

AGENDA  
CITY OF DAYTON  
REGULAR SESSION

DATE: MONDAY, NOVEMBER 6, 2023  
TIME: 6:30 PM  
PLACE: DAYTON CITY HALL ANNEX - 408 FERRY STREET, DAYTON, OREGON  
VIRTUAL: ZOOM MEETING - ORS 192.670/HB 2560

You may join the Council Meeting online via Zoom Meeting at: <https://us06web.zoom.us/j/88279833458>

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

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<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE #</u>
A.	CALL TO ORDER & PLEDGE OF ALLEGIANCE	
B.	ROLL CALL	
C.	APPEARANCE OF INTERESTED CITIZENS	
The public is encouraged to relay concerns and/or comments to the City Council in one of the following methods:		
<ul style="list-style-type: none"><li>• <b>Email - any time up to 5:00 p.m.</b> the day of the meeting to <a href="mailto:rvargas@daytonoregon.gov">rvargas@daytonoregon.gov</a>. The Mayor will read the comments emailed to the City Recorder.</li><li>• <b>Appear in person</b> - if you would like to speak during public comment, please sign up on the sign-in sheet located on the table when you enter the Council Chambers.</li><li>• <b>Appear by Telephone only</b> - please sign up prior to the meeting by emailing the City Recorder at <a href="mailto:rvargas@daytonoregon.gov">rvargas@daytonoregon.gov</a>. (The chat function is not available when calling by phone into Zoom.)</li><li>• <b>Appear virtually via Zoom</b> - once you are in the meeting, send a chat directly to the City Recorder, Rocio Vargas, use the raise hand feature in Zoom to request to speak during public comment. <b>The City Recorder will need your first and last name, address, and contact information</b> (email or phone number) before you are invited to speak. When it is your turn, the Mayor will announce your name and your microphone will be unmuted.</li></ul>		
D.	CONSENT AGENDA	
	1. Regular Session Minutes of October 2, 2023	1-8
	2. Work Session Minutes of October 16, 2023	9-10
E.	ACTION ITEMS	
	1. Approval of Resolution 23/24-04 Proclaiming the Recognition of the Vietnamese American Heritage and Freedom Flag. Presented by Thao Duc Tu, President of Vietnamese Community of Oregon.	11-24
	2. Update on Highway 18 Dayton Gateway	
	3. Approval to Establish Urban Renewal District and Award Contract	25-43
	4. Approval of Resolution 23/24-05 Fee Schedule Updates	45-55
	5. Approval of Resolution 23/24-06 Establishes Dayton Community Events Committee	57-64
	6. Approval of Inflow & Filtration Study Amendment #2	65-68
	7. HWY 221 Lift Station Replacement Project Financing and Sewer Rate Discussion	69-73

**Meeting Accessibility Services and Americans with Disabilities Act (ADA) Notice:** City Hall Annex is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the City Recorder (503) 864-2221 or [rvargas@daytonoregon.gov](mailto:rvargas@daytonoregon.gov).

- |   |        |
|---|--------|
| 8. Award of HWY 221 Lift Station Replacement Project                                | 75-80  |
| 9. 2 <sup>nd</sup> Reading and Adoption of Ordinance 656 - Land Use Code Amendments | 81-112 |

F. EXECUTIVE SESSION

G. CITY COUNCIL COMMENTS/ CONCERNS

H. INFORMATION REPORTS

- |  |         |
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| 1. City Manager's Report                   | 113-135 |
| 2. Tourism and Economic Development Report |         |

I. ADJOURN

Posted: November 3, 2023

By: Rocio Vargas, City Recorder

**NEXT MEETING**

**Regular Session Meeting Monday, December 4, 2023**

*Virtually via Zoom and in Person, City Hall Annex, 408 Ferry Street, Dayton, Oregon*

**MINUTES**  
**DAYTON CITY COUNCIL**  
**REGULAR SESSION**  
**OCTOBER 2, 2023**

**PRESENT:** Mayor Trini Marquez  
Councilor Annette Frank  
Councilor Drew Hildebrant  
Councilor Kitty Mackin  
Councilor Rosalba Sandoval-Perez  
Councilor Luke Wildhaber

**ABSENT:** Council President Jim Maguire

**STAFF:** Rochelle Roaden, City Manager  
Rocio Vargas, City Recorder  
Dave Rucklos, Tourism and Economic Development Director  
John Lindow, Public Works Supervisor  
Curt Fisher, City Planner  
Denny Muchmore, City Engineer

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

Mayor Marquez called the meeting to order at 6:31pm and those present recited the Pledge of Allegiance.

**B. ROLL CALL**

Mayor Marquez noted that there was a quorum with councilors Frank, Hildebrant, Mackin, Sandoval-Perez, and Wildhaber attending the meeting in person and Council President Maguire was absent.

**C. APPEARANCE OF INTERESTED CITIZENS**

None

**D. CONSENT AGENDA**

**Approval of Meeting Minutes**

1. Regular Session Meeting Minutes of September 5, 2023

**COUNCILOR FRANK MOVED TO APPROVE THE MINUTES OF THE REGULAR SESSION MEETING MINUTES OF SEPTEMBER 5, 2023 AS WRITTEN. SECONDED BY LUKE WILDHABER.**

Motion carried with Frank, Hildebrandt, Mackin, Sandoval-Perez, Wildhaber and Marquez voting aye. Councilor President Maguire absent.

**E. PUBLIC HEARING**

**The City Council held a Public Hearing to obtain citizen input on text amendments to the Dayton Land Use Development Code Chapters 1.16, 7.1.2 and 7.3.1**

**F. ACTION ITEMS**

1. Staff report presentation - LUCA 24-01, Curt Fisher, City Planner

Mayor Marquez opened the public hearing at 6:35 pm for the approval of the decision-making criteria legislation found in Section 7.3.112 of the Dayton Land Use and Development Code. Mayor Marquez gave procedural instructions for the public hearing.

Curt Fisher, City Planner, presented the proposed amendments to the Dayton land Use Development Code, Chapters 1.16, 7.1.2, and 7.3.1.

A discussion on how the new amendments would affect new and established development occurred.

Mayor Marquez invited members of the public to testify.

There were none.

Mayor Marquez gave a final opportunity to anyone who would like to testify before closing the public hearing. After closing only, the council and staff may bring up concerns.

There were none.

Mayor Marquez closed the public hearing at 6:58 pm.

Mayor Marquez entertained a deliberation.

**COUNCILOR FRANK MOVED TO ADOPT THE FINDINGS IN THE STAFF REPORT AND RECOMMEND THE CITY COUNCIL APPROVE THE AMENDMENTS AS PRESENTED BY STAFF AND RECOMMENDED BY THE PLANNING COMMISSION. SECONDED BY COUNCILOR HILDEBRANT.** Motion carried with Frank, Hildebrant, Mackin, Sandoval-Perez, Wildhaber and Marquez voting aye. Councilor President Maguire absent.

## **2. First Reading of Ordinance 656**

City Manager reviewed the process to approve Ordinance 656. A first reading of title only is necessary, then a second reading before it is adopted.

Councilor Mackin proceeded to the first reading of Ordinance 656 by title only.

**COUNCILOR FRANK MOVED TO APPROVE THE FIRST READING OF ORDINANCE 656. SECONDED BY COUNCILOR HILDEBRANT.** Motion carried with Frank, Hildebrant, Mackin, Sandoval-Perez, Wildhaber and Marquez voting aye. Councilor President Maguire absent.

## **3. Urban Renewal Presentation - Elaine Howard, EH Consulting LLC**

Dave Rucklos, Tourism and Economic Development Director gave an introduction of Elaine Howard.

Elaine Howard, EH Consulting, presented Urban Renewal/Tax Increment Financing Basics and gave examples of surrounding cities that have adopted Urban Renewal plans.

The council discussed the pros and cons of an urban renewal plan for the City of Dayton. The council inquired about the financial benefits to the City and other taxing districts. The council agreed to continue to review establishing an Urban Renewal Plan for the City of Dayton.

No further discussion ensued today. Will revisit.

#### **4. Approval and Authority to Apply for Additional Financing for the Highway 221 Lift Station Project through Business Oregon**

City Manager requested city council to approve and authorize the application for financing for the lift station project from Neck Rd to the Pump Station. The City received a \$511,000 grant from Yamhill County ARPA, and \$511,000 from the city's ARPA allocation from the federal government for this project. The bid came back at \$1,699,896, adding an additional \$250,000 for engineering management and \$100,000 contingencies for a total of \$2,050,000.

City Manager stated that working with Business Oregon is an option to borrow up to \$1,028,000 on a 30-year loan and perhaps a grant. The exact rates would be determined after applying for the financing. The Yamhill County grant was extended, but if additional funding isn't secured the project grant may be lost.

Councilor Hildebrant inquired about the \$100,000 being enough for contingencies considering the rise of inflation. City Engineer stated that the amount for contingencies was enough. The contractor agreed to extend the time that the City must award the contract. The contingency amount is to cover any unexpected costs once underground work begins.

Councilor Hildebrant inquired about the amount of time the bid is held. City Manager stated that bids expire at 60 days, but they are holding it until November 7, 2023.

Councilor Wildhaber inquired about how the bidder is chosen. City Engineer stated that there are regulations for how government agencies must choose a bidder.

**COUNCILOR HILDEBRANT MOVED TO APPROVE AND AUTHORIZE THE CITY MANAGER TO APPLY FOR FINANCING ON THE HIGHWAY 221 LIFT STATION PROJECT THROUGH BUSINESS OREGON'S WATER/WASTEWATER FINANCING PROGRAMS. COUNCILOR SANDOVAL-PEREZ SECONDED.**

Motion carried with Frank, Hildebrant, Mackin, Sandoval-Perez, Wildhaber and Marquez voting aye. Councilor President Maguire absent.

#### **5. Approval of Resolution 23/24-02 Hands and Words Are Not For Hurting**

City Manager presented the "Hands And Words Are Not For Hurting Project<sup>®</sup>". Ann Kelly is the Founder/Executive Director and has asked the Mayor and City Council to approve a new proclamation to declare the week of October 15<sup>th</sup> through 21<sup>st</sup>, 2023, to be the 26<sup>th</sup> Annual National Hands and Words Are Not For Hurting Week. The organization asked Councilor Mackin to accept the proclamation on behalf of the "Hands And Words Are Not For Hurting Project".

Councilor Mackin accepted the proclamation and stated her strong support for the "Hands and Words are Not for Hurting Project". Councilor Mackin stated that she would abstain from voting as she was receiving the proclamation and invited any questions.

Councilor Hildebrant inquired about making the proclamation in perpetuity.

City Manager stated that it could be done, however, the executive director will go to different locations to present and prefers a yearly proclamation.

Councilor Mackin presented a banner, brochures, and stickers from the organization to be available for public display.

**COUNCILOR HILDEBRANT MOVED TO APPROVE RESOLUTION 23/24-02 PROCLAIMING THE WEEK OF OCTOBER 15<sup>TH</sup> THROUGH 21<sup>ST</sup> ,2023 TO BE THE 26<sup>TH</sup> ANNUAL NATIONAL HANDS AND WORDS ARE NOT FOR HURTING WEEK. SECONDED BY COUNCILOR FRANK.** Motion carried with Frank, Hildebrant, Sandoval-Perez, Wildhaber and Marquez voting aye. Mackin abstained. Councilor President Maguire absent.

#### **6. Approval of Resolution 23/24-03 Surplus Equipment**

City Manager presented equipment that are no longer of use to the city to be approved for surplus. There is a 2011 F350 truck, a F350 truck bed, an OWL audio system, and two Christmas wreaths.

**COUNCILOR HILDEBRANT MOVED TO APPROVE RESOLUTION 23/24-03 DECLARING CERTAIN PROPERTY AS SURPLUS AND AUTHORIZING ITS TRANSFER, SALE OR OTHER DISPOSITION. SECONDED BY COUNCILOR WILDHABER.** Motion carried with Frank, Hildebrant, Mackin, Sandoval-Perez, Wildhaber and Marquez voting aye. Councilor President Maguire absent.

#### **7. Approval of Resolution 23/24-04 Community Events Committee**

City Manager stated that upon research found the historic mentions of a Community Events Committee, however, not a formal resolution establishing the committee. Resolution 23/24-04 would establish this committee and invite the public to volunteer as voting members. The committee would work directly with the Mayor and City Council to approve city events for the community.

Councilor Frank inquired if the Community Events Committee would just be dedicated in putting on City hosted events. She inquired how would it be different from DCDA.

City Manager stated this committee would be directed by the Mayor and City Council.

Councilor Frank inquired if the committee is the only liaison to the DCDA.

City Manager clarified that the Community Events Committee would put on city hosted events, work with volunteers and the City Council, and would work with DCDA on the Friday Nights event that the City participates in.

Councilor Frank commented on the last DCDA meeting.

City Manager stated that the goal of this committee would be to have more community involvement and volunteers to help the city staff with city hosted events.

Councilor Frank commented that the DCDA has a vision to expand to more than just the Friday Nights event. She expressed concern on how the two different committees can co-exist.

City Manager stated that there are specific City hosted events such as Breakfast with Santa, the Holiday Bazaar, City Wide Clean-Up week, National Night Out and Christmas Tree lighting. The Community Events Committee would manage Old Timers Weekend and Cinco de Mayo and have volunteers instead of city staff doing all the event work.

Councilor Frank urged the City Council to step up and be at City hosted events to foster more community connections.

City Manager commented that having community volunteers working with the council helps create a connection.

Councilor Frank reinforced the need for the connection between City Council and the community.

Councilor Hildebrant expressed concern on the co-existence of two event committees and having enough volunteers for both.

City Manager reinforced that the City has events and there will some events that could crossover with DCDA events and the goal would be to work together on those with the Community Events Committee.

Councilor Frank expressed concern on misinterpretation of the new committee.

Councilor Hildebrant inquired if there would be a direct liaison between the Community Events Committee and the DCDA. City Manager stated that direct liaison would be a member of the Community Events Committee.

Mayor Marquez commented that prior to the COVID contingency there were more events hosted by the DCDA which hopefully will continue with the development of new business. She agreed that the Council should be more involved with the city hosted events.

City Manager reinforced that city staff's responsibility is to close roads, not coordinate and staff events. The goal with the committee is to fill the need for volunteers for the benefit of the City and to liaison with the DCDA on Dayton Friday Nights.

Councilor Mackin inquired if the Tourism and Economic Development Director Dave Rucklos would coordinate and manage volunteers.

Dave stated that volunteers are difficult to keep without community engagement. The Community Event Committee may serve as a mediator between the city and DCDA and as way to have the City Council connect with the community, recruit more volunteers, and work with the DCDA to reduce or avoid hardship with event load.

Councilor Wildhaber stated that each committee should have their separate events to work on and not have any crossover. It was suggested to continue the discussion at another time.

**COUNCILOR WILDHABER MOVED TO TABLE THE ADOPTION OF RESOLUTION 23/24-04 TO THE NOVEMBER 6, 2023 MEETING. SECONDED BY COUNCILOR FRANK.** Motion carried with Frank, Hildebrant, Mackin, Sandoval-Perez,

Wildhaber and Marquez voting aye. Councilor President Maguire absent.

## **8. Shade Tree Discussion**

City Manager recognized that there was historic information about the conversation of trees on the playground at the Courthouse Square Park.

Dave reported research he did on how the decision was reached to not have the trees that would create shade for the playground. He discovered the trees were replaced by the "merry-go-round" from the original plans. According to records the community requested the "merry-go-round" to be relocated and kept at the park after the old one was removed. It was then placed in the location of the shade trees.

Dave shared a personal story of the dangers of heated metal playgrounds.

Dave researched fast growing trees that would accommodate the shade needed, however the bulb size would require a relocation of the "merry-go-round". The other option would be an overhead shading that would cover the playground. Both options would cost money and City Council would have to add to the strategic goals for next fiscal year.

Councilor Hildebrant brought up another shading option that wouldn't retain so much heat and allow a breeze. Dave agreed that other options can be reviewed and presented before a decision is made.

Councilor Frank stated that she likes the idea of moving the "merry-go-round" away from the sidewalk for safety reasons.

City Manager stated that if the City Council is in support of this option, costs can be researched and then reviewed by council.

Councilor Frank stated she would like to see the research on the relocation of the "merry-go-round" regardless of the shade option considered.

City Manager Roaden stated that this is a project to add to the Strategic Goals in February so staff can complete the research on the options including relocation of the merry go round.

## **G. CITY COUNCIL COMMENTS AND CONCERNS**

Councilor Mackin reported she was classified as the Peace Ambassador as part of the Rotary Club. Councilor Mackin will be attending a conference next week with Mayor Marquez in Eugene. She hopes to bring back good information.

Councilor Mackin expressed concern about the tree on Flower Lane and Ferry that is blocking visibility.

Councilor Frank asked for an update of the arborist visit and the report from the arborist. John Lindow Public Works Supervisor confirmed the visit of the arborist to the park and that they completed the work that the budget allowed. The arborist did state that there is more maintenance work to be done, but otherwise the trees look good. City Manager stated that more work will be budgeted for next year.

Councilor Wildhaber inquired about the speed-reading sign being placed on ODOT right of way. He stated that he saw a permanent speed-reading sign one on highway 47 and



questioned how they were able to place it on ODOT right-of way. City Manager stated they likely have a permit to place the speedometer there. Councilor Wildhaber wanted to clarify if there was a possibility of getting a similar permit in future goals. City Manager stated that the mobile speedometer has been placed where people request it.

Councilor Wildhaber inquired about what is going on with the lot next to Lone Star. City Manager stated that is the staging for the renovation of buildings on 300 Ferry. She added that the PGE transformer is being placed on the corner of Ferry and 4<sup>th</sup>.

Councilor Sandoval-Perez had no comments or concerns.

Councilor Hildebrant commented on speed violations next to the high school on Ferry Street. He stated that he would like to make it a priority to address in next year strategic goals. City Manager stated that the City Engineer did attempt to get a crosswalk in the area. City Engineer stated a House Bill was passed that would give cities more authority over streets within the city limits. However, implementation has not been defined yet, but once it is defined the city can review if Ferry Street should be considered a state road within the city.

Councilor Hildebrant expressed concern for the construction on 8<sup>th</sup> street is blocking the sidewalk and kids walking on the road. Asked if the speedometer could be placed there.

Additional discussion of the 8<sup>th</sup> street sidewalks and speeding ensued.

## **H. INFORMATION REPORTS**

### **1. CITY MANAGER'S REPORT**

City Manager reported that Dayton received a Transportation Plan Grant for \$200,000 to update the City Transportation Plan.

City Manager also reported another grant secured for the City Comp Plan Update of \$35,000 -\$40,000.

City Manager reported the city applied for sewer, water, and civic center allocations through Congressional Direct Spending. We did not get sewer or water, but did get \$500,000 for the civic center. If congress passes the bill, then the city will receive the money to begin designing and planning the construction of a new civic center.

Councilor Frank excused herself from the meeting.

Dave gave an update on the Christmas decorations. The city will own the new decoration.

Dave stated that he will give a presentation on the survey results at the next work session.

City Manager noted that there will be a tour of the city facilities.

City Manager updated on the bandstand state. It is currently deteriorated and will need to be replaced.

Dave gave information on the work the bandstand needs and the cost efficiency of rebuilding versus repairing the bandstand.

City Engineer gave an update on the footbridge. The contractor is behind schedule and there is concern of falling further behind. The Coast Guard that issued the permit for the temporary bridge had a provision on the height and time the temporary bridge is allowed

due to possible flood event. The proposed solution is to raise the work bridge four feet to meet the provision requirements and continue to work through the winter.

Councilor Hildebrant inquired if there would be an increase in cost to add the height.

City Manager stated that the cost isn't going to be a large cost increase and the contractor agreed to split the cost.

City Manager mentioned that due to the construction of the bridge the dog park would be closed October 12<sup>th</sup>, 16<sup>th</sup>, and 17<sup>th</sup>, and a social media announcement would be sent out.

City Manager updated that the Fireworks Committee will be meeting the 3<sup>rd</sup> Thursday of the month.

City Manager stated that she would be at The Oregon Main Street Conference Thursday and Friday the current week. Next week she will attend the LOC conference in Eugene Wednesday through Saturday. Dave and Rochelle attended the Business Oregon conference in Corvallis. More information on the conferences will come to council.

City Manager asked the council about involving the school district in putting on a Spanish Town Hall.

Councilor Mackin agreed.

Councilor Sandoval-Perez agreed and added that it would have to be marketed in a way that would include residents that don't have kids in the school system.

City Manager gave an update on upcoming events. The Library and City Hall will be closed from 3-5pm for the Halloween Party. The Fall into Christmas Craft Faire November 10-11<sup>th</sup> at the Community Center.

City Manager reported that they city hired Rebecca Eastman for the position of Maintenance Worker.

City Manager stated she is on Jury Duty for the month of October.

## I. ADJOURN

There being no further business the meeting was adjourned at 9:29pm.

Respectfully submitted:

APPROVED BY COUNCIL on November 6, 2023

As Written

As Amended

By:

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Trini Marquez, Mayor

**MINUTES**  
**DAYTON CITY COUNCIL**  
**REGULAR SESSION**  
**OCTOBER 16, 2023**

**PRESENT:** Mayor Trini Marquez  
Council President Jim Maguire  
Councilor Annette Frank  
Councilor Kitty Mackin - Zoom  
Councilor Rosalba Sandoval-Perez - Zoom  
Councilor Luke Wildhaber

**ABSENT:** Councilor Drew Hildebrant

**STAFF:** Rochelle Roaden, City Manager  
Rocio Vargas, City Recorder  
Dave Rucklos, Tourism and Economic Development Director

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

Mayor Marquez called the meeting to order at 6:32pm and those present recited the Pledge of Allegiance.

**B. ROLL CALL**

Mayor Marquez noted that there was a quorum with councilors Maguire, Frank, Wildhaber attending the meeting in person. Councilors Mackin attending via zoom and Sandoval-Perez via zoom at 6:38pm. Councilor Hildebrant was absent.

**C. WORK SESSION - DISCUSSION ITEMS**

**COUNCIL PRESIDENT MAGUIRE MOVED TO ADD A DISCUSSION ITEM TO THE AGENDA TO DISCUSS THE PERFORMANCE EVALUATION FOR THE CITY MANAGER ROCHELLE ROADEN. SECONDED BY COUNCILOR WILDHABER.** Motion carried with Maguire, Frank, Mackin, and Wildhaber voting aye. Councilor Sandoval-Perez was absent for this vote and Councilor Hildebrant was absent.

**1. Economic Development Questionnaire Results Summary.**

Dave Rucklos, Tourism and Economic Development (TED) Director presented the results of the Economic Redevelopment Questionnaire. Dave stated that the survey was made available and outreach was done through the utility billing with English and Spanish flyers, email, city social media, city app, and the Ferry Street News. There were 220 residents that opened the survey and completed it. Dave gave a summary of the results for each question.

A discussion about a farmer's market ensued. Dave stated a survey would go out to potential vendors to gauge interest. Council discussed crop rotation to be able to locally source produce for the market and working with another city to host the market.

**2. Branding Update**

Dave Rucklos presented a draft of the tourism and economic development city logo. This is the logo that would market Dayton as a tourist destination in Oregon as "Discover Dayton".

Discussion regarding the draft of the logo ensued. There was concern about the continuity of the airshow to promote the plane on the logo. It was suggested including more of Dayton's farming and hazelnut industry to balance with the wine industry reference.

**3. Performance Evaluation**

Council President Maguire brought forward the performance evaluation for City Manager Rochelle Roaden.

The completion of the performance evaluation was discussed to set a deadline to have the review completed by December. There will be an executive session on December 6<sup>th</sup> 2023 to have the performance evaluation.

**D. ADJOURN**

there being no further business to discuss the meeting adjourned at 7:38pm.

Respectfully submitted:

APPROVED BY COUNCIL on October 16, 2023

As Written       As Amended

By:

\_\_\_\_\_  
Trini Marquez, Mayor

**From:** [Thao Tu](#)  
**To:** [Rochelle Roaden](#)  
**Subject:** City of Dayton / Vietnamese Community Of Oregon sends you the suggestive proclamation  
**Date:** Monday, July 31, 2023 4:29:23 PM

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July 31, 2023

Dear Mayor and City Manager of Dayton:

My name is Thao Duc Tu. I am President of Vietnamese Community Of Oregon.

Today on behalf of my Board, I send you this Proclamation and I hope that you will approve for this.

Thank you very much for your kindness and consideration.

I am looking forward to receiving your response soon.

Respectfully yours and Best wishes to you all,

Thao Duc Tu  
President,  
Vietnamese Community Of Oregon  
503-349-9232  
[thaotvnco@gmail.com](mailto:thaotvnco@gmail.com)

" Whereas:

Vietnamese refugees have proudly resided in the City of Dayton and surrounding communities since the conclusion of the Vietnam War.

Whereas:

Vietnamese Americans have put forth their full toiling energy building the City of Dayton and surrounding cities in a multitude of prominent areas including industry, economy, culture, education, and military service.

Whereas:

Vietnamese Americans have counted on the state of Oregon, USA as being their second heart, mind, and family homeland.

Whereas:

Vietnamese Americans have embraced Vietnamese customs and traditions that have been continually practiced through generations.

Whereas:

A large number of the Oregon's Vietnamese Americans respectfully embrace the yellow and three red striped Heritage and Freedom flag as a symbol of Vietnamese Americans community.

Whereas:

It is the will and desire from Vietnamese Community Of Oregon and its community members, that the Vietnamese American Heritage and Freedom Flag be recognized as the official flag of their organization in the City of Dayton.

Now,

Therefore:

I, the Mayor of Dayton,, do hereby recognize the Vietnamese American Heritage and Freedom Flag as the official flag of Vietnamese Americans in the City of Dayton.

I resolutely encourage all to join in the reverent recognition of this cultural heritage and freedom flag.”

Attachment of proclamations

1. State of Oregon
2. Portland
3. Eugene
4. Beaverton
5. Tigard
6. West Linn
7. Gearhart
8. Salem
9. Wood Village



City of Wood Village  
Office of the Mayor

## Proclamation

### PROCLAIMING THE VIETNAMESE AMERICAN HERITAGE AND FREEDOM FLAG IN WOOD VILLAGE

**Whereas:** Vietnamese refugees have proudly resided in the City of Wood Village and surrounding communities since the conclusion of the Vietnam War.

**Whereas:** Vietnamese Americans have put forth their full toiling energy building the City of Wood Village and surrounding cities in a multitude of prominent areas including industry, economy, culture, education, and military service.

**Whereas:** Vietnamese Americans have counted on the State of Oregon, USA as being their second heart, mind, and family homeland.

**Whereas:** Vietnamese Americans have embraced Vietnamese customs and traditions that have continually practiced through generations.

**Whereas:** A large number of Oregon's Vietnamese Americans respectfully embraces the yellow and three red striped Heritage and Freedom flag as a symbol of Vietnamese American community.

**Whereas:** It is the will and desire from the Vietnamese Community Of Oregon and its community members, that the Vietnamese American Heritage and Freedom Flag be recognized as the official flag of their organization in the City of Wood Village.

**Now,**

**Therefore: I, John C. Miner the Mayor of Wood Village, do hereby recognize the Vietnamese American Heritage and Freedom Flag as the official flag of Vietnamese Americans in the City of Wood Village.**

**I resolutely encourage all to join in the reverent recognition of this cultural Vietnamese Heritage and Freedom Flag.**

A handwritten signature in black ink that reads "John C. Miner".

Mayor, City of Wood Village  
John C. Miner



**VIETNAMESE AMERICAN HERITAGE AND FREEDOM FLAG PROCLAMATION**

**WHEREAS**, Vietnamese refugees have proudly resided in the City of Gearhart since the conclusion of the Vietnam War; and

**WHEREAS**, Vietnamese Americans have put forth their full toiling energy building the City of Gearhart in a multitude of prominent areas including industry, economy, culture, education, and military service; and

**WHEREAS**, Vietnamese Americans have counted on the State of Oregon, USA as being their second heart, mind, and family homeland; and

**WHEREAS**, Vietnamese Americans have embraced Vietnamese customs and traditions that have continually practiced through generations; and

**WHEREAS**, a large number of the Oregon's Vietnamese Americans respectfully embraces the yellow and three red striped Heritage and Freedom flag as a symbol of Vietnamese American community; and

**WHEREAS**, it is the will and desire from the Vietnamese Community Of Oregon and its community members, that the Vietnamese American Heritage and Freedom Flag be recognized as the official flag of their organization in the City of Gearhart.

**NOW THEREFORE**, I, the Mayor of Gearhart, do hereby recognize the Vietnamese American Heritage and Freedom Flag as the official flag of Vietnamese Americans in the City of Gearhart.

I resolutely encourage all to join in the reverent recognition of this cultural Vietnamese Heritage and Freedom Flag.

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Mayor Smith

ATTEST:

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City Administrator, Chad Sweet



## PROCLAMATION

West Linn, Oregon

**WHEREAS**, Vietnamese refugees have proudly resided in the City of West Linn, throughout the State of Oregon since the conclusion of the Vietnam War on April 30<sup>th</sup>, 1975; and

**WHEREAS**, Vietnamese Americans have put forth their full toiling energy building the City of West Linn, throughout the State of Oregon in a multitude of prominent areas including industry, economy, culture, education, and military service; and

**WHEREAS**, Vietnamese Americans have counted on the State of Oregon, USA as being their second heart, mind, and family homeland; and

**WHEREAS**, Vietnamese Americans have embraced Vietnamese customs and traditions that have continually practiced through generations; and

**WHEREAS**, a large number of the Oregon's Vietnamese Americans respectfully embraces the yellow and three red striped Heritage and Freedom flag as a symbol of Vietnamese American community; and

**WHEREAS**, it is the ultimate will and honorable desire from the Vietnamese Community Of Oregon and its community members, that the Vietnamese American Heritage and Freedom Flag be recognized as the official flag of their organization in the City of West Linn and throughout the State of Oregon.

**NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF WEST LINN, THAT WE** do hereby recognize the Vietnamese American Heritage and Freedom Flag as the official flag of Vietnamese Americans in the city of West Linn.

Be it involved, that this flag may be displayed on City property at any city controlled or sponsored Vietnamese American events or any public functions organized by the Vietnamese American community when appropriate, subject to the City permit requirements.

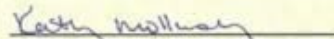
We invite all to join in the reverent recognition of this cultural Vietnamese Heritage and Freedom Flag.

DATED THIS 10TH DAY OF JULY, 2023



RORY BIALOSTOSKY, MAYOR

ATTEST:



KATHY MOLLUSKY, CITY RECORDER



CITY OF  
PORTLAND

*Whereas,* There are a significant number of Vietnamese-Americans who have chosen to make the City of Portland their home; and

*Whereas,* Portland's Vietnamese-American community has made substantial contributions to the cultural, religious, political and business life of the City of Portland; and

*Whereas,* A large number of Portland's Vietnamese-Americans widely embrace the yellow and three red-striped Heritage and Freedom flag as the symbol of the Vietnamese-American community; and

*Whereas,* It is the will and desire of the Oregon Community to Protect Vietnam Homeland and its members, that the Vietnamese Heritage and Freedom Flag be recognized as the official flag of their organization

*Now, therefore,* I, Vera Katz, Mayor of the City of Portland, do hereby recognize  
The Vietnamese-American Heritage and Freedom Flag as the official flag of the Oregon Community to Protect Vietnam Homeland, and its members, and encourage all citizens of the City of Portland to support diversity, tolerance, equality and mutual understanding among peoples of the world.

Vera Katz



The City of Oregon

STATE OF OREGON  
**PROCLAMATION**

OFFICE OF THE GOVERNOR

- WHEREAS:** After the end of the Vietnam War in 1975, the first Vietnamese immigrants came to the State of Oregon in search of opportunity and freedom; and
- WHEREAS:** The Vietnamese immigrants brought Vietnamese customs and traditions which have been passed down through generations; and
- WHEREAS:** There are a significant number of Vietnamese-Americans who have chosen to make the State of Oregon their home, and
- WHEREAS:** Oregon's Vietnamese-American community has made substantial contributions to the cultural, religious, political, and business life throughout the state of Oregon; and
- WHEREAS:** A large number of the Oregon's Vietnamese-Americans widely embrace the yellow and three red-striped Heritage and Freedom flag as a symbol of the Vietnamese-American community; and
- WHEREAS:** It is the will and desire of the Oregon Vietnamese Community Association and its members, that the Vietnamese-American Heritage and Freedom Flag be recognized as the official flag of their organization throughout the great state of Oregon.

**NOW,**

**THEREFORE:** I, Theodore R. Kulongoski, Governor of the State of Oregon, hereby proclaim **April 28, 2007** to be

**VIETNAMESE AMERICAN HERITAGE AND FREEDOM FLAG DAY**

In Oregon and encourage all Oregonians to join in this observance.

IN WITNESS WHEREOF, I hereunto set my hand and cause the Great Seal of the State of Oregon to be affixed. Done at the Capitol in the City of Salem in the State of Oregon on this day, April 13, 2007.



*Theodore R. Kulongoski*

Theodore R. Kulongoski, Governor

*Bill Bradbury*

Bill Bradbury, Secretary of State

# PROCLAMATION

OFFICE OF THE MAYOR  
CITY OF BEAVERTON



**WHEREAS**, there are a significant number of Vietnamese-Americans who have chosen to make the City of Beaverton their home; and

**WHEREAS**, Beaverton's Vietnamese-American community have made substantial contributions to the cultural, religious, political and business life of the City of Beaverton; and

**WHEREAS**, the City of Beaverton was informed that the vast majority of Beaverton's Vietnamese-Americans embrace the yellow and red-striped Heritage and Freedom flag as the symbol of the Vietnamese-American community; and

**WHEREAS**, Beaverton Vietnamese-Americans say that this yellow flag with three red stripes is widely embraced because of its long history as a symbol of resilience, freedom and democracy both in Vietnam itself and Vietnamese-American communities throughout Beaverton and elsewhere; and

**NOW, THEREFORE**, I, Rob Drake, Mayor of the City of Beaverton, Oregon, do hereby recognize and honor the:

## VIETNAMESE-AMERICAN HERITAGE & FREEDOM FLAG

The Mayor and City Council supports diversity, tolerance, equality and mutual understanding among peoples of the world.



Handwritten signature of Rob Drake in black ink.

Rob Drake  
Mayor

**OFFICE OF THE MAYOR**  
City of Eugene, Oregon

**PROCLAMATION**

- WHEREAS:** Vietnamese refugees have proudly resided in the City of Eugene and throughout the State of Oregon since the conclusion of the Vietnam War on April 30\*, 1975; and
- WHEREAS:** Vietnamese Americans have put forth their full toiling energy building the City of Eugene, throughout the State of Oregon in a multitude of prominent areas including industry, economy, culture, education, and military service; and
- WHEREAS:** Vietnamese Americans have counted on the State of Oregon, USA as being their second heart, mind, and family homeland; and
- WHEREAS:** Vietnamese Americans have embraced Vietnamese customs and traditions that have been continually practiced through generations; and
- WHEREAS:** A large number of Oregon's Vietnamese Americans respectfully embrace the yellow and three red striped Heritage and Freedom flag as a symbol of Vietnamese American community; and
- WHEREAS:** It is the ultimate will and honorable desire from the Vietnamese Community of Oregon and its community members, that the Vietnamese American Heritage and Freedom Flag be recognized as the official flag of their organization in the city of Eugene and throughout the State of Oregon.

**NOW, THEREFORE,** I, Lucy Vinis, Mayor of the City of Eugene, Oregon, do hereby recognize the Vietnamese American Heritage and Freedom Flag as the official flag of Vietnamese Americans in the city of Eugene and throughout the State of Oregon.

Be it involved, that this flag may be displayed on City property at any city controlled or sponsored Vietnamese American events or any public functions organized by the Vietnamese American community when appropriate, subject to the City permit requirements.

Be it further involved, that the City of Eugene encourages local school districts to adopt similar recognizing the yellow with three red stripes as the official flag to be displayed in schools.

I resolutely encourage all to join in the reverent recognition of this cultural Vietnamese Heritage and Freedom Flag.



*Lucy Vinis*  
Mayor Lucy Vinis  
City of Eugene  
May 17, 2023



City of Tigard

## RECOGNIZING THE VIETNAMESE HERITAGE & FREEDOM FLAG

**WHEREAS**, Vietnamese refugees have proudly resided in the City of Tigard, and the State of Oregon since the conclusion of the Vietnam War on April 30<sup>th</sup>, 1975; and

**WHEREAS**, Vietnamese Americans have put forth their full toiling energy building the City of Tigard, in a multitude of prominent areas including industry, economy, culture, education, and military service; and

**WHEREAS**, Vietnamese Americans have counted on Tigard and Oregon as being their second heart, mind, and family homeland; and

**WHEREAS**, Vietnamese Americans have embraced Vietnamese customs and traditions that have been continually practiced through generations; and

**WHEREAS**, many of Oregon's Vietnamese Americans respectfully embrace the yellow and three red striped Heritage and Freedom flag as a symbol of the Vietnamese American community; and

**WHEREAS**, it is the ultimate will and honorable desire from the Vietnamese Community of Oregon and its community members, that the Vietnamese American Heritage and Freedom Flag be recognized as the official flag of their organization in the City of Tigard, Oregon.

**NOW THEREFORE BE IT RESOLVED**, Mayor Heidi Lueb of the City of Tigard, Oregon does hereby proclaim Tigard's recognition for

### THE VIETNAMESE HERITAGE & FREEDOM FLAG

as the official flag of Vietnamese Americans in the City of Tigard and encourage residents to recognize the cultural reverence and respect afforded the Vietnamese Heritage and Freedom Flag.

Dated this 13<sup>th</sup> day of June 2023

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Tigard to be affixed.

\_\_\_\_\_  
Heidi Lueb, Mayor  
City of Tigard

**Attest:**

\_\_\_\_\_  
Carol A. Krager, City Recorder

**PROCLAMATION**

**WHEREAS**, Vietnamese refugees have proudly resided in the City of Salem since the conclusion of the Vietnam War; and

**WHEREAS**, Vietnamese Americans have a long history of contributing to Salem's success through their work in our community and by sharing their culture; and

**WHEREAS**, there are a significant number of Vietnamese Americans who call the State of Oregon and the City of Salem home; and

**WHEREAS**, the Vietnamese American community continues to flourish and embrace the American spirit of freedom, and it is proper that the tangible symbol of that spirit, the "Vietnamese Heritage and Freedom Flag," be displayed in pride to recognize and honor the Vietnamese American community; and

**WHEREAS**, a large number of Oregon's Vietnamese Americans respectfully embrace the yellow and three red striped Heritage and Freedom flag as a symbol of Vietnamese American community; and

**WHEREAS**, it is the will and desire of the Vietnamese Community Of Oregon, that the Vietnamese American Heritage and Freedom Flag be recognized as the official flag of their organization in the City of Salem.

**NOW, THEREFORE**, I, Chris Hoy, Mayor of the City of Salem, do hereby recognize the Vietnamese American Heritage and Freedom Flag as the official flag of Vietnamese Americans in the City of Salem.

**DATED** this twenty fifth day of May, 2023



Chris Hoy  
Mayor



-----  
**Thao Duc Tu**  
President of Vietnamese Community of Oregon

[thaotvnco@gmail.com](mailto:thaotvnco@gmail.com)

503 349 9232



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**RESOLUTION No. 2023/24-05**  
**City of Dayton, Oregon**

***A Resolution of the City of Dayton Proclaiming the Recognition of the Vietnamese American Heritage and Freedom Flag***

**WHEREAS**, Vietnamese refugees have proudly resided in the City of Dayton and surrounding communities since the conclusion of the Vietnam War.

**WHEREAS**, Vietnamese Americans have put forth their full toiling energy building the City of Dayton and surrounding cities in a multitude of prominent areas including industry, economy, culture, education, and military service.

**WHEREAS**, Vietnamese Americans have counted on the state of Oregon, USA as being their second heart, mind, and family homeland.

**WHEREAS**, Vietnamese Americans have embraced Vietnamese customs and traditions that have been continually practiced through generations.

**WHEREAS**, a large number of the Oregon's Vietnamese Americans respectfully embrace the yellow and three red striped Heritage and Freedom flag as a symbol of Vietnamese Americans community.

**WHEREAS**, it is the will and desire from Vietnamese Community Of Oregon and its community members, that the Vietnamese American Heritage and Freedom Flag be recognized as the official flag of their organization in the City of Dayton.

**Therefore, the City of Dayton resolves as follows:**

- 1) THAT** the City Council hereby recognizes the Vietnamese American Heritage and Freedom Flag as the official flag of Vietnamese Americans in the City of Dayton.
- 2) THAT** the residents of the City of Dayton are encouraged to join in the reverent recognition of this cultural heritage and freedom flag.

**ADOPTED** this 6<sup>th</sup> day of November 2023

**In Favor:**

**Opposed:**

**Absent:**

**Abstained:**

\_\_\_\_\_  
**Trini Marquez, Mayor**

\_\_\_\_\_  
**Date Signed**

**ATTEST:**

\_\_\_\_\_  
**Rocio Vargas, City Recorder**

\_\_\_\_\_  
**Date of Enactment**

**To:** Honorable Mayor and City Councilors

**From:** Dave Rucklos - TED Director

**Issue:** Urban Renewal District Approval

**Date:** November 6, 2023

### **Background and Information**

**Objective:** To enter into a contract with Elaine Howard Consulting for services related to the development and creation of an urban renewal district (URD) plan and report for Dayton, Oregon.

### **Explanation:**

The City of Dayton currently does not have the financial resources to fund needed infrastructure and community enhancement projects needed to accommodate future development. Although grant resources are available to pursue, there is no guarantee that the city will be able to secure such funds in an expedient manner. The city is in a position to examine tax increment financing as a funding model to immediately address its needs.

Elaine Howard Consulting has assisted 73 Oregon municipalities and counties in the creation of urban renewal districts within their geographic confines. There are five cities in Yamhill County that have utilized their services including McMinnville, Newberg, Carlton, Dundee, and Lafayette. There are over ninety URD's in the state of Oregon today.

### **Scope of Work: Meetings and Public Involvement:**

#### **Project staff Meetings**

- Staff kickoff meeting (1 virtual meeting)
- Project staff virtual meetings (4 virtual meetings)

#### **Documents to place on City website.**

- Q and A on the proposed Area

#### **Public meetings for adoption of a new Plan (up to 6 in person meetings)**

- City Council briefings (2, including the ordinance to form an urban renewal agency)
- Updated financial analysis and input on project prioritization.
- Review of draft Plan and Report
- Dayton Redevelopment Commission (1 meeting)
- Yamhill County Commission (1 meeting)
- Dayton Planning Commission (1 meeting) - This is not a required public hearing, nor a land use action. However, we recommend the Planning Commission take testimony if people desire to provide testimony. Their specific role is to find the Plan in conformance with the comprehensive plan.
- Dayton City Council (1 meeting with notice to all citizens of Dayton)

## **Scope of Work: Document Preparation**

### **Document Preparation/Deliverables for Plan**

We will prepare the following documents. They will be provided in Word format and can either be placed into our templates, or City could provide City template to consultant, and we will fill out the portions that pertain to our work.

- Dayton Urban Renewal Agency Ordinance
- Dayton Urban Renewal Plan
- Dayton Report Accompanying the Plan
- Q and A on the proposed Area
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- Taxing Jurisdictions Memorandum (this doubles as the report for the Yamhill County Commission)
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- Dayton City Council Ordinance for adoption of the Plan
- Notice for Open Public Meeting
- Notice for Planning Commission Meeting
- Notice for City Council Meeting
- Notice of Adoption
- Letter of transmittal to County Assessor/Recorder
- We will provide City copies of our GIS shapefiles.
- We will provide the City with a copy of our Excel financial spreadsheet.

### **Preparation of a Plan in accordance with requirements of ORS 457.085.**

Some of this information is boilerplate and required in all plans. Other information is specific to the Area. The information specific to the Dayton area is:

- Goals and Objectives for the Area.
- Outline of Major Activities (Projects and Programs).
- Map of boundary, comprehensive plan map and zoning map
- Relationship to Local Objectives (the documents to be reviewed are the Comprehensive Plan and relevant documents. If an Economic Development Plan exists, it must also be reviewed).
- Decision on what types of amendments to designate in the plan.
- Decision on whether to establish a duration of the plan.
- The additional components of a Plan in accordance with ORS 457.085 (2) are:
- A description of each project to be undertaken.
- An outline of the major project activities planned for the area or areas.
- A map and legal description of the area. (legal description prepared either by Dayton staff or by a firm contracted with by the city of Dayton separate from this contract)
- An explanation of how the plan relates to local objectives, such as relevant objectives of the comprehensive plan, and other pertinent local planning efforts.

- An indication of proposed land uses (which must conform to the comprehensive plan and zoning code).
- A description of relocation methods for residents or businesses that must move because of Agency projects.
- If public acquisition of property is required by the plan, a description of property to be acquired by the Agency (if any) and how it will be disposed of (e.g. sale or lease), along with a schedule for acquisition and disposition.
- A limit on the maximum amount of indebtedness to be issued to carry out the plan.
- A description of what types of changes to the plan are to be considered substantial amendments. (see above)

**Preparation of a Report which accompanies the Plan. The specific requirements of the report are:**

- A description of the physical, social and economic conditions within the area and the impact of the plan, including fiscal impacts, in terms of increased population and the need for additional public services.
- The reasons why the area was selected.
- The relationship between each project and the conditions within the area.
- A relocation report which includes an analysis of businesses or residents that may be required to relocate and a description of the methods to be used in the relocation program; and an analysis (number and cost range) of the existing housing units that may be destroyed or altered and the housing units that may be added.
- The estimated costs of the projects and the sources of project funding.
- The completion date for each project.
- The amount of tax increment funds that are estimated to be required and the year in which the Agency plans to pay off all outstanding tax increment indebtedness. (Update the financial forecast from the feasibility study.)
- A financial analysis that shows the plan to be financially feasible. (Update the financial forecast from the feasibility study.)
- An analysis of the impact on the tax rates and/or revenues of the taxing districts that overlap the area; (Update the financial forecast from the feasibility study.) and
- A relocation report.

Tiberius Solutions will perform the financial analysis portion of the Report, as a sub-consultant to our firm.

**Timeline for Completing Scope of Work**

The timeline provides for the Plan to be effective before new tax rolls are approved in October of 2024.

We will begin work immediately upon contract execution.

November	Contract execution. Meet with Dayton staff to go over scope of work and establish boundary.
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Dec/Jan	Financial analysis. Meet with City Council to review financial capacity.
February	Review potential projects with Dayton City Council. Verify blighting conditions.
March	Establish Urban Renewal Agency (non-emergency ordinance)
April	Review of draft Plan with Agency/Dayton staff
May	Draft of Plan returned by Dayton staff to consultant for edits.
June	Agency Meeting - review Plan and send out for public review.
June/July	Consult and Confer with taxing districts and Yamhill County briefing.
	Consultation and confer is a required 45-day timeline.
July	Planning Commission meeting
August	City Council hearing
September	If positive CC vote, Plan is in effect.

### **Budget**

If legal advice is needed, it will be considered an extra item and will be in addition to the proposed contract amount. We do not anticipate a need for additional legal counsel advice unless you want legal review on our end for the enacting Agency ordinance. We will not incur any expenses on legal advice without prior written approval of client by issuance of a Change Order.

If additional meetings or work items are requested, they will be billed at actual time and expenses and will be in addition to the proposed contract amount.

Elaine Howard Consulting, LLC		\$ 26,000
Hourly rates:		
Elaine Howard	\$210	
Scott Vanden Bos	\$180	
Tiberius Solutions LLC		\$ 13,212
Hourly rates:		
Nick Popenuk	\$180	
Ali Danko	\$130	
GIS	\$158	
<b>Total Contract</b>		<b>\$39,212</b>

Budget cost associated with the project will be financed with an inter-fund loan from the Transient Lodging Tax Fund and will be repaid by dollars captured from the creation of the URD. The cost quote submitted by the consulting firm is consistent with alike projects performed for similar sized cities.

A 10% contingency has been added to the total.

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

**Potential Motion to Approve:** "I move to approve a sole-source award to Elaine Howard Consulting, LLC., to create an Urban Renewal District for the City of Dayton in the amount of \$43,132."

**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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# Dayton Urban Renewal Plan and Report Scope of Work and Budget Exhibit A

October 23, 2023

Dave Rucklos  
Economic Development & Tourism Director  
416 Ferry Street  
City of Dayton  
Dayton, OR 97114

Dear Mr. Rucklos:

Thank you for the opportunity to present a Scope of Work and Budget for the development of an urban renewal plan for Dayton. Our team is a collaboration of Elaine Howard Consulting, LLC and Tiberius Solutions LLC. I will be the project director for this project and will serve as the primary contact person. Elaine Howard Consulting, LLC is a limited liability company and I am the principal of the LLC. Tiberius Solutions LLC is certified in Oregon as an Emerging Small Business, certification no. 118976.

Our team has worked on urban renewal plans, substantial and "major" amendments, feasibility studies, financial reviews, strategic plans, and general urban renewal consulting throughout the state for the last 17 years and has the background and depth of knowledge needed to provide excellent consulting advice for the completion of this project. We also support urban renewal as a tool generally through our education and speaking commitments and tracking of urban renewal-related legislative issues. We are active members of the Oregon Economic Development Association (OEDA) sub-committee on urban renewal and provide ongoing support to urban renewal agencies.

We look forward to the opportunity to work with you on the completion of the amendment.

Sincerely,



Elaine Howard  
Principal  
Elaine Howard Consulting, LLC  
4763 SW Admiral Street  
Portland, Oregon 97221

# Table of Contents

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## Background

### 1. Proposal Overview

The City of Dayton (City) has requested a scope of work and budget to develop a Dayton Urban Renewal Area Plan (Plan) and Report for the proposed Dayton Urban Renewal Area.

The budget for the work is a not to exceed contract of \$39,212. There are 4 one half hour virtual meetings with Dayton staff allocated in the budget, and an additional 6 in person meetings outlined below under Scope of Work: Meetings and Public Involvement. The work is to be performed by Elaine Howard Consulting, LLC and Tiberius Solutions, LLC.

### 2. Experience

Elaine Howard Consulting LLC and Tiberius Solutions LLC have a long history of working together. A list of projects completed by our firms is shown below. In the column for urban renewal plans, Elaine Howard Consulting has completed some plans prior to teaming with Tiberius Solutions and those are noted with “EHC”.

**Table 1. Urban Renewal Projects Completed**

Jurisdiction	Plan	Major or Minor Amendment	Financial Update	Feasibility Study	Other Analysis/Tasks
City of Albany	EHC -2007		2022	2023 (TS)	Multiple
City of Astoria	EHC	2016	2016		2021
City of Bandon					Multiple
City of Banks	2017				
City of Beaverton			2018, 2019, 2020		2021
City of Bend	EHC 2008, 2019	2019	2018, 2022	2019	2021, 2022
City of Boardman	2008, 2023				
City of Burns	2022			2021	
City of Carlton			2017, 2018		
City of Coos Bay	2018	2017, 2018, 2021, 2022	2017, 2019		Multiple
City of Cornelius	2019				
City of Corvallis	2018				
City of Cottage Grove					2017
City of Creswell	2018			2017	2022
City of Dallas	2022	2018	2017	2022	
City of Estacada		2017	2019		2017

<b>Jurisdiction</b>	<b>Plan</b>	<b>Major or Minor Amendment</b>	<b>Financial Update</b>	<b>Feasibility Study</b>	<b>Other Analysis/Tasks</b>
City of Fairview	2018				2022
City of Grants Pass	2017				2022
City of Gold Beach	2015	2019	2019		2019, 2022
City of Happy Valley	2019		2022	2018	2022
City of Harrisburg		2015,2023			
City of Hermiston	2022, 2023				
City of Hillsboro			2021		2021
City of Hood River	EHC – 2008, 2023			2021	2015-2018
City of Independence		2016			2019
City of Jacksonville		2019, 2023			Multiple
City of John Day	2018				
City of Klamath Falls	2017			2017	
City of La Grande					Multiple
City of La Pine	2015				Multiple
City of Lafayette	2021			2020	
City of Lake Oswego	EHC 2012, 2015	2015	2015		
City of Lakeview				2021	
City of Lebanon	EHC 2008	2021, 2023			Multiple
City of Lincoln City	2020, 2023			2019	2021
City of McMinnville	EHC 2013				
City of Medford		2018		2023	
City of Milwaukie	2016		2021	2016	
City of Monmouth		2022/23			
City of Myrtle Creek	2018			2018	
City of Newport	2015		2019	2015	
City of Newberg	2021			2020	
City of North Plains			2016, 2017		
City of Pendleton					2015, 2019
City of Phoenix					2019
City of Redmond					2021

<b>Jurisdiction</b>	<b>Plan</b>	<b>Major or Minor Amendment</b>	<b>Financial Update</b>	<b>Feasibility Study</b>	<b>Other Analysis/Tasks</b>
City of Roseburg	2018			2017	
City of Salem	EHC in 2007, 2019				2023
City of Sandy		2015	2015, 2021		
City of Seaside	2017			2017	
City of Springfield			2018, 2022		
City of Scappoose	2019		2021	2018	2021 - 2023
City of Sherwood	2021			2020	2016
City of St. Helens	2017	2021			
City of Talent	2023			2021	2019
City of The Dalles			2021		2021
City of Tigard	2016	2016, 2020	2019		2016, 2023
City of Toledo	2021			2021	2023
City of Troutdale					Multiple
City of Tualatin	2021, 2023			2020	2019
City of Turner	2017				
City of Veneta		2018, 2019	2018		
City of Warrenton		2018, 2019	2018		2021
City of West Linn	2023			2019	
City of Wilsonville	2016, 2021	2016	2016	2023	Multiple
City of Winston					Multiple
City of Woodburn			2016, 2017, 2023		
City of Wood Village	EHC 2010				
Clackamas County		2016	2016		
Columbia County			Annually		Multiple
Coos County		2017			
Hood River County	EHC	2017	2017		
Prosper Portland	EHC 2023	2018	2020, 2022		

## Team Members

### **Elaine Howard Consulting, LLC**

#### **Elaine Howard, Principal**

M.P.A. Public Administration Portland State University

B.A. Psychology, Whittier College

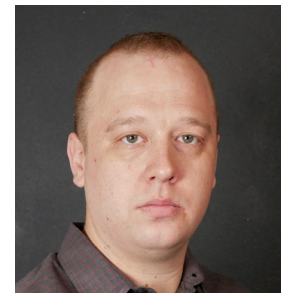
Elaine is the principal of Elaine Howard Consulting, LLC, a firm that specializes in creating vibrant cities using urban renewal/tax increment financing as an implementation tool. Elaine's vast experience in both public and private sector development allows our firm to discern critical issues in communities, communicate effectively with stakeholders, and help communities develop plans to implement their visions. Elaine is also co-author of the *Urban Renewal Best Practices Manual* for the Oregon Economic Development Association).



#### **Scott Vanden Bos, Project Manager**

B.S. Accounting, Linfield College

Scott has worked for Elaine Howard Consulting since 2016. Scott's role is to conduct research for the projects, author reports, produce videos, prepare PowerPoints, conduct surveys and make presentations. Scott has worked on over 100 urban renewal projects including new plans, amendments, annual reports and strategic plans.

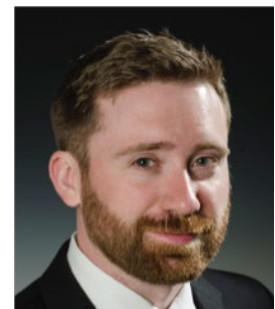


### **Tiberius Solutions LLC**

#### **Nick Popenuk, Principal**

B.A. Planning, Public Policy, and Management – University of Oregon

Nick Popenuk is the founder and principal of Tiberius Solutions LLC. Over the past 17 years, Nick has assisted dozens of communities across the Northwest achieve their economic development goals through the use of tax increment financing. This includes financial analysis for feasibility studies, creation of new urban renewal/TIF plans, amendments of existing plans, and ongoing financial analysis and administration of urban renewal agencies. Nick is also co-author of the *Urban Renewal Best Practices Manual* for the Oregon Economic Development Association).



#### **Ali Danko, Project Manager**

B.A. Economics-Environmental Studies – Whitman College

Ali Danko joined Tiberius Solutions in 2017 and assists on a variety of public finance projects with a focus on tax increment finance. Prior to joining Tiberius Solutions, she worked for two years as a research analyst at ECONorthwest. Ali has been the lead financial analyst on more than 100 tax increment finance projects, including new urban renewal/TIF plans, amendments to existing plans, feasibility studies, and other related analysis. She consistently maintains and improves Tiberius Solutions' tax increment revenue forecasting models to enhance technical capabilities and ensure detailed and adaptable analysis.



## Scope of Work: Meetings and Public Involvement

### 1. Project staff Meetings

- Staff kickoff meeting (1 virtual meeting)
- Project staff virtual meetings (4 virtual meetings)

### 2. Documents to place on City website

- Q and A on the proposed Area

### 3. Public meetings for adoption of a new Plan (up to 6 in person meetings)

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- Letter of transmittal to County Assessor/Recorder
- We will provide City copies of our GIS shapefiles
- We will provide City a copy of our Excel financial spreadsheet

### 2. Preparation of a Plan in accordance with requirements of ORS 457.085.

Some of this information is boilerplate and required in all plans. Other information is specific to the Area. The information specific to the Dayton area is:

- Goals and Objectives for the Area.
- Outline of Major Activities (Projects and Programs).
- Map of boundary, comprehensive plan map and zoning map
- Relationship to Local Objectives (the documents to be reviewed are the Comprehensive Plan and relevant documents. If an Economic Development Plan exists, it must also be reviewed).

- Decision on what types of amendments to designate in the plan.
- Decision on whether to establish a duration of the plan.

The additional components of a Plan in accordance with ORS 457. 085 (2) are:

- A description of each project to be undertaken.
- An outline of the major project activities planned for the area or areas.
- A map and legal description of the area. (legal description prepared either by Dayton staff or by a firm contracted with by the city of Dayton separate from this contract)
- An explanation of how the plan relates to local objectives, such as relevant objectives of the comprehensive plan, and other pertinent local planning efforts.
- An indication of proposed land uses (which must conform to the comprehensive plan and zoning code).
- A description of relocation methods for residents or businesses that must move because of Agency projects.
- If public acquisition of property is required by the plan, a description of property to be acquired by the Agency (if any) and how it will be disposed of (e.g. sale or lease), along with a schedule for acquisition and disposition.
- A limit on the maximum amount of indebtedness to be issued to carry out the plan.
- A description of what types of changes to the plan are to be considered substantial amendments. (see above)

### **3. Preparation of a Report which accompanies the Plan. The specific requirements of a Report are:**

- A description of the physical, social and economic conditions within the area and the impact of the plan, including fiscal impacts, in terms of increased population and the need for additional public services.
- The reasons why the area was selected.
- The relationship between each project and the conditions within the area.
- A relocation report which includes an analysis of businesses or residents that may be required to relocate and a description of the methods to be used in the relocation program; and an analysis (number and cost range) of the existing housing units that may be destroyed or altered and the housing units that may be added.
- The estimated costs of the projects and the sources of project funding.
- The completion date for each project.

- The amount of tax increment funds that are estimated to be required and the year in which the Agency plans to pay off all outstanding tax increment indebtedness. (Update the financial forecast from the feasibility study.)
- A financial analysis that shows the plan to be financially feasible. (Update the financial forecast from the feasibility study.)
- An analysis of the impact on the tax rates and/or revenues of the taxing districts that overlap the area; (Update the financial forecast from the feasibility study.) and
- A relocation report.

Tiberius Solutions will perform the financial analysis portion of the Report, as a sub-consultant to our firm.

## City Responsibilities

The City of Dayton will provide the following for the new Plan:

- Transmission of planning documents relating to this proposed area including general project description, GIS shapefiles, financial analysis performed to date and development agreement terms.
- Confirmation of boundary. GIS Shapefile of boundary including assessment information for all tax lots in the boundary: assessed value, real market value and improvements, zoning, comp plan designation, land use, acreage.
- Transmission of existing plans including the Transportation System Plan, Dayton Comprehensive Plan, Dayton Economic Development Plan, if applicable, any applicable master plans that identify blighting conditions in the proposed Area.
- Information on projects to be included in the Plan including provision of project descriptions and rough cost estimates, with consultant assistance.
- Meeting space for all meetings and copying of documents for all meetings.
- Costs for publishing notice for all meetings (open public meeting and planning commission meetings). Notice language provided by consultant.
- Preparation and mailing of super-notice required for the city council meeting to review and vote on a new Plan and Report (utility bills is most cost effective). Notice language provided by consultant.
- Printing and mailing or e mailing of taxing jurisdictions letters. Letter and contact information prepared by consultant.
- Preparation of legal description for Area. (There will be a cost for this item. The city will contract with a different consultant to prepare the legal description. As an alternative, City can contract with Consultant to add this to our scope of work once we are able to get a firm bid.)
- Publish notice of adoption.

- Record plan on adoption. Recording cover letter provided by consultant.
- Transmit Plan to Assessor. Transmittal memo provided by consultant.
- Information on existing urban renewal area including acreage and assessed value information.

## Timeline for Completing Scope of Work

The timeline provides for the Plan to be effective before new tax rolls are approved in October of 2024.

We will begin work immediately upon contract execution.

November	Contract execution. Meet with Dayton staff to go over scope of work and establish boundary.
Dec/Jan	Financial analysis. Meet with City Council to review financial capacity.
February	Review potential projects with Dayton City Council. Verify blighting conditions.
March	Establish Urban Renewal Agency (non-emergency ordinance)
April	Review of draft Plan with Agency/Dayton staff
May	Draft of Plan returned by Dayton staff to consultant for edits
June	Agency Meeting - review Plan and send out for public review
June/July	Consult and Confer with taxing districts and Yamhill County briefing. Consult and confer is a required 45-day timeline.
July	Planning Commission meeting
August	City Council hearing
September	If positive CC vote, Plan is in effect.

## Budget

- If legal advice is needed, it will be considered an extra item and will be in addition to the proposed contract amount. We do not anticipate a need for additional legal counsel advice unless you want legal review on our end for the enacting Agency ordinance. We will not incur any expenses on legal advice without prior written approval of client by issuance of a Change Order.
- If additional meetings or work items are requested, they will be billed at actual time and expenses and will be in addition to the proposed contract amount.



Elaine Howard Consulting, LLC \$ 26,000

Hourly rates:

Elaine Howard \$210

Scott Vanden Bos \$180

Tiberius Solutions LLC \$ 13,212

Hourly rates:

Nick Popenuk \$180

Ali Danko \$130

GIS \$158

Total Contract \$39,212

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**To:** Honorable Mayor and City Councilors  
**From:** Rochelle Roaden, City Manager  
**Issue:** Approval of Resolution 23/24-05 Fee Schedule Updates to Include the Online Payment Processing for Applications Using GOGov Platform; Update Fee Schedule to Reflect Various Changes  
**Date:** November 6, 2023

## **Background and Information**

**Strategic Goal G** - E-Permitting software installation with online payment options.

**Objective:** Implement online payment processing through GOGov interface using Stripe payment processing, update Fee Schedule to reflect changes to various permitting and payment processing fees. **Priority:** Level 1

Over the past several months, city staff have been working with our online permitting platform provider, GOGov, to begin offering applications for building permits, pre-application meetings, community center rentals, park reservations, and vendor registrations online. While several applications are now live on our site, we anticipate that all applications will eventually be available online using this interface.

GOGov offers the ability for applicants to pay online via a secure interface powered by Stripe (stripe.com). Stripe is the world's second-largest payment processor and is backed by industry leading security and regulatory compliance, meaning that users of our site will be able to feel secure if they opt to make their payments online.

If approved by Council, the city will create an account with Stripe to allow us to accept payments through the GOGov system. The payments will be deposited to the City on a weekly basis, and the GOGov system has a reporting interface that will allow accounting staff to login and generate reports to reconcile these transactions.

Online payments through GOGov will be voluntary for users. Users will have the option to complete their application online, and then pay online, come into City Hall to pay, or mail in a payment. Should users choose to utilize the built-in online payment processing, they will be charged a fee for this service. The fee per transaction will be \$3.00 plus 3% of the total cost of their application (page 28 of the proposed Fee Schedule).

Updates to the Fee Schedule are also needed to reflect various changes. These changes include a \$5.00 increase to all Municipal Court fine amounts as required by the state (page 23); an increase to the fee for NSF and stop-payments on checks to align with what the city is charged by the bank (page 27); to establish a Food Truck/Pushcart Permit fee that reflects staff processing time (page 28), and to update fees for planning applications including establishing a fee for Pre-Application Meetings and fees for applications not specifically listed

on the current schedule (page 6-7). A detailed listing of planning application fees from other cities in Yamhill County is included as reference.

**City Manager Recommendation:** I recommend the City Council passes a motion to amend the Fee Schedule to allow users of the GOGov system to voluntarily agree to transaction fees for online payment processing; and to reflect additional updates as detailed in this report.

**Potential Motion to Approve - Changes to the Fee Schedule:** "I move to approve amending the Fee Schedule to include voluntary processing fees for online payments made via the GOGov system, updates to Municipal Court and Returned Check fines, establish fees for Food Truck/Pushcart permits and Pre-Application Meetings, and update Planning Application fees for applications not specifically listed in the Fee Schedule."

**Council Options:**

- 1 - Move to approve the change to the fee schedule.
- 2 - Take no action and direct staff to do more research and bring options back to the City Council at a later date.



TYPE OF LAND USE ACTION	APPLICATION FEE	Amity	Carlton	Dundee	Lafayette	McMinnville	Newberg*	Yamhill
Annexation	\$1,500	\$250.00 + \$1500.00 deposit	\$ 1,325.00	\$720.00 + \$2500.00 or \$3000.00 deposit	\$ -	\$ 14,950.00	\$2833.00 + \$270.00 per acre	\$325.00 + \$1000.00 deposit
Appeal from Planning Commission Decision	\$250	\$ -	\$ 250.00	\$ 480.00	\$ -	\$ 1,260.00	\$ 582.00	\$ 400.00
Appeal from Administrative Decision	\$250	\$ -	\$ 250.00	\$ 240.00	\$ -	\$ 333.00	\$ 326.00	\$ 250.00
Boundary/Lot Line Adjustment	\$300	\$ 500.00	\$ 350.00	\$ 480.00	\$ -	\$ 1,102.00	\$ 1,015.00	\$ 350.00
Comprehensive Plan Amendment	\$1,500	\$200.00 + \$400.00 deposit	\$ 1,250.00	\$720.00 + \$3000.00 deposit	\$ -	\$ 8,210.00	\$ 3,053.00	\$2500.00 + \$1000.00 deposit
Comprehensive Plan or Zoning Ordinance Text Amendment	\$1,500	\$ -	\$ 1,250.00	\$720.00 + \$3000.00 deposit	\$ -	\$ 10,285.00	\$ 3,053.00	\$2500.00 + \$1000.00 deposit
Conditional Use Permit	\$1,850	\$100.00 + \$250.00 deposit	\$ 1,000.00	\$480.00 + \$1500.00 deposit	\$200.00 + \$500.00 deposit	\$ 3,505.00	\$ 2,155.00	\$600.00 + \$725.00 deposit - major \$500.00 + \$725.00 deposit - minor
Development Agreements	\$700	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Flood Plain Permit	\$700 if Major Variance, \$1850 if Conditional Use	\$ -	\$ 450.00	\$ -	\$ -	\$ -	\$202.00 Type I, \$1015.00 Type II	\$300.00 + \$350.00 deposit
Historic Landmark Clearance / Building Alteration	\$100	\$ -	\$ -	\$ -	\$ -	\$1809.00 - alteration, \$2863.00 move or demolition	\$202.00 / \$2471.00 landmark elimination	\$ -
Historic Landmark Notice of Delay	No Fee	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Manufactured Home Park	\$4,300	\$ -	\$ -	\$ -	\$ -	\$3505.00 plus \$35.00 per lot	0.6% of total project cost, \$1015.00 minimum	\$ -
Multiple Applications	100% of most expensive + 50% of all others	\$ -	\$ -	100% of most expensive + 50% of all others	\$ -	\$ -	\$ -	\$ -
Nonconforming Use	\$450	\$100.00 + \$250.00 deposit	\$ -	\$ -	\$200.00 + \$250.00 deposit	\$ -	\$ 1,015.00	\$600.00 + \$725.00 deposit - PC decision \$200.00 - staff decision
Partition - Major	\$1,300	\$300.00 + \$500.00 deposit	\$ 1,000.00	\$240.00 + \$3000.00 de	\$100.00 + \$1000.00 deposit	\$ 2,087.00	\$1015.00 + \$88.00 per parcel	\$1000.00 + \$725.00 deposit; \$500.00 + \$725.00 deposit - preliminary plat; \$200.00 + \$725.00 deposit - final plat
Partitions - Minor (Administrative)	\$1,250	\$300.00 + \$500.00 deposit	\$ 1,000.00	Actual costs of time to	\$100.00 + \$1000.00 deposit	\$ 2,087.00	\$1015.00 + \$88.00 per parcel	\$1000.00 + \$725.00 deposit; \$500.00 + \$725.00 deposit - preliminary plat; \$200.00 + \$725.00 deposit - final plat
Planned Development	\$4,000	\$150.00 + \$750.00 deposit	\$1825.00 + \$20.00 per lot		\$500.00 + \$3000.00 deposit	\$6825.00 plus \$59.00 per dwelling	\$4304.00 + \$88.00 per lot	\$900.00 + \$1500.00 deposit + \$20.00 per lot - preliminary review; \$1500.00 + \$1200.00 deposit + \$20.00 per lot - final review; \$350.00 - adjustment
Planned Development Amendment	\$300	\$ -	\$ -	\$ -	\$ -	\$4127.00 PC decision, \$1283.00 staff decision	\$ 2,684.00	\$ -
Pre-Application Meeting	No Fee	\$300.00 + % \$500.00 deposit	\$ 500.00	\$ 600.00	\$ -	\$ 105.00	\$ 105.00	\$450.00 + \$350 deposit
Reimbursement District	\$1,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Restricted Development Review	\$500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 900.00

TYPE OF LAND USE ACTION	APPLICATION FEE	Amity	Carlton	Dundee	Lafayette	McMinnville	Newberg*	Yamhill
Sign Permit - Exterior	\$100	\$ 50.00	\$ 100.00	\$240.00 first sign; \$40.00 for each additional in same app	\$ -	\$80.00 -temporary, \$185.00 - permanent, \$2609.00 - exceptions	\$89.00 + \$1.00 per sq foot of sign face	\$ 100.00
Similar or Temporary Use Permit	\$450	\$50.00 + \$200.00 deposit	\$ 400.00	\$ -	\$200.00 + \$250.00 deposit	\$ -	\$ -	\$600.00 + \$300.00 deposit
Site Plan/Design Review	\$1,200	\$ -	\$1000.00 - major; \$450.00 minor	\$240.00 + \$3000.00 deposit	\$200.00 + \$1000.00 deposit	\$ 2,461.00	0.6% of total project cost, \$1015.00 minimum	\$275.00 + \$725.00 deposit - major \$100.00 + \$350.00 deposit - minor
Subdivision	\$4,000 +\$20 per/lot	\$750.00 + \$750.00 deposit	\$1850.00 + \$20.00 per lot	\$480.00 + \$4500.00 deposit	\$500.00 + \$3000.00 deposit	\$4675.00 less than 10 lots, \$8158.00 10 or more lots, plus \$40.00 per lot	\$2034.00 + \$88.00 per lot	\$1000.00 + \$1500.00 deposit + \$200.00 per lot - application; \$2500.00 + \$500.00 - plan review; \$2990.00 + \$10.00 per lot + \$725.00 deposit - preliminary plat; \$3500.00 + \$725.00 deposit - final plat
Time Extensions	50% of original application cost	\$ -	\$ -	\$ 160.00	\$ -	\$ 753.00	\$ 202.00	\$650.00
Transcripts	Actual costs of time to prepare	\$ -	\$ -	Actual costs of time to prepare	\$ -	\$ -	\$ -	\$ -
Urban Growth Boundary Amendment	\$2,100	\$ -	\$ -	\$ -	\$ -	\$ 18,720.00	\$ 4,833.00	\$ 4,000.00
Variance - Major	\$700	\$100.00 + \$250.00 deposit	\$ -	\$ 720.00	\$200.00 + \$500.00 deposit	\$ 2,867.00	\$ 1,015.00	\$450.00 + \$725.00 deposit
Variance - Minor (Administrative)	\$350	\$50.00 + \$200.00 deposit	\$ -	\$ 720.00	\$100.00 + \$250.00 deposit	\$ 1,190.00	\$ 1,015.00	\$350.00 + \$500.00 deposit
Zone Change	\$2,000	\$200.00 + \$400.00 deposit	\$ -	\$720.00 + \$2500.00 or \$3000.00 deposit	\$ -	\$ 5,667.00	\$ 2,684.00	\$1500.00 + \$1000.00 deposit

Sheridan is not included - neither their planning applications nor their fee schedule is available online.

\*all Newberg planning applications are assessed a Technology Fee equivalent to 5% of the application amount

**RESOLUTION No. 23/24-05**  
**City of Dayton, Oregon**

**A Resolution Amending the City of Dayton Fee Schedule to Include Online Payment Processing for Applications Using GOGov Platform for E-Permitting and Other Processes; to Increase Municipal Court Fees Regulated by the State of Oregon; to Establish a Food Truck/Pushcart Permit Fee; to Update Fees for NSF and Stop Payments to Align with Bank Charges; and to Update Fees for Planning Applications and Pre-Application Meeting fees.**

**WHEREAS**, the Dayton City Council adopted the City of Dayton Fee Schedule per Resolution No. 16/17-03; and

**WHEREAS**, HB2415 passed in 2021 and goes into effect January 1, 2025 requires municipalities to support E-Permitting software to allow an online permitting and an online payment process; and

**WHEREAS**, the City deems it necessary and prudent to require fees to process permits, applications, and online payments through the GOGov Platform; and

**WHEREAS**, the Dayton City Council desires to introduce a fee for online payment processing as part of the permit and application process for residents; and

**WHEREAS**, the Dayton Municipal Court was established by the City Council and has jurisdiction to adjudicate all State Motor Vehicle Code Violation which occur within the city limits of Dayton, Oregon; and

**WHEREAS**, ORS 153.021 and ORS 153.020 have restructured their minimum fines and presumptive special zone fines under HB4120 passed in 2022 effective upon passage; and

**WHEREAS**, the City Council desires to revise its existing fee structure to conform with State standards; and

**WHEREAS**, the City of Dayton adopted Ordinance 640 on October 2, 2017 adding Food Trucks/Push Carts to the Dayton Municipal Code; and

**WHEREAS**, the City deems it necessary and prudent to require fees in conjunction with the filing of applications for permits to further ensure the compliance with adopted codes and standards; and

**WHEREAS**, the Dayton City Council desires to include Food Truck/Push Cart Fees in the City of Dayton Fee Schedule; and

**WHEREAS** the City of Dayton is required to levy fees for various miscellaneous services to support its operational needs; and

**WHEREAS**, the City Council desires to revise its existing Misc Fee Schedule to coincide with current NSF and Stop Payments bank rates; and

**WHEREAS**, the City finds it necessary and prudent to require fees reasonably calculated for the submission of Applications and for Pre- Application Meetings; and

**WHEREAS**, the City Council desires to add Planning Application fees and a Pre-Application Meetings fee to offset staff time costs.

**The City of Dayton resolves as follows:**

- 1) **THAT** the City of Dayton Fee Schedule is hereby amended and adopted according to Exhibit A (attached hereto and made a part herein); and
- 2) **THAT** this resolution shall become effective immediately upon adoption.

**ADOPTED** this 6<sup>th</sup> day of November 2023.

**In Favor:**

**Opposed:**

**Absent:**

**Abstained:**

\_\_\_\_\_  
**Trini Marquez, Mayor**

\_\_\_\_\_  
**Date Signed**

**ATTEST:**

\_\_\_\_\_  
**Rocio Vargas, City Recorder**

\_\_\_\_\_  
**Date of Enactment**

**Attachment: Exhibit A**

## CITY OF DAYTON LAND USE AND PLANNING FEES

*Resolution: 2016/17-01 Effective: September 6, 2016 Adopted: September 6, 2016*

TYPE OF LAND USE ACTION	APPLICATION FEE
Annexation	\$1500
Appeal from Planning Commission Decision	\$250
Appeal from Administrative Decision	\$250
Boundary/Lot Line Adjustment	\$300
Comprehensive Plan Amendment	\$1,500
Comprehensive Plan or Zoning Ordinance Text Amendment	\$1,500
Conditional Use Permit	\$1,850
Development Agreements	\$700
Historic Landmark Clearance / Building Alteration	\$100
Historic Landmark Notice of Delay	No Fee
Manufactured Home Park	\$4,300
Multiple Applications	100% of most expensive + 50% of all others
Nonconforming Use	\$450
Partition - Major	\$1,300
Partitions - Minor (Administrative)	\$1,250
Planned Development	\$4,000
Planned Development Amendment	\$300
Pre-Application Meeting	No Fee-\$250
Reimbursement District	\$1,000
Restricted Development Review	\$500
Sign Permit - Exterior	\$100
Similar or Temporary Use Permit	\$450
Site Plan/Design Review	\$1,200
Subdivision	\$4,000 +\$20 per/lot
Time Extensions	50% of original application cost
Transcripts	Actual costs of time to prepare
Urban Growth Boundary Amendment	\$2,100
Variance - Major	\$700
Variance - Minor (Administrative)	\$350
Zone Change	\$2,000
Type I Applications Not Listed	\$350
Type II Applications Not Listed	\$700

Note: The above fees and deposits are an estimate of the costs to process land use applications. Applicants will be responsible to pay the actual costs associated with processing their application, including but not limited to, time for initial review by staff, costs of required public notices, City Planner review, Engineering and Public Works review and/or inspection and legal services.

## MUNICIPAL CODE COMPLIANCE PENALTIES SCHEDULE

Resolution 2013/14-2    Adopted October 7, 2013

DAYTON MUNICIPAL CODE SECTION 2.50	Fine Amount
Unclassified Misdemeanor	\$500
Class A Violation	\$500
Class B Violation	\$250
Class C Violation	\$100
Land Use & Planning Code Violation	\$500
Unless otherwise stated any Violation of the Municipal Code is a Class C Violation	\$100
2.12 - Failure to Supervise a Child	\$1,000

## DAYTON MUNICIPAL COURT VIOLATIONS BUREAU

### Fine Assessment Schedule:

Resolution 2011/12-15    Adopted February 13, 2012    Effective February 13, 2012

Violation Class	Presumptive Fine Amount	Special Zone Presumptive Fine Amount	Minimum Fine Amount	Maximum Fine Amount
Class A	\$440.00	<del>\$870.00</del> \$875.00	<del>\$220.00</del> \$225.00	\$2,000.00
Class B	\$265.00	<del>\$520.00</del> \$525.00	<del>\$130.00</del> \$135.00	\$1,000.00
Class C	\$165.00	<del>\$320.00</del> \$325.00	<del>\$80.00</del> \$85.00	\$500.00
Class D	\$115.00	<del>\$220.00</del> \$225.00	<del>\$60.00</del> \$65.00	\$250.00

## MISC FEES

Type of Charge	Current Fee	Resolution/ Code	Adopted
Photocopy Charges - Black & White	\$.25 per/page	2010/11-07	08/16/10
Photocopy Charges - Color	\$.50 per/page	2010/11-07	08/16/13
NSF Check & Stop Payment Check Fee	<del>\$25.00</del> \$36.00	Policy	
Records Request Research Fees Staff Research Time - First Hour Staff Research Time - Additional 15 minutes increments	\$60.00 \$15.00	2021/22-06	08/02/21
Record Request - Provide 16 GB USB Thumb Drive	\$10.00	2021/22-06	08/02/21
Records Request - Provide CD	\$5.00 per/disk	2010/11-07	08/16/13
Credit/Debit Card Fee	No Charge	2008/09-15	09/02/08
Notary Services - Residents (inside city limits)	No Charge	2011/12-02	07/05/11
Notary Services - Non-Residents	\$10.00 Per notary act	2011/12/02	07/05/11
Lien Search Fee	No Charge	n/a	n/a

Ferry Street Newsletter Advertisement Fee Schedule			
Color Copy:	Cost	Resolution	Adopted
Full Page - 7 x 9.5 inches	\$250.00	2020/21-20	06/21/21
Half Page - 7 x 4.6 or 3.33 x 9.5 inches	\$125.00	2020/21-20	06/21/21
Quarter Page - 4.6 x 3.33 or 3.33 x 4.6 inches	\$75.00	2020/21-20	06/21/21
1/8 page or Milestone Announcement - 2.3 x 1.67 inches	\$25.00	2020/21-20	06/21/21
Black & White Copy:	Cost	Resolution	Adopted
Full Page - 7 x 9.5 inches	\$75.00	2020/21-20	06/21/21
Half Page - 7 x 4.6 or 3.33 x 9.5 inches	\$40.00	2020/21-20	06/21/21
Quarter Page - 4.6 x 3.33 or 3.33 x 4.6 inches	\$30.00	2020/21-20	06/21/21
1/8 page or Milestone Announcement - 2.3 x 1.67 inches	\$15.00	2020/21-20	06/21/21



Resolution 2022/23-21

Adopted June 20, 2023

Effective October 1, 2023

Vendor Participation Fees	Cost	
Courthouse Square Park Event	\$25.00 per event day	Includes annual City of Dayton Business registration for the State of Oregon registered businesses
Electric	\$5.00 per event day	
Community Center Event	\$25.00	Includes annual City of Dayton Business registration for the State of Oregon registered businesses
Electric	\$5.00 per event day	

- Exemption for Public Safety Agencies (Fire, Police, etc.)
- Excludes Breakfast with Santa and Bazaar as this event is only one day for 4-5 hours.

Online Permits/Applications	Cost	
Online payment processing for GOGov applications	\$3.00 + 3% of application total	Voluntary fee to complete payment in online application/permitting software through GOGov platform

Food Truck Permit	Cost	
Trucks and push carts	\$25.00 per instance/event	Parking/operating in the right of way

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**To:** Honorable Mayor and City Councilors  
**From:** Rochelle Roaden, City Manager  
**Issue:** Approval of Resolution 23/24-06 Establishing a Community Events Committee  
**Date:** November 6, 2023

### **History/Background**

At the October 2, 2023, regular session of the Dayton City Council, this agenda item was tabled due to concern over the relationship between the City of Dayton and the Dayton Community Development Association (DCDA) in regard to event planning specifically for Dayton Friday Nights and the impact such a committee might have.

I have included a copy of the Memorandum of Understanding via Resolution that the city and the DCDA entered in April of 2016 for the Dayton Friday Night events and its reference to a "Community Events Committee" and their role as liaison with for this event.

Beth Wytoski, former Mayor, who has extensive knowledge and history of events in Dayton, has expressed interest in being on the Community Events Committee. Additionally, at the DCDA's October board meeting, Beth was appointed to the DCDA Board of Directors.

With the recent activity, I believe that moving forward with establishing a Community Events Committee will be an effective resolution to establish a connection between the City Council and the residents of the city of Dayton, encourage volunteers' involvement with city-wide events, and provide a network to liaison with the DCDA for any joint city events such as Dayton Friday Nights.

Per Dayton Municipal Code 1.08.01 - Commissions, committees, task forces, and other advisory bodies, including those of a temporary nature or created for a specific purpose, may be established by ordinance or resolution. Council may establish by resolution rules and practices for advisory bodies.

Attached is Resolution 23/24-06 establishing the Community Events Committee. The Community Events Committee would be made up of 5 voting members. Chair, Co-Chair, Secretary, and two voting members plus two alternatives. Additionally, county residents living outside of the city limits but who spend their time in Dayton may have an interest in participating so no more than two non-resident members will have voting privileges.

Voting members will be appointed by the Mayor with the consent of the Council and have 3-year terms. All non-voting members will be appointed by the Chair of Community Events Committee with the approval of the voting members of the Community Events Committee.

The Mayor can appoint a Councilor or Councilors to a liaison position (non-voting) on the Committee.

I have included Section 16 of the City Council rules for your reference:

## **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.

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

**Potential Motion to Approve:** "I move to approve Resolution 23/24-06 A Resolution Establishing the City of Dayton Community Events Committee."

**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.

**RESOLUTION No. 15/16-12  
CITY OF DAYTON, OREGON**

***Title: A Resolution Adopting a Memorandum of Understanding with the Dayton Community Development Association for the Dayton Friday Nights Event Series.***

**THIS AGREEMENT**, made this 18th day of April 2016 by the City of Dayton (hereinafter “City”) and the Dayton Community Development Association (hereinafter “DCDA”) as parties hereto.

**WHEREAS**, the City and DCDA desire to continue the Dayton Friday Nights event series; and

**WHEREAS**, the Dayton Friday Nights event series is beneficial to the Dayton community; and

**WHEREAS**, the City and DCDA desire to establish an ongoing relationship in order to continue the Dayton Friday Nights event series; and

**WHEREAS**, the Dayton Friday Nights event series supports the City’s goals to create an aesthetically pleasing and inviting community, capitalize on Dayton’s facilities and resources to provide recreational and cultural opportunities, support the creation of a vibrant, diverse economic environment, use Dayton’s heritage and historic resources to forward our image as an authentic and charming town, engage in efficient and effective activities to promote community safety and wellness, and enhance communications to actively engage the community; and

**WHEREAS**, the City and DCDA desire to establish clear responsibilities and obligations of each party for the administration of the Dayton Friday Nights event series.

**Therefore, it is mutually agreed between the parties as follows:**

- 1) The above recitations are part of this agreement.
- 2) The City’s responsibilities and obligations shall include:
  - a. The City will reserve Courthouse Square Park each Friday in June, July and August from 4:00 p.m. to 10:00 p.m. for the Dayton Friday Nights event series.
  - b. The City will provide a City employee each Friday of the event series for garbage, restroom and other park maintenance.
  - c. Said employee will be an employee of City and operate under the direction and control of the City Manager.
  - d. Members of the City Council’s Community Events Committee will participate on the DCDA’s Dayton Friday Nights committees in order to liaison and streamline decision making.
  - e. The Dayton City Council will assist in event hosting.
  - f. The City will take the lead in organizing music and events for the Old Timer’s Friday Night, which will generally take place on the last full weekend in July.

- g. The City has ultimate control of Courthouse Square Park and any other City facilities used for the event.
- 3) The DCDA's responsibilities and obligations shall include:
- a. The DCDA will organize park vendors for each Friday Night of the event series.
  - b. The DCDA will organize live music for each Friday Night of the event series.
  - c. The DCDA will organize event hosting for each Friday Night of the event series.
  - d. The DCDA will organize event series advertising and promotion.
  - e. The DCDA will provide liability insurance for Courthouse Square Park listing the City as an additional insured.
  - f. The DCDA will report to the City Council before the end of each calendar year regarding the Dayton Friday Nights events series including, but not limited to:
    - i. Average attendance in the park for each Friday Night.
    - ii. How City-donated funds were spent.
    - iii. Survey data as applicable.
    - iv. General return on investment for the series overall.
- 4) It is agreed by the parties that a donation from the City to the DCDA for the Dayton Friday Nights event series will be determined as a part of the City's budget process each year.
- 5) It is agreed by the parties that this agreement will continue in perpetuity until and unless one party provides notice to the other by December 31 that it does not intend to participate in the following year's Dayton Friday Nights event series.
- 6) This resolution shall become effective immediately upon adoption.

**ADOPTED** this 18<sup>th</sup> day of April, 2016.

**In Favor:** Bixler, Collins, Frank, Taylor, Wytoski

**Opposed:** None

**Absent:** Marquez, Price

**Abstained:** None

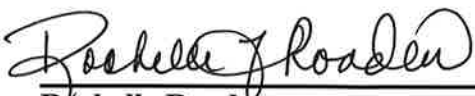
  
\_\_\_\_\_  
Elizabeth Wytoski, Mayor

5/10/16  
Date of Signing

  
\_\_\_\_\_  
Jason Aust, DCDA President

5/11/16  
Date of Signing

ATTESTED BY:

  
\_\_\_\_\_  
Rochelle Roaden  
City Recorder

4/18/2016  
Date of Enactment



**RESOLUTION No. 23/24-06**  
**City of Dayton, Oregon**

***A Resolution to Establish the City of Dayton Community Events Committee***

**WHEREAS**, the City Council wishes to define the responsibility of this committee to focus attention on creating annual community events for Dayton area residents; and

**WHEREAS**, annual community events would bring exposure to the City of Dayton and stimulate commerce for area businesses; and

**WHEREAS**, the Community Events Committee will serve as a liaison between City of Dayton and DCDA; and

**WHEREAS**, this committee will consist of five voting members to include chair, co-chair, secretary and two other voting members plus two alternates. These voting members are to be appointed by the mayor with the consent of the City Council and elected annually serving three-year terms; and

**WHEREAS**, the City Council recognizes that county residents living outside of City limits but spend time in Dayton may have an interest in participating as well; and the City Council recognizes no more than two voting members living outside of city limits will have voting privileges; and

**WHEREAS**, due to the nature of this committee there will be no limits as to the number of non-voting committee members, and number of months that individual citizens may serve on this committee; and

**WHEREAS**, the Dayton Community Events Committee shall prepare certain bylaws to govern committee activities and standards, and

**WHEREAS**, the Chair, with the consent of the voting members of the committee, will appoint non-voting committee members; and

**WHEREAS**, the City Council will commit a limited amount of City Staff time and resources to this committee.

**Therefore, the City of Dayton resolves as follows:**

- 1) THAT** the City Council does hereby create the City of Dayton Community Events Committee as a standing committee in the City of Dayton that will serve at the pleasure of the Council.
- 2) THAT** this resolution shall become effective immediately upon adoption.

**ADOPTED** this 6<sup>th</sup> day of November 2023.

**In Favor:**

**Opposed:**

**Absent:**

**Abstained:**

\_\_\_\_\_  
**Trini Marquez, Mayor**

\_\_\_\_\_  
**Date Signed**

**ATTEST:**

\_\_\_\_\_  
**Rocio Vargas, City Recorder**

\_\_\_\_\_  
**Date of Enactment**

**To:** Honorable Mayor and City Councilors  
**From:** Rochelle Roaden, City Manager  
**Issue:** Approval of Inflow and Infiltration Study, Amendment 2  
**Date:** November 6, 2023

### **Background and Information**

At the February 6<sup>th</sup>, Dayton City Council meeting, the Council approved awarding the Inflow and Infiltration Study to Keller and Associates and in March of 2023, approved Amendment 1 which increased the not to exceed amount to \$43,164 and added annual smoke testing to two additional basins. This study is a requirement from DEQ in response to our NPDES permit violation.

The City submitted the I & I Study to DEQ in August of 2023 as required by our violation. DEQ has responded with a request for additional flow rate analysis information.

Keller and Associates have submitted Amendment 2 to perform this work at an additional cost of \$9,240 bringing the total project cost to \$48,480. I am adding a 10% additional contingency onto the updated project total.

The City has been awarded a \$20,000 grant through Business Oregon for this project reducing our total cost to \$28,480. The City has funds in Contingency in the Sewer Fund to cover the additional cost if savings in other Material and Services do not cover it.

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

**Potential Motion to Approve:** "I move to approve increasing the budget for the Inflow and Infiltration Study awarded to Keller and Associates to a not to exceed budget of \$53,328."

### **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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# AMENDMENT TO OWNER-CONSULTANT AGREEMENT

## Amendment No. 02

### Background Data:

Effective Date of Owner-Consultant Agreement:	<u>February 2, 2023</u>
Effective Date of this Amendment:	<u>October 30, 2023</u>
Owner:	City of Dayton
Consultant:	Keller Associates, Inc.
Project:	Inflow and Infiltration Study KA # 223023

### Nature of Amendment:

DEQ informed the City of Dayton (Owner) that a flow analysis with data from the last 5 years is required as part of their penalty assessment. This Amendment modifies the Scope of Work and Budget to include additional work for the flow analysis and remove nighttime monitoring services that is no longer required in the scope of work.

### Description of Modifications:

1. Remove Task 2.2 for Nighttime Monitoring.
2. Add Task 4 Flow Study.

### **TASK 4: FLOW ANALYSIS**

- 4.1. Data Collection. Collection and processing of furnished data and reports. Specifically, Discharge Monitoring Reports (DMR), operational and influent monitoring, and rainfall (daily) data for the previous five (5) years in spreadsheet format
- 4.2. Growth Trends. Review historical residential growth projections and summarize recommended growth rates. Use the Portland State University Population Research Center historical population data and 20-year growth forecasts.
- 4.3. Design Flow Rates. Review historical WWTP influent flow data from only the main lift station/pump runtime data to assess existing design flow rates. Review NOAA precipitation records, to estimate 5-year and 10-year design storm events and use Oregon DEQ guidance to develop existing design flow rates. Inflow and infiltration will be summarized based on flow patterns relative to historical daily rainfall totals as recorded on the DMR's. Peak flows will be estimated by Consultant using available data and typical peaking factors. Provide flow projection estimates based on growth assumptions and input from the Owner.
- 4.4. Technical Memorandum. Update technical memorandum with results from the flow analysis.

### *City Responsibilities*

- Provide requested data within two weeks of the request.
- Complete fieldwork and provide sampling/testing, if required.
- Provide input and approval on growth projections.
- Provide one round of consolidated city review of technical memorandum

### *Assumptions*

- The Consultant is entitled to rely on the information provided by others, without the need to verify accuracy or completeness.
- The study area will coincide with the current Urban Growth Boundary.
- Level of effort includes one round of revisions on the updated technical memorandum.

*Deliverables*

- Updated Technical Memorandum including Flow Analysis.

Compensation Summary:

<b>Task</b>	<b>Billing Basis</b>	<b>Original Agreement</b>	<b>Prior Amendments</b>	<b>This Amendment</b>	<b>Total</b>
<i>Task 1: Project Management</i>	<i>LS</i>	<i>\$2,810</i>		<i>\$630</i>	<i>\$3,440</i>
<i>Task 2: I/I Evaluation</i>	<i>LS</i>	<i>\$20,830</i>	<i>\$4,750</i>	<i>(\$2,280)</i>	<i>\$23,300</i>
<i>Task 3: Inflow and Infiltration Assessment and Technical Memorandum</i>	<i>LS</i>	<i>\$10,850</i>			<i>\$10,850</i>
<i>Task 4: Flow Analysis</i>	<i>LS</i>	<i>\$0</i>		<i>\$10,890</i>	<i>\$10,890</i>
<b>Total</b>		<b>\$34,490</b>	<b>\$4,750</b>	<b>\$9,240</b>	<b>\$48,480</b>

LS = Lump Sum; T&M = Time and Materials

Schedule:

*This amendment adds 2 months to the Schedule.*

All provisions of the Agreement not modified by this or previous amendments remain in effect. In witness thereof, the parties hereto have executed or caused to be executed by their duly authorized officials this Amendment to the Agreement on the respective dates indicated below.

**OWNER: City of Dayton**

**CONSULTANT: KELLER ASSOCIATES, INC.**

Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
 Name: Peter Olsen  
 Title: Principal  
 Address: 245 Commercial St SE, Suite 210  
 Salem, OR 97301  
 Telephone: (503) 364-2002  
 Date: \_\_\_\_\_

**To:** Honorable Mayor and City Councilors  
**From:** Rochelle Roaden, City Manager  
**Issue:** Hwy 221 Lift Station Replacement Financing and Sewer Rate Discussion  
**Date:** November 6, 2023

**Background and Information**

**Council Strategic Goal:** *Goal A: Develop and maintain infrastructure to support operations and meet growth.*

In October, the City Council approved seeking financing for the \$1,028,000 needed for the Hwy 221 Lift Station Replacement (and Gravity Sewer) Project due to bids coming back in August considering higher than anticipated.

Schedule A: Pump Station	Engineers Estimate: \$1,054,075	Lowest Bid: \$1,554,896
Schedule B: Gravity Sewers	Engineers Estimate: <u>\$ 243,000</u>	Lowest Bid: <u>\$ 145,000</u>
	Total:	\$1,699,896

The City currently has \$511,000 from a Yamhill County ARPA grant for this project in addition to the city matching this amount with our ARPA direct allocation (\$490,255) and reserves in the sewer fund of \$23,745. If we do not use the YC ARPA grant in the next 12 months, Yamhill County can request the funds be returned.

The current lift station has failed twice in the past month due to electrical issues and our inability to provide backup power. Spills occurred on October 7<sup>th</sup> (PGE outage) and on October 31 (pump was jammed with “flushable” wipes). As part of our reporting responsibilities, we have put up signage at the sewage spill site, put information out on social media and on our website, and reported it to the Department of Environmental Quality (DEQ). DEQ informed the city that after the last spill if the lift station fails again, the city will be fined. Now, more than ever, it is imperative to get this project going. The current bid we have will expire on November 7<sup>th</sup> which will result in the city having to redo the bidding process which will take additional time and money, something we really do not have at this point.

The City has completed the application process and Business Oregon has informed the city that we are eligible through the Water / Wastewater Fund for a \$75,000 grant with a subsidized interest rate of 3.5% based on MHI. A \$953,000 30-year loan would carry an estimated annual debt service payment of \$51,816. (Please see attached spreadsheet showing loan details.) They have not officially awarded this loan/grant as of November 3<sup>rd</sup>,

but due to time restraints, the City Manager will need authority to enter into a loan with Business Oregon when it is officially awarded. A potential motion is shown below.

#### Sewer Rate Discussion

In applying for Business Oregon's Water/Wastewater Financing programs, it became apparent that increasing our sewer rate to cover this payment is needed to show that the city can make this payment for the next 30 years over the life of the loan.

The attached spreadsheet illustrates two scenarios for rate increases. The first scenario includes only the debt payments for the Bridge and the Hwy 221 Lift Station over the next two years. The second scenario shows the impact of also doing the meter-size methodology change that was proposed by the Oregon Association of Water Utilities (OAWU) through our recent sewer rate study. You will see that this impact is substantial in addition to the debt service increases.

With the city's ability to apply for Congressional Direct Spending (Federal Earmarks) over the next two years as well as the infrastructure funding that is available on the state level, staff proposes that the city does not implement the meter-size multiplier rate methodology change for a two-year period. If the city can acquire the grant funding to help upgrade our sewer system during this time, then the brunt of the cost would not fall on the rate payer.

Our current economic situation, increased costs for food, housing, etc., are impacting our residents, especially our senior citizens and those on a fixed income. PGE announced on November 2<sup>nd</sup> that they are going to increase rates in January by 17%.

The City of Lafayette pushed out this methodology change on their water rates in July resulting in seriously increased rates for their residents. A town hall where residents voiced their complaints resulted in the City Council changing back to their base rate system and adding a \$20 fee increase to cover only the cost of their debt.

Staff would like to bring a sewer rate increase to Council in December to be implemented in February of 2024. This will require a public hearing, so residents will have the ability to provide public comment and the city will communicate the rate increases approved by the Council in the December 2024 Ferry Street News as well as on our social media platforms.

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

**Potential Motion to Approve:** "I move to approve authorizing the City Manager to enter into loan financing through Business Oregon for \$1,028,000 through their Water/Wastewater Fund which is needed to complete the Highway 221 Lift Station Replacement and Gravity Sewer Project."



**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.

**City of Dayton**  
**Highway 221 Lift Station Replacement**  
**As of November 2023**

<u>Schedule</u>	<u>Project</u>	<u>Cost</u>
<b>A</b>	HWY 221	\$ 1,554,896
<b>B</b>	Gravity Sewers	\$ 145,000
	PM and Engineering	\$ 250,104
	Construction Contingency	\$ 100,000
	<i>Total Project Costs</i>	<u>\$ 2,050,000</u>

<u>Funding Source</u>	<u>Will Fund Schedules</u>	<u>Project Cost</u>	<u>City Allocation</u>	<u>Yamhill County ARPA Grant</u>	<u>Business Oregon Grant</u>	<u>Amount to Finance</u>	<u>Term</u>	<u>Interest Rate</u>	<u>Payment</u>	<u>Total Payoff</u>	<u>Interest Expense Life of Loan</u>	<u>Per Meter** Increase</u>
Business Oregon	A, B	\$ 2,050,000	\$ 511,000	\$ 511,000	\$ 75,000	\$ 953,000	30	3.50%	<b>\$51,815.88</b>	\$1,554,476	\$601,476	4.92

*\*These terms have been communicated by Business Oregon but they have not officially awarded this loan/grant combo as of 11/3/2023*

**Proposed Sewer Rate Increases (to Fund Sewer Debt)**

	<u>2023-2024</u>	<u>2024-2025</u>	<u>Total Increase</u>
Bridge Funding Increase	11.21	11.21	22.42
HWY 221 Funding Increase	2.46	2.46	4.92
<b>Total Increase</b>	<b>13.67</b>	<b>13.67</b>	<b>27.34</b>

	<u>2023-2024</u>	<u>2024-2025</u>
<b>Debt Only</b>	Current Sewer Rate	58.18
	Debt Service - Bridge & 221 LS	13.67
	Current Water Rate (200 cf)	48.87
	<b>Total Adjusted Average Utility Bill</b>	<b>120.72</b>
	<b>Adjusted Sewer Rate</b>	<b>71.85</b>

<b>Debt and Meter Size Multiplier (MSM) Methodology Change Proposed by Sewer Rate Study</b>	Current Sewer Rate	58.18
	Debt Service - Bridge & 221 LS	13.67
	Current Water Rate (200 cf)	48.87
	MSM Impact Estimate-Ave. User	25.80
	<b>Total Adjusted Average Utility Bill</b>	<b>146.52</b>
	<b>Adjusted Sewer Rate</b>	<b>97.65</b>

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**To:** Honorable Mayor and City Councilors  
**From:** Rochelle Roaden, City Manager  
**Issue:** Award of the HWY 221 Pump Station Replacement and Gravity Sewer Project  
**Date:** November 6, 2023

### **Background and Information**

**Council Goal:** *Goal A: Develop and maintain infrastructure to support operations and meet growth.*

Attached you will find the Award Recommendation letter from Denny Muchmore, City Engineer.

Denny will attend the November 6, 2023, Council Meeting to answer any project questions the Council may have.

I have included a 5% contingency onto the project total for the motion language below.

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

**Potential Motion to Approve:** "I move to approve awarding the Hwy 221 Pump Station Replacement and Gravity Sewer Project to Lawson Corporation in the amount of \$1,784,891 contingent on the City of Dayton receiving funding through Business Oregon."

### **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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August 2, 2023

The Honorable Mayor and City Council  
City of Dayton  
P.O. Box 339  
Dayton, OR 97114

RE: Hwy 221 Sewer System Improvements, Recommendation for Award  
JO. 2609.3076.0

Ladies and Gentlemen:

Bids for the above referenced project were received and opened at our office at 2:00 p.m. on August 2, 2023. There were a total of 4 responsive bids received from qualified bidders. One non-responsive bid was submitted (*the fourth place bidder did not submit the 1<sup>st</sup> Tier Subcontractor Disclosure form required by state law*). We are pleased with the level of interest the project generated among contractors, and with the bid response.

The low bid was submitted by Lawson Corp of Carlton, Oregon. The bid prices, in addition to our estimate for the work, are shown in the table below. Complete bid tabulations are also attached for your review and records.

Summary of Bids				
Bidder	Sched A (Pump Station)	Sched B (Gravity Sewers)	Bid Grand Total	Difference from Eng. Estimate
Engineers Estimate	\$1,054,075.00	\$243,000.00	\$1,297,475.00	-
<b>Lawson Corp</b>	<b>\$1,554,896.00</b>	<b>\$145,000.00</b>	<b>\$1,699,896.00</b>	<b>+30.8%</b>
The Saunders Company, Inc	\$1,582,160.00	\$136,725.00	\$1,718,885.00	+32.3%
HP Civil, Inc.	\$1,660,998.97	\$192,500.00	\$1,853,498.97	+42.6%
R& G Excavating ( <i>non-responsive, no 1<sup>st</sup> Tier</i> )	\$1,666,207.00	\$190,100.00	\$1,856,307.00	+42.9%
Emery & Sons Construction Group, LLC	\$1,950,479.00	\$258,500.00	\$2,208,979.00	+70.0%

As shown above, the low bid was approximately 31% above the engineer's estimate. We spoke with the low bidder by telephone, and they indicated that they are comfortable with their bid numbers and plan to pursue the project, if awarded by the City.

If it is the City's desire to proceed with the project at this time, and if the City can acquire the necessary funding, we recommend that the City authorize award of a contract for (*Schedule A as a minimum, and Schedule A plus Schedule B if possible*) to Lawson Corp. Based on the units and prices listed in the bid schedule, the amount for of the contract if Schedule A only is awarded will

August 2, 2023  
The Honorable Mayor and City Council  
City of Dayton  
Page 2

be \$1,554,896.00, while the total will be \$1,699,896.00 if both Schedule A and Schedule B are awarded.

We further recommend that the City Council approve a construction contingency budget of  $\pm 6\%$  of the bid total (*ie. \$93,000 for Schedule A, or \$102,000 for both schedules*), to address unknown conditions or issues that may come to light during construction.

Later this week, we will be sending out the Notice of Intent to Award to all bidders as required by OAR 137-049-0395.1 (*the notice is subject to final authorization by the City Council*). Sending out the Notice of Intent to Award will start the statutory time limit for the 7 day bid protest period, but does not obligate the City to issue the final Notice of Award.

Upon expiration of the 7 day protest period (*assuming no bid protests*) and upon approval by the City Council, we will then proceed to issue a Notice of Award to the Contractor, after which we will proceed with obtaining the required signatures for the Contract Documents, and schedule a preconstruction conference with the Contractor, the City and any affected utilities. We plan to issue the notice to proceed as soon as practical after contracts are signed and the preconstruction conference is held.

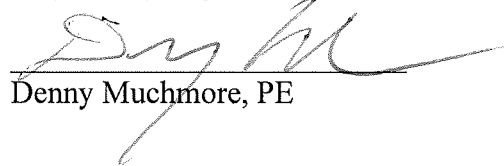
We hope this information is useful and will assist the City Council in making a final decision on the award of this project. We are happy to attend the City Council meeting and to answer questions or to discuss the project in more detail if you desire.

If you have any questions or need additional information regarding this matter, please contact us at (503) 585-2474.

Sincerely,

**WESTECH ENGINEERING, INC.**

*(Dayton City Engineer)*



Denny Muchmore, PE

drm  
encl:  
cc w/encl.

- Ms. Rochelle Roaden, Dayton City Manager
- Mr. John Lindow, Dayton Public Works



Date: August 2, 2023

Bid Tabulations

		Engineer's Estimate		LAWSON CORP		SAUNDERS		HP CIVIL		R&G		EMERY			
Item No.	Description	Estimated Quantity	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price		
<b>SCHEDULE A</b>															
1.	<b>Mobilization, Bonds, Permits and Insurance, etc.</b>	ALL	L.S.	Lump Sum	\$45,000	Lump Sum	\$50,000	Lump Sum	\$75,000	Lump Sum	\$185,349.69	Lump Sum	\$74,800	Lump Sum	\$350,000
2.	<b>Erosion &amp; Traffic Control, Complete</b>														
a.	Temporary Traffic Control, Complete (Sched A work)	ALL	L.S.	Lump Sum	\$12,500	Lump Sum	\$25,000	Lump Sum	\$17,500	Lump Sum	\$67,500	Lump Sum	\$2,000	Lump Sum	\$60,000
b.	TPAR, Complete (Sched A work)	ALL	L.S.	Lump Sum	\$8,500	Lump Sum	\$17,500	Lump Sum	\$1,300	Lump Sum	\$2,500	Lump Sum	\$6,500	Lump Sum	\$9,500
c.	Erosion & Pollution Control, Complete (Sched A work)	ALL	L.S.	Lump Sum	\$3,500	Lump Sum	\$7,000	Lump Sum	\$15,000	Lump Sum	\$10,000	Lump Sum	\$13,870	Lump Sum	\$8,500
3.	<b>Site Work, Drainage, Surfacing, Retaining Wall, Fencing, etc.</b>														
a.	General Excavation, Grading & Backfill, Potholing, Complete, excluding Wetwell Excavation & Backfill, & excluding Retaining Wall	ALL	L.S.	Lump Sum	\$26,500	Lump Sum	\$64,000	Lump Sum	\$55,000	Lump Sum	\$55,000	Lump Sum	\$78,000	Lump Sum	\$90,000
b.	Overexcavation & Backfill, Complete (stipulated price)	80	C.Y.	\$45.00	\$3,600	\$45.00	\$3,600	\$45.00	\$3,600	\$45.00	\$3,600	\$45.00	\$3,600	\$45.00	\$3,600
c.	New SD Inlet & Pipe south of PS site, Complete (C2.1A)	ALL	L.S.	Lump Sum	\$7,500	Lump Sum	\$6,500	Lump Sum	\$6,500	Lump Sum	\$8,500	Lump Sum	\$6,000	Lump Sum	\$5,000
d.	Drain Lines to Wetwell from ARV & Bypass Pump Port MH, Complete	ALL	L.S.	Lump Sum	\$6,800	Lump Sum	\$7,600	Lump Sum	\$6,850	Lump Sum	\$4,000	Lump Sum	\$8,200	Lump Sum	\$13,000
e.	Retaining Wall & Curb, Complete (C2.2)	ALL	L.S.	Lump Sum	\$45,000	Lump Sum	\$94,500	Lump Sum	\$130,000	Lump Sum	\$130,000	Lump Sum	\$371,500	Lump Sum	\$135,000
f.	Chain Link Fencing, Complete	ALL	L.S.	Lump Sum	\$6,000	Lump Sum	\$16,500	Lump Sum	\$10,500	Lump Sum	\$15,000	Lump Sum	\$21,500	Lump Sum	\$20,000
g.	Baserock & TrueGrid Pavers, Complete (PS Site & Access)	ALL	L.S.	Lump Sum	\$37,500	Lump Sum	\$55,000	Lump Sum	\$30,000	Lump Sum	\$45,000	Lump Sum	\$50,000	Lump Sum	\$45,000
h.	Permanent Pipe Bollards, Complete (Detail 226)	7	Each	\$850	\$5,950	\$1,650	\$11,550	\$500	\$3,500	\$1,650	\$11,550	\$1,800	\$12,600	\$1,000	\$7,000
i.	Removable Bollards, Complete (Detail 228)	2	Each	\$1,100	\$2,200	\$2,150	\$4,300	\$750	\$1,500	\$2,350	\$4,700	\$2,000	\$4,000	\$1,100	\$2,200
4.	<b>Gravity Sewer Improvements (including excavation, backfill &amp; surface restoration)</b>														
a.	SS Manhole A (easterly side of Hwy), complete	ALL	L.S.	Lump Sum	\$12,500	Lump Sum	\$12,800	Lump Sum	\$11,500	Lump Sum	\$20,000	Lump Sum	\$17,500	Lump Sum	\$14,000
b.	SS Manhole B (easterly side of Hwy), complete	ALL	L.S.	Lump Sum	\$12,500	Lump Sum	\$15,000	Lump Sum	\$10,000	Lump Sum	\$20,000	Lump Sum	\$17,700	Lump Sum	\$13,000
c.	SS Manhole D (easterly side of Hwy), complete	ALL	L.S.	Lump Sum	\$15,500	Lump Sum	\$13,200	Lump Sum	\$12,500	Lump Sum	\$14,000	Lump Sum	\$25,500	Lump Sum	\$12,000
d.	SS Manhole C by wetwell, complete	ALL	L.S.	Lump Sum	\$14,500	Lump Sum	\$15,850	Lump Sum	\$9,500	Lump Sum	\$20,000	Lump Sum	\$14,500	Lump Sum	\$11,000
e.	24" Manhole over extg storm line, complete (overflow)	ALL	L.S.	Lump Sum	\$4,500	Lump Sum	\$8,250	Lump Sum	\$6,000	Lump Sum	\$10,500	Lump Sum	\$4,000	Lump Sum	\$8,000
f.	8" PVC Gravity Sewer (SSMH A to SSMH B)	25	L.F.	\$150	\$3,750	\$230	\$5,750	\$175	\$4,375	\$350	\$8,750	\$100	\$2,500	\$216	\$5,400
g.	10" PVC Gravity Sewer (SSMH D to SSMH B)	35	L.F.	\$165	\$5,775	\$240	\$8,400	\$225	\$7,875	\$300	\$10,500	\$130	\$4,550	\$293	\$10,255
h.	10" PVC Gravity Sewer (SSMH B to SSMH C, across Hwy)	74	L.F.	\$185	\$13,690	\$205	\$15,170	\$325	\$24,050	\$325	\$24,050	\$400	\$29,600	\$360	\$26,640
i.	AC Surface & Guardrail Restoration after installation of gravity sewer & force main pipe crossings of Hwy 221, Complete	ALL	L.S.	Lump Sum	\$26,000	Lump Sum	\$44,500	Lump Sum	\$50,000	Lump Sum	\$26,000	Lump Sum	\$53,500	Lump Sum	\$68,000
j.	Bypass Pumping during gravity sewer constr, Complete	ALL	L.S.	Lump Sum	\$4,500	Lump Sum	\$32,500	Lump Sum	\$8,000	Lump Sum	\$24,500	Lump Sum	\$2,000	Lump Sum	\$18,000
k.	10" PVC Overflow Line	32	L.F.	\$120	\$3,840	\$240	\$7,680	\$215	\$6,880	\$265	\$8,480	\$75	\$2,400	\$187	\$5,984
l.	Tideflex Check Valve, new Overflow Pipe, Complete	ALL	L.S.	Lump Sum	\$3,800	Lump Sum	\$3,500	Lump Sum	\$2,750	Lump Sum	\$7,000	Lump Sum	\$3,250	Lump Sum	\$4,000
m.	Plug & abandon temporary connections to existing PS after startup & testing, Complete, incl. MH rechanneling	ALL	L.S.	Lump Sum	\$5,200	Lump Sum	\$4,900	Lump Sum	\$4,250	Lump Sum	\$500	Lump Sum	\$3,300	Lump Sum	\$9,000
5.	<b>Water Service &amp; Appurtenances</b>														
a.	New water service, meter, on-site waterline, backflow device, yard hydrant & appurtenances, complete	ALL	L.S.	Lump Sum	\$14,500	Lump Sum	\$14,650	Lump Sum	\$17,000	Lump Sum	\$13,500	Lump Sum	\$14,200	Lump Sum	\$16,000
6.	<b>Pump Station Wetwell, Valve Vault, Meter Vault &amp; Appurtenances</b>														
a.	Wetwell Excavation, Dewatering & Granular Backfill, Complete	ALL	L.S.	Lump Sum	\$48,000	Lump Sum	\$62,000	Lump Sum	\$55,000	Lump Sum	\$50,000	Lump Sum	\$50,000	Lump Sum	\$27,000
b.	Wetwell Structure, complete (S1.0 - S1.2)														
1)	Wetwell Base Slab & Appurtenances, Complete	ALL	L.S.	Lump Sum	\$8,500	Lump Sum	\$22,700	Lump Sum	\$15,000	Lump Sum	\$15,500	Lump Sum	\$15,000	Lump Sum	\$20,000
2)	Wetwell Barrel Sections, Complete	ALL	L.S.	Lump Sum	\$2,200	Lump Sum	\$21,700	Lump Sum	\$12,000	Lump Sum	\$16,500	Lump Sum	\$5,000	Lump Sum	\$16,000
3)	Wetwell FRP Insert, Grout & Fillets, Complete	ALL	L.S.	Lump Sum	\$6,500	Lump Sum	\$4,300	Lump Sum	\$9,500	Lump Sum	\$13,500	Lump Sum	\$5,000	Lump Sum	\$11,000
4)	Wetwell Top Slab, Hatch/Cable Tray & Appurtenances, Complete	ALL	L.S.	Lump Sum	\$12,500	Lump Sum	\$23,500	Lump Sum	\$7,750	Lump Sum	\$20,000	Lump Sum	\$13,500	Lump Sum	\$30,000
c.	Wetwell Mechanical & Pump Disconnect Panel Stands														
1)	Submersible Sewage Pumps (2 Pumps, 10 HP)	ALL	L.S.	Lump Sum	\$36,000	Lump Sum	\$14,500	Lump Sum	\$40,000	Lump Sum	\$53,500	Lump Sum	\$45,200	Lump Sum	\$44,000
2)	Wetwell Piping & Appurtenances, Complete	ALL	L.S.	Lump Sum	\$18,500	Lump Sum	\$45,500	Lump Sum	\$35,000	Lump Sum	\$35,000	Lump Sum	\$42,700	Lump Sum	\$56,000
3)	Air Gap Stand for Pump Disconnect Panel, Complete	ALL	L.S.	Lump Sum	\$9,800	Lump Sum	\$2,500	Lump Sum	\$7,500	Lump Sum	\$2,600	Lump Sum	\$2,000	Lump Sum	\$5,500
d.	Valve Vault, complete (M1.0 & S1.0)														
1)	Valve Vault structure, Hatch & Accessories, Complete	ALL	L.S.	Lump Sum	\$24,000	Lump Sum	\$32,500	Lump Sum	\$35,000	Lump Sum	\$54,000	Lump Sum	\$33,400	Lump Sum	\$28,000
2)	Valve Vault Piping, Valves & Appurtenances, Complete	ALL	L.S.	Lump Sum	\$23,000	Lump Sum	\$22,500	Lump Sum	\$50,000	Lump Sum	\$31,500	Lump Sum	\$26,000	Lump Sum	\$51,000
e.	Meter Vault, complete (M1.1)														
1)	Meter Vault Structure, Hatch & Accessories, Complete	ALL	L.S.	Lump Sum	\$19,000	Lump Sum	\$32,000	Lump Sum	\$32,000	Lump Sum	\$38,000	Lump Sum	\$24,000	Lump Sum	\$24,000
2)	Meter Vault Piping, Valves & Appurtenances, Complete	ALL	L.S.	Lump Sum	\$13,500	Lump Sum	\$13,350	Lump Sum	\$25,000	Lump Sum	\$16,000	Lump Sum	\$8,550	Lump Sum	\$21,000
f.	PS Site ARV, Complete (FM1.4)														
1)	ARV Manhole & Appurtenances, Complete	ALL	L.S.	Lump Sum	\$6,000	Lump Sum	\$12,200	Lump Sum	\$10,000	Lump Sum	\$20,000	Lump Sum	\$9,350	Lump Sum	\$11,000
2)	Air-Vac Valve Assembly, Piping, Valves, Complete	ALL	L.S.	Lump Sum	\$16,000	Lump Sum	\$13,300	Lump Sum	\$17,500	Lump Sum	\$20,000	Lump Sum	\$29,350	Lump Sum	\$29,000
g.	Emergency Bypass Pump Port MH, Piping, Valve & Appurtenances, Complete	ALL	L.S.	Lump Sum	\$15,000	Lump Sum	\$15,000	Lump Sum	\$12,000	Lump Sum	\$30,000	Lump Sum	\$14,600	Lump Sum	\$26,000

Bid Tabulations

Item No.	Description	Estimated Quantity	Unit	Engineer's Estimate		LAWSON CORP		SAUNDERS		HP CIVIL		R&G		EMERY	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
<b>7. Sewer Force Main Improvements (including excavation, backfill &amp; surface restoration)</b>															
a.	6" Forcemain wye & reducers outside valve vault, Complete	ALL	L.S.	Lump Sum	\$5,500	Lump Sum	\$1,100	Lump Sum	\$7,500	Lump Sum	\$4,000	Lump Sum	\$2,000	Lump Sum	\$17,000
b.	6" DI Force Main (from wye to extg FM connection riser), Complete	153	L.F.	\$190	\$29,070	\$211	\$32,283	\$210	\$32,130	\$175	\$26,775	\$170	\$26,010	\$300	\$45,900
c.	6" Gate Valves on Force Main, Complete	3	Each	\$2,400	\$7,200	\$2,700	\$8,100	\$2,550	\$7,650	\$2,150	\$6,450	\$1,700	\$5,100	\$2,000	\$6,000
d.	Interim Piping Conn @ extg FM on bridge, Complete, including isolation GV (FM1.2)	ALL	L.S.	Lump Sum	\$12,500	Lump Sum	\$1,125	Lump Sum	\$10,000	Lump Sum	\$13,500	Lump Sum	\$8,400	Lump Sum	\$11,000
e.	Final Piping Conn @ extg FM on bridge, Complete (FM1.3)	ALL	L.S.	Lump Sum	\$4,500	Lump Sum	\$288	Lump Sum	\$5,500	Lump Sum	\$5,000	Lump Sum	\$1,200	Lump Sum	\$11,000
f.	Bypass Pumping, etc. during FM connections, Complete	ALL	L.S.	Lump Sum	\$7,500	Lump Sum	\$24,000	Lump Sum	\$22,500	Lump Sum	\$5,000	Lump Sum	\$2,000	Lump Sum	\$20,000
g.	Low Point Drain assembly, Complete	ALL	L.S.	Lump Sum	\$11,000	Lump Sum	\$12,400	Lump Sum	\$10,000	Lump Sum	\$8,500	Lump Sum	\$7,600	Lump Sum	\$23,000
<b>8. Control Building &amp; Generator Slab</b>															
a.	Building Foundation & Floor Slab, Complete	ALL	L.S.	Lump Sum	\$7,500	Lump Sum	\$13,500	Lump Sum	\$12,500	Lump Sum	\$15,000	Lump Sum	\$13,600	Lump Sum	\$12,000
b.	Prefabricated Control Building & Appurtenances, Complete	ALL	L.S.	Lump Sum	\$48,500	Lump Sum	\$185,000	Lump Sum	\$185,000	Lump Sum	\$125,000	Lump Sum	\$195,000	Lump Sum	\$190,000
c.	Generator Slab, Complete	ALL	L.S.	Lump Sum	\$9,500	Lump Sum	\$10,800	Lump Sum	\$11,000	Lump Sum	\$8,000	Lump Sum	\$8,300	Lump Sum	\$10,000
<b>9. Electrical &amp; Controls (bid items below include all electrical/ work associated with project, complete)</b>															
a.	Existing Pump Station Power Service, maintainance during construction & demolition after construction, Complete	ALL	L.S.	Lump Sum	\$4,500	Lump Sum	\$9,300	Lump Sum	\$10,000	Lump Sum	\$4,500	Lump Sum	\$7,777	Lump Sum	\$2,000
b.	New Pump Station Power Service, Complete	ALL	L.S.	Lump Sum	\$34,000	Lump Sum	\$56,000	Lump Sum	\$41,000	Lump Sum	\$25,000	Lump Sum	\$35,000	Lump Sum	\$60,000
c.	Site Electrical & Appurtenances, Complete	ALL	L.S.	Lump Sum	\$16,500	Lump Sum	\$40,000	Lump Sum	\$60,000	Lump Sum	\$72,494	Lump Sum	\$35,000	Lump Sum	\$25,000
d.	Pump Control System, VFDs, Panels & Appurtenances Provided by Pump Manufacturer, including Pump Disconnect Panel, Complete	ALL	L.S.	Lump Sum	\$105,000	Lump Sum	\$44,500	Lump Sum	\$47,000	Lump Sum	\$32,500	Lump Sum	\$12,500	Lump Sum	\$10,000
e.	Telemetry/SCADA System, Complete	ALL	L.S.	Lump Sum	\$21,000	Lump Sum	\$29,500	Lump Sum	\$31,000	Lump Sum	\$37,500	Lump Sum	\$12,500	Lump Sum	\$15,000
f.	Auxilliary Power Generator System, Complete, (including Automatic Transfer Switch)	ALL	L.S.	Lump Sum	\$48,000	Lump Sum	\$74,000	Lump Sum	\$83,000	Lump Sum	\$55,000	Lump Sum	\$65,000	Lump Sum	\$50,000
g.	Flow Meter System, Complete	ALL	L.S.	Lump Sum	\$13,000	Lump Sum	\$20,000	Lump Sum	\$26,000	Lump Sum	\$6,000	Lump Sum	\$17,500	Lump Sum	\$6,000
h.	Coordination with City for SCADA/Telemetry Programming, complete	ALL	L.S.	Lump Sum	\$2,500	Lump Sum	\$9,000	Lump Sum	\$11,000	Lump Sum	\$600	Lump Sum	\$7,500	Lump Sum	\$2,000
i.	Provide Temporary Generator for use during entire period from PS startup until permanent generator installation, testing & acceptance is complete	ALL	L.S.	Lump Sum	\$25,000	Lump Sum	\$17,500	Lump Sum	\$25,000	Lump Sum	\$1,500	Lump Sum	\$6,000	Lump Sum	\$25,000
<b>10. Protection/Decommission/Demolition of Existing Facilities, Complete</b>															
a.	Protect & Maintain extg gravity sewers in service during construction, Complete	ALL	L.S.	Lump Sum	\$2,800	Lump Sum	\$2,500	Lump Sum	\$8,000	Lump Sum	\$2,500	Lump Sum	\$500	Lump Sum	\$2,000
b.	Protect & Maintain extg pump station in service during construction, Complete	ALL	L.S.	Lump Sum	\$4,500	Lump Sum	\$2,500	Lump Sum	\$8,000	Lump Sum	\$2,500	Lump Sum	\$500	Lump Sum	\$2,000
c.	Demolition/Removal of Extg PS Elect/Control Equip.	ALL	L.S.	Lump Sum	\$3,200	Lump Sum	\$10,500	Lump Sum	\$1,750	Lump Sum	\$100	Lump Sum	\$1,000	Lump Sum	\$2,000
d.	Existing Wetwell Structure. Remove top portion, fill & cap structure as specified, Complete	ALL	L.S.	Lump Sum	\$5,500	Lump Sum	\$8,250	Lump Sum	\$14,500	Lump Sum	\$5,000	Lump Sum	\$6,200	Lump Sum	\$15,000
<b>11. Materials Testing</b>															
a.	Concrete Testing	ALL	L.S.	Lump Sum	\$3,400	Lump Sum	\$12,000	Lump Sum	\$1,450	Lump Sum	\$10,000	Lump Sum	\$1,800	Lump Sum	\$3,000
b.	Compaction Testing (Trenches, Excavations, Site Work & Asphalt)	ALL	L.S.	Lump Sum	\$4,800	Lump Sum	\$18,000	Lump Sum	\$6,500	Lump Sum	\$12,000	Lump Sum	\$7,500	Lump Sum	\$6,000
<b>12. Record Drawings, O&amp;M Manuals, etc.</b>															
a.	Record Drawings & Sewer Lateral Table (stip. price)	ALL	L.S.	Lump Sum	\$3,500	Lump Sum	\$3,500	Lump Sum	\$3,500	Lump Sum	\$3,500	Lump Sum	\$3,500	Lump Sum	\$3,500
b.	O&M Manuals (stipulated price)	ALL	L.S.	Lump Sum	\$6,500	Lump Sum	\$6,500	Lump Sum	\$6,500	Lump Sum	\$6,500	Lump Sum	\$6,500	Lump Sum	\$6,500
<b>SCHEDULE A, TOTAL:</b>				<b>\$1,056,075</b>	<b>SCHEDULE A, TOTAL:</b>	<b>\$1,554,896</b>	<b>SCHEDULE A, TOTAL:</b>	<b>\$1,582,160</b>	<b>SCHEDULE A, TOTAL:</b>	<b>\$1,660,999</b>	<b>SCHEDULE A, TOTAL:</b>	<b>\$1,666,207</b>	<b>SCHEDULE A, TOTAL:</b>	<b>\$1,950,479</b>	

Bid Tabulations

Item No.	Description	Estimated Quantity	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
<b>SCHEDULE B</b>															
<b>1. Mobilization, Bonds, Permits and Insurance, etc.</b>															
ALL	L.S.	Lump Sum	\$35,000	Lump Sum	\$10,500	Lump Sum	\$14,225	Lump Sum	\$17,500	Lump Sum	\$8,800	Lump Sum	\$65,000		
<b>2. Sewer Replacement, complete</b>															
a.	Hwy 221 (extg PS to Palmer Ln), MH D to MH 46, complete	ALL	L.S.	Lump Sum	\$155,500	Lump Sum	\$87,000	Lump Sum	\$70,000	Lump Sum	\$120,000	Lump Sum	\$115,400	Lump Sum	\$121,000
b.	Hwy 221 (Palmer Ln to Neck Rd)	ALL	L.S.	Lump Sum	\$50,400	Lump Sum	\$45,000	Lump Sum	\$50,000	Lump Sum	\$52,500	Lump Sum	\$63,400	Lump Sum	\$70,000
<b>3. Record Drawings &amp; Lateral Drawings/Tables (stipulated price)</b>															
ALL	L.S.	Lump Sum	\$2,500	Lump Sum	\$2,500	Lump Sum	\$2,500	Lump Sum	\$2,500	Lump Sum	\$2,500	Lump Sum	\$2,500		
<b>SCHEDULE B, BASE BID TOTAL:</b>				<b>\$243,400</b>	<b>SCHEDULE B, BASE BID TOTAL:</b>	<b>\$145,000</b>	<b>SCHEDULE B, BASE BID TOTAL:</b>	<b>\$136,725</b>	<b>SCHEDULE B, BASE BID TOTAL:</b>	<b>\$192,500</b>	<b>SCHEDULE B, BASE BID TOTAL:</b>	<b>\$190,100</b>	<b>SCHEDULE B, BASE BID TOTAL:</b>	<b>\$258,500</b>	

TOTAL BID \$1,299,475 \$1,699,896 \$1,718,885 \$1,853,499 \$1,856,307 \$2,208,979

% diff from Eng Est 30.8% 32.3% 42.6% 42.9% 70.0%

**To:** Honorable Mayor and City Councilors  
**From:** Rochelle Roaden, City Manager  
**Issue:** Second Reading and Adoption of Ordinance 656 - Text Amendments to the Dayton Land Use Development Code Chapters 1.16, 7.1.2, 7.2.1, and 7.3.1  
**Date:** November 6, 2023

**Goal B:** Create a livable community that is aesthetically pleasing, affordable, inviting and with a vibrant and diverse economy.

**Objective: Update Dayton Municipal Code**

Update Clear Vision Code  
Update Sunset Clause in Land Use Planning Chapter 7

**City Manager Recommendation:** I recommend approving the second reading and adoption of Ordinance 656.

**Potential Motion to Approve the 1st Reading:** "I move to approve the second reading of Ordinance 656 an Ordinance of the Dayton City Council Amending Title 1 (Administration) and Title 7 (Dayton Land Use and Development Code) of the Dayton Municipal Code."

**Potential Motion to Adopt Ordinance 656:** "I move to adopt Ordinance 656 an Ordinance of the Dayton City Council Amending Title 1 (Administration) and Title 7 (Dayton Land Use and Development Code) of the Dayton Municipal Code."

**City Council Options:**

- 1 - Approve the 2<sup>nd</sup> Reading and adoption of Ordinance 656 as recommended.
- 2 - Approve the 2<sup>nd</sup> Reading and adoption of Ordinance 656 with amendments.
- 3 -Take no action and ask staff to do more research and bring further options back to the City Council.

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**ORDINANCE NO. 656  
CITY OF DAYTON, OREGON**

**AN ORDINANCE OF THE DAYTON CITY COUNCIL AMENDING TITLE 1  
(ADMINISTRATION) AND TITLE 7 (DAYTON LAND USE AND DEVELOPMENT  
CODE) OF THE DAYTON MUNICIPAL CODE.**

**WHEREAS**, the Dayton Municipal Code (DMC) is a codification of the general ordinances of Dayton, Oregon, organized by subject matter under Title, of which include Titles 1, and 7; and

**WHEREAS**, in February of 2023, the Dayton City Council recognized the need to initiate a legislative text amendment (LA 2023-01) to amend Title 7, Dayton Land Use and Development Code, at their meeting of February 21, 2023; and

**WHEREAS**, on June 5, 2023, the City Council also recognized a need for initiating other limited code updates to Title 7 to include in LA 2023-01; and

**WHEREAS**, on June 8, 2023, the Planning Commission held a work session to discuss and clarify desired changes to Title 7, Dayton Land Use and Development Code, recognized the need for additional policy neutral changes that included changes to Title 1, and, after this work session, instructed city staff to schedule a public hearing on LA 2023-01; and

**WHEREAS**, on July 6, 2023, public notice for LA 2023-01 was provided to the Department of Land Conservation and Development with a description of all proposed changes; and

**WHEREAS**, on July 28, 2023, public notice for LA 2023-01 was published in the McMinnville News Register with a description of all proposed changes; and

**WHEREAS**, on August 10, 2023, the Dayton Planning Commission conducted the first of two required public hearings for LA 2023-01 at which time interested parties were provided full opportunity to be present and heard; and

**WHEREAS**, on October 2, 2023, the Dayton City Council conducted the second required public hearing for LA 2023-01 at which time interested parties were provided full opportunity to be present and heard on the proposed amendments to the DMC Titles 1 and 7 as amended.

**NOW, THEREFORE, THE CITY OF DAYTON ORDAINS AS FOLLOWS:**

**Section 1.** The City Council of the City of Dayton does hereby adopt the staff report dated September 25, 2023, including the findings of fact and conclusionary findings and supporting documentation contained in the staff report.

**Section 2.** The City Council of the City of Dayton does hereby amend Title 1 and Title 7 of the Dayton Municipal Code as included under "Exhibit A" of this Ordinance.

**Section 3.** This ordinance is effective thirty (30) days after its adoption.

**PASSED AND ADOPTED** by the City Council of the City of Dayton on this \_\_\_\_ day of \_\_\_\_\_, 2023.

Mode of Enactment:

Date of first reading: 10/2/2023 In full \_\_\_\_\_ or by title only X

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:**

\_\_\_\_\_  
Trini Marquez, Mayor

\_\_\_\_\_  
Date of Signing

ATTESTED BY:

\_\_\_\_\_  
Rocio Vargas, City Recorder

\_\_\_\_\_  
Date of Enactment

Attachment: Exhibit A



# City of Dayton

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## STAFF REPORT

### LA 2023-01 PUBLIC HEARING BEFORE CITY COUNCIL

**HEARING DATE:** October 2, 2023

**REPORT DATE:** September 25, 2023

**SUBJECT:** Text amendments to the Dayton Land Use Development Code to add applicability requirements for discontinued uses requiring new Site Development Review approval, update clear vision standards, update expiration dates for land use decisions, add provisions for phased subdivisions, and miscellaneous code cleanup.

**APPROVAL**

**CRITERIA:** Dayton Land Use Development Code, Section 7.3.112.03, A – D.

**EXHIBITS:** A. Notice of Planning Commission Action SDR 05-01/MAJVAR  
05-02

#### I. REQUESTED ACTION

Conduct a public hearing on proposed legislative amendments to Chapters 1.16, 7.1.2, 7.2.1, and 7.3.1 of the Dayton Land Use Development Code (DLUDC), case file LA 2023-01. Options for action on LA 2023-01 include the following:

- A. Adopt the findings in the staff report, move that the City Council adopt LA 2023-01, and direct staff to return this item for reading of a draft Ordinance that reflects this action:
  - 1. As presented / recommended by staff; or
  - 2. As amended by the City Council (indicating desired revisions).
- B. Move that the City Council take no action on LA 2023-01.
- C. Continue the public hearing, preferably to a date/time certain.

#### II. BACKGROUND

City Council updated their Strategic Goals in February 2023, which included updates to the DLUDC involving new code provisions to address situations where new Site Development Review would be required for discontinued uses and updates to standards for clear vision areas. On June 5, 2023, the City Council initiated additional recommendations that include updating expiration dates for land use decisions and incorporating provisions to allow phased subdivisions. Additional background information on each of these categories of amendments is provided below.

### ***Site Development Review for Discontinued Uses***

The proposed amendments would establish certain conditions under which developments with existing Site Development Review approval would be considered discontinued and subject to new Site Development Review for development. The need for this amendment was identified in response to the recent revival of a project from 2005 that was thought to have been abandoned after an extended period of inactivity on the site. The proposed amendments would not affect the status of this project. The amendments will only apply to projects receiving site development approval after the adoption of LA 2023-01. The amendments would allow the Planning Commission to evaluate development in future situations through a new Site Development Review process that considers the current state of the site and neighboring development.

The language proposed in the current draft was informed by language addressing discontinued non-conforming uses found in the Department of Land Conservation and Development's (DLCD) Model Development Code for Small Cities.

### ***Updates to Clear Vision Area Standards***

Clear vision areas are necessary to maintain clear lines of sight at the intersections of streets and driveways so that drivers can safely respond to oncoming traffic. See Exhibit A for ODOT guidelines for determining sight distances. Features such as structures, walls, and fences are restricted in these areas. The current standard places the clear vision triangles at the edge of the public right of way or property lines. This method presents problems for City Staff when trying to determine the location of the triangle in situations where the exact location of the property line or the edge of the right-of-way is not known. Further, current guidance from ODOT on measuring intersection sight distance recommends taking the sight distance measurements from the vehicle travel lane. The draft amendments would position the vision clearance triangle along the edge of the roadway consistent with current practice.

### ***Updates to Land Use Expiration Dates and Phased Subdivisions***

Land use approvals currently expire one year following the effective date of land use approval. Prior to the expiration of the one-year time limit, applicants may request a time extension not to exceed one year. If the project is not completed within this time, the land use approval expires, and the applicant is required to seek a new land use approval to complete the project. This can be an onerous timeline to meet for more complex applications, such as subdivisions, which typically require the design, permitting, and construction of public streets and infrastructure prior to issuance of site development permits and/or final platting.

Adding provisions for phased subdivisions allows a subdivision consisting of multiple phases to be reviewed and receive preliminary approval through a single land use action. Phased subdivisions are typical for large sites. On large sites, they encourage all phases to be planned and permitted together as part of an integrated and cohesive "master plan".

The draft amendments are crafted to be substantially consistent with the most recent version of the DLCD Model Development Code for Small Cities.

### ***Miscellaneous Code Cleanup***

The amendment package includes several policy neutral code changes to correct and clarify existing code references related to property transactions, deck and patio encroachments, and Floodplain Development Permits.

## **III. PROCESS**

Section 7.3.112 of the DLUDC requires text amendments to be approved through a Type IV review procedure as specified in Section 7.3.2.

On June 8, 2023, the Planning Commission held a work session to discuss and clarify desired changes, prior to passing a motion scheduling a public hearing.



On July 6, 2023, staff issued the required 35-day notice to the Department of Land Conservation and Development. On July 28th, 2023, written notice of the hearing before the Planning Commission was published in the McMinnville News Register which was not less than 10 days prior to the date of the hearing before the Planning Commission. On September 22, 2023, written notice of the hearing before the City Council was published in the McMinnville News Register which was not less than 10 days prior to the date of the hearing before the City Council.

### ***Public Comments Received***

The Planning Commission received oral testimony in opposition to the amendments to DLUDC 7.3.106.02 that would make Site Development Review applicable to approved developments that are discontinued or abandoned as defined under the proposed amendments. The testimony was provided by representatives of property owners of 16205 SE Kreder Road out of concern the amendments would require the owners to submit a new Site Development Review application to permit existing development on the site that was previously approved in 2005 under SDR 05-01/MAJVAR 05-02 (Exhibit B). The testifier raised ORS 227.178(3)(a) which states that approval or denial of an application shall be based on the standards and criteria that were applicable at the time the application was first submitted. Staff generally concurs that ORS 227.178(3)(a) does apply to the 2005 decision, and that the amendments to DLUDC 7.3.106.02 will only apply to approvals after the date the enacting ordinance is adopted. Staff observe that Condition A of SDR 05-01/MAJVAR 05-02 requires a site development review application for expansion of the development or any other additional improvements to the site.

## **IV. SUMMARY OF PROPOSED AMENDMENTS**

The following lists the proposed amendments to the applicable sections of the DLUDC in the order they appear in the Code followed by bullet points summarizing the changes proposed.

### 1.16. Real Property Transactions

- Update code reference for property transactions that the City Manager is authorized to negotiate and approve on behalf of the City.

#### 7.1.200.03 Definitions

- Add definition for “discontinued use”.
- Add definition for “edge of roadway”.
- Add definition for “roadway”.

### 7.2.1 Land Use Zoning

#### 7.2.102.05 Single Family Residential (R-1)

- Insert existing references to side yard projection standards for decks and patios.

#### 7.2.103.05 Limited Density Residential (R-2)

- Insert existing references to side yard projection standards for decks and patios.

#### 7.2.104.05 Medium Density Residential (R-3)

- Insert existing references to side yard projection standards for decks and patios.

#### 7.2.105.05 Commercial Residential

- Insert existing references to side yard projection standards for decks and patios.

#### 7.2.113.05 Uses – Permitted And Subject to Flood Plain Development Permit

- Update Various Code References

7.2.203.02

- Update references to side yard projection standards for decks and patios.

7.2.308.08 Clear Vision Area

- Change “street right of way” to “edge of roadway” for all sections affecting the measurement of the clear vision area triangle along public streets.
- Increase the required dimension of street side portion of the clear vision area from 30 to 35 feet to accommodate the repositioning of the triangle along the roadway.
- Add an illustrative diagram depicting the clear vision area standards.

7.3.1 Application Requirements and Review Procedures

7.3.102.05 Time Limit

- Change the effective period for land use approvals from one year to two years.

7.3.106 Site Development Review

- Add a new subsection 7.3.106.02.B that includes conditions under which new a Site Development Review application is required to permit a discontinued use.

7.3.109 Subdivisions and Planned Unit Developments

- Add submittal requirements for phased subdivisions.
- Change the time limit on preliminary subdivision approvals from one year to two years.
- Add approval criteria for phased subdivisions.
- Add time limits for preliminary approvals for phased subdivisions of two years for the first phase and four years for all subsequent phases.

**V. FINDINGS AND APPROVAL CRITERIA**

7.3.112.01 Process

*Amendments to the Comprehensive Plan and Development Code texts shall be reviewed in accordance with the Type IV review procedures specified in Section 7.3.201.*

7.3.112.03 Criteria for Approval

*Amendments to the Comprehensive Plan or Development Code text shall be approved if the evidence can substantiate the following:*

- A. *Impact of the proposed amendment on land use and development patterns within the city, as measured by:*
  1. *Traffic generation and circulation patterns;*

**Findings:** The proposed amendments to the applicability requirements under Section 7.3.106 will not have any direct impact on traffic and circulations patterns. However, when a discontinued use is subject to a new Site Development Review procedure, the application will be required to address current traffic generation and circulation patterns. Through the Site Development Review process, the decision-making body will have the opportunity to apply new conditions, should they be necessary to mitigate any impact to the current offsite circulation patterns. The proposal may result in some potential benefits for traffic generation and circulation patterns for this reason. This criterion is met.

The updated standards for clear vision areas have the potential to positively impact traffic circulation. The proposed amendments aim to align section 7.2.308.08 with current ODOT guidance, ensuring the protection of sight distance areas at intersections and enabling all road users to make safe turning movements, thereby resulting in safer traffic circulation for all modes of travel. Additionally, these changes will enhance the ease with which City Staff can determine the appropriate location of the clear vision triangle, thereby ensuring consistent application of clear vision areas at intersections throughout the city. This criterion is met.

The proposed changes to the expiration dates and the implementation of provisions for phased subdivisions will not directly impact traffic generation and circulation patterns. However, there may be some ancillary benefits to allowing applicants more time to construct street improvements. This criterion is met.

2. *Demand for public facilities and services;*

**Findings:** The proposed amendments will not have any impact on demand for public facilities because the amendments do not involve any changes to code criteria or standards that regulate demand for city services such as streets, sewers, or water. Any demand for City services generated by the development affected by the amendments will not change.

3. *Level of park and recreation facilities;*

**Findings:** The level of park and recreation facilities is typically determined by population increases resulting from the development of new housing. The amendments do not involve density or locational requirements that would affect the level of park or recreation facilities needed to accommodate future population growth. This criterion is met.

4. *Economic activities;*

**Findings:** The proposed amendments will not have any direct impact on economic activities but may result in some ancillary benefits to economic activity. The new provisions for phased subdivisions could encourage faster home construction on lots in the first phases of a subdivision resulting in increased economic activity. This criterion is met.

5. *Protection and use of natural resources;*

**Findings:** The proposed amendments will not have any direct impact on the use of natural resources

6. *Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvements.*

**Findings:** The proposed amendments will not have any effect on any special plans or programs. The new expiration dates for land use approvals may have positive effects on public facility improvements because they will allow more time to design, permit and construct improvements when they are required as a condition of approval of a land use decision.

B. *A demonstrated need exists for the product of the proposed amendment.*

**Findings:** The demonstrated needs for the proposed amendments are as follows:

***New Site Development Review for Discontinued Uses***

The need for this amendment was identified in response to the recent revival of a 2005 Site Development Review that was thought to have been discontinued after an extended period of inactivity. Site conditions and neighboring development have changed over the past 18 years and the amendments would allow Planning Commission to evaluate development such as this through a new Site Development Review process that would consider the current state of the site and neighboring development.

### *Updates to Clear Vision Area Standards*

Clear vision areas are necessary to maintain clear lines of sight at the intersections of streets and driveways so that drivers can safely respond to oncoming traffic. Features such as structures, walls, and fences are restricted in these areas. The current standard places the clear vision triangles at the edge of the public right of way or property lines. This method presents problems for City Staff when trying to determine the location of the triangle in situations where the exact location of the property line or the edge of the right-of-way is not known. Further, current guidance from the Oregon Department of Transportation on measuring intersection sight distance recommends taking the sight distance measurement from the vehicle travel lane. The draft amendments would position the vision clearance triangle along the edge of the roadway consistent with current practice.

### *Updates to Land Use Expiration Dates and Phased Subdivisions*

Land use approvals currently expire one year following the date of final approval. Prior to the expiration of the one-year time limit, applicants may request a time extension not to exceed one year. If the project is not completed within this time, the land use approval expires, and the applicant is required to seek a new land use approval to complete the project. This can be an onerous timeline to meet for more complex applications, such as subdivisions, which typically require the design, permitting, and construction of public streets and infrastructure prior to issuance of site development permits and/or final platting. Adding provisions for phased subdivisions will allow a subdivision to be platted in phases after receiving preliminary approval. This will streamline the preliminary review process for larger subdivisions and promote more thoughtful and integrated long-term planning for larger sites.

This criterion is met.

- C. *The proposed amendment complies with all applicable Statewide Planning Goals and administrative rule requirements.*

The applicable Statewide Planning Goals are satisfied as follows:

#### *Goal 1. Citizen Involvement.*

**Findings:** A public hearing on the proposed amendments was held before the Planning Commission on August 10, 2023, at City Hall at 6:30 p.m. and a second public hearing is scheduled before City Council on October 2, 2023. Public notice has been provided in accordance with noticing requirements in the Dayton Land Use and Development Code for legislative public hearings by the Planning Commission and the City Council. Goal 1 is met.

#### *Goal 2. Land Use Planning.*

**Findings:** Goal 2 requires each local government in Oregon to have and follow a comprehensive land use plan and implementing regulations. These are in place. The scope of this legislative proposal is limited and does not involve any amendments to the Comprehensive Plan policies. Existing Comprehensive Plan land use map designations and zoning designations remain unchanged. This amendment proposal does not add, subtract or modify the uses allowed outright or conditionally in existing zones. The proposal does not involve exceptions to the Statewide Goals. Staff therefore finds Goal 2 is met.

#### *Goal 3 & 4. Agricultural Lands and Forest Lands*

**Findings:** Goal 3 and 4 primarily pertain to rural areas, typically outside urban areas. Staff finds Goals 3 and 4 to be not applicable due to the limited scope of the proposed text amendments.

#### *Goal 5. Natural Resources, Scenic and Historic Areas, and Open Spaces.*

**Findings:** Staff observe how the proposed amendments do not impact natural resources or open spaces. Staff incorporate the scope of work description above in response to Goal 2. This amendment proposal does not add, subtract, or modify the list / description of historic resources identified to the Historical Property Overlay Zone. Goal 5 does not apply.

*Goal 6. Air, Water and Land Resources Quality.*

**Findings:** The proposal does not address Goal 6 resources. Based on the limited scope of proposed text amendments, staff finds Goal 6 to be not applicable.

*Goal 7. Areas Subject to Natural Hazards.*

**Findings:** The proposal does not address Goal 7 resources. Based on the limited scope of the proposed text amendments, staff finds Goal 7 to be not applicable.

*Goal 8. Recreation Needs.*

**Findings:** The proposal does not address Goal 8 resources. Based on the limited scope of work included in this report staff finds Goal 8 to be not applicable.

*Goal 9. Economic Development.*

**Findings:** Proposed amendments do not change the permitted uses in the commercial and industrial zones. Proposed changes to the DLUDC do not impact identified future employment areas identified through past Economic Opportunities Analysis. Accordingly, Goal 9 does not apply.

*Goal 10. Housing.*

**Findings:** The proposed amendments advance Goal 10 by streamlining the preliminary plat approval process of larger subdivisions. Allowing multiple subdivision phases to be approved under a single procedure will eliminate the need to secure individual approvals for each phase. These amendments will likely facilitate faster construction of homes in the earlier phases of a subdivision, which will advance statewide targets for housing production on residential land designated in the Comprehensive Plan. Extending the expiration dates will have benefits for multifamily projects by reducing the occurrence of extension requests and expirations. All the proposed amendments are consistent with the implementation guidelines under Goal 10. Goal 10 is met.

*Goal 11. Public Facilities and Services.*

**Findings:** Public facilities under Goal 11 include water, sanitary sewer, police and fire protection. Other services (e.g., health, communication services) are also listed in Goal 11. The proposed amendments do not have any direct impact on any of the master planning documents required under Goal 11. However, the proposed amendments to the expiration dates for land use approvals will advance Goal 11 by providing more time to design, and construct public facilities included in those plans when they are required to be constructed as conditions of approval for subdivisions and other land use decisions. The proposed amendments are consistent with Goal 11.

*Goal 12. Transportation.*

**Findings:** The amendments to the standards for clear vision areas will encourage a safe convenient and economic transportation system under Goal 12 by preserving safe sight distance at intersections. The proposed amendments to the DLUDC are found to comply with Oregon Administrative Rule (OAR) 660-012, commonly referred to as the Transportation Planning Rule, as there are no proposed changes or amendments to local transportation requirements or road classifications. Goal 12 is met.

*Goal 13. Energy Conservation.*

**Findings:** Based on the limited scope of work described in this report, staff finds Goal 13 to be not applicable.

*Goal 14. Urbanization.*

**Findings:** Based on the limited scope of the text amendments described in this report, staff finds Goal 14 to be not applicable. No change to the existing Urban Growth Boundary (UGB) is proposed.

*Goal 15 for the Willamette River Greenway and Goals 16 – 19 for the Coastal Goals.*

**Findings:** Staff observe Goals 15 through 19 to apply only to specific regions of the state (*Willamette River Greenway, Estuarine Resources, Coastal Shorelands, Beaches and Dunes, Ocean Resources*). Goals 15 – 19 do not apply because the city is not on the Willamette River or in a coastal area.

The proposed amendments are consistent with the applicable Statewide Planning Goals. This criterion is met.

*D. The amendment is appropriate as measured by at least one of the following criteria:*

- 1. It corrects identified error(s) in the provisions of the plan.*
- 2. It represents a logical implementation of the plan.*
- 3. It is mandated by changes in federal, state, or local law.*
- 4. It is otherwise deemed by the council to be desirable, appropriate, and proper.*

**Findings:** The proposed amendments meet the criterion D.4 for the following reasons:

The changes to the applicability standards for Site Development Review (SDR) are desirable, appropriate, and proper because they would allow Planning Commission to evaluate discontinued uses in the context of current site conditions through a new Site Development Review application that responds to current site conditions.

The updates to the clear vision areas are desirable, appropriate, and proper to maintain clear lines of sight at the intersections of streets and driveways so that drivers can safely respond to oncoming traffic.

The updates to the expiration period for land use approvals are desirable, appropriate, and proper to allow applicants reasonable time to meet conditions of approval such as the design, permitting, and construction, of public streets and infrastructure prior to issuance of site development permits and/or final platting.

The provisions for phased subdivisions are desirable, appropriate, and proper to allow multiple phases of a subdivision to seek preliminary approval with a single land use approval procedure.

These criteria are met.

## **VI. PROPOSED AMENDMENTS – MARK-UP VERSION**

The following mark-ups show the current language in the above referenced sections in Times New Roman font. The proposed amendments are shown in ~~strikeout~~ for language proposed to be deleted and in ***bold italics*** for language proposed to be added.

### 1.16. Real Property Transactions

1.16.01 Council Approval

Council approval is required for all real property transactions except as described in DC 1-13-01 **1.16.02**.

...

7.1.200 Definitions

7.1.200.01 General Provisions

General and Specific Terms. The definitions contained in this Section include those that are applicable to the entire Code (general), and those terms that apply to specific Sections (specific). Terms used in specific Sections are identified as follows:

***Discontinued Use: A use that physically left the land it was on, a permitted use that ceased, or a use terminated at the end of a lease or contract.***

***Edge of Roadway: The portion of the roadway being along the current curb line for existing curbed streets, and along the future curb line for existing turnpike streets.***

***Roadway: The portion of a right-of-way that is improved for motor vehicle and bicycle travel, subject to applicable state motor vehicle licensing requirements. Roadway includes vehicle travel lanes and on-street parking areas. Roadway does not include area devoted to curbs, parking strips, or sidewalks.***

...

7.2.1 Land Use Zoning

...

7.2.102 Single Family Residential – (R-1)

...

7.2.102.05 Dimensional Standards

...

B. Minimum Yard Setback Requirements

1. The garage setback shall be measured from the property line or the edge of a private access easement. The length of the driveway shall be determined by measuring along the centerline of the driveway.
2. ***See Sections 7.2.308.06.C and 7.2.308.07.E for standards that apply to decks and patios.***

7.2.103 Limited Density Residential – (R-2)

...

7.2.103.05 Dimensional Standards

...

B. Minimum Yard Setback Requirements

1. The garage setback shall be measured from the property line or the edge of a private access easement. The length of the driveway shall be determined by measuring along the centerline of the driveway.
5. ***See Sections 7.2.308.06.C and 7.2.308.07.E for standards that apply to decks and patios.***

...

7.2.104 Medium Density Residential – (R-3)

...

7.2.104.05 Dimensional Standards

...

B. Minimum Yard Setback Requirements

- 1. The garage setback shall be measured from the property line or the edge of a private access easement. The length of the driveway shall be determined by measuring along the centerline of the driveway.

...

- 4. *See Sections 7.2.308.06.C and 7.2.308.07.E for standards that apply to decks and patios.*

...

7.2.105 Commercial Residential

...

7.2.105.05 Dimensional Standards

...

B. Minimum Yard Setback Requirements

- 1. *See Sections 7.2.308.06.C and 7.2.308.07.E for standards that apply to decks and patios.*

...

7.2.113 Flood Plain Overlay District (FPO)

...

7.2.113.05 Uses - Permitted And Subject To Flood Plain Development Permit

If otherwise allowed in the zone, dwellings, a manufactured home on a lot, a manufactured home in a manufactured home park, and other structures that involve a building permit such as commercial and industrial uses, including the placement of fill to elevate a structure or site grading to prepare a site for development, may be allowed subject to a written determination (flood plain development permit) that the following requirements are met:

- A. The structure is not located within a floodway. (See 7.2.113.07 L. ~~6~~) The required elevation to which the lowest floor of the structure must be elevated can be determined from the Flood Insurance Study.
- B. The structures will be located on natural grade or compacted fill.
- C. The lowest floor will be elevated to at least one (1) foot above the level of the base flood elevation and the anchoring requirements in Section ~~2.108.07 D~~ **7.2.113.07.F**.
- D. The Building Official has determined that any construction and substantial improvements below base flood level meet the requirements of Sections ~~2.110.07~~ **7.2.113.07.A.4**.
- E. The building permit specifies the required elevation of the lowest floor, any anchoring requirements and requires provision of certification under Section ~~2.110.07 D,3~~ **7.2.113.03.C**, prior to occupancy.



- F. A certificate signed by a licensed surveyor or civil engineer certifying that the lowest floor, including basement, is at or above the specific minimum is submitted to the Zoning Manager prior to use of the structure.
- G. No alteration of topography beyond the perimeter of the structure is proposed.
- H. A recreational vehicle may be located in a flood plain only during the non-flood season (June 1 through September 30), provided it is fully licensed and ready for highway use, or meet the requirements for manufactured homes. A recreation vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

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### 7.2.3 General Development Standards

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#### 7.2.308 Yard And Lot Standards

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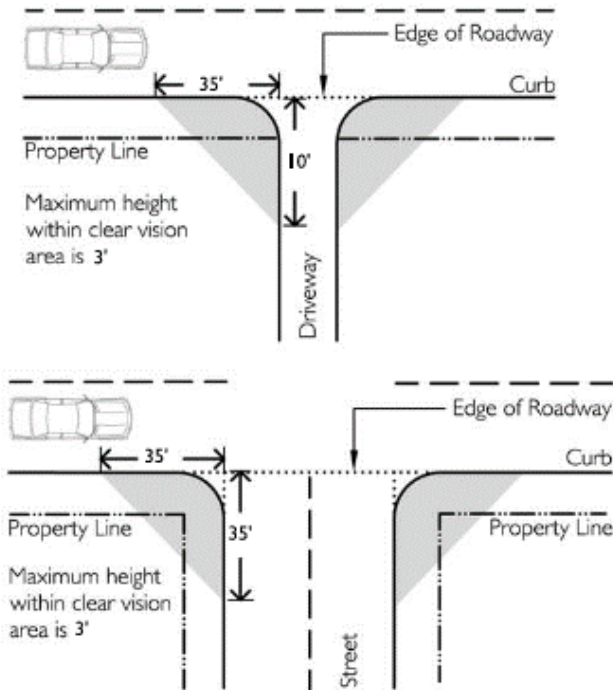
##### 7.2.308.08 Clear Vision Area

A clear vision area shall be maintained where streets and private points of access intersect. The clear vision area shall conform with the following:

- A. Measurement. A clear vision area at an intersection shall be the triangular area established according to the following procedure:
  1. A line extending a certain number of feet from the intersection along ~~a~~ ***the edge of the roadway*** of a public street ~~right-of-way~~;
  2. A line extending a certain number of feet from the intersection along the intersecting access;
  3. A third line that creates the triangular clear vision area by connecting the ends of the lines described in 1, and 2, above.
- B. Street-Driveway. The clear vision area for a street-driveway intersection shall be 10 feet along the driveway from its intersection with the ~~street right-of-way~~ ***edge of the roadway*** and 3035 feet along the ~~street right-of-way~~ ***edge of the roadway*** at the point of intersection with the driveway.
- C. Street-Alley. The clear vision area for street-alley intersections shall be 10 feet along the alley from its intersection with the ~~street right-of-way~~ ***edge of the roadway*** and 3035 feet along the ~~right-of-way~~ ***edge of the roadway*** at the point of intersection with the alley.
- D. Street-Private Access Driveway. The clear vision area for street-access easement intersections shall be 10 feet along the access easement from its intersection with the ~~street right-of-way~~ ***edge of the roadway*** and 3035 feet along the ~~street right-of-way~~ ***edge of the roadway*** at the point of intersection with the access easement.
- E. Corner Lots. The clear vision area for corner lots shall be 2035 feet along the ~~right-of-way~~ ***edge of the roadway*** of each intersecting street.
- F. Prohibited Development. A clear vision area shall contain no planting, fence, wall, structure, or temporary or permanent obstruction exceeding 36 inches in height, measured from the top of the curb or, where no curb exist, from the established street centerline grade, except that the following may be allowed in the clear vision area:

1. Trees, provided all branches and foliage are removed to a height of eight feet above grade;
2. Telephone, power, and cable television poles; and
3. Telephone switch boxes provided they are less than ten inches wide at the widest dimension.

**Figure 7.2.308.08 Vision Clearance Areas**



...

### 7.3.1 Application Requirements

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#### 7.3.102 General Provisions

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##### 7.3.102.05 Time Limit

Approvals shall be effective for a period of ~~one~~ **two** years from the date of final approval.

...

##### 7.3.106.02 Applicability of Provisions

A. Applicability. Site Development Review shall be applicable to all new developments and major remodeling, except:

1. Single-family detached dwellings and Accessory Dwelling Units (ADUs);
2. A duplex; or

3. Any commercial, industrial or public facility expansion or remodel that does not exceed 25 percent of the total square footage of the structure existing at the time of the adoption of this Code and/or does not expand the activity/business area on the subject property beyond 25 percent (i.e., outdoor uses). (Updated by ORD 594, adopted 2/1/10 & enacted 3/2/10)
4. Wireless Communication Facilities for properties within a Public (P) zone district. Added ORD 608 effective 10/6/11.

***B. When the discontinuation or abandonment of a previously approved use requires new site development review. If use of a property subject to a previous site development review approval is discontinued for any reason other than fire or other catastrophe beyond the owner's control for a period of more than two years, it shall be deemed abandoned and shall no longer be an approved use. For purposes of calculating the two-year period, a use is considered discontinued when:***

- 1. The use of land is physically vacated;***
- 2. The use ceases to be actively involved in the sale of merchandise or the provision of services; for example, as evidenced by the removal of signs, goods, stock, or office equipment, or the disconnection of telephone or utility service;***
- 3. Any lease or contract under which the development has occupied the land is terminated;***
- 4. A request for final reading of water and power meters is made to the applicable utility districts;***
- 5. The owner's utility bill or property tax bill account became delinquent; or***
- 6. An event occurs similar to those listed in subsections 1-5, above, as determined by the City Manager.***

***B.C. Underlying Zone.*** All of the provisions and regulations of the underlying zone shall apply unless modified by other Sections of this Code.

...

### 7.3.109.02 Submittal Requirements

Submittal Material. The following submittal requirements shall apply to all Preliminary Plan applications for subdivisions and planned unit developments.

- A. All applications shall be submitted on forms provided by the City along with the appropriate fee. It shall be the applicant's responsibility to submit a complete application which addresses the review criteria of this Section. Notice shall be subject to the provisions in Section 7.3.204.
- B. Applicants for subdivisions shall submit the following:
  1. Appropriate identification stating the drawing is a preliminary plat.
  2. North point, scale and date.
  3. Name and addresses of land owner, applicant, engineer, surveyor, planner, architect or other individuals responsible for the plan.
  4. Map number and tax lot or tax account number of subject property.
  5. The boundary lines and approximate area of the subject property.
  6. Dimensions and size in square feet or acres of all proposed parcels.

7. The approximate location of existing streets, bikeways, pedestrian facilities, public or private, easements or right-of-ways adjacent to, or within, the subject property, and existing improvements on the property. (*Amended by Ordinance 589 – Effective 4/2/09*)
8. The location of any flood boundary.
9. The name, address and phone number of the applicant engineer, land surveyor, or person preparing the application.
10. Name of the subdivision.
11. Date the drawing was made.
12. Vicinity sketch showing location of the proposed land division.
13. Identification of each lot by number.
14. Gross acreage of property being subdivided or partitioned.
15. Direction of drainage and approximate grade of abutting streets.
16. Streets proposed and their names, approximate grade, and radius of curves.
17. Any other legal access to the subdivision, partition other than a public street.
18. Contour lines at two-foot intervals if 10% slope or less, five-foot intervals if exceeding 10% slope, and a statement of the source of contour information.
19. All areas to be offered for public dedication.

***C. Applicants for a phased subdivision shall submit the items required in subsection “B.” above as well as the following additional items:***

- 1. The tentative boundaries of each phase;***
- 2. The sequencing of the phases;***
- 3. The tentative configuration of lots in each phase; and***
- 4. A plan for the construction of all required city infrastructure in each phase.***

***C.D.*** Applicants for a planned unit development shall submit the material required in item “B.” above as well as the following additional material:

5. Proposed uses of the property, including sites, if any, for attached dwelling units, recreational facilities, parks and playgrounds or other public or semi-public uses, with the purpose, condition and limitations of such reservations clearly indicated.
6. The approximate location and dimensions of all commercial or multi-family structures proposed to be located on the site.
7. Statement of improvements to be made or installed including streets, sidewalks, bikeways, trails, lighting, tree planting, landscaping, and time such improvements are to be made or completed.
8. Written statement outlining proposals for ownership and maintenance of all open space areas, private streets and any commonly owned facilities.

### 7.3.109.03 Review Procedures

- A. Planning Commission. All Preliminary Plans for subdivisions and PUDs shall be heard by the Planning Commission pursuant to the requirements for a Type II procedure as set forth in Section 7.3.202.
- B. Time Limit. Approvals of any preliminary plans for a subdivision *or* PUD shall be valid for ~~one~~ **two** years after the date of the written decision. A Final Plat for a Final Plan for a subdivision shall be recorded within this time period.
- C. ***For a phased subdivision, the Final Plat for the first phase of the subdivision shall be recorded not more than two years after the date of the written decision. Final Plats for all subsequent phases shall be recorded not more than four years after the date of the written decision.***

~~C.D.~~ Re-application Required. Failure to record a plat within the required time period shall void the approval and require a new application before the Planning Commission. The applicant will be subject to all applicable standards currently in effect.

7.3.109.04 Review Criteria

Approval of a subdivision, ***phased subdivision***, or PUD shall require compliance with the following:

- A. Each lot shall satisfy the dimensional standards and density standard of the applicable zoning district, unless a variance from these standards is approved or the development standards permit a modification of these requirements.
- B. Adequate public facilities shall be available to serve the existing and newly created parcels.
- C. The proposal shall comply with the applicable development standards in Section 7.2.307 (Land Divisions), or Section 7.2.311 (Planned Unit Developments).
- D. ***Phased Subdivision. The Planning Commission may approve plans for phasing a subdivision, and changes to approved phasing plans, provided the applicant's proposal meets all of the following criteria:***
  - 1. ***Public facilities shall be constructed in conjunction with or prior to each phase;***
  - 2. ***Each phase is substantially and functionally self-contained and self-sustaining with regard to required public improvements***
  - 3. ***The phased development shall not result in requiring the City or a third party (e.g., owners of lots) to construct public facilities that are required as part of the approved development proposal;***
  - 4. ***The proposed phasing schedule shall be reviewed with the preliminary subdivision plat application; and***
  - 5. ***Planning Commission approval is required for modifications to phasing plans.***

7.3.109.05 Form of Final Subdivision Plat

The final plat shall conform to the requirements in ORS Chapter 92 and applicable County surveying requirements.

7.3.109.06 Final Plat Review Of Subdivisions

- A. Final Review. The final subdivision or PUD plat shall be submitted to the City staff for review. Staff shall review the plat to assure compliance with the approved preliminary plat and with the conditions of approval. The City Manager shall signify staff approval of the final plat by signing the document. *Amended ORD 608 effective 10/6/11*
- B. Recording of Approved Plat. No building permit shall be issued, or parcel sold, transferred or assigned until the final approved Plat has been recorded with the County Recorder. The applicant shall be responsible for all recording fees.
- C. Improvements/Bonding. Prior to issuance of an occupancy permit, all improvements required by the conditions of approval shall be constructed or the construction shall be guaranteed through a performance bond or other instrument acceptable to the City Attorney.

**VII. PROCESS AND STAFF RECOMMENDATION**

Section 7.3.112.01 of the DLUDC requires text amendments to be approved through a Type IV review procedure as specified in Section 7.3.2. Staff recommends the City Council pass a motion adopting the staff report and recommending the City Council direct staff to return this item for reading of the draft Ordinance.

**VIII. CITY COUNCIL ACTION – Sample Motion**

A City Councilor may make a motion to either:

- 1. Adopt the findings in the staff report, move that the City Council adopt LA 2023-01, and direct staff to return this item for reading of a draft Ordinance. A sample motion is:  
*I move the City Council adopt the staff report and recommend the City Council approve the amendments as presented by staff and recommended by the Planning Commission.*
- 2. Adopt a revised staff report with changes by the City Council and recommend the City Council approve the revised amendments. A sample motion is:  
*I move the City Council adopt a revised staff report with the following revisions (state the revision) and recommend the City Council approve the revised amendments.*
- 3. Recommend the City Council deny the proposed amendments. A sample motion is:  
*I move the City Council deny the proposed amendments for the following reasons...and state the reasons for the denial.*
- 4. Continue the hearing to a date/time certain. A sample motion is:  
*I move the City Council to continue the hearing to a date (state the date) and time (state the time) to obtain additional information, and state the information to be obtained.*

*Staff Report prepared by Curt Fisher, AICP, City Planner*

# City of Dayton

*In the Heart of Oregon's Garden Spot*

Post Office Box 339  
Dayton, Oregon 97114-0039  
Phone: (503) 864-2221  
Fax: (503) 864-2956



Historic Fort Yamhill

**NOTICE OF PLANNING COMMISSION ACTION**  
**Site Development Review Case No. 05-01/Major Variance Case No. 05-02**  
June 20, 2005

I. BACKGROUND

- A. APPLICANTS: Don Angell.
- B. PARCEL LOCATION: The property is located at the juncture of Highway 18 and Kreder Road. There is no property address and the County Assessor places the property within Township 4 South; Range 3 West; Section 16; Tax Lot 200.
- C. PARCEL SIZE: Approximately 50 acres, of which approximately 31 acres are located within the City of Dayton.
- D. EXISTING DEVELOPMENT: The property contains an outdoor storage facility for recreational vehicles and has access to a public street. Public water and sewer are available to serve the site.
- E. ZONING: That portion of the site located within the City is zoned Industrial (I).
- F. REQUEST: The applicants are requesting approval of a Site Design Review to establish the recreational vehicle storage facility and a Major Variance to eliminate the paving requirement for access and storage.
- G. DECISION CRITERIA: Dayton Land Use and Development Code; Section 7.3.106 (Site Development Review) and Section Sections 7.3.108 (Major Variance).
- H. PLANNING COMMISSION HEARING DATE: June 11, 2005.

II. DECISION

The Planning Commission found the submitted Site Development Review and Major Variance applications complied with the applicable decision criteria and APPROVED the request subject to the following Conditions of Approval:

*NOTICE OF PLANNING COMMISSION DECISION*  
*Site Design Review Case No. 05-01/Major Variance Case No. 05-02*  
*Don Angell*

- A. The storage facility shall be limited to the identified 6.2 acre site. Any expansion of the property or establishment of other improvements shall require, at a minimum, a new site development review application.
- B. Compliance with the Conditions of Approval shall be the sole responsibility of the applicant.

III. OTHER PERMITS AND RESTRICTIONS

The Applicant is herein advised that the use of the property involved in this application may require additional permits from the City or other local, State or Federal agencies.

The City of Dayton land use and review and approval process does not take the place of, or relieve the Applicant of responsibility for acquiring such other permits, or satisfy any restrictions or conditions thereon. The land use permit approval herein does not remove, alter or impair in any way any covenants or restrictions imposed on this property by deed or other instrument.

IV. APPEALS

This action will be official in 15 days, unless appealed within that time. Appeal is to the City Council and must be submitted at City Hall by:

5:00 PM, July 15 2005

Should you wish to appeal this action, or have any questions or comments regarding this project, please contact City Hall for information on how to proceed.

Sincerely,

Debra Lien                      6/30/05  
Debra Lien, Asst. City Recorder                      Date



**BEFORE THE DAYTON PLANNING COMMISSION**  
**Site Development Review Case No. 05-01/Major Variance Case No. 05-02**

In the Matter of the	)	
	)	
Application of	)	1. Site Development Review
	)	2. Major Variance
Don Angell	)	

**ORDER**

**I. NATURE OF THE APPLICATION**

This matter comes before the Dayton Planning Commission on the application of the Don Angell for a Site Design Review to establish the recreational vehicle storage facility and a Major Variance to eliminate the paving requirement for access and storage on Industrial (I) zoned property.

**II. GENERAL INFORMATION**

**A. Location and Zoning**

The property is located at the juncture of Highway 18 and Kreder Road. There is no property address and the County Assessor places the property within Township 4 South; Range 3 West; Section 16; Tax Lot 200. The property is zoned Industrial (I).

**B. Existing Development**

The property contains approximately 50 acres, of which approximately 31 acres are located within the City of Dayton. This land within the City limits contains an outdoor storage facility for recreational vehicles and has access to a public street. Public water and sewer are available to serve the site.

**C. Surrounding Zoning and Development**

Oregon Highway 18 borders the property to the north and Kreder Road to the south. To the west is a recreational vehicle park on Commercial (C) zoned property and the Dayton Wastewater Treatment Facility of Public (P) zoned property. Property to the north of Highway 18 and south of Kreder Road is located within Yamhill County.

D. Background Information

The applicants are requesting approval of a Site Design Review to establish the recreational vehicle storage facility and a Major Variance to eliminate the paving requirement for access and storage.

III. PUBLIC HEARING

A. Planning Commission Action

A public hearing was duly held on this application before the Dayton Planning Commission on June 11, 2005. At the hearing, Site Development Review Case No. 05-01/Major Variance Case No. 05-02 was made a part of the record. Notice of the hearing was sent to adjacent property owners. No ex parte contacts were declared and no objection was raised as to jurisdiction, conflicts of interest, bias, notice, evidence or testimony presented at the hearing.

At the conclusion of the hearing, the Planning Commission deliberated on the issue and approved the application. The Commission found the proposal to be consistent with the decision criteria in the Dayton Land Use and Development Code and directed staff to prepare an Order for the Chair's signature.

B. City Council Action

The decision of the Planning Commission is final unless an appeal is filed pursuant to the provisions in the Dayton Land Use and Development Code. The appeal would be heard by the Dayton City Council.

IV. FINDINGS OF FACT-GENERAL

The Dayton Planning Commission, after careful consideration of the testimony and evidence in the record, adopts the following general Findings of Fact:

- A. The applicant is Don Angell.
- B. The property is located at the juncture of Highway 18 and Kreder Road. There is no property address and the County Assessor places the property within Township 4 South; Range 3 West; Section 16; Tax Lot 200.
- C. Approximately 50 acres, of which approximately 31 acres are located within the City of Dayton.

- D. The property contains an outdoor storage facility for recreational vehicles and has access to a public street. Public water and sewer are available to serve the site.
- E. That portion of the site located within the City is zoned Industrial (I).
- F. Oregon Highway 18 borders the property to the north and Kreder Road to the south. To the west is a recreational vehicle park on Commercial (C) zoned property and the Dayton Wastewater Treatment Facility of Public (P) zoned property. Property to the north of Highway 18 and south of Kreder Road is located within Yamhill County.
- G. The applicants are requesting approval of a Site Design Review to establish the recreational vehicle storage facility and a Major Variance to eliminate the paving requirement for access and storage.
- H. Approval or denial of this request shall be based upon the decision criteria contained in the Dayton Land Use and Development Code; Section 7.3.106 (Site Development Review) and Section 7.3.108 (Major Variance).

#### V. APPLICATION SUMMARY

- A. The subject 50 acre parcel includes land within the City, the City's Urban Growth Boundary and Yamhill County. Of the 31-acre portion located within the City, the owner established a storage yard for recreational vehicles as part of the adjacent RV park development. The current owner now wishes to expand the use to allow both RV park customers and area residents to use the storage facility. Of the 31-acre site, only some 6.2 acres are used for storage. The site is surrounded by a 6-foot, sight obscuring fence.
- B. Pursuant to Section 7.2.107.02.B.2, "(W)arehouse for short term storage, including mini-warehouse" is permitted within the Industrial zone. Further, Section 7.2.107.02.C.11, allows "(F)reight terminals, including loading docks, storage, warehousing and wholesale distribution, cold storage lockers and similar personal storage facilities such as mini-storage warehouses." On balance, the Commission concludes the personal storage of recreational vehicles is similar to these uses and is therefore allowed in the Industrial zone.
- C. Section 7.2.303.09.A, requires all driveways, parking and loading areas to be paved with asphalt or concrete. The applicant is requesting a variance to this standard to allow the use of a gravel surface. This is classified as a Major Variance as the request would effectively eliminate the requirement.

- D. Establishment of such a use is subject to the Site Development Review requirements in Section 7.3.106. This is a Type II application and subject to a hearing before the Planning Commission. The Major Variance is also a Type II application subject to a Commission' hearing.

## VI. CRITERIA AND FINDINGS - SITE DEVELOPMENT REVIEW

- A. Section 7.3.106.06 establishes the criteria to evaluate a Site Development Plan. The City must consider the following factors:

1. Section 7.3.106.06.A. - Conformance with applicable General Development Standards in Section 7.2.3.

FINDINGS: This section establishes minimum improvement standards for new development including public facility requirements. This site is currently served by public sewer and water. Specific facility requirements are reviewed elsewhere in this report.

2. Section 7.3.106.06.B. - Adequacy of public and private facilities.

FINDINGS: The existing public and private facilities are adequate to serve the proposed development. However, the nature of the business does not require connection to water or sanitary sewer service.

3. Section 7.3.106.06.C. - Traffic safety, internal circulation and parking.

FINDINGS: There is a single point of access adjacent to the RV park. Vehicles are able to enter the site without interfering with traffic along Highway 18 or Kreder Road. Further, there is more than adequate room on site to allow the maneuvering of vehicles. Specific parking issues will be discussed below.

4. Section 7.3.106.06.D. - Provision for adequate noise and/or visual buffering from non-compatible uses.

FINDINGS: This site is located at the eastern edge of the City and essentially provides a service for the adjacent RV park. The site is currently fenced and screened. Nothing in this activity suggests the need for additional screening or buffering.

5. Section 7.3.106.06.E. - Conformance with development requirements of the underlying zone.

FINDINGS: The Industrial zone establishes specific development requirements which are reviewed in the following sections.

- D. Section 7.2.107.05 establishes the Industrial zone dimension requirements.

FINDINGS: There is no minimum lot size within the zone. The only applicable setback is along Highway 18 and Kreder Road where a 20-foot setback is required. There are no structures on the site (nor none planned) so that the proposal complies with these provisions.

- E. Section 7.2.107.06 establishes development standards within the commercial zone. Each *applicable* standard is reviewed, below:

1. Section 7.2.107.06.A - Off-street parking. Parking shall be as specified in Section 7.2.303.

FINDINGS: The Development Code does not provide parking requirements for outdoor storage facilities. Pursuant to Section 7.2.303.03.B, the City is allowed to establish requirements for uses not specifically listed. The use is limited to vehicle storage: the storage space is in effect the parking area for the customers. Further, there are no structures located on the property that require associated parking. For these reasons, a separate defined parking area is not required for the use.

2. Section 7.2.107.06.C - Site Development Review: Development within the I Zone shall be subject to the Site Development Review procedures in Section 7.3.1.

FINDINGS: The application and hearing before the Commission is consistent with this requirement.

3. Section 7.2.107.06.D - Landscaping: A minimum of 10% of the property shall be landscaped, including all required setback areas.

FINDINGS: Areas not used for storage remain in a natural vegetative state. This exceeds the minimum 10% requirement of this Section. The applicant indicates the grass will be mowed and weeds removed.

4. Section 7.2.107.06.E - Lot Coverage: The combined maximum building and parking area coverage shall not exceed 90%.

FINDINGS: Only 6.2 acres of the 31-acre site are developed. This is only 20% of the site which complies with this provision.

5. Section 7.2.107.06.F - Open Storage: Open storage of equipment and materials used for the manufacture or assembly of goods is prohibited in required setback areas. Otherwise, such storage shall be enclosed within a sight-obscuring fence, wall or berm a minimum of 8 feet in height.

FINDINGS: The open storage *is not* for the manufacture or assembly of goods. The storage area is for private vehicles only and is screened by a 6-foot fence. On balance, this is acceptable for the type of use.

- F. Vehicle storage is not the highest and best long term use of this site. However, it does allow the owner to generate income from the property while readily permitting redevelopment of the site. With the exception of paving, the proposal complies with all applicable Site Development Review provisions.
- G. The storage facility contains approximately 6.2 acres. The approved site development plan will be limited to the existing facility. Any expansion of the site, or installation of other improvements such as an office, would require a new land use application and review.

#### VII. CRITERIA AND FINDINGS - MAJOR VARIANCE

- A. The criteria for a Major Variance are found in Sections 7.3.108.04 and 7.3.108.05. Section 7.3.108.04 states a property owner may propose a modification or variance from a standard or requirement of this Code, *except* when one or more of the following apply:

1. Section 7.3.108.04A - The proposed variance would allow a use which is not permitted in the district.

FINDINGS: The variance would eliminate the paving requirement for the access driveway and vehicle parking (storage) area. This action however, does not establish a use that is otherwise prohibited in the zone.

2. Section 7.3.108.04.B - Another procedure and/or criteria are specified in the Code for modifying or waiving the particular requirement or standard.

FINDINGS: There is no other method to eliminate paving except by a variance.

3. Section 7.3.108.04.C - Modification of the requirement or standard is prohibited within the district.

FINDINGS: Modification of the paving requirement is not prohibited within the Industrial zone.

4. Section 7.3.108.04.D - An exception from the requirement or standard is not allowed in the district.

FINDINGS: The Industrial zone does not prohibit an exception to the paving requirement.

Based on these findings, the applicant may request a variance to the paving requirement for the storage facility.

- B. Pursuant to Section 7.3.108.05, the Planning Commission may grant a major variance from a requirement or standard of this Code, provided that the applicant provides evidence that all the following circumstances substantially exist:

1. Section 7.3.108.05.A - There are unnecessary, unreasonable hardships or practical difficulties which can be relieved only by modifying the requirements of the Code, and is the minimum relief to relieve the hardship. Adverse economic impact shall not be considered an unreasonable hardship or practical difficulty.

FINDINGS: The location and importance of this property are unique. It is located at the far eastern edge of the City and contains the largest single piece of Industrial zoned land within Dayton. This proposed use is at best an interim activity until such time the site fully develops. Requiring paving would potential reduce development options on the site.

2. Section 7.3.108.05.B - There are exceptional or extraordinary circumstances or conditions applying to the land, buildings, or use referred to in the application, which circumstances or conditions do not apply generally to the land, buildings, or uses in the same zone; however, non-conforming land, uses, or structures in the vicinity shall not in themselves constitute such circumstances or conditions.

FINDINGS: The circumstances relate to efficient development of the site. Paving reduces future development options or potentially increases costs associated with development. The gravel improvements support the proposed use while maintaining future options on the property.

3. Section 7.3.108.05.C - That granting the application will not be materially detrimental to the public welfare or be injurious to property or improvements in the neighborhood of the premises.

FINDINGS: The property is located adjacent to farm and public uses as well as a commercial RV park. As such, the graveled driveway and storage surface will not impact residential neighborhoods or create significant impacts affecting neighboring uses.

4. Section 7.3.108.05.D - That such variance is necessary for the preservation and enjoyment of the substantial property rights of petitioner.

FINDINGS: As the City's largest Industrial zoned property, the site has the potential for other uses than the storage facility. This variance preserves those options.

5. Section 7.3.108.05.E - That the granting of the application will not, under the circumstances of the particular case, adversely affect the health or safety of persons working or residing in the neighborhood of the property of the applicant.

FINDINGS: The variance allows the development of the property for a use allowed in the zone. The property location is such that the graveled surface will not impact residential neighborhoods or similar developments. On balance, approval of the variance does not create uses or activities that would adversely affect the health or safety of persons working or residing in the area.

6. Section 7.3.108.05.F - The degree of variance from the standard is the minimum necessary to permit development of the property for uses allowed in the applicable zone.

FINDINGS: The site is currently in use as a storage facility. The variance would allow continued use of the site.

7. Section 7.3.108.05.g. The variance request is not the result of a deliberate action or knowing violation on the part of the applicant.

FINDINGS: The applicant was aware of the paving requirement and submitted a variance. There is no violation on the part of the applicant.

- C. This is a unique situation. The site has far greater potential than simply storage for recreational vehicles. Requiring paving would not prohibit other uses but would potentially limit development options. The gravel driveway and storage area are sufficient for the activity without impacting adjacent uses.



## VIII. CONCLUSION

The Site Development Review application complies, or can conditionally comply, with the decision criteria.

## IX. CONDITIONS OF APPROVAL

The Dayton Planning Commission finds the submitted application complies with the Dayton Land Use and Development Code criteria provided certain conditions are made part of the approval. The Commission therefore, adopts the following Conditions of Approval:

- A. The storage facility shall be limited to the identified 6.2 acre site. Any expansion of the property or establishment of other improvements shall require, at a minimum, a new site development review application.
- B. Compliance with the Conditions of Approval shall be the sole responsibility of the applicant.

## X. ORDER

It is hereby found that the application meets the relevant standards and criteria for a Site Development Review and Major Variance subject to the Conditions of Approval listed above.

THEREFORE, it is the decision of the Dayton Planning Commission to APPROVE the application subject to the Conditions of Approval in Section IX.

## X. OTHER PERMITS AND RESTRICTIONS

The Applicant is herein advised that the use of the property involved in this application may require additional permits from the City or other local, State or Federal agencies.

The City of Dayton land use and review and approval process does not take the place of, or relieve the Applicant of responsibility for acquiring such other permits, or satisfy any restrictions or conditions thereon. The land use permit approval herein does not remove, alter or impair in any way any covenants or restrictions imposed on this property by deed or other instrument.

XI. APPEAL DATES

Any appeals pertaining to this application must be made to the Dayton City Council within 15 days the notice of this order is mailed.

APPROVED BY A 3-0 VOTE OF THE DAYTON PLANNING COMMISSION ON THE 11<sup>th</sup> DAY OF JUNE 2005.

DATED at Dayton, Oregon, this 28th day of June, 2005.

ATTEST: Gary F. Wirfs 29 Jun 2005  
Gary Wirfs, Chair Date

ATTEST: Sue C. Hollis 6-29-05  
Sue Hollis, City Administrator Date



## **CITY MANAGER'S REPORT**

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
09/23	09/21/2023	28973	329	Alexonet Inc	2612	11	105.105.705.30	.00	3,422.07
09/23	09/21/2023	28974	2015	Andrea Perkins	CREDIT REF	1	001.000.175.00	.00	116.20
09/23	09/21/2023	28975	2021	Ashleen Rodriguez	DEPOSIT RE	2	100.000.480.30	.00	210.00
09/23	09/21/2023	28976	374	Backflow Management Inc	93022-767	1	300.300.706.00	.00	505.00
09/23	09/21/2023	28977	127	Baker & Taylor	Multiple	1	100.104.715.00	.00	81.57
09/23	09/21/2023	28978	151	Beery, Elsner & Hammond	Multiple	2	400.400.700.00	.00	1,340.53
09/23	09/21/2023	28979	125	Canon Solutions America	Multiple	10	400.400.601.00	.00	2,289.21
09/23	09/21/2023	28980	255	Cascade Columbia	875989	1	300.301.616.00	.00	1,835.75
09/23	09/21/2023	28981	166	Cascade Form Systems	4739-40	10	400.400.601.00	.00	802.41
09/23	09/21/2023	28982	1978	CFM Advocates	27580	2	400.400.705.00	.00	1,943.22
09/23	09/21/2023	28983	1922	Cintas Corp	Multiple	6	400.400.616.10	.00	293.13
09/23	09/21/2023	28984	2012	CITE	8874	3	200.200.705.00	.00	675.00
09/23	09/21/2023	28985	105	City of Dayton	Multiple	1	300.301.707.00	.00	1,788.77
09/23	09/21/2023	28986	1865	Comcast Business	8778105130	1	400.400.705.30	.00	104.85
09/23	09/21/2023	28987	519	Comcast Cable - internet	8778105130	11	400.400.705.30	.00	199.79
09/23	09/21/2023	28988	904	Consolidated Supply Co.	S011550033.	1	300.300.614.40	.00	21.12
09/23	09/21/2023	28989	466	Copy Cats	409321	5	400.400.614.00	.00	96.00
09/23	09/21/2023	28990	327	Cummins Inc.	05-45833	1	300.300.614.60	.00	1,973.46
09/23	09/21/2023	28991	1841	CytrX	INV157394	5	400.400.614.00	.00	45.00
09/23	09/21/2023	28992	2001	Dave Rucklos	MILEAGE JU	1	500.500.752.60	.00	49.38
09/23	09/21/2023	28993	632	Dayton Community Food Pantry	DONATION 2	1	500.500.752.20	.00	5,000.00
09/23	09/21/2023	28994	339	Dayton School District	DONATION 2	1	500.500.752.20	.00	2,000.00
09/23	09/21/2023	28995	231	DOWL	2647.80185.	2	700.700.910.41	.00	33,062.19
09/23	09/21/2023	28996	789	Edge Analytical	Multiple	1	300.300.751.00	.00	1,173.00
09/23	09/21/2023	28997	1810	Elizabeth Sagmiller	231	1	400.400.705.80	.00	1,520.00
09/23	09/21/2023	28998	839	Ferguson Enterprises Inc. #3011	Multiple	1	300.300.616.20	.00	1,445.00
09/23	09/21/2023	28999	1526	First American Title Insurance Co	3917 - 10391	1	400.400.700.10	.00	350.00
09/23	09/21/2023	29000	1630	Gerry Butler	Multiple	1	100.104.715.00	.00	710.00
09/23	09/21/2023	29001	178	Hach Company	13712155	1	300.301.616.00	.00	410.14
09/23	09/21/2023	29002	134	Iron Mountain Records Mgmt	HTXP273	10	400.400.601.00	.00	133.93
09/23	09/21/2023	29003	2019	Jose Alberto Zamora Rojas	DEPOSIT RE	2	400.400.750.00	.00	127.13
09/23	09/21/2023	29004	922	Julie Ann Rubio	DEPOSIT RE	1	100.100.750.20	.00	650.00
09/23	09/21/2023	29005	1826	Kamstrup Water Metering	CD99005849	1	300.300.705.30	.00	2,240.71
09/23	09/21/2023	29006	2018	Kaoru Arai	DEPOSIT RE	2	400.400.750.00	.00	32.44
09/23	09/21/2023	29007	1081	Keller Associates	0232522	1	400.400.705.20	.00	4,235.90
09/23	09/21/2023	29008	2013	Lehman Pest Control LLC	Multiple	1	300.301.614.40	.00	595.00
09/23	09/21/2023	29009	2020	Linda & Detlef Arndt	DEPOSIT RE	2	400.400.750.00	.00	123.06
09/23	09/21/2023	29010	313	Little Fire Equipment	INV-000934	10	400.400.601.00	.00	876.00
09/23	09/21/2023	29011	1572	McMinnville Commercial Cleaners	Multiple	1	100.100.707.30	.00	1,250.00
09/23	09/21/2023	29012	121	McMinnville Water & Light	67508 923	1	300.300.600.00	.00	421.33
09/23	09/21/2023	29013	1514	MidAmerica Books	0012884	1	100.104.715.00	.00	119.75
09/23	09/21/2023	29014	124	Mid-Willamette Valley COG	Multiple	1	100.105.705.20	.00	7,146.35
09/23	09/21/2023	29015	2016	Miriam Vargas Carona	DEPOSIT RE	1	100.100.750.20	.00	570.00
09/23	09/21/2023	29016	1933	Mobile Modular	2460142	4	100.103.601.00	.00	904.90
09/23	09/21/2023	29017	948	NW Tree Care	5273	1	200.200.904.30	.00	1,350.00
09/23	09/21/2023	29018	214	OAWU	36140	1	400.400.705.60	.00	12,000.00
09/23	09/21/2023	29019	354	OCEA	09012023	1	101.101.706.00	.00	15.00
09/23	09/21/2023	29020	871	ODP Business Solutions, LLC	Multiple	10	400.400.601.00	.00	57.59
09/23	09/21/2023	29021	173	One Call Concepts, Inc.	3080351	2	400.400.799.00	.00	28.00
09/23	09/21/2023	29022	212	Oregon Stationers	19674	10	400.400.601.00	.00	25.00
09/23	09/21/2023	29023	116	Pitney Bowes	3317934558	10	400.400.601.10	.00	235.74
09/23	09/21/2023	29024	1388	Pitney Bowes	1023790616	10	400.400.601.10	.00	215.76
09/23	09/21/2023	29025	213	Pitney Bowes Purchase Power	STATEMENT	10	400.400.601.10	.00	1,210.50

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
09/23	09/21/2023	29026	621	Portland Engineering, Inc	11962	3	400.400.705.10	.00	90.00
09/23	09/21/2023	29027	1463	Quadient Leasing USA, Inc	N10094296	10	400.400.601.10	.00	459.15
09/23	09/21/2023	29028	106	Recology Western Oregon	Multiple	2	200.200.603.00	.00	665.74
09/23	09/21/2023	29029	680	State of Oregon	NOTARY - V	1	100.100.706.00	.00	40.00
09/23	09/21/2023	29030	316	Statesman Journal	0005850019	11	400.400.700.10	.00	439.00
09/23	09/21/2023	29031	1974	Stephen Sagmiller	00006	4	400.400.705.00	.00	2,117.00
09/23	09/21/2023	29032	297	Suzanne R. Hurford and	ANNUAL WA	1	300.300.708.00	.00	2,000.00
09/23	09/21/2023	29033	1995	The Law Office of Larry J Blake, J	303	1	101.101.705.40	.00	500.00
09/23	09/21/2023	29034	785	TKE Corp	76872	1	100.100.707.30	.00	851.21
09/23	09/21/2023	29035	937	United Site Services	Multiple	1	100.103.619.00	.00	1,000.68
09/23	09/21/2023	29036	1577	Webster Heating	45151	10	400.400.707.00	.00	739.00
09/23	09/21/2023	29037	154	Westech Engineering, Inc	Multiple	1	700.700.910.00	.00	13,559.35
09/23	09/21/2023	29038	114	Yamhill County Sheriff	SEPTEMBE	1	101.101.705.10	.00	15,878.95
09/23	09/21/2023	29039	115	Yamhill County Sheriff	23-0008	1	101.101.700.35	.00	16.00
09/23	09/21/2023	29040	117	YCOM	5016006	1	101.101.770.00	.00	2,388.50
09/23	09/21/2023	29041	2017	Yolonda Ramirez	DEPOSIT RE	1	100.100.750.20	.00	200.00
09/23	09/21/2023	29042	614	Ziplyfiber	Multiple	1	300.300.602.00	.00	334.10
09/23	09/22/2023	29043	102	Verizon	Multiple	10	400.400.602.00	.00	4,443.94
09/23	09/30/2023	20239100	190	AFLAC	365483	1	100.000.220.00	.00	180.43
09/23	09/30/2023	20239101	189	CIS Trust	OCTOBER 2	24	400.400.594.00	.00	12,909.39
09/23	09/30/2023	20239102	193	DMV	L004839487	1	101.101.705.00	.00	.55
09/23	09/30/2023	20239103	256	Oregon Dept of Revenue	PR 0930202	1	100.000.212.00	.00	4,688.02
09/23	09/30/2023	20239104	103	PGE	Multiple	1	300.301.600.00	.00	10,755.84
09/23	09/30/2023	20239105	1006	US Bank	Multiple	20	105.105.706.00	.00	10,460.10
09/23	09/30/2023	20239106	112	Wilco	Multiple	6	400.400.616.10	.00	3,368.02
Grand Totals:								.00	186,111.85

**City of Dayton**  
**Budget vs Actual for FY 2022-23**  
**as of September 30, 2023**

		07/22-09/23	07/22-06/23	YTD	2021-22
		Cur YTD	Cur Year	% of	Pri Year
		Actual	Budget	Budget	Actual
<b>GENERAL FUND</b>	<b>Revenue</b>	<b>350,006</b>	<b>862,663</b>	<b>40.6%</b>	<b>1,058,548</b>
	<b>Admin</b>				
	Personnel Services				
	Salaries	17,890	87,700	20.4%	71,940
	Benefits	8,728	47,973	18.2%	38,972
	Material and Services	20,145	92,703	21.7%	91,284
	Capital Outlay	5,116	21,000	24.4%	1,854
	<b>Total Administration</b>	<b>51,878</b>	<b>249,376</b>	<b>20.8%</b>	<b>204,051</b>
	<b>Parks</b>				
	Personnel Services				
	Salaries	10,536	57,672	18.3%	35,131
	Benefits	9,329	31,548	29.6%	34,079
	Material and Services	18,611	74,650	24.9%	63,673
	Capital Outlay	632	16,250	3.9%	13,746
	<b>Total Parks</b>	<b>39,108</b>	<b>180,120</b>	<b>21.7%</b>	<b>146,630</b>
	<b>Library</b>				
	Personnel Services				
	Salaries	18,820	73,318	25.7%	56,158
	Benefits	6,372	40,106	15.9%	28,911
	Material and Services	8,928	42,361	21.1%	27,138
	Capital Outlay	300	2,500	12.0%	665
	<b>Total Library</b>	<b>34,420</b>	<b>158,285</b>	<b>21.7%</b>	<b>112,874</b>
	<b>Planning</b>				
	Personnel Services				
	Salaries	4,779	30,736	15.5%	31,428
	Benefits	3,598	16,813	21.4%	17,826
	Material and Services	31,239	45,900	68.1%	75,953
	Capital Outlay	108	1,000	10.8%	0
	<b>Total Planning</b>	<b>39,723</b>	<b>94,449</b>	<b>42.1%</b>	<b>125,206</b>
	<b>Building</b>				
	Personnel Services				
	Salaries	7,391	35,020	21.1%	29,549
	Benefits	3,182	19,156	16.6%	16,396
	Material and Services	27,199	64,344	42.3%	97,965
	Capital Outlay	108	1,150	9.4%	0
	<b>Total Building</b>	<b>37,879</b>	<b>119,670</b>	<b>31.7%</b>	<b>143,911</b>
	Transfers	0	10,000	0.0%	20,000
	Contingency	0	101,526	0.0%	0
	Unappropriated Ending Fund Balance	0	0	0.0%	0
	<b>Total Fund 100 Revenue</b>	<b>350,006</b>	<b>862,663</b>	<b>40.6%</b>	<b>1,058,548</b>
	<b>Total Fund 100 Expenses</b>	<b>203,009</b>	<b>913,426</b>	<b>22.2%</b>	<b>752,672</b>
	<b>General Fund Balance</b>	<b>146,997</b>			<b>305,876</b>

**City of Dayton**  
**Budget vs Actual for FY 2022-23**  
**as of September 30, 2023**

	07/22-09/23 Cur YTD Actual	07/22-06/23 Cur Year Budget	YTD % of Budget	2021-22 Pri Year Actual
<b>LOCAL OPTION TAX</b>				
<b>Revenue</b>	<b>76,557</b>	<b>341,818</b>	<b>22.4%</b>	<b>383,678</b>
Personnel Services				
Salaries	11,421	51,586	22.1%	48,248
Benefits	5,509	28,218	19.5%	24,688
Material and Services	66,511	259,773	25.6%	244,629
Capital Outlay	1,140	1,750	65.2%	695
<b>Total</b>	<b>84,581</b>	<b>341,327</b>	<b>24.8%</b>	<b>318,261</b>
Contingency	0	492	0.0%	0
<b>Total Fund 101 Revenue</b>	<b>76,557</b>	<b>341,818</b>	<b>22.4%</b>	<b>383,678</b>
<b>Total Fund 101 Expenses</b>	<b>84,581</b>	<b>341,819</b>	<b>24.7%</b>	<b>318,261</b>
<b>Local Option Tax Fund Balance</b>	<b>-8,025</b>			<b>65,417</b>
<b>Transient Lodging Fund</b>				
<b>Revenue</b>	<b>321,643</b>	<b>373,973</b>	<b>86.0%</b>	<b>463,292</b>
Personnel Services				
Salaries	9,776	42,500	23.0%	3,104
Benefits	1,259	23,248	5.4%	0
Material and Services	2,648	82,743	3.2%	4,932
Capital Outlay	0	0	0.0%	0
<b>Total</b>	<b>13,682</b>	<b>148,491</b>	<b>9.2%</b>	<b>8,035</b>
Transfers	0	43,000	0.0%	136,806
Contingency	0	82,482	0.0%	0
Unappropriated Ending Fund Balance	0	100,000	0.0%	0
<b>Total Fund 105 Revenue</b>	<b>321,643</b>	<b>373,973</b>	<b>86.0%</b>	<b>463,292</b>
<b>Total Fund 105 Expenses</b>	<b>13,682</b>	<b>373,973</b>	<b>3.7%</b>	<b>144,841</b>
<b>Transient Lodging Fund Balance</b>	<b>307,960</b>			<b>318,451</b>
<b>American Rescue Plan Fund</b>				
<b>Revenue</b>	<b>1,756</b>	<b>490,255</b>	<b>0.4%</b>	<b>490,304</b>
Capital Outlay	0	0	0.0%	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0.0%</b>	<b>0</b>
Transfers	0	490,255	0.0%	488,990
Contingency	0	0	0.0%	0
Unappropriated Ending Fund Balance	0	0	0.0%	0
<b>Total Fund 106 Revenue</b>	<b>1,756</b>	<b>490,255</b>	<b>0.4%</b>	<b>490,304</b>
<b>Total Fund 106 Expenses</b>	<b>0</b>	<b>490,255</b>	<b>0.0%</b>	<b>488,990</b>
<b>American Rescue Plan Fund</b>	<b>1,756</b>			<b>1,314</b>

**City of Dayton**  
**Budget vs Actual for FY 2022-23**  
**as of September 30, 2023**

	07/22-09/23	07/22-06/23	YTD	2021-22
	Cur YTD	Cur Year	% of	Pri Year
	Actual	Budget	Budget	Actual
<b>Street Fund</b>				
<b>Revenue</b>	<b>236,686</b>	<b>363,742</b>	<b>65.1%</b>	<b>425,404</b>
Personnel Services				
Salaries	9,120	42,270	21.6%	50,395
Benefits	5,009	23,122	21.7%	22,177
Material and Services	24,693	103,250	23.9%	68,056
Capital Outlay	1,515	22,500	6.7%	9,193
<b>Total</b>	<b>40,337</b>	<b>191,142</b>	<b>21.1%</b>	<b>149,822</b>
Transfers	0	120,000	0.0%	90,000
Contingency	0	2,600	0.0%	0
Unappropriated Ending Fund Balance	0	50,000	0.0%	0
<b>Total Fund 200 Revenue</b>	<b>236,686</b>	<b>363,742</b>	<b>65.1%</b>	<b>425,404</b>
<b>Total Fund 200 Expenses</b>	<b>40,337</b>	<b>363,742</b>	<b>11.1%</b>	<b>239,822</b>
<b>Street Fund Balance</b>	<b>196,349</b>			<b>185,582</b>
<b>Water Fund</b>				
<b>Revenue</b>	<b>1,012,923</b>	<b>1,632,354</b>	<b>62.1%</b>	<b>1,869,699</b>
Personnel Services				
Salaries	41,063	196,345	20.9%	186,950
Benefits	21,181	107,403	19.7%	98,736
Material and Services	98,888	340,632	29.0%	261,879
Capital Outlay	583	8,000	7.3%	464
<b>Total</b>	<b>161,715</b>	<b>652,380</b>	<b>24.8%</b>	<b>548,029</b>
Transfers	0	605,000	0.0%	440,000
Contingency	0	53,234	0.0%	0
Unappropriated Ending Fund Balance	0	75,000	0.0%	0
<b>Total Fund 300 Revenue</b>	<b>1,012,923</b>	<b>1,632,354</b>	<b>62.1%</b>	<b>1,869,699</b>
<b>Total Fund 300 Expenses</b>	<b>237,316</b>	<b>1,632,354</b>	<b>14.5%</b>	<b>1,174,876</b>
<b>Water Fund Balance</b>	<b>775,606</b>			<b>694,823</b>
<b>Water Treatment Facility</b>				
Personnel Services				
Salaries	21,082	57,632	36.6%	63,529
Benefits	7,435	31,526	23.6%	34,869
Material and Services	39,894	132,582	30.1%	88,280
Capital Outlay	7,190	25,000	28.8%	168
<b>Total</b>	<b>75,601</b>	<b>246,740</b>	<b>30.6%</b>	<b>186,846</b>
Transfers	0	605,000	0.0%	440,000
Contingency	0	53,234	0.0%	0
Unappropriated Ending Fund Balance	0	75,000	0.0%	0
<b>Total Fund 300 Revenue</b>	<b>1,012,923</b>	<b>1,632,354</b>	<b>62.1%</b>	<b>1,869,699</b>
<b>Total Fund 300 Expenses</b>	<b>237,316</b>	<b>1,632,354</b>	<b>14.5%</b>	<b>1,174,876</b>
<b>Water Fund Balance</b>	<b>775,606</b>			<b>694,823</b>



**City of Dayton**  
**Budget vs Actual for FY 2022-23**  
**as of September 30, 2023**

	07/22-09/23 Cur YTD Actual	07/22-06/23 Cur Year Budget	YTD % of Budget	2021-22 Pri Year Actual
<b>Sewer Fund</b>				
<b>Revenue</b>	<b>347,691</b>	<b>905,127</b>	<b>38.4%</b>	<b>1,006,863</b>
Personnel Services				
Salaries	27,405	193,323	14.2%	179,396
Benefits	20,224	105,750	19.1%	97,328
Material and Services	129,048	282,836	45.6%	274,556
Capital Outlay	619	16,500	3.7%	74,121
<b>Total</b>	<b>177,295</b>	<b>598,409</b>	<b>29.6%</b>	<b>625,401</b>
Transfers	0	271,000	0.0%	171,000
Contingency	0	0	0.0%	0
Unappropriated Ending Fund Balance	0	35,718	0.0%	0
<b>Total Fund 400 Revenue</b>	<b>347,691</b>	<b>905,127</b>	<b>38.4%</b>	<b>1,006,863</b>
<b>Total Fund 400 Expenses</b>	<b>177,295</b>	<b>905,127</b>	<b>19.6%</b>	<b>796,401</b>
<b>Sewer Fund Balance</b>	<b>170,396</b>			<b>210,462</b>
<b>State Revenue Sharing</b>				
<b>Revenue</b>	<b>44,738</b>	<b>66,900</b>	<b>66.9%</b>	<b>102,381</b>
Material and Services	20,361	65,900	30.9%	62,971
Capital Outlay	284	1,000	28.4%	2,635
<b>Total</b>	<b>20,645</b>	<b>66,900</b>	<b>30.9%</b>	<b>65,606</b>
<b>Total Fund 500 Revenue</b>	<b>44,738</b>	<b>66,900</b>	<b>66.9%</b>	<b>102,381</b>
<b>Total Fund 500 Expenses</b>	<b>20,645</b>	<b>66,900</b>	<b>30.9%</b>	<b>65,606</b>
<b>State Revenue Sharing Fund Balance</b>	<b>24,093</b>			<b>36,775</b>
<b>Water Utility Capital</b>				
<b>Revenue</b>	<b>904,373</b>	<b>1,371,665</b>	<b>65.9%</b>	<b>1,027,867</b>
Material and Services	0	0	0.0%	0
Capital Outlay	75,024	1,293,201	5.8%	128,748
Contingency	0	28,464	0.0%	0
Unappropriated Ending Fund Balance	0	50,000	0.0%	0
<b>Total</b>	<b>75,024</b>	<b>1,371,665</b>	<b>5.5%</b>	<b>128,748</b>
<b>Total Fund 600 Revenue</b>	<b>904,373</b>	<b>1,371,665</b>	<b>65.9%</b>	<b>1,027,867</b>
<b>Total Fund 600 Expenses</b>	<b>75,024</b>	<b>1,371,665</b>	<b>5.5%</b>	<b>128,748</b>
<b>Water Utility Capital Fund Balance</b>	<b>829,350</b>			<b>899,119</b>

**City of Dayton**  
**Budget vs Actual for FY 2022-23**  
**as of September 30, 2023**

	07/22-09/23 Cur YTD Actual	07/22-06/23 Cur Year Budget	YTD % of Budget	2021-22 Pri Year Actual
<b>Sewer Utility Capital</b>				
Revenue	<b>1,737,080</b>	<b>7,237,443</b>	<b>24.0%</b>	<b>1,627,656</b>
Capital Outlay	0	10,000	0.0%	10,000
Contingency	735,575	7,190,000	10.2%	550,898
Unappropriated Ending Fund Balance	0	37,443	0.0%	0
<b>Total</b>	<b>735,575</b>	<b>7,237,443</b>	<b>10.2%</b>	<b>560,898</b>
<b>Total Fund 700 Revenue</b>	<b>1,737,080</b>	<b>7,237,443</b>	<b>24.0%</b>	<b>1,627,656</b>
<b>Total Fund 700 Expenses</b>	<b>735,575</b>	<b>7,237,443</b>	<b>10.2%</b>	<b>560,898</b>
<b>Sewer Utility Capital Fund Balance</b>	<b>1,001,505</b>			<b>1,066,759</b>
<b>Equipment Replacement Reserve Fund</b>				
Revenue	<b>43,062</b>	<b>111,443</b>	<b>38.6%</b>	<b>87,852</b>
Capital Outlay	47,981	85,000	56.4%	45,387
Contingency	0	26,443	0.0%	0
<b>Total</b>	<b>47,981</b>	<b>111,443</b>	<b>43.1%</b>	<b>45,387</b>
<b>Total Fund 750 Revenue</b>	<b>43,062</b>	<b>111,443</b>	<b>38.6%</b>	<b>87,852</b>
<b>Total Fund 750 Expenses</b>	<b>47,981</b>	<b>111,443</b>	<b>43.1%</b>	<b>45,387</b>
<b>Equipment Utility Capital Fund Balance</b>	<b>-4,920</b>			<b>42,465</b>
<b>Building Reserve Fund</b>				
Revenue	<b>215,776</b>	<b>240,203</b>	<b>89.8%</b>	<b>237,195</b>
Capital Outlay	0	130,000	0.0%	23,275
Contingency	0	10,203	0.0%	0
Unappropriated	0	100,000	0.0%	0
<b>Total</b>	<b>0</b>	<b>240,203</b>	<b>0.0%</b>	<b>23,275</b>
<b>Total Fund 760 Revenue</b>	<b>215,776</b>	<b>240,203</b>	<b>89.8%</b>	<b>237,195</b>
<b>Total Fund 760 Expenses</b>	<b>0</b>	<b>240,203</b>	<b>0.0%</b>	<b>23,275</b>
<b>Building Reserve Capital Fund Balance</b>	<b>215,776</b>			<b>213,920</b>
<b>Streets Capital Projects Fund</b>				
Revenue	<b>364,139</b>	<b>426,124</b>	<b>85.5%</b>	<b>993,781</b>
Material and Services	0	0	0.0%	0
Capital Outlay	293,860	426,124	69.0%	882,621
Contingency	0	0	0.0%	0
<b>Total</b>	<b>293,860</b>	<b>426,124</b>	<b>69.0%</b>	<b>882,621</b>
<b>Total Fund 770 Revenue</b>	<b>364,139</b>	<b>426,124</b>	<b>85.5%</b>	<b>993,781</b>
<b>Total Fund 770 Expenses</b>	<b>293,860</b>	<b>426,124</b>	<b>69.0%</b>	<b>882,621</b>
<b>Street Capital Fund Balance</b>	<b>70,279</b>			<b>111,160</b>

**City of Dayton**  
**Budget vs Actual for FY 2022-23**  
**as of September 30, 2023**

	07/22-09/23 Cur YTD Actual	07/22-06/23 Cur Year Budget	YTD % of Budget	2021-22 Pri Year Actual
<b>Park Capital Projects</b>				
<b>Revenue</b>	<b>180,183</b>	<b>245,360</b>	<b>73.4%</b>	<b>212,332</b>
Material and Services	0	75,000	0.0%	0
Capital Outlay	0	159,500	0.0%	35,069
Contingency	0	10,860	0.0%	0
<b>Total</b>	<b>0</b>	<b>245,360</b>	<b>0.0%</b>	<b>35,069</b>
<b>Total Fund 780 Revenue</b>	<b>180,183</b>	<b>245,360</b>	<b>73.4%</b>	<b>212,332</b>
<b>Total Fund 780 Expenses</b>	<b>0</b>	<b>245,360</b>	<b>0.0%</b>	<b>35,069</b>
<b>Park Capital Fund Balance</b>	<b>180,183</b>			<b>177,262</b>

<b>Debt Service</b>				
<b>Revenue</b>	<b>356,125</b>	<b>609,926</b>	<b>58.4%</b>	<b>595,987</b>
Material and Services	0	342,666	0.0%	243,211
Reserve for Lafayette Loan Payoff	0	23,625	0.0%	0
Reserve for USDA loan	0	118,924	0.0%	0
<b>Total</b>	<b>0</b>	<b>485,215</b>	<b>0.0%</b>	<b>243,211</b>
Unappropriated Ending Fund Balance	0	42,463	0.0%	0
<b>Total Fund 850 Revenue</b>	<b>356,125</b>	<b>609,926</b>	<b>58.4%</b>	<b>595,987</b>
<b>Total Fund 850 Expenses</b>	<b>0</b>	<b>527,678</b>	<b>0.0%</b>	<b>243,211</b>
<b>Debt Service Capital Fund Balance</b>	<b>356,125</b>			<b>352,776</b>

**Total Balance for the year**

<b>Note: 25% of the fiscal year has elapsed.</b>
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**Yamhill County Sheriff's Office  
Crime Summary for DAYTON  
From 9/1/2023 to 9/30/2023**

City	UCR Description	9/1/2022 to 9/30/2022	9/1/2023 to 9/30/2023	Percentage Change	YTD	Prior Year
<b>DAYTON</b>						
Part 1						
	Aggravated Assault	0	0		7	2
	Burglary-Business	1	0		3	1
	Burglary-Non-Residence	0	0		1	7
	Burglary-Residence	0	0		2	2
	Larceny	5	3	-40.00 %	26	49
	Motor Vehicle Theft-Auto	1	2	100.00 %	6	13
	<b>Part 1 Total</b>	<b>7</b>	<b>5</b>	<b>-28.57 %</b>	<b>45</b>	<b>74</b>
Part 2						
	All Other	2	2		8	13
	Animal Problems	0	0		3	
	Disorderly Conduct	0	0		3	3
	Drug Laws	3	0		11	17
	DUII	6	1	-83.33 %	18	23
	Forgery	0	1		4	
	Fraud	0	0		6	6
	Kidnapping	1	0		1	1
	Liquor Laws	0	0			1
	Runaway	0	0		1	2
	Sex Offenses	0	0		5	6
	Simple Assault	6	3	-50.00 %	28	24
	Stolen Property	2	0		2	10
	Tresspass/Prowler	1	0		8	12
	Vandalism	2	0		18	32
	Weapons	0	0		4	8
	<b>Part 2 Total</b>	<b>23</b>	<b>7</b>	<b>-69.57 %</b>	<b>120</b>	<b>158</b>
Part 3						
	All Other	8	9	12.50 %	64	92
	<b>Total For DAYTON</b>	<b>46</b>	<b>28</b>	<b>-39.13 %</b>	<b>361</b>	<b>458</b>



**Yamhill County Sheriff's Office  
 Crime Summary for DAYTON  
 From 9/1/2023 to 9/30/2023**

City	UCR Description	9/1/2022 to 9/30/2022	9/1/2023 to 9/30/2023	Percentage Change	YTD	Prior Year
DAYTON						
	Non-Reportable Offenses	8	7	-12.50 %	132	134
	Part 3 Total	16	16		196	226
	<b>Total For DAYTON</b>	46	28	-39.13 %	361	458



**Yamhill County Sheriff's Office  
Crime Summary for DAYTON  
From 10/1/2023 to 10/31/2023**

City	UCR Description	10/1/2022 to 10/31/2022	10/1/2023 to 10/31/2023	Percentage Change	YTD	Prior Year
<b>DAYTON</b>						
Part 1						
	Aggravated Assault	0	0		7	2
	Burglary-Business	0	0		3	1
	Burglary-Non-Residence	1	1		2	7
	Burglary-Residence	1	0		2	2
	Larceny	5	0		28	49
	Motor Vehicle Theft-Auto	1	0		6	13
	<b>Part 1 Total</b>	<b>8</b>	<b>1</b>	<b>-87.50 %</b>	<b>48</b>	<b>74</b>
Part 2						
	All Other	2	0		8	13
	Animal Problems	0	1		4	
	Disorderly Conduct	1	0		3	3
	Drug Laws	2	0		11	17
	DUII	2	0		18	23
	Forgery	0	0		4	
	Fraud	0	0		6	6
	Kidnapping	0	0		1	1
	Liquor Laws	0	0			1
	Runaway	0	1		2	2
	Sex Offenses	1	1		6	6
	Simple Assault	4	3	-25.00 %	32	24
	Stolen Property	0	0		2	10
	Tresspass/Prowler	2	5	150.00 %	14	12
	Vandalism	2	1	-50.00 %	20	32
	Weapons	2	1	-50.00 %	5	8
	<b>Part 2 Total</b>	<b>18</b>	<b>13</b>	<b>-27.78 %</b>	<b>136</b>	<b>158</b>
Part 3						
	All Other	8	10	25.00 %	75	92
	<b>Total For DAYTON</b>	<b>51</b>	<b>27</b>	<b>-47.06 %</b>	<b>397</b>	<b>458</b>



**Yamhill County Sheriff's Office  
Crime Summary for DAYTON  
From 10/1/2023 to 10/31/2023**

City	UCR Description	10/1/2022 to 10/31/2022	10/1/2023 to 10/31/2023	Percentage Change	YTD	Prior Year
DAYTON						
	Non-Reportable Offenses	17	3	-82.35 %	138	134
	Part 3 Total	25	13	-48.00 %	213	226
	<b>Total For DAYTON</b>	51	27	-47.06 %	397	458

**TO:** Mayor Marquez and City Council Members  
**THROUGH:** Rochelle Roaden, City Manager  
**FROM:** John Lindow, Public Works Lead  
**SUBJECT:** Public Works Activity Report for July 2023  
**DATE:** November 1,2023

<p><b>Water:</b>  Regulatory Samples - Bi-Weekly  Treatment Plant Maintenance  Daily Rounds  Work Orders  Locates  Meter Reading  Turn-Ons/Turn-Offs  Water Production Reports - Dayton and Lafayette  Water Reports to State - Annual and Monthly  Emergency Shut-Offs - Various  Chlorine Feeds - Daily Check  Waterline Leak Repairs  Fire Flow Pump Repairs - Treatment Plant  Chlorine Generator Maintenance  Springs Grounds Maintenance  Water Leak Repair - Dog Park  Water Leak Repair - Kreder Road  Had Well cleaning done on Well 5</p>	<p><b>Wastewater:</b>  Regulatory Samples - Bi-Weekly  Daily Rounds  Operation of Lift Stations - Daily Check  Locates  DMR to DEQ  Receive Chemicals at Treatment Plant  Lift Station Maintenance  Smoke Testing for Sewer Lines  Maintenance at (Sewer) Ponds  Began Discharge from Ponds</p>
<p><b>Parks:</b>  Garbage Removal - All Parks  Park Restrooms - Daily Cleaning and Maintenance  Clean Park Fountain  Regular Mowing of Parks and Cemetery  Leaf Removal from the Parks</p>	<p><b>Storm Water:</b>  Locates  Catch Basin - Cleaning  Storm Drain Grates - Clear Debris and Leaves  Street Sweeping - Storm Grate Maintenance</p>
<p><b>Facilities:</b>  Fire Extinguisher Checks  Community Center Trash Removal  Clean Community Center Parking Lot  Grounds Maintenance at Community Center  Public Works Confined Space Training  Prepared for Halloween Party at Community Center  Public Works Staff Forklift Training</p>	<p><b>Streets:</b>  Street Sweeping  Ferry Street Trash Removal  Move/Charge Mobile Speed Sign Regularly</p>



Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Water Usage	126,121	100	0	0	36,403	664,923	827,547
<hr/>							
Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Water Amount	9,151.04	-	-	-	4,963.06	65,123.58	79,237.68
Sewer Amount	3,444.78	-	-	-	1,862.11	38,689.13	43,996.02
Misc Amount	30.00	-	-	-	-	397.18	427.18
Backflow Amount	-	-	-	-	-	-	-
NSFCheck Amount	-	-	-	-	-	31.57	31.57
Late Charg Amount	30.00	-	-	-	-	1,173.32	1,203.32
<hr/>							
Total Charges:	12,655.82	-	-	-	6,825.17	105,414.78	124,895.77

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Previous Balance	15,709.69	-	-	-	7,918.13	143,177.19	166,805.01
Payments	14,585.64-	-	-	-	7,918.13-	111,706.88-	134,210.65-
Contract Adjustments	-	-	-	-	-	661.72-	661.72-
Assistance Applied	-	-	-	-	-	-	-
Deposits Applied	-	-	-	-	-	109.46-	109.46-
Interest Applied	-	-	-	-	-	-	-
Balance Transfers	-	-	-	-	-	-	-
Balance Write-offs	-	-	-	-	-	-	-
Reallocations	-	-	-	-	-	-	-
Total Charges	12,655.82	-	-	-	6,825.17	105,414.78	124,895.77
<hr/>							
Current Balance:	13,779.87	-	-	-	6,825.17	136,113.91	156,718.95

Year To Date: 07/01/2022 - 10/31/2022

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Water Usage	605,610	1,200	0	1	189,991	3,584,636	4,381,438
<hr/>							
Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Water Amount	42,617.59	350.00	-	-	22,625.02	315,144.73	380,737.34
Sewer Amount	13,774.48	-	-	-	7,327.84	155,246.61	176,348.93
Misc Amount	85.00	-	-	-	-	1,423.72	1,508.72
Backflow Amount	-	-	-	-	-	-	-
NSFCheck Amount	-	-	-	-	-	188.80	188.80
Late Charg Amount	90.00	-	-	-	-	4,545.53	4,635.53
<hr/>							
Total Charges:	56,567.07	350.00	-	-	29,952.86	476,549.39	563,419.32

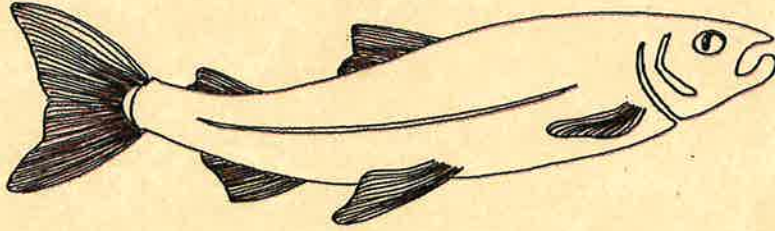
Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Previous Balance	13,902.81	-	-	-	6,356.26	123,890.90	144,149.97
Payments	56,690.01-	350.00-	-	-	29,483.95-	463,074.95-	549,598.91-
Contract Adjustments	-	-	-	-	-	83.37	83.37
Assistance Applied	-	-	-	-	-	-	-
Deposits Applied	-	-	-	-	-	1,334.80-	1,334.80-

Description	Commercial	Hydrant	None	Other	Public	Residential	Totals
Interest Applied	-	-	-	-	-	-	-
Balance Transfers	-	-	-	-	-	-	-
Balance Write-offs	-	-	-	-	-	-	-
Reallocations	-	-	-	-	-	-	-
Total Charges	56,567.07	350.00	-	-	29,952.86	476,549.39	563,419.32
Current Balance:	13,779.87	-	-	-	6,825.17	136,113.91	156,718.95

TO: Honorable Mayor and City Councilors  
 Through: Rochelle Roaden, City Manager  
 From: Jason E. Shirley  
 Subject: Code Enforcement Activities Report  
 Date: 11/03/2023

2023 Code Compliance Report													
Category	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
Animals	7	1	1	2		2	1	1	3	4			22
Building	2	3				1							6
Clear Vision	1									2			3
Encroachment Permits				2	1	1	1						5
Junk – Private Property	1	2								1			4
Noise		1				1		1		2			5
Noxious Vegetation	1				1	1	2	3	1	1			10
Parking – Right of Way	11	9	3	2	8	3	3	2	6	3			50
Storing Junk - ROW	7		2			1		1					11
Attractive Nuisance													0
Posting - Signs	1									3			4
Camping	1	1				1							3
Sidewalks				1		1							2
YCSO	1												1
Code Citations Issued								1					1
Land Use Violations			1										1
Other													
<b>TOTALS</b>	<b>33</b>	<b>17</b>	<b>7</b>	<b>7</b>	<b>10</b>	<b>12</b>	<b>7</b>	<b>9</b>	<b>10</b>	<b>16</b>			<b>110</b>

Please Note: The monthly statistics are calculated from the Dayton City app, website complaints forms, phone calls, emails, written Notes, in person and code compliance officer observations.



**THE CONFEDERATED TRIBES  
OF THE  
GRAND RONDE COMMUNITY OF OREGON**

*Cordially invites you to attend the*

**YAMHILL CITY/COUNTY DINNER  
Thursday, November 09, 2023**

**Location:**

Spirit Mountain Casino  
27100 SW Salmon River Hwy.  
Grand Ronde, Oregon 97347

**Times:**

6:30 p.m. Social Hour  
7:00 p.m. Dinner / Meeting

**Appetizers [Served during Social Hour]:**

Antipasto Platter  
Fresh Seasonal Vegetables

**Dinner:**

*Cedar Plank Salmon  
And Top Sirloin of Beef*

**Cost: \$35.00 per person**

**RSVP** to Lauri A. Smith, Executive Assistant to Tribal Council, by either sending an e-mail to [lauri.smith@grandronde.org](mailto:lauri.smith@grandronde.org) or by phone at 503-879-1305 by 12:00 noon Tuesday, November 07, 2023.

(Checks payable to Confederated Tribes of Grand Ronde *or* CTGR)

*We hope to see you there!*




FALL

*into*

CHRISTMAS  
CRAFT FAIRE

FRIDAY, NOVEMBER 10TH  
SATURDAY, NOVEMBER 11TH  
9 AM TO 5 PM



DAYTON COMMUNITY EVENTS CENTER  
(PALMER CREEK LODGE)  
606 4TH STREET, DAYTON, OR 97114



*Dayton Fireworks Committee*

# Tamale Fundraiser



**Mayor Trini's Famous Tamales!**

**Pork \* Chicken \* Chili/Cheese \* Veggie**

**Half Dozen - \$13 Dozen - \$25**

**Order more than 3 dozen - \$20/dozen**

**Ok to Mix/Match Flavors**

**Payment Due at Pickup**

**ALL PROCEEDS GO TO THE  
DAYTON FIREWORKS COMMITTEE**

**Preorder by November 6, 2023**

Order Online:

[www.daytonoregon.gov/pages/tamales](http://www.daytonoregon.gov/pages/tamales)

Or call City Hall at 503-864-2221

Pickup on November 10th and 11th from 9-5 pm  
at the Dayton Community Events Center



CITY OF DAYTON

# CHRISTMAS TREE

# Lighting

SAVE THE  
*date*

SATURDAY

November 25, 2023

06.00 PM

Courthouse Square Park  
Dayton, Oregon

[www.daytonoregon.gov](http://www.daytonoregon.gov)

# Breakfast with Santa

**SATURDAY  
DECEMBER 9**

**Breakfast 8am- 12pm**

**Santa 10am - 1pm**

**Community Event Center  
606 4th Street, Dayton, OR 97114**

[www.daytonoregon.gov](http://www.daytonoregon.gov)







Thank you for your generous donation to the Dayton pirate preschool.

♡ Kids + staff

