

AGENDA
CITY OF DAYTON
REGULAR SESSION

DATE: MARCH 4, 2024
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/83337218742>

Dayton - Rich in History . . . Envisioning Our Future

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE #</u>
A.	CALL TO ORDER & PLEDGE OF ALLEGIANCE	
B.	ROLL CALL	
C.	APPEARANCE OF INTERESTED CITIZENS	
	1. The public is encouraged to relay concerns and/or comments to the City Council in one of the following methods:	
	• Email - any time up to 5:00 p.m. the day of the meeting to rvargas@daytonoregon.gov . The Mayor will read the comments emailed to the City Recorder.	
	• Appear in person - 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.	
	• Appear by Telephone only - please sign up prior to the meeting by emailing the City Recorder at rvargas@daytonoregon.gov . (The chat function is not available when calling by phone into Zoom.)	
	• Appear virtually via Zoom - 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. The City Recorder will need your first and last name, address, and contact information (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.	
D.	CONSENT AGENDA	
	1. February 20, 2024, Work/Special/Executive Session Minutes	1-5
E.	ACTION ITEMS	
	1. Dayton Friday Nights Report, DCDA	7-8
	2. CFM Advocates, Michael Skipper	
	3. First Reading of Ordinance 658, Urban Renewal Agency Creation	9-14
	4. OLCC Liquor License Renewals	15-18
	5. Facilitating Strategic Goals Discussion	19
	6. Approval of Resolution 23/24-11 City Council Rules Amendment #8	21-54
	7. First Reading of Ordinance 659 Park Operating Policy and Allowing Alcohol for Special Events	55-72
F.	CITY COUNCIL COMMENTS/ CONCERNS	

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.

G. INFORMATION REPORTS

1. Dave Rucklos, Tourism and Economic Development Director

H. CITY MANAGERS REPORT

73-154

I. ADJOURN

Posted:

By: Rocio Vargas, City Recorder

NEXT MEETING

Work Session Meeting Monday, March 18, 2024

Regular Session Meeting Monday, April 1, 2024

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

MINUTES
DAYTON CITY COUNCIL
Work/Special/ Executive
FEBRUARY 20, 2024

PRESENT: Mayor Trini Marquez
Councilor Drew Hildebrandt
Council President Jim Maguire
Councilor Rosalba Sandoval-Perez
Councilor Luke Wildhaber, via Zoom (*arrived in person at 6:45pm*)

ABSENT: Councilor Annette Frank
Councilor Kitty Mackin

STAFF: Rochelle Roaden, City Manager
Rocio Vargas, City Recorder
Dave Rucklos, Tourism & Economic Development Director
Denny Muchmore, City Engineer
Don Culter, Public Works Lead
John Lindow, Public Works Lead
Jake Taijala, Public Works Project Coordinator

A. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Marquez called the meeting to order at 6:30pm. All those in attendance gave the Pledge of Allegiance.

B. ROLL CALL

Mayor Marquez noted that Councilors Frank and Mackin were absent. Councilors Hildebrandt, Maguire, and Sandoval-Perez were present in person. Councilor Wildhaber was present via Zoom.

C. APPEARANCE OF INTERESTED CITIZENS

None.

D. CONSENT AGENDA

1. February 5, 2024, Regular Session Minutes

JIM MAGUIRE MOVED TO APPROVE THE CONSENT AGENDA. SECONDED BY ROSALBA SANDOVAL-PEREZ.

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

E. ACTION ITEMS

1. **Approval of Resolution 2023/24-09 Business Oregon Loan for Highway 221 Lift Station.**

Rochelle Roaden, City Manager, stated that Business Oregon is requesting Dayton City Council to pass Resolution 2032/24-09 for the financing of the Hwy 221 Lift Station project for \$1,028,000, and a \$75,000 grant.

JIM MAGUIRE MOVED TO APPROVE RESOLUTION 2023/24-09 AUTHORIZING A LOAN FROM THE WATER FUND BY ENTERING INTO A FINANCING CONTRACT WITH THE OREGON INFRASTRUCTURE FINANCE AUTHORITY. SECONDED BY DREW HILDEBRANDT.

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

2. Appointment of Dayton Community Events Committee Members.

City Manager stated that the City received two more applications to the Community Events Committee. The committee was established by Resolution 2023/24-06.

DREW HILDEBRANDT MOVED TO APPROVE APPOINTING GARY "WOODY" WOODS AND JOSEPH RODGERS TO THE DAYTON COMMUNITY EVENTS COMMITTEE AS VOTING MEMBERS WITH TERMS ENDING DECEMBER 31, 2026. SECONDED BY ROSALBA SANDOVAL-PEREZ.

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

F. WORK SESSION ITEMS

1. Courthouse Square Park Event Alcohol Permit Discussion

City Manager stated that in the February 5th city council meeting staff requested directions for the possibility of allowing alcohol at Courthouse Square Park for special events. Before presenting an Ordinance staff proposed rules and an application based on research from other cities. City Manager stated that an approval process would need to be established for either City Council or staff to approve applications.

There was a discussion on the time other cities require for their approval process. The council discussed if city council or staff would have the authority to review and approve special events with alcohol and OLCC special event permit. Requirements for safety, enforcement, and responsibility of the event hosts that plan to have alcohol.

The discussion concluded with the request for more research on the success of other cities allowing alcohol. The decision and review of applications would be in the prerogative of city staff.

2. FY23-24 Strategic Goals Review/Update

City Manager reviewed priority 1 goals for the current fiscal year. Updated council on the progress status of each.

City Manager reviewed the Strategic Goals document with City Council. Reported proposed adjustments to goals priority level for the next fiscal year through staff analysis.

City Manager reviewed the goals that were added and updated on Goal A List. She referred to City Council for any proposed changes, questions, or new goals.

Council President Maguire inquired if there is a possibility to acquire a type of filtration system that the city can implement to make the water taste better.

City Manager stated that there would need to be a charcoal system installed. She stated that due to the depth of the city wells, the water is full of magnesium and iron and the water treatment plant does filter this substance, but the city would need to have a charcoal system installed.

Denny Muchmore, City Engineer, explained that a charcoal filtration system is effective, however it is expensive to install and maintain. Other alternatives available to the city were discussed.

City Manager reviewed the goals added and updates made on Goal B list. She referred to City Council for any proposed changes, questions, or new goals.

There was a discussion on changes to the Noise Code to add a decibel metric. Councilors Hildebrandt, Wildhaber, and Maguire shared their concerns on the noise code.

City Manager reviewed the goals added and updates made on Goal C list. She stated that Councilor Mackin requested to add ADA Policy for community and special events as a goal. There was discussion on the option of adding sidewalk accessibility language to Park Event reservation applications. She referred to City Council for any proposed changes, questions, or new goals.

City Manager reviewed the goals added and updates made on Goal D list. She referred to City Council for any proposed changes, questions, or new goals.

City Manager reviewed the goals added and updates made on Goal E list. She stated that Councilor Mackin requested ongoing DEIA training for staff, council, commissions, and committees. She referred to City Council for any proposed changes, questions, or new goals.

There was a discussion on having council DEIA training.

Councilor Wildhaber inquired about adding the Dayton Fire District to the Emergency Operations Response Team Partnering.

City Manager reviewed the goals added and updates made on Goal F list. She referred to City Council for any proposed changes, questions, or new goals.

There was a discussion on adding signage to the other side of the footbridge and making it more inviting and connecting the Vintages to Dayton. The footbridge was added to wayfinding/tourism goal. A resolution will be brought to the next council meeting.

G. EXECUTIVE SESSION

Mayor Marquez opened the Executive Session at 8:38pm.

City Council met in Executive Session per ORS 192.660(2)(e) to conduct deliberations with designee on real property.

Mayor Marquez Closed the Executive Session at 9:09pm.

JIM MAGUIRE MOVED TO AUTHORIZE THE CITY MANAGER OR DESIGNEE TO ENTER INTO RESEARCH AND DISCUSSION WITH YAMHILL COUNTY REGARDING THE POSSIBLE ACQUISITION OF DAYTON LANDING AND THE POTENTIAL USE OF FISHER FARMS PROPERTY AS A FAIR GROUND. SECONDED BY DREW HILDEBRANDT. Motion carried with Hildebrandt, Maguire, Marquez and Wildhaber voting aye. Frank, Mackin, and Sandoval-Perez were absent.

H. COUNCILOR COMMENTS AND CONCERNS

None from Councilor Wildhaber.

Councilor Hildebrandt stated that there have been comments and concerns from the community about dogs.

Council President commented on the UGB expansion and keeping up with legislation on land use.

Mayor Marquez will be out of town on a training course on February 23, 2024.

I. INFORMATION REPORTS

1. Tourism and Economic Development

No comments or updates from Dave Rucklos, Tourism and Economic Development Director.

J. CITY MANAGER'S REPORT

City Manager updated on the closure of Alderman Park; open date changed to next week.

She will be out of town at a LOC Board Meeting in Condon Oregon February 22 and 23, 2024.

City Manager will be in Washington DC March 1st -8th.

K. ADJOURN

There being no further business to discuss the meeting adjourned at 9:20pm.

Respectfully submitted:

APPROVED BY COUNCIL on **March 4, 2024**

By:

As Written

As Amended

Rocio Vargas, City Recorder

Trini Marquez, Mayor

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Dayton Friday Nights June 30, and July through August 2023 Report – December 31, 2023

The Dayton Community Development Association (DCDA) just wrapped up the 9th annual “Dayton Friday Nights,” a summer mini-festival downtown. The Friday night events are jointly presented by the DCDA and the City of Dayton, in support of our downtown businesses. Many thanks to the DCDA board, the City Council, and city staff for their support, which helped make it all possible!



**5,300+ People
Attended 9 Events**
590 on Average





210+ Vintage Cars Displayed
24 on Average



**Estimated \$72,470 Spent
Downtown by Attendees**
(This represents \$8.74 spent downtown for every dollar
DCDA and City invested in this event series)



19 Volunteers
440 Total Volunteer Hours
**\$11,500 Estimated Value of
Volunteer Time**



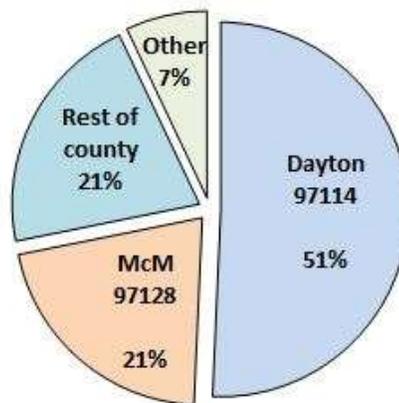
**Good
Economic Impact,
Reported by Vendors**

Vendors surveyed, rated an average of 4, where 1=No Impact and 5=Best Possible Impact. Median evening sales were \$55 per vendor surveyed

Residences of Attendees Surveyed



Residences of Vendors



**DOWNTOWN
DAYTON**

971.241.2076

ADDRESS
PO Box 237
Dayton, OR 97114

www.daytonoregon.org

DAYTON COMMUNITY
DEVELOPMENT ASSOCIATION
A 501(C)3 NON PROFIT ORGANIZATION

rooted.



Attendee Evaluations

We surveyed attendees on two nights, asking them to evaluate the event and provide demographic and other information. On the last night, we give vendors their own survey.

Overall - 89% of attendees were “very happy” with the event, 9% were “Somewhat happy”, and 2% felt it “needs improving.”

Age range of respondents	Times attended Friday Nights	On what did you spend money?	Vendors under 18 yrs old – a record
60% >60 yrs 25% 41-60 yrs.	41%: 1-3 times 35%: 4-6 24%: 7-9	Eating: 64% Shopping: 14% Other: 21%	11%

Audience comments

“Thank you for doing this! So proud of our little community to do these events!”
“Great community atmosphere!” *“From AZ, annual family visit – we love coming here, smaller venue, less of a crowd to deal with, close to the music.”*

Vendor comments

“Good sales. The volunteers are what made it the best event we've vended at.”
“It's fun and you can make your own money!” (<18 yrs)

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rooted.

To: Honorable Mayor and City Councilors
From: Rochelle Roaden, City Manager
Issue: Urban Renewal Agency Creation
Date: March 4, 2024

History/Background

At the meeting on October 23, 2023, the Dayton City Council (Council) approved a consulting services agreement to prepare the Dayton Urban Renewal Plan and Report and associated documents. To proceed with urban renewal planning, the Council must establish the Dayton Urban Renewal Agency (Agency). The Agency is the first step of review for any new urban renewal plan. They will review the proposed plan and determine whether to continue with the public review process of presenting it to the taxing districts, the Dayton Planning Commission for their review of conformance with the Dayton Comprehensive Plan and for a hearing and review by the Council. If the urban renewal plan is not adopted by the Council, the Agency provisions can remain dormant in the Municipal Code or the ordinance adopting the Agency can be repealed.

Elaine Howard, our consultant for the process of preparing an urban renewal plan, will be available by virtual connection to answer questions from the Council.

There are three specific ORS (457.035 and 457.045) requirements for the urban renewal agency ordinance: to specify that blighted areas exist in the city, to identify there is a need for an urban renewal agency to function in the city and to identify who will be the board of the urban renewal agency. These cover inadequate streets and utilities and underdevelopment of properties within the proposed urban renewal area.

1. The ordinance specifies that blight exists in the City of Dayton and identifies section ORS 457.010 (e), (g), and (h) as the conditions of blight:

(e) The existence of inadequate streets and other rights of way, open spaces and utilities;

(g) A prevalence of depreciated values, impaired investments and social and economic maladjustments to such an extent that the capacity to pay taxes is reduced and tax receipts are inadequate for the cost of public services rendered;

(h) A growing or total lack of proper utilization of areas, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to the public health, safety and welfare;

2. Because blight exists in the city, there is a need for an urban renewal agency to assist in providing the means to address the blight in the city.

3. ORS 457.045 requires the city to elect to have the powers of the agency exercised in one of three ways: the housing authority, a board or commission composed of not less than three members or by the governing body itself. The Ordinance proposes that the Agency be governed by the same body as the Dayton governing body, the Council. Elaine Howard has provided this recommendation based on her eighteen years of working with urban renewal agencies across the state. Having elected officials make the policy decisions of urban renewal spending provides voters with the opportunity to provide feedback to known individuals and provides the ability to replace members through the election process.

ORS 457.035 requires the ordinance to create an urban renewal agency be a non-emergency ordinance.

City Manager Recommendation: n/a

First Reading:

ORDINANCE NO. 658
CITY OF DAYTON, OREGON

AN ORDINANCE OF THE DAYTON CITY COUNCIL DECLARING THAT BLIGHTED AREAS EXIST IN THE CITY OF DAYTON ESTABLISHING THE NEED FOR AN URBAN RENEWAL AGENCY IN THE CITY AND ELECTING A METHOD FOR EXERCISING THE POWER OF AN URBAN RENEWAL AGENCY WITHIN THE CITY. CREATING SECTIONS 1.19.00-1.19.12 OF THE DAYTON MUNICIPAL CODE.

Potential Motion to Approve First Reading:

"I MOVE TO APPROVE THE FIRST READING OF ORDINANCE 658, AN ORDINANCE OF THE DAYTON CITY COUNCIL DECLARING THAT BLIGHTED AREAS EXIST IN THE CITY OF DAYTON ESTABLISHING THE NEED FOR AN URBAN RENEWAL AGENCY IN THE CITY AND ELECTING A METHOD FOR EXERCISING THE POWER OF AN URBAN RENEWAL AGENCY WITHIN THE CITY. CREATING SECTIONS 1.19.00-1.19.12 OF THE DAYTON MUNICIPAL CODE."

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.

**ORDINANCE NO. 658
CITY OF DAYTON, OREGON**

AN ORDINANCE OF THE DAYTON CITY COUNCIL DECLARING THAT BLIGHTED AREAS EXIST IN THE CITY OF DAYTON ESTABLISHING THE NEED FOR AN URBAN RENEWAL AGENCY IN THE CITY AND ELECTING A METHOD FOR EXERCISING THE POWER OF AN URBAN RENEWAL AGENCY WITHIN THE CITY. CREATING SECTIONS 1.19.00-1.19.12 OF THE DAYTON MUNICIPAL CODE.

WHEREAS, there exists in the City of Dayton blighted areas as defined in ORS 457.010(1); specifically ORS 457.010 (1) (e), (g) and (h); and

WHEREAS, such blighted areas impair economic values and negatively impact the health, safety, and welfare of the City's citizens; and

WHEREAS, some portions of these blighted areas may be improved by development and rehabilitation to eliminate the conditions of blight; and

WHEREAS, these development and rehabilitation activities and the prevention and reduction of blight are public purposes for which public money may be spent; and

WHEREAS, there is a need to establish an urban renewal agency to assist in the elimination of blight in Dayton; and

WHEREAS, ORS 457.035 authorizes the City to activate the powers of its urban renewal agency by adoption of a nonemergency ordinance declaring that blight exists, that there is a need for an urban renewal agency to function in the City and electing the City Council itself to exercise the powers of an urban renewal agency in the City.

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

Section 1: The City Council, based on the existence of blighted conditions, declares that blighted areas, as defined by ORS 457.010(1), exist within the City and that there is a need for an urban renewal agency to function within the City. The City Council further declares that pursuant to ORS 457.045(3), all of the rights, powers, duties, privileges, and immunities granted to and vested in an urban renewal agency shall be exercised by and vested in the City Council itself. Any act of the City Council acting as the urban renewal agency shall be considered the act of the urban renewal agency only and not of the City Council. The corporate name of the urban renewal agency activated by this ordinance shall be, and the agency shall be known as the Dayton Urban Renewal Agency.

Section 2: The Dayton Municipal Code shall be amended to include a provision for an Urban Renewal Agency as shown in Exhibit A.

Section 3: This Ordinance is effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Dayton on this ___ day of _____, 2024.

Mode of Enactment:

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

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

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

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

Final Vote:

In Favor:

Opposed:

Absent:

Abstained:

Trini Marquez, Mayor

Date of Signing

ATTESTED BY:

Rocio Vargas, City Recorder

Date of Enactment

Attachment: Exhibit A

Exhibit A
Dayton Municipal Code Addition

1.19.01 Urban Renewal Agency

- A. There is an Urban Renewal Agency with seven members who are the same members as the city council and the mayor.

1.19.02 Term Of Office

Each member of the Agency serves the same term as that of their city council position.

1.19.03 Officers

Each January the Agency will elect a chair and a vice-chair who will serve until successors are elected. The chair is the presiding officer, preserves order, and enforces the Agency rules. The vice-chair presides in the absence of the chair.

1.19.04 Duties

- A. The Agency has the powers and duties assigned to it by this code, ordinances, resolutions, and state law.
- B. Agency also performs the following functions:
1. Provides the budget committee with recommended policy.
 2. Prepares the Annual Report required in ORS 457.460.

1.19.05 Meetings

The Agency holds meetings as necessary at the City Hall Annex. A majority of the members of the Agency constitutes a quorum.

1.19.06 Staff Assistance

The City Manager assigns staff as necessary to assist the Agency.

1.19.07 Voting

All decisions will be voted on by affirmation and the result of all votes recorded in the Agency minutes. Commissioners present when a question is called must vote unless excused by the Agency.

1.19.08 Suspension Of Rules

No Agency rule may be added, amended, rescinded or suspended, except by the vote of a majority of Council members present at the meeting at which the action is taken.

1.19.09 Reconsideration

When a question has been decided, any councilor who voted in the majority may move for reconsideration. Any motion to reconsider must be made prior to adjournment of the meeting at which final action is taken on the matter in question.

1.19.10 Motions, Debate And Withdrawal

Motions shall be distinctly stated by the maker or presiding officer and may be debated without being seconded. Motions shall be read by the city manager when required by the Agency. A motion may be withdrawn at any time before amendment.

1.19.11 Ordinance and Resolution Preparation

Ordinances and resolutions may be prepared by the attorney. No ordinance may be prepared for presentation to the Agency unless directed by a majority of the Agency, requested by the chair or manager, or prepared by the attorney with the approval of the chair or city manager.

1.19.12 Rules Of Order

All circumstances not covered by Agency rules, this code or the Charter will be governed by Robert's Rules of Order, Newly Revised as interpreted by the attorney.

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To: Honorable Mayor and City Councilors

Through: Rochelle Roaden, City Manager

From: Rocio Vargas, City Recorder

Issue: OLCC Liquor License Renewals

Date: March 4, 2024

History/Background

Pursuant to ORS 471.166 a person applying for issuance or renewal of a liquor license through the Oregon Liquor Control Commission, **is required to seek approval from the local government** with jurisdiction and must pay an application fee, in an amount determined by the governing body of the city or county, for each application, not to exceed \$25.00 per application.

Notices to renew annual liquor licenses were mailed to all eligible businesses in Dayton on January 2, 2024, asking those businesses to respond by February 9, 2024. As of February 22, 2024, Dollar General, and Lonestar BBQ have **not** responded.

Each year Staff requests prior year crime stats from the Yamhill County Sheriff's Department to present to Council. Below is a snapshot of the incident activity as well as any code enforcement/noise complaints for each establishment for 2021-2023.

Establishment	Address	2021			2022			2023		
		Incidents with Case #'s	All Incidents	Noise	Incidents with Case #'s	All Incidents	Noise	Incidents with Case #	All Incidents	Noise
Brick Hall 1886	301 Main St	New Business - 0	0	0	1 - Intoxicated/no arrests	1	0	0	0	0
Center Market	901 Ferry Street	2 - Underage alcohol sales complaint/unfounded; Drinking in vehicle/unable to locate	2	0	2 - Reports of drinking in vehicle/unable to locate	2	0	0	0	0
Dollar General	501 7th St	0	0	0	0	0	0	0	0	
Juanitas Café Y Neveria	401 Ferry Street	0	0	0	0	0	0	0	0	
Loam	306 Ferry Street						0	0	0	
Lonestar BBQ	312 Ferry Street	0	0	0	0	0	0	0	0	
Stoller Family Estate	16161 NE McDougal Rd						0	0	0	
The By Pass Bar & Grill	400 Ferry Street	2 - Intoxicated Fighting/DUII arrest; Fighting/no arrests	2	0	4 - Intoxicated Fighting/no arrests; 1 Fight was trespassed; 1 Fight no arrest	6	0	1- DUI (Drug Related); 2-DUI Alcohol 1 with Arrest; 2- Intoxicated;	5	0
The Joel Palmer House	600 Ferry Street	0	0	0	0	0	0	0	0	
Tienda Y Video Zu Kaza	308 Ferry St	0	0	0	1 - Intoxicated/no arrests	1	0	0	0	0
Willamette Wine Count	16205 SE Kreder Rd	0	0	0	0	0	0	0	0	

Sgt. Eubanks or Cpt. Whitlow will attend the March 4th Council meeting to explain the activity and answer any questions the Council may have.

Per OLCC, governing bodies have until March 10th to make a recommendation. Here are the recommendation options:

- A. Do Nothing: If a recommendation is not submitted the OLCC will process the renewal as a favorable recommendation.

- B. Make a Denial Recommendation: (must meet the denial criteria)
 - 1. File an unfavorable recommendation, stating the grounds for the unfavorable recommendation; or
 - 2. Make a written request for additional time (45-day extension) to complete an investigation. The request must state:
 - a.) The reasons why you are considering an unfavorable recommendation.

 - b.) The specific grounds being considered. OAR 845-005-0308(3).

Unfavorable means recommending denial of a license or requesting restrictions be placed on a license.

Denial Criteria

The following is a list of problems relating to the APPLICANT or BUSINESS that OLCC **can** consider refusing or restrict a license:

- 1) Applicant has a habit of using alcohol or drugs to excess.

- 2) Applicant makes a false statement to OLCC (must be related to a refusal basis).
- 3) Applicant has been convicted of local, state, or federal laws that are substantially related to the fitness of holding a liquor license.

- 4) Applicant has demonstrated poor moral character.
- 5) Applicant has a poor record of compliance when previously licensed by OLCC.
- 6) Applicant is not the legitimate owner of the business.

- 7) The business has a history of serious and persistent problems at this location. The problems can include:
 - o Obtrusive or excess noise, music, or sound vibrations

 - o Public drunkenness
 - o Fights or altercations
 - o Harassment
 - o Unlawful drug sales
 - o Alcohol or related litter

OLCC is **not** able to consider the following issues when deciding to renew a liquor license:

- 1) Lack of parking
- 2) Increase in traffic.
- 3) Too many licenses in a specific area (saturation)
- 4) Entertainment type - nude dancing, gambling, live bands, etc.

- 5) Increased noise
- 6) Zoning issues

OLCC REASONS TO DENY OR RESTRICT A LICENSE

ORS 471.313(4)(5), OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-0325, 845-005-0326(4)(5) OR 845-005-0035

Business Name	Owner Name	Physical Address	Mailing Address	City	ST	Zip	1st Notice	Due Date	2nd Notice	Due Date	Date Paid
Brick Hall 1886	Froster's Craft Cooking	301 Main St	10550 NW Meadow Lake Rd	Carlton	OR	97101	1/2/2024	2/9/2024			1/29/2024
Center Market	Bahadur Singh	901 Ferry Street	901 Ferry Street	Dayton	OR	97114	1/2/2024	2/9/2024	2/9/2024	2/28/2024	
Dollar General	DG Retail LLC	501 7th St	100 Mission Ridge	Goodlettsville	TN	37072	1/2/2024	2/9/2024	2/9/2024	2/28/2024	
Juanitas Café Y Neveria	Juana & Ricardo Anturez	401 Ferry Street	PO Box 264	Dayton	OR	97114	1/2/2024	2/9/2024	2/9/2024	2/28/2024	2/9/2024
Loam	O Horizon Provisions LLC	306 Ferry Street	PO Box 1519	McMinnville	OR	97128	1/2/2024	2/9/2024			2/8/2024
Lonestar BBQ	Brian & Norma Huettl	312 Ferry Street	PO Box 433	Dayton	OR	97114	1/2/2024	2/9/2024	2/9/2024	2/28/2024	
Stoller Family Estate	Stoller Vinyards INC	16161 NE McDougal Rd	PO Box 189	Dayton	OR	97114	1/2/2024	2/9/2024			1/18/2024
The By Pass Bar & Grill	JT Smith	400 Ferry Street	PO Box 335	Dayton	OR	97114	1/2/2024	2/9/2024	2/9/2024	2/28/2024	2/20/2024
The Joel Palmer House	Chris & Mary Czarnecki	600 Ferry Street	PO Box 594	Dayton	OR	97114	1/2/2024	2/9/2024			1/22/2024
Tienda Y Video Zu Kaza	Maria Remedios Garcia Rojas	308 Ferry St	1676 NE Coburn Rd	McMinnville	OR	97128	1/2/2024	2/9/2024	2/9/2024	2/28/2024	2/9/2024
Willamette Wine Country	Willamette Wine Country	16205 SE Kreder Rd	1231-B State St	Santa Barbara	CA	93101	1/2/2024	2/9/2024	2/9/2024	2/28/2024	2/23/2024

To: Honorable Mayor and City Councilors

From: Rochelle Roaden, City Manager

Issue: Facilitating Strategic Goals Discussion

Date: March 4, 2024

History/Background

Mayor Marquez requested information regarding hiring a facilitator to help the Council with the review and establishment of strategic goals and objectives for the upcoming year.

Due to time constraints (budgeting season is upon us and incorporating the priority one strategic goals in the budget is necessary), I found a consulting firm that has worked in the area. Jensen Strategies, (<https://www.jensenstrategies.com/>) a well-known consulting firm for completing strategic goal setting with city councils and recently worked with the Carlton City Council, is able to facilitate a goal setting session on Monday, April 8th.

They need time to conduct interviews with each councilor before doing the work session and providing the final product. The cost is approximately \$8,000.

This was not budgeted for in this current year, but funds are available in the State Shared Revenue to offset a portion of the cost. Supplemental budget funds from the General Fund could be transferred to cover the remaining cost.

Or the Council could decide to wait until next fiscal year to complete a facilitated goal setting session in February of 2025 and give staff more time to research additional consulting firms and their services so Council can select a consultant that is in alignment with their vision.

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To: Honorable Mayor and City Councilors
From: Rochelle Roaden, City Manager
Issue: Approval of Resolution 23/24-11 City Council Rules Amendment #8
Meeting: March 4, 2024

Background and Information

Per the Dayton City Charter, Section 10, "The council must by resolution adopt rules to govern its meetings". In May 2005, the Dayton City Council adopted Resolution 04/05-31 "A Resolution Adopting City Council Rules" which are to be reviewed by the Council in January of even numbered years.

The council reviewed the council rules on January 2, 2024, and on February 5, 2024 after staff was asked to provide more information for the Council relating to the censure process.

I have attached a red-line version of the changes the council has asked for as well as a final version for your review.

Corrections made at the February 5th review:

- 3.1A - removing a duplicate sentence
- 5.1I - rearranging the procedure order
- 5.2.B(b) - adding "or designated staff"
- 17.3.C - changing "in" to "at"

City Manager Recommendation: I recommend approving Resolution 23/24-11.

Potential Motion to Approve: "I move to approve Resolution 23/24-11 a Resolution Adopting Amendment #8 to Resolution 04/05-31, a Resolution Adopting City Council Rules."

Council Options:

- 1 - Approve Resolution 23/24-11 as recommended.
- 2 - Approve Resolution 23/24-11 with amendments.
- 3 - Take no action and direct staff to do further research or provide additional options.

CITY OF DAYTON, OREGON
City Council Rules

SECTION 1 AUTHORITY

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

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

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

SECTION 3 MEETINGS

3.1 Public Meetings

- A. A quorum is required to conduct official City business. Four Council members shall constitute a quorum. Vacancies in office do not count towards determining a quorum. If a quorum is not present, Council members present shall adjourn the meeting.
- B. A public meeting occurs when a quorum of Council members convenes to make a decision or to deliberate towards a decision on any matter. A quorum of Council members may not convene in private for the purpose of deciding on or deliberating towards a final decision on any matter, except as otherwise specified in the City Council Rules or state law.
- C. For the purpose of this Section, “convene” means to: (1) gather in a physical location; (2) use electronic, video, or telephonic technology to communicate contemporaneously among participants; (3) use serial electronic written communication among participants; or (4) use an intermediary to communicate among participants, except as otherwise provided in ORS 192.690(m).

3.2 Council Meetings

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

3.3 Work Sessions

- A. Work Session meetings will be hybrid meetings and will normally be held in the City Hall Annex and/or virtually online on the 3rd Monday of each month, per ORS 192.670.
- B. Work Session meetings will be to develop policy, review programs, and receive progress reports, where no action is expected.
- C. Each agenda shall contain a segment that is reserved for the Mayor and Councilors to comment on ideas, exchange information, and make announcements.

3.4 Special or Emergency Meetings

- A. Special Session Meetings

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

- B. Emergency Meetings

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

3.5 Executive Session

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

- 3.6 Minutes.** Only the Mayor and Councilors have the authority to make revisions to the minutes subject to a

majority vote of the Council. If a citizen wishes to suggest an amendment, the request must be made through the Mayor or a Councilor.

3.7 Telephonic/Electronic Meetings

A. Council members may participate in Council meetings by telephone. The provisions of the Oregon state statutes governing public meetings apply. All Council members, whether attending the meeting in person or by telephonic means have the same voting rights.

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

SECTION 4 AGENDA

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

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

4.2 Headings

The agenda headings will generally be as follows:

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

4.3 Preparation

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

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

4.4 Scheduling

A. The agenda may be amended to add additional items after the agenda is printed and the notice published if the Mayor, Councilor, or City Manager explains the necessity and receives Council consent.

The City Manager will notify the media and any known interested citizens as soon as possible after receiving information about proposed agenda additions.

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

SECTION 5 PUBLIC HEARINGS

5.1 Generally

- A. A public hearing may be held on any matter upon majority vote of the Council. Public hearings may be held to consider legislative, quasi-judicial or administrative matters.
- B. Persons wishing to speak shall sign the “hearing roster” with the person’s name and address prior to the commencement of the public hearing at which the person wishes to speak.
- C. The presiding officer shall announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda. The presiding officer shall then declare the hearing open.
- D. Each person shall, prior to giving testimony, give his or her name, shall indicate whether they are a resident of the city, and may give their address. All remarks shall be addressed to the Council as a body and not to any member thereof.
- E. Speakers at hearings on legislative or administrative matters, other than legislative land use matters, will be limited to three minutes. Speakers at a hearing on a quasi-judicial matter, other than a quasi-judicial land use matter, shall be subject to the following time limits:
 - a. Staff presentation (15 minutes total).
 - b. Applicant or affected party (15 minutes). Quasi-judicial hearing only.
 - c. Appellant, if other than applicant (10 minutes). Quasi-judicial hearing only.
 - d. Other interested persons (3 minutes per person).
 - e. Questions of staff (No time limit).
 - f. Rebuttal by applicant or party. The scope of rebuttal is limited to matters which were introduced during the hearing (7 minutes total).
- F. Councilors may, after recognition by the presiding officer, ask clarifying or follow up questions of individuals providing testimony after that individual has completed his or her testimony. Questions posed by councilors should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Councilors shall be expected to use restraint and be considerate of the meeting time of the council when exercising this option. The presiding officer or mayor, as applicable, may intervene if a councilor is violating the spirit of this guideline.
- G. Councilors may, after the presentation of testimony of all interested persons, ask clarifying or follow-up questions of staff. Questions posed by City Councilors should be to provide clarification or additional information on testimony provided.

- H. The presiding officer or Mayor, as applicable, may exclude or limit cumulative, repetitious, or immaterial matter. The presiding officer or Mayor, as applicable, may order the testimony, alternating those speaking in favor and those in opposition, or have all speaking in favor testify, followed by all those in opposition. The presiding officer, or Mayor, as applicable, with the approval of the Council, may further limit the time and/or number of speakers at any public hearing; provided that the presiding officer or Mayor shall announce any such restrictions prior to the commencement of the testimony. In the event of large numbers of interested persons appearing to testify, the presiding officer or Mayor, to expedite the hearing, may in lieu of testimony call for those in favor of the pending proposal or those in opposition to rise and direct the city recorder to note the numbers in the minutes.

At the end of public testimony and questions of staff, Council members may start deliberations. During deliberations, each member of the Council shall have the opportunity to comment on or discuss testimony given during the public hearing. The Presiding Officer shall close the public hearing by introducing a motion on the matter; continue the hearing; or keep the record open for additional written testimony.

- I. A copy of any written testimony or physical evidence, which a party desires to have introduced into the record of the hearing, shall be submitted to the presiding officer at the time of the hearing. Communications concerning quasi-judicial matters received prior to the hearing are ex parte contacts, and a Councilor receiving any such communication must disclose the fact that such a communication has been received, and the content of the communication.
- J. Documents submitted to the City as evidence or written testimony during a public hearing are public records. If such a document contains the name, address, including email address, and telephone number of the person, then it will be included in the record of the proceeding. Because the name, address, including email address, and telephone number are part of a public record, this information will be generally disseminated to the public, and must be disclosed if a public records request is submitted for the documents. A person who believes such disclosure would present a danger to his or her personal safety, and who wishes to exempt his or her address, including email address, and telephone number from disclosure must submit a written request for nondisclosure to the city recorder pursuant to ORS 192.368(1).

5.2 Land Use Hearings. All land use hearings conducted by City Council pursuant to Article 7 of the Dayton Municipal Code shall follow the following rules of procedure:

A. General Conduct

- a. Any party may speak in person, through an attorney, or elect to have a representative from an officially recognized neighborhood association present the party's case.
- b. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing shall be submitted to the presiding officer at the time the party makes his or her presentation. If the testimony or evidence is not submitted to the presiding officer, it shall not be included in the record for the proceeding.
- c. No person may speak more than once without obtaining permission from the presiding officer.
- d. Upon being recognized by the presiding officer, any member of the council, the city manager, planning director or the city attorney may question any person who testifies.
- e. Testimony shall be directed towards the applicable standards and criteria which apply to the proposal before the Council.

f. The presiding officer may exclude or limit cumulative, repetitious, or immaterial testimony. To expedite hearings, the presiding officer may call for those in favor and those in opposition to rise, and the city recorder shall note the numbers of such persons for the record in the minutes.

B. Quasi-Judicial Land Use Matters.

a. Scope of Review. All appeals from the Planning Commission to City Council and Council-initiated reviews in quasi-judicial land use proceedings shall be held on the record in accordance with Dayton Municipal Code 7.3.206.03. Initial hearings held by City Council shall be de novo.

b. Hearing Procedures. The order of hearings in quasi-judicial land use matters before City Council shall be:

- i. Land Use Hearing Disclosure Statement. The presiding officer or designated staff shall read the land use hearing disclose statement, which shall include:
 1. A list of the applicable criteria;
 2. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;
 3. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and
 4. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.
- ii. Call for ex parte contacts. The presiding officer shall inquire whether any member of the Council has had ex parte contacts. Any member of the Council announcing an ex parte contact shall state for the record the nature and content of the contact.
- iii. Call for abstentions. The presiding officer shall inquire whether any member of the Council must abstain from participating in the hearing due to an actual conflict of interest, or must announce an apparent conflict of interest. Any member of the Council announcing a conflict of interest shall state the nature of the conflict, and if the conflict is an actual conflict of interest, shall not participate in the proceeding, unless the person's vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member shall not participate in any discussion or debate on the issue of which the conflict arises.
- iv. Staff summary. Planning staff shall present a summary and recommendation concerning the proposal.
- v. Presentation of the Case.
 1. Proponent's case. Twenty minutes total.
 2. Persons in favor. Five minutes per person.
 3. Persons opposed. Five minutes per person.
 4. Other interested persons. Five minutes per person.
 5. Rebuttal. Ten minutes total. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.
- vi. Close of hearing. No further information shall be received after the close of the hearing, except for specific questions directed to staff. If the response to any such questions requires the introduction of additional factual evidence, all parties shall be afforded an opportunity for simultaneous written rebuttal.
- vii. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.
- viii. Findings and Order. In the case of appeals from the Planning Commission to City Council and Council-initiated reviews in quasi-judicial land use proceedings, the Council may affirm, affirm with conditions, or reverse the decision. In the case of an initial hearing held by the City Council, the Council may approve, approve with conditions, or deny the application.

1. The Council shall adopt findings to support its decision.
 2. The Council may incorporate findings proposed by the proponent, the opponent or staff in its decision.
- c. Continuances. Only one continuance is available by right. However, nothing in this section shall restrict the council, in its discretion, from granting additional continuances. A continuance of the hearing granted pursuant to this section is subject to the limitations of ORS 227.178 – 120-day rule, unless the applicant waives his or her right to a final decision being made within 120 days of filing a complete application.
- C. Legislative Land Use Matters.
- a. Hearings Procedures. Subject to any express Dayton Municipal Code requirements to the contrary, the order of procedures for hearings on legislative land use matters shall be:
 - i. Call for abstentions. Inquire whether any member of the council wishes to abstain from participation in the hearing. Any member announcing an abstention shall identify the reason therefore and shall not participate in the proceedings.
 - ii. Staff summary. Staff shall present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.
 - iii. Presentation of the Case.
 1. Proponent’s case. Twenty minutes total.
 2. Persons in favor. Five minutes per person.
 3. Persons opposed. Five minutes per person.
 4. Other interested persons. Five minutes per person.
 5. Close of hearing. No further information shall be received after the close of the hearing, except for responses to specific questions directed to staff.
 - iv. **Deliberations.** Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.
 - v. **Reopening hearing.** Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the council, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements shall be met for the reopened hearing as were required for the original hearing.

SECTION 6 COUNCIL DISCUSSIONS AND DECORUM

- 6.1** Council should conduct themselves so as to bring credit upon the government of the City by respecting the rule of law, ensuring non-discriminatory delivery of public services, keeping informed concerning the matters coming before the Council and abiding by all decisions of the Council, whether or not the member voted on the prevailing side.
- 6.2** Councilors will assist the Presiding Officer to preserve order and decorum during Council meetings and may not, by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or Council rules. When addressing staff or members of the public, Councilors will confine themselves to questions or issues then under discussion and not:
- engage in personal attacks; or
 - impugn the motives of any speaker.
- 6.3** The following ground rules should be followed in order to maintain order and decorum during Council members discussions, Council members will:
- A. Gather necessary information and have questions answered from staff before a meeting.
 - B. Speak for themselves and not for other Council members.

- C. Not state they represent the Council, unless they have been asked by Council to do so.
- D. During public meetings, Council members should not attempt to substantially rewrite prepared ordinances. Editing an ordinance may be appropriate but comprehensive changes should follow staff research.
- E. Be open, direct and candid in the Council forum. Members should be brief and succinct in stating their views and focus on a single issue or topic at any one time.
- F. Focus on City issues and priorities and avoid becoming involved in extra-territorial issues outside the City's jurisdiction.
- G. Give all members an opportunity to express their views on the issues before the Council.
- H. Avoid disguising a statement as a question or using repetition as a way to convince others.
- I. Keep the discussion moving and call for a process check if the Council becomes bogged down in discussions.
- J. If a Council member wishes to discuss a major policy issue, it should be suggested as a future agenda item and not raised as an addendum.

6.4 Public Comment

- A. Public comment sign-up forms will be available at each meeting. At the time on the agenda designated for public comment, and during any public hearing, any member of the public desiring to address the Mayor and the Council shall first request to be recognized by the Presiding Officer and then state his or her name and address for the record. If necessary, the Council may limit comments to three minutes. The Council may request that groups with like comments choose a spokesperson to present their joint remarks.
- B. During public hearings, all public comment should be directed to the question under discussion and addressed to the Presiding Officer representing the Council as a whole.
- C. In general, Council will not respond to any comment made during the time on the agenda for public comment, except to provide information and ask clarifying questions.

SECTION 7 MOTIONS

6.1 General

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

- D. The Mayor will ask for a voice vote for all final decisions. The City Recorder will maintain a record of the votes. Any Council member may request an oral roll call vote on any decision.
- E. At the conclusion of any vote, the Mayor will announce the results.

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

7.3 Tie. A motion that receives a tie vote fails.

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

7.5 Postpone

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

7.6 Call for Question. A motion to call for the question ends debate on the matter and is not debatable. A second is required for this motion and it fails without a two-thirds' vote. Debate may continue if the motion fails.

7.7 Amendment

- A. A motion to amend may be made to a previous motion that has been seconded but not voted on. An amendment is made by adding, striking out, or substituting words.
- B. Motions to adjourn, agenda order, lay on the table, roll call vote, point of order, reconsideration, and take from the table may not be amended.
- C. Amendments are voted on first, then the main motion as amended.

7.8 Reconsideration. When a question has been decided, any Council member who voted in the majority may move for reconsideration. The motion for reconsideration must be made before adjournment of the meeting in which final action on the ordinance, resolution, order or other decision was taken.

SECTION 8 COUNCIL ETHICS; COUNCIL CONDUCT

8.1 Ethics. All Council members shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all Council members shall refrain from taking action which benefits special interest groups or persons at the expense of the City as a whole.

8.2 Representing City. If a Council member appears before another governmental agency, the media or an organization to give a statement on an issue, the Council member must state: 1) whether the statement reflects personal opinion or is the official position of the City; 2) whether the statement is supported by a majority of the Council. If the Council member is representing the City, the Council member must support and advocate for the official City position on the issue rather than a personal viewpoint.

8.3 Censure Process

8.3.1 Internal Oversight. The Council has the inherent right to make and enforce its own rules and to ensure compliance with those laws generally applicable to public bodies. Should any Council member act in any manner constituting a substantial violation of these rules, City Ordinance or Charter, or other general laws, the remaining Council members may issue a censure or memorandum of concern pursuant to the following procedure:

- A. The process is initiated by a written statement by a Council member explaining the alleged misconduct of a Council member and if true, why disciplinary action is needed. Two Council members must date and sign the statement and deliver the original to the City Manager. The City Manager shall then place the matter before the Council at the next Regular Session meeting if the written statement is submitted to the City Manager not later than five (5) calendar days prior to such meeting, otherwise the matter shall be placed on the agenda for the following Council meeting.
- B. An affirmative vote by five (5) or more members of the Council shall initiate an investigation. An affirmative vote by a Council member shall not indicate that such member believes the truth of the statement and/or the reasoning behind a proposed sanction, but merely that further investigation is warranted under the criteria set forth in subsection C) below. The Council member in question shall not take part in the discussion or the vote.
- C. If initiated, an investigation shall be conducted by a committee consisting of three Council members appointed by the Council. Two additional Dayton residents shall be included if the Council member being investigated makes such request. Such residents shall be selected by the Council. The investigation shall be completed within 30 days of being initiated by the Council. The Committee shall review whether the alleged misconduct occurred, and if so whether the alleged misconduct occurred while acting in their official capacity as a City Council member, including, but not limited to the following instances:
 - 1) During a city meeting or while representing the City of Dayton;
 - 2) City Council member announced that they were a City Council member (and therefore infers that conduct is as a City Council member);
 - 3) Conduct occurred in writing available to the public (social media, newspaper) as identified as a City Council member.
- D. If misconduct is found unanimously by the members of the City Council Committee, the Committee would present the investigation conclusion to the Council with a recommendation of any sanctions. Sanctions could include:
 - 1) A memo of concern from the full City Council, or
 - 2) Censure
- E. The Council shall vote on the Committee recommendation. A memorandum of concern would require a four (4) member vote of the Council; a censure would require at least a five (5) member vote. The Council member in question shall not take part in the discussion or the vote.
- F. If misconduct is not found unanimously by the City Council Committee, a public report of the Committee findings will be presented to the City Council during a Council meeting. A copy of that report will be given to the Council member who was investigated.

8.4 Investigation of Misconduct. The Council may investigate the actions of any Council member and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the City charter, or state laws applicable to governing bodies or elected officials has occurred, or that malfeasance in office or willful or wanton neglect of duty has occurred. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

SECTION 9 CONFIDENTIALITY

9.1 The Council will keep all written materials provided to them on matters of confidentiality under law in complete confidence to ensure that the City's position is not compromised. No mention of the information read or heard should be made to anyone other than other Councilors, the City Manager, or City Attorney.

9.2 In Executive Sessions, Council members should attempt to provide direction or consensus to staff on proposed terms and conditions for negotiations. All contact with other parties must be left to the designated staff or representative(s) handling the negotiations or litigation. Council will not have any contact or discussion with any other party or its representative nor communicate any executive session discussion unless directed.

9.3 All public statements, information or press releases relating to a confidential matter should be handled by designated staff or a designated member of Council.

9.4 The Council may censure a member who discloses a confidential matter or otherwise violates the terms of these rules. (Subject to Section 7.2)

SECTION 10 COMMUNICATION WITH STAFF

10.1 The Council members will respect the separation between policy-making (Council function) and administration (City Manager function) by:

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

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

10.3 The Presiding Officer will refer any comments or questions regarding city personnel or administration to the City Manager. The Presiding Officer may redirect other questions to a Council member or the City Manager, as

appropriate. Councilors may also address questions directly to the City Manager, who may either answer the inquiry or ask a staff member to do so

SECTION 11 MINUTES

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

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

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

SECTION 12 ADJOURNMENT

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

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

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

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

SECTION 13 DISQUALIFICATION

13.1 Bias

13.1.1 Any proponent, opponent or other party interested in a quasi-judicial matter to be heard by the Council may challenge the qualification of any Council member to participate in such hearing and decision. Such challenge must state any fact(s) relied upon by the party relating to a Council member's bias, pre-judgment, personal interest or other factor from which the party has concluded the Council member cannot participate and make an impartial decision. Such challenges must be made prior to the commencement of the public hearing. The Presiding Officer will give the challenged member an opportunity to respond. A motion to accept or deny the challenge will be accepted and voted upon by the Council. Such challenges and the Council's decision will be incorporated into the record of the hearing.

13.1.2 In quasi-judicial matters, each Council member must disclose participation in a prior decision or action on the matter that is before the Council. Common examples include when a Planning Commission member is elected or appointed to the City Council or when a Council member testifies at a Planning

Commission meeting. The Council member must state whether they can participate in the hearing with no regard for the prior decision made. If the Council member is unable to be impartial, they have a duty to disqualify themselves from participating in proceedings and leave the Council table.

13.1.3 If the City Council believes that the member is actually biased, it may disqualify the member by majority vote from participating in a decision on the matter. A Council member who has been disqualified from participating in a decision may participate in the proceeding as a private citizen.

13.2 Conflict of Interest

13.2.1 Generally, conflicts of interest arise in situations where a Council member, as a public official deliberating in a quasi-judicial proceeding or public meeting, has an actual or potential financial interest in the matter before the Council. Under state law, an actual conflict of interest is defined as one that would be to the private financial benefit or detriment of the Council member, a relative of a Council member or a business with which the Council member or a relative is associated. A potential conflict of interest is one that could be to the private financial benefit or detriment of the Council member, a relative of a Council member or a business with which the Council member or a relative is associated. A relative means the spouse, children, siblings or parents of the public official or public official's spouse. A Council member must publicly announce potential and actual conflicts of interest and, in the case of an actual conflict of interest, must refrain from participating in debate on the issue or from voting on the issue. A Council member must publicly announce the actual or potential conflict of interest at each quasi-judicial proceeding or public meeting at which it arises, not just the first proceeding or meeting at which it arises.

13.3 Ex Parte Contacts

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

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

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

SECTION 14 OREGON GOVERNMENT ETHICS COMMISSION REQUIREMENTS AND REPORTING

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

- 14.2** Council members shall give public notice of any conflict of interest or potential conflict of interest prior to every meeting at which such actual or potential conflict arises, and the notice will be reported in the meeting minutes. In addition to matters of financial interest, Council members shall maintain the highest standards of ethical conduct and assure fair and equal treatment of all persons, claims and transactions coming before the Council.
- 14.3** In accordance with ORS 244.195, it is each Council member's responsibility to file annual statements of economic interest with the Oregon Government Ethics Commission.
- 14.4 Council members shall attend or view training prepared by the Oregon Government Ethics Commission at least once during the member's term of office and shall verify member's attendance using the Commission's prescribed methods.

SECTION 15 LEGAL ADVICE

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

SECTION 16 ROBERT'S RULES

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

SECTION 17 COMMITTEES, ORGANIZATIONS & MEDIA

17.1 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.

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

17.3 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.
- D. Councilors may be removed from liaison positions by the Mayor, at his or her discretion.

17.4 Organizations, Media

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

SECTION 18. CITY MANAGER EVALUATION PROCESS

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

18.2 Form

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

SECTION 19. COUNCIL EXPENSES

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

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

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

**RESOLUTION NO. 20/21-09
CITY OF DAYTON, OREGON**

A Resolution Adopting Amendment #8 to Resolution #04/05-31, a Resolution Adopting City Council Rules

WHEREAS, on May 2, 2005, the Dayton City Council adopted Resolution #04/05-31, "A Resolution Adopting City Council Rules" (hereinafter called "Rules") and subsequently amended same by Resolution #05/06-14, adopted March 6, 2006; by Resolution #06/07-28 adopted March 5, 2007; and by Resolution #07/08-26 adopted March 3, 2008; by Resolution 10/11-13 adopted November 1, 2010; and by Resolution 11/12-16 adopted February 13, 2012; by Resolution 18/19-13 adopted March 4, 2019; by Resolution 20/21-09 adopted March 1, 2021; and

WHEREAS, pursuant to Section 1.1 of the Rules, the Council has conducted its review and desires to amend various language.

The City of Dayton resolves as follows:

- 1) THAT** the City Council hereby adopts the language modifications to the Rules outlined in Exhibit A, attached hereto and made a part hereof; and
- 2) THAT** this resolution shall become effective immediately upon adoption.

ADOPTED this 4th day of March 2024.

In Favor:

Opposed:

Absent:

Abstained:

Trini Marquez, Mayor

Date of Signing

ATTESTED BY:

Rocio A. Vargas, City Recorder

Date of Enactment

Attachment - Exhibit A

EXHIBIT A

CITY OF DAYTON, OREGON City Council Rules

SECTION 1 AUTHORITY

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

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

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

SECTION 3 ~~COUNCIL MEETINGS~~

3.1 Public Meetings

- A. A quorum is required to conduct official City business. Four Council members shall constitute a quorum. Vacancies in office do not count towards determining a quorum. If a quorum is not present, Council members present shall adjourn the meeting.
- B. A public meeting occurs when a quorum of Council members convenes to make a decision or to deliberate towards a decision on any matter. A quorum of Council members may not convene in private for the purpose of deciding on or deliberating towards a final decision on any matter, except as otherwise specified in the City Council Rules or state law.
- C. For the purpose of this Section, "convene" means to: (1) gather in a physical location; (2) use electronic, video, or telephonic technology to communicate contemporaneously among participants; (3) use serial electronic written communication among participants; or (4) use an intermediary to communicate among participants, except as otherwise provided in ORS 192.690(m).

~~3.21~~ Council Meetings

- A. Regular Session Council meetings will be hybrid meetings and will generally be held in the City Hall Annex and/or virtually online on the first Monday of each month for the purpose of conducting business or developing policy, per ORS 192.670.

- B. Council Regular Session meetings will normally begin at 6:30 p.m. and adjourn no later than 10 p.m. Work Session or Special Session meetings will normally begin at 6:30 p.m. and adjourn no later than 10 p.m. For any meeting to continue past the normal adjournment time, a majority of the Council members present at the meeting must agree.
- C. If possible, only one or two major topics (defined as issues of special interest, controversial, or difficult) will be scheduled per meeting.

3.32 Work Sessions

- A. Work Session meetings will be hybrid meetings and will normally be held in the City Hall Annex and/or virtually online on the 3rd Monday of each month, per ORS 192.670.
- B. Work Session meetings will be to develop policy, review programs, and receive progress reports, where no action is expected.
- C. Each agenda shall contain a segment that is reserved for the Mayor and Councilors to comment on ideas, exchange information, and make announcements.

3.34 Special or Emergency Meetings

- A. Special Session Meetings

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

- B. Emergency Meetings

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

3.45 Executive Session

- A. An Executive Session meeting (meeting closed to the general public) must be held in accordance with the terms of Oregon's Public Meetings Law (ORS 192.610 to ORS 192.690) and will be hybrid meetings, to be held generally in the City Hall Annex and/or virtually online. Executive Session meetings may be held during Regular Session or Special Session meetings provided relevant statutory limitations are met.

- B. Only the Council, City Attorney, specific staff members, media representatives, and those invited by the Mayor or a majority of the Council can attend.
- C. No formal decisions can be taken during an Executive Session. When the Council reconvenes in open session, formal action may be taken.
- D. The Council needs to specify that Executive Session meeting information may not be reported. In accordance with Oregon Public Meetings Law, only the subject of the Executive Session may be disclosed.
- E. Media representatives are allowed to attend Council Executive Sessions subject to the understanding that information from such meetings that consider proper Executive Session subjects will not be reported.

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

3.67 Telephonic/Electronic Meetings

- A. Council members may participate in Council meetings by telephone. The provisions of the Oregon state statutes governing public meetings apply. All Council members, whether attending the meeting in person or by telephonic means have the same voting rights.

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

SECTION 4 AGENDA

- 4.1 A. The Mayor or in his/her absence, the Council President, will work with the City Manager to schedule agenda items.
- B. Items may be placed on the Council agenda by any of the following methods: (1) the Mayor; (2) any Councilor by advising the Mayor, or City Manager; (3) vote of the Council, or (4) the City Manager or City Attorney.

4.2 Headings

The agenda headings will generally be as follows:

- CALL TO ORDER & PLEDGE OF ALLEGIANCE
- ROLL CALL
- ~~PUBLIC HEARING (when scheduled)~~
- APPEARANCE OF INTERESTED CITIZENS (on any topic except a public hearing held that night)

- CONSENT AGENDA (any item may be removed from the Consent Agenda for discussion at the request of a Councilor)
- PUBLIC HEARING (when scheduled)
- ACTION ITEMS
- CITY COUNCIL COMMENTS/CONCERNS
- INFORMATION REPORTS
- CITY MANAGER REPORT
- CITY ATTORNEY REPORT
- ADJOURN

4.3 Preparation

- A. The City Manager will prepare an agenda for each Council meeting specifying the time and place of the meeting, and a brief general description of each item to be considered by the Council.
- B. Agenda materials will generally be available to the Council, media, and public a minimum of three calendar days before all meetings with the exception of Emergency Sessions.

4.4 Scheduling

- A. The agenda may be amended to add additional items after the agenda is printed and the notice published if the Mayor, Councilor, or City Manager explains the necessity and receives Council consent. The City Manager will notify the media and any known interested citizens as soon as possible after receiving information about proposed agenda additions.
- B. Agenda items that are continued from one meeting to another will have preference on the subsequent agenda.
- C. With the consent of the Council, the Mayor may consider agenda items out of order.

SECTION 5 PUBLIC HEARINGS

5.1 Generally

- A. A public hearing may be held on any matter upon majority vote of the Council. Public hearings may be held to consider legislative, quasi-judicial or administrative matters.
- B. Persons wishing to speak shall sign the "hearing roster" with the person's name and address prior to the commencement of the public hearing at which the person wishes to speak.
- C. The ~~presiding officer~~city recorder shall announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda. The presiding officer shall then declare the hearing open.
- D. Each person shall, prior to giving testimony, give his or her name, shall indicate whether they are a resident of the city, and may give their address. All remarks shall be addressed to the Council as a body and not to any member thereof.
- E. Speakers at hearings on legislative or administrative matters, other than legislative land use matters, will be limited to three minutes. Speakers at a hearing on a quasi-judicial matter, other than a quasi-judicial land use matter, shall be subject to the following time limits:

a. Staff presentation (15 minutes total).

b. Applicant or affected party (15 minutes). Quasi-judicial hearing only.

c. Appellant, if other than applicant (10 minutes). Quasi-judicial hearing only.

d. Other interested persons (3 minutes per person).

e. Questions of staff (No time limit).

f. Rebuttal by applicant or party. The scope of rebuttal is limited to matters which were introduced during the hearing (7 minutes total).

F. Councilors may, after recognition by the presiding officer, ask clarifying or follow up questions of individuals providing testimony after that individual has completed his or her testimony. Questions posed by councilors should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Councilors shall be expected to use restraint and be considerate of the meeting time of the council when exercising this option. The presiding officer or mayor, as applicable, may intervene if a councilor is violating the spirit of this guideline.

G. Councilors may, after the presentation of testimony of all interested persons, ask clarifying or follow-up questions of staff. Questions posed by City Councilors should be to provide clarification or additional information on testimony provided.

H. The presiding officer or Mayor, as applicable, may exclude or limit cumulative, repetitious, or immaterial matter. The presiding officer or Mayor, as applicable, may order the testimony, alternating those speaking in favor and those in opposition, or have all speaking in favor testify, followed by all those in opposition. The presiding officer, or Mayor, as applicable, with the approval of the Council, may further limit the time and/or number of speakers at any public hearing; provided that the presiding officer or Mayor shall announce any such restrictions prior to the commencement of the testimony. In the event of large numbers of interested persons appearing to testify, the presiding officer or Mayor, to expedite the hearing, may in lieu of testimony call for those in favor of the pending proposal or those in opposition to rise and direct the city recorder to note the numbers in the minutes.

At the end of public testimony and questions of staff, Council members may start deliberations. During deliberations, each member of the Council shall have the opportunity to comment on or discuss testimony given during the public hearing. The Presiding Officer shall close the public hearing by introducing a motion on the matter; continue the hearing; or keep the record open for additional written testimony.

I. A copy of any written testimony or physical evidence, which a party desires to have introduced into the record of the hearing, shall be submitted to the presiding officer/city recorder at the time of the hearing. Communications concerning quasi-judicial matters received prior to the hearing are ex parte contacts, and a Councilor receiving any such communication must disclose the fact that such a communication has been received, and the content of the communication.

J. Documents submitted to the City as evidence or written testimony during a public hearing are public records. If such a document contains the name, address, including email address, and

telephone number of the person, then it will be included in the record of the proceeding. Because the name, address, including email address, and telephone number are part of a public record, this information will be generally disseminated to the public, and must be disclosed if a public records request is submitted for the documents. A person who believes such disclosure would present a danger to his or her personal safety, and who wishes to exempt his or her address, including email address, and telephone number from disclosure must submit a written request for nondisclosure to the city recorder pursuant to ORS 192.368(1).

5.2 Land Use Hearings. All land use hearings conducted by City Council pursuant to Article 7 of the Dayton Municipal Code shall follow the following rules of procedure:

A. General Conduct

- a. Any party may speak in person, through an attorney, or elect to have a representative from an officially recognized neighborhood association present the party's case.
- b. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing shall be submitted to the ~~presiding officer~~city recorder at the time the party makes his or her presentation. If the testimony or evidence is not submitted to the ~~presiding officer~~city recorder, it shall not be included in the record for the proceeding.
- c. No person may speak more than once without obtaining permission from the presiding officer.
- d. Upon being recognized by the presiding officer, any member of the council, the city manager, planning director or the city attorney may question any person who testifies.
- e. Testimony shall be directed towards the applicable standards and criteria which apply to the proposal before the Council.
- f. The presiding officer may exclude or limit cumulative, repetitious, or immaterial testimony. To expedite hearings, the presiding officer may call for those in favor and those in opposition to rise, and the city recorder shall note the numbers of such persons for the record in the minutes.

B. Quasi-Judicial Land Use Matters.

- a. Scope of Review. All appeals from the Planning Commission to City Council and Council-initiated reviews in quasi-judicial land use proceedings shall be held on the record in accordance with Dayton Municipal Code 7.3.206.03. Initial hearings held by City Council shall be de novo.
- b. Hearing Procedures. The order of hearings in quasi-judicial land use matters before City Council shall be:
 - i. Land Use Hearing Disclosure Statement. The presiding officer or designated staff shall read the land use hearing disclose statement, which shall include:
 - 1. A list of the applicable criteria;
 - 2. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;
 - 3. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and

4. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.
- ii. Call for ex parte contacts. The presiding officer shall inquire whether any member of the Council has had ex parte contacts. Any member of the Council announcing an ex parte contact shall state for the record the nature and content of the contact.
- iii. Call for abstentions. The presiding officer shall inquire whether any member of the Council must abstain from participating in the hearing due to an actual conflict of interest, or must announce an apparent conflict of interest. Any member of the Council announcing a conflict of interest shall state the nature of the conflict, and if the conflict is an actual conflict of interest, shall not participate in the proceeding, unless the person's vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member shall not participate in any discussion or debate on the issue of which the conflict arises.
- iv. Staff summary. Planning staff shall present a summary and recommendation concerning the proposal.
- v. Presentation of the Case.
 1. Proponent's case. Twenty minutes total.
 2. Persons in favor. Five minutes per person.
 3. Persons opposed. Five minutes per person.
 4. Other interested persons. Five minutes per person.
 5. Rebuttal. Ten minutes total. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.
- vi. Close of hearing. No further information shall be received after the close of the hearing, except for specific questions directed to staff. If the response to any such questions requires the introduction of additional factual evidence, all parties shall be afforded an opportunity for simultaneous written rebuttal.
- vii. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.
- viii. Findings and Order. In the case of appeals from the Planning Commission to City Council and Council-initiated reviews in quasi-judicial land use proceedings, the Council may affirm, affirm with conditions, or reverse the decision. In the case of an initial hearing held by the City Council, the Council may approve, approve with conditions, or deny the application.
 1. The Council shall adopt findings to support its decision.
 2. The Council may incorporate findings proposed by the proponent, the opponent or staff in its decision.
- c. Continuances. Only one continuance is available by right. However, nothing in this section shall restrict the council, in its discretion, from granting additional continuances. A continuance of the hearing granted pursuant to this section is subject to the limitations of ORS 227.178 – 120-day rule, unless the applicant waives his or her right to a final decision being made within 120 days of filing a complete application. ~~Any continuance shall result in a corresponding extension of the 120 day time limitations imposed by the Oregon Revised Statutes.~~

C. Legislative Land Use Matters.

- a. Hearings Procedures. Subject to any express Dayton Municipal Code requirements to the contrary, the order of procedures for hearings on legislative land use matters shall be:
 - i. Call for abstentions. Inquire whether any member of the council wishes to abstain from participation in the hearing. Any member announcing an abstention shall identify the reason therefore and shall not participate in the proceedings.
 - ii. Staff summary. Staff shall present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.
 - iii. Presentation of the Case.

1. Proponent's case. Twenty minutes total.
 2. Persons in favor. Five minutes per person.
 3. Persons opposed. Five minutes per person.
 4. Other interested persons. Five minutes per person.
 5. Close of hearing. No further information shall be received after the close of the hearing, except for responses to specific questions directed to staff.
- iv. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.
- v. Reopening hearing. Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the council, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements shall be met for the reopened hearing as were required for the original hearing.

SECTION 65 COUNCIL DISCUSSIONS AND DECORUM

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

- I. Keep the discussion moving and call for a process check if the Council becomes bogged down in discussions.
- J. If a Council member wishes to discuss a major policy issue, it should be suggested as a future agenda item and not raised as an addendum.

56.4 Public Comment

- A. Public comment sign-up forms will be available at each meeting. At the time on the agenda designated for public comment, and during any public hearing, any member of the public desiring to address the Mayor and the Council shall first request to be recognized by the Presiding Officer and then state his or her name and address for the record. If necessary, the Council may limit comments to three minutes. The Council may request that groups with like comments choose a spokesperson to present their joint remarks.
- B. During public hearings, all public comment should be directed to the question under discussion and addressed to the Presiding Officer representing the Council as a whole.
- C. In general, Council will not respond to any comment made during the time on the agenda for public comment, except to provide information and ask clarifying questions.

SECTION 76 MOTIONS

6.1 General

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

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

67.3 Tie. A motion that receives a tie vote fails.

67.4 Table. A motion to table is not debatable and precludes all amendments or further debate. If the motion

prevails, the matter may be taken from the table only by adding it to a future agenda at which time discussion may ~~continue~~continue.

67.5 Postpone

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

67.6 Call for Question. A motion to call for the question ends debate on the matter and is not debatable. A second is required for this motion and it fails without a two-thirds' vote. Debate may continue if the motion fails.

67.7 Amendment

- A. A motion to amend may be made to a previous motion that has been seconded but not voted on. An amendment is made by adding, striking out, or substituting words.
- B. Motions to adjourn, agenda order, lay on the table, roll call vote, point of order, reconsideration, and take from the table may not be amended.
- C. Amendments are voted on first, then the main motion as amended.

67.8 Reconsideration. When a question has been decided, any Council member who voted in the majority may move for reconsideration. The motion for reconsideration must be made before adjournment of the meeting in which final action on the ordinance, resolution, order or other decision was taken.

SECTION 87 COUNCIL ETHICS; COUNCIL CONDUCT

78.1 Ethics. All Council members shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all Council members shall refrain from taking action which benefits special interest groups or persons at the expense of the City as a whole.

8.2 Representing City. If a Council member appears before another governmental agency, the media or an organization to give a statement on an issue, the Council member must state: 1) whether the statement reflects personal opinion or is the official position of the City; 2) whether the statement is supported by a majority of the Council. If the Council member is representing the City, the Council member must support and advocate for the official City position on the issue rather than a personal viewpoint.

78.32 Censure Process

7.28.3.1 Internal Oversight. The Council has the inherent right to make and enforce its own rules and to ensure compliance with those laws generally applicable to public bodies. Should any Council member act in any manner constituting a substantial violation of these rules, City Ordinance or Charter, or other general laws, the remaining Council members may issue a censure or memorandum of concern pursuant to the following procedure:

- A. The process is initiated by a written statement by a Council member explaining the alleged misconduct of a Council member and if true, why disciplinary action is needed. Two Council members must date and sign the statement and deliver the original to the City Manager. The City Manager shall then place the matter before the Council at the next Regular Session meeting if the written statement is submitted to the City Manager not later than five (5) calendar days prior to such meeting, otherwise the matter shall be placed on the agenda for the following Council meeting.
- B. An affirmative vote by five (5) or more members of the Council shall initiate an investigation. An affirmative vote by a Council member shall not indicate that such member believes the truth of the statement and/or the reasoning behind a proposed sanction, but merely that further investigation is warranted under the criteria set forth in subsection C) below. The Council member in question shall not take part in the discussion or the vote.
- C. If initiated, an investigation shall be conducted by a committee consisting of three Council members appointed by the Council. Two additional Dayton residents shall be included if the Council member being investigated makes such request. Such residents shall be selected by the Council. The investigation shall be completed within 30 days of being initiated by the Council. The Committee shall review whether the alleged misconduct occurred, and if so whether the alleged misconduct occurred while acting in their official capacity as a City Council member, including, but not limited to the following instances:
 - 1) During a city meeting or while representing the City of Dayton;
 - 2) City Council member announced that they were a City Council member (and therefore infers that conduct is as a City Council member);
 - 3) Conduct occurred in writing available to the public (social media, newspaper) as identified as a City Council member.
- D. If misconduct is found unanimously by the members of the City Council Committee, the Committee would present the investigation conclusion to the Council with a recommendation of any sanctions. Sanctions could include:
 - 1) A memo of concern from the full City Council, or
 - 2) Censure
- E. The Council shall vote on the Committee recommendation. A memorandum of concern would require a four (4) member vote of the Council; a censure would require at least a five (5) member vote. The Council member in question shall not take part in the discussion or the vote.
- F. If misconduct is not found unanimously by the City Council Committee, a public report of the Committee findings will be presented to the City Council during a Council meeting. A copy of that report will be given to the Council member who was investigated.

8.4 Investigation of Misconduct. The Council may investigate the actions of any Council member and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the City charter, or state laws applicable to governing bodies or elected officials has occurred, or that malfeasance in office or willful or wanton neglect of duty has occurred. Sufficient notice must be
Adopted by Resolution#, 21/22-14 02/07/2022.

given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

SECTION 89 CONFIDENTIALITY

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

SECTION 910 COMMUNICATION WITH STAFF

- 9.10.1** The Council members will respect the separation between policy-making (Council function) and administration (City Manager function) by:
- A. Working with the staff as a team within a spirit of mutual respect and support.
 - B. Except in Council meetings, not attempting to influence a city employee or the City Manager concerning personnel matters, purchasing issues, the award of contracts and/or the selection of consultants, the processing of applications or granting of City licenses and permits. However, sharing information on these matter is appropriate.
 - C. Limiting individual contacts with staff so as not to influence staff decisions or recommendations; to interfere with their work performance; to undermine the authority of supervisors; or to prevent the full Council from having benefit of any information received.
 - D. Except in a Council meeting, staff will not attempt to influence individual Council members concerning City business.
 - E. Respecting roles and responsibilities of staff when and if expressing criticism in a public meeting or through public electronic mail messages.
- 910.2** All written informational material requested by individual members of Council will be submitted by staff to the entire Council with a notation indicating who requested the information.
- 910.3** The Presiding Officer will refer any comments or questions regarding city personnel or administration to the City Manager. The Presiding Officer may redirect other questions to a Council member or the City Manager, as appropriate. Councilors may also address questions directly to the City Manager, who may either answer the inquiry or ask a staff member to do so

SECTION 110 MINUTES

1011.1 Minutes shall be prepared with sufficient detail to meet their intended use. Verbatim minutes are not required. The minutes of meetings of the Council shall comply with provisions of ORS 192.650 by containing the following information at a minimum:

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

1011.2 The Council may amend the minutes to more accurately reflect what transpired at the meeting. Upon receipt of the minutes in the Council agenda packet, the Council member should read and submit any changes, additions or corrections to the City Manager so that a corrected copy can be issued prior to the meeting for approval. Under no circumstances may the minutes be changed following approval by the Council, unless the Council authorizes such change.

SECTION 121 ADJOURNMENT

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

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

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

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

SECTION 132 DISQUALIFICATION

1213.1 Bias

1213.1.1 — Any proponent, opponent or other party interested in a quasi-judicial matter to be heard by the Council may challenge the qualification of any Council member to participate in such hearing and decision. Such challenge must state any fact(s) relied upon by the party relating to a Council member's bias, pre-judgment, personal interest or other factor from which the party has concluded the Council member cannot participate and make an impartial decision. Such challenges must be made prior to the commencement of the public hearing. The Presiding Officer will give the challenged member an opportunity to respond. A motion to accept or deny the challenge will be accepted and voted upon by the Council. Such challenges and the Council's decision will be incorporated into the record of the hearing.

1213.1.2 In quasi-judicial matters, each Council member must disclose participation in a prior decision or action on the matter that is before the Council. Common examples include when a Planning Commission member is elected or appointed to the City Council or when a Council member testifies at a Planning Commission meeting. The Council member must state whether they can

participate in the hearing with no regard for the prior decision made. If the Council member is unable to be impartial, they have a duty to disqualify themselves from participating in proceedings and leave the Council table.

1213.1.3 If the City Council believes that the member is actually biased, it may disqualify the member by majority vote from participating in a decision on the matter. A Council member who has been disqualified from participating in a decision may participate in the proceeding as a private citizen.

1213.2 Conflict of Interest

132.2.1 Generally, conflicts of interest arise in situations where a Council member, as a public official deliberating in a quasi-judicial proceeding or public meeting, has an actual or potential financial interest in the matter before the Council. Under state law, an actual conflict of interest is defined as one that would be to the private financial benefit or detriment of the Council member, a relative of a Council member or a business with which the Council member or a relative is associated. A potential conflict of interest is one that could be to the private financial benefit or detriment of the Council member, a relative of a Council member or a business with which the Council member or a relative is associated. A relative means the spouse, children, siblings or parents of the public official or public official's spouse. A Council member must publicly announce potential and actual conflicts of interest and, in the case of an actual conflict of interest, must refrain from participating in debate on the issue or from voting on the issue. A Council member must publicly announce the actual or potential conflict of interest at each quasi-judicial proceeding or public meeting at which it arises, not just the first proceeding or meeting at which is arises.

123.3 Ex Parte Contacts

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

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

1213.3.3 For quasi-judicial hearings, a Council member who was absent during the presentation of evidence cannot participate in any deliberations or decision regarding the matter unless the Councilor has reviewed all the evidence and testimony received.

SECTION 143 OREGON GOVERNMENT ETHICS COMMISSION REQUIREMENTS AND REPORTING

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

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

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

14.4 Council members shall attend or view training prepared by the Oregon Government Ethics Commission at least once during the member's term of office and shall verify member's attendance using the Commission's prescribed methods.

SECTION 154 LEGAL ADVICE

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

SECTION 165 ROBERT'S RULES

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

SECTION 176 COMMITTEES, ORGANIZATIONS & MEDIA

176.1 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.

176.2 Council Member Participation. Council members shall encourage City committee member participation.

176.3 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.

C. Councilors may be removed from liaison positions by the Mayor, at his or her discretion.

176.4 Organizations, Media

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

SECTION 187. CITY MANAGER EVALUATION PROCESS

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

187.2 Form

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

SECTION 198. COUNCIL EXPENSES

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

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

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

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To: Honorable Mayor and City Councilors
From: Rochelle Roaden, City Manager
Issue: First Reading of Ordinance 659 Park Operating Policy and Allowing Alcohol for Special Events
Date: March 4, 2024

Background and Information

At the February 5th and February 20th Council meetings, staff presented information to the Council regarding allowing alcohol to be served during community events at Courthouse Square Park.

From these discussions, the code amendment language is attached for your review. Additionally, the proposed operating policy language includes the updated hours for parks will be open and closed per the discussion at the February 5th council meeting. Changes are noted with red-line track changes.

The proposed update to the General Rules of Use and the addition of the Park Operating Policy are based on the City of Independence’s municipal code while incorporating the Dayton municipal code’s current language.

Independence holds concerts in their waterfront park every week in the summer and allows the sale of alcohol through a special permit. With the addition of alcohol at community events, their code is more in depth regarding Prohibited Acts, Operating Policy, and Permits so I have included this language for your review.

I’d like to point out that I have also added two sections for the council’s review which relate to other issues discussed by the council since last summer:

- 1) Accessibility in the Park during Community Events
- 2) Prohibiting bicycles, skateboards, skates, and recreational scooters during large events

In the proposed code amendment language, 2.10.2A:

8. Accessibility: No person shall block a walkway or sidewalk causing inaccessibility.

19. Limitation or prohibition of animals. During those events with large attendees (Old Timer’s Weekend, Cinco de Mayo, Dayton Friday Nights, etc.) the City Manager shall have the right to limit or prohibit animals and the use of bicycles, skateboards, skates, or recreational scooters in all city parks.

Regarding Accessibility, this is language that I have added for your review or revision.

Limitation and prohibition of animals is directly from the Independence code and addresses the concerns/complaint the Dayton Community Development Association brought to the Council last summer due to activity occurring during Dayton Friday Nights. Although animals being restricted from large events has not been discussed, I am including it for your review and discussion.

The City of Independence municipal code is attached for your reference. It does include language regarding leash free dog park rules and fireworks. If the council is in favor, staff could bring back code amendment language to address both topics as they are relevant to the City of Dayton.

City Manager Recommendation: I recommend approving the first reading of Ordinance 659.

First Reading:

ORDINANCE NO. 659
CITY OF DAYTON, OREGON

AN ORDINANCE OF THE DAYTON CITY COUNCIL AMENDING CHAPTER 2 OF THE DAYTON MUNICIPAL CODE ALLOWING THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN COURTHOUSE SQUARE PARK DURING COMMUNITY EVENTS AND ADDING A PARKS OPERATING POLICY.

Potential Motion to Approve the 1st Reading:

"I MOVE TO APPROVE THE FIRST READING OF ORDINANCE 659 AN ORDINANCE OF THE DAYTON CITY COUNCIL AMENDING CHAPTER 2 OF THE DAYTON MUNICIPAL CODE ALLOWING THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN COURTHOUSE SQUARE PARK DURING COMMUNITY EVENTS AND ADDING A PARKS OPERATING POLICY."

City Council Options:

- 1 - Approve the 1st Reading of Ordinance 659 as recommended.
- 2 - Approve the 1st Reading of Ordinance 659 with amendments.
- 3 -Take no action and ask staff to do more research and bring further options back to the City Council.

EXHIBIT A

DAYTON MUNICIPAL CODE

2.10 Public Parks City Parks and Recreation Areas

2.10.1 Definition

For the purposes of this subsection, the following terms shall have the following meaning: *(Added ORD 625 – Adopted 06/01/15)*

- A. **Public Park:** means real property owned or controlled by the City of Dayton for public recreational use, including, but not limited to, Courthouse Square Park (bounded by Third and Fourth Streets, and Ferry and Main Streets), Andrew Smith Park, **Legion Field**, and Alderman Park.
- B. **Smoking:** means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, electronic cigarette, pipe, hookah, plant or any other smoking, tobacco, nicotine, or tobacco-like product or substance in any manner or any form.
- C. **Tobacco Use:** means smoking, chewing, vaping, inhaling, or any other means of ingestion or consumption of any tobacco product.
- D. **Tobacco:** means any tobacco product, cigarette, cigar, pipe tobacco, smokeless tobacco, chewing tobacco, electronic cigarettes and any other form of tobacco or nicotine product that may be utilized for smoking, chewing, vaping, inhaling, or any other means of ingestion or consumption.
- E. **Authorized Liquor Concessionaire** means a person who has obtained a special permit from the City of Dayton and any required license from the State Liquor Control Commission.

2.10.2 General Rules Of Use

- A. **Prohibited Acts.** The following activities shall be prohibited, except under specified conditions:
 - 1. **Use of alcoholic beverages in parks.** It is unlawful for any person to possess or consume any alcoholic beverage in a park, except under the following conditions:
 - a. The alcoholic beverage is obtained from an authorized liquor concessionaire at a park, as defined in section 2.10.1;
 - b. The alcoholic beverage is packaged in an individual container;
 - c. The alcoholic beverage is consumed in an area specifically designated by the City Manager or the City Manager's designee; and
 - d. At no time will any person who is visibly intoxicated enter or remain in the park.
 - 2. Disorderly conduct, noisy disturbances or disregard for park rules and regulations shall result in removal from the Public Park by authorized city personnel.
 - 3. No peddling, soliciting or commercial activities are permitted within a Public Park without prior approval of the City Council or their designee.
 - 4. ~~Possession or use of intoxicating beverages within Public Parks is expressly prohibited.~~ Damages. Park users shall be liable for damages to park grounds or facilities caused by themselves, their children, or their pets.
 - 5. Firearms, other than those permitted by ORS 166.210, BB guns, air rifles, knives, other than cooking cutlery and pocket knives in the possession of an adult, slingshots or similar objects capable of inflicting bodily harm shall not be allowed in Public Parks except as otherwise permitted by City Council or their designee.
 - 6. Smoking and tobacco use is prohibited on and around all Public Parks. This policy does not prohibit use of FDA-approved nicotine replacement therapy products such as

nicotine patches, gum and lozenges which are intended to help quit tobacco use and minimize symptoms of nicotine additions. (Added ORD 625 – Adopted 06/01/15)

7. Accessibility: No person shall block a walkway or sidewalk causing inaccessibility.
8. Park traffic regulations. It is unlawful for any person to drive any automobile or other vehicle as defined in the state motor vehicle code, within parks contrary to the rules and regulations set for in the state motor vehicle code or any ordinance of the city for the operation of vehicles operating within city limits. It is unlawful for any person to disobey any of the signs erected for the direction of traffic within such parks pursuant to this article, or any rules made pursuant to this chapter.
9. Solid Waste, Disposal, and Fires. No person shall build any fire, including fires to cook food in a park, except in permanent barbecue stoves or fireplaces maintained by the City, or in propane gas or electric barbecue stoves within 20 feet of the covered eating pavilion located in the northwest corner of Courthouse Square Park; or for historical or educational demonstration purposes as determined in advance by the City Council or their designee. Waste disposal fires or uncontained fires of any kind are expressly prohibited.
10. Protected Plantings. No person shall injure or remove any vegetation from Public Parks. Notwithstanding the provisions of Section 5.6 of this Code, no person may affix any placard, bill, advertisement or poster on trees or other plantings within public parks. No person shall damage, remove, or penetrate temporary barriers erected in public parks to protest new growth until it is established.
11. Miller Fountain. No person shall wade, swim, bathe or wash clothing, dishes, or utensils in Miller Fountain. No person shall intentionally place, insert or toss foreign materials into the water and plumbing equipment, including but not limited to, soap, dyes, live animals/fish, dirt, rocks, etc.
12. Animals. It is unlawful for any person to permit any domestic or other animal to run at large in a park, except as allowed within designated off-leash dog parks. Handlers/keepers must remove and dispose of their animal's waste. Horseback riding shall be confined solely to vehicle roadways and designated bridle paths. Where permitted horses shall be thoroughly broken and properly restrained, ridden with due care and not be allowed to graze or go unattended.
13. Vandalism. It is unlawful for any person to break, destroy or damage any shrubs, grass, trees, plants, flowers, fences, buildings, tables, benches, seats or other lands or property or improvements of any kind within city parks.
14. Dumping refuse or debris in parks. It is unlawful for any person to throw, leave or deposit any bottle, broken glass, ashes, wastepaper, or other rubbish, or break any glass in any park, except as such places or in such receptacles as may be designated or provided by the city.
15. Bodily fluids. No person shall blow, spread, or place any nasal or other bodily discharge or spit, urinate or defecate on the floors, walls, partitions, furniture, fittings or any portion of a public convenience station located in any part in the city, or in any other place in such park, except directly into the particular fixture provided for that purpose.
16. Block plumbing fixtures. No person shall place a bottle, can, cloth, rag, or metal, wood, stone substance, or foreign object in the plumbing fixtures in such stations.
17. Intimidation. No person shall participate in intimidating behavior, such as blocking a walkway or walking more than three people abreast while not yielding to pedestrians.

18. Limitation or prohibition of animals. During those events with large attendance (Old Timers Weekend, Cinco de Mayo, Dayton Friday Nights, etc.), the City Manager shall have the right to limit or prohibit animals and the use of bicycles, skateboards, skates, or recreational scooters in all city parks.

2.10.3 Hours Operating Policy

1. Except for unusual and unforeseen emergencies, city parks shall be open to the public every day of the year during designated hours. Public parks are open thirty minutes before sunrise and close thirty minutes after sunset. ~~for the use of the public from 7:00 am until 10:30 pm.~~ No person shall be within a Public Park between thirty minutes after sunset and thirty minutes before sunrise ~~10:30 pm and 7:00 am~~, except for historical or educational demonstration purposes as determined in advance by City Council.
2. A park, or portion thereof, may be reserved for picnics, reunions, concerts, noncommercial activities, or public gatherings. Reservations shall be made through the City Manager on an approved application form, subject to the conditions listed below:
 - a. That the proposed activity or use of the park will not unreasonably interfere with or detract from the promotion of public health, welfare, safety or recreation;
 - b. That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park;
 - c. That the proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct;
 - d. That the proposed activity will not entail unusual, extraordinary activity, burdensome expenses or police operation by the city;
 - e. That the facility desired has not been reserved for other use at the day and hour requested in the application;
 - f. That any applicable permit fees have been paid prior to the date of the requested usage of the park facility; That the applicant agrees to any other conditions reasonably imposed on an application form approved by the city manager;
3. A park, or portion thereof, may be used for commercial purposes only after obtaining a written permit from the city. Permits shall be issued by the City Manager upon a finding that the applicant has met the conditions set forth in subsection (b) of this section, plus the following conditions:
 - a. Provide an application fee per the Fee Schedule.
 - b. For any person selling or dispensing food or beverage of any kind, submits documentation that he has obtained all health, sanitary and permit licenses from the state and county;
 - c. Provides proof of public liability insurance in the amount of \$100,000.00 to \$300,000.00 bodily injury and \$50,000.00 property damage or a \$300,000.00

- combined single limit policy (an amount not less than applicable Oregon Tort Claims limits);
 - d. Provides a signed indemnity agreement agreeing to hold the city harmless for the person's or acts and for the acts of any employees or agents;
 - e. Agrees to any other conditions reasonably imposed on an application form approved by the City Manager;
4. In lieu of requiring individual applications for commercial activities, a single permit may be granted to sponsors of public events in which two or more commercial applicants will be in attendance. A permit shall be issued upon a finding that the sponsor has met the conditions set forth in subsection (b) of this section and the following conditions:
- a. Provides an application fee per the Fee Schedule.
 - b. Provides documentation of the required state and county health, sanitary and permit licenses for those commercial activities selling or dispensing food or beverages;
 - c. Provides proof of public liability insurance in the amount of \$100,000.00 to \$300,000.00 bodily injury and \$50,000.00 property damage or a \$300,000.00 combined single limit policy (an amount not less than applicable Oregon Tort Claims limits);
 - d. Provides a signed indemnity agreement agreeing to hold the city harmless for acts of the sponsor, its employees or agents acting in behalf of the sponsor of the public event;
 - e. Agrees to any other conditions reasonably imposed on an application form approved by the City Council.
5. Duration of permits. Any permit granted in accordance with subsection (b) or (c) of this section shall be for a period not to exceed five (5) consecutive days. No person shall be allowed to obtain more than four (4) permits within any calendar year, unless agreed to by the City Manager.
6. Fees. Fees for use of city parks shall be adopted by resolution of the City Council.
7. The offense described in this section is a Dayton Municipal Code Class B violation.

2.10.4 Solid Waste Disposal And Fires

- ~~1. No person shall build any fire, including fires to cook food, in a Public Park, except in permanent barbecue stoves or fireplaces maintained by the City, or in propane gas or electric barbecue stoves within 20 feet of the covered eating pavilion located in the northwest corner of Courthouse Square Park, or for historical or educational demonstration purposes as determined in advance by the City Council or their designee.~~
- ~~2. Waste disposal fires or uncontained fires of any kind are expressly prohibited.~~

2.10.5 Protected Plantings

~~No person shall injure or remove any vegetation from Public Parks. Notwithstanding the provisions of Section 5.6 of this Code, no person may affix any placard, bill, advertisement or poster on trees or other plantings within public parks. No person shall damage, remove or penetrate temporary barriers erected in public parks to protest new growth until it is established.~~

2.10.6 Vandalism

~~No person shall intentionally damage any plant or fixture in a Public Park.~~

2.10.7 Prohibited Conduct In Courthouse Square Park

~~It is unlawful to do any of the following in Courthouse Square Park: (Revised ORD 625—Adopted 06/01/15)~~

- ~~1. Wading, swimming, bathing, or washing clothing, dishes or utensils in Miller Fountain.~~
- ~~2. Intentionally placing, inserting, or tossing foreign materials into the water and pumping equipment, including but not limited to, soap, dyes, live animals/fish, dirt, rocks, etc. in Miller Fountain.~~

2.10.8 Animals

2.10.8.1 Removal Of Feces

2.10.8.2 Horses

~~No person shall permit any animal, belongs to him or her, to be in a public park unless the person is in constant control of the animal's behavior. Pets or other animals allowed to run at large or to create a nuisance shall be removed and the owner cited.~~

2.10.8.1 Removal Of Feces

~~The person in control of an animal in a public park is responsible to remove any feces within five minutes of the time they are dropped by the animal.~~

2.10.8.2 Horses

~~No person shall lead, ride or drive any horse or other animal within any public park except for historical or educational demonstration purposes as determined in advance by the City Council or their designee.~~

2.10.94 Penalty For Violation

~~A violation of any provision of Dayton Municipal Code Section 2.10 is a Class B violation. See Section 2.10.10 for additional measures.~~

2.10.104 Trespass

In addition to the other measures provided for violation of this Code, or any of the laws of the State of Oregon, any peace officer, as defined by ORS 133.005(3), as amended, or any City employee may exclude any person who violates any provision of this Code, any City ordinance, or any of the laws of the State of Oregon from any City park for a period of not more than 30 days.

- A. Written notice shall be given to any person excluded from any City park. Such notice shall specify the dates and places of exclusion. It shall be signed by the issuing party. Warning consequences shall be prominently displayed on the notice.
- B. A person receiving such notice may appeal to the City Council to have the written notice rescinded or the period shortened. Notwithstanding any other provision of this Code, the appeal shall be filed within 5 days of receipt of the exclusion notice, unless extended by the City Council for good cause shown.
- C. An appeal properly filed under (B) automatically stays the exclusion period until the City Council issues a decision on the appeal.
- D. At any time within 30 days, a person receiving such notice may apply in writing to the City Manager for a temporary waiver from the effects of the notice for good reason.

2.10.5 Permits Subject to Ordinances and Regulations

- A. All permits issued by the city shall be subject to city ordinances. The person to whom such permits are issued shall be bound by the rules, regulations, and ordinances as fully as though the same were inserted in such permits. Any person or persons to whom such permits shall be issued shall be liable for any loss, damage or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall be issued. The City Manager shall have the power to revoke any permit upon a finding that a person has violated any rule, regulation, or ordinance of the city.

2.10.6 Permits to be Exhibited

- A. Any person claiming to have a permit from the city shall produce and exhibit such permit upon the request of any authorized person who may desire to inspect the same.

2.10.97 Penalty For Violation

- B. A violation of any provision of Dayton Municipal Code Section 2.10 is a Class B violation. See Section 2.10.10 for additional measures.

ARTICLE IX. CITY PARKS AND RECREATION AREAS

Sec. 26-372. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Authorized liquor concessionaire means a person who has obtained a special permit from the City Council and any necessary license from the State Liquor Control Commission.

Class I fireworks means any combustible or explosive composition or substance, or any combination of such compositions or substances, or any other article which was prepared for the purpose of providing a visible or audible effect by combustion, explosion, deflagration or detonation, and includes blank cartridges or toy cannons in which explosives are used, balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, Roman candles, bombs, rockets, wheels, colored fires, fountains, mines, serpents or any other article of like construction or any article containing any explosive or inflammable compound, or any tablets or other device containing any explosive substances or inflammable compound, except those devices listed as Class II fireworks.

Class II fireworks means:

- (1) Sparklers, toy pistol paper caps, toy pistols, toy canes, snakes, smoke-producing devices or other devices in which paper caps containing 0.25 grains or less of explosive compound are used, and when the rate of burning and the explosive force of the materials in such devices are not greater than an equivalent weight of FFFG black powder, and when such devices are so constructed that the hand cannot come in contact with the cap when in place for explosion, and the major explosive force is contained or dispelled within the housing or shell of the device, there is no visible flame during discharge, there is no flaming or smoldering of any of the components or parts of the device after discharge, and the device does not produce sufficient heat to readily ignite combustible materials upon which the device may be placed;
- (2) Cone fountains, cylindrical fountains, flitter sparklers, ground spinners, illuminating torches and wheels, as defined in ORS 480.127.

Commercial purposes means to sell or expose for sales any food, beverage, merchandise, article or thing, or charge an admission fee.

Park means a park, playground, swimming pool, ballfield, recreation center or any other area in the city identified as a park by executive order of the City Manager.

(Prior Code, § 45.010; Code 2006, § 12.21.1; Ord. No. 1178, § 1(part), 1988; Ord. No. 1239, § 1, 1991; Ord. No. 1512, § 1(12.21.1), 7-24-2012; Ord. No. 1607, § 1(Exh. A), 6-13-2023)

Sec. 26-373. Use of parks encouraged.

The parks are maintained for the recreation of the public and the greatest possible use is encouraged, subject only to such regulation as will preserve the parks for the purposes for which they are laid out and the enjoyment, convenience and safety of all concerned.

(Prior Code, § 45.015; Code 2006, § 12.21.2; Ord. No. 1178, § 1(part), 1988; Ord. No. 1512, § 1(12.21.2), 7-24-2012)

Sec. 26-374. Park operating policy.

- (a) Except for unusual and unforeseen emergencies, city parks shall be open to the public every day of the year during designated hours. The City Manager may establish opening and closing hours for each individual park, which hours shall be posted therein for public information.
- (b) A park, or portion thereof, may be reserved for picnics, reunions, concerts, noncommercial activities or public gatherings. Reservations shall be made through the City Manager on an approved application form, subject to the conditions listed below:
 - (1) That the proposed activity or use of the park will not unreasonably interfere with or detract from the promotion of public health, welfare, safety or recreation;
 - (2) That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park;
 - (3) That the proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct;
 - (4) That the proposed activity will not entail unusual, extraordinary activity, burdensome expenses or police operation by the city;
 - (5) That the facility desired has not been reserved for other use at the day and hour requested in the application;
 - (6) That any applicable permit deposits and fees have been paid prior to the date of the requested usage of the park facility;
 - (7) That the applicant agrees to any other conditions reasonably imposed on an application form approved by the city council.
- (c) A park, or portion thereof, may be used for commercial purposes only after obtaining a written permit from the city. Permits shall be issued by the City Manager upon a finding that the applicant has met the conditions set forth in subsection (b) of this section, plus the following conditions:
 - (1) Provide an application fee and a deposit, which is refundable at the termination of the permit if the applicant has met all other conditions and obligations of the permit;
 - (2) For any person selling or dispensing food or beverage of any kind, submits documentation that he has obtained all health, sanitary and permit licenses from the state and county;
 - (3) Provides proof of public liability insurance in the amount of \$1,000.00 to \$300,000.00 bodily injury and \$50,000.00 property damage or a \$300,000.00 combined single limit policy (an amount not less than applicable Oregon Tort Claims limits);
 - (4) Provides a signed indemnity agreement agreeing to hold the city harmless for the person's or acts and for the acts of any employees or agents;
 - (5) Agrees to any other conditions reasonably imposed on an application form approved by the City Council.
- (d) In lieu of requiring individual applications for commercial activities, a single permit may be granted to sponsors of public events in which two or more commercial applicants will be in attendance. A permit shall be issued upon a finding that the sponsor has met the conditions set forth in subsection (b) of this section and the following conditions:
 - (1) Provides an application fee and a deposit which is refundable at the termination of the permit if the sponsor has met all other conditions and obligations of the permit;

- (2) Provides documentation of the required state and county health, sanitary and permit licenses for those commercial activities selling or dispensing food or beverages;
 - (3) Provides proof of public liability insurance in the amount of \$100,000.00 to \$300,000.00 bodily injury and \$50,000.00 property damage or a \$300,000.00 combined single limit policy (an amount not less than applicable Oregon Tort Claims limits);
 - (4) Provides a signed indemnity agreement agreeing to hold the city harmless for acts of the sponsor, its employees or agents acting in behalf of the sponsor of the public event;
 - (5) Agrees to any other conditions reasonably imposed on an application form approved by the City Council.
- (e) Duration of permits. Any permit granted in accordance with subsection (b) or (c) of this section shall be for a period not to exceed five consecutive days. No person shall be allowed to obtain more than four permits within any calendar year, unless agreed to by the City Manager.
- (f) Fees and deposits. Fees and deposits for use of city parks shall be adopted by resolution of the City Council.
- (g) The offense described in this section is an Independence Municipal Code Class B violation, per section 1-22. (Prior Code, § 45.020; Code 2006, § 12.21.3; Ord. No. 1178, § 1(part), 1988; Ord. No. 1466, 2008; Ord. No. 1512, § 1(12.21.3), 7-24-2012)

Sec. 26-375. Activities prohibited exceptions.

- (a) *Prohibited acts.* The following activities shall be prohibited, except under specified conditions:
- (1) *Use of alcoholic beverages in parks.* It is unlawful for any person to possess or consume any alcoholic beverage in a park, except under the following conditions:
 - a. The alcoholic beverage is obtained from an authorized liquor concessionaire at a park, as defined in section 26-372;
 - b. The alcoholic beverage is packaged in an individual container;
 - c. The alcoholic beverage is consumed in an area specifically designated by the City Manager or the City Manager's designee; and
 - d. At no time will any person who is visibly intoxicated, enter or remain in any city park.
 - (2) *Sale, possession, use and discharge of fireworks.*
 - a. It is unlawful for any person to sell, keep or offer for sale, expose for sale, possess, use, explode or have exploded any fireworks in any park, except as authorized by the State Fire Marshal.
 - b. In addition to the prohibitions listed in subsection (a)(2)a of this section, it is also unlawful for any person to sell, keep or offer for sale, expose for sale, possess, use, explode or have exploded any Class II fireworks in any park during the Western Days Celebration, the dates of which shall be determined annually by the City Council. Additionally, during Western Days events, the Western Days Commission may establish their own rules of conduct to add to this list of prohibited acts.
 - c. It is unlawful for any person to sell, offer for sale or expose for sale any Class II fireworks in any park at any time.
 - (3) *Overnight use of parks.* It is unlawful for any person to set up tents or any other temporary shelter or to use house trailers, campers, RVs or automobiles for the purpose of overnight camping in any city park without first obtaining written consent from the City Manager, or unless such camping is within

the designated camping area within Riverview Park. The following additional restrictions apply to the overnight use of the Riverview Park Bicycle/Boater Campground:

- a. Camping is only allowed within the designated camping area at the north end of Riverview Park.
- b. Camping is limited to bicyclists and boaters. Camping by travelers using motor vehicles is not permitted. No overnight vehicle parking is allowed in Riverview Park.
- c. Campground use is on a first come, first served basis. No reservations will be made.
- d. Maximum occupancy of eight people per camping site.
- e. No alcohol is allowed in the campground.
- f. Riverview Park is smoke-free - smoking allowed in designated smoking areas only.
- g. Campers may stay up to two nights. This may be extended by City Hall in special circumstances.
- h. Camping fee - \$10.00 per site per night - pay at pay station.
- i. Campers are responsible for securing their bicycles and boats.
- j. Camp quiet hours are from 10:00 p.m. to 7:00 a.m.
- k. The campground will be closed during the July 4th weekend and for other community events, check the website for closures.
- l. Non-registered visitors to your campsite must exit the park by 10:00 p.m.
- m. Campers are responsible for clearing their area of all litter before exiting the campsite. Failure to do so may result in a citation being issued for offensive litter.
- n. Any violation of park policies, city ordinances, or state laws may also result in a camper being trespassed from the campground and asked to leave the park without a refund.

The restrictions set forth in this section governing the overnight use of the Riverview Park Bicycle/Boater Campground may be modified by City Manager Executive Order for the temporary use of public lands by individuals experiencing homelessness, based upon all factors that the City Manager deems relevant to comply with applicable state and federal law.

- (4) *Hunting.* It is unlawful for any person to hunt, trap or pursue wildlife at any time, or to use, carry or possess any kind of trapping device. Excepted are hunters using the park facility as access for boat hunting.
- (5) *Animals.* It is unlawful for any person to permit any domestic or other animal to run at large in a park, except as allowed within designated off-leash dog parks, subject to subsection (a)(18) of this section. Horseback riding shall be confined solely to vehicle roadways and designated bridle paths. Where permitted horses shall be thoroughly broken and properly restrained, ridden with due care and not be allowed to graze or go unattended.
- (6) *Swimming.* No person shall swim in any areas posted as a "no swimming area." No person shall use a public dock for the purpose of ingress or egress while swimming in the Willamette River.
- (7) *Boating.* It is unlawful for any person to navigate, direct or handle any boat in such a manner as to unjustifiably or unnecessarily annoy or frighten or endanger the occupants of any other boat or swimmer.
- (8) *Kindling fires.* It is unlawful for any person to light, kindle or use any fire in any park except in fireplaces, stoves or receptacles provided for that purpose.

- (9) *Vandalism.* It is unlawful for any person to break, destroy or damage any shrubs, grass, trees, plants, flowers, fences, buildings, tables, benches, seats or any other lands or property or improvements of any kind within city parks.
- (10) *Dumping refuse or debris in parks.* It is unlawful for any person to throw, leave or deposit any bottle, broken glass, ashes, wastepaper or other rubbish, or break any glass in any park, except at such places or in such receptacles as may be designated or provided by the city.
- (11) *Park traffic regulations.* It is unlawful for any person to drive any automobile or other vehicle as defined in the state motor vehicle code within such parks contrary to the rules and regulations set forth in the state motor vehicle code or any ordinance of the city for the operation of vehicles operating within the city limits. It is unlawful for any person to disobey any of the signs erected for the direction of traffic within such parks pursuant to this article, or any rules made pursuant to this chapter.
- (12) *Bodily fluids.* No person shall blow, spread or place any nasal or other bodily discharge or spit, urinate or defecate on the floors, walls, partitions, furniture, fittings or any portion of a public convenience station located in any park in the city, or in any other place in such park, excepting directly into the particular fixture provided for that purpose.
- (13) *Block plumbing fixtures.* No person shall place a bottle, can, cloth, rag or metal, wood or stone substance in the plumbing fixtures in such stations.
- (14) *Bathing.* No person shall bathe nor use public facilities for bathing purposes at a public park, except in facilities specifically designated for bathing or showering.
- (15) *Intimidation.* No person shall participate in intimidating behavior, such as blocking a walkway or walking more than three people abreast while not yielding to other pedestrians.
- (16) *Limitation or prohibition of animals.* During those events with large attendance (Western Days, Mexican Fiesta, Hop Festival, etc), the Police Chief shall have the right to limit or prohibit animals and the use of bicycles, skate boards, skates or other wheeled devices in all city parks.
- (17) *Criminal act or violation.* The Commission of any criminal act or violation of any city ordinance.
- (18) *Dogs, leashes required.* Dogs shall be leashed at all times, except as allowed within a designated off-leash dog park. Rules for the Independence Community Off-Leash Dog Park are as follows:
 - a. Dogs shall remain under handler's/keeper's voice command and control at all times.
 - b. Dog Park users enter at their own risk.
 - c. Handlers/keepers must accept liability for any damage or injury caused by their dog.
 - d. Children under 12 years of age must be accompanied by an adult.
 - e. Handlers/keepers must remove and dispose of their dog's waste.
 - f. Dogs must wear a visible and current license.
 - g. Aggressive, dangerous and potentially dangerous dogs, the characteristics of which are defined in section 4-52, are not allowed.
 - h. Dogs are allowed off-leash in designated areas only.
 - i. Handlers/keepers shall obey all Dog Park signage.
 - j. Handler/keepers 18 years of age or older shall be responsible for no more than three dogs in the Dog Park at any one time. Handler/keepers under 18 years of age shall be responsible for no more than one dog in the Dog Park at any one time.

- (b) *Penalty.* The offense described in this section is an Independence Municipal Code Class B violation, per section 1-22. In addition to or in lieu of penalties available under section 1-22, violators may be excluded from the Independence Community Off-Leash Dog Park for a period of up to 30 days pursuant to section 26-378.

(Prior Code, § 45.025; Code 2006, § 12.21.4; Ord. No. 1178, § 1(part), 1988; Ord. No. 1239, § 2, 1991; Ord. No. 1247, § 1, 1991; Ord. No. 1467, § 1, 2008; Ord. No. 1471, § 1, 8-26-2008; Ord. No. 1512, § 1(12.21.4), 7-24-2012; Ord. No. 1523, § 1, 8-13-2013; Ord. No. 1541, § 1(Exh. A), 7-14-2015; Ord. No. 1584, § 3, 10-27-2020; Ord. No. 1592, § 1, 9-14-2021; Ord. No. 1607, § 1(Exh. A), 6-13-2023)

Sec. 26-376. Permits subject to ordinances and regulations.

All permits issued by the city shall be subject to city ordinances. The person to whom such permits are issued shall be bound by the rules, regulations and ordinances as fully as though the same were inserted in such permits. Any person or persons to whom such permits shall be issued shall be liable for any loss, damage or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall be issued. The City Manager shall have the power to revoke any permit upon a finding that a person has violated any rule, regulation or ordinance of the city.

(Prior Code, § 45.035; Code 2006, § 12.21.5; Ord. No. 1178, § 1(part), 1988; Ord. No. 1512, § 1(12.21.5), 7-24-2012)

Sec. 26-377. Permits to be exhibited.

Any person claiming to have a permit from the city shall produce and exhibit such permit upon the request of any authorized person who may desire to inspect the same.

(Prior Code, § 5.040; Code 2006, § 12.21.6; Ord. No. 1178, § 1(part), 1988; Ord. No. 1512, § 1(12.21.6), 7-24-2012)

Sec. 26-378. Exclusion from parks.

- (a) In addition to other measures provided for violation of this chapter or the laws of the State of Oregon, any police officer may issue a written order excluding from all or any part of a park any person cited to appear, arrested, or otherwise taken into custody for violating any provision of section 26-375 for a period not to exceed 90 days.
- (b) The order shall specify the reason for the exclusion, the area from which the person is excluded, the length of the exclusion, the penalty for entering the excluded area, and contain information concerning the recipient's right to appeal the exclusion to the Independence Municipal Court. The person to whom the exclusion order is issued shall sign a written acknowledgement of receipt of the exclusion order. If that person refuses to do so, the arresting officer shall make a written record of the refusal.
- (c) A person receiving notice may, within five days, appeal in writing to the City Manager to have the written notice rescinded or the period shortened. At any time within the 30 days a person receiving a notice may apply in writing to the City Manager for a temporary waiver from the effects of the notice for good reason. The waiver shall be in writing and shall contain the time period of the waiver, and shall be kept in the possession of the person at all times while in the park.
- (d) If a person excluded from a park is found therein during the exclusion period, that person is subject to immediate arrest for criminal trespass in the second degree pursuant to ORS 164.245.

(Prior Code, § 45.045; Code 2006, § 12.21.7; Ord. No. 1178, § 1, 1980; Ord. No. 1247, § 2, 1991; Ord. No. 1279, § 1(part), 1993; Ord. No. 1314; Ord. No. 1607 , § 1(Exh. A), 6-13-2023)

Sec. 26-379. Park exclusion appeal and variance.

Park exclusion appeals may be filed with the Independence Municipal Court in accordance with and pursuant to the same filing requirements and procedures as set forth in section 18-170, governing Drug Free Zone exclusion order appeals and variances. The municipal court judge shall determine whether the park exclusion was based upon conduct proscribed by section 26-375.

(Ord. No. 1607 , § 2, 6-13-2023)

Secs. 26-380—26-399. Reserved.

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**ORDINANCE NO. 659
CITY OF DAYTON, OREGON**

AN ORDINANCE OF THE DAYTON CITY COUNCIL AMENDING CHAPTER 2 OF THE DAYTON MUNICIPAL CODE ALLOWING THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN COURTHOUSE SQUARE PARK DURING COMMUNITY EVENTS AND ADDING A PARKS OPERATING POLICY.

WHEREAS, on February 5, and February 20, 2024, the City Council considered the information provided by staff in a public meeting and deliberated on the proposed action; and

WHEREAS, the Dayton City Council strategic goals include to “capitalize on Dayton’s facilities and resources to provide recreational and cultural opportunities” and to “use Dayton’s heritage and historic resources to forward our image as an authentic and charming town”; and

WHEREAS, the Dayton City Council strategic goals identify objectives to support community events such as Cinco de Mayo, Old Timers Weekend, Dayton Friday Nights, etc.; and

WHEREAS, in September of 2023, the City of Dayton distributed an economic development questionnaire to Dayton residents resulting in support of more local events including allowing the consumption of alcohol at such events; and

WHEREAS, the local business community has expressed interest in holding community events at Courthouse Square Park to stimulate economic activity by offering alcoholic beverages in conjunction with such events; and

WHEREAS, the City of Dayton maintains and operates Courthouse Square Park, Andrew Smith Park, Alderman Park and Legion Field; and

WHEREAS, the City of Dayton has experienced an uptick in criminal activity in Courthouse Square Park during the late evening hours in the winter to include vandalism throughout the park, the bathroom and Miller fountain; and

WHEREAS, the City of Dayton installed a new bathroom facility at Andrew Smith Park to address the needs of its residents. The park's proximity to residential zones raises concerns about potential vandalism and unauthorized activity, especially during late-night hours.

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

Section 1: The City Council adopts the amendments to Chapter 2 of the Dayton Municipal Code attached as Exhibit A and incorporated by reference herein.

Section 2: This Ordinance is effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Dayton on this ___ day of _____, 2024.

Mode of Enactment:

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

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

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

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

Final Vote:

In Favor:

Opposed:

Absent:

Abstained:

Trini Marquez, Mayor

Date of Signing

ATTESTED BY:

Rocio A. Vargas, City Recorder

Date of Enactment

Attachment: Exhibit A



CITY MANAGER'S REPORT

***CITY OF DAYTON, OREGON
ANNUAL FINANCIAL REPORT
YEAR ENDED JUNE 30, 2023***

CITY OF DAYTON, OREGON
CITY OFFICIALS
JUNE 30, 2023

<u>Name and Address</u>	<u>Position</u>	<u>Term Expires</u>
Trini Marquez	Mayor	December 31, 2026
Jim Maguire	Council President	December 31, 2026
Rosalba Sandoval-Perez	Council Member	December 31, 2026
Luke Wildhaber	Council Member	December 31, 2026
Kitty Mackin	Council Member	December 31, 2024
Drew Hildebrandt	Council Member	December 31, 2024
Annette Frank	Council Member	December 31, 2024

Council members receive mail at the City’s address

Appointed Officials

Rochelle Roaden
City Manager
P.O. Box 339
Dayton, Oregon 97114

Heather Martin/Paul Elsner, Beery, Elsner & Hammond, LLP
City Attorneys *

Brooks Bateman, City of Newberg
Building Official *

Denny Muchmore, Westech Engineering
City Engineer *

Curt Fisher, Keil Jenkins, Mid-Willamette Valley Council of Governments
City Planner *

*Contracted Services

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FINANCIAL SECTION



GROVE, MUELLER & SWANK

redw
Advisors & CPAs

INDEPENDENT AUDITOR'S REPORT

Honorable Mayor and Members of the City Council
City of Dayton
Dayton, Oregon

Report on the Audit of the Financial Statements

Opinions

We have audited the modified cash basis financial statements of the governmental activities, the business-type activities, and each major fund and the aggregate remaining fund information of the City of Dayton (the City) as of and for the year ended June 30, 2023, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective modified cash basis financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City as of June 30, 2023, and the respective changes in financial position-modified cash basis and, where applicable, cash flows thereof for the year then ended in accordance with the modified cash basis of accounting described in the summary of significant accounting policies in the notes to the financial statements.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Emphasis of Matter — Basis of Accounting

We draw attention to the notes to financial statements, which describes the basis of accounting. The financial statements are prepared on the modified cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America. Our opinions are not modified with respect to this matter.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with the modified cash basis of accounting described in the notes to the financial statements, and for determining that the

modified cash basis of accounting is an acceptable basis for the preparation of the financial statements in the circumstances. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. Management's discussion and analysis and the supplementary information, which are the responsibility of management, are presented for purposes of additional analysis and are not required parts of the basic financial statements.

The supplementary information as listed in the table of contents is the responsibility of management and was derived from, and relates directly to, the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the basic financial statements as a whole.

Management's discussion and analysis has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on such information.

Other Reporting Required by Legal and Regulatory Requirements

Reporting Required by Oregon Minimum Standards

In accordance with Minimum Standards for Audits of Oregon Municipal Corporations, we have issued our report dated January 22, 2024, on our consideration of the City's compliance with certain provisions of laws and regulations, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules. The purpose of that report is to describe the scope of our testing of compliance and the results of that testing and not to provide an opinion on compliance.

*GROVE, MUELLER & SWANK
CERTIFIED PUBLIC ACCOUNTANTS*

By: 
Devan W. Esch, Principal
January 22, 2024

City of Dayton, Oregon

MANAGEMENT'S DISCUSSION AND ANALYSIS

For the Fiscal Year Ended June 30, 2023

The management of the City of Dayton, Oregon presents this narrative overview and analysis to facilitate both a short and a long-term analysis of the financial activities of the City for the fiscal year ended June 30, 2023. Management's Discussion and Analysis (MD&A) is based on currently known facts, decisions, and conditions that existed as of the date of the independent auditor's report. Please read it in conjunction with the City's financial statements which follow this section.

Financial Highlights

	June 30,		change
	2023	2022	
Net Position	\$ 4,712,662	\$ 5,150,713	\$ (438,051)
Change in Net Position	(438,051)	1,539,343	(1,977,394)
Governmental Net Position	1,488,722	1,832,357	(343,635)
Proprietary Net Position	3,223,940	3,318,356	(94,416)
Change in Governmental Net Position	(343,635)	168,780	(512,415)
Change in Proprietary Net Position	(94,416)	1,370,563	(1,464,979)

Overview of the Financial Statements

The following discussion and analysis is intended to serve as an introduction to the City's basic financial statements and other information. The City's basic financial statements are comprised of three components:

1. Government-wide financial statements
2. Fund financial statements
3. Notes to the basic financial statements
4. Other information

Government-wide financial statements - The *government-wide financial statements* are designed to provide readers with a broad overview of the City's finances, in a manner similar to a private-sector business. These statements include:

The Statement of Net Position (Modified Cash Basis). The *statement of net position* presents information on all of the assets and liabilities of the City as of the date on the statement. Net position is what remains after the recognized liabilities have been paid off or otherwise satisfied. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The Statement of Activities (Modified Cash Basis). The *statement of activities* presents information showing how the net position of the City changed over the most recent fiscal year by tracking revenues, expenses and other transactions that increase or decrease net position in total.

Both of the government-wide financial statements distinguish functions of the City that are principally supported by taxes and intergovernmental revenues (governmental activities) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (business-type activities). The governmental activities of the City include the following:

- General Government
- Public Safety
- Public Works
- Community Development

The business-type activities of the City include the following:

- Water Operations
- Sewer Operations

The government-wide financial statements can be found on pages 10 through 11 of this report.

Fund financial statements – The fund financial statements provide more detailed information about the City’s funds, focusing on its most significant or “major” funds – not the City as a whole. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City can be divided into two categories: governmental funds and proprietary funds.

Governmental funds - Governmental funds are used to account for activities where the emphasis is placed on available financial resources, rather than upon net income determination. Therefore, unlike the government-wide financial statements, governmental fund financial statements focus on the acquisition and use of current spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a government’s near-term requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial decisions. By doing so, readers may better understand the long-term impact of the government’s near-term financial decisions.

The City maintains ten individual budgetary governmental funds. Information is presented separately in the governmental funds Balance Sheet and in the governmental funds Statement of Revenues, Expenditures and Changes in Fund Balances for those funds that are considered significant (major) to the City taken as a whole. These financial statements report five major funds, the General, Transient Lodging Tax, Local Option Tax, American Rescue Act funds, and Street Capital Projects. The State Revenue Sharing Fund has been combined with the General Fund for presentation purposes. Data from the other four governmental funds are combined into a single, aggregated presentation. Individual fund data for each of these non-major governmental funds is provided as supplementary information in the form of combining statements.

The governmental fund financial statements can be found on pages 13 through 16 in the basic financial statements.

The City adopts an annual appropriated budget for all governmental funds. To demonstrate compliance with the budget, budgetary comparison statements have been provided for the General Fund, State Revenue Sharing Fund, Transient Lodging Tax Fund, Local Option Tax Fund, American Rescue Plan Act Fund, Street Capital Projects Fund, Street Fund, Building Reserve Fund, Park Capital Projects Fund, and Equipment Replacement Reserve Fund.

Proprietary funds - Proprietary funds are used to account for activities where the emphasis is placed on net income determination. All of the City’s proprietary funds are enterprise funds. Proprietary funds are used to

report the same functions presented as business-type activities in the government-wide financial statements.

The City uses proprietary funds to account for its water and sewer activity.

The proprietary funds for Water Operations and Sewer Operations are considered to be major funds of the City and are reported separately in the proprietary financial statements in the basic financial statements.

The City adopts an annual appropriated budget for each Proprietary fund. To demonstrate compliance with the budget, budgetary comparison statements have been provided for the proprietary funds as other supplementary information.

The proprietary financial statements can be found on pages 17 through 19 in the basic financial statements.

Notes to the basic financial statements - The notes provide additional information that is essential for a full understanding of the data provided in the government-wide and fund financial statements. They are an integral part of the basic financial statements and should be read in conjunction with them.

Other information - In addition to the basic financial statements and accompanying notes, this report also presents certain *supplementary information*, including the budgetary comparison schedules, and the combining nonmajor fund financial statements.

Government-Wide Financial Analysis

Statement of Net Position (Modified Cash Basis)

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. In the case of the City, assets exceeded liabilities by \$4,712,662 at the close of fiscal year 2023.

A portion of the City's net position, \$2,771,472, or approximately 59%, represents resources that are subject to external restrictions on how they may be used. The remaining balance is net position - unrestricted totaling \$1,941,190, or approximately 41%.

	2023			2022		
	Governmental Activities	Business-type Activities	Total	Governmental Activities	Business-type Activities	Total
Current and other assets	\$ 1,489,419	\$ 3,223,940	\$ 4,713,359	\$ 1,833,376	\$ 3,318,356	\$ 5,151,732
Other liabilities	697	-	697	1,019	-	1,019
Net position:						
Restricted	697,274	2,074,198	2,771,472	899,373	1,934,140	2,833,513
Unrestricted	791,448	1,149,742	1,941,190	932,984	1,384,216	2,317,200
Total Net Position	<u>\$ 1,488,722</u>	<u>\$ 3,223,940</u>	<u>\$ 4,712,662</u>	<u>\$ 1,832,357</u>	<u>\$ 3,318,356</u>	<u>\$ 5,150,713</u>

Statement of Activities (Modified Cash Basis)

The City's net position decreased \$438,051 during fiscal 2022-2023. This decrease is explained in the government and business-type activities as follows:

Governmental activities - The City's net position decreased by \$343,635 from governmental activities due to a greater increase in total expenses compared to the increase in total revenues.

	2023			2022		
	Governmental Activities	Business-type Activities	Total	Governmental Activities	Business-type Activities	Total
Revenues						
Program Revenues						
Fees, fines and charges for services	\$ 236,752	\$ 1,606,059	\$ 1,842,811	\$ 94,878	\$ 1,557,995	\$ 1,652,873
Operating grants and contributions	530,244	-	530,244	536,743	-	536,743.00
Capital grants and contributions	657,262	87,242	744,504	156,161	1,570,330	1,726,491.00
General Revenues						
Property taxes	527,302	-	527,302	502,730	-	502,730.00
Transient lodging taxes	70,364	-	70,364	81,600	-	81,600.00
Franchise fees	112,365	-	112,365	114,835	-	114,835.00
Intergovernmental	91,010	23,249	114,259	88,601	23,249	111,850.00
Investment earnings	55,152	44,025	99,177	10,064	8,020	18,084.00
Miscellaneous	5,376	24,153	29,529	9,782	4,078	13,860.00
<i>Total Revenues</i>	<u>2,285,827</u>	<u>1,784,728</u>	<u>4,070,555</u>	<u>1,595,394</u>	<u>3,163,672</u>	<u>4,759,066</u>
Expenses						
General government	323,277	-	323,277	312,971	-	312,971
Public safety	318,261	-	318,261	302,311	-	302,311
Public works	1,370,293	-	1,370,293	537,628	-	537,628
Community development	203,641	-	203,641	241,954	-	241,954
Water	-	1,106,835	1,106,835	-	950,395	950,395
Sewer	-	1,186,299	1,186,299	-	874,464	874,464
<i>Total Expenses</i>	<u>2,215,472</u>	<u>2,293,134</u>	<u>4,508,606</u>	<u>1,394,864</u>	<u>1,824,859</u>	<u>3,219,723</u>
Transfers	(413,990)	413,990	-	(31,750)	31,750	-
Change in Net Position	(343,635)	(94,416)	(438,051)	168,780	1,370,563	1,539,343
Net Position, beginning of year	1,832,357	3,318,356	5,150,713	1,663,577	1,947,793	3,611,370
Net Position, end of year	<u>\$ 1,488,722</u>	<u>\$ 3,223,940</u>	<u>\$ 4,712,662</u>	<u>\$ 1,832,357</u>	<u>\$ 3,318,356</u>	<u>\$ 5,150,713</u>

Major Governmental Funds:

General. The General fund (reported as the combination of the General fund and the State Revenue Sharing fund) is the primary operating fund of the City. Fund balance was \$373,151 at June 30, 2023. The fund balance decreased by \$38,504 during the year mainly due to increased public works expenses.

As a measure of the fund's liquidity, it may be useful to compare total fund balance to total fund expenditures. Fund balance represents 50% of total General fund expenditures.

Transient Lodging Tax. The Transient Lodging Tax Fund accounts for revenues from the transient lodging tax. Expenditures are related to tourism promotion, tourism-related facilities, and related administrative costs. The fund balance decreased by \$73,236 during the year as a result of transfer to the Park Capital Projects fund.

Local Option Tax. The Local Option Tax fund accounts for revenues and expenditures related to police services. The fund balance decreased by \$19,183 as a result of expenses being slightly greater than revenues.

American Rescue Plan Act. The American Rescue Plan Act Fund accounts for revenues received through the American Rescue Plan Act of 2021. The money is used to respond to the COVID-19 pandemic and its negative economic impacts. The fund balance decreased by \$183,006 as a result of ARPA funds being transferred to other funds.

Street Capital Projects. The Street Capital Projects fund accounts for revenues and expenditures related to street improvements. The fund balance decreased by \$142,388 as a result of capital projects beginning during the year.

Business-type activities - The City's net position decreased by \$94,416 from business-type activities. This decrease was due to a decrease in revenues and an increase in expenditures.

Major Proprietary Funds:

Water Operations. Fund net position increased by \$60,860 during the year due to increased charges for services.

Sewer Operations. Fund net position decreased by \$180,730 as a result of increased expenses related to materials and services and capital outlay.

Debt Service. Fund net position increased by \$25,454 as a result of increased miscellaneous revenue.

Capital Assets and Debt Administration

Capital Assets

The City does not maintain historical cost and depreciation records for capital assets including infrastructure. Therefore, no information for capital assets is presented in the financial statements.

Debt

At the end of the current fiscal year, the City had a total of \$4,266,547 in debt outstanding.

The City's debt is for business-type activities and includes \$2,086,008 in outstanding water system improvement loans from Oregon Business Development Department, and \$2,180,539 in an outstanding USDA loan. The loans are paid from net revenues of the water and sewer systems.

State statutes limit the amount of general obligation debt a government entity may issue up to three percent of its total assessed valuation. The City currently has no general obligation debt.

	<u>Business-type Activities</u>	
	<u>2023</u>	<u>2022</u>
OBDD loans	\$ 2,086,008	\$ 2,224,724
USDA loan	2,180,539	2,221,141
	<u>\$ 4,266,547</u>	<u>\$ 4,445,865</u>

Additional information on the City's debt can be found in the notes to the basic financial statements.

Current Year General Fund Budgetary Highlights

There was one supplemental budget adopted for the General fund during the current fiscal year to ensure adequate funds are available for Administration, Parks, Building, and planning to pay for increased expenses; and certain adjustments are necessary to ensure adequate funds are available within the Sewer fund and the State Revenue Sharing Fund.

Economic Factors and Next Year's Budgets and Rates

During the preparation of the budget for the ensuing fiscal year, the long-term impacts of the local economy were examined in conjunction with business decisions made by the City. The following are the major assumptions used in developing the FY 2024 budget:

- The budget includes a 5% cost of living adjustment.
- The City's tax rate is estimated to be 100% of the City's permanent levy rate of \$1.7057 for general operations and \$1.85 for the local option tax levy.
- Assessed values, the basis of property tax revenues, will grow to 3% due to market conditions.

Requests for Information

This financial report is designed to provide a general overview of the City's finances for those with an interest in the government's finances. Questions concerning any of the information provided in this report should be addressed to Rochelle Roaden, City Manager at P.O. Box 339, Dayton, Oregon 97114.

BASIC FINANCIAL STATEMENTS

CITY OF DAYTON, OREGON
STATEMENT OF NET POSITION (MODIFIED CASH BASIS)
JUNE 30, 2023

	<i>Governmental Activities</i>	<i>Business-type Activities</i>	<i>Totals</i>
<i>ASSETS</i>			
Cash and cash equivalents	\$ 1,489,419	\$ 3,223,940	\$ 4,713,359
<i>LIABILITIES</i>			
Payroll withholdings	697	-	697
<i>NET POSITION</i>			
Restricted for:			
Debt service	-	105,873	105,873
Public safety	65,417	-	65,417
Streets	235,582	-	235,582
Community development	396,275	-	396,275
Capital acquisitions	-	1,965,878	1,965,878
Customer deposits	-	2,447	2,447
Unrestricted	791,448	1,149,742	1,941,190
<i>Total Net Position</i>	<u>\$ 1,488,722</u>	<u>\$ 3,223,940</u>	<u>\$ 4,712,662</u>

The accompanying notes are an integral part of the financial statements.

CITY OF DAYTON, OREGON
STATEMENT OF ACTIVITIES (MODIFIED CASH BASIS)
YEAR ENDED JUNE 30, 2023

	<i>Expenses</i>	<i>Program Revenues</i>		
		<i>Fees, Fines and Charges for Services</i>	<i>Operating Grants and Contributions</i>	<i>Capital Grants and Contributions</i>
FUNCTIONS/PROGRAMS				
Governmental activities:				
General government	\$ 323,277	\$ 2,930	\$ 306,827	\$ -
Public safety	318,261	20,731	-	-
Public works	1,370,293	185,500	209,789	656,862
Community development	203,641	27,591	13,628	400
<i>Total Governmental activities</i>	<u>2,215,472</u>	<u>236,752</u>	<u>530,244</u>	<u>657,262</u>
Business-type activities:				
Water	1,106,835	1,072,957	-	6,305
Sewer	1,186,299	533,102	-	80,937
<i>Total Business-type activities</i>	<u>2,293,134</u>	<u>1,606,059</u>	<u>-</u>	<u>87,242</u>
<i>Total Activities</i>	<u>\$ 4,508,606</u>	<u>\$ 1,842,811</u>	<u>\$ 530,244</u>	<u>\$ 744,504</u>
General Revenues:				
Property taxes				
Transient lodging taxes				
Franchise taxes				
Intergovernmental				
Investment earnings				
Miscellaneous				
<i>Total General Revenues</i>				
Transfers				
Change in net position				
Net Position - beginning of year				
Net Position - end of year				

The accompanying notes are an integral part of the financial statements.

***Net (Expenses) Revenues
and Changes in Net Position***

<i>Governmental Activities</i>	<i>Business-type Activities</i>	<i>Total</i>
\$ (13,520)	\$ -	\$ (13,520)
(297,530)	-	(297,530)
(318,142)	-	(318,142)
(162,022)	-	(162,022)
(791,214)	-	(791,214)
-	(27,573)	(27,573)
-	(572,260)	(572,260)
-	(599,833)	(599,833)
(791,214)	(599,833)	(1,391,047)
527,302	-	527,302
70,364	-	70,364
112,365	-	112,365
91,010	23,249	114,259
55,152	44,025	99,177
5,376	24,153	29,529
861,569	91,427	952,996
(413,990)	413,990	-
(343,635)	(94,416)	(438,051)
1,832,357	3,318,356	5,150,713
<u>\$ 1,488,722</u>	<u>\$ 3,223,940</u>	<u>\$ 4,712,662</u>

The accompanying notes are an integral part of the financial statements.

CITY OF DAYTON, OREGON**BALANCE SHEET – GOVERNMENTAL FUNDS (MODIFIED CASH BASIS)**

JUNE 30, 2023

	<u>Special Revenue</u>		
	<u>General</u>	<u>Transient Lodging Tax</u>	<u>Local Option Tax</u>
ASSETS			
Cash and cash equivalents	\$ 373,848	\$ 318,451	\$ 65,417
LIABILITIES AND FUND BALANCE			
Liabilities			
Payroll withholdings	\$ 697	\$ -	\$ -
Fund Balance			
Restricted for:			
Public safety	-	-	65,417
Streets	-	-	-
Community development	-	219,013	-
Committed to:			
Capital acquisitions	-	-	-
Community development	-	99,438	-
Unassigned	373,151	-	-
<i>Total Fund Balance</i>	373,151	318,451	65,417
<i>Total Liabilities and Fund Balance</i>	\$ 373,848	\$ 318,451	\$ 65,417

The accompanying notes are an integral part of the financial statements.

<u>Special Revenue</u>	<u>Capital Projects</u>		
<u>American Rescue Plan Act</u>	<u>Street Capital Projects</u>	<u>Other Governmental Funds</u>	<u>Total</u>
\$ 1,314	\$ 111,160	\$ 619,229	\$ 1,489,419
\$ -	\$ -	\$ -	\$ 697
-	-	-	65,417
-	111,160	235,582	346,742
-	-	177,262	396,275
-	-	206,385	206,385
-	-	-	99,438
1,314	-	-	374,465
1,314	111,160	619,229	1,488,722
\$ 1,314	\$ 111,160	\$ 619,229	\$ 1,489,419

The accompanying notes are an integral part of the financial statements.

CITY OF DAYTON, OREGON

*STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES –
GOVERNMENTAL FUNDS (MODIFIED CASH BASIS)
YEAR ENDED JUNE 30, 2023*

	<i>Special Revenue</i>		
	<i>General Fund</i>	<i>Transient Lodging Tax</i>	<i>Local Option Tax</i>
REVENUES			
Taxes and assessments	\$ 258,378	\$ 70,364	\$ 268,924
Licenses and permits	300,796	-	-
Intergovernmental	119,752	-	-
Fines and forfeitures	33	-	7,477
Miscellaneous	50,539	1,242	7,676
<i>Total Revenues</i>	729,498	71,606	284,077
EXPENDITURES			
Current			
General government	252,140	-	-
Public safety	-	-	317,565
Public works	263,288	-	-
Community development	237,574	8,036	-
Capital acquisitions	-	-	695
<i>Total Expenditures</i>	753,002	8,036	318,260
REVENUES OVER (UNDER) EXPENDITURES	(23,504)	63,570	(34,183)
OTHER FINANCING SOURCES (USES)			
Transfers in	-	-	15,000
Transfers out	(15,000)	(136,806)	-
<i>Total Other Financing Sources (Uses)</i>	(15,000)	(136,806)	15,000
NET CHANGE IN FUND BALANCE	(38,504)	(73,236)	(19,183)
FUND BALANCE, beginning of year	411,655	391,687	84,600
FUND BALANCE, end of year	\$ 373,151	\$ 318,451	\$ 65,417

The accompanying notes are an integral part of the financial statements.

<u>Special Revenue</u>	<u>Capital Projects</u>		
<u>American Rescue Plan Act</u>	<u>Street Capital Projects</u>	<u>Other Governmental Funds</u>	<u>Total</u>
\$ -	\$ -	\$ -	\$ 597,666
-	4,500	400	305,696
304,742	652,362	209,789	1,286,645
-	-	-	7,510
1,242	8,371	19,240	88,310
<hr/>	<hr/>	<hr/>	<hr/>
305,984	665,233	229,429	2,285,827
-	-	-	252,140
-	-	-	317,565
-	-	140,629	403,917
-	-	-	245,610
-	882,621	112,924	996,240
<hr/>	<hr/>	<hr/>	<hr/>
-	882,621	253,553	2,215,472
<hr/>	<hr/>	<hr/>	<hr/>
305,984	(217,388)	(24,124)	70,355
-	75,000	226,806	316,806
(488,990)	-	(90,000)	(730,796)
<hr/>	<hr/>	<hr/>	<hr/>
(488,990)	75,000	136,806	(413,990)
<hr/>	<hr/>	<hr/>	<hr/>
(183,006)	(142,388)	112,682	(343,635)
184,320	253,548	506,547	1,832,357
<hr/>	<hr/>	<hr/>	<hr/>
\$ 1,314	\$ 111,160	\$ 619,229	\$ 1,488,722
<hr/> <hr/>	<hr/> <hr/>	<hr/> <hr/>	<hr/> <hr/>

The accompanying notes are an integral part of the financial statements.

CITY OF DAYTON, OREGON

STATEMENT OF FUND NET POSITION – PROPRIETARY FUNDS (MODIFIED CASH BASIS)

JUNE 30, 2023

	<u><i>Water</i></u> <u><i>Operations</i></u>	<u><i>Sewer</i></u> <u><i>Operations</i></u>	<u><i>Debt Service</i></u>	<u><i>Total</i></u>
ASSETS				
Current assets				
Cash and cash equivalents	\$ 1,593,942	\$ 1,277,222	\$ 352,776	\$ 3,223,940
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
FUND NET POSITION				
Restricted for:				
Customer deposits	\$ 1,591	\$ 856	\$ -	\$ 2,447
Debt service	-	-	105,873	105,873
Capital acquisitions	899,119	1,066,759	-	1,965,878
Unrestricted	693,232	209,607	246,903	1,149,742
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<i>Total Fund Net Position</i>	<u>\$ 1,593,942</u>	<u>\$ 1,277,222</u>	<u>\$ 352,776</u>	<u>\$ 3,223,940</u>

The accompanying notes are an integral part of the financial statements.

CITY OF DAYTON, OREGON

**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND NET POSITION –
 PROPRIETARY FUNDS (MODIFIED CASH BASIS)
 YEAR ENDED JUNE 30, 2023**

	<u>Water Operations</u>	<u>Sewer Operations</u>	<u>Debt Service</u>	<u>Total</u>
OPERATING REVENUES				
Charges for services	\$ 1,072,957	\$ 533,102	\$ -	\$ 1,606,059
Miscellaneous	15,098	9,055	-	24,153
<i>Total Operating Revenues</i>	1,088,055	542,157	-	1,630,212
OPERATING EXPENSES				
Personal services	384,330	280,199	-	664,529
Materials and services	349,914	281,081	-	630,995
<i>Total Operating Expenses</i>	734,244	561,280	-	1,295,524
OPERATING INCOME	353,811	(19,123)	-	334,688
NONOPERATING REVENUES/EXPENSES				
Intergovernmental	-	-	23,249	23,249
Capital acquisitions	(129,380)	(625,018)	-	(754,398)
Debt service				
Principal	-	-	(179,318)	(179,318)
Interest	-	-	(63,894)	(63,894)
Interest revenue	20,124	14,484	9,417	44,025
<i>Total Nonoperating Revenues/Expenses</i>	(109,256)	(610,534)	(210,546)	(930,336)
NET INCOME BEFORE TRANSFERS AND CONTRIBUTIONS	244,555	(629,657)	(210,546)	(595,648)
Capital contributions	6,305	80,937	-	87,242
Transfers in	-	528,990	236,000	764,990
Transfers out	(190,000)	(161,000)	-	(351,000)
CHANGE IN FUND NET POSITION	60,860	(180,730)	25,454	(94,416)
FUND NET POSITION, beginning of year	1,533,082	1,457,952	327,322	3,318,356
FUND NET POSITION (Deficit), end of year	<u>\$ 1,593,942</u>	<u>\$ 1,277,222</u>	<u>\$ 352,776</u>	<u>\$ 3,223,940</u>

The accompanying notes are an integral part of the financial statements.

CITY OF DAYTON, OREGON**STATEMENT OF CASH FLOWS – PROPRIETARY FUNDS (MODIFIED CASH BASIS)**

YEAR ENDED JUNE 30, 2023

	<u>Water Operations</u>	<u>Sewer Operations</u>	<u>Debt Service</u>	<u>Total</u>
CASH FLOWS FROM OPERATING ACTIVITIES				
Cash received from customers	\$ 1,088,055	\$ 542,157	\$ -	\$ 1,630,212
Cash paid to employees and others for salaries and benefits	(384,330)	(280,199)	-	(664,529)
Cash paid to suppliers and others	(349,914)	(281,081)	-	(630,995)
<i>Net Cash Provided by (Used for) Operating Activities</i>	353,811	(19,123)	-	334,688
CASH FLOWS FROM NON-CAPITAL FINANCING ACTIVITIES				
Transfers in	-	528,990	236,000	764,990
Transfers out	(190,000)	(161,000)	-	(351,000)
<i>Net Cash Provided by (Used for) Non-Capital Financing Activities</i>	(190,000)	367,990	236,000	413,990
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES				
Intergovernmental revenue	-	-	23,249	23,249
Purchase of capital assets	(129,380)	(625,018)	-	(754,398)
Interest paid on debt	-	-	(63,894)	(63,894)
Principal paid on debt	-	-	(179,318)	(179,318)
Capital contributions	6,305	80,937	-	87,242
<i>Net Cash Used for Capital and Related Financing Activities</i>	(123,075)	(544,081)	(219,963)	(887,119)
CASH FLOWS FROM INVESTING ACTIVITIES				
Interest received	20,124	14,484	9,417	44,025
<i>Increase (Decrease) in Cash and Cash Equivalents</i>	60,860	(180,730)	25,454	(94,416)
CASH AND CASH EQUIVALENTS, Beginning of year	<u>1,533,082</u>	<u>1,457,952</u>	<u>327,322</u>	<u>3,318,356</u>
CASH AND CASH EQUIVALENTS, End of year	<u>\$ 1,593,942</u>	<u>\$ 1,277,222</u>	<u>\$ 352,776</u>	<u>\$ 3,223,940</u>
NET CASH PROVIDED BY OPERATING ACTIVITIES				
Operating income	\$ 353,811	\$ (19,123)	\$ -	\$ 334,688
<i>Net Cash Provided by Operating Activities</i>	<u>\$ 353,811</u>	<u>\$ (19,123)</u>	<u>\$ -</u>	<u>\$ 334,688</u>

The accompanying notes are an integral part of the financial statements.

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The City of Dayton, Oregon was incorporated in 1880 under the provisions of the Oregon Statutes. The City is governed by a city council and mayor who are responsible for rulemaking, budget preparation and enforcement, expenditure approval, and hiring of the City management personnel. The mayor and six council members are elected by vote of the general public.

There are certain governmental agencies and various service districts which provide services within the City. These agencies have independently elected governing boards and the City is not financially accountable for these organizations. Therefore, financial information for these agencies is not included in the accompanying basic financial statements.

As discussed further under *Measurement Focus and Basis of Accounting*, these financial statements are presented on a modified cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America (GAAP) established by the Governmental Accounting Standards Board (GASB). These modified cash basis financial statements generally meet the presentation and disclosure requirements applicable to GAAP, in substance, but are limited to the elements presented in the financial statements and the constraints of the measurement and recognition criteria of the modified cash basis of accounting.

Basic Financial Statements

Basic financial statements are presented at both the government-wide and fund financial level. Both levels of statements categorize primary activities as either governmental or business-type. Governmental activities, which are normally supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for support.

Government-wide financial statements display information about the reporting government as a whole. For the most part, the effect of interfund activity has been removed from these statements. These statements focus on the sustainability of the City as an entity and the change in aggregate financial position resulting from the activities of the fiscal period. These aggregated statements consist of the Statement of Net Position (Modified Cash Basis) and the Statement of Activities (Modified Cash Basis).

The Statement of Net Position (Modified Cash Basis) presents all the recorded assets and liabilities of the City. Net position, representing assets less liabilities, is shown in two components: restricted for special purposes, amounts which must be spent in accordance with legal restrictions; and unrestricted, the amount available for ongoing City activities.

The Statement of Activities (Modified Cash Basis) demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include (1) charges to customers or applicants who purchase, use, or directly benefit from goods, services or privileges provided by a given function or segment, and (2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as *general revenues*.

Fund financial statements display information at the individual fund level. Each fund is considered to be a separate accounting entity. Funds are classified and summarized as governmental, proprietary, or fiduciary. Currently, the City has governmental (general, special revenue and capital projects) and proprietary type (enterprise) funds. Major individual governmental funds, and major individual proprietary funds are reported

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Basic Financial Statements (Continued)

as separate columns in the fund financial statements. Non-major funds are consolidated into a single column within each fund type in the financial section of the basic financial statements and are detailed in the supplementary information.

Basis of Presentation

The financial transactions of the City are recorded in individual funds. Each fund is accounted for by providing a separate set of self-balancing accounts that comprises its assets, liabilities, fund equity, revenues, and expenditures/expenses. The various funds are reported by generic classification within the financial statements.

Government accounting standards set forth minimum criteria (percentage of the assets, liabilities, revenues or expenditures/expenses of either fund category or the government and proprietary combined) for the determination of major funds.

The City reports the following major governmental funds:

General Fund

This fund accounts for the financial operations of the City not accounted for in any other fund. Principal sources of revenues are property taxes, licenses and permits, franchise fees and State shared revenues. Primary expenditures are for general administration.

State Revenue Sharing Fund

This fund accounts for state fund resources and expenditures are for general operations. This fund is included with the General Fund for reporting purposes.

Transient Lodging Tax Fund

This fund accounts for transient lodging taxes received that will be spent on tourism promotion, tourism-related facilities, and related administrative costs, with some restrictions.

Local Option Tax Fund

This fund accounts for the property tax revenue received from a special levy approved by the voters. The money is used primarily to pay for police services.

American Rescue Plan Act Fund

This fund accounts for revenues received through the American Rescue Plan Act of 2021. The money is used to respond to the COVID-19 pandemic and its negative economic impacts.

Street Capital Projects Fund

This fund accounts for money set aside for street improvements. The principal revenues are from transfers in and the primary expenditures are for street improvements.

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Basis of Presentation (Continued)

The City reports the following nonmajor governmental funds:

Street Fund

This fund accounts for street maintenance and improvements. The primary source of revenues is from motor vehicle fuel taxes and expenditures are for street maintenance and improvements.

Building Reserve Fund

This fund accounts for money set aside for building improvements. The principal revenues are from transfers in and primary expenditures are for building improvements.

Park Capital Projects Fund

This fund accounts for money set aside for park improvements. The principal revenues are transfers from the General Fund and primary expenditures are for park projects.

Equipment Replacement Reserve Fund

This fund accounts for money set aside for equipment purchases. The principal revenues are from transfers from the General Fund and primary expenditures are for equipment purchases.

The City reports the following proprietary operations as major. They are used to account for the acquisition, operation, and maintenance of the sewer and water systems. These funds are entirely or predominantly self-supported through user charges to customers.

Water Operations

This fund accounts for the operations, maintenance, capital construction projects and payments of principal and interest on loans for the water system, which are funded through utility fees and debt proceeds.

Sewer Operations

This fund accounts for the operations, maintenance, capital construction projects and payments of principal and interest on loans for the sewer system, which are funded through utility fees and debt proceeds.

Debt Service Fund

This fund accounts for the accumulation of resources and payment of principal and interest on loans. Interest earnings and transfers from other funds are the primary source of revenues.

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Fund Balance

In governmental funds, the City's policy is to first apply the expenditure toward restricted fund balance and then to other, less-restrictive classifications – committed and then assigned fund balances before using unassigned fund balances.

Fund balance is reported as nonspendable when the resources cannot be spent because they are either in a nonspendable form or legally or contractually required to be maintained intact. Resources in nonspendable form include inventories, prepaids and deposits, and assets held for resale.

Fund balance is reported as restricted when the constraints placed on the use of resources are either: (a) externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation.

Fund balance is reported as committed when the City Council takes formal action that places specific constraints on how the resources may be used. The City Council can modify or rescind the commitment at any time through taking a similar formal action.

Resources that are constrained by the City's intent to use them for a specific purpose, but are neither restricted nor committed, are reported as assigned fund balance. Intent is expressed when the City Council approves which resources should be "reserved" during the adoption of the annual budget. The City's City Manager uses that information to determine whether those resources should be classified as assigned or unassigned for presentation in the City's Annual Financial Report.

Unassigned fund balance is the residual classification for the General Fund. This classification represents fund balance that has not been restricted, committed, or assigned within the General Fund. This classification is also used to report any negative fund balance amounts in other governmental funds.

When expenditures are paid for purposes in which both net position - restricted and net position - unrestricted are available, the City deems net position - restricted to be spent first.

Definitions of Governmental Fund Types

The General Fund is used to account for all financial resources not accounted for in another fund.

Special Revenue Funds are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects. The term "proceeds of specific revenues sources" means that the revenue sources for the fund must be from restricted or committed sources, specifically that a substantial portion of the revenue must be from these sources and be expended in accordance with those requirements. Budgetary Special Revenue Funds whose primary source of funding is transfers from the General Fund must be reported as part of the General Fund. Therefore, in the Governmental Balance Sheet and the Statement of Revenues, Expenditures and Changes in Fund Balances, the State Revenue Sharing Fund has been combined with the General Fund.

Capital Projects Funds are utilized to account for financial resources to be used for the acquisition or construction of capital equipment and facilities.

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Measurement Focus and Basis of Accounting

Measurement focus is a term used to describe what transactions or events are recorded within the various financial statements. Basis of accounting refers to when and how transactions or events are recorded, regardless of the measurement focus applied.

In the government-wide Statement of Net Position (Modified Cash Basis) and Statement of Activities (Modified Cash Basis), both governmental and business-type activities are presented using the economic resource measurement focus, within the limitations of the modified cash basis of accounting, as defined below.

In the fund financial statements, the current financial resources measurement focus or the economic resources measurement focus is applied to the modified cash basis of accounting, is used as appropriate:

- a. All governmental funds utilize a current financial resources measurement focus within the limitations of the modified cash basis of accounting. Only current financial assets and liabilities are generally included on their balance sheets. Their operating statements present sources and uses of available spendable financial resources during a given period. These funds use fund balance as their measure of available spendable financial resources at the end of the period.
- b. The proprietary funds utilize an economic resource measurement focus within the limitations of the modified cash basis of accounting. The accounting objectives of this measurement focus are the determination of operating income, change in net position (or cost recovery), net financial position, and cash flows. All assets, deferred outflows, liabilities, and deferred inflows (whether current or noncurrent or financial or nonfinancial) associated with their activities are generally reported within the limitations of the modified cash basis of accounting.

The financial statements are presented on a modified cash basis of accounting, which is a basis of accounting other than GAAP as established by the GASB. This basis of accounting involves modifications to the cash basis of accounting to report in the statements of net position or balance sheets cash transactions or events that provide a benefit or result in an obligation that covers a period greater than the period in which the cash transaction or event occurred. Such reported balances include:

1. Interfund receivables and payables that are temporary borrowing and result from transactions involving cash or cash equivalents are recognized.
2. Assets that normally convert to cash or cash equivalents (e.g., certificates of deposit, external cash pools, and marketable investments) that arise from transactions and events involving cash or cash equivalents are recognized.
3. Liabilities for cash (or cash equivalents) held on behalf of others or held in escrow are recognized.

The modified cash basis of accounting differs from GAAP primarily because certain assets and their related revenues (such as accounts receivable and revenue for billed or provided services not yet collected and other accrued revenue and receivables) and certain liabilities and their related expenses or expenditures (such as accounts payable and expenses for goods and services received but not yet paid and other accrued expenses and liabilities) are not recorded in these financial statements. In addition, other economic assets, deferred outflows, liabilities, and deferred inflows that do not arise from a cash transaction or event are not reported, and the measurement of reported assets and liabilities does not involve adjustment to fair value. Additionally, long-term liabilities such as debt are only reported in the notes to the financial statements.

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Measurement Focus and Basis of Accounting (Continued)

If the City utilized the basis of accounting recognized as generally accepted in the United States of America, the fund financial statements for the governmental funds would use the modified accrual basis of accounting, and the fund financial statements for the proprietary funds would use the accrual basis of accounting. All government-wide financial statements would be presented on the accrual basis of accounting.

The City's policy, although not in accordance with accounting principles generally accepted in the United States of America, is acceptable under Oregon Law (ORS 294.333), which leaves the selection of the method of accounting to the discretion of the municipal corporation.

Proprietary funds distinguish between operating and nonoperating revenues and expenses. Operating revenues and expenses result from providing services to customers in connection with ongoing utility operations. The principal operating revenues are charges to customers for service. Operating expenses include payroll and related costs, and materials and supplies. All revenues not considered operating are reported as nonoperating.

Cash and Cash Equivalents

The City maintains cash and cash equivalents in a common pool that is available for use by all funds. Each fund type's portion of this pool is displayed in the financial statements as cash and cash equivalents. The City considers cash on hand, demand deposits and savings accounts, and short-term investments with an original maturity of three months or less from the date of acquisition to be cash and cash equivalents.

Oregon Revised Statutes authorize the City to invest in certificates of deposit, savings accounts, bank repurchase agreements, bankers' acceptances, general obligations of U.S. Government and its agencies, certain bonded obligations of Oregon municipalities and the State Treasurer's Local Government Investment Pool, among others.

Investments are stated at cost, which approximates fair value.

Property Taxes

Property taxes are levied by the County Assessor and collected by the County Tax Collector. The taxes are levied and become a lien as of July 1. They may be paid in three installments payable in equal payments due November 15, February 15, and May 15. The City's property tax collection records show that most of the property taxes due are collected during the year of levy and delinquent taxes are collected in the next few years.

Capital Assets

The City does not maintain historical cost or depreciation records for capital assets. Therefore, capital assets are not reported in the notes to the financial statements.

Long-Term Debt

Long-term debt is presented only in the notes to the financial statements. Payments of principal and interest are recorded as expenditures / expenses when paid.

CITY OF DAYTON, OREGON
NOTES TO BASIC FINANCIAL STATEMENTS (Continued)
YEAR ENDED JUNE 30, 2023

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Accrued Compensated Absences

Accumulated unpaid vacation and comp time pay is not accrued. Earned but unpaid sick pay is recorded as an expenditure when paid. The amount payable for accumulated vacation and comp time at June 30, 2023 was \$11,205.

Budgets and Budgetary Accounting

The City adopts the budget on an object basis (personnel services, materials and services, capital outlay, debt service), for all funds except the General fund, where the budget is adopted on a departmental basis. Therefore, cash expenditures of a fund may not legally exceed that object's appropriations for cash expenditures. The City Council may amend the budget to expend unforeseen revenues by supplemental appropriations. Appropriations lapse at year-end and may not be carried over. The City does not use encumbrance accounting.

Use of Estimates

The preparation of basic financial statements, in conformity with the modified cash basis of accounting requires management to make estimates and assumptions that effect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the basic financial statements and reported amounts of revenues and expenses/expenditures during the year ended June 30, 2023. Actual results may differ from such estimates.

CASH AND CASH EQUIVALENTS

Cash	
Cash on hand	\$ 350
Deposits with financial institutions	460,071
Investments	
Local Government Investment Pool	4,252,938
	<hr/>
	\$ 4,713,359
	<hr/> <hr/>

Deposits

At year end, the book balance of the City's bank deposits (checking account) was \$408,476 and the bank balance was \$492,561. The difference is due to transactions in process. Bank deposits are secured to legal limits by federal deposit insurance. All deposits not covered by FDIC insurance are covered by the Public Funds Collateralization Program (PFCP) of the State of Oregon.

CASH AND CASH EQUIVALENTS (Continued)

Custodial Credit Risk - Deposits

This is the risk that in the event of a bank failure, the City's deposits may not be returned. The Federal Depository Insurance Corporation (FDIC) provides insurance for the City's deposits with financial institutions for up to \$250,000 for the aggregate of all demand deposits and the aggregate of all time deposit and savings accounts at each institution. Deposits in excess of FDIC coverage are with institutions participating in the Oregon Public Funds Collateralization Program (PFCP). The PFCP is a shared liability structure for participating bank depositories, better protecting public funds though still not guaranteeing that all funds are 100% protected. Barring any exceptions, a bank depository is required to pledge collateral valued at least 10% of their quarter-end public fund deposits if they are well capitalized, 25% of their quarter-end public fund deposits if they are adequately capitalized or 110% of their quarter-end public fund deposits if they are undercapitalized or assigned to pledge 110% by the Office of the State Treasurer. In the event of a bank failure, the entire pool of collateral pledged by all qualified Oregon public funds bank depositories is available to repay deposits of public funds of government entities. As of June 30, 2023, \$242,561 of the City's bank balances was covered by the PFCP.

Custodial Risk – Local Government Investment Pool

For the LGIP, this is the risk that, in the event of a failure of the counterparty, the City will not be able to recover the value of its investments or collateralized securities that are in the possession of an outside party. The City's investment policy limits the types of investments that may be held and does not allow securities to be held by the counterparty.

The LGIP is administered by the Oregon State Treasury with the advice of other state agencies and is not registered with the U.S. Securities and Exchange Commission. The LGIP is an open-ended no-load diversified portfolio offered to any agency, political subdivision, or public corporation of the state that by law is made the custodian of or has control of any fund. The LGIP is commingled with the State's short-term funds. In seeking to best serve local governments of Oregon, the Oregon Legislature established the Oregon Short Term Fund Board, which has established diversification percentages and specifies the types and maturities of the investments. The purpose of the Board is to advise the Oregon State Treasury in the management and investment of the LGIP. These investments within the LGIP must be invested and managed as a prudent investor would, exercising reasonable care, skill, and caution. Professional standards indicate that the investments in external investment pools are not subject to custodial risk because they are not evidenced by securities that exist in physical or book entry form. Nevertheless, management does not believe that there is any substantial custodial risk related to investments in the LGIP.

Local Government Investment Pool

The State Treasurer of the State of Oregon maintains the Oregon Short Term Fund, of which the Local Government Investment Pool is part. Participation by local governments is voluntary. The State of Oregon investment policies are governed by statute and the Oregon Investment Council. In accordance with Oregon Statutes, the investment funds are invested as a prudent investor would do, exercising reasonable care, skill, and caution. The Oregon Short Term Fund is the LGIP for local governments and was established by the State Treasurer. It was created to meet the financial and administrative responsibilities of federal arbitrage regulations. The investments are regulated by the Oregon Short Term Fund Board and approved by the Oregon Investment Council (ORS 294.805 to 294.895). At June 30, 2023, the fair value of the position in the Oregon State Treasurer's Short Term Investment Pool was approximately equal to the value of the pool shares. The investment in the Oregon Short Term Fund is not subject to risk evaluation. LGIP is not rated for credit quality.

CITY OF DAYTON, OREGON
 NOTES TO BASIC FINANCIAL STATEMENTS (Continued)
 YEAR ENDED JUNE 30, 2023

CASH AND CASH EQUIVALENTS (Continued)

Local Government Investment Pool (Continued)

Separate financial statements for the Oregon Short Term Fund are available from the Oregon State Treasurer.

Interest Rate Risk

In accordance with its investment policy, the City manages its exposure to declines in fair value of its investments by limiting its investments to the LGIP.

LONG-TERM DEBT

As a result of the use of the modified cash basis of accounting in this report, obligations related to long-term debt and other obligations are not reported as liabilities in the financial statements. Long-term debt transactions for the year were as follows:

	<i>Outstanding July 1, 2022</i>	<i>Matured/ Redeemed During Year</i>	<i>Outstanding June 30, 2023</i>	<i>Due Within One Year</i>
<i>Direct Placement - Business-type activities</i>				
Note payable to Infrastructure Finance Authority (Oregon Business Development Department)	\$ 1,864,080	\$ (124,692)	\$ 1,739,388	\$ 125,939
Note payable to Infrastructure Finance Authority (Oregon Business Development Department)	360,644	(14,024)	346,620	14,164
USDA Sewer Improvement Loan	2,221,141	(40,602)	2,180,539	41,363
	<u>\$ 4,445,865</u>	<u>\$ (179,318)</u>	<u>\$ 4,266,547</u>	<u>\$ 181,466</u>

In relation to the 2005 Infrastructure Finance Authority borrowing, the City of Dayton made a loan to the City of Lafayette in the amount of \$600,000, which is collateralized by wells. The loan is to be repaid in annual installments of \$23,249 including interest at 1% through November 2033. The balance receivable at June 30, 2023 was \$241,034.

Loans payable – Business Type Activities

Infrastructure Finance Authority (OBDD): On September 30, 2002, the City entered into a loan agreement with the Oregon Business Development Division for water system improvements. The loan was for \$3,383,000 and calls for annual payments of \$143,333. The loan bears interest at 1%. Final maturity is December 1, 2032. In the event of default OBDD may declare all amounts immediately due and payable and pursue any remedies that are legally available.

CITY OF DAYTON, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS (Continued)

YEAR ENDED JUNE 30, 2023

LONG-TERM DEBT (Continued)

Infrastructure Finance Authority (OBDD): On November 18, 2014 the City entered into a loan agreement with the Oregon Business Development Division for water system improvements. The loan was for \$910,000 with a \$455,000 conditional forgivable portion which was forgiven in June 2015. The loan calls for annual payments of \$17,630 and bears interest at 1%. Final maturity is December 1, 2044. In the event of default OBDD may declare all amounts immediately due and payable and pursue any remedies that are legally available.

USDA Sewer Improvement Loan: On December 6, 2019 the City refinanced the existing loan with Oregon DEQ in the amount of \$2,300,000 through the U.S. Department of Agriculture. The loan will bear interest at 1.874% and will be repaid in equal installments over 40 years. In the event of default USDA may pursue any remedies that are legally available.

Future maturities of unmatured principal and interest for the fiscal years ending June 30 are as follows:

<i>Fiscal Year Ending June 30,</i>	<i>Principal</i>	<i>Interest</i>	<i>Total</i>
2024	\$ 181,466	\$ 61,745	\$ 243,211
2025	183,534	59,678	243,212
2026	185,846	57,366	243,212
2027	188,079	55,132	243,211
2028-2033	974,849	241,209	1,216,058
2034-2038	892,133	180,897	1,073,030
2039-2043	361,428	137,962	499,390
2044-2048	357,336	106,741	464,077
2049-2053	335,232	76,008	411,240
2054-2058	367,857	43,383	411,240
2059-2061	238,788	9,050	247,838
	<u>\$ 4,266,547</u>	<u>\$ 1,029,172</u>	<u>\$ 5,295,719</u>

USDA requires a Debt Service Reserve, which is fully funded at \$82,248. There's also a requirement for an annual deposit of \$14,544 to the Short-Lived Assets Reserve. The balance in the SLAR is \$15,000 as of June 30, 2023.

PENSION PLAN

Plan Description - City employees are provided pension benefits through the Oregon Public Employees Retirement System (PERS). PERS is a cost-sharing multiple-employer defined benefit pension plan for units of state and local government in Oregon, containing multiple actuarial pools. Benefits are established and amended by the Oregon State Legislature pursuant to ORS Chapters 238 and 238A. The legislature has delegated the authority to administer and manage PERS to the Public Employees Retirement Board. PERS issues a publicly available financial report that can be found at: <https://www.oregon.gov/pers/Pages/Financials/Actuarial-Financial-Information.aspx>

PENSION PLAN (Continued)

Benefits Provided - PERS provides retirement, disability, and death benefits which vary based on a qualified employee's hire date and employment class (general service or police/fire). All City employees are eligible to participate after six months of covered employment. Details applicable to police/fire employees are noted in [square brackets] where different.

The Tier One/Tier Two Retirement Plan applies to qualifying employees hired before August 29, 2003 and is closed to new members.

Monthly retirement benefits are based on final 3-year average salary multiplied by years of service and a factor of 1.67% [2.00%]. Benefits may also be based on a money match computation, or formula plus annuity (for members contributing before August 21, 1981), if a greater benefit results. Employees are fully vested after making contributions in each of five calendar years and are eligible to retire at age 55 [50]. Tier One benefits are reduced if retirement occurs prior to age 58 [55] with less than 30 [25] years of service; Tier Two benefits are reduced for retirement prior to age 60.

Employees are eligible for service-related disability benefits regardless of length of service; 10 years of service is required for nonservice-related benefits. Disability benefits are determined in the same manner as retirement benefits with service time computed to age 58 [55].

Upon the death of a non-retired member, the beneficiary receives a lump-sum refund of the member's account balance. The beneficiary may also receive a matching lump-sum payment from employer funds if the member was in covered employment at the time of death, or if the member died less than 120 days after termination, while on official leave of absence, or as a result of a job-related injury.

Monthly benefits are subject to annual cost-of-living adjustments (COLA). For benefits earned after the relevant effective dates, the COLA is subject to a cap of 1.25% on the first \$60,000 of annual benefits and 0.15% thereafter (ORS 238.360).

The Oregon Public Service Retirement Plan (OPSRP) applies to qualifying employees hired on or after August 29, 2003.

Monthly retirement benefits are based on final 3-year average salary multiplied by years of service and a factor of 1.50% [1.80%]. Employees are fully vested after completing 600 hours of service in each of five calendar years and are eligible to retire at age 58 [53] with 30 [25] years of service, or at age 65 [60] otherwise.

Employees are eligible for service-related disability benefits regardless of length of service; 10 years of service is required for nonservice-related benefits. The benefit is 45% of the employee's salary during the last full month of employment before the disability occurred.

Upon the death of a non-retired member, the beneficiary receives a monthly benefit equal to 50% of the retirement benefit that would have been paid to the member.

Monthly benefits are subject to annual cost-of-living adjustments (COLA). For benefits earned after the relevant effective dates, the COLA is subject to a cap of 1.25% on the first \$60,000 of annual benefits and 0.15% thereafter (ORS 238A.210).

CITY OF DAYTON, OREGON
NOTES TO BASIC FINANCIAL STATEMENTS (Continued)
YEAR ENDED JUNE 30, 2023

PENSION PLAN (Continued)

Contribution Requirements – As a participating employer, the City is required to make monthly contributions to PERS based on actuarially determined percentages of covered payroll. Rates in effect for fiscal year 2023 were 19.37% for Tier One/Tier Two employees, 15.52% for OPSRP general service employees, and 19.88% for OPSRP police/fire employees. The City's total contributions to PERS were \$81,273 for fiscal year ended June 30, 2023.

Contribution requirements are established by Oregon statute and may be amended by an act of the Oregon State Legislature. Employer contribution rates for fiscal year 2023 were based on the December 31, 2020 actuarial valuation using the entry age normal actuarial cost method. It is important to note that the actuarial valuations used for rate setting are based on different methods and assumptions than those used for financial reporting which are described later in this note.

Employee contributions are set by statute at 6% of salary and are remitted by participating employers, who may agree to make employee contributions on the employee's behalf. Prior to January 1, 2004, employee contributions were credited to the defined benefit pension plan. Beginning January 1, 2004, all employee contributions were placed in the OPSRP Individual Account Program (IAP), a defined contribution pension plan described further at the end of this note.

Pension Assets/Liabilities, Pension Expense, and Pension-Related Deferrals – At June 30, 2023, the City reported a net pension liability of \$776,527 as its proportionate share of the collective net pension liability for PERS, measured as of June 30, 2022. The total pension liability used to calculate the net pension liability was based on a December 31, 2020 actuarial valuation, rolled forward to the measurement date. The City's proportion of the net pension liability was based on a projection of the City's long-term share of contributions to PERS relative to the projected contributions of all participating employers, as actuarially determined. The City's proportion was 0.005071% as of the June 30, 2022 measurement date, compared to 0.004364% as of June 30, 2021.

Actuarial Methods and Assumptions – The total pension liability in the December 31, 2020 actuarial valuation was determined using the entry age normal method and the following actuarial assumptions, applied to all periods included in the measurement: inflation rate of 2.40%, projected salary increases of 3.40%, investment rate of return of 6.90%, and mortality rates based on the Pub-2010 Healthy Retiree, sex distinct, generational with Unisex, Social Security Data Scale, with job category adjustments and set-backs. These assumptions were based on the results of the December 31, 2020 actuarial experience study.

The long-term expected rate of return on pension plan investments was developed by combining estimated rates of return for each major asset class weighted by target asset allocation percentages and adjusting for inflation.

Target allocations and estimated geometric rates of return for each major asset class are available in the PERS publicly available financial report previously mentioned.

The discount rate used to measure the total pension liability was 6.90%. The projection of cash flows used to determine the discount rate assumed that contributions from plan members and those of the contributing employers are made at the contractually required rates, as actuarially determined. Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

The following chart shows the sensitivity of the net pension liability (asset) to changes in the discount rate, based on calculations using discount rates of 5.90%, 6.90%, and 7.90%.

CITY OF DAYTON, OREGON
 NOTES TO BASIC FINANCIAL STATEMENTS (Continued)
 YEAR ENDED JUNE 30, 2023

PENSION PLAN (Continued)

	<u>1% Decrease (5.90%)</u>	<u>Discount Rate (6.90%)</u>	<u>1% Increase (7.90%)</u>
Proportionate share of the net pension liability	\$ 1,377,103	\$ 776,527	\$ 273,872

Pension Plan Fiduciary Net Position – Detailed information about PERS’ net position is available in its separately issued financial report.

Defined Contribution Plan – PERS-eligible employees are statutorily required to contribute 6% of their annual covered salary to the OPSRP Individual Account Program (IAP), a defined contribution pension plan. Benefits terms, including contribution requirements, are established by the Oregon Legislature. As permitted, the City has opted to pick-up the contributions on behalf of employees; contributions were \$21,188 for the year ended June 30, 2023. Employees are fully vested after completing 600 hours of service in each of five calendar years. PERS contracts with VOYA Financial to administer the IAP.

OVEREXPENDITURE OF APPROPRIATIONS

Oregon law prohibits disbursements of a fund in excess of Council approved appropriations. Disbursements in excess of appropriations in individual funds occurred as follows:

<u>Fund/Appropriation Category</u>	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
<i>Street</i>			
Personnel services	\$ 65,790	\$ 72,572	\$ (6,782)
<i>Water Utility</i>			
Personnel services	375,794	384,330	(8,536)
<i>Sewer Utility</i>			
Personnel services	277,149	280,199	(3,050)
Materials and services	266,205	271,081	(4,876)

CITY OF DAYTON, OREGON
NOTES TO BASIC FINANCIAL STATEMENTS (Continued)
YEAR ENDED JUNE 30, 2023

INTERFUND TRANSFERS (BUDGETARY BASIS)

<i>Fund</i>	<i>Transfers In</i>	<i>Transfers Out</i>
General	\$ -	\$ 35,000
Transient Lodging Tax	-	136,806
Local Option Tax	15,000	-
American Rescue Act	-	488,990
Street Capital Projects	75,000	-
State Revenue Sharing	20,000	-
Nonmajor Governmental Funds		
Street	-	90,000
Building Reserve	25,000	-
Park Capital Projects	136,806	-
Equipment Replacement Reserve	65,000	-
Water Utility	-	440,000
Water Utility Capital	250,000	-
Sewer Utility	-	171,000
Sewer Utility Capital	538,990	-
Debt Service	236,000	-
	<u>\$ 1,361,796</u>	<u>\$ 1,361,796</u>

Transfers are used to (1) move revenues from the fund that statute or budget requires to collect them to the fund that statute or budget requires to expend them, (2) move revenues restricted to debt service from the funds collecting the revenues to the debt service fund as debt service payments become due, and (3) use unrestricted revenues collected in the general fund to finance various programs accounted for in other funds in accordance with budgetary authorizations.

CONTINGENCIES

The City purchases commercial insurance to cover all commonly insurable risks, which includes property damage, liability, and employee bonds. Most policies carry a small deductible amount. There were no open claims at the time of this report. No insurance settlements have exceeded coverage in the last three years.

SUPPLEMENTARY INFORMATION

CITY OF DAYTON, OREGON

**RECONCILIATION OF BUDGETARY FUNDS TO REPORTING FUNDS – GENERAL FUND –
BALANCE SHEET (BUDGETARY BASIS)**

JUNE 30, 2023

	<u>Budgetary funds</u>		
	<u>General</u>	<u>State Revenue Sharing</u>	<u>Total (reported as General Fund)</u>
ASSETS			
Cash and cash equivalents	\$ 337,073	\$ 36,775	\$ 373,848
LIABILITIES AND FUND BALANCE			
Liabilities			
Payroll withholdings	\$ 697	\$ -	\$ 697
Fund Balance			
Unassigned	336,376	36,775	373,151
Total Liabilities and Fund Balance	<u>\$ 337,073</u>	<u>\$ 36,775</u>	<u>\$ 373,848</u>

CITY OF DAYTON, OREGON**RECONCILIATION OF BUDGETARY FUNDS TO REPORTING FUNDS – GENERAL FUND –
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE (BUDGETARY BASIS)
YEAR ENDED JUNE 30, 2023**

	Budgetary funds			Total (reported as General Fund)
	General	State Revenue Sharing	Elimination	
REVENUES				
Taxes and assessments	\$ 258,378	\$ -	\$ -	\$ 258,378
Licenses and permits	300,796	-	-	300,796
Intergovernmental	87,234	32,518	-	119,752
Fines and forfeitures	33	-	-	33
Miscellaneous	46,498	4,041	-	50,539
<i>Total Revenues</i>	692,939	36,559	-	729,498
EXPENDITURES				
General government	189,169	62,971	-	252,140
Public works	263,288	-	-	263,288
Community development	234,939	2,635	-	237,574
<i>Total Expenditures</i>	687,396	65,606	-	753,002
REVENUES OVER (UNDER) EXPENDITURES	5,543	(29,047)	-	(23,504)
OTHER FINANCING SOURCES (USES)				
Transfers in	-	20,000	(20,000)	-
Transfers out	(35,000)	-	20,000	(15,000)
<i>Total Other Financing Sources (Uses)</i>	(35,000)	20,000	-	(15,000)
NET CHANGE IN FUND BALANCE	(29,457)	(9,047)	-	(38,504)
FUND BALANCE, beginning of year	365,833	45,822	-	411,655
FUND BALANCE, end of year	\$ 336,376	\$ 36,775	\$ -	\$ 373,151

CITY OF DAYTON, OREGON

COMBINING BALANCE SHEET – NONMAJOR GOVERNMENTAL FUNDS

JUNE 30, 2023

	<u>Special Revenue</u>	<u>Capital Projects</u>			<u>Total</u>
	<u>Street</u>	<u>Building Reserve</u>	<u>Park Capital Projects</u>	<u>Equipment Replacement Reserve</u>	
ASSETS					
Cash and cash equivalents	\$ 185,582	\$ 213,920	\$ 177,262	\$ 42,465	\$ 619,229
Fund Balance					
Restricted for:					
Streets	\$ 185,582	\$ 50,000	\$ -	\$ -	\$ 235,582
Community development	-	-	177,262	-	177,262
Committed to:					
Capital acquisitions	-	163,920	-	42,465	206,385
<i>Total Fund Balance</i>	<u>185,582</u>	<u>213,920</u>	<u>177,262</u>	<u>42,465</u>	<u>619,229</u>
<i>Total Liabilities and Fund Balance</i>	<u>\$ 185,582</u>	<u>\$ 213,920</u>	<u>\$ 177,262</u>	<u>\$ 42,465</u>	<u>\$ 619,229</u>

CITY OF DAYTON, OREGON

COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES –
NONMAJOR GOVERNMENTAL FUNDS
YEAR ENDED JUNE 30, 2023

	<i>Special Revenue</i>	<i>Capital Projects</i>			<i>Total</i>
	<i>Street</i>	<i>Building Reserve</i>	<i>Park Capital Projects</i>	<i>Equipment Replacement Reserve</i>	
REVENUES					
Licenses and permits	\$ -	\$ -	\$ 400	\$ -	\$ 400
Intergovernmental	209,789	-	-	-	209,789
Miscellaneous	4,136	5,217	8,210	1,677	19,240
<i>Total Revenues</i>	213,925	5,217	8,610	1,677	229,429
EXPENDITURES					
Current					
Public works	140,629	-	-	-	140,629
Capital acquisitions	9,193	23,275	35,069	45,387	112,924
<i>Total Expenditures</i>	149,822	23,275	35,069	45,387	253,553
REVENUES OVER (UNDER) EXPENDITURES	64,103	(18,058)	(26,459)	(43,710)	(24,124)
OTHER FINANCING SOURCES (USES)					
Transfers in	-	25,000	136,806	65,000	226,806
Transfers out	(90,000)	-	-	-	(90,000)
<i>Total Other Financing Sources (Uses)</i>	(90,000)	25,000	136,806	65,000	136,806
NET CHANGE IN FUND BALANCE	(25,897)	6,942	110,347	21,290	112,682
FUND BALANCE, beginning of year	211,479	206,978	66,915	21,175	506,547
FUND BALANCE, end of year	\$ 185,582	\$ 213,920	\$ 177,262	\$ 42,465	\$ 619,229

CITY OF DAYTON, OREGON

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE (BUDGETARY BASIS) –
BUDGET AND ACTUAL – GENERAL FUND
YEAR ENDED JUNE 30, 2023**

	<i>Budget Amounts</i>		<i>Actual</i>	<i>Variance</i>
	<i>Original</i>	<i>Final</i>		
REVENUES				
Taxes and assessments	\$ 232,000	\$ 232,000	\$ 258,378	\$ 26,378
Licenses and permits	141,200	289,200	300,796	11,596
Intergovernmental	76,000	76,000	87,234	11,234
Fines and forfeitures	100	100	33	(67)
Miscellaneous	26,850	45,350	46,498	1,148
<i>Total Revenues</i>	476,150	642,650	692,939	50,289
EXPENDITURES				
Administration	217,261	231,987	189,169	42,818
Parks	180,892	190,392	132,979	57,413
Library	131,280	131,280	101,960	29,320
Planning	103,862	136,136	118,542	17,594
Building program	112,396	197,396	144,746	52,650
<i>Total Expenditures</i>	745,691	887,191	687,396	199,795
REVENUES OVER (UNDER) EXPENDITURES	(269,541)	(244,541)	5,543	250,084
OTHER FINANCING SOURCES (USES)				
Transfers out	(25,000)	(35,000)	(35,000)	-
NET CHANGE IN FUND BALANCE	(294,541)	(279,541)	(29,457)	250,084
FUND BALANCE, beginning of year	366,442	366,442	365,833	(609)
FUND BALANCE, end of year	\$ 71,901	\$ 86,901	\$ 336,376	\$ 249,475

CITY OF DAYTON, OREGON

*SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE (BUDGETARY BASIS) –
BUDGET AND ACTUAL – STATE REVENUE SHARING FUND
YEAR ENDED JUNE 30, 2023*

	<i>Budget Amounts</i>		<i>Actual</i>	<i>Variance</i>
	<i>Original</i>	<i>Final</i>		
REVENUES				
Intergovernmental	\$ 32,000	\$ 32,000	\$ 32,518	\$ 518
Miscellaneous	600	600	4,041	3,441
<i>Total Revenues</i>	32,600	32,600	36,559	3,959
EXPENDITURES				
Materials and services	61,752	71,752	62,971	8,781
Capital outlay	7,650	7,650	2,635	5,015
<i>Total Expenditures</i>	69,402	79,402	65,606	13,796
REVENUES OVER (UNDER) EXPENDITURES	(36,802)	(46,802)	(29,047)	17,755
OTHER FINANCING SOURCES (USES)				
Transfers in	10,000	20,000	20,000	-
NET CHANGE IN FUND BALANCE	(26,802)	(26,802)	(9,047)	17,755
FUND BALANCE, beginning of year	26,802	26,802	45,822	19,020
FUND BALANCE, end of year	\$ -	\$ -	\$ 36,775	\$ 36,775

CITY OF DAYTON, OREGON

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE (BUDGETARY BASIS) –
BUDGET AND ACTUAL – TRANSIENT LODGING TAX FUND
YEAR ENDED JUNE 30, 2023**

	<i>Budget Amounts</i>		<i>Actual</i>	<i>Variance</i>
	<i>Original</i>	<i>Final</i>		
REVENUES				
Taxes and assessments	\$ 70,000	\$ 70,000	\$ 70,364	\$ 364
Miscellaneous	200	200	1,242	1,042
<i>Total Revenues</i>	70,200	70,200	71,606	1,406
EXPENDITURES				
Personal services	44,951	44,951	3,104	41,847
Materials and services	59,618	59,618	4,932	54,686
Capital outlay	20,000	20,000	-	20,000
Contingency	100,000	100,000	-	100,000
<i>Total Expenditures</i>	224,569	224,569	8,036	216,533
REVENUES OVER (UNDER) EXPENDITURES	(154,369)	(154,369)	63,570	217,939
OTHER FINANCING SOURCES (USES)				
Transfers out	(136,806)	(136,806)	(136,806)	-
NET CHANGE IN FUND BALANCE	(291,175)	(291,175)	(73,236)	217,939
FUND BALANCE, beginning of year	385,819	385,819	391,687	5,868
FUND BALANCE, end of year	\$ 94,644	\$ 94,644	\$ 318,451	\$ 223,807

CITY OF DAYTON, OREGON

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE (BUDGETARY BASIS) –
BUDGET AND ACTUAL – LOCAL OPTION TAX FUND
YEAR ENDED JUNE 30, 2023**

	<i>Budget Amounts</i>		<i>Actual</i>	<i>Variance</i>
	<i>Original</i>	<i>Final</i>		
REVENUES				
Taxes and assessments	\$ 241,500	\$ 241,500	\$ 268,924	\$ 27,424
Fines and forfeitures	10,350	10,350	7,477	(2,873)
Miscellaneous	1,000	1,000	7,676	6,676
<i>Total Revenues</i>	252,850	252,850	284,077	31,227
EXPENDITURES				
Personnel services	73,422	73,422	72,936	486
Materials and services	264,945	264,945	244,629	20,316
Capital outlay	1,250	1,250	695	555
Contingency	1,267	1,267	-	1,267
<i>Total Expenditures</i>	340,884	340,884	318,260	22,624
REVENUES OVER (UNDER) EXPENDITURES	(88,034)	(88,034)	(34,183)	53,851
OTHER FINANCING SOURCES (USES)				
Transfers in	15,000	15,000	15,000	-
NET CHANGE IN FUND BALANCE	(73,034)	(73,034)	(19,183)	53,851
FUND BALANCE, beginning of year	73,034	73,034	84,600	11,566
FUND BALANCE, end of year	\$ -	\$ -	\$ 65,417	\$ 65,417

CITY OF DAYTON, OREGON

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE (BUDGETARY BASIS) –
BUDGET AND ACTUAL – AMERICAN RESCUE PLAN ACT FUND
YEAR ENDED JUNE 30, 2023**

	<i>Budget Amounts</i>		<i>Actual</i>	<i>Variance</i>
	<i>Original</i>	<i>Final</i>		
REVENUES				
Intergovernmental	\$ 304,570	\$ 304,570	\$ 304,742	\$ 172
Miscellaneous	-	-	1,242	1,242
<i>Total Revenues</i>	<u>304,570</u>	<u>304,570</u>	<u>305,984</u>	<u>1,414</u>
REVENUES OVER (UNDER)				
EXPENDITURES	304,570	304,570	305,984	1,414
OTHER FINANCING SOURCES (USES)				
Transfers out	(488,990)	(488,990)	(488,990)	-
NET CHANGE IN FUND BALANCE	(184,420)	(184,420)	(183,006)	1,414
FUND BALANCE, beginning of year	184,420	184,420	184,320	(100)
FUND BALANCE, end of year	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,314</u>	<u>\$ 1,314</u>

CITY OF DAYTON, OREGON

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE (BUDGETARY BASIS) –
BUDGET AND ACTUAL – STREET CAPITAL PROJECTS FUND
YEAR ENDED JUNE 30, 2023**

	<i>Budget Amounts</i>		<i>Actual</i>	<i>Variance</i>
	<i>Original</i>	<i>Final</i>		
REVENUES				
Licenses and permits	\$ 2,250	\$ 2,250	\$ 4,500	\$ 2,250
Intergovernmental	689,934	689,934	652,362	(37,572)
Miscellaneous	1,000	1,000	8,371	7,371
<i>Total Revenues</i>	693,184	693,184	665,233	(27,951)
EXPENDITURES				
Capital outlay	985,263	985,263	882,621	102,642
Contingency	51,013	51,013	-	51,013
<i>Total Expenditures</i>	1,036,276	1,036,276	882,621	153,655
REVENUES OVER (UNDER) EXPENDITURES	(343,092)	(343,092)	(217,388)	125,704
OTHER FINANCING SOURCES (USES)				
Transfers in	75,000	75,000	75,000	-
NET CHANGE IN FUND BALANCE	(268,092)	(268,092)	(142,388)	125,704
FUND BALANCE, beginning of year	268,092	268,092	253,548	(14,544)
FUND BALANCE, end of year	\$ -	\$ -	\$ 111,160	\$ 111,160

CITY OF DAYTON, OREGON

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE (BUDGETARY BASIS) –
BUDGET AND ACTUAL – STREET FUND
YEAR ENDED JUNE 30, 2023**

	<i>Budget Amounts</i>		<i>Actual</i>	<i>Variance</i>
	<i>Original</i>	<i>Final</i>		
REVENUES				
Intergovernmental	\$ 200,000	\$ 200,000	\$ 209,789	\$ 9,789
Miscellaneous	600	600	4,136	3,536
<i>Total Revenues</i>	200,600	200,600	213,925	13,325
EXPENDITURES				
Personnel services	65,790	65,790	72,572	(6,782)
Materials and services	93,746	93,746	68,057	25,689
Capital outlay	19,000	19,000	9,193	9,807
Contingency	16,736	16,736	-	16,736
<i>Total Expenditures</i>	195,272	195,272	149,822	45,450
REVENUES OVER (UNDER) EXPENDITURES	5,328	5,328	64,103	58,775
OTHER FINANCING SOURCES (USES)				
Transfers out	(90,000)	(90,000)	(90,000)	-
NET CHANGE IN FUND BALANCE	(84,672)	(84,672)	(25,897)	58,775
FUND BALANCE, beginning of year	159,672	159,672	211,479	51,807
FUND BALANCE, end of year	\$ 75,000	\$ 75,000	\$ 185,582	\$ 110,582

CITY OF DAYTON, OREGON

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE (BUDGETARY BASIS) –
BUDGET AND ACTUAL – BUILDING RESERVE FUND
YEAR ENDED JUNE 30, 2023**

	<i>Budget Amounts</i>		<i>Actual</i>	<i>Variance</i>
	<i>Original</i>	<i>Final</i>		
REVENUES				
Miscellaneous	\$ 500	\$ 500	\$ 5,217	\$ 4,717
EXPENDITURES				
Capital outlay	45,000	45,000	23,275	21,725
Contingency	57,231	57,231	-	57,231
<i>Total Expenditures</i>	102,231	102,231	23,275	78,956
REVENUES OVER (UNDER) EXPENDITURES	(101,731)	(101,731)	(18,058)	83,673
OTHER FINANCING SOURCES (USES)				
Transfers in	25,000	25,000	25,000	-
NET CHANGE IN FUND BALANCE	(76,731)	(76,731)	6,942	83,673
FUND BALANCE, beginning of year	196,731	196,731	206,978	10,247
FUND BALANCE, end of year	\$ 120,000	\$ 120,000	\$ 213,920	\$ 93,920

CITY OF DAYTON, OREGON

*SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE (BUDGETARY BASIS) –
BUDGET AND ACTUAL – PARK CAPITAL PROJECTS FUND
YEAR ENDED JUNE 30, 2023*

	<i>Budget Amounts</i>		<i>Actual</i>	<i>Variance</i>
	<i>Original</i>	<i>Final</i>		
REVENUES				
Licenses and permits	\$ 400	\$ 400	\$ 400	\$ -
Miscellaneous	1,000	1,000	8,210	7,210
<i>Total Revenues</i>	1,400	1,400	8,610	7,210
EXPENDITURES				
Capital outlay	162,000	162,000	35,069	126,931
Contingency	37,397	37,397	-	37,397
<i>Total Expenditures</i>	199,397	199,397	35,069	164,328
REVENUES OVER (UNDER) EXPENDITURES	(197,997)	(197,997)	(26,459)	171,538
OTHER FINANCING SOURCES (USES)				
Transfers in	136,806	136,806	136,806	-
NET CHANGE IN FUND BALANCE	(61,191)	(61,191)	110,347	171,538
FUND BALANCE, beginning of year	61,191	61,191	66,915	5,724
FUND BALANCE, end of year	\$ -	\$ -	\$ 177,262	\$ 177,262

CITY OF DAYTON, OREGON

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE (BUDGETARY BASIS) –
BUDGET AND ACTUAL – EQUIPMENT REPLACEMENT RESERVE FUND
YEAR ENDED JUNE 30, 2023**

	<i>Budget Amounts</i>		<i>Actual</i>	<i>Variance</i>
	<i>Original</i>	<i>Final</i>		
REVENUES				
Miscellaneous	\$ 300	\$ 300	\$ 1,677	\$ 1,377
EXPENDITURES				
Capital outlay	50,000	50,000	45,387	4,613
Contingency	34,711	34,711	-	34,711
<i>Total Expenditures</i>	84,711	84,711	45,387	39,324
REVENUES OVER (UNDER) EXPENDITURES	(84,411)	(84,411)	(43,710)	40,701
OTHER FINANCING SOURCES (USES)				
Transfers in	65,000	65,000	65,000	-
NET CHANGE IN FUND BALANCE	(19,411)	(19,411)	21,290	40,701
FUND BALANCE, beginning of year	19,411	19,411	21,175	1,764
FUND BALANCE, end of year	\$ -	\$ -	\$ 42,465	\$ 42,465

CITY OF DAYTON, OREGON**COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES -
WATER OPERATIONS
YEAR ENDED JUNE 30, 2023**

	<u>Water Utility</u>	<u>Water Utility Capital</u>	<u>Interfund Eliminations</u>	<u>Total Water Operations</u>
REVENUES				
Charges for services	\$ 1,072,957	\$ -	\$ -	\$ 1,072,957
Miscellaneous	20,453	14,769	-	35,222
<i>Total Revenues</i>	1,093,410	14,769	-	1,108,179
EXPENDITURES				
Personnel services	384,330	-	-	384,330
Materials and services	349,914	-	-	349,914
Capital outlay	632	128,748	-	129,380
<i>Total Expenditures</i>	734,876	128,748	-	863,624
REVENUES OVER (UNDER) EXPENDITURES	358,534	(113,979)	-	244,555
OTHER FINANCING SOURCES (USES)				
Capital contributions	-	6,305	-	6,305
Transfers in	-	250,000	(250,000)	-
Transfers out	(440,000)	-	250,000	(190,000)
<i>Total Other Financing Sources (Uses)</i>	(440,000)	256,305	-	(183,695)
NET CHANGE IN FUND BALANCE	(81,466)	142,326	-	60,860
FUND BALANCE, beginning of year	776,289	756,793	-	1,533,082
FUND BALANCE, end of year	\$ 694,823	\$ 899,119	\$ -	\$ 1,593,942

CITY OF DAYTON, OREGON

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE (BUDGETARY BASIS) –
BUDGET AND ACTUAL – WATER UTILITY FUND
YEAR ENDED JUNE 30, 2023**

	<i>Budget Amounts</i>		<i>Actual</i>	<i>Variance</i>
	<i>Original</i>	<i>Final</i>		
REVENUES				
Charges for services	\$ 891,300	\$ 891,300	\$ 1,072,957	\$ 181,657
Miscellaneous	3,000	3,000	20,453	17,453
<i>Total Revenues</i>	894,300	894,300	1,093,410	199,110
EXPENDITURES				
Personnel services	375,794	375,794	384,330	(8,536)
Materials and services	447,157	447,157	349,914	97,243
Capital outlay	30,000	30,000	632	29,368
Contingency	18,305	18,305	-	18,305
<i>Total Expenditures</i>	871,256	871,256	734,876	136,380
REVENUES OVER (UNDER) EXPENDITURES	23,044	23,044	358,534	335,490
OTHER FINANCING SOURCES (USES)				
Transfers out	(440,000)	(440,000)	(440,000)	-
NET CHANGE IN FUND BALANCE	(416,956)	(416,956)	(81,466)	335,490
FUND BALANCE, beginning of year	466,956	466,956	776,289	309,333
FUND BALANCE, end of year	\$ 50,000	\$ 50,000	\$ 694,823	\$ 644,823

CITY OF DAYTON, OREGON

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE (BUDGETARY BASIS) –
BUDGET AND ACTUAL – WATER UTILITY CAPITAL FUND
YEAR ENDED JUNE 30, 2023**

	<i>Budget Amounts</i>		<i>Actual</i>	<i>Variance</i>
	<i>Original</i>	<i>Final</i>		
REVENUES				
Miscellaneous	\$ 2,000	\$ 2,000	\$ 14,769	\$ 12,769
EXPENDITURES				
Capital outlay	772,000	772,000	128,748	643,252
Contingency	42,748	42,748	-	42,748
<i>Total Expenditures</i>	<u>814,748</u>	<u>814,748</u>	<u>128,748</u>	<u>686,000</u>
REVENUES OVER (UNDER) EXPENDITURES	(812,748)	(812,748)	(113,979)	698,769
OTHER FINANCING SOURCES (USES)				
Capital contributions	16,968	16,968	6,305	(10,663)
Transfers in	250,000	250,000	250,000	-
<i>Total Other Financing Sources (Uses)</i>	<u>266,968</u>	<u>266,968</u>	<u>256,305</u>	<u>(10,663)</u>
NET CHANGE IN FUND BALANCE	(545,780)	(545,780)	142,326	688,106
FUND BALANCE, beginning of year	<u>645,780</u>	<u>645,780</u>	<u>756,793</u>	<u>111,013</u>
FUND BALANCE, end of year	<u>\$ 100,000</u>	<u>\$ 100,000</u>	<u>\$ 899,119</u>	<u>\$ 799,119</u>

CITY OF DAYTON, OREGON**COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES –
SEWER OPERATIONS
YEAR ENDED JUNE 30, 2023**

	<i>Sewer Utility</i>	<i>Sewer Utility Capital</i>	<i>Interfund Eliminations</i>	<i>Total Sewer Operations</i>
REVENUES				
Charges for services	\$ 533,102	\$ -	\$ -	\$ 533,102
Miscellaneous	14,483	9,056	-	23,539
<i>Total Revenues</i>	547,585	9,056	-	556,641
EXPENDITURES				
Personnel services	280,199	-	-	280,199
Materials and services	271,081	10,000	-	281,081
Capital outlay	74,120	550,898	-	625,018
<i>Total Expenditures</i>	625,400	560,898	-	1,186,298
REVENUES OVER (UNDER) EXPENDITURES	(77,815)	(551,842)	-	(629,657)
OTHER FINANCING SOURCES (USES)				
Capital contributions	-	80,937	-	80,937
Transfers in	-	538,990	(10,000)	528,990
Transfers out	(171,000)	-	10,000	(161,000)
<i>Total Other Financing Sources (Uses)</i>	(171,000)	619,927	-	448,927
NET CHANGE IN FUND BALANCE	(248,815)	68,085	-	(180,730)
FUND BALANCE, beginning of year	459,278	998,674	-	1,457,952
FUND BALANCE, end of year	\$ 210,463	\$ 1,066,759	\$ -	\$ 1,277,222

CITY OF DAYTON, OREGON

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE (BUDGETARY BASIS) –
BUDGET AND ACTUAL – SEWER UTILITY FUND
YEAR ENDED JUNE 30, 2023**

	<i>Budget Amounts</i>		<i>Actual</i>	<i>Variance</i>
	<i>Original</i>	<i>Final</i>		
REVENUES				
Charges for services	\$ 514,600	\$ 529,290	\$ 533,102	\$ 3,812
Miscellaneous	1,250	12,250	14,483	2,233
<i>Total Revenues</i>	515,850	541,540	547,585	6,045
EXPENDITURES				
Personnel services	269,146	277,149	280,199	(3,050)
Materials and services	248,518	266,205	271,081	(4,876)
Capital outlay	89,000	89,000	74,120	14,880
Contingency	4,866	4,866	-	4,866
<i>Total Expenditures</i>	611,530	637,220	625,400	11,820
REVENUES OVER (UNDER) EXPENDITURES	(95,680)	(95,680)	(77,815)	17,865
OTHER FINANCING SOURCES (USES)				
Transfers out	(171,000)	(171,000)	(171,000)	-
NET CHANGE IN FUND BALANCE	(266,680)	(266,680)	(248,815)	17,865
FUND BALANCE, beginning of year	316,680	316,680	459,278	142,598
FUND BALANCE, end of year	\$ 50,000	\$ 50,000	\$ 210,463	\$ 160,463

CITY OF DAYTON, OREGON**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE (BUDGETARY BASIS) –
BUDGET AND ACTUAL – SEWER UTILITY CAPITAL FUND
YEAR ENDED JUNE 30, 2023**

	<i>Budget Amounts</i>		<i>Actual</i>	<i>Variance</i>
	<i>Original</i>	<i>Final</i>		
REVENUES				
Intergovernmental	\$ 3,300,000	\$ 3,300,000	\$ -	\$ (3,300,000)
Miscellaneous	1,500	1,500	9,056	7,556
<i>Total Revenues</i>	3,301,500	3,301,500	9,056	(3,292,444)
EXPENDITURES				
Materials and services	22,500	22,500	10,000	12,500
Capital outlay	4,805,696	4,805,696	550,898	4,254,798
Contingency	31,427	31,427	-	31,427
<i>Total Expenditures</i>	4,859,623	4,859,623	560,898	4,298,725
REVENUES OVER (UNDER) EXPENDITURES	(1,558,123)	(1,558,123)	(551,842)	1,006,281
OTHER FINANCING SOURCES (USES)				
Capital contributions	15,128	15,128	80,937	65,809
Transfers in	538,990	538,990	538,990	-
<i>Total Other Financing Sources (Uses)</i>	554,118	554,118	619,927	65,809
NET CHANGE IN FUND BALANCE	(1,004,005)	(1,004,005)	68,085	1,072,090
FUND BALANCE, beginning of year	1,056,505	1,056,505	998,674	(57,831)
FUND BALANCE, end of year	\$ 52,500	\$ 52,500	\$ 1,066,759	\$ 1,014,259

CITY OF DAYTON, OREGON

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE (BUDGETARY BASIS) –
BUDGET AND ACTUAL – DEBT SERVICE FUND
YEAR ENDED JUNE 30, 2023**

	<i>Budget Amounts</i>		<i>Actual</i>	<i>Variance</i>
	<i>Original</i>	<i>Final</i>		
REVENUES				
Intergovernmental	\$ 23,249	\$ 23,249	\$ 23,249	\$ -
Miscellaneous	1,001	1,001	9,417	8,416
<i>Total Revenues</i>	24,250	24,250	32,666	8,416
EXPENDITURES				
Debt service				
Principal	181,013	181,013	179,318	1,695
Interest	62,199	62,199	63,894	(1,695)
<i>Total Expenditures</i>	243,212	243,212	243,212	-
REVENUES OVER (UNDER) EXPENDITURES	(218,962)	(218,962)	(210,546)	8,416
OTHER FINANCING SOURCES (USES)				
Transfers in	236,000	236,000	236,000	-
NET CHANGE IN FUND BALANCE	17,038	17,038	25,454	8,416
FUND BALANCE, beginning of year	326,907	326,907	327,322	415
FUND BALANCE, end of year	\$ 343,945	\$ 343,945	\$ 352,776	\$ 8,831

COMPLIANCE SECTION



GROVE, MUELLER & SWANK

redw
Advisors & CPAs

INDEPENDENT AUDITOR'S REPORT REQUIRED BY OREGON STATE REGULATIONS

Honorable Mayor and Members of the City Council
City of Dayton
Dayton, Oregon

We have audited, in accordance with auditing standards generally accepted in the United States of America, the basic financial statements of the City of Dayton, Oregon (the City) as of and for the year ended June 30, 2023, and have issued our report thereon dated January 22, 2024.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules 162-10-000 through 162-10-320 of the Minimum Standards for Audits of Oregon Municipal Corporations, noncompliance with which could have a direct and material effect on the determination of financial statements amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion.

We performed procedures to the extent we considered necessary to address the required comments and disclosures which included, but were not limited to the following:

- **Deposit of public funds with financial institutions (ORS Chapter 295).**
- **Indebtedness limitations, restrictions and repayment.**
- **Budgets legally required (ORS Chapter 294).**
- **Insurance and fidelity bonds in force or required by law.**
- **Programs funded from outside sources.**
- **Highway revenues used for public highways, roads, and streets.**
- **Authorized investment of surplus funds (ORS Chapter 294).**
- **Public contracts and purchasing (ORS Chapters 279A, 279B, 279C).**
- **Accountability for collecting or receiving money by elected officials - no money was collected or received by elected officials.**

In connection with our testing nothing came to our attention that caused us to believe the City was not in substantial compliance with certain provisions of laws, regulations, contracts, and grants, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules 162-10-000 through 162-10-320 of the Minimum Standards for Audits of Oregon Municipal Corporations, except for overexpenditures of appropriations as detailed in the notes to the financial statements.

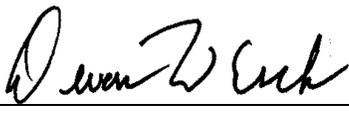
Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

Restriction on Use

This report is intended solely for the information and use of the City Council and management of the City of Dayton, Oregon and the Oregon Secretary of State and is not intended to be and should not be used by anyone other than these parties.

*GROVE, MUELLER & SWANK
CERTIFIED PUBLIC ACCOUNTANTS*

By: 

Devan W. Esch, Principal
January 22, 2024

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Oregon

Tina Kotek, Governor

Department of Environmental Quality

Western Region Eugene Office

165 East 7th Avenue, Suite 100

Eugene, OR 97401

(541) 686-7838

FAX (541) 686-7551

TTY 711

Electronic

February 14, 2024

Rochelle Roaden
City of Dayton – City Manager
P.O. Box 339
Dayton, OR 97114

Re: Review and Acceptance of the 2022-2023 TMDL Implementation Plan Annual Report for the City of Dayton

Dear Ms. Roaden,

Thank you for submitting the City of Dayton 2022- 2023 TMDL Implementation Plan Annual Report. The Department has reviewed your report and finds that the report complies with the annual reporting requirement.

DEQ commends the City of Dayton's efforts to develop extensive education and outreach materials and share them via a variety of platforms. In future annual reports please ensure that you document progress in developing and/or utilizing resources to provide staff guidance in construction site runoff (CS-2). Additionally ensure that your next annual report documents records for City project review under CS-5.

I would like to reaffirm that I am available as a resource to assist you as you move forward with TMDL implementation. Please feel free to contact me at (541) 972-5463 for assistance.

Best regards,

Grace Goldrich-Middaugh
Basin Coordinator
Watersheds and Stormwater
grace.goldrich-middaugh@deq.oregon.gov
541-972-5520

ec: Heather Tugaw, Western Region Watersheds and Stormwater Manager, DEQ
Chance Plunk, Willamette TMDL Basin Specialist, DEQ
Elizabeth Sagmiller, E & S Consulting



**Oregon
Government Ethics
Commission**



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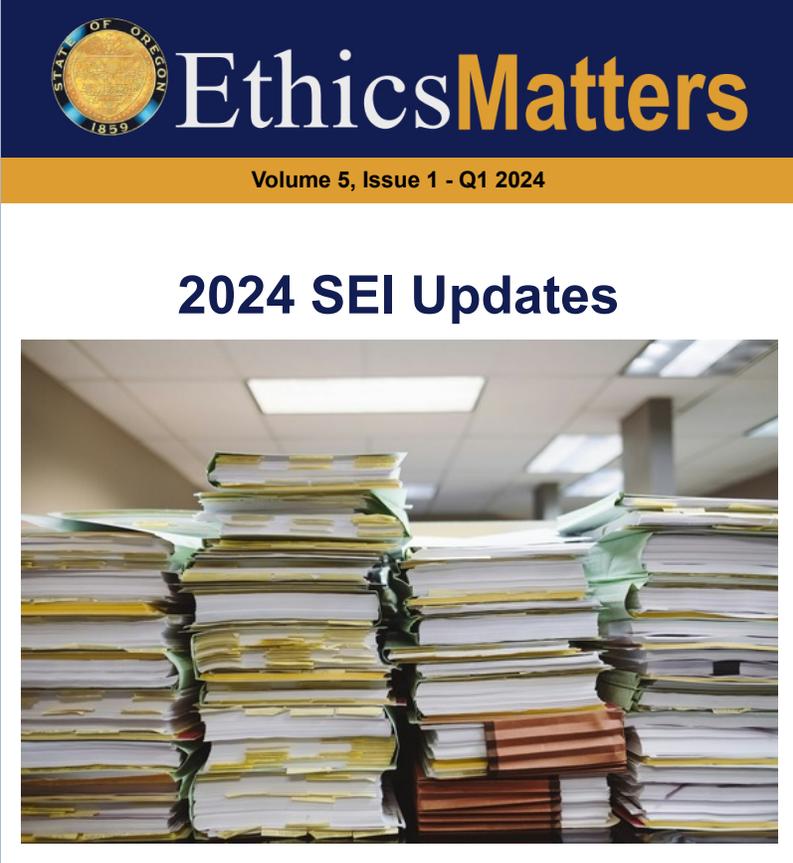
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Ethics Matters Newsletter: Statement of Economic Interest & Public Meetings Update

Oregon Government Ethics Commission sent this bulletin at 02/15/2024 08:45 AM PST

[View as a webpage](#) / [Share](#)



 **EthicsMatters**

Volume 5, Issue 1 - Q1 2024

2024 SEI Updates



First, what is an SEI?

A Statement of Economic Interest, or SEI, is a document that is required to be filled out by certain public officials. For reference, nearly 6,000 public officials (out of the 260,000 public officials across Oregon) filed an SEI last year.

Beyond being a statutory requirement for certain officials, the SEI report includes sources of income, business names where the official is an officer or director, real property, office-related events, honoraria, and shared businesses with a lobbyist. The purpose of the SEI is to increase public transparency of those officials' financial connections in the communities they serve, as SEI reports become public record once they are filed.

Reports are filed via OGEC's Electronic Filing System (EFS), meaning no stacks of papers are needed and your report can be accessed via our website 24 hours a day, 7 days a week. All officials required to file should receive notification from their Jurisdictional Contact (JC) or by email from EFS. If you'd like to double check your status, you can speak with your JC or check [ORS 244.050](#) for the list of all officials required to file.

What's changing in 2024?

Due to [House Bill 2038](#), SEI filers have something new to include on their SEI forms this year. For officials who must record a business in questions 1A or 1B, you must also include any client, customer, investor, or any other entity who your business has a legal, contractual, or other business relationship if:

- They have contributed 10% or more of your business' total gross annual income
- And they have a legislative or administrative interest in your public official position, or they have been or could reasonably be doing business with the governmental agency you are associated with

For those who have a statutory obligation to keep their client information private, there will be a process for requesting permission to share that information and affirming that you've taken the needed steps. More guidance - including screenshots and step-by-step instructions - will be available in our SEI Filer Guide, coming early March.

Now that we've covered the basics of an SEI and its newest update, let's touch base on the important deadlines during SEI season and the resources available to all public officials who are required to file!

2024 Primary Candidates SEI Requirement

Candidates described in [ORS 244.050\(1\)\(a\)&\(b\)](#) who will appear on the Oregon primary election ballot are required to file an SEI by April 15, 2024.

OGEC staff have begun seating candidates who have filed with the Elections Division of the Secretary of State. You will receive an email from ogec.notification@egov.com with an invitation to create an EFS account if you do not already have one.

You are only required to file one SEI per year. You do not need to file separate SEIs if you hold multiple positions, including being a candidate for office, in 2024.

Primary election candidates required to file an SEI include the following positions:

- Attorney General
- BOLI Commissioner
- Circuit Court Judge
- County Judge
- Court of Appeals Judge
- District Attorney
- Governor
- Secretary of State
- State Representative
- State Senator
- State Treasurer
- Supreme Court Justice
- Tax Court Judge

[SEI Filer Info](#)



Important SEI Deadlines

Here are some helpful reminders about the dates you don't want to forget during SEI season:

- **February 15th**
 - All Jurisdictional Contacts must submit accurate contact information for the filers within their jurisdiction by February 15th
- **March 15th**
 - The SEI filing window opens and filers may begin compiling and submitting their reports
 - All filers will be emailed through the Electronic Filing System (EFS)
- **April 15th**
 - All SEI reports are due by April 15th, no matter the day of the week or if it is a holiday as EFS is available 24/7

Filers will be emailed periodically throughout the filing period (March 15th - April 15th) from EFS with reminders to file. It is incredibly important to check your email during this time and file your SEI report on time, as there are penalties for not filing on time and penalties will begin accruing automatically.

SEI Resources

For those who are filing for the first time or would like a refresher on the process, OGEC has several resources available.

SEI Filer Trainings

Throughout March 15th - April 15th, OGEC has many trainings available for filers. We highly recommend logging into your account and following along during the training.

Our 2024 SEI Filer Guide will be also be available early March, adding to the resources available to all SEI filers.

[SEI Filer Trainings](#)

JC Trainings

While our sprint of JC trainings to prepare for the February 15th deadline have passed, OGEC holds monthly webinars that cover your role as a JC and how to use EFS to assist your filers. You can sign up for those webinars, and any of our other monthly topics, below:

[Monthly Webinars](#)

2024 JC Guide

Our 2024 Jurisdictional Contact Guide is available online and offers help on navigating EFS and answering filers' questions.

[2024 JC Guide](#)



Public Meetings Law Trainings Update

Looking for a Public Meetings Law training? OGE is currently working on developing the curriculum. To ensure the accuracy of the trainings, we will begin offering them after we have held the administrative rule-making process. We anticipate launching these trainings, both in-person and as live webinars, by early summer.

In the meantime, our staff continues to [provide trainings](#) on the topics that were previously in our jurisdiction, including:

- **Oregon Government Ethics Law Overview** (2.5 hours): Conflicts of Interest, Prohibited Use of Office/Position, Private and Subsequent Employment, Nepotism, and Gifts provisions of Chapter 244. These provisions apply to ALL public officials regardless of whether they are paid for their services or not.
- **Conflicts of Interest and Prohibited Use of Position** (1.5 hours): What is a conflict of interest and what do you do when you are met with one? What does prohibited use of position mean? How does that affect board/commission members and employees alike?
- **Executive Session provisions of Public Meetings Law** (1.5 hours): Discuss the permissible reasons to enter an executive session and review any of the prerequisites.

To be the first to receive updates on Public Meetings Law trainings or the rule-making process, please subscribe at the links below to be added to our notification list.

[Subscribe to PML Updates](#)

[Subscribe to Rule-Making Updates](#)

[Request Custom Training](#)

OGEC Staff Updates

Meet our new Executive Director, Susan Myers.

Our new Executive Director, Susan Myers, was chosen by unanimous Commission vote following a rigorous recruitment process that included VidCruiter interviews, an all-staff interview, a Stakeholder Meet and Greet, as well as a sit-down meeting at the Governor's office, and an in-person interview with the Commission.

Can you tell us about your vision for the organization as we continue to move forward?

My vision is for OGEC to become even more of a resource for public officials across the state. Increased outreach and training opportunities as well as more collaboration with various stakeholder groups such as AOC, LOC, OSBA, SDAO, and others.

What are your plans for this year?

Our primary focus this year at OGEC is to implement our jurisdiction over Oregon Public Meetings Law; this will include adopting administrative rules and implementing a training program that will include approval of other groups' Oregon Public Meetings Law trainings.

What has guided your progress to this role?

I am very honored to have been selected as OGEC's Executive Director and I appreciate all the guidance that the previous Executive Director, Ron Bersin, has given me. In many ways, this role represents the best possible culmination of my prior careers. Initially, I was an English professor, and I enjoyed teaching. Then, I became an attorney - this position is a perfect blend of both.

What is one thing about OGEC that you are proud of?

OGEC strives to be accessible and helpful to public officials throughout the state. When we get phone calls, we answer the phone, and we try to provide appropriate advice. We do the same with emails and letters. I am proud that our staff truly endeavors to be helpful to the people seeking advice and guidance.

How do you like to spend your spare time?

As readers of our newsletter may be aware, I compete annually in a fantasy *Tour de France* league and follow pro cycling throughout the year. My favorite cyclist currently is Tadej Pogačar. I also enjoy watching *Doctor Who* and various detective dramas, such as *Astrid* and *Vandervalk*.

Editorial note: Susan introduced the office to the concept of the fantasy Tour de France league, and many of our staff now raptly follow the competition each year (no money changing hands, just the joy of the drama). Last year, our Curriculum & Training Coordinator received the particular honor of the lanterne rouge (last place) in the office fantasy league.



Staff Congratulations

OGEC staff were overwhelmingly excited with the appointment of Susan, and wish her well in her new role! A few staff members wanted to share their thoughts on their experience working with Susan.

"The thing I appreciate the most about Susan is her willingness and desire to lead from the front. Not only is she able to do her job, but she is willing to support everyone else with theirs. When you have a boss who will jump in and help when needed, you feel more confident knowing that there isn't anything that can come up that the team can't do."

"Susan is eager to prioritize the health, development, and growth of her staff. She constantly gives words of encouragement and wisdom, is willing to take time out of her busy schedule to help us understand complicated situations, and I truly appreciate a well-timed Sundae and Hashbrown Day - Susan is sure to succeed in her position as Executive Director!"

Meet our new Admin Specialist 2, Molly Putnam.



Molly joined our team in early January in a brand new position at OGEC, an Administrative Specialist 2. Previously a Legal Assistant for Linn County, she's excited to contribute to OGEC's mission and further serve the State of Oregon.

To get to know our newest team member more - including her flower garden and what types of movies she likes to watch - click below:

[Learn More About Molly](#)

We're hiring for a Compliance & Enforcement Coordinator!

The recruitment for this position will close on February 26, 2024!

This role will include:

- providing guidance and consultation to staff, public officials, government jurisdictions, media, legislative staff, and the public
- working alongside the Executive Director to assign cases and advice to investigators and trainers
- conducting difficult and complex investigations
- preparing reports analyzing alleged violations of the laws with OGEC's jurisdiction
- making recommendations and presenting such to the Commission

The interview process will begin March 7 & 8, 2024.

If you have strong analytical and critical thinking skills, alongside experience leading a team charged with investigating compliance with program requirements, we encourage you to apply below:

[Apply Here](#)

Take our 2023 Customer Service Survey

Did you take an OGEC training in 2023? Or maybe you requested advice or worked with our team to file your SEI?

If you interacted with our staff last year, we'd appreciate you taking our 2023 Customer Service Survey and providing feedback. The survey helps OGEC pinpoint what we're doing well and if there's anywhere we can improve.



The survey will be open through February 29, 2024 - please submit your responses before then if you'd like to be included in our 2023 analysis.

[Take the Survey](#)

Become an OGEC Commissioner



[Apply Here](#)

Are you interested in government transparency? There are periodically Commission positions open and applications are kept on file for two years. Meetings occur about every six weeks. Information on previous and upcoming Commission meetings can be found on our [Meetings webpage](#).

No more than three of the members of the Commission may be from the same political party. Please make sure to state your political affiliation in your application.

For more information and to submit your application, please see the position description on Workday.

Upcoming Commission Meetings

- March 22, 2024
- May 10, 2024
- June 28, 2024

[Meeting Information](#)

Oregon Government Ethics Commission

3218 Pringle Road SE, Suite 220
Salem, OR 97302

[\(503\) 378-5105](tel:(503)378-5105) | mail@ogec.oregon.gov | www.oregon.gov/OGEC



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 Report type: Summary

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Check Amount	
01/24	01/24/2024	29388		Void Check					.00	V
01/24	01/24/2024	29389		Void Check					.00	V
01/24	01/24/2024	29390		Void Check					.00	V
01/24	01/24/2024	29391		Void Check					.00	V
01/24	01/24/2024	29392		Void Check					.00	V
01/24	01/24/2024	29393		Void Check					.00	V
01/24	01/24/2024	29394		Void Check					.00	V
01/24	01/24/2024	29395		Void Check					.00	V
01/24	01/24/2024	29396		Void Check					.00	V
01/24	01/24/2024	29397		Void Check					.00	V
01/24	01/24/2024	29398		Void Check					.00	V
01/24	01/24/2024	29399		Void Check					.00	V
01/24	01/24/2024	29400		Void Check					.00	V
01/24	01/24/2024	29401		Void Check					.00	V
01/24	01/24/2024	29402		Void Check					.00	V
01/24	01/24/2024	29403		Void Check					.00	V
01/24	01/24/2024	29404		Void Check					.00	V
01/24	01/24/2024	29405		Void Check					.00	V
01/24	01/24/2024	29406		Void Check					.00	V
01/24	01/24/2024	1007		Void Check					.00	V
01/24	01/24/2024	1006	105	City of Dayton	DR #5	1	700.700.910.41	.00	14,017.19	
01/24	01/24/2024	1007	2014	Stellar J Corporation	PAY ESTIMA	1	700.700.910.41	.00	390,978.14	
01/24	01/09/2024	29011	1572	McMinnville Commercial Cleaners	Multiple	1	100.100.707.30	.00	1,250.00-	V
01/24	01/09/2024	29181	268	Schneider Automation, Inc	14230	1	600.600.930.10	.00	3,725.00-	V
01/24	01/09/2024	29232	362	City of Newberg	Multiple	3	100.106.716.10	.00	2,260.60-	V
01/24	01/08/2024	29242	456	Bureau of Labor & Industries	HWY 221 SE	1	700.700.920.00	.00	1,699.90	
01/24	01/11/2024	29273	2013	Lehman Pest Control LLC	123050	9	300.301.707.00	.00	.00	V
01/24	01/11/2024	29280	2047	MVP Commercial Roofing	ANNEX ROO	1	760.760.930.00	.00	15,083.89	
01/24	01/11/2024	29285	621	Portland Engineering, Inc	Multiple	1	300.300.614.40	.00	.00	V
01/24	01/11/2024	29301	2013	Lehman Pest Control LLC	12350 A	10	400.400.707.00	.00	.00	V
01/24	01/11/2024	29302	621	Portland Engineering, Inc	Multiple	1	300.300.614.40	.00	.00	V
01/24	01/11/2024	29305	2044	Associated Arborists	2586	1	100.103.915.00	.00	2,117.50	
01/24	01/11/2024	29306	2046	ATS Appliance Repair	5470	10	400.400.707.00	.00	149.00	
01/24	01/11/2024	29307	261	AUCA Western First Aid & Safety	PDX4-00296	10	400.400.601.00	.00	463.27	
01/24	01/11/2024	29308	1064	Botten's Equipment Rental	109109-2	2	100.103.915.00	.00	25.70	
01/24	01/11/2024	29309	125	Canon Solutions America	Multiple	10	400.400.601.00	.00	883.46	
01/24	01/11/2024	29310	2035	Carpet MD	18206	10	400.400.707.00	.00	548.00	
01/24	01/11/2024	29311	255	Cascade Columbia	884708	2	300.300.616.00	.00	5,052.16	
01/24	01/11/2024	29312	166	Cascade Form Systems	Multiple	10	400.400.601.00	.00	810.77	
01/24	01/11/2024	29313	1922	Cintas Corp	Multiple	6	400.400.616.10	.00	444.39	
01/24	01/11/2024	29314	105	City of Dayton	Multiple	1	780.780.920.40	.00	4,720.28	
01/24	01/11/2024	29315	362	City of Newberg	Multiple	3	100.106.716.10	.00	2,382.17	
01/24	01/11/2024	29316	1865	Comcast Business	8778105130	1	400.400.705.30	.00	104.85	
01/24	01/11/2024	29317	519	Comcast Cable - internet	8778105130	11	400.400.705.30	.00	179.84	
01/24	01/11/2024	29318	327	Cummins Inc.	Multiple	1	300.301.614.00	.00	2,610.98	
01/24	01/11/2024	29319	541	CXT Incorporated	90073340	1	780.780.920.40	.00	88,687.80	
01/24	01/11/2024	29320	1841	CyntrX	INV161154	5	400.400.614.00	.00	36.00	
01/24	01/11/2024	29321	585	Daily Journal of Commerce	745663370	11	400.400.700.10	.00	307.50	
01/24	01/11/2024	29322	2045	Daniel Prusso	DEPOSIT RE	1	100.100.750.20	.00	200.00	
01/24	01/11/2024	29323	2001	Dave Rucklos	DEC 2023 E	19	400.400.616.10	.00	108.25	
01/24	01/11/2024	29324	789	Edge Analytical	Multiple	1	300.300.751.00	.00	352.00	
01/24	01/11/2024	29325	839	Ferguson Enterprises Inc. #3011	1202936	2	300.300.616.00	.00	35.00	
01/24	01/11/2024	29326	543	Ferrellgas	Multiple	10	400.400.600.10	.00	1,088.29	

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
01/24	01/11/2024	29327	507	First American Title	REFUND	1	001.000.175.00	.00	131.93
01/24	01/11/2024	29328	694	GPEC Electrical Contractors	Multiple	1	300.300.614.40	.00	5,423.08
01/24	01/11/2024	29329	167	GSI Water Solutions, Inc	00107.025-8	1	300.300.705.00	.00	542.54
01/24	01/11/2024	29330	780	Guardian Fire Protection Inc	147337	1	100.100.707.30	.00	190.00
01/24	01/11/2024	29331	178	Hach Company	13851467	1	300.301.616.00	.00	93.78
01/24	01/11/2024	29332	2048	Hilton Plumbing & Mechanical LL	Multiple	1	780.780.920.40	.00	5,209.20
01/24	01/11/2024	29333	134	Iron Mountain Records Mgmt	JBVT233	10	400.400.601.00	.00	137.80
01/24	01/11/2024	29334	1081	Keller Associates	0233958	1	400.400.705.20	.00	1,769.70
01/24	01/11/2024	29335	2013	Lehman Pest Control LLC	12350 A	10	400.400.707.00	.00	300.00
01/24	01/11/2024	29336	989	Leo's Excavating & Trucking, Inc	DEPOSIT RE	1	300.300.750.00	.00	100.00
01/24	01/11/2024	29337	1572	McMinnville Commercial Cleaners	Multiple	1	100.100.707.30	.00	2,250.00
01/24	01/11/2024	29338	1507	McMinnville Immediate Health Car	1485K1814	10	400.400.705.00	.00	106.00
01/24	01/11/2024	29339	121	McMinnville Water & Light	67508 0124	1	300.300.600.00	.00	280.45
01/24	01/11/2024	29340	124	Mid-Willamette Valley COG	Multiple	1	100.105.705.20	.00	2,474.80
01/24	01/11/2024	29341	1933	Mobile Modular	2508656	4	100.103.601.00	.00	904.90
01/24	01/11/2024	29342	109	News Register	Multiple	11	400.400.700.10	.00	1,124.78
01/24	01/11/2024	29343	871	ODP Business Solutions, LLC	3482909260	10	400.400.601.00	.00	138.48
01/24	01/11/2024	29344	173	One Call Concepts, Inc.	3120352	2	400.400.799.00	.00	12.60
01/24	01/11/2024	29345	244	OreVac West Inc.	8462	1	400.400.614.60	.00	720.00
01/24	01/11/2024	29346	621	Portland Engineering, Inc	Multiple	1	300.300.614.40	.00	245.30
01/24	01/11/2024	29347	240	Print NW	23137	1	500.500.752.00	.00	137.00
01/24	01/11/2024	29348	2049	Prominent Escrow Services Inc	OVERPAYM	1	001.000.175.00	.00	156.23
01/24	01/11/2024	29349	106	Recology Western Oregon	22770861	2	200.200.603.00	.00	336.81
01/24	01/11/2024	29350	2029	Rocio Vargas	JANUARY 20	12	100.106.611.00	.00	225.53
01/24	01/11/2024	29351	615	Schneider Water Services	14230	1	600.600.930.10	.00	3,725.00
01/24	01/11/2024	29352	1974	Stephen Sagmiller	10	4	400.400.705.00	.00	2,067.00
01/24	01/11/2024	29353	228	The Home Depot Pro	779599828	10	400.400.601.00	.00	213.98
01/24	01/11/2024	29354	898	Trini Marquez	DEPOSIT RE	1	100.100.750.20	.00	225.00
01/24	01/11/2024	29355	937	United Site Services	Multiple	1	100.103.619.00	.00	1,849.58
01/24	01/11/2024	29356	102	Verizon	9951516531	10	400.400.602.00	.00	647.76
01/24	01/11/2024	29357	1470	Vicki Durand	Multiple	2	400.400.537.00	.00	1,022.50
01/24	01/11/2024	29358	1876	Western Rock Resources	64523	1	200.200.614.41	.00	111.02
01/24	01/11/2024	29359	112	Wilco	Multiple	1	300.301.616.00	.00	1,715.83
01/24	01/11/2024	29360	114	Yamhill County Sheriff	JANUARY 20	1	101.101.705.10	.00	15,878.95
01/24	01/11/2024	29361	115	Yamhill County Sheriff	24-0001	1	101.101.700.35	.00	112.00
01/24	01/12/2024	29362	231	DOWL	2647.80185.	2	600.600.920.35	.00	40,986.86
01/24	01/24/2024	29363	2050	Aire Serv of the Willamette	DEPOSIT	1	760.760.930.30	.00	7,750.00
01/24	01/24/2024	29364	329	Alexonet Inc	2711	11	105.105.705.30	.00	3,000.00
01/24	01/24/2024	29365	151	Beery, Elsner & Hammond	Multiple	1	101.101.700.00	.00	2,288.00
01/24	01/24/2024	29366	1878	Brightside Electric & Lighting	Multiple	11	300.301.707.00	.00	15,474.00
01/24	01/24/2024	29367	125	Canon Solutions America	Multiple	10	400.400.601.00	.00	738.69
01/24	01/24/2024	29368	1922	Cintas Corp	Multiple	6	400.400.616.10	.00	231.12
01/24	01/24/2024	29369	189	CIS Trust	P0-DAY-I202	12	100.106.604.00	.00	210.43
01/24	01/24/2024	29388	1685	CivicPlus LLC	284084	10	400.400.705.30	.00	1,700.00
01/24	01/31/2024	29388	2050	Aire Serv of the Willamette	DEPOSIT	1	760.760.930.30	.00	.00 V
01/24	01/24/2024	29389	231	DOWL	2647.80185.	2	700.700.910.41	.00	42,667.58
01/24	01/31/2024	29389	329	Alexonet Inc	2711	11	105.105.705.30	.00	.00 V
01/24	01/24/2024	29390	789	Edge Analytical	Multiple	1	300.300.751.00	.00	522.00
01/24	01/31/2024	29390	151	Beery, Elsner & Hammond	Multiple	1	101.101.700.00	.00	.00 V
01/24	01/31/2024	29391	1878	Brightside Electric & Lighting	Multiple	11	300.301.707.00	.00	.00 V
01/24	01/24/2024	29391	839	Ferguson Enterprises Inc. #3011	UNPAID BAL	1	300.300.616.00	.00	35.00
01/24	01/24/2024	29392	543	Ferrellgas	Multiple	1	100.100.600.00	.00	951.17
01/24	01/31/2024	29392	125	Canon Solutions America	Multiple	10	400.400.601.00	.00	.00 V
01/24	01/24/2024	29393	247	Grove, Mueller & Swank	103347	12	105.105.608.00	.00	12,500.00
01/24	01/31/2024	29393	1922	Cintas Corp	Multiple	6	400.400.616.10	.00	.00 V
01/24	01/24/2024	29394	885	H.D. Fowler	08040366	1	300.300.616.20	.00	3,508.00

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
01/24	01/31/2024	29394	189	CIS Trust	P0-DAY-I202	12	100.106.604.00	.00	.00 V
01/24	01/24/2024	29395	2052	MARS Company	INV3975	1	300.300.705.00	.00	126.88
01/24	01/24/2024	29396	1507	McMinnville Immediate Health Car	1501K1814	10	300.300.705.00	.00	80.00
01/24	01/24/2024	29397	124	Mid-Willamette Valley COG	Multiple	1	100.105.705.20	.00	4,113.80
01/24	01/24/2024	29398	2051	Mikal Wright	1030	1	105.105.710.00	.00	250.00
01/24	01/24/2024	29399	758	OHA - Cashier	4100252 202	1	300.300.706.00	.00	75.00
01/24	01/24/2024	29400	272	Oregon Dept of Revenue	L155934582	1	400.400.706.00	.00	297.00
01/24	01/24/2024	29401	289	Oregon Mayors Association	2024 MEMB	1	500.500.706.00	.00	150.00
01/24	01/24/2024	29402	1001	Utility Service Co., Inc	596360	1	600.600.930.20	.00	7,050.44
01/24	01/24/2024	29403	1470	Vicki Durand	JANUARY 9-	2	400.400.537.00	.00	915.00
01/24	01/24/2024	29404	154	Westech Engineering, Inc	Multiple	1	700.700.910.00	.00	17,430.86
01/24	01/24/2024	29405	1876	Western Rock Resources	FW64638	1	200.200.614.41	.00	56.42
01/24	01/24/2024	29406	614	Ziplyfiber	Multiple	1	300.300.602.00	.00	687.99
01/24	01/31/2024	29407	2050	Aire Serv of the Willamette	97654667	1	760.760.930.30	.00	7,750.00
01/24	01/31/2024	202401100	190	AFLAC	770854	1	100.000.220.00	.00	180.43
01/24	01/31/2024	202401101	189	CIS Trust	FEBRUARY	24	400.400.594.00	.00	15,368.61
01/24	01/31/2024	202401102	193	DMV	Multiple	1	101.101.705.00	.00	3.60
01/24	01/31/2024	202401103	139	Lowe's	Multiple	6	400.400.617.00	.00	664.68
01/24	01/31/2024	202401104	256	Oregon Dept of Revenue	Multiple	1	100.000.212.00	.00	6,960.22
01/24	01/31/2024	202401105	103	PGE	Multiple	1	300.301.600.00	.00	10,619.62
01/24	01/31/2024	202401106	1006	US Bank	Multiple	35	300.301.601.00	.00	9,407.38
01/24	01/31/2024	202401107	102	Verizon	9953989249	10	400.400.602.00	.00	647.22
01/24	01/31/2024	202401108	1006	US Bank	ROADEN JA	45	400.400.611.00	.00	903.43
Grand Totals:								.00	792,731.69

TO: Mayor Marquez and City Council Members
THROUGH: Rochelle Roaden, City Manager
FROM: John Lindow & Don Cutler, Public Works Leads
SUBJECT: Public Works Activity Report for February 2024
DATE: March 4, 2024

<p>Water: 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 Chlorine Generator Maintenance Springs Grounds Maintenance Numerous I Ready's for leak checks Installed new SCADA system at the Water Treatment Plant Oversaw new water taps and hook ups</p>	<p>Wastewater: Regulatory Samples - Bi-Weekly Daily Rounds Operation of Lift Stations - Daily Check Locates DMR to DEQ Receive Chemicals at Treatment Plant Lift Station Maintenance Maintenance at (Sewer) Lagoons Discharge from Lagoons Oversaw new Sewer Hookups Hwy 221 lift station project Repaired Pump #2 at Main lift station (propeller had metal stuck in it)</p>
<p>Parks: Garbage Removal - All Parks Park Restrooms - Daily Cleaning and Maintenance Regular Mowing of Parks Leaf Removal from the Parks and Cemetery Plumbing repaired at 11th st park Prepping ground for sod at 11th st park New sidewalk around bathroom at 11th st park Working on security system for 11th st park</p>	<p>Storm Water: Locates Catch Basin - Cleaning Storm Drain Grates - Clear Debris and Leaves Street Sweeping - Grate Maintenance Located storm water line on Ash Rd Cleared Ash Rd Storm line Repaired catch basin grate at 8th&Ferry</p>
<p>Facilities: Fire Extinguisher Checks Community Center Trash Removal Clean Community Center Parking Lot Grounds Maintenance at Community Center Installed new heater/ac units at Main lift station Performed quarterly safety inspections</p>	<p>Streets: Street Sweeping Ferry Street Trash Removal Move/Charge Mobile Speed Sign Fixed ADA ramp at 4th&Ferry Scheduled to have ADA ramp fixed at 8th&Ferry Fixed potholes in alley between 1st&3rd</p>

TO: Honorable Mayor and City Councilors
 Through: Rochelle Roaden, City Manager
 From: Jason E. Shirley
 Subject: Code Enforcement Activities Report
 Date: 2/22/2024

2024 Code Compliance Report													
Category	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
Animals	7	5											12
Building													
Clear Vision	1												1
Encroachment Permits	1	4											5
Junk – Private Property	6	2											8
Noise	2												2
Noxious Vegetation													
Parking – Right of Way	5	7											12
Storing Junk - ROW													
Attractive Nuisance													
Posting - Signs	4												4
Camping													
Sidewalks													
YCSO													
Code Citations Issued													
Land Use Violations													
Other		1											1
TOTALS	28	19											28

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.

32nd Annual Dayton FFA/City Council Easter Egg Hunt

Saturday, March 30th

Dayton City Park	10am
3rd Grade and Under	
Grade School Field	10:30
4th - 6th Grade	

**Prizes For Every
Age Group!**

City of Dayton's
Carnaval de



Courthouse Square Park

May 5, 2024

1:00 pm - 7:00 pm



- 🌸 Parade
- 🌸 Live Music & DJ
- 🌸 Food
- 🌸 Vendors
- 🌸 Free Face Painting
- 🌸 Balloon Artist
- 🌸 Cake Walks

For more information, visit www.daytonoregon.gov/events.





CITY-WIDE COMMUNITY GARAGE SALE

SECOND WEEKEND (FRI-SAT) IN MAY

*Call City Hall by May 3rd to register at 503-864-2221!
Participants set garage sale dates and times.
Yard signs available while supplies last.*

COMMUNITY FREE SWAP

THIRD WEEK IN MAY (SAT-FRI)

*Tent at the Community Events Center Parking Lot
Donate/Drop off household items, appliances, & furniture.
Find/Take items that you can use!*

**No clothing or mattresses.*

Unable to accept: Batteries, tires, paint, insecticides, pesticides, motor oil, propane tanks, construction or demolition materials, hazardous or medical waste.

CITY-WIDE CLEAN UP

THIRD SATURDAY IN MAY - 8 am to 12 pm

*Bring your unwanted items to the yard behind
Dayton City Hall at 416 Ferry Street in Dayton.*

Unable to Accept: Appliances, A/C units, batteries, tires, paint, insecticides, pesticides, motor oil, propane tanks, construction or demolition materials, hazardous or medical waste.

For more information, call City Hall at 503-864-2221 or check the City's website at www.daytonoregon.gov/events.

