

MINUTES
DAYTON CITY COUNCIL
REGULAR SESSION
December 5, 2022

PRESENT: Mayor Elizabeth Wytoski
Council President Daniel Holbrook
Councilor Annette Frank
Councilor Kitty Mackin
Councilor Jim Maguire
Councilor Trini Marquez
Councilor Rosalba Sandoval-Perez

ABSENT:

STAFF: Rochelle Roaden, City Manager
Patty Ringnald, City Recorder
Melissa York, Office Specialist II
Steve Sagmiller, Public Works Director
Denny Muchmore, City Engineer
Kiel Jenkins, City Planner

A. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Wytoski called the meeting to order at 6:32 p.m. and those present gave the Pledge of Allegiance.

B. ROLL CALL

Mayor Wytoski noted there was a quorum with Councilors Frank, Holbrook, Maguire, Marquez and Sandoval-Perez attending the meeting in person and Councilor Mackin attending via Zoom.

C. APPEARANCE OF INTERESTED CITIZENS

No one in attendance wanted to comment at tonight's meeting.

D. CONSENT AGENDA

Approval of Meeting Minutes

1. Regular Session Meeting Minutes of November 7, 2022.

**JIM MAGUIRE MOVED TO APPROVE THE MINUTES OF THE
REGULAR SESSION CITY COUNCIL MEETING OF
NOVEMBER 7, 2022 AS WRITTEN. SECONDED BY ANNETTE
FRANK. Motion carried with Frank, Holbrook, Mackin, Maguire,
Marquez, Sandoval-Perez and Wytoski voting aye.**

E. PUBLIC HEARING

1. **LA 2022-01 (Legislative Amendment), Dayton Land Use and Development Code (LUDC) Section 7.3.112.03: Criteria to Amend Development Code Text with the addition of Time/Manner/Place restrictions on Psilocybin service and manufacturing centers. The amendments also add service and manufacturing centers as conditional uses in the commercial and industrial zones.**

Mayor Wytoski opened the Public Hearing at 6:33 p.m. and read the LA 2022-01, Dayton Land Use and Development Code Criteria to Amend Development Code Text into the record.

Kiel Jenkins, City Planner, reviewed his staff report and explained Legislative Amendment 2022-01 regarding adding Psilocybin language into the Dayton Land Use and Development Code, in accordance with Oregon Ballot Measure 109.

Councilor Holbrook asked what would happen if City Council chose a specific option now, and future City Council decided it was not working.

Kiel said that if for some reason it was not working, there could be an option to re-amend the Code.

Mayor Wytoski requested the following:

Citizen Testimony of Approval, no comments were offered
Citizen Testimony of Opposition, no comments were offered
Citizen Testimony of Neutral Parties, no comments were offered

Mayor Wytoski closed the Public Hearing at 6:49 p.m.

F. ACTION ITEMS

1. Staff Report LA 2002-01 Psilocybin – Kiel Jenkins

ANNETTE FRANK MOVED TO ADOPT THE STAFF REPORT WITH THE FINDINGS AND RECOMMEND THE CITY COUNCIL APPROVE LA 2022-01 VIA ORDINANCE 655 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAYTON, OREGON, IMPLEMENTING AN AMENDMENT TO TEXT OF THE LAND USE AND DEVELOPMENT CODE REGARDING PSILOCYBIN LAND USE REGULATIONS AND DECLARING AN EMERGENCY. SECONDED BY JIM MAGUIRE. *Motion carried with Frank, Holbrook, Mackin, Maguire, Marquez, Sandoval-Perez and Wytoski voting aye.*

2. First Reading and Emergency Adoption of Ordinance 655 - Psilocybin

Councilor Maguire performed the first reading of Ordinance 655.

ANNETTE FRANK MOVED TO APPROVE THE FIRST READING AND ADOPTION OF ORDINANCE 655. SECONDED BY DANIEL HOLBROOK. *Motion carried with Frank, Holbrook, Mackin, Maguire, Marquez, Sandoval-Perez and Wytoski voting aye.*

3. Certification of Election Results

Patty Ringnalda, City Recorder, certified the November 8, 2022 General Election official results with the City Council. She stated that Trini Marquez received 573 votes for Mayor, Luke Wildhaber received 507 votes for City Council, Rosalba Sandoval-Perez received 474 votes, and Jim Maguire received 456 votes.

ANNETTE FRANK MOVED TO APPROVE THE ELECTION CERTIFICATION AS PROPOSED. SECONDED BY DANIEL HOLBROOK. *Motion carried with Frank, Holbrook, Mackin, Maguire, Marquez, Sandoval-Perez and Wytoski voting aye.*

4. Park Improvement Projects Survey Results

Rochelle Roaden reviewed her report and presented the Park Improvement Project Survey Results with the City Council.

5. Award Construction Services – Utility Bridge with Infrastructure Upgrades – Jason Kelly, DOWL

Rochelle Roaden introduced Jason Kelly of DOWL Construction. Rochelle reviewed her report and presented a brief background and information to Council.

Jason Kelly of DOWL presented his proposal to the Council.

DANIEL HOLBROOK MOVED TO APPROVE AWARDING THE CONSTRUCTION SERVICES CONTRACT FOR THE UTILITY BRIDGE WITH INFRASTRUCTURE UPGRADES PROJECT TO STELLAR J CORPORATION IN AN AMOUNT NOT TO EXCEED \$6,099,000 CONTINGENT ON THE CITY RECEIVING CONSTRUCTION SERVICES FINANCING THROUGH THE DEPARTMENT OF ENVIRONMENTAL QUALITY. SECONDED BY TRINI MARQUEZ. *Motion carried with Frank, Holbrook, Mackin, Maguire, Marquez, Sandoval-Perez and Wytoski voting aye.*

6. Council Appreciation Awards

Mayor Wytoski presented an award to Councilor Daniel Holbrook in appreciation for his service and dedication to the City of Dayton.

Councilor Holbrook presented an award to Mayor Wytoski in appreciation for her many years of service and dedication to the City of Dayton.

Those in attendance who chose to comment, spoke with high regard of Mayor Wytoski and her great accomplishments.

Staff prepared a PowerPoint presentation of Mayor Wytoski's past 14 years of service on Dayton City Council and service to the Dayton Community.

Mayor Wytoski thanked everyone for attending.

G. CITY COUNCIL COMMENTS/CONCERNS

Councilor Trini Marquez advised the City Council that she was resigning her current Councilor position effective January 3, 2023. She stated that she would be sworn in as Mayor at the Regular Session City Council Meeting on January 3, 2023.

ANNETTE FRANK MOVED TO DECLARE THE SEAT CURRENTLY HELD BY COUNCILOR MARQUEZ VACANT AS OF JANUARY 3, 2023. SECONDED BY JIM MAGUIRE. *Motion carried with Frank, Holbrook, Mackin, Maguire, Marquez, Sandoval-Perez and Wytoski voting aye.*

H. INFORMATION REPORTS

City Manager's Report


Rochelle Roaden advised that the City was awarded ODOT's Small City Allotment Grant of \$250,000 to overlay 7th Street and the remainder of 9th Street.

Rochelle invited all in attendance to stay for refreshments in honor of Mayor Wytoski.

I. ADJOURN

There being no further business, the meeting adjourned at 7:41 p.m.

Respectfully submitted:

By: 
Patty Ringnald
City Recorder

APPROVED BY COUNCIL on January 3, 2023.

As Written **As Amended**


Trini Marquez, Mayor