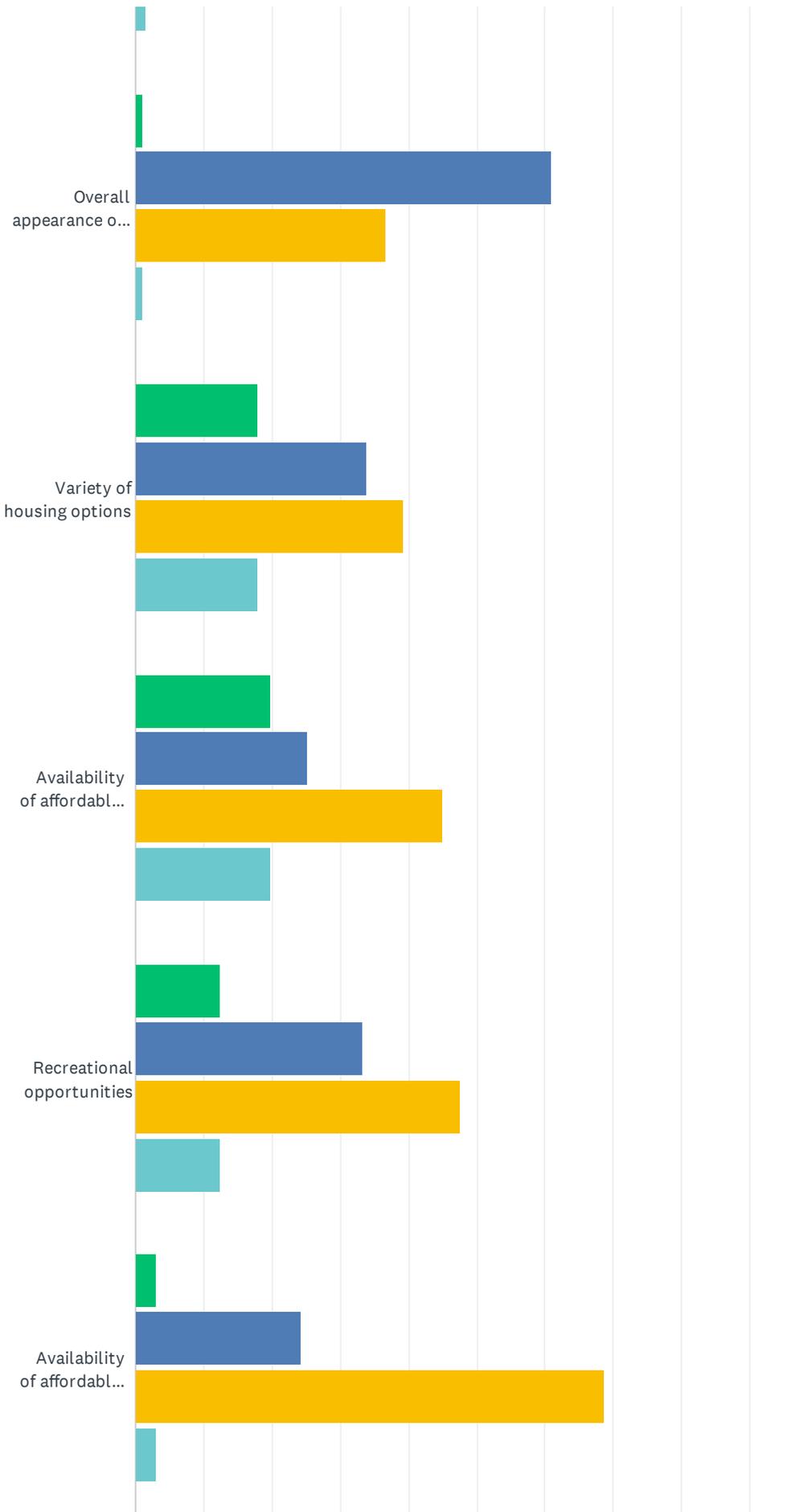
Answered: 205 Skipped: 1



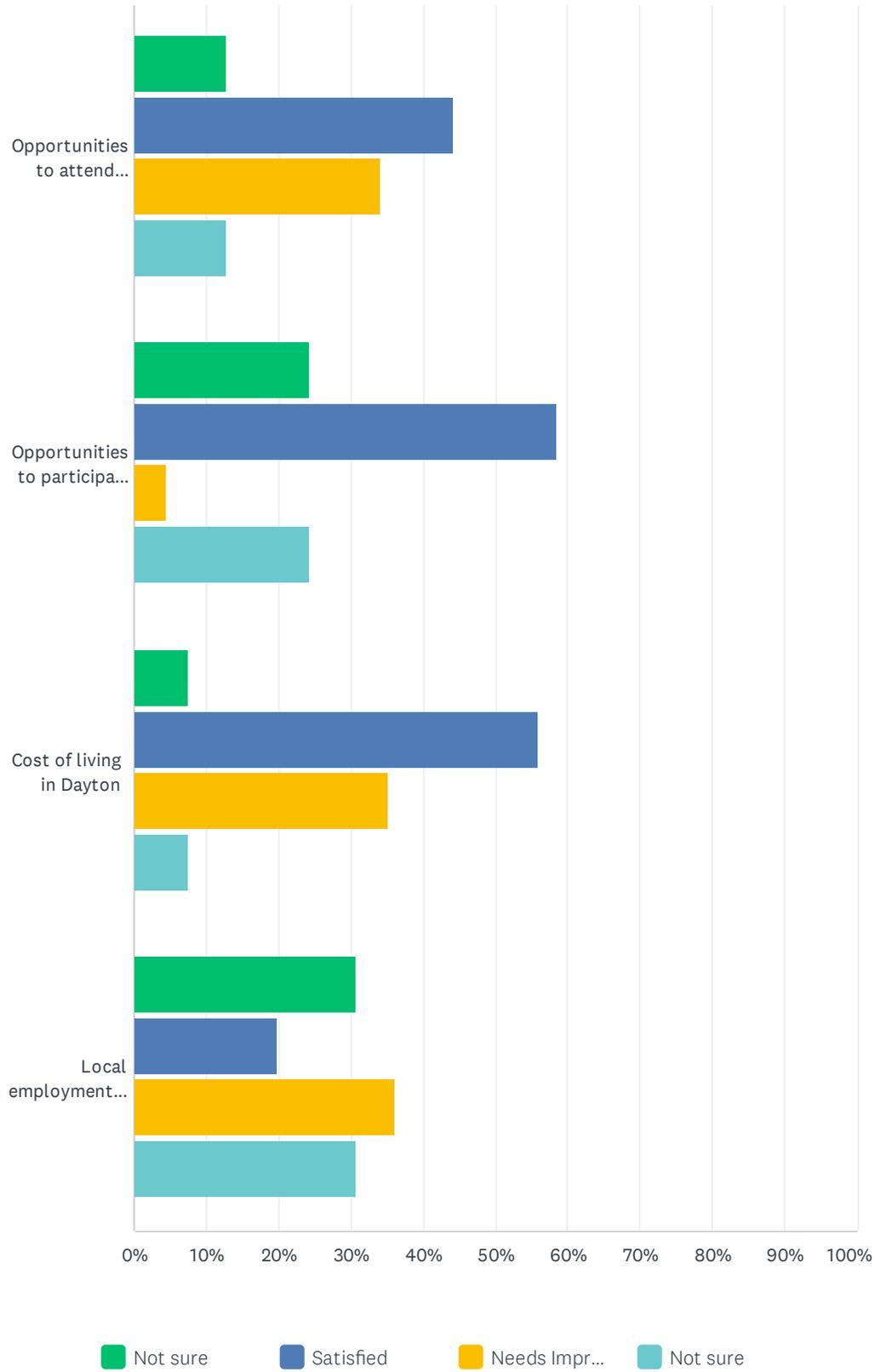
City of Dayton Survey 2021



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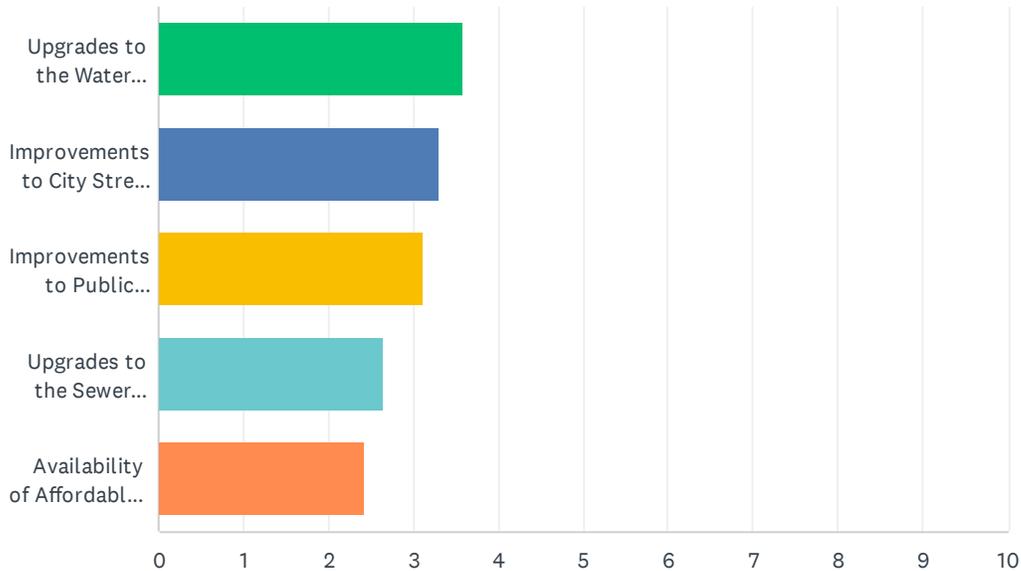


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	NOT SURE	SATISFIED	NEEDS IMPROVEMENT	NOT SURE	TOTAL	WEIGHTED AVERAGE
Traffic flow on major streets	2.96% 6	73.40% 149	23.65% 48	2.96% 6	203	1.24
Ease of public parking	3.92% 8	80.39% 164	14.71% 30	3.92% 8	204	1.14
Ease of travel by car in Dayton	1.47% 3	94.12% 192	3.92% 8	1.47% 3	204	1.03
Ease of travel by public transportation in Dayton	47.00% 94	22.50% 45	8.00% 16	47.00% 94	200	0.73
Ease of travel by bicycle in Dayton	20.79% 42	49.50% 100	21.29% 43	20.79% 42	202	1.16
Ease of walking in Dayton	2.93% 6	57.56% 118	38.54% 79	2.93% 6	205	1.39
Availability of paths and walking trails	12.44% 25	28.86% 58	51.74% 104	12.44% 25	201	1.51
Air quality	4.41% 9	83.82% 171	8.82% 18	4.41% 9	204	1.06
Small town feel	3.43% 7	82.84% 169	13.24% 27	3.43% 7	204	1.13
Cleanliness of Dayton	1.48% 3	67.98% 138	29.06% 59	1.48% 3	203	1.28
Overall appearance of Dayton	0.99% 2	60.89% 123	36.63% 74	0.99% 2	202	1.35
Variety of housing options	17.91% 36	33.83% 68	39.30% 79	17.91% 36	201	1.37
Availability of affordable quality housing	19.80% 40	25.25% 51	45.05% 91	19.80% 40	202	1.44
Recreational opportunities	12.38% 25	33.17% 67	47.52% 96	12.38% 25	202	1.46
Availability of affordable quality food	2.99% 6	24.38% 49	68.66% 138	2.99% 6	201	1.67
Opportunities to attend cultural/arts/music activities	12.87% 26	44.06% 89	34.16% 69	12.87% 26	202	1.29
Opportunities to participate in religious or spiritual events and activities	24.26% 49	58.42% 118	4.46% 9	24.26% 49	202	0.89
Cost of living in Dayton	7.43% 15	55.94% 113	35.15% 71	7.43% 15	202	1.36
Local employment opportunities	30.69% 62	19.80% 40	36.14% 73	30.69% 62	202	1.33

### Q6 Please rank how much of a priority it should be for the City to address each of the following in the next 5 years.

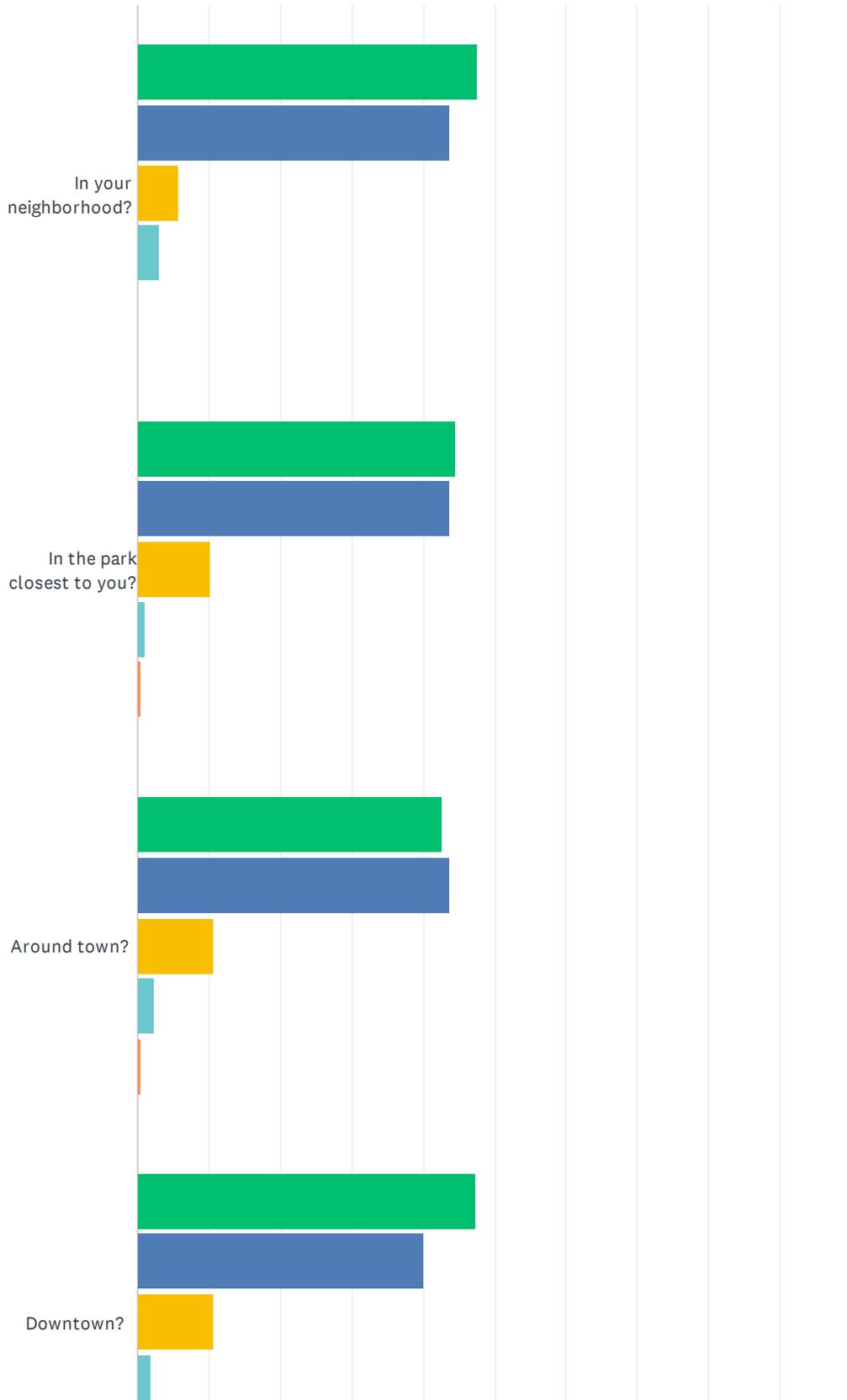
Answered: 202 Skipped: 4



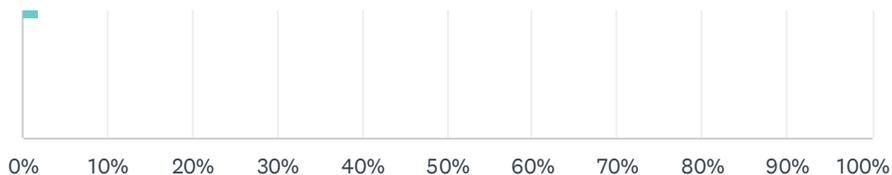
	1	2	3	4	5	TOTAL	SCORE
Upgrades to the Water System	29.48% 51	26.01% 45	24.86% 43	12.72% 22	6.94% 12	173	3.58
Improvements to City Streets and Sidewalks	25.97% 47	22.65% 41	20.99% 38	16.57% 30	13.81% 25	181	3.30
Improvements to Public Safety (Police Services)	24.73% 46	22.58% 42	15.05% 28	15.05% 28	22.58% 42	186	3.12
Upgrades to the Sewer System	6.78% 12	18.64% 33	21.47% 38	37.85% 67	15.25% 27	177	2.64
Availability of Affordable Housing	15.71% 30	9.95% 19	17.80% 34	15.71% 30	40.84% 78	191	2.44

# Q7 How would you rate your overall feeling of safety in Dayton?

Answered: 206 Skipped: 0



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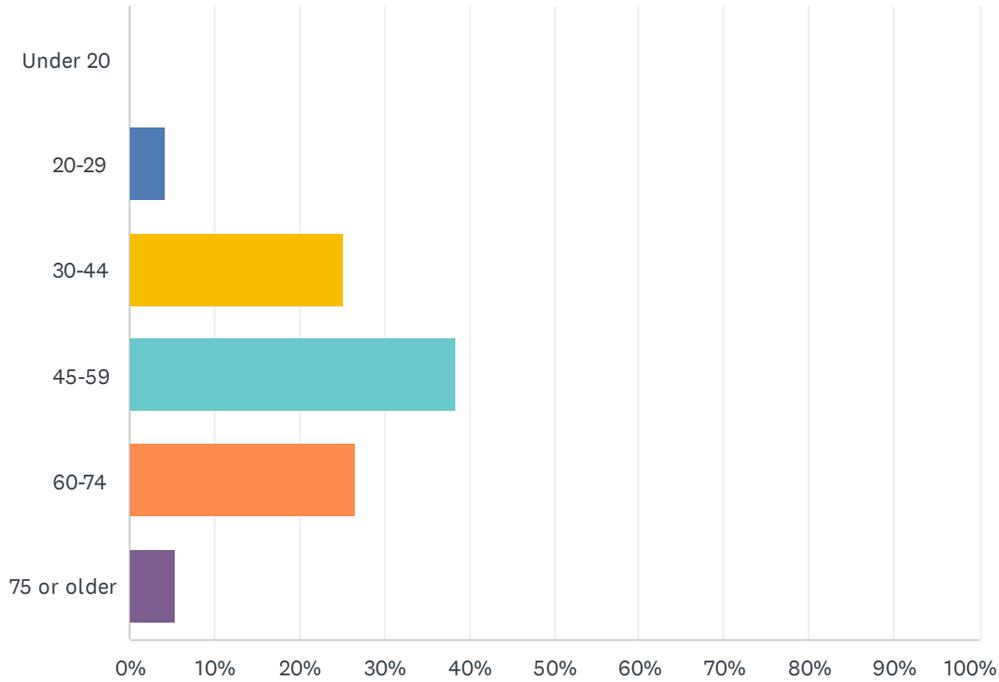


■ Very Safe    
 ■ Somewhat ...    
 ■ Neither Saf...    
 ■ Not Very Sa...  
■ Not Safe at...

	VERY SAFE	SOMEWHAT SAFE	NEITHER SAFE OR UNSAFE	NOT VERY SAFE	NOT SAFE AT ALL	TOTAL	WEIGHTED AVERAGE
In your neighborhood?	47.57% 98	43.69% 90	5.83% 12	2.91% 6	0.00% 0	206	1.64
In the park closest to you?	44.66% 92	43.69% 90	10.19% 21	0.97% 2	0.49% 1	206	1.69
Around town?	42.72% 88	43.69% 90	10.68% 22	2.43% 5	0.49% 1	206	1.74
Downtown?	47.32% 97	40.00% 82	10.73% 22	1.95% 4	0.00% 0	205	1.67

## Q8 What is your age?

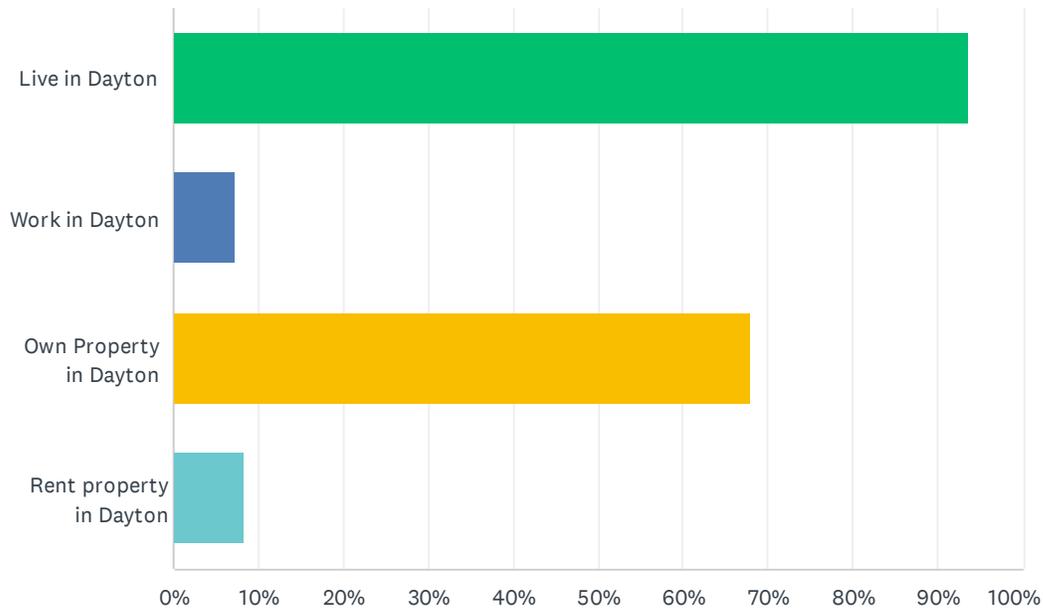
Answered: 206 Skipped: 0



ANSWER CHOICES	RESPONSES	
Under 20	0.00%	0
20-29	4.37%	9
30-44	25.24%	52
45-59	38.35%	79
60-74	26.70%	55
75 or older	5.34%	11
<b>TOTAL</b>		<b>206</b>

### Q9 Do you: (check all that apply)

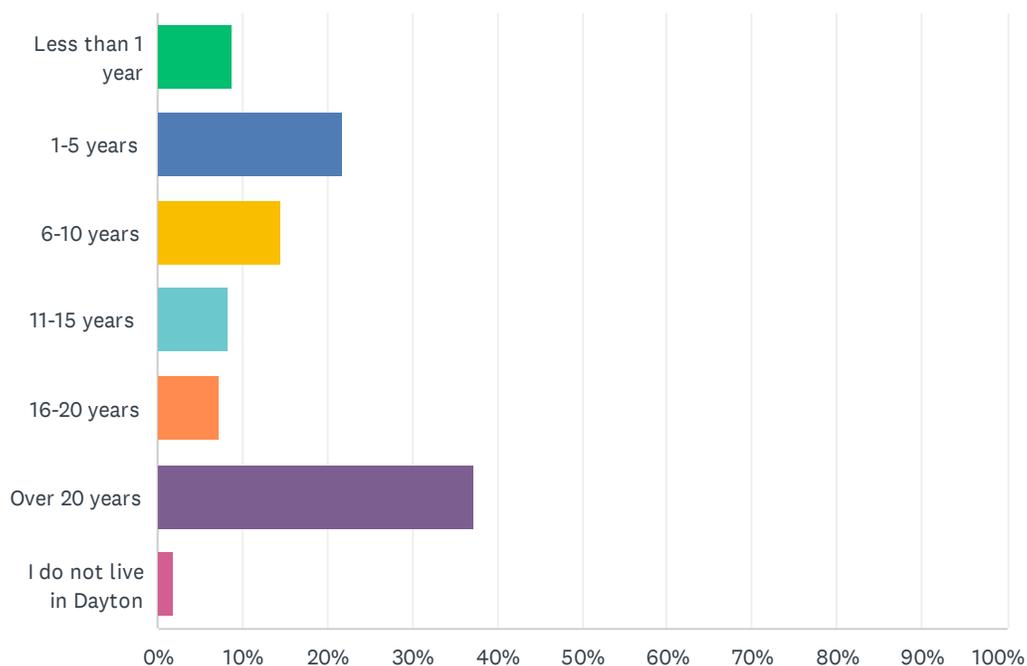
Answered: 206 Skipped: 0



ANSWER CHOICES	RESPONSES	
Live in Dayton	93.69%	193
Work in Dayton	7.28%	15
Own Property in Dayton	67.96%	140
Rent property in Dayton	8.25%	17
Total Respondents: 206		

## Q10 How long have you lived in Dayton?

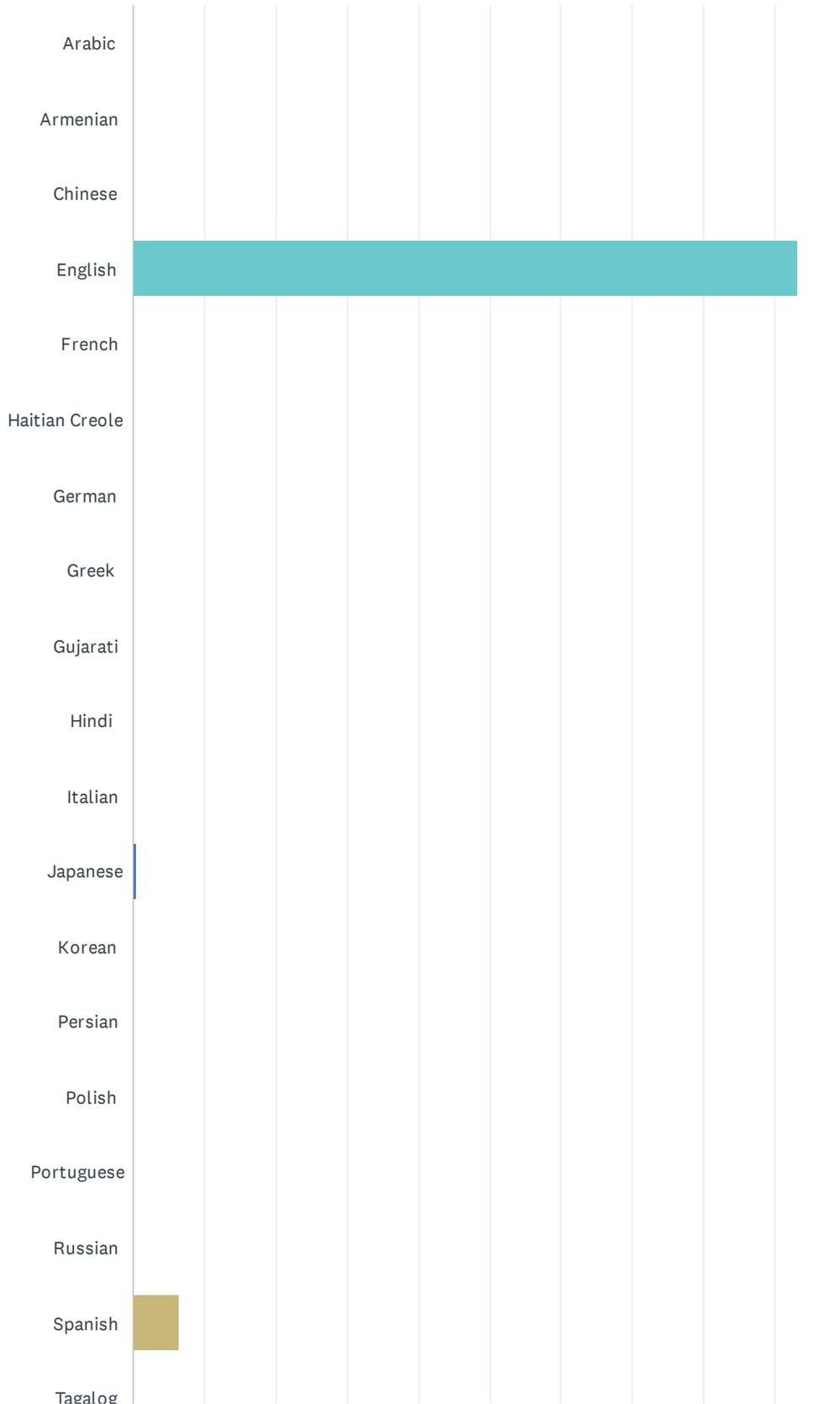
Answered: 206 Skipped: 0



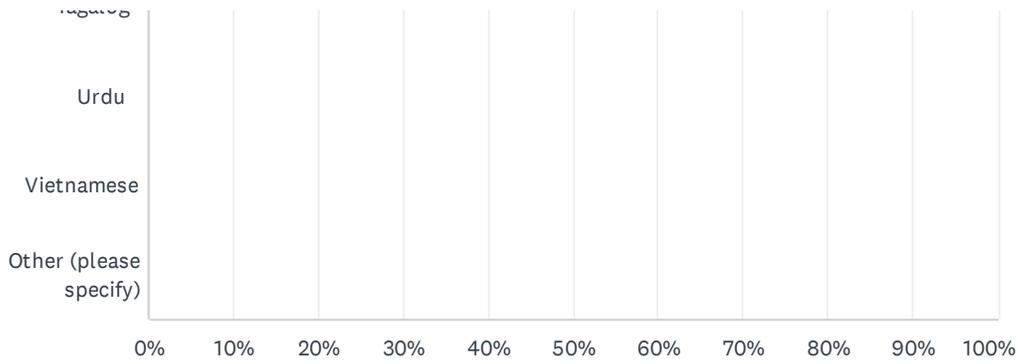
ANSWER CHOICES	RESPONSES	
Less than 1 year	8.74%	18
1-5 years	21.84%	45
6-10 years	14.56%	30
11-15 years	8.25%	17
16-20 years	7.28%	15
Over 20 years	37.38%	77
I do not live in Dayton	1.94%	4
<b>TOTAL</b>		<b>206</b>

### Q11 In what language do you speak most often?

Answered: 204 Skipped: 2



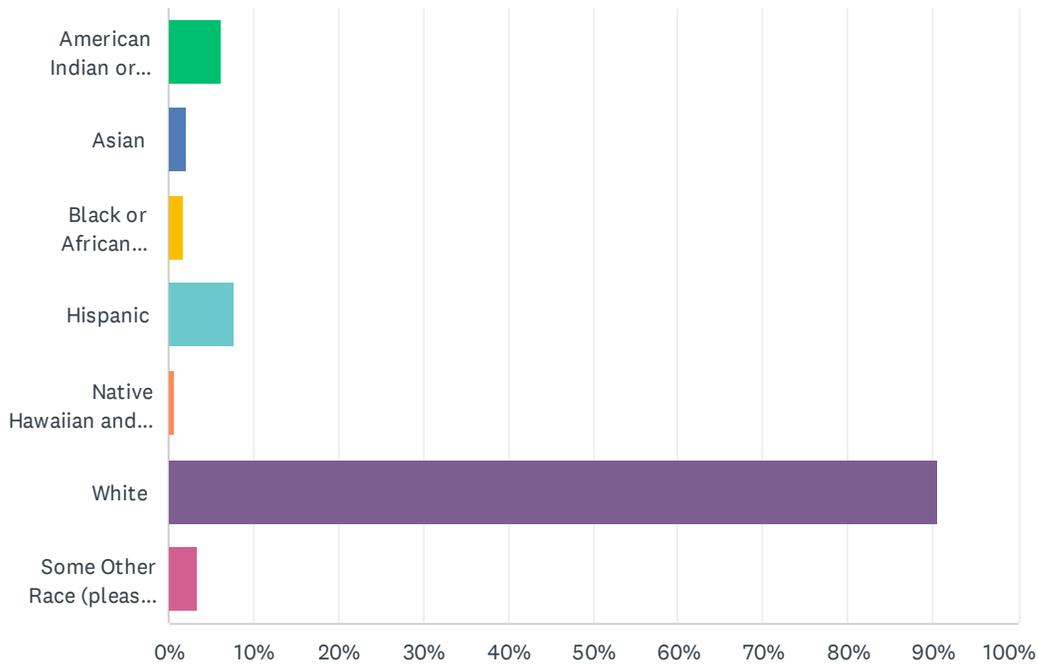
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ANSWER CHOICES	RESPONSES	
Arabic	0.00%	0
Armenian	0.00%	0
Chinese	0.00%	0
English	93.14%	190
French	0.00%	0
Haitian Creole	0.00%	0
German	0.00%	0
Greek	0.00%	0
Gujarati	0.00%	0
Hindi	0.00%	0
Italian	0.00%	0
Japanese	0.49%	1
Korean	0.00%	0
Persian	0.00%	0
Polish	0.00%	0
Portuguese	0.00%	0
Russian	0.00%	0
Spanish	6.37%	13
Tagalog	0.00%	0
Urdu	0.00%	0
Vietnamese	0.00%	0
Other (please specify)	0.00%	0
<b>TOTAL</b>		<b>204</b>

## Q12 What is your ethnicity? (Please select all that apply.)

Answered: 180 Skipped: 26



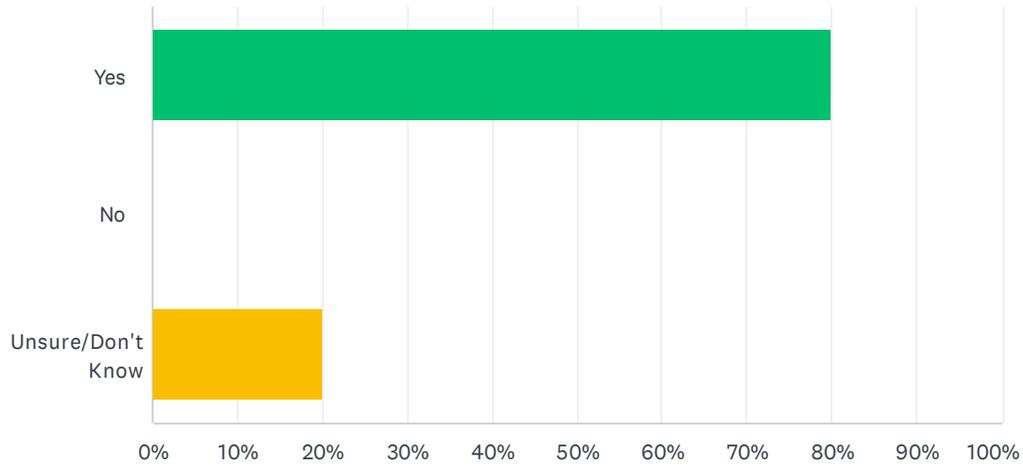
ANSWER CHOICES	RESPONSES	
American Indian or Alaska Native	6.11%	11
Asian	2.22%	4
Black or African American	1.67%	3
Hispanic	7.78%	14
Native Hawaiian and Pacific Islander	0.56%	1
White	90.56%	163
Some Other Race (please specify)	3.33%	6
Total Respondents: 180		

**Q13 Thank you for completing the City of Dayton annual community survey. Please use the comment box below to provide any additional feedback not covered in the questions above.**

Answered: 72 Skipped: 134

### Q14 Do you feel the City does a good job of communicating with residents that speak languages other than English?

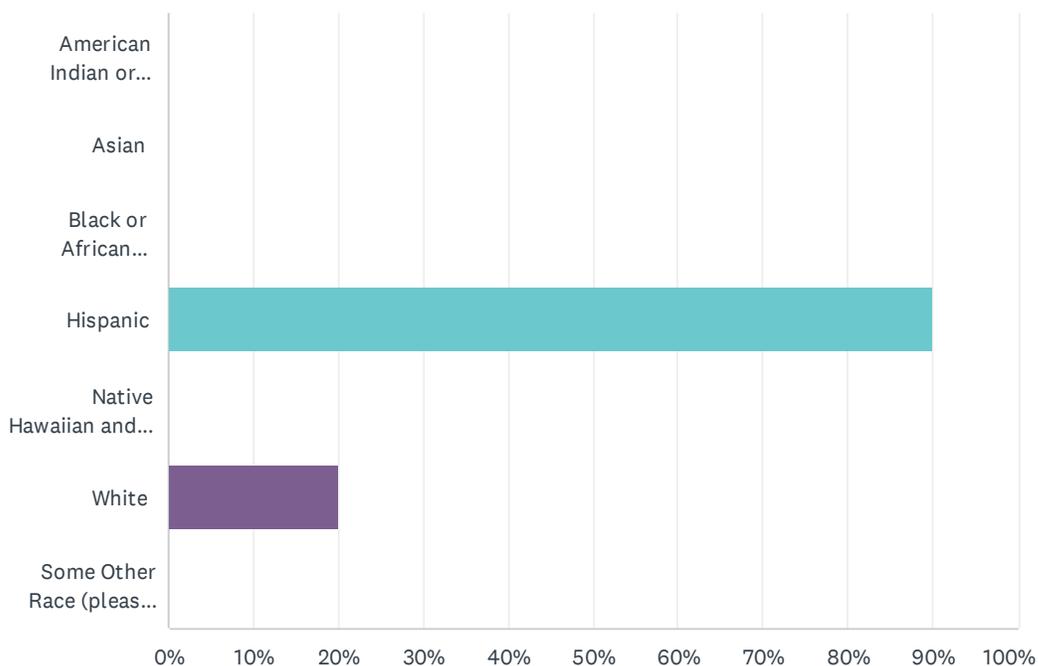
Answered: 10 Skipped: 196



ANSWER CHOICES	RESPONSES	
Yes	80.00%	8
No	0.00%	0
Unsure/Don't Know	20.00%	2
<b>TOTAL</b>		<b>10</b>

### Q15 What is your ethnicity? (Please select all that apply.)

Answered: 10 Skipped: 196



ANSWER CHOICES	RESPONSES	
American Indian or Alaska Native	0.00%	0
Asian	0.00%	0
Black or African American	0.00%	0
Hispanic	90.00%	9
Native Hawaiian and Pacific Islander	0.00%	0
White	20.00%	2
Some Other Race (please specify)	0.00%	0
Total Respondents: 10		

**Q16 Thank you for completing the City of Dayton annual community survey. Please use the comment box below to provide any additional feedback not covered in the questions above.**

Answered: 3 Skipped: 203

**Q13 Thank you for completing the City of Dayton annual community survey. Please use the comment box below to provide any additional feedback not covered in the questions above.**

Answered: 72 Skipped: 134

#	RESPONSES	DATE
1	Please finish sidewalk past Country View Manor. Please remove railroad ties in front of Country View Manor.	1/3/2022 8:56 AM
2	my address is dayton but i live in the county not in town. i feel proud of dayton just the same.	12/31/2021 11:25 AM
3	SAFETY IN DAYTON Thank you for the opportunity to provide feedback. My main public safety I'd like to call to Dayton City Council's attention (as a home owner on 8th Street) is traffic speeds and volumes on 8th Street next to the high school/middle school campus. Student drivers arriving and departing classes are often unruly in their driving practices (e.g., speeding down 8th, spinning tires on 8th and in street-side parking easements) especially mid-day for lunch and end of class day breaks. Additional law enforcement presence during those times could help manage driver behavior and improve safety for pedestrians along 8th (which only has intermittent sidewalks on one side fo the street—resulting in pedestrians frequently sharing the street with motor vehicles). In addition, many pass-through commuters use 8th Street as an in-town-arterial to Hwy. 18, resulting in high traffic volumes during commute hours. Many pass-through drivers also exceed the speed limit on 8th Street—during both early (6:30-8:30am) and afternoon (3:30-6:00pm) commutes, which further enhances the safety concerns adjacent to the school campus. PUBLIC PARKS I appreciate the opportunity to offer feedback on this topic. I was pleased to see that the City, County and Marine Board were able to move forward with data informed solutions to the stand-off for the restroom dispute at Dayton Landing. As a property owner and resident, I feel that Dayton Landing is an untapped resource for improving Dayton tourism, & eresident quality of life . oTo the greatest extent the City Council can prioritize efforts to collaborate with other agencies to achieve improvements for Dayton Landing, I believe investment will rbenefit the community and support the continued economic growth and development of downtown Dayton's business community.	12/29/2021 12:34 PM
4	I want to be able to call the city of Dayton and pay my bill over the phone! Every time I go in there the workers are sitting around talking. There is no reason they can't take a payment over the phone!!	12/28/2021 1:54 PM
5	Lets get the tents out of our city!	12/21/2021 11:33 PM
6	I will vote again for LE services, we do need it. Would like to see yard debris, not the glass recycling. Overall, I am happy to be living in Dayton, it has spoiled me for the bigger cities.	12/20/2021 11:44 AM
7	I'm wondering if there is an issue with the sewers. I keep getting the info on signing up for a plan to help with the cost should something happen. I would like to know if something IS going to happen and that is the city's way of telling us we should be ready? I feel that you need to give us more of an explanation as to why I have received about 5 requests to sign up for that additional coverage. Many people can't afford to sign up..	12/20/2021 11:38 AM
8	I'll say the same thing I said last year, as it still applies this year: Dayton needs some serious improvements in many aspects. Stop paving the roads so much and focus on the sidewalks. There's so many that are barely accessible or almost nonexistent. Also, there were fellow residents that were attempting to run me over at one point for having Black Lives Matter on my sweatshirt. Everywhere I go, I feel unsafe. I feel like there's no one I can call for help outside of my household. Defund the police, and put that funding into things like Mental Health services, a town health clinic, a planned parenthood maybe, and LGBTQ+ safe spaces/groups. Dayton is full of residents ready to shoot other residents. I have not seen a single sign or anything indicating that Dayton is friendly to people of color/culture or LGBTQ+ people. Considering the amount of POC families here I'd think acceptance and human decency would be more common. Please. Fix the sidewalks, and fix Dayton's systemic racism and homophobia. Also, the police presence is way too much. Cut down on the police presence,	12/19/2021 7:22 PM

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focus on actually making the town a safe place. Police make it less safe, try something like increasing mental health services instead.

9	Been waiting three months for permit approval for a shop on our property. Very frustrating.	12/19/2021 1:24 PM
10	There are way too many yards that look like junk yards in this town. They have to be rodent infested and are therefore a public menace to say the least. Some yards are never mowed. Where I come from in the Midwest you are notified to mow your lawn. If you don't comply the city mows it for you and sends you a bill for their work. It is unfair to those who keep their property's neat to have neighbors who have junky yards. It brings their property values down and also brings the whole town down.	12/19/2021 11:55 AM
11	Thank you.	12/19/2021 8:04 AM
12	Love this little town and we hope to add to the community!	12/18/2021 10:42 AM
13	We do not need expensive homes built or big urban growth. Keep it small and affordable. Homes for our children and residents.	12/17/2021 9:32 PM
14	Additional sidewalks would improve the quality of life in Dayton. I have to drive to the evergreen trail if i want to walk because I don't feel safe pushing my stroller on the street	12/17/2021 6:33 PM
15	FIRE EVERYONE IN OFFICE NOW AND REPLACE THEM WITH SOME PEOPLE WITH SOME COMMONSENSE AND STOP THE NEPOTISM	12/17/2021 5:00 PM
16	Be nice if you got ride of the homeless, drug addicts who are breaking into cars and stealing from us.	12/17/2021 4:33 PM
17	Dayton needs better sidewalks and walking/running paths. Community connections will improve greatly if you make it easier for people to get out and navigate on foot. The only traffic problems I have in Dayton are when I'm on foot. I know I have the right-of-way, but that wouldn't matter if I were clocked by a car, which is very very possible living and exercising in Dayton. I know I have legal rights as a pedestrian, but it's time for Dayton to step up and enforce that with better infrastructure to address pedestrians. We are already plenty car-friendly, often at the gross expense of people exploring town on foot. Responding that sidewalks are the problem of homeowners is a cop out. Homeowners are doing nothing, leaving the onus on me as a pedestrian to take action when I have a mishap. The city needs to re-establish safe walking conditions, period. Start citing —and stop grandfathering—homeowners if you won't just put in better sidewalks as a city improvement project. There are creative ways to get this done. Social media is powerful leverage. Dayton does NOT NEED MORE POLICE. Make the city community and pedestrian friendly, and watch the need for law enforcement interventions go down. There is data behind this. Install some street lights! The only reason I can exercise on Dayton streets in the dark winter is because I do it all summer during the day, so I am familiar with where all the holes are. I already broke a bone last year trying to navigate the extremely poor Dayton pedestrian scene, I don't relish doing it again, so I stick to known paths I am comfortable with. I (and others, I'm sure) would explore Dayton a lot more with safer-for-pedestrian conditions. Also. Can we lose the white colonizer stuff in the park? It belongs in a museum. I don't dispute their historical significance, but the blockhouse and the cannon where they're currently located already are just reminders of our violent past as white supremacist colonizers. It's time to be on the right side of history, Dayton!	12/17/2021 4:18 PM
18	If you drive around town there are several areas that you can't see to pull out with out putting yourself and other drivers in danger. Drive around and look for yourself.	12/17/2021 3:49 PM
19	We are a Property Management company so this does not pertain to us, but it does our tenants. So I do not believe my survey is a good fit for what the city is looking for.	12/17/2021 3:44 PM
20	I love Dayton. My family has lived here at the same address for 40 years. I went to preschool and high school in Dayton. I would like to see the city center get more work done to it. I would like to see more businesses too. I would've liked a 7/11 and a dollar tree instead. We need the city center just built up more nicely and get some proper affordable great little businesses going. A nicer bigger library would be nice the basketball court at the park needs improvement. I love Dayton and want the best for it. It has been a incredible little town for my family and I appreciate everything it has done for my family.	12/16/2021 8:39 PM
21	Let's get a gas station!	12/16/2021 4:59 PM
22	Na	12/16/2021 3:00 PM

## City of Dayton Survey 2021

23	Need to do better in dealing with all the random dogs loose in town. I frequently see dogs roaming about. Also lots of noise issues due to people's dogs barking non stop.	12/16/2021 12:24 PM
24	I love the small town feel and would prefer to see Dayton stay a small town. Growth is not always a good thing. We can be a self sustaining town without growth.	12/15/2021 10:53 PM
25	Get Bill Stoller to get off his ass and either: A) sell his empty, shitty looking lots -or- B) sell them The inspector, Brooks, from Newberg is an egotistical asshole and needs to be fired. Danny Muchmore is a horrible engineer for the city. He uses old ODOT standards, he makes shit up off the cuff (i.e endless demonstrations,) and is a difficult person to work with. He and his firm need to go away. Patty Ringnald is a horrible representative face for our city. She likes to "quote" city code, when actually is making it all up. She has caused many of my clients headaches and caused them not to develop here, hurting our economy. GET RID OF HER!	12/15/2021 5:13 PM
26	Our family is extremely happy to have lived in Dayton over the last 5 years. I am concerned about the growing homeless encampment as you come off highway 18 headed into Dayton. It would be good to see that addressed. It is turning the first view of our beautiful town into a rubbish heap. Overall we love everything else! We would like to see someone take over the block house and open that again as well. That was such a great restaurant previously.	12/15/2021 1:26 PM
27	PGE is so expensive and so is Dayton water. Is there any way to partner with Mac Water and Light to give us expanded options? This makes the cost of living in Dayton more difficult. My heat us electric so I spend over \$500/mo on utilities and it is only \$150 in McMinville for my sister who has 4 kids and she has electric heat as well.	12/15/2021 9:30 AM
28	Thank you for sending out this survey. The questions were great. It would be good to have a space to write a comment to clarify answers to specific questions.	12/15/2021 7:25 AM
29	It's difficult on a fixed income to pay for additional for county policing when we live in the county of Yamhill and already receive this. There is very little planning enforcement now. Where are the sidewalks as existing home owners expand/develop their property and ignore the planning commission	12/14/2021 6:43 PM
30	Access to fresh foods would be a big win. Also seeing all our empty store fronts filled. If you build it we will come! Thanks to the city for all you do.	12/14/2021 6:40 PM
31	Boat launch park is in desperate need of an upgrade.	12/14/2021 6:29 PM
32	Need sidewalk from Center Market to flower St. Fix syreet parking on Ferry Street by apartments and Countryview Manor.	12/14/2021 6:16 PM
33	We need to get the Current Sheriff Broyles out of Town , he isn't a Good man for this town .	12/14/2021 5:12 PM
34	Can't believe the mercantile store and block house have been turned into a private restaurant and lingerie store! We need another decent restaurant and stores here!	12/14/2021 4:03 PM
35	Thank you so Much for all you do for the children of this town. Getting to and from the high school on 9th Street is very scary. Kids jetting out in traffic often.	12/14/2021 3:47 PM
36	It also would be nice to see all kids treated equally at city planned events, not shown favoritism because they happen to be related or friends with those who are leading the event (it's still ALL our tax dollars paying for these activities) equality and fairness is all people are asking for...this should not even have to be explained.	12/14/2021 3:45 PM
37	Please keep this town small! Don't want it turning into another Lafayette or McMinnville	12/13/2021 8:52 PM
38	Code enforcement should not be tell on your neighbors but actually going around and see violations and citing the violations of the city's codes...	12/13/2021 7:32 AM
39	Homeless camp on hyw 18 exit to dayton.	12/12/2021 11:23 PM
40	WE believe the mayor does a great job Would like to see mediation return to the schools and utilized when issues arise	12/12/2021 1:12 PM
41	Parking on sweeney st, between New housing and tournaments	12/12/2021 9:03 AM
42	Parks fields grass need weed abatement and pest control to make safe and useable	12/12/2021 8:05 AM
43	I would like to see Dayton stay small. No more building unaffordable houses that only out of town people can afford. I want my kids to be able to buy in Dayton. And absolutely do not use	12/12/2021 6:54 AM

## City of Dayton Survey 2021

up our farm land to start building developments. Our water/sewer, schools etc....cannot support the growth.

44	I'd like more info about the upkeep of the wooded area at the back of homes on Joel Palmer Way. Ivy is damaging a lot of the trees and I'd like to discuss how to stop this.	12/11/2021 4:31 PM
45	Christmas tree looks beautiful!	12/11/2021 1:11 PM
46	Due to lack of communication the citizens of Dayton have no clue what is going on in the community, we feel left out!!!	12/11/2021 8:58 AM
47	Fix up downtown!!! We live in a beautiful area and downtown look abandoned.	12/11/2021 8:26 AM
48	Please add yard debris recycling	12/11/2021 12:42 AM
49	OUR CITY LEADERS SUCK	12/10/2021 11:51 PM
50	I though it odd there were no questions about our school's in Dayton. I am concerned that we avoid at all cost introducing the critical race theory ideology in our classrooms. I also feel that discussion's of sexual preference (s) has no business within our classrooms!	12/10/2021 11:21 PM
51	What's being done about the homeless issue	12/10/2021 11:19 PM
52	Urban renewal and what can or should be done to create growth in our downtown businesses.	12/10/2021 11:10 PM
53	I love Dayton and the community here. I live in and amazing neighborhood with the best neighbors. We all lookout for eachother and never hesitate to offer help when any needs arise. The whole city is filled with really great people always willing to answer any questions, help with any situation. I hope this never changes. We really are special and different from other cities. Sure, there are a few grumpsters and bad apples, but even they arent as bad as other cities where nobody even knows their neighbors and always complains about them. Dayton is different.	12/10/2021 11:04 PM
54	Sidewalks are main concern. Church& Ash need to be fixed b4 an elderly citizen is injured!	12/10/2021 10:39 PM
55	The best changes to make would be adding sidewalks on all streets in town, making the city water taste decent with a lower cost, and most importantly clean up all the dilapidated/ obvious hoarder houses around town.	12/10/2021 9:23 PM
56	Please Please Please!!! 8th street needs either law enforcement, speed bumps, speed detector sign, and sidewalks near the FFA fence. Too many large commercial trucks, city buses and high school visitors have made it VERY dangerous for people on foot or on bicycles in this area. Thank you.	12/10/2021 7:31 PM
57	I would love to see the empty buildings in town become useful businesses that provide resources and offer jobs.	12/10/2021 7:17 PM
58	Dayton needs a reasonably priced market and a fuel station!	12/10/2021 7:08 PM
59	Need new City Engineer, who is practical about the what is needed/required in a small town. What will work for a small town, ie building a house,	12/10/2021 6:45 PM
60	Having more maintained walking paths through the woods surrounding town would be nice. Several old run down homes need improvement. Some streets needs better lighting.	12/10/2021 6:38 PM
61	More restaurants please. Hardware store, slow down the speeders and more nightly patrols.	12/10/2021 5:00 PM
62	Where I left things blank it was because I haven't really used such services or activities and there was no N/A option. Overall, keep up the good work. The overall look of Dayton (I think that was a question) I said needs improvement - this really relates to downtown, and getting buildings back to being occupied. I know things are in the works. In the neighborhoods, it would be keeping yards up, cars in working order.	12/10/2021 4:39 PM
63	Every year when more community events happen we want to get more evolved with neighborhood competition . We appreciate the effort that the city has made to get people involved after the first covid hit.	12/10/2021 4:22 PM
64	Our mayor does a wonderful job. We have no complaints about her! Our water is very hard and smells like bleach. Definitely needs work.	12/10/2021 4:15 PM
65	Cats still raising a stink. They roam free onto my property from others. I need to get a dog I	12/10/2021 3:45 PM

## City of Dayton Survey 2021

guess. Raising the road bed has caused puddling. Should have put a drain through on the sidewalk to allow surface flow. Or just cut a 1/2 inch through gap. Why does local public safety monitor internet usage. Seems like a waste of resources.

66	We need a dog park	12/10/2021 3:36 PM
67	Thank you for asking!	12/10/2021 3:34 PM
68	Downtown really, really needs some new life breathed into it. Priority maybe more than anything else on this survey should be on incentives/recruitment to get new businesses up and running. Downtown Dayton feels like a ghost town.	12/10/2021 3:26 PM
69	Love the town so far! We have had a prowler on our property recently, so increased police presence would be welcome. In addition, the footbridge from the boat landing to the dog park would be nice to replace, so we can have access to the park/the residents of The Vintages can access downtown by foot.	12/10/2021 3:22 PM
70	Specific issues I have in Dayton 1. When there is an activity at the high school, there is no room to push a stroller on the sidewalk because enough vehicles park so close to the fence on 9th that we have to walk on the street. It's strange that none of the 4 way stops are marked as 4 way stops. The 8th and ash street 4 way is particularly dangerous when people who don't live here use the streets. Power through PGE is expensive. I don't like the way that we're paying for glass services we never use.	12/10/2021 3:18 PM
71	Need fresh produce options in stores.	12/10/2021 3:14 PM
72	Thanks for all the fun activities	12/10/2021 3:09 PM

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**To:** Honorable Mayor and City Councilors  
**From:** Rochelle Roaden, City Manager  
**Issue:** Council Rules Review/Update Discussion  
**Date:** January 18, 2022

**History/Background**

“City Charter Section 10 provides that the Council must, by resolution, adopt rules to govern its meetings. The Council will review its rules at its first meeting in January of even numbered years. Amendments to the rules will be made by majority vote. The Council will have clear and simple procedures for considering agenda matters. Council rules are not intended to replace or supersede applicable federal or state laws, the City Charter or City ordinances.”

Attached for your review is the current Council Rules which were adopted in March of 2021 in response to a change needed for telephonic meetings due to the Covid-19 pandemic.

HB2560 went into effect on January 1, 2022, which “Requires governing body of public body, to extent reasonably possible, to make all meetings accessible remotely through technological means and provide opportunity for members of general public to remotely submit oral and written testimony.” I have attached a copy of HB2560 for your review and consideration. While we have complied, the current council rules do not reflect this change and need to be updated.

I have also attached the City Charter for your reference.

Staff will bring the changes back to council next month as a resolution which has been reviewed by our City Attorney.

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**CITY OF DAYTON, OREGON**  
**City Council Rules**

**SECTION 1 AUTHORITY**

**1.1** City Charter Section 10 provides that the Council must, by resolution, adopt rules to govern its meetings. The Council will review its rules at its first meeting in January of even numbered years. Amendments to the rules will be made by majority vote. The Council will have clear and simple procedures for considering agenda matters. Council rules are not intended to replace or supersede applicable federal or state laws, the City Charter or City ordinances.

**SECTION 2 DEFINITIONS** As used in these Rules, the following mean:

- **City Committees:** All City committees, commissions, task forces, and advisory bodies.
- **Council and Council members:** The Mayor, the Council President, and the Councilors.
- **Councilors:** The Council President and the Councilors.

**SECTION 3 COUNCIL MEETINGS**

**3.1 Council Meetings**

- A. Regular Session Council meetings ~~will generally be hybrid meetings and will generally be held at~~ in the City Hall Annex and/or virtually online on the first Monday of each month for the purpose of conducting business or developing policy, per ORS 192.670.
- B. ~~Work Session or Special Session meetings will normally be on the 3<sup>rd</sup> Monday of each month.~~
- EB. Council Regular Session meetings will normally begin at 6:30 p.m. and adjourn no later than 10 p.m. Work Session or Special Session meetings will normally begin at 6:30 p.m. and adjourn no later than 10 p.m. For any meeting to continue past the normal adjournment time, a majority of the Council members present at the meeting must agree.
- DC. If possible, only one or two major topics (defined as issues of special interest, controversial, or difficult) will be scheduled per meeting.

**3.2 Work Sessions**

A. ~~A-Work Session meetings will be hybrid meetings and will normally be held in the City Hall Annex and/or virtually online on the 3<sup>rd</sup> Monday of each month, per ORS 192.670.~~

B. Work Session meetings will be to develop policy, review programs, and receive progress reports, where no action is expected.

Each agenda shall contain a segment that is reserved for the Mayor and Councilors to comment on ideas, exchange information, and make announcements.

**3.3 Special or Emergency Meetings**

A. Special Session Meetings

Special Session meetings may be held on any evening and will be hybrid meetings generally held in the City Hall Annex and/or virtually on line per ORS 192.670. Special Session meetings may be called by the Mayor or upon the request of three City Councilors. Action can be taken where at least 72 hour notice is possible, but not less than a 24 hour notice. Required notifications will be given in accordance with the Attorney General's Public Records and Meetings Manual.

B. Emergency Meetings

An Emergency meeting is a Special meeting called on less than 24 hours' notice and will be hybrid meetings, generally held in the City Hall Annex and/or virtually online per ORS 192.670. An actual emergency must exist, and the minutes of the meeting must describe the emergency justifying less than 24 hours' notice. City staff will attempt to contact the media and other interested persons to inform them of the meeting. Emergency meetings may be held on any evening and may be called by the Mayor, or in his/her absence, the Council President. Action can be taken.

### 3.4 Executive Session

- A. An Executive Session meeting (meeting closed to the general public) must be held in accordance with the terms of Oregon's Public Meetings Law (ORS 192.610 to ORS 192.690) and will be hybrid meetings, to be held generally in the City Hall Annex and/or virtually online. Executive Session meetings may be held during Regular Session or Special Session meetings provided relevant statutory limitations are met.
- B. Only the Council, City Attorney, specific staff members, media representatives, and those invited by the Mayor or a majority of the Council can attend.
- C. No formal decisions can be taken during an Executive Session. When the Council reconvenes in open session, formal action may be taken.
- D. The Council needs to specify that Executive Session meeting information may not be reported. In accordance with Oregon Public Meetings Law, only the subject of the Executive Session may be disclosed.
- E. Media representatives are allowed to attend Council Executive Sessions subject to the understanding that information from such meetings that consider proper Executive Session subjects will not be reported.

**3.5 Minutes.** Only the Mayor and Councilors have the authority to make revisions to the minutes subject to a majority vote of the Council. If a citizen wishes to suggest an amendment, the request must be made through the Mayor or a Councilor.

### 3.6 Telephonic/Electronic Meetings

- A. Council members may participate in Council meetings by telephone. The provisions of the Oregon state statutes governing public meetings apply. All Council members, whether attending the meeting in person or by telephonic means have the same voting rights. ~~A quorum must be physically in attendance in Council chambers except during a declared emergency.~~

B. ~~Executive Sessions are exempt.~~

**3.7 Attendance.** Councilors will inform the Mayor if they are unable to attend any Council meeting. Lack of notification will constitute an unexcused absence. The Mayor will inform the Council President and City Manager of any absence of the Mayor.

## **SECTION 4 AGENDA**

**4.1 A.** The Mayor or in his/her absence, the Council President, will work with the City Manager to schedule agenda items.

**B.** Items may be placed on the Council agenda by any of the following methods: (1) the Mayor; (2) any Councilor by advising the Mayor, or City Manager; (3) vote of the Council, or (4) the City Manager or City Attorney.

### **4.2 Headings**

The agenda headings will generally be as follows:

- CALL TO ORDER & PLEDGE OF ALLEGIANCE
- ROLL CALL
- PUBLIC HEARING (when scheduled)
- APPEARANCE OF INTERESTED CITIZENS (on any topic except a public hearing held that night)
- CONSENT AGENDA (any item may be removed from the Consent Agenda for discussion at the request of a Councilor)
- ACTION ITEMS
- CITY COUNCIL COMMENTS/CONCERNS
- INFORMATION REPORTS
- CITY MANAGER REPORT
- CITY ATTORNEY REPORT
- ADJOURN

### **4.3 Preparation**

**A.** The City Manager will prepare an agenda for each Council meeting specifying the time and place of the meeting, and a brief general description of each item to be considered by the Council.

**B.** Agenda materials will generally be available to the Council, media, and public a minimum of three calendar days before all meetings with the exception of Emergency Sessions.

### **4.4 Scheduling**

**A.** The agenda may be amended to add additional items after the agenda is printed and the notice published if the Mayor, Councilor, or City Manager explains the necessity and receives Council consent. The City Manager will notify the media and any known interested citizens as soon as possible after receiving information about proposed agenda additions.

- B. Agenda items that are continued from one meeting to another will have preference on the subsequent agenda.
- C. With the consent of the Council, the Mayor may consider agenda items out of order.

## **SECTION 5 COUNCIL DISCUSSIONS AND DECORUM**

- 5.1** Council should conduct themselves so as to bring credit upon the government of the City by respecting the rule of law, ensuring non-discriminatory delivery of public services, keeping informed concerning the matters coming before the Council and abiding by all decisions of the Council, whether or not the member voted on the prevailing side.
- 5.2** Councilors will assist the Presiding Officer to preserve order and decorum during Council meetings and may not, by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or Council rules. When addressing staff or members of the public, Councilors will confine themselves to questions or issues then under discussion and not:
  - engage in personal attacks; or
  - impugn the motives of any speaker.
- 5.3** The following ground rules should be followed in order to maintain order and decorum during Council members discussions, Council members will:
  - A. Gather necessary information and have questions answered from staff before a meeting.
  - B. Speak for themselves and not for other Council members.
  - C. Not state they represent the Council, unless they have been asked by Council to do so.
  - D. During public meetings, Council members should not attempt to substantially rewrite prepared ordinances. Editing an ordinance may be appropriate but comprehensive changes should follow staff research.
  - E. Be open, direct and candid in the Council forum. Members should be brief and succinct in stating their views and focus on a single issue or topic at any one time.
  - F. Focus on City issues and priorities and avoid becoming involved in extra-territorial issues outside the City's jurisdiction.
  - G. Give all members an opportunity to express their views on the issues before the Council.
  - H. Avoid disguising a statement as a question or using repetition as a way to convince others.
  - I. Keep the discussion moving and call for a process check if the Council becomes bogged down in discussions.
  - J. If a Council member wishes to discuss a major policy issue, it should be suggested as a future agenda item and not raised as an addendum.

### **5.4 Public Comment**

- A. Public comment sign-up forms will be available at each meeting. At the time on the agenda designated for public comment, and during any public hearing, any member of the public desiring

*Adopted by Resolution #04/05-31, 05/02/05; Amended by Resolution #05/06-14, 03/06/06; #06/07-28, 03/05/07; #07/08-26, 03/03/08; #10/11-13, 11/01/10 & #11/12-16 02/13/12, #18/19-13 03/04/19.*

to address the Mayor and the Council shall first request to be recognized by the Presiding Officer and then state his or her name and address for the record. If necessary, the Council may limit comments to three minutes. The Council may request that groups with like comments choose a spokesperson to present their joint remarks.

- B. During public hearings, all public comment should be directed to the question under discussion and addressed to the Presiding Officer representing the Council as a whole.
- C. In general, Council will not respond to any comment made during the time on the agenda for public comment, except to provide information and ask clarifying questions.

## SECTION 6 MOTIONS

### 6.1 General

- A. Council members should clearly and concisely state their motions. The Mayor will state the name of the Council member who made the motion and the Council member who made the second. The Mayor may make a motion or a second, provided that he or she first designates the Council President or, in his or her absence or inability to act, a senior member of the Council as the Presiding Officer during consideration of the matter.
- B. *If so requested*, the motion maker, Mayor, or City Manager should repeat the motion prior to voting.
- C. Most motions die if they do not receive a second. Motions for nominations, withdrawal of a motion, agenda order, roll call votes, a point of order, and inquires of any kind do not require a second. Any motion on which a second is not made but on which discussion begins is automatically seconded by the Council member beginning the discussion.
- D. The Mayor will ask for a voice vote for all final decisions. The City Recorder will maintain a record of the votes. Any Council member may request an oral roll call vote on any decision.
- E. At the conclusion of any vote, the Mayor will announce the results.

**6.2 Withdrawal.** A motion may be withdrawn by the mover at any time without the consent of the Council.

**6.3 Tie.** A motion that receives a tie vote fails.

**6.4 Table.** A motion to table is not debatable and precludes all amendments or further debate. If the motion prevails, the matter may be taken from the table only by adding it to a future agenda at which time discussion may continue

### 6.5 Postpone

- A. A motion to postpone to a certain time is debatable and amendable. The matter may be considered later at the same meeting or at a future meeting.
- B. A motion to postpone indefinitely is debatable and is not amendable. It may be reconsidered at the same meeting only if approved by an affirmative vote. This motion is not to postpone, but to reject the matter without a direct vote.

- 6.6 Call for Question.** A motion to call for the question ends debate on the matter and is not debatable. A second is required for this motion and it fails without a two-thirds' vote. Debate may continue if the motion fails.
- 6.7 Amendment**
- A. A motion to amend may be made to a previous motion that has been seconded but not voted on. An amendment is made by adding, striking out, or substituting words.
  - B. Motions to adjourn, agenda order, lay on the table, roll call vote, point of order, reconsideration, and take from the table may not be amended.
  - C. Amendments are voted on first, then the main motion as amended.
- 6.8 Reconsideration.** When a question has been decided, any Council member who voted in the majority may move for reconsideration. The motion for reconsideration must be made before adjournment of the meeting in which final action on the ordinance, resolution, order or other decision was taken.

## SECTION 7 COUNCIL CONDUCT

- 7.1 Representing City.** If a Council member appears before another governmental agency or organization to give a statement on an issue, the Council member must state: 1) whether the statement reflects personal opinion or is the official position of the City; 2) whether the statement is supported by a majority of the Council. If the Council member is representing the City, the Council member must support and advocate for the official City position on the issue rather than a personal viewpoint.
- 7.2 Censure Process**
- 7.2.1 Internal Oversight. The Council has the inherent right to make and enforce its own rules and to ensure compliance with those laws generally applicable to public bodies. Should any Council member act in any manner constituting a substantial violation of these rules, City Ordinance or Charter, or other general laws, the remaining Council members may issue a censure or memorandum of concern pursuant to the following procedure:
- A. The process is initiated by a written statement by a Council member explaining the alleged misconduct of a Council member and if true, why disciplinary action is needed. Two Council members must date and sign the statement and deliver the original to the City Manager. The City Manager shall then place the matter before the Council at the next Regular Session meeting if the written statement is submitted to the City Manager not later than five (5) calendar days prior to such meeting, otherwise the matter shall be placed on the agenda for the following Council meeting.
  - B. An affirmative vote by five (5) or more members of the Council shall initiate an investigation. An affirmative vote by a Council member shall not indicate that such member believes the truth of the statement and/or the reasoning behind a proposed sanction, but merely that further investigation is warranted under the criteria set forth in subsection C) below. The Council member in question shall not take part in the discussion or the vote.
  - C. If initiated, an investigation shall be conducted by a committee consisting of three Council members appointed by the Council. Two additional Dayton residents shall be included if the Council member being investigated makes such request. Such residents shall be selected by the Council. The investigation shall be completed within 30 days of being initiated by the Council. The Committee shall review whether the alleged misconduct

occurred, and if so whether the alleged misconduct occurred while acting in their official capacity as a City Council member, including, but not limited to the following instances:

- 1) During a city meeting or while representing the City of Dayton;
  - 2) City Council member announced that they were a City Council member (and therefore infers that conduct is as a City Council member);
  - 3) Conduct occurred in writing available to the public (social media, newspaper) as identified as a City Council member.
- D. If misconduct is found unanimously by the members of the City Council Committee, the Committee would present the investigation conclusion to the Council with a recommendation of any sanctions. Sanctions could include:
- 1) A memo of concern from the full City Council, or
  - 2) Censure
- E. The Council shall vote on the Committee recommendation. A memorandum of concern would require a four (4) member vote of the Council; a censure would require at least a five (5) member vote. The Council member in question shall not take part in the discussion or the vote.
- F. If misconduct is not found unanimously by the City Council Committee, a public report of the Committee findings will be presented to the City Council during a Council meeting. A copy of that report will be given to the Council member who was investigated.

## **SECTION 8 CONFIDENTIALITY**

- 8.1** The Council will keep all written materials provided to them on matters of confidentiality under law in complete confidence to ensure that the City's position is not compromised. No mention of the information read or heard should be made to anyone other than other Councilors, the City Manager, or City Attorney.
- 8.2** In Executive Sessions, Council members should attempt to provide direction or consensus to staff on proposed terms and conditions for negotiations. All contact with other parties must be left to the designated staff or representative(s) handling the negotiations or litigation. Council will not have any contact or discussion with any other party or its representative nor communicate any executive session discussion unless directed.
- 8.3** All public statements, information or press releases relating to a confidential matter should be handled by designated staff or a designated member of Council.
- 8.4** The Council may censure a member who discloses a confidential matter or otherwise violates the terms of these rules. (Subject to Section 7.2)

## **SECTION 9 COMMUNICATION WITH STAFF**

- 9.1** The Council members will respect the separation between policy-making (Council function) and administration (City Manager function) by:
- A. Working with the staff as a team within a spirit of mutual respect and support.

- B. Except in Council meetings, not attempting to influence a city employee or the City Manager concerning personnel matters, purchasing issues, the award of contracts and/or the selection of consultants, the processing of applications or granting of City licenses and permits. However sharing information on these matter is appropriate.
- C. Limiting individual contacts with staff so as not to influence staff decisions or recommendations; to interfere with their work performance; to undermine the authority of supervisors; or to prevent the full Council from having benefit of any information received.
- D. Except in a Council meeting, staff will not attempt to influence individual Council members concerning City business.
- E. Respecting roles and responsibilities of staff when and if expressing criticism in a public meeting or through public electronic mail messages.

**9.2** All written informational material requested by individual members of Council will be submitted by staff to the entire Council with a notation indicating who requested the information.

**9.3** The Presiding Officer will refer any comments or questions regarding city personnel or administration to the City Manager. The Presiding Officer may redirect other questions to a Council member or the City Manager, as appropriate. Councilors may also address questions directly to the City Manager, who may either answer the inquiry or ask a staff member to do so

## **SECTION 10 MINUTES**

**10.1** Minutes shall be prepared with sufficient detail to meet their intended use. Verbatim minutes are not required. The minutes of meetings of the Council shall comply with provisions of ORS 192.650 by containing the following information at a minimum:

- The name of Council members and staff present;
- All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;
- The result of all votes, including ayes and nays and the names of the Council members who voted.
- The substance of the discussion on any matter.
- Reference to any document discussed at the meeting.

**10.2** The Council may amend the minutes to more accurately reflect what transpired at the meeting. Upon receipt of the minutes in the Council agenda packet, the Council member should read and submit any changes, additions or corrections to the City Manager so that a corrected copy can be issued prior to the meeting for approval. Under no circumstances may the minutes be changed following approval by the Council, unless the Council authorizes such change.

## **SECTION 11 ADJOURNMENT**

**11.1** Upon motion and majority vote of the Council members present, any meeting of the Council may be continued or adjourned from day to day or for more than one day, provided that no adjournment may be for a period longer than until the next regular meeting.

**11.2** Upon the request of two or more Council members a short break may be taken.

**11.3** A motion to adjourn will be in order at any time except as follows:

- When made as an interruption of a member while speaking; or
- While a vote is being taken.

## **SECTION 12 DISQUALIFICATION**

### **12.1 Bias**

- 12.1.1** Any proponent, opponent or other party interested in a quasi-judicial matter to be heard by the Council may challenge the qualification of any Council member to participate in such hearing and decision. Such challenge must state any fact(s) relied upon by the party relating to a Council member's bias, pre-judgment, personal interest or other factor from which the party has concluded the Council member cannot participate and make an impartial decision. Such challenges must be made prior to the commencement of the public hearing. The Presiding Officer will give the challenged member an opportunity to respond. A motion to accept or deny the challenge will be accepted and voted upon by the Council. Such challenges and the Council's decision will be incorporated into the record of the hearing.
- 12.1.2** In quasi-judicial matters, each Council member must disclose participation in a prior decision or action on the matter that is before the Council. Common examples include when a Planning Commission member is elected or appointed to the City Council or when a Council member testifies at a Planning Commission meeting. The Council member must state whether they can participate in the hearing with no regard for the prior decision made. If the Council member is unable to be impartial, they have a duty to disqualify themselves from participating in proceedings and leave the Council table.
- 12.1.3** If the City Council believes that the member is actually biased, it may disqualify the member by majority vote from participating in a decision on the matter. A Council member who has been disqualified from participating in a decision may participate in the proceeding as a private citizen.

### **12.2 Conflict of Interest**

- 12.2.1** Generally, conflicts of interest arise in situations where a Council member, as a public official deliberating in a quasi-judicial proceeding, has an actual or potential financial interest in the matter before the Council. Under state law, an actual conflict of interest is defined as one that would be to the private financial benefit or detriment of the Council member, a relative or a business with which the Council member or a relative is associated. A potential conflict of interest is one that could be to the private financial benefit or detriment of the Council member, a relative or a business with which the Council member or a relative is associated. A relative means the spouse, children, siblings or parents of the public official or public official's spouse. A Council member must publicly announce potential and actual conflicts of interest and, in the case of an actual conflict of interest, must refrain from participating in debate on the issue or from voting on the issue.

### **12.3 Ex Parte Contacts**

- 12.3.1** For quasi-judicial hearings, Council members should refrain from having *ex parte* contacts relating to any issue of the hearing, including conversations with other Councilors. *Ex parte* contacts are those contacts by a party on a fact in issue under circumstances that do not involve all parties to the proceeding. *Ex parte* contacts can be made orally when the other side is not present, or they can be in the form of written information that the other side does not receive. A site visit is not in and of itself an *ex parte* contact unless there is communication from an outside party or information is

gleaned from the visit that will be used for a future decision. Even if the site visit is not classified as an *ex parte* contact, it should still be disclosed during any applicable hearing.

**12.3.2** If a Council member has *ex parte* contact prior to a hearing, the member must reveal the contact at the meeting and prior to the hearing. The Council member shall describe the substance of the contact and the Presiding Officer shall announce the right of interested persons to rebut the substance of the communication. The Council member also will state whether such contact affects their impartiality or ability to vote in the matter. The Council member must state whether he or she will participate or abstain.

**12.3.3** For quasi-judicial hearings, a Council member who was absent during the presentation of evidence cannot participate in any deliberations or decision regarding the matter unless the Councilor has reviewed all the evidence and testimony received.

## **SECTION 13 OREGON GOVERNMENT ETHICS COMMISSION REQUIREMENTS AND REPORTING**

**13.1** Council members shall review and observe the requirements of the State Ethics Law (ORS 244.010 to ORS 244.390) dealing with use of public office for private financial gain.

**13.2** Council members shall give public notice of any conflict of interest or potential conflict of interest and the notice will be reported in the meeting minutes. In addition to matters of financial interest, Council members shall maintain the highest standards of ethical conduct and assure fair and equal treatment of all persons, claims and transactions coming before the Council.

**13.3** In accordance with ORS 244.195, it is each Council member's responsibility to file annual statements of economic interest with the Oregon Government Ethics Commission.

## **SECTION 14 LEGAL ADVICE**

**14.1** Requests to the City Attorney for advice requiring legal research shall not be made by a Councilor except with concurrence of the Council. Before requesting research or other action by the City Attorney, the Council is encouraged to consider consulting with the City Manager to ascertain whether the request or action can be accomplished more cost-effectively. Outside a Council meeting, a Councilor should make requests of the City Attorney through the City Manager.

## **SECTION 15 ROBERT'S RULES**

**15.1** Robert's Rules of Order Revised shall be used as the guideline for conduct of Council meetings.

## **SECTION 16 COMMITTEES, ORGANIZATIONS & MEDIA**

### **16.1 Citizen Appointment and Removal**

A. The Mayor will appoint City committees, with the consent of the Council. The Mayor may request assistance from Councilors in making recommendations.

B. Council members will encourage broad participation on City committees by generally limiting the number of terms a citizen may serve on the same City committee.

C. A citizen may not serve on more than two City committees simultaneously. Any citizen serving on two City committees may not be chairperson of both City committees simultaneously.

- D. With the consent of the Council, the Mayor may remove a citizen from a City committee prior to the expiration of the term of office.

**16.2 Council Member Participation.** Council members shall encourage City committee member participation.

**16.3 Councilor Liaison**

- A. The Mayor will appoint Councilors to liaison positions on any or all City committees, including ad hoc or limited term committees, as the Mayor deems necessary.
- B. Councilors, serving as Committee liaisons, shall not have a vote.

**16.4 Organizations, Media**

- A. If the Mayor or a Councilor represents the City before another governmental agency, a community organization, or the media, the Council member should first state the Council majority position. Personal opinions and comments should be expressed only if the Council member makes clear that he or she does not express the Council position.
- B. Council members should obtain the appropriate permission before.

**SECTION 17. CITY MANAGER EVALUATION PROCESS**

**17.1 Criteria.** The job expectations and goals used in the evaluation of the City Manager will be adopted at a regular Council meeting in accordance with state law.

**17.2 Form**

- A. Council members and the City Manager will mutually agree on the form of the annual evaluation.

**SECTION 18. COUNCIL EXPENSES**

**18.1 Reimbursement.** Council members will follow the same rules and procedures for reimbursement as City employees.

**18.2 Budget.** Council will review and discuss its proposed annual budget as coordinated by the Mayor and Council President and as presented by City staff during a public meeting.

**18.3 Guests.** Under Oregon Government Ethics Commission rules, expenses for one guest per Councilor will be covered for attendance at official City functions.

# House Bill 2560

Sponsored by Representative MEEK, Senator STEINER HAYWARD; Representatives REARDON, SALINAS (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires governing body of public body, to extent reasonably possible, to make all meetings accessible remotely through technological means and provide opportunity for members of general public to remotely submit oral and written testimony during meetings to extent in-person oral and written testimony is allowed. Imposes same requirements on hearings under ORS chapters 197 and 215.

## A BILL FOR AN ACT

1  
2 Relating to expanding remote participation of public in self-government through use of technology;  
3 amending ORS 192.670.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 192.670 is amended to read:

6 192.670. (1) Any meeting, including an executive session, of a governing body of a public body  
7 which is held through the use of telephone or other electronic communication shall be conducted in  
8 accordance with ORS 192.610 to 192.690.

9 (2) When telephone or other electronic means of communication is used and the meeting is not  
10 an executive session, the governing body of the public body shall make available to the public at  
11 least one place where, or at least one electronic means by which, the public can listen to the com-  
12 munication at the time it occurs. A place provided may be a place where no member of the gov-  
13 erning body of the public body is present.

14 (3) **All meetings held by a governing body of a public body, excluding executive sessions,**  
15 **must provide to members of the general public, to the extent reasonably possible, an oppor-**  
16 **tunity to:**

17 (a) **Access and attend the meeting by telephone, video or other electronic or virtual**  
18 **means;**

19 (b) **If in-person oral testimony is allowed, submit during the meeting oral testimony by**  
20 **telephone, video or other electronic or virtual means; and**

21 (c) **If in-person written testimony is allowed, submit during the meeting written testi-**  
22 **mony by electronic mail or other electronic means.**

23 (4) **The provisions of subsection (3) of this section:**

24 (a) **Apply to hearings under ORS 197.763, 215.402 to 215.438 and 215.700 to 215.780 regard-**  
25 **less of whether a governing body or governing body's designee, including a hearings officer,**  
26 **conducts the hearing; and**

27 (b) **Do not apply to contested case hearings under ORS chapter 183.**  
28

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

# **CITY CHARTER**



**Ratified at Special Election  
March 8, 2005**

**Effective July 1, 2005**



## PREAMBLE

We, the voters of Dayton, Oregon exercise our power to the fullest extent possible under the Oregon Constitution and laws of the state, and enact this Home Rule Charter.

### Chapter I

#### NAMES AND BOUNDARIES

Section 1. Title. This charter may be referred to as the 2005 Dayton City Charter.

Section 2. Name. The City of Dayton, Oregon, continues as a municipal corporation with the name City of Dayton.

Section 3. Boundaries. The city includes all territory within its boundaries as they now exist or are legally modified. The city recorder will maintain as a public record an accurate and current description of the boundaries.

### Chapter II

#### POWERS

Section 4. Powers. The city has all powers that the constitutions, statutes and common law of the United States and Oregon expressly or impliedly grant or allow the city, as fully as though this charter specifically enumerated each of those powers.

Section 5. Construction. The charter will be liberally construed so that the city may exercise fully all powers possible under this charter and under United States and Oregon law.

Section 6. Distribution. The Oregon Constitution reserves initiative and referendum powers as to all municipal legislation to city voters. This charter vests all other city powers in the council except as the charter otherwise provides. The council has legislative, administrative and quasi-judicial authority. The council exercises legislative authority by ordinance, administrative authority by resolution, and quasi-judicial authority by order. The council may not delegate its authority to adopt ordinances.

### Chapter III

#### COUNCIL

Section 7. Council. The council consists of a mayor and six councilors nominated and elected from the city at large.

Section 8. Mayor. The mayor presides over and facilitates council meetings, preserves order, enforces council rules, and determines the order of business under council rules. The mayor is a

voting member of the council. The mayor must sign all records of council decisions. The mayor serves as the political head of the city government.

Section 9. Council President. At its first meeting each year, the council must elect a president from its membership. The president presides in the absence of the mayor and acts as mayor when the mayor is unable to perform duties.

Section 10. Rules. The council must by resolution adopt rules to govern its meetings.

Section 11. Meetings. The council must meet at least once a month at a time and place designated by its rules, and may meet at other times in accordance with council rules.

Section 12. Quorum. A majority of the council members is a quorum to conduct business, but a smaller number may meet and compel attendance of absent members as prescribed by council rules.

Section 13. Vote Required. The express approval of a majority of a quorum of the council is necessary for any council decision, except when this charter requires approval by a majority of the council.

Section 14. Record. A record of council meetings must be kept in a manner prescribed by the council rules.

## Chapter IV

### LEGISLATIVE AUTHORITY

Section 15 Ordinances. The council will exercise its legislative authority by adopting ordinances. The enacting clause for all ordinances must state “The City of Dayton ordains as follows:”

Section 16. Ordinance Adoption.

- (a) Except as authorized by subsection (b), adoption of an ordinance requires approval by a majority of the council at two meetings.
- (b) The council may adopt an ordinance at a single meeting by unanimous approval if the proposed ordinance is available in writing to the public at least one week before the meeting.
- (c) Any substantive amendment to a proposed ordinance must be read aloud or made available in writing to the public before the council adopts the ordinance at that meeting.
- (d) After the adoption of an ordinance, the vote of each member must be entered into the council minutes.

(d) After adoption of an ordinance, the city recorder must endorse it with the date of adoption and the recorder's name and title.

Section 17. Effective Date of Ordinances. Ordinances normally take effect on the 30<sup>th</sup> day after adoption, or on a later day stated in the ordinance. An ordinance may take effect as soon as adopted, or other date less than 30 days after adoption if it contains an emergency clause.

## Chapter V

### ADMINISTRATIVE AUTHORITY

Section 18. Resolutions. The council will normally exercise its administrative authority by approving resolutions. The approving clause for resolutions may state "The City of Dayton resolves as follows:"

Section 19. Resolution Approval.

(a) Approval of a resolution or any other council administrative decision requires approval by the council at one meeting.

(b) Any substantive amendment to a resolution must be read aloud or made available in writing to the public before the council adopts the resolution at a meeting.

(c) After approval of a resolution or other administrative decision, the vote of each member must be entered into the council minutes.

(d) After approval of a resolution, the city recorder must endorse it with the date of approval and the recorder's name and title.

Section 20. Effective Date of Resolutions. Resolutions and other administrative decisions take effect on the date of approval, or on a later day provided in the resolutions.

## Chapter VI

### QUASI-JUDICIAL AUTHORITY

Section 21. Orders. The council will normally exercise its quasi-judicial authority by approving orders. The approving clause for orders may state "The City of Dayton orders as follows:"

Section 22. Order Approval.

(a) Approval of an order or any other council quasi-judicial decision requires approval by the council at one meeting.

(b) Any substantive amendment to an order must be read aloud or made available in writing to the public at the meeting before the council adopts the order.

(c) After approval of an order or other council quasi-judicial decision, the vote of each member must be entered in the council minutes.

(d) After approval of an order, the city recorder must endorse it with the date of approval and the **recorder's** name and title.

Section 23. Effective Date of Orders. Orders and other quasi-judicial decisions take effect on the date of final approval, or on a later day provided in the order.

## Chapter VII

### ELECTIONS

Section 24. Councilors. At each general election after the adoption, three councilors will be elected for four-year terms. The terms of councilors in office are the terms for which they were elected.

Section 25. Mayor. At every other general election after the adoption, a mayor will be elected for a four-year term. The mayor in office when this charter is adopted has a two-year term.

Section 26. State Law. City elections must conform to state law except as this charter or ordinances provide otherwise. All elections for city offices must be nonpartisan.

Section 27. Qualifications.

(a) The mayor and each councilor must be a qualified elector under state law, and have primary residence within the city for at least one year immediately before election or appointment to office.

(b) No person may be a candidate at a single election for more than one city office.

(c) Neither the mayor, nor a councilor may be employed by the city.

(d) The council is the final judge of the election and qualifications of its members.

Section 28. Nominations. The council must adopt an ordinance prescribing the manner for a person to be nominated to run for mayor or a city councilor position.

Section 29. Terms. The term of an officer elected at a general election begins at the first council meeting of the year immediately after the election, and continues until the successor qualifies and assumes the office.

<Section 30. *Reserved as omission due to scrivener's error.*>.

Section 31. Oath. The mayor and each councilor must swear or affirm to faithfully perform the duties of the office and support the constitutions and laws of the United States and Oregon.

Section 32. Vacancies. The mayor or a council office becomes vacant:

- (a) Upon the incumbent's:
  - (1) Death,
  - (2) Adjudicated incompetence, or
  - (3) Recall from the office.
  
- (b) Upon declaration by the council after the incumbent's:
  - (1) Failure to qualify for the office within 10 days of the time the term of office is to begin,
  - (2) Absence from the city for 30 days without council consent, or from all council meetings within a 60-day period,
  - (3) Ceasing to maintain primary residence in the city,
  - (4) Ceasing to be a qualified elector under state law,
  - (5) Conviction of a public offense punishable by loss of liberty,
  - (6) Resignation from the office, or
  - (7) Removal under Section 34(h).

Section 33. Filling Vacancies. A mayor or councilor vacancy will be filled by appointment by a majority of the remaining council members. The appointee's term of office runs from appointment until expiration of the term of office of the last person elected to that office. If a disability prevents a council member from attending council meetings or a member is absent from the city, a majority of the council may appoint a council pro tem.

## Chapter VIII

### APPOINTIVE OFFICERS

Section 34. City Manager.

- (a) The office of city manager is established as the administrative head of the city government. The city manager is responsible to the mayor and council for the proper administration of all city business. The city manager will assist the mayor and council in the development of city policies, and carry out policies established by ordinances and resolutions.
  
- (b) A majority of the council must appoint and may remove the manager. The appointment must be made without regard to political considerations and solely on the basis of education and experience in competencies and practices of local government management.
  
- (c) The manager may be appointed for a definite or an indefinite term, and may be removed at any time by a majority of the council. The council must fill the office by appointment as soon as practicable after the vacancy occurs.
  
- (d) The manager must:
  - (1) Attend all council meetings unless excused by the mayor or council;

- (2) Make reports and recommendations to the mayor and council about the needs of the city;
- (3) Administer and enforce all city ordinances, resolutions, franchises, leases, contracts, permits, and other city decisions;
- (4) Appoint, supervise and remove city employees;
- (5) Organize city departments and administrative structure;
- (6) Prepare and administer the annual city budget;
- (7) Administer city utilities and property;
- (8) Encourage and support regional and intergovernmental cooperation;
- (9) Promote cooperation among the council, staff and citizens in developing city policies, and building a sense of community;
- (10) Perform other duties as directed by the council;
- (11) Delegate duties, but remain responsible for acts of all subordinates.

(e) The manager has no authority over the council or over the judicial functions of the municipal judge.

(f) The manager and other employees designated by the council may sit at council meetings but have no vote. The manager may take part in all council discussions.

(g) When the manager is temporarily disabled from acting as manager or when the office becomes vacant, the council must appoint a manager pro tem. The manager pro tem has the authority and duties of manager, except that a pro tem manager may appoint or remove employees only with council approval.

(h) No council member may directly or indirectly attempt to coerce the manager or a candidate for the office of manager in the appointment or removal of any city employee, or in manager administrative decisions. Violation of this prohibition is grounds for removal from office by a majority of the council after a public hearing. In council meetings, councilors may discuss or suggest anything with the manager relating to city business.

Section 35. City Attorney. The office of city attorney is established as the chief legal officer of the city government. A majority of the council must appoint and may remove the attorney. The attorney may appoint and supervise, and may remove attorney office employees.

Section 36. Municipal Court and Judge.

(a) A majority of the council may appoint and remove a municipal judge. A municipal judge will hold court in the city at such place as the council directs. The court will be known as the Dayton Municipal Court.

(b) All proceedings of this court will conform to state laws governing justices of the peace and justice courts.

(c) All areas within the city and areas outside the city as permitted by state law are within the territorial jurisdiction of the court.

(d) The municipal court has jurisdiction over every offense created by city ordinance. The court may enforce forfeitures and other penalties created by such ordinances. The court also has jurisdiction under state law unless limited by city ordinance.

(e) The municipal judge may:

- (1) Render judgments and impose sanctions on persons and property;
- (2) Order the arrest of anyone accused of an offense against the city;
- (3) Commit to jail or admit to bail anyone accused of a city offense;
- (4) Issue and compel obedience to subpoenas;
- (5) Compel witnesses to appear and testify and jurors to serve for trials before the court;
- (6) Penalize contempt of court;
- (7) Issue processes necessary to enforce judgments and orders of the court;
- (8) Issue search warrants; and
- (9) Perform other judicial and quasi-judicial functions assigned by ordinance.

(f) The council may appoint and may remove municipal judges pro tem.

(g) The council may transfer some or all of the functions of the municipal court to an appropriate state court.

## Chapter IX

### PERSONNEL

Section 37. Compensation. The council must authorize the compensation of city officers and employees as part of its approval of the annual city budget.

Section 38. Merit Systems. The council by resolution will determine the rules governing recruitment, selection, promotion, transfer, demotion, suspension, layoff, and dismissal of city employees based on merit and fitness.

## Chapter X

### PUBLIC IMPROVEMENTS

Section 39 Procedure. The council may by ordinance provide for procedures governing the making, altering, vacating, or abandoning of a public improvement. A proposed public improvement may be suspended for six months upon remonstrance by owners of the real property to be specially assessed for the improvement. The number of owners necessary to suspend the action will be determined by ordinance.

Section 40. Special Assessments. The procedure for levying, collecting and enforcing special assessments for public improvements or other services charged against real property will be governed by ordinance.

## Chapter XI

## MISCELLANEOUS PROVISIONS

Section 41. Debt. City indebtedness may not exceed debt limits imposed by state law. A charter amendment is not required to authorize city indebtedness.

Section 42. Ordinance Continuation. All ordinances consistent with this charter in force when it takes effect remain in effect until amended or repealed.

Section 43. Repeal. All charter provisions adopted before this charter takes effect are repealed.

Section 44. Severability. The terms of this charter are severable. If any provision is held invalid by a court, the invalidity does not affect any other part of the charter.

Section 45. Time of Effect. This charter takes effect July 1, 2005.

Ratified at Special Election held March 8, 2005  
Measure 36-72



January 3, 2022

Mayor Elizabeth Wytoski  
City of Dayton  
416 Ferry Street  
Dayton, OR 97114

Dear Mayor Wytoski and Dayton City Councilors,

The Willamette Falls and Landings Heritage Area Coalition is excited to share some of its 2021 accomplishments and our plans for 2022. The Coalition is dedicated to enhancing and promoting the heritage area and is made up of a board of directors with public and private partners. The Coalition encompasses a 56 river-mile region of the Willamette River which includes the city of Dayton. In addition to sharing our recent work. We would also like to ask you to consider becoming a supporting partner by providing a financial contribution during your 2022-2023 fiscal year.

2021 brought many changes for the Willamette Falls and Landings Heritage Area Coalition, as it did for everyone. Some happy and some sad, but all helped to strengthen our resolve and prepare us for new opportunities ahead.

Our most difficult challenge this year was the tragic loss of our long serving Executive Director, Siobhan Taylor. Siobhan resigned in March 2021 due to her progressive illness and sadly passed away in August. She will be deeply missed by the Coalition and the community, but her legacy will live on as we continue to work towards opening the Multi-Cultural Center in the Historic West Linn City Hall building and pursue National Heritage Area Designation. Additionally, a fund has been established in her honor dedicated to providing for necessary renovations.

While Siobhan could never be replaced, a new Executive Director was hired from a regional pool of candidates. Britta Mansfield stepped into the role in June and is an enthusiastic addition to our team. With years of public history and non-profit management experience, she is well suited to carry out the Coalition's mission. Additionally, the Coalition hired an intern to assist with our heritage trail research project and we welcomed four new Board members this year.

The Coalition, with new personnel in place, took time to thoroughly examine its operations, with specific attention towards issues of race, diversity, equity, and inclusion. This work began early in the year with a self-survey and adoption of an Equity Lens. In October and November Board members participated in educational workshops and action planning sessions led by a consultant. A fresh and informed perspective on RDEI will guide our work as we strive to understand the heritage of the area by identifying and telling difficult and unrecognized stories and perspectives from the region.

We are also excited to share that we have begun to tell the various stories of the region in a dynamic and accessible way. Our physical space in Historic City Hall is not quite ready to be opened to the public, but we have been working to present the heritage area to the public virtually. The Coalition contracted Timelooper, a company that specializes in virtual tours primarily of historic sites, to build an app for our heritage area. This app features 360-degree images of heritage sites as well as three-dimensional models and an interactive map of the entire 56 river mile area. Be sure to look for the Willamette Falls and Landings app on the Google Play store and the Apple App store in the near future. You will also be able to access this content on our website [www.wflha.org](http://www.wflha.org). We hope this will become an engaging avenue for anyone to access the heritage area. Regardless of your physical location you can tour a nationally significant portion of our state.

Connecting people to the heritage area has benefits beyond simply education. Heritage and preservation work have significant economic benefits as well. In 2022 we plan to contribute to local economies by increasing visitor interest in the area and by recognizing businesses who have been operational for 50 years or more. Every five years the Coalition awards longstanding businesses and since our last celebration was postponed due to the pandemic, we will pick up where we left off during the first quarter of the new year. This means that even more businesses will be included, and we will have the opportunity to host a celebratory event both virtually and in person. With a strong marketing campaign leading up to an in-person event, our goal is to drive business to local companies that have contributed not only to the region's economy but also its history.

None of the work that has taken place over the past year and nothing that is planned for the year ahead could happen without the support of our partners. Our current partner cities include West Linn, Wilsonville, Oregon City, and Lake Oswego. We also receive support from METRO, Clackamas County, The Confederated Tribes of Grand Ronde, and Portland General Electric. Many of our partners provide \$15,000 annually; at this level of contribution partners are entitled to appoint their own board member to their guaranteed seat on our board. We understand that not every city that wants to support us can offer the same financial contribution. We are happy to present at one of your upcoming City Council meetings to answer any questions and share some of our organization's history. We would like to formally ask you to become a partner by allocating \$5,000 to the Coalition beginning with the 2022-2023 fiscal year. Every dollar that you and the rest of our partners contribute directly impacts our work and helps us build a thriving community along the river.

Sincerely,



Jon Gustafson  
President



Britta Mansfield  
Executive Director

cc: Rochelle Roaden, City Manager