

**MINUTES**  
**DAYTON CITY COUNCIL**  
**REGULAR SESSION**  
**June 6, 2022**

**PRESENT:** Mayor Elizabeth Wytoski  
Council President Daniel Holbrook  
Councilor Annette Frank  
Councilor Kitty Mackin  
Councilor Jim Maguire  
Councilor Trini Marquez *arrived at 6:32 pm*  
Councilor Rosalba Sandoval-Perez

**ABSENT:**

**STAFF:** Rochelle Roaden, City Manager  
Patty Ringnald, City Recorder  
Steve Sagmiller, Public Works Director

**A. CALL TO ORDER & PLEDGE OF ALLEGIANCE**

Mayor Wytoski called the meeting to order at 6:31 pm.

**B. ROLL CALL**

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

**C. PUBLIC HEARINGS**

Mayor Wytoski opened the Public Hearing at 6:32 pm to obtain citizen input on the budget for the fiscal year beginning July 1, 2022 as approved by the City of Dayton Budget Committee.

No comments were offered.

Mayor Wytoski closed the Public Hearing at 6:33 pm.

Mayor Wytoski opened the Public Hearing at 6:34 pm to obtain citizen input on the proposed uses of State Revenue Sharing Funds in the City of Dayton FY 2022/2023 Budget.

No comments were offered.

Mayor Wytoski closed the Public Hearing at 6:35 pm.

**D. APPEARANCE OF INTERESTED CITIZENS**

No one in attendance chose to speak before the Council.

**E. CONSENT AGENDA**

**1. Approval of Meeting Minutes**

- a. Regular Session Meeting Minutes of May 2, 2022.

**KITTY MACKIN MOVED TO APPROVE THE MINUTES OF THE  
REGULAR SESSION MEETING OF MAY 2, 2022 AS WRITTEN.  
SECONDED BY JIM MAGUIRE. Motion carried with Frank, Holbrook,  
Mackin, Maguire, Marquez, Sandoval-Perez and Wytoski voting aye.**

**F. ACTION ITEMS**

**1. Dayton Volunteer Firefighters Donation Request – Steve Hopper**

Steve Hopper representing the Dayton Volunteer Firefighter Association reviewed their request for funds to seed their annual Fire District Chicken B-B-Q on Sunday, July 31, 2022. Mr. Hooper advised that because they are expecting a large turn out this year they would like to ask the Council for \$1,000 donation.

**ANNETTE FRANK MOVED TO APPROVE A DONATION IN THE AMOUNT OF \$2,000 TO THE DAYTON VOLUNTEER FIREFIGHTERS ASSOCIATION FOR THEIR ANNUAL CHICKEN B-B-Q. SECONDED BY TRINI MARQUEZ. Motion carried with Frank, Holbrook, Mackin, Maguire, Marquez, Sandoval-Perez and Wytoski voting aye.**

**2. Homeward Bound Donation Request – Jennifer Choate DMV**

Mayor Wytoski reviewed the Homeward Bound Donation request that was submitted by Jennifer Choate. Prior donation amounts were discussed.

**KITTY MACKIN MOVED TO APPROVE A DONATION IN THE AMOUNT OF \$1500. SECONDED BY DANIEL HOLBROOK.**

Councilor Sandoval-Perez inquired about last year's donation and an additional amount that was earmarked for rabbits. Discussion continued.

**ANNETTE FRANK MOVED TO AMMEND THE FIRST MOTION TO APPROVE A DONATION TO HOMEWARD BOUND IN THE AMOUNT OF \$2,000, WITH THE UNDERSTANDING THAT RABBITS ARE TO BE INCLUDED IN THE SCOPE OF THE WORK PERFORMED BY HOMEWARD BOUND. SECONDED BY JIM MAGUIRE. Motion carried with Frank, Holbrook, Mackin, Maguire, Marquez, Sandoval-Perez and Wytoski voting aye.**

**3. Recology Western Oregon Proposal Rate Increase – Dave Larmouth**

Dave Larmouth and Chris Kary from Recology Western Oregon reviewed their request to raise garbage service fees in the City of Dayton. The new fees were discussed in length.

**JIM MAGUIRE MOVED TO APPROVE THE RECOLOGY WESTERN OREGON RATE INCREASE AS PROPOSED EFFECTIVE JULY 1, 2022 IN THE AMOUNT OF 5.52%. SECONDED BY ANNETTE FRANK. Motion carried with Frank, Holbrook, Mackin, Maguire, Marquez, Sandoval-Perez and Wytoski voting aye.**

**4. Approval of Resolution 2021/2022-20 Legal Service Contract with Beery, Elsner and Hammond**

Rochelle Roaden, City Manager reviewed the proposed contract for legal services with Beery, Elsner and Hammond. Councilor Maguire inquired about the percentage of the increase for legal services. Discussion continued regarding service rates.

**DANIEL HOLBROOK MOVED TO APPROVE RESOLUTION 21/22-20 A RESOLUTION APPROVING A PERSONAL SERVICES AGREEMENT FOR LEGAL SERVICES JULY 1, 2022 through JUNE 30, 2024. SECONDED BY ROSALBA SANDOVAL-PEREZ.** *Motion carried with Frank, Holbrook, Mackin, Maguire, Marquez, Sandoval-Perez and Wytoski voting aye.*

**5. Approval of Resolution 2021/22-21 CCRLS for Library Services**

Rochelle Roaden reviewed the proposed contract and advising that this is year five of a five year contact. This amendment is to add funding for the 22/23 fiscal year.

**KITTY MACKIN MOVED TO APPROVE RESOLUTION 21/22-21 A RESOLUTION APPROVING AMENDMENT NUMBER FOUR AN INTERGOVERNMENTAL AGREEMENT BETWEEN CHEMEKETA COMMUNITY COLLEGE AND THE CITY OF DAYTON FOR THE CHEMEKETA COOPERATIVE REGIONAL LIBRARY SERVICES CCRLS. SECONDED BY TRINI MARQUEZ.** *Motion carried with Frank, Holbrook, Mackin, Maguire, Marquez, Sandoval-Perez and Wytoski voting aye.*

**6. 6<sup>th</sup> Street Overlay Review, Discussion and Approval**

Rochelle Roaden reviewed the 6<sup>th</sup> Street Overlay Project, which is part of ODOT's small cities allotment grant and stating that she recommends that the Council award the project to North Santiam Paving Company which was the lowest bidder. Discussion continued with the City Manager reviewing past and future city paving improvements.

**JIM MAGUIRE MOVED TO APPROVE AWARDED THE SIXTH STREET OVERLAY PROJECT TO NORTH SANTIAM PAVING COMPANY WITH A PROJECT BUDGET NOT TO EXCEED \$143,640. SECONDED BY ROSALBA SANDOVAL-PEREZ.** *Motion carried with Frank, Holbrook, Mackin, Maguire, Marquez, Sandoval-Perez and Wytoski voting aye.*

**7. Discussion – Drinking in Public Places**

Rochelle Roaden reviewed the proposed code amendment to add drinking in public to the Municipal Code. Rochelle Roaden noted that there are several examples from other cities included in the packet, advising that a proposed update to the code for food trucks is included as well. Council will need to decide if they want food trucks and push carts to serve alcohol as well.

Mayor Wytoski advised that she was in favor of allowing food trucks and push carts to serve alcohol on private property and she would be in favor of removing the “non-alcoholic” from the food truck and push cart code, which would then read “the serving of food and beverages” from the food trucks and push carts.

Mayor Wytoski stated that in section 2.15 she likes the language from Independence better and wants to make sure that it is clear “if you are allowed to serve alcohol then you can”. Mayor Wytoski liked the following language: 1) Forest Grove: “or upon any premises open to the public unless licensed or permitted for that purpose by the State Liquor Control Commission”. 2) Independence: “or other public place unless such place has been licensed for that purpose by the State Liquor Control Commission”. Mayor Wytoski stated that her favorite was the Independence language.

Rochelle Roaden advised that if the Council was in agreement, she will bring the re-worded ordinance back to the next Council meeting with an emergency clause so that it can be passed before Dayton Friday Nights and summer activities begin. Council agreed to bring the language back to Council at the next meeting with an emergency clause.

**8. Approval to Proceed with Development Code Update Adding Buffer Requirements Discussion**

This request is from the City’s Planner, Kiel Jenkins, he would like to start working on the UGB Swap as soon as possible and this will allow him to do so. Rochelle Roaden advised that the UGB Swap is past the 21 day appeal period and this request is in follow up to Yamhill County and Sam Sweeney’s request to add buffer requirements to the UGB Swap. A City Council motion is required, because this is a change to the Land Use and Development Code.

**ANNETTE FRANK MOVED TO INITIATE A DEVELOPMENT CODE AMENDMENT TO ADD PROVISIONS FOR REQUIRED BUFFERING BETWEEN URBAN USES WITHIN THE CITY LIMITS AND LAND OUTSIDE THE URBAN GROWTH BOUNDRIES ZONED FOR EXCLUSIVE FARM USE. SECONDED BY JIM MAGUIRE.** *Motion carried with Frank, Holbrook, Mackin, Maguire, Marquez, Sandoval-Perez and Wytoski voting aye.*

The effects of buffering on established properties within the City of Dayton that border exclusive farm land was discussed in length.

**G. CITY COUNCIL COMMENTS AND CONCERNS**

Councilor Mackin stated that if the City hosts a City County Dinner in November, she feels that the newly appointed Council from the November election should be invited to the dinner as well. Rochelle Roaden advised that she talked to the Executive Director at the Council of Governments (COG) and let them know that the City of Dayton would love to host the first dinner after the COVID break.

Councilor Marquez stated that over the weekend she was able to hear music from the Dayton ByPass from her home after the 10:30 pm noise limit. Rochelle Roaden encouraged Councilor Marquez to call the Yamhill County Sheriff’s Office if it happens again.

Councilor Maguire told City Manager Rochelle Roaden a van (and its junk) that is parked in the right of way along Ferry Street, the City Manager advised that staff is already working on the issue.

Councilor Sandoval-Perez stated her concern for speeding on Flower Lane and vehicles that are not stopping at the stop signs at Flower and Ash Roads. Rochelle Roaden advised that the City will put the portable speed sign on Flower Lane and will advise the City's deputy of the speeding. Councilor Sandoval-Perez also stated that the area between the sidewalk and paved street in front of the Post Office is a muddy wet mess and asked if Public Works could put some gravel in that area. Rochelle Roaden stated that she will talk with Public Works. Councilor Sandoval-Perez asked if more pet waste stations could be put up around town. Discussion continued.

Councilor Holbrook asked if the City could promote the Affordability Connectivity Program on the City's website. Councilor Holbrook will send the link to Rochelle Roaden's email and she will make sure it is promoted on the City's App as well as the website. Mayor Wytoski asked if the program could be promoted in the City's next newsletter. Programs, assistance and resources were discussed in length.

Mayor Wytoski advised that parade entries have started to come in for the Old Timer's parade scheduled for Friday, July 29, 2022 and asked elected City Officials to attend as many of the City's sponsored events as possible.

## **H. INFORMATION REPORTS**

### **1. City Manager's Report**

Rochelle Roaden advised that the City will have a float in the Old Timer's Parade and invited Council and their families to join City Staff on the float.

The 9<sup>th</sup> Street to Flower Lane Project. A pre-construction meeting was held with Haworth Inc., ODOT and PGE, the project is due to start June 13, 2022. During the meeting ODOT representatives advised that the governor has issued a moratorium on work in the public right of way between July 9<sup>th</sup> and July 31, 2022, due to an International Track Meet that is going to be held at the University of Oregon. Per ODOT's request the City will be requesting an exception.

Rochelle Roaden advised that staff is working with ODOT on the possibility of adding additional sidewalk paving and a crosswalk at 7<sup>th</sup> and Ferry Streets to the 9<sup>th</sup> Street to Flower Lane Safe Routes to School Grant.

The June edition of the Ferry Street Newsletter should be delivered to Dayton residents the end of next week, information regarding the Firefighters chicken BBQ is highlighted in the newsletter.

The City has submitted its draft of the Total Maximum Daily Load (TMDL) of Mercury to DEQ, the final documentation is due in the fall.

The Spring Clean Up week was a successful event with lots of good feedback. There has been some interest in another city wide garage sale. The City Manager and the Mayor will be polling City residents to see how much interest there is for an additional garage sale weekend. Rochelle Roaden advised that next year she would like to have yard signs available for those residents who sign up to have a garage sale.

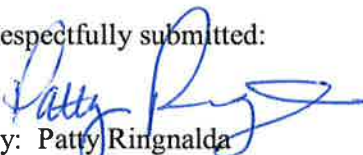
Three Councilors and the Mayor's terms end at the end of this year. Patty Ringnalda is the Elections Official and you will need to talk to her if you intend to run in the November election. Packets are available now with the filing deadline of August 30, 2022. The election process was discussed.

National Night Out will be Tuesday, August 2, 2022 which was started up again last year. In past years the City Council served the food at this event and staff asked Council if they would continue with the old tradition and work the next National Night Out. Discussion continued.

**I. ADJOURN**

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

Respectfully submitted:

  
By: Patty Ringnalda  
City Recorder

**APPROVED BY COUNCIL on June 21, 2022.**

As Written  As Amended

  
Elizabeth Wytoski, Mayor