

**AGENDA
DAYTON CITY COUNCIL
REGULAR SESSION**



DATE: MONDAY, DECEMBER 5, 2016
PLACE: CITY HALL ANNEX, 408 FERRY STREET
TIME: 6:30 PM

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

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE #</u>
A.	CALL TO ORDER & PLEDGE OF ALLEGIANCE	
B.	ROLL CALL	
C.	APPEARANCE OF INTERESTED CITIZENS	
This time is reserved for questions or comments from persons in the audience on any topic.		
D.	SCHOOL BOARD REPORT	
E.	ACTION ITEMS	
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	2. Adoption of Ordinance 637 Sidewalk Permits	3-14
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	4. Certified Election Results – November 8, 2016 General Election	21-23
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F.	CITY COUNCIL COMMENTS/CONCERNS	
G.	INFORMATION REPORTS	
	1. City Manager’s Report	29-38
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Posted: 12.01.16
Rochelle Roaden, City Recorder

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

NEXT MEETING DATES
City Council Regular Session, Tuesday, January 3, 2017
City Hall Annex, 408 Ferry St, Dayton

To: Honorable Mayor and City Councilors

From: Scott Pingel, City Manager

Issue: 2nd Reading and Adoption of Ordinance 637 Sidewalk Permits

Background and Information

Earlier this year, City staff discussed with the City Council changing the City's Encroachment License and Encroachment Permit statutes from being in resolution form to including them in the Municipal Code. The City Council took care of the Encroachment License piece by adding section 6.12 Encroachments on City Property to the code through Ordinance 635. Encroachment Licenses are used for structural encroachment into the right of way, such as an existing fence that encroaches into the right of way, but which is generally not in the way of the City's current operations. Encroachment Permits are used for temporary encroachments into the public right of way such as street closures for an event or to allow our downtown businesses to display merchandise or set out tables and chairs in the public right of way.

Ordinance 637 addresses adding Encroachment Permits to the municipal code. Our goal in putting the encroachment permit resolution in the code was to cover the things we have generally made conditions of approval anyways while maintaining our current process as much as possible, as well as considering any further uses of the right of way in the downtown that should be covered under this policy.

The City Council approved the 1st reading of the ordinance at the November 7, 2016 City Council meeting.

City Manager Recommendation: I recommend approval of the 2nd reading and adoption of Ordinance 637.

Relevant Council Goal: Goal D – Support the creation of a vibrant, diverse economic environment.

Potential Motion to Approve the 2nd Reading: "I move approval of the 2nd Reading of Ordinance 637 An Ordinance Adding Section 3.9 Temporary Closure of Streets and Ways for Special Events, and 3.10 Sidewalk Vendors and Cafes to the Dayton Municipal Code, and Repealing Resolution 08/09-42 Approving a Resolution directing the City Manager to implement an application for Encroachment Permit and Encroachment License Agreement and associated fees."

Potential Motion to Adopt: "I move to adopt Ordinance 637 An Ordinance Adding Section 3.9 Temporary Closure of Streets and Ways for Special Events, and 3.10 Sidewalk Vendors and Cafes to the Dayton Municipal Code, and Repealing Resolution 08/09-42 Approving a Resolution directing the City Manager to implement an application for Encroachment Permit and Encroachment License Agreement and associated fees."

Council Options:

- 1 – Approve the 2nd reading and adopt Ordinance 637 as recommended.
- 2 – Approve the 2nd reading and adopt Ordinance 637 with amendments.
- 3 – Take no action direct staff to do further research or bring back other options.

**ORDINANCE 637
CITY OF DAYTON, OREGON**

An Ordinance Adding Section 3.9 Temporary Closure of Streets and Ways for Special Events, and 3.10 Sidewalk Vendors and Cafes to the Dayton Municipal Code, and Repealing Resolution 08/09-42 Approving a Resolution directing the City Manager to implement an application for Encroachment Permit and Encroachment License Agreement and associated fees.

WHEREAS, the City Council desires to add Section 3.9 Temporary Closure of Streets and Ways for Special Events, and 3.10 Sidewalk Vendors and Cafes to the Dayton Municipal Code as attached in Exhibit A; and

WHEREAS, the City Council desires to repeal Resolution 08/09-42 Approval of a resolution directing the City Manager to implement an application for Encroachment Permit and Encroachment License Agreement and associated fees; and

WHEREAS, the City Council considered said additions in a public meeting on November 7, 2016; and

WHEREAS, on November 7, 2016, the City Council considered the information provided by staff and deliberated on the proposed action.

The City of Dayton ordains as follows:

Section 1. The City Council hereby adopts Ordinance 637; and

Section 2. The City Council adopts the additions of sections 3.9 and 3.10 to the Dayton Municipal Code attached as Exhibit A and incorporated by reference herein; and

Section 3. The City Council hereby repeals Resolution 08/09-42 Approval of a resolution directing the City Manager to implement an application for Encroachment Permit and Encroachment License Agreement and associated fees, as of the effective date of Ordinance 637.

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

Mode of Enactment:

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

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

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

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

Final Vote:

In Favor:

Opposed:

Absent:

Abstained:

Mayor

Date of Signing

ATTESTED BY:

Rochelle Roaden
City Recorder

Date of Enactment

Exhibit A

(additions in italics and deletions in strikethrough)

CHAPTER 3

3.9 TEMPORARY CLOSURE OF STREETS AND WAYS FOR SPECIAL EVENTS

3.9.1 Purpose. These regulations are designed to allow for the orderly and safe closure of streets and other public ways under the city's jurisdiction, minimize potential adverse impacts on transportation-dependent activities and ensure appropriate access is maintained for the needs of public works, public safety and emergency vehicle response.

3.9.2 Definitions. When not clearly otherwise indicated by the context, the following words and phrases used in this section have the following meanings:

(1) "Adverse impacts" includes impacts to city residents, real property, traffic management and flow and the environment resulting from an event or seasonal event.

(2) "Applicant" means the person who has filed a written application for a permit on behalf of themselves, an organization or group.

(3) "City manager" or "manager" means the Dayton city manager or designee. Designee implies a code enforcement officer or on-duty police officers who may revoke the permit based on observations at the time of the event. In this case, the police officer will confer with his/her immediate supervisor prior to revoking the permit.

(4) "City" means the city of Dayton, Oregon.

(5) Event. See "Temporary event" or "Seasonal event."

(6) "Permit" is an actual form signed by the appropriate parties showing approval of the event as defined in the street closure permit application.

(7) "Permittee" means the person granted a permit pursuant to this section 3.9.

(8) "Person" means an individual, firm, partnership, corporation, association, or other entity.

(9) "Plan" is a drawing detailing the closure and must include (at a minimum) streets to be closed, alternative streets to be used by vehicles and pedestrians to allow unrestricted access, fire hydrant locations, impacted residents along with addresses, visitor parking plan, and any other information relevant to the street closure request.

(10) "Reimbursable costs" means those costs and expenses incurred by the city associated with the granting of a permit including, without limitation, the following:

(a) Utility services provided for the event or seasonal event including all costs of installation, maintenance, connection, and removal;

(b) Repair, maintenance and removal of facilities in the event of a failure of the applicant to comply with the permit;

(c) Repair of streets, alleys, sidewalks, parks, and other public property resulting from the event;

(d) Garbage cleanup and disposal resulting from the fault of permittee to clean up the area after the event;

(e) Other direct and indirect costs associated with issuance of the street closure permit.

(11) "Seasonal event" is a periodic event occurring on an ongoing seasonal basis such as farmers' markets, holiday craft fairs, and the like.

(12) "Temporary event" is an event lasting for a limited time of not more than 12 hours in any one day nor exceeding seven consecutive days and not occurring more than two times within any 365-day period.

(13) "Street closure" means the permitted traffic and/or parking restriction on an affected street, way, alley, or other public way.

(14) "Street closure permit" or "permit" means written approval entitling permittee to a street closure.

3.9.3 Authority and administration.

(a) The city manager is authorized to review applications for street closures and approve, approve with conditions, or deny applications consistent with this section 3.9.

(b) The manager may adopt and utilize procedures and forms necessary to implement this section 3.9.

(c) All other permits or orders required by law for activities conducted in conjunction with or as part of an event must be applied for and obtained separately from any street closure permit.

3.9.4 Exemptions. This section 3.9 does not apply to any street or right-of-way closure initiated by the city or a public utility for a special event or in order to repair public or public utility infrastructure, construct public or public utility infrastructure or limit access as a result of an event or situation necessitating the presence of public safety or emergency personnel and/or vehicles.

3.9.5 Street closure permit application requirements.

(a) Applicants wishing to temporarily close or otherwise limit access to a public street, road, pathway or the like within the city for an event shall apply for and obtain a permit. An applicant shall file with the city manager an application on a form approved by the manager and submitted not less than 30 days prior to the date of the requested closure. Failure to meet the 30-day limitation is sufficient to deny issuance of the permit and is not appealable to the city council.

(b) Applications submitted more than 30 days prior to the date of the requested closure are eligible for appeal rights described in this Code under Section 3.9.11

3.9.6 Application process and approval criteria.

(a) Upon receipt of a completed application, the city manager may forward a copy thereof to the fire chief, police, community development and public works departments for their review and comment as the manager deems necessary. Those departments shall, within five working days, complete said review and thereupon offer recommendations as to the application's approval, approval with conditions, or denial. The manager may, in addition, seek comment from neighbors of the proposed event and require submission of additional information by applicant as the manager deems necessary.

(b) The manager may approve, approve with conditions, or deny the street closure application consistent with the standards set out in subsection (c) of this section.

(c) The following criteria must be met by applicant:

(1) All temporary structures and other artifices erected for the event shall be removed at the end of the event, leaving the site in the same general condition as it was prior to the placement of the structure(s) or artifice. All structures or artifices shall meet applicable Oregon Building and Fire Code regulations. No obstruction shall be erected or maintained within a 15-foot radius of any fire hydrant within the area of the event.

(2) Provision for adequate vehicle and pedestrian access and circulation shall be shown on a plan which shall then be reviewed and approved by the city. The plan will show how the access requirements of the Americans with Disabilities Act (ADA) are to be met.

(3) Street closures where the processing and/or sale of goods, services, and other commodities take place shall be conducted and maintain business hours not disruptive to use of adjacent or nearby residential properties. "Block parties" and/or similar social gatherings are not to be commenced prior to 8:00 a.m. nor after 10:30 p.m.

(4) Advertising of any kind in the public right of way or the sidewalk permit area is prohibited other than in accordance with the sign code in section 7.2.111.07 of the Dayton Municipal Code.

3.9.7 Permit fees and deposits. *Fees shall be set by resolution of the city council and the manager may, in addition, require payment of deposits prior to the issuance of any permit.*

3.9.8 Indemnification and insurance requirements. *An applicant shall, prior to the receipt of a permit, execute an agreement in a form approved of by the city manager and city attorney to indemnify, defend and hold harmless the city against all claims of injury or damage to persons or property, whether public or private, arising as a result of a temporary event. In addition, an applicant shall produce evidence of general liability and property damage insurance for the event in an amount of not less than \$1,000,000 covering the event's sponsor and naming the city, and the city's officers, agents and employees as additional insured. The insurance is to cover any and all claims, demands, actions and suits for damage to property or personal injury, including death, arising from the event or street closure. A certificate of insurance evidencing these requirements including an endorsement naming the city, the city's officers, agents and employees as an additional insured must be presented to the city along with the permit application. Failure to provide evidence of insurance may result in delay or denial of an application. This requirement may be reduced or waived by the city manager after consultation with the city attorney.*

3.9.9 Permit denial.

(a) The manager may deny a street closure permit if:

(1) permit has been granted for another event at or near the same place and at or near the same time;

(2) The event will occupy road(s) not under the sole jurisdiction of the city or will violate local, state or federal law;

(3) A street closure may disrupt the orderly flow of vehicular and other traffic and no reasonable alternative means of addressing the disruption is, in the opinion of the manager, available;

(4) Applicant fails to provide assurances satisfactory to the city manager that they will be able to provide for protection of participants, maintenance of public order, crowd security and/or emergency vehicle access;

(5) Applicant makes a false statement of material facts on an application;

(6) Applicant fails to provide proof that they have obtained all applicable license(s) or permit(s) required for conduct of the event or activities associated therewith;

(7) Applicant has had a street closure permit revoked within the preceding 18 months or has failed to pay outstanding reimbursable costs to the city for prior event(s);

(8) Applicant is unable to obtain indemnification and insurance consistent with section 3.9.8.

3.9.10 Permit revocation.

(a) The city manager may revoke a permit if:

(1) The applicant fails to comply with the terms of any condition(s) imposed on the permit including any applicable no parking/barricade requirements, the street closure is in violation of any provision of the Dayton Municipal Code, creates a hazardous condition, or any other applicable law;

(2) The permit holder made a false statement of material fact on an application;

(3) An unforeseen circumstance occurs prior to or during the event that diminishes the safety and security of the proposed event. This could include, but is not limited to, inclement weather such as a snowstorm, flood, or windstorm, natural hazard, or a fire, public safety, public works or other event.

3.9.11 Appeal to city council. *Except as provided in the Code under section 3.8.5(a), a decision of the city manager made concerning the application, denial or revocation of a street closure permit may be appealed to the city council. An applicant may appeal by filing with the city recorder a written statement of appeal within five working days of the date of the decision or action being appealed. The city recorder shall schedule a hearing before the city council no later than the second regular session following the filing and shall notify the applicant of the date and time for the hearing. The council may take such action(s) as it deems appropriate concerning the appeal, consistent with the limitations imposed by this section 3.8 for issuance of street closure permits.*

3.10 SIDEWALK VENDORS AND CAFES

3.10.1 Definitions. *When not clearly otherwise indicated by the context, the following words and phrases used in this section have the following meanings:*

(1) "Permit Operating Area" is the area approved for conducting business under a sidewalk vendor permit.

(2) "Sidewalk Café" is a duly licensed restaurant or café under state and local law, which obtains a sidewalk vendor permit to conduct business on the sidewalk as an extension of the regular service area directly from the building to the adjacent sidewalk.

(3) "Mobile Device" is a food cart or other device from which food, drink or other goods are prepared and/or served, or transactions are carried out.

3.10.2 General Provisions.

(a) It is unlawful for a person to conduct business on a public sidewalk or street except as provided in this section 3.10.

(b) No person may conduct business on a public sidewalk or street without first obtaining a sidewalk vendor permit from the city.

3.10.3 Miscellaneous Appurtenances.

(a) The manager or city council may approve the installation of certain appurtenances on sidewalks such as planters, solid waste containers, benches, drinking fountains and bicycle racks within the permit operating area.

(b) No advertising is allowed on the appurtenances under this Section 3.10, except the acknowledgement of donors of same, which may be displayed on a plastic or metal plaque not to exceed 160 square inches in size.

(c) In the event an appurtenance under this Section 3.10 is deemed by the manager to be in violation of the Code:

(1) The appurtenance deemed to be a violation will be removed by the city 10 days after providing written notice to the owner or person in charge; or

(2) If the appurtenance is deemed by the manager to be an immediate danger to the life, health, property or safety of the public, the manager may remove the appurtenance immediately and bill the owner for the cost of removal and storage.

3.10.4 Sidewalk Cafes.

(a) A duly licensed restaurant or café under state and local law may obtain a sidewalk vendor permit to conduct business as a sidewalk café subject to the following conditions:

(1) The permit operating area must be placed directly in front of the associated establishment and may not extend beyond the building walls as to be in front of another establishment;

(2) The permit operating area may not be placed in front of an entrance and must leave unobstructed pedestrian travel space equal to the width of the doorway from the doorway to the curb line;

(3) Tables to be used by standing customers may be placed only in the 30-inch space most adjacent to the exterior wall of the building housing the primary restaurant or café;

(4) Only food and beverages prepared and offered for sale in the primary establishment may be served in the permit operating area and are under the same controls and conditions of service as in the primary establishment;

(5) No vending machines are allowed in a permit operating area;

(6) Table umbrellas are allowed with a minimum height of seven feet above sidewalk level in a permit operating area;

- (7) Dirty dishes and all debris must be promptly removed from a permit operating area;*
- (8) Solid waste containers must be provided in the permit operating area for the placement of solid waste by customers; and*
- (9) Equipment in the permit operating area must be attended at all times.*

3.10.5 Application for Permit.

(a) Application for a sidewalk vendor permit must be made on a form provided by the manager, with a separate application for business location and include, but not be limited to:

- (1) The names and addresses of the owner and all operators;*
- (2) Copies of all necessary licenses and permits required by state or local authorities;*
- (3) Identification of the type of business conduct;*
- (4) The means to be used in conducting the business, including, but not limited to, a description of any mobile device to be used;*
- (5) The specific location proposed;*
- (6) A certificate of insurance that:
 - (i) Names the city, its officers and agents, as coinsured and co-indemnified for any damage to property or injury to persons which may result from the activity carried on under the sidewalk vendor permit;*
 - (ii) Insures the permittee, property owners and the city from all claims which may arise from operation under the sidewalk vendor permit or in conjunction with it;*
 - (iii) Provides coverage of not less than \$200,000 for bodily injury for each person, \$500,000 for each occurrence and not less than \$50,000 for property damage per occurrence or a combined single limit coverage of \$500,000; and*
 - (iv) May not be terminated or canceled without 30 days written notice to the city and so specifies;**
- (7) If seeking the use of appurtenances under section 3.10.3, photographs or detailed scale drawings showing the design and precise location proposed for such appurtenances;*
- (8) If seeking to operate a sidewalk café under section 3.10.4:
 - (i) Photographs or detailed scaled drawings of the proposed permit operating area and the portion of the restaurant or café connecting to same, showing the intended placement of barriers, chairs, tables and other appurtenances; and*
 - (ii) Written permission of both the owner or person in charge of the property and the owner or person in charge of the establishment in front of which the permit operating**

area extends beyond that portion of the building operated as the primary restaurant or café, if any;

(9) A nonrefundable fee, as set by council resolution to cover the cost of investigation and processing, must accompany applications for initial and renewal of sidewalk vendor permits; and

(10) Obtain approval after inspection by the manager to determine if the mobile device is in conformance with the provisions of the fire code and county food handlers permit provisions.

3.10.6 Conditions of Operation.

(a) Only such business conduct as approved under the sidewalk vendor permit may occur.

(b) A sidewalk vendor may not lead to or cause congestion or blocking of pedestrian traffic contrary to the limitations established in this section 3.10.

(c) A sidewalk vendor may not cause or allow loud or undue noise by vocalizing or through sound amplification in a manner that violates section 2.8 of the Dayton Municipal Code regarding noise.

(d) A sidewalk vendor may not cause or allow an offensive odor as a result of the vendor's business conduct.

(e) If a sidewalk vendor is selling edible items they must be immediately consumable.

(f) If a sidewalk vendor is selling non-edible items, they must be easily carried by pedestrians and be pre-manufactured, prepackaged, or previously handmade.

(g) A sidewalk vendor must provide a solid waste container for use by customers.

(h) Temporary canopies, umbrellas and other transparent enclosures, if any, may not present an unsightly appearance or hazard to passing pedestrians or exceed eight feet above sidewalk level.

(i) Mobile devices may not conduct business outside of approved areas or in any manner that impedes disability access in the public right of way.

(j) The owner or operator of a mobile device is deemed an operator of a business under section 3.3 of the Code.

(k) The owner or operator of a mobile device may not:

(1) Make or receive payment for oral or written consent required for the issuance or continued operation of a sidewalk vendor permit;

(2) Refuse to obey a lawful order of a peace officer to remove a mobile device entirely or relocate it to a different location within the permit area to avoid congestion or obstruction of the sidewalk;

(3) Allow it to be left unattended on the sidewalk;

(4) Place any cord, pipe, or other such object on or above the sidewalk;

(5) Conduct business in such fashion or location as to hinder the use and access of curbside parking; or

(6) Operate except between 9 a.m. and 10 p.m.

3.10.7 Allowed Areas.

(a) Mobile devices and sidewalk cafés are only allowed on sidewalks within the following areas of the central business overlay zone:

- 1. 4th Street between Ferry Street and Main Street, and only where fifteen (15) foot sidewalks have been developed.*
- 2. Ferry Street between 5th Street and 3^d Street, and only where fifteen (15) foot sidewalks have been developed.*

(b) The areas not considered sidewalks under this section 3.10 are:

- 1. Alley areas;*
- 2. Private parking lots open to the public; and*
- 3. Driveways, whether private or open to the public.*

3.10.8 Permit Issuance.

(a) Review and issuance. The manager will review an application for a sidewalk vendor permit and may issue a permit after all the conditions under section 3.10.5 are met and upon finding that use of the permit operating area is compatible with the public use of the sidewalk area and the proposed business conduct is deemed to be in the best interest of the public. In making this determination, the manager will consider any pertinent information, whether submitted by the applicant or obtained by the manager independently.

(b) Denial and appeal. If the application for sidewalk vendor permit is denied because the proposed location is determined by the manager to be unsuitable, the applicant may file a written appeal with the city within 15 days of notice of denial. The council will then set, notice, and conduct a hearing on the appeal of applicant.

3.10.9 Permits.

Sidewalk vendor permits:

- (a) Will name the applicant and the conditions under which the sidewalk vendor permit is granted;*
- (b) Must be plainly displayed in a weatherproof container on the mobile device or at the sidewalk café;*
- (c) Expire one year from issuance;*
- (d) Are not transferable in any manner;*

(e) Are valid only when used within the permit operating area designated on the sidewalk vendor permit and such permit operating area may not exceed 24 square feet of sidewalk including the area of the mobile device, the operator, the required solid waste container and any approved appurtenances;

(f) Are valid for one mobile device; and

(g) May be suspended for up to five days when the council authorizes a special event and provides a written notice to the permittee by either personal delivery or by mail via first class United States Postal Service at least five days prior.

3.10.10 Nonprofit Corporations.

(a) Local nonprofit corporations may, upon approval of the application made to the city on a form approved by the manager that includes written consent from the adjacent property and business owners or operators, conduct bake sales, rummage sales and other similar fundraising activities for a duration not to exceed three days, no more frequently than once per calendar quarter and only between 9 a.m. and 9 p.m.

(b) The application must be accompanied by a fee, as set by council resolution, and a certificate of insurance conforming to section 3.9.5(a)(6).

3.10.11 Violations.

(a) A violation of the provisions of this section 3.10 is a Class C violation according to the City's Fee Schedule, and will subject the sidewalk vendor permittee to removal of the mobile device or closure of the sidewalk café.

(b) The manager is authorized to cause the removed mobile device or sidewalk café contents to be stored until the owner pays the removal and storage charges.

(c) Failure of the owner to pay the removal and storage charges or file a written appeal within 30 days of the date of removal will constitute a waiver of rights to the property and it shall become the property of the city to be disposed of as the council deems proper.

(d) Appeals will be heard by the council.

To: Honorable Mayor and City Councilors

From: Scott Pingel, City Manager

Issue: 1st Reading Ordinance 638 Noise

Background and Information

At the October 17, 2016 City Council meeting, the council discussed the City's Noise ordinance and directed staff to make amendments that would streamline the ordinance. The attached ordinance and language changes were drafted with that goal in mind. We have still tried to cover all different types of noises while streamlining the ordinance. The ordinance was also sent over to the Sheriff's Office for comment, but the City did not receive comments prior to completing the agenda packets.

City Manager Recommendation: I recommend approval of the 1st reading of Ordinance 638.

Relevant Council Goal: Goal B – Create an aesthetically pleasing and inviting community.

Potential Motion to Approve: “I move approval of the 1st Reading of Ordinance 638 An Ordinance Amending Chapter 2 – Offenses, of the Dayton Municipal Code to Make Changes to Section 2.8 Noise.”

Council Options:

- 1 – Approve the 1st reading of Ordinance 638 as recommended.
- 2 – Approve the 1st reading of Ordinance 638 with amendments.
- 3 – Take no action and direct staff to do further research or bring back other options.

**ORDINANCE 638
CITY OF DAYTON, OREGON**

An Ordinance Amending Chapter 2 – Offenses, of the Dayton Municipal Code to Make Changes to Section 2.8 Noise.

WHEREAS, the City Council desires to amend Chapter 2 – Offenses, of the Dayton Municipal Code to make changes to section 2.8 Noise as attached in Exhibit A; and

WHEREAS, the City Council considered said amendments in a public meeting on December 5, 2016; and

WHEREAS, on December 5, 2016, the City Council considered the information provided by staff and deliberated on the proposed action.

The City of Dayton ordains as follows:

Section 1. The City Council hereby adopts Ordinance 638; and

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

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

Mode of Enactment:

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

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

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

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

Final Vote:

In Favor:

Opposed:

Absent:

Abstained:

Mayor Elizabeth Wytoski

Date of Signing

ATTESTED BY:

Rochelle Roaden
City Recorder

Date of Enactment

1994 Dayton Municipal Code Dayton, Oregon

CHAPTER 2 – OFFENSES2.8 **Noise.**

2.8.1 **Excessive Noise Prohibited.** No person shall cause excessive noise within the City.

2.8.2 **Excessive Noise Defined (Residential & Commercial Zones).** Excessive noise in a Residential or Commercial Zone in violation of this section includes, but is not limited to:

(a) The keeping of any bird or animal which by causing frequent or long-continued noise shall disturb the comfort and repose of any person in the vicinity.

(b) The use or operation of any vehicle, engine, horn or other signaling device, mechanical device, sound-amplifying device, sound-producing instrument, or any other type of noise that produces any sound that can be heard more than 150 feet from the source during the hours of 7:00 am and 10:30 pm; or 50 feet from the source from 10:30 pm to 7:00 am.

~~(b) The use of vehicle or engine, either stationary or moving, so out of repair, loaded, or operated as to create any loud or unnecessary grating, grinding, rattling, or other noise.~~

~~(c) The sounding of a horn or signaling device on a street, public place, or private place, except as a necessary warning of danger.~~

~~(d) The use of mechanical device operated by compressed air, steam or otherwise, unless the noise thereby created is effectively muffled.~~

(e) The erection, including excavation, demolition, alteration, or repair of a building in residential districts, other than between the hours of 7:00 am and 6:00 pm, except in case of urgent necessity in the interest of the public welfare and safety and then only with a permit granted by the City Manager for a period not to exceed ten (10) days. Such permit may be renewed for periods of five (5) days while such emergency continues to exist. The actual owner of property may do work on property actually occupied by him between the hours of 6:00 pm and 10:30 pm without obtaining a permit as herein required.

~~(f) The use of gong or siren upon a vehicle, other than police, fire, or other emergency vehicle.~~

~~(g) The discharge in the open air of the exhaust of steam engine, internal combustion engine, motorboat, or motor vehicle except through an operational muffler or other device which will effectively prevent loud or explosive noises and the emission of annoying smoke.~~

~~(h) The use or operation of an automatic or electric piano, phonograph, gramophone, Victrola, radio, television, loudspeaker, or any instrument for sound producing or any sound-amplifying device so loudly as to be heard more than 150 feet from the source during the hours of 7:00 am and 10:30 pm; or 50 feet from the source from 10:30 pm to 7:00 am.~~

(i) The conducting, operating or maintaining of a commercial garage within 100 feet of a private residence, apartment, rooming house, or hotel in such manner as to cause loud or disturbing noises to be emitted therefrom between the hours of 10:30 pm and 7:00 am.

(j) No person shall make, continue, assist in making, or allow: *(Added ORD 635-Effective 08/01/16)*

(1) Any unreasonably loud, disturbing, or raucous noise;

- (2) Any noise that unreasonably annoys, disturbs, injures, or endangers the comfort, repose, health, safety, or peace of reasonable persons of ordinary sensitivity; or
- (3) Any noise which is so harsh, prolonged, unnatural in time or place as to occasion unreasonable discomfort to any persons, or as to unreasonably interfere with the peace and comfort of neighbors or their guests, or operators or customers in places of business, or as to detrimentally or adversely affect such residences or places of business; or
 - A) The standard for judging loud, disturbing and unnecessary noises shall be that of an average, reasonable person with ordinary sensibilities after taking into consideration: the proximity of the sound to sleeping facilities, whether residential or commercial; the land use, nature, and zoning of the area from which the sound emanates and the area where it is received or perceived; the time of day or night the sound occurs; the duration of the sound; and whether the sound is recurrent, intermittent, or constant.

2.8.3 **Excessive Noise Defined (Industrial Zone).** Excessive noise in an Industrial Zone includes, but is not limited to, sounds discernable outdoors by the human ear more than 150 feet from the source of the sound.

2.8.4 **Excessive Noise Defined (Sound Amplification from a Vehicle).** A person commits the offense of causing unreasonable sound amplification from a vehicle if the person operates, or permits the operation of any sound amplification system which is plainly audible outside of a vehicle from 50 or more feet when the vehicle is on a public highway or on premises open to the public, unless that system is being operated to request assistance or warn of a hazardous situation. *(Added ORD 508 – Effective 11/02/98)*

2.8.4.1 **Definition.** As used in Section 2.8.4, “plainly audible” means any sound for which the information content of that sound is unambiguously communicated to the listener including, but not limited to, understandable spoken speech, comprehension of whether a voice is raised or normal or comprehensive musical rhythms or vocal sounds.

2.8.4.2 **Exceptions.** Section 2.8.4 does not apply to:

- a) Emergency vehicles as defined in ORS 801.260;
- b) Vehicles operated by utilities defined under ORS 757.005, 758.505 or 759.005;
- c) Audio alarm systems installed in vehicles; or
- d) Federal communications Commission licensed two-way radio communication systems.

2.8.5 **Penalty for Violation.** A violation of any provision of Section 2.8 of the Dayton Municipal Code is a Class B violation. *(Renumbered ORD 508 – Effective 11/2/98)*

2.8.6 **Remedy.** If, after proper notification of a violation of Section 2.8 of the Code, the nuisance is not abated, the City Manager or designee may proceed to abate the nuisance pursuant to the provisions in Section 5.13, Uniform Nuisance Abatement Procedure, or this Code. In addition to the remedies provided by Section 5.13, the City shall have all remedies available to it by law. *(Added ORD 635-Effective 08/01/16)*

For Council Meeting: December 5, 2016

MEMO TO: CITY COUNCIL

FROM: ROCHELLE ROADEN, CITY RECORDER

SUBJECT: CERTIFICATION OF ELECTION RETURNS (NOVEMBER 8, 2016)

1. Attached are the Official Certified Results for the November 8, 2016, General Election. The election included three City Council positions.

2. City Council elections results were as follows:
City Councilor: Kitty Brown
City Councilor: John Collins
City Councilor: Trini Marquez

3. Section 1.04.07 of the Dayton Municipal Code requires that the Recorder must certify the election results to the Council at the first Council meeting after the results are certified by the County.

Attachments

**City of Dayton Canvass Report — Total Voters — Official
 Yamhill County, Oregon — || November 8, 2016 General Election — November 08, 2016**

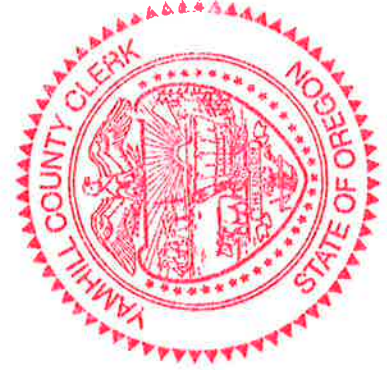
Page 1 of 1

11/28/2016 09:58 AM
 Precincts Reporting 21 of 21 = 100.00%
 District Precincts Reporting 1 of 1 = 100.00%

Total Number of Voters : 49,697 of 62,702 = 79.26%
 Number of District Voters: 1,146 of 1,509 = 75.94%

Dayton City Councilor - 3 At-Large

Precinct	Early Ballots Cast	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Annette W Frank	Kitty Brown	John J Collins	Nikki McGraw	Trini Marquez	Misc. Write-in	Totals
010	0	1146	1146	1509	75.94%	449	465	509	265	465	17	2170
Totals	0	1146	1146	1509		449	465	509	265	465	17	2170



**I CERTIFY THAT THE VOTES RECORDED ON THIS
 ABSTRACT CORRECTLY SUMMARIZE THE TALLY
 OF VOTES CAST AT THE ELECTION INDICATED.**

 SIGNATURE OF COUNTY CLERK:
 11-28-16

 DATE OF ABSTRACT

Yamhill County, Oregon — || November 8, 2016 General Election — November 08, 2016

11/28/2016 09:57 AM

Precincts Reporting 21 of 21 = 100.00%
District Precincts Reporting 1 of 1 = 100.00%

Page 1 of 1

Total Number of Voters : 49,697 of 62,702 = 79.26%
Number of District Voters: 1,146 of 1,509 = 75.94%

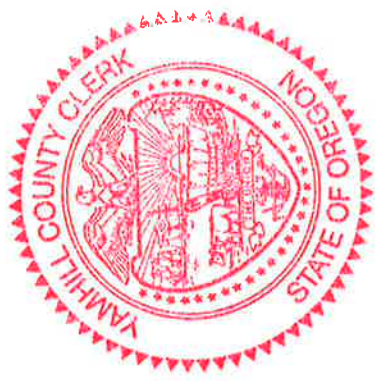
Party	Candidate	Early	Election	Total
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Dayton City Councilor - 3 At-Large, Vote For 3

Annette W Frank		0	449	449	0.00%	20.69%	20.69%
Kitty Brown		0	465	465	0.00%	21.43%	21.43%
John J Collins		0	509	509	0.00%	23.46%	23.46%
Nikki McGraw		0	265	265	0.00%	12.21%	12.21%
Trini Marquez		0	465	465	0.00%	21.43%	21.43%
Misc. Write-in (W)		0	17	17	0.00%	0.78%	0.78%

Cast Votes: 2,170 63.12%
Over Votes: 2 0.17%
Under Votes: 1,262 36.71%

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
1	1	100.00%	1,146	1,509	75.94%



I CERTIFY THAT THE VOTES RECORDED ON THIS
ABSTRACT CORRECTLY SUMMARIZE THE TALLY
OF VOTES CAST AT THE ELECTION INDICATED.

[Signature]
SIGNATURE OF COUNTY CLERK:

DATE OF ABSTRACT

To: Honorable Mayor and City Councilors

From: Scott Pingel, City Manager

Issue: Approval of Oak Street Paving Project

Background and Information

Steve Sagmiller and I were out identifying street patching needs around town and we were talking about Oak Street east of 3rd Street, which is the only street in town that is unpaved. We continuously have requests to regrade the road even right after we have regraded the road. Newman Paving and Curbing has done pretty much all of our street patching over the last few years because no one comes close to the price they give us, and we have been very satisfied with their work. Newman is the one that paved the Dayton Landing Park entrance for under \$5,000. We had him give us a quote for what it would cost to just do a basic overlay on this unpaved section of Oak Street, 20 feet wide and about 275 feet long. He quoted us \$21,500, which is a very low price for that much paving. We are pretty happy when we get patching or paving work done for around \$5 per square foot (which is not often lately), but this quote works out to about \$3.90 per square foot. City staff would like to take him up on his offer. Steve will have 2 other quotes for Oak Street by Monday so that if the council is willing, we can move forward with this project. Since we were unsuccessful in getting the grant to do the Transportation System Plan update, we have some wiggle room in the Street Capital Fund with which to get this additional paving done.

City Manager Recommendation: I recommend awarding the Oak Street Paving project to Newman Paving and Curbing unless another contractor provides a lower quote. \$21,500 plus a 10% contingency would be a total budget of \$23,650 for the project.

Relevant Council Goal: Goal A – Develop and maintain infrastructure to improve livability and support operations and growth.

Potential Motion to Approve: “I move to award the Oak Street Paving project to Newman Paving and Curbing with a budget of \$23,650.”

Council Options:

- 1 – Award the project to Newman Paving and Curbing as recommended.
- 2 – Award the project to another contractor or with a different budget.
- 3 – Take no action direct staff to do further research or bring back other options.

To: Honorable Mayor and City Councilors

From: Scott Pingel, City Manager

Issue: Employee Merit Increase Step System Discussion

Background and Information

As a part of the cost of living adjustment (COLA) discussion with the City Council in July this year, the City Council wanted to look into the possibility of adding steps to the City's merit increase step system. As far as I understand, the council has been concerned that a few current employees have maxed out their pay scale. These employees are at the highest step on the scale and so the only pay increases these employees receive are cost of living adjustments. They no longer receive merit increases. I think it is a good practice to review our employee compensation systems and make adjustments as needed from time to time. I will, however, say that it is important for the City to decide what a position is worth to the City regardless of the longevity of the person filling any particular position. As an organization, the City tends to have very low turnover, so adding steps to our current 7 step system makes sense since employees tend to be more long-term than in other organizations. It is important for us to understand, though, that employees are going to eventually max out their pay when they remain in the same position for a long time. We have a small enough staff that it is relatively easy to determine whether we are still within the market for what we are paying for various positions, but I'd like to avoid getting into a situation where a position that requires less skill, responsibility or education ends up being one of the highest paid positions in the City due simply to longevity.

I ran into this situation in a previous City. A Maintenance Worker had been with the City for a very long time and had become one of the highest paid employees because there was nothing in place to bind how the City valued the position. A Maintenance Worker position, while very necessary and valuable, does not require any certifications or special skills that are hard to find in the marketplace. It is a very replaceable position, and I would argue is not as valuable a position as a Maintenance Operator position, for example, that requires job specific education and skills, as well as the need to stay current on several critical certifications.

Included with this memo is the City's current positions and associated salary steps along with hypothetical additional steps to show where pay scales would be if the City Council wants to add steps to the current system. Also included is a listing of the cities that responded to my request for information regarding their number of steps and the percentage increase between each step. The City of Dayton currently has a 7 step system with a 3% increase between each step. The Public Works Director position has 5% between each step. This was changed when Dayton's previous City Manager had struggled to find a qualified Public Works Superintendent with the previous salary range and step increases. In the spreadsheet showing our current positions and salary steps, where each respective employee currently falls on their pay scale is highlighted. As you can see, we have 3 employees maxed out on their pay scale, and 1 more will likely be increased to their final step during the current fiscal year.

City staff are not asking for action from the City Council at this point, but we would like direction from the council in adding additional steps or not, and how many steps should be

added. City staff will bring a resolution back to the City Council at the next meeting to implement the council's direction in this regard.

SALARY SCHEDULE - FY 2016/2017

JULY 1, 2016

Alphabetical Order by Job Title

JOB TITLE	TYPE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10
CITY CLERK	NE	18.39	18.94	19.50	20.09	20.69	21.31	21.95	22.61	23.29	23.99
							44,326.88				
CITY RECORDER	E	22.06	22.72	23.40	24.10	24.83	25.57	26.34	27.13	27.95	28.78
					50,125.09						
COMMUNITY DEVELOPMENT ASSISTANT * 20 Hours per week	NE	14.71	15.15	15.61	16.08	16.56	17.05	17.57	18.09	18.64	19.19
				16,231.07							
LIBRARIAN/COMMUNITY DEV SPECIALIST	NE	18.39	18.94	19.51	20.09	20.69	21.31	21.96	22.62	23.29	23.99
							45,671.39				
PUBLIC WORKS DIRECTOR	E	24.80	26.04	27.35	28.71	30.15	31.66	33.24	34.24	35.26	36.32
							69,140.29				
MAINTENANCE OPERATOR 3	NE	18.39	18.94	19.51	20.09	20.69	21.31	21.95	22.61	23.29	23.99
MAINTENANCE OPERATOR 2	NE	17.34	17.86	18.40	18.95	19.52	20.10	20.81	21.43	22.07	22.74
							43,276.48				
MAINTENANCE OPERATOR 1	NE	16.83	17.34	17.86	18.39	18.95	19.51	20.10	20.70	21.32	21.96
					38,259.63						
MAINTENANCE WORKER	NE	12.12	12.48	12.86	13.25	13.64	14.05	14.47	14.90	15.35	15.81
					26,748.80						

JOB TITLE	TYPE	PER HR
SEASONAL - LIBRARY & RELATED	NE	0.00
SEASONAL - PUBLIC WORKS	NE	0.00

* Set as needed by the City Manager

* Set as needed by the City Manager

JOB TITLE	TYPE	PER MO
CITY MANAGER	E	6,901.66
		82,820

* Set by motion of the City Council

City	Population	Steps	%
Dayton	2,590	7	3.00%
Independence	8,775	7	5.00%
Tangent	1,200	7	2.50%
Carlton	2,125	8	2.50%
Estacada	3,085	11	2.00%
Dundee	3,185	9	2.50%
MWVCOG		11	2.50%
Sherwood	19,080	11	2.50%
Veneta	4,700	10	4.00%
Rogue River	2,175	5	5.00%
Wood Village	3,910	Target Zones	5.00%
The Dalles	14,515	7	
Brookings	6,565	7	
Harrisburg	3,645	8	4.00%
Coos Bay	16,470	7	
Clatskanie	1,750	6	5.00%
Enterprise	1,940	10	3.50%



November 30, 2016

City of Dayton
Mayor and City Manager
PO Box 339
Dayton, Oregon 97114

RE: Application for Federal Assistance
Wastewater Sewer System Improvements

Dear Mayor and City Council:

Rural Development (RD) has reviewed your application for Federal assistance. We have determined that your proposal is eligible for funding by this Agency.

The City of Dayton's application requested federal assistance in the amount of \$2,532,500. The Agency is agreeable to consideration of approximately this amount; however, this request will need to be analyzed in more detail.

Based upon the funds available for this program over the last two fiscal years and the number of applications reviewed or pending, we anticipate that funds for which you are competing will be available in Federal Fiscal Year 2017 which began October 1, 2016.

Official processing of an application for financial assistance begins on the date all material necessary for a complete application package is received by RD. In this case, processing of your application began on September 12, 2016.

In addition to the preceding determinations, we have the following comments:

A. ENVIRONMENTAL CONSIDERATIONS

You are advised against taking any actions or incurring any obligations which would either limit the range of alternatives to be considered, or which would have an adverse effect on the environment. Final acceptance of the Preliminary Engineering Report (PER) and the Environmental Report (ER) by Rural Development and the applicant is required prior to issuance of the Letter of Conditions.

Rural Development
31978 N Lake Creek Drive, Tangent, OR 97389
Voice (541) 967-5925 x 4

USDA is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov

B. BOND ISSUES OR DEBT INSTRUMENTS

You are advised not to proceed with finalizing any dollar amount of bond issue or other debt instruments prior to RD's review of a project cost estimate, and project operating budget. After Rural Development's review of these items, you will be advised of a minimum dollar amount you will have to schedule for bonding or other debt instrument.

C. PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING SERVICES

Applicants shall publicly announce all requirements for engineering and architectural services and negotiate contracts for engineering and architectural services on the basis of demonstrated competence and qualifications for the type of professional services required and at a fair and reasonable price.

When project design services are procured separately, the selection of the engineer or architect shall be done by requesting qualification-based proposals and in accordance with the above paragraph.

RD prefers use of the National Society of Professional Engineer's "Standard form of Agreement between Owner and Engineer for Professional Services," Funding Agency Edition (2014 Edition). Copies of the EJCDC are available from your consultant. This form is to be submitted to RUS for review and concurrence prior to signature by the parties.

D. SYSTEM AWARD MANAGEMENT - Requirements for System Award Management (SAM)

The City as the recipient must maintain the currency of your information in the SAM until submittal of a final financial report required under this award and all grant funds under this award have been disbursed or de-obligated, whichever is later. This requires that the City (recipient) review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term. Recipients can register on-line at (<https://www.sam.gov>). The City as the recipient may not make a sub-award to an entity unless the entity has provided its Data Universal Numbering System (DUNS) number to the City. Sub-recipients with sub-awards of \$25,000 or more must also have and maintain a current SAM registration.

Also attached are copies of appropriate forms, appendices, and a processing checklist. These documents are important for orderly application assembly by you and processing by Rural Development.

An application conference will be necessary. Please contact me to confirm a time and place. During our conference we will initiate the processing checklist and establish time schedules for completion of various loan docket items. Please retain your copy of the processing checklist, refer to it, and update it periodically in order to ensure your application proceeds as quickly as possible.

If you have any questions, please contact me, at 541-967-5325, 129.

Sincerely,

A handwritten signature in black ink that reads "Holly Halligan". The signature is written in a cursive style with a large, sweeping initial "H".

Holly Halligan
Area Specialist

cc: CP Director, Portland, OR

Attachments



**Your Community Mediators
of Yamhill County**

P.O. Box 444, McMinnville, OR 97128

503-435-2835

www.ycmediators.org

Empowering people to make positive changes in the way they respond to conflict

November 30, 2016

Elizabeth Wytoski, Mayor
Scott Pingel, City Manager
City of Dayton
408 Ferry Street
Dayton, OR 97114

Warm Greetings from Your Community Mediators.

As we enjoy the 2016 Holiday Season, the Board and staff of Your Community Mediators wish to express our sincere thanks and appreciation to the City of Dayton for partnering with us to provide free and low-cost conflict resolution services for local residents.

We are proud of how effectively we leverage the City's annual contribution to support our team of 30+ dedicated volunteer mediators, coordinated by one employee, to continue building a "***culture of peace***" in the Dayton community.

To update the City Council on our case services for your residents in the past fiscal year, I've included with this letter a **FY2015-16 Summary of Dayton Cases** served by our program, delineated by case type, number of residents served and volunteer mediator hours related to those cases. Program costs distributed to case types, and valuations of volunteer time provided by highly-trained community mediators are also identified.

In addition to mediating various types of community, family and small claims issues, our volunteers provide bi-monthly conflict resolution classes to youth at the Yamhill County Juvenile Detention Center, hold annual Basic Mediation Trainings to increase the public roster of trained conflict resolution "specialists," and make educational presentation to groups whenever possible (*please ask if you'd like a presentation for a City department meeting*).

This next year we will continue developing our School Truancy Mediation Program and plan videotape a Family Meeting Workshop to air on u-tube to help family members learn how to better communicate with each other skillfully and effectively.

We are excited about the advance of effective conflict resolution in the Dayton community, look forward to a more in-depth discussion with you in the next year about our continued collaboration to provide these services.

Best wishes and peace,

Marlena I. Bertram, Executive Director

FY2015-16 DAYTON CASE STATISTICAL SUMMARY ~ YCM COMMUNITY MEDIATION PROGRAM

CASE TYPE	# of CASES	# Dayton Residents Served	# MEDIATIONS	OPERATIONAL/STAFF EXPENSE distributed to Dayton cases	VOLUNTEER VALUATION (state rate)	
					Vol Mediator Hrs @ \$32.50	\$ Volunteer Services Value
Small Claims	5	8	5	\$ 1,000	5	\$ 163
Community: Landlord-Tenant	1	2	1	\$ 450	4	\$ 130
Family: Custody/Parenting plan	1	3	-	\$ 800		\$ -
	7	13	6	\$ 2,250	9	\$ 293

Case Referral Sources			
Courts, Courthouse referral	2	Self-referral	1
Social service	1		

\$ 2,543	TOTAL CASE SERVICES VALUE during 2015-16
\$ (293)	LESS donated volunteer mediator services
\$ 2,250	2015-16 Case Value Supported by Dayton funds

In the 2015-16 fiscal year 3% of YCM's caseload served Dayton residents

.....



Yamhill County Sheriff's Office
 Crime Summary for DAYTON
 From 11/1/2016 to 11/30/2016

City of DAYTON

UCR Description	11/1/2015 To 11/30/2015	11/1/2016 To 11/30/2016	Percentage Change	YTD (2016)	Prior Year (2015)
Part 1					
Aggravated Assault	1	1		6	5
Arson	0	0		0	1
Burglary-Business	1	0		3	6
Burglary-Non-Residence	0	0		7	1
Burglary-Residence	0	1		6	2
Larceny	5	2	-60 %	35	47
Motor Vehicle Theft-Auto	1	0		6	8
Rape	0	0		1	0
Robbery	0	0		0	2
Part 1 Total	8	4	-50 %	64	72
Part 2					
All Other	0	0		4	4
Disorderly Conduct	1	2	100 %	10	8
Drug Laws	0	1		13	14
DUII	0	1		5	7
Forgery	0	0		3	0
Fraud	0	1		4	3
Kidnapping	0	0		1	0
Liquor Laws	0	0		0	3
Runaway	1	0		6	2
Sex Offenses	0	0		7	3
Simple Assault	3	1	-66.67 %	33	17
Stolen Property	0	0		2	1
Tresspass/Prowler	0	2		7	13
Vandalism	2	1	-50 %	20	38
Weapons	0	1		2	3
Part 2 Total	7	10	42.86 %	117	116
Part 3					
All Other	3	6	100 %	57	63
Non-Reportable Offenses	3	11	266.67 %	86	73
Part 3 Total	6	17	183.33 %	143	136
Total For DAYTON	21	31	47.62 %	324	324

TO: MAYOR WYTOSKI AND CITY COUNCIL MEMBERS

**THROUGH: SCOTT PINGEL
CITY MANAGER**

**FROM: STEPHEN SAGMILLER
PUBLIC WORKS DIRECTOR**

SUBJECT: PUBLIC WORKS ACTIVITIES REPORT NOVEMBER 2016

Water:

Regulatory Samples bi weekly
Daily rounds
Work orders
Locates
Meter reading
Meter Re Reads
Turn ons / turn offs
Water Report to Lafayette
Water report to State
Receive chemicals at Treatment Plant
Meter and box replacement (various)
Install meters (various)
Door hangers
Repair chlorine at TP
Water line repair on McDougal
Water line repair Hwy 18
Chemical delivery to McDougal wells
Repair chlorine analyzer at Breyman

Wastewater:

Regulatory Samples bi weekly
Continue seasonal discharge
Daily Rounds
Check operation of lift stations daily
Locates
DMR to DEQ
Gopher patrol at lagoons
Prep for stair installation at lagoons
Chemical delivery to lagoons
Check sewer overflow

Parks:

Clean Restrooms at park daily
Dump garbage all parks
Mow parks
Leaf removal at parks
Install holiday lighting

Facilities:

Clean CC
Set up CC
Elevator repair at CC
Sump pump repair at CC
Dump garbage at CC
Mop CC
Fire extinguisher checks
Mow at CC

Storm water:

Locates

Streets:

Street sweeping
Install holiday lighting
Pothole repair 8th St
Pothole repair on Flower St

.

Misc:

Deliver agendas
Building inspections

Report Criteria:
 Report type: Summary

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Check Amount
10/16	10/13/2016	22176	1110	James P. Reilly	01-00013	1	700.700.910.00	.00	4,166.00
10/16	10/13/2016	22177	903	Scott Pingel	REIMBURSE	10	400.400.611.00	.00	61.23
10/16	10/13/2016	22178	513	Elizabeth Wytoski	REIMB 1013	2	500.500.611.00	.00	80.78
10/16	10/15/2016	22179	179	Aramark Uniform Services	862559876	10	100.104.707.00	.00	204.96
10/16	10/15/2016	22180	127	Baker & Taylor	4011721670	1	100.104.715.00	.00	494.56
10/16	10/15/2016	22181	151	Beery, Elsner & Hammond	13190	5	300.300.700.00	.00	1,570.70
10/16	10/15/2016	22182	403	C and D Landscape Co.	65350	1	100.103.705.00	.00	2,740.98
10/16	10/15/2016	22183	255	Cascade Columbia	Multiple	1	300.301.616.00	.00	1,444.00
10/16	10/15/2016	22184	258	Chemeketa Community College	S0967103	1	100.104.710.00	.00	122.13
10/16	10/15/2016	22185	105	City of Dayton	Multiple	1	300.301.707.00	.00	1,052.06
10/16	10/15/2016	22186	362	City of Newberg	SEPTEMBE	2	100.106.716.00	.00	2,117.28
10/16	10/15/2016	22187	169	City of Yamhill	00274	1	101.101.705.40	.00	250.00
10/16	10/15/2016	22188	860	City Sweepers, LLC	9653	1	200.200.614.40	.00	485.00
10/16	10/15/2016	22189	423	Comcast Cable	0578164 101	1	300.301.602.00	.00	104.85
10/16	10/15/2016	22190	1127	Copiers Northwest, Inc	INV1448074	10	400.400.601.00	.00	351.36
10/16	10/15/2016	22191	111	DCBS Fiscal Services	SEPT 2016	1	100.106.700.35	.00	260.70
10/16	10/15/2016	22192	120	DND Security & Communications	M-13530	10	400.400.707.00	.00	120.00
10/16	10/15/2016	22193	789	Edge Analytical	Multiple	1	400.400.751.00	.00	362.00
10/16	10/15/2016	22194	839	Ferguson Waterworks	Multiple	1	300.300.616.20	.00	159.91
10/16	10/15/2016	22195	614	Frontier	Multiple	1	300.300.602.00	.00	275.00
10/16	10/15/2016	22196	891	Gopher Patrol	11955	1	400.400.614.40	.00	175.00
10/16	10/15/2016	22197	247	Grove, Mueller & Swank	80838	11	500.500.608.00	.00	2,600.00
10/16	10/15/2016	22198	405	Grundfos CBS Inc.	Multiple	1	400.400.614.50	.00	11,797.00
10/16	10/15/2016	22199	134	Iron Mountain Records Mgmt	NAE6284	10	400.400.601.00	.00	54.68
10/16	10/15/2016	22200	139	Lowe's	Multiple	1	500.500.752.00	.00	361.05
10/16	10/15/2016	22201	1316	Maria H Chavarin Sotelo	REFUND 11	1	300.300.750.00	.00	41.34
10/16	10/15/2016	22202	1317	McMinnville Hearth and Barbecue	1648344-116	1	300.300.616.00	.00	800.00
10/16	10/15/2016	22203	121	McMinnville Water & Light	67508 10171	1	300.301.600.00	.00	824.34
10/16	10/15/2016	22204	124	Mid-Willamette Valley COG	1617114	1	100.105.705.20	.00	309.75
10/16	10/15/2016	22205	1314	Mirella Suarez	REFUND 10	1	100.100.750.20	.00	260.00
10/16	10/15/2016	22206	832	Newman Paving & Curbin	Multiple	1	200.200.614.40	.00	13,239.50
10/16	10/15/2016	22207	109	News Register	48273	1	400.400.700.10	.00	102.70
10/16	10/15/2016	22208	214	OAWU	21446	1	300.300.706.00	.00	347.30
10/16	10/15/2016	22209	871	OfficeMax Inc	Multiple	10	400.400.601.00	.00	335.34
10/16	10/15/2016	22210	173	One Call Concepts, Inc.	6090357	2	400.400.799.00	.00	33.00
10/16	10/15/2016	22211	163	Oregon Dept of Revenue	SEPT 2016	1	101.101.700.35	.00	230.00
10/16	10/15/2016	22212	1245	PBS Engineering and Environmen	0075319.000	1	700.700.910.40	.00	4,381.34
10/16	10/15/2016	22213	103	PGE	Multiple	1	400.400.600.00	.00	7,676.52
10/16	10/15/2016	22214	213	Pitney Bowes Purchase Power	092516	10	400.400.601.10	.00	60.66
10/16	10/15/2016	22215	621	Portland Engineering, Inc	Multiple	1	400.400.705.00	.00	758.75
10/16	10/15/2016	22216	106	Recology Western Oregon	Multiple	2	200.200.603.00	.00	1,268.58
10/16	10/15/2016	22217	937	Schulz-Clearwater Sanitation, Inc	384486	1	100.103.619.00	.00	141.00
10/16	10/15/2016	22218	269	Secretary of State	2016 AUDIT	11	500.500.608.00	.00	250.00
10/16	10/15/2016	22219	1313	Sherry Zimmerman	REFUND 10	1	100.100.750.20	.00	200.00
10/16	10/15/2016	22220	119	Sprint	414585229-1	10	400.400.602.00	.00	310.10
10/16	10/15/2016	22221	141	Staples Credit Plan	Multiple	10	400.400.601.00	.00	279.32
10/16	10/15/2016	22222	1312	Steven & Janice Johnson	REFUND 10	2	400.400.750.00	.00	10.74
10/16	10/15/2016	22223	171	Terminix Processing Center	Multiple	1	100.100.707.30	.00	126.00
10/16	10/15/2016	22224	1001	Utility Service Co., Inc	405398	1	600.600.930.60	.00	15,425.85
10/16	10/15/2016	22225	1315	Wade Womack	REFUND 71	2	400.400.750.00	.00	57.20
10/16	10/15/2016	22226	154	Westech Engineering, Inc	Multiple	1	600.600.930.10	.00	13,137.99
10/16	10/15/2016	22227	112	Wilco	Multiple	7	400.400.614.10	.00	833.78
10/16	10/15/2016	22228	114	Yamhill County Sheriff	OCT 2016	1	101.101.705.10	.00	10,627.26

M = Manual Check, V = Void Check

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Check Amount
10/16	10/15/2016	22229	115	Yamhill County Sheriff	16-009	1	101.101.700.35	.00	128.00
10/16	10/15/2016	22230	117	YCOM	2016-4BB	1	101.101.770.00	.00	2,331.41
10/16	10/15/2016	22231	297	Suzanne R. Hurford and	100116	1	300.300.708.00	.00	2,000.00
10/16	10/26/2016	22232	333	City of Carlton	CITYCOUNT	1	500.500.752.00	.00	300.00
10/16	10/31/2016	22233	190	AFLAC	612476	1	100.000.220.00	.00	189.52
10/16	10/31/2016	22234	1318	Ashley Archibald	102816	1	500.500.752.00	.00	40.00
10/16	10/31/2016	22235	189	CIS Trust	NOV 2016	22	400.400.594.00	.00	8,065.16
10/16	10/31/2016	22236	519	Comcast Cable - phone	0011596 110	10	400.400.602.00	.00	303.87
10/16	10/31/2016	22237	1320	Dawnette Bowlin	REFUND 10	1	100.100.750.20	.00	200.00
10/16	10/31/2016	22238	150	Debra Lien	REIMBURSE	1	500.500.752.60	.00	65.86
10/16	10/31/2016	22239	1182	Department of Consumer and Bus	ARQ16059	11	500.500.706.00	.00	500.00
10/16	10/31/2016	22240	839	Ferguson Waterworks	0546051	1	300.300.616.20	.00	4,522.44
10/16	10/31/2016	22241	614	Frontier	8643275 102	1	400.400.602.00	.00	82.01
10/16	10/31/2016	22242	694	GPEC Electrical Contractors	3735	1	300.301.707.00	.00	3,389.22
10/16	10/31/2016	22243	1081	Keller Associates	216077-000 I	1	400.400.705.20	.00	4,990.00
10/16	10/31/2016	22244	121	McMinnville Water & Light	67508 10251	1	300.301.600.00	.00	655.05
10/16	10/31/2016	22245	110	Northwest Logging Supply	Multiple	1	100.103.614.00	.00	508.36
10/16	10/31/2016	22246	256	Oregon Dept of Revenue	Multiple	1	100.000.212.00	.00	2,078.98
10/16	10/31/2016	22247	103	PGE	926420 5 10	1	300.300.600.00	.00	50.43
10/16	10/31/2016	22248	218	Platt	K481840	4	400.400.616.00	.00	77.48
10/16	10/31/2016	22249	621	Portland Engineering, Inc	Multiple	1	300.300.614.40	.00	5,500.00
10/16	10/31/2016	22250	1194	Rochelle Roaden	103116 REI	11	400.400.611.00	.00	94.88
10/16	10/31/2016	22251	1321	Shelby Bailey	REFUND	1	100.100.750.20	.00	200.00
10/16	10/31/2016	22252	477	Steve Sagmiller	PNCWA CO	1	400.400.611.00	.00	144.07
10/16	10/31/2016	22253	1319	Tiffany Wilmot	REFUND 10	1	100.100.750.20	.00	650.00
10/16	10/31/2016	22254	1084	Yamhill County Tax Collector	Multiple	1	300.300.799.00	.00	620.37
10/16	10/31/2016	22255	1006	US Bank	Multiple	10	400.400.611.00	.00	3,595.60
10/16	10/31/2016	22256	958	Cygnat Enterprises NW	Multiple	1	400.400.616.00	.00	5,851.23
Grand Totals:								.00	150,613.53