

**MINUTES
DAYTON CITY COUNCIL
REGULAR SESSION
December 2, 2024**

PRESENT: Mayor Annette Frank
Councilor Drew Hildebrandt
Councilor Scott Hover
Councilor Kitty Mackin
Councilor Jim Maguire
Councilor Chris Teichroew
Council President Luke Wildhaber

ABSENT:

STAFF: Cyndi Park, Interim City Manager
Rocio Vargas, City Recorder
Curt Fisher, City Planner
Dave Rucklos, Tourism & Economic Development Director
Don Cutler, Public Works Supervisor

A. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Annette Frank called the meeting to order at 6:30 pm and all those present gave the Pledge of Allegiance.

B. ROLL CALL

Mayor Frank noted that Councilors Hildebrandt, Hover, Mackin, Maguire, Teichroew, Wildhaber were all present in person.

C. APPEARANCE OF INTERESTED CITIZENS

None.

D. CONSENT AGENDA

1. November 4, 2024, Regular Session Minutes

Councilor Maguire noted a misspelling on page three under the Executive Session paragraph. He also inquired for clarification on the next page on what "112" represented in Sargent Eubanks statement.

**DREW HILDEBRANDT MOVED TO APPROVE THE
NOVEMBER 4, 2024; REGULAR SESSION MINUTES AS
AMENDED. SECONDED BY KITTY MACKIN. Motion**

carried with Frank, Hildebrandt, Hover, Mackin, Maguire, Teichroew, and Wildhaber voting aye.

E. PUBLIC HEARING

The Dayton City Council held a hearing to obtain citizen input on text amendments to the Dayton Land Use and Development Code to implement statute changes passed by the State Legislature during the 2023 and 2024 sessions (HB 3395 and SB 1537).

Mayor Frank opened the public hearing at 6:33 pm.

F. ACTION ITEMS

1. Text Amendments to the Dayton Land Use and Development Code

Curt Fisher, City Planner presented the staff report with the proposed text amendment to chapter 7 in accordance with HB 3395 and SB 1537.

Councilor Maguire inquired if a subdivision application would now be approved by staff and not Planning Commission.

Curt confirmed that it would be a staff decision and if there was an appeal then it would be directed to Planning Commission.

Councilor Maguire inquired if City Council members could be included in the notice period for public comments. He stated that as a Councilor he would like to attend and make sure the development meets the code.

Mayor Frank requested to specify City Manager and a specific title for the decision maker instead of leaving it open to interpretation as "staff".

Councilor Hover inquired if the measure intended to remove the quasi-judicial if the required criteria is met.

Curt stated the reasoning is that the clear and objective standards set are applied and if met then there is no room for public input.

Councilor Hover inquired if the standards are not met who is responsible to make the determination.

Curt stated that (he) the City Planner is who would decide if the required standards were met or not.

Councilor Maguire inquired if the decision would now be made by the City Manager and the City Planner then how does the City Council as elected official body review to make sure it is done correctly if City Council does not get to review the applications.

Curt stated that if the City Council and the Planning Commission are added to the notice list then they would have the ability to comment and ask to review the application as a City Council and add an extra step to the process for review.

Councilor Maguire stated that he wants to add more eyes reviewing applications.

Mayor Frank stated that for the same reason she would like to specify who will be making the decision - City Manager and who else.

Curt suggested City Manager or designee.

Councilor Hildebrandt inquired if adding City Council to the notice list and having the Council more involved in the review be a risk in the future.

Curt stated that City Council review question can be left up to the applicant to challenge it. He stated the law allows the challenge of the question for causing unreasonable delay.

Councilor Mackin stated that with the new changes it will be important that the requirements are all in writing to be able to depend on the code to be followed with fewer review steps.

Curt offered to bring the text amendments back for another review before performing the first reading of the ordinance.

Councilor Maguire went through a list of edits to the proposed text amendments.

There was discussion about veterinary shops being allowed or not in the Commercial Residential or Commercial zones.

Mayor Frank closed the public hearing at 7:07pm.

Councilor Hover inquired if another public hearing at the next meeting.

Curt stated that City Council could continue the hearing.

JIM MAGUIRE MOVED THAT THE CITY COUNCIL CONTINUE THE HEARING DATE TO MONDAY, JANUARY 6, 2025, AT 6:30PM TO OBTAIN ADDITIONAL INFORMATION AND A REVISED STAFF REPORT. SECONDED BY DREW HILDEBRANDT. Motion carried with Frank, Hildebrandt, Hover, Mackin, Maguire, Teichroew, and Wildhaber voting aye.

2. First Reading of Ordinance 665 Amending Chapter 7 (DLUDC) of the Dayton Municipal Code

Moved to the next meeting on Monday, January 6, 2025.

3. Yamhill County Sheriff's Office Annual Stats for FY 23/24 and FY 24/25 Projections

Sheriff Elliott presented the annual stats for FY 23/24.

Councilor Maguire stated that the numbers on the chart do not add up.

Sheriff stated that the numbers are reflecting the reportable incidents not the total number of calls for service but would review the numbers.

Councilor Hildebrandt thanked Sheriff Elliott for the presentation. He inquired about the top 20 calls for service by type if it was possible to get more years included in the report. He also inquired about the statistics of other cities and the availability of those statistics.

Sheriff Elliott stated that Lafayette also asked for the same information and will compile the information for all five cities they service. He inquired how far back statistics Councilor Hildebrandt wants the top 20 calls for service by types.

Councilor Hildebrandt stated 2021.

Mayor Frank thanked Sheriff Elliott for his presentation.

4. Approval of Resolution 24/25-08 Changing the Signing Authority for US Bank

Cyndi Park, Interim City Manager stated that this resolution is to remove her as an authorized signer and add the new City Manager Jeremy Caudle to the authorized signer list.

DREW HILDEBRANDT MOVED TO APPROVE RESOLUTION 24/25-08, A RESOLUTION CHANGING THE SIGNATURE AUTHORITY FOR US BANK PRIMARY CHECKING ACCOUNT. SECONDED BY CHRIS TEICHROEW. Motion carried with Frank, Hildebrandt, Hover, Mackin, Maguire, Teichroew, and Wildhaber voting aye.

5. Approval of Resolution 24/25-09 Dissolution of the Existing Community Events Committee and Fireworks Committee establishing Dayton Events Committee

Mayor Frank stated that the goal of this resolution is to streamline the event planning process and make efficient use of the volunteers.

SCOTT HOVER MOVED TO APPROVE RESOLUTION 24/25-09, A RESOLUTION DISSOLVING THE EXISTING COMMUNITY EVENTS COMMITTEE AND FIREWORKS COMMITTEE AND ESTABLISH THE DAYTON EVENTS COMMITTEE. SECONDED BY JIM MAGUIRE. Motion carried with Frank, Hildebrandt, Hover, Mackin, Maguire, Teichroew, and Wildhaber voting aye.

6. Certification of Election Results

Rocio Vargas, City Recorder stated the latest report from the County Clerk's Office of the elections is as follows:

Drew Hildebrandt - 758

Robin Pederson - 532

Kitty Mackin - 529

KITTY MACKIN MOVED TO APPROVE THE CERTIFICATION OF ELECTIONS RESULTS. SECONDED BY SCOTT HOVER. Motion carried with Frank, Hildebrandt, Hover, Mackin, Maguire, Teichroew, and Wildhaber voting aye.

7. Public Meetings Law Update and OGEC Training Requirements

Rocio stated that in 2023 HB 2805 gave the Oregon Government Ethics Commission authority to investigate and enforce Public Meetings Law. She stated that with the change in the law there is a required training for Elected Officials for every term of office.

Rocio stated that the grievance process for Public Meetings Law violations will be posted on the city website.

G. COUNCILOR COMMENTS AND CONCERNS

Councilor Hover thanked Council and stated it has been a pleasure. He stated that if he doesn't move out of Dayton he would like to return.

Councilor Mackin inquired about keeping a notebook for notes if it was available in case there was a records request it would be ok.

Rocio confirmed.

Councilor Hildebrandt inquired about the leak a couple of weeks ago.

Don Cutler, Public Works Supervisor explained the situation and stated it was fixed within 6-7 hours.

Councilor Hover inquired about the lead contamination letter.

Don stated that it is a federal mandate and there haven't been any issues on the tested locations so far.

H. INFORMATION REPORTS

1. TED

Dave Rucklos, Tourism and Economic Development Director stated that he met with State Representative Ana Scharf to discuss the City's water issues. He stated that she was very supportive and gave some ideas that would help the City of Dayton. He stated that the Day of the Capital in January will be very important to gain support.

Dave updated on the bridge - the new sections are ready to be put in and they also quoted the new railings as well. Soon will be able to set a ribbon cutting date.

The URD becomes official next week. No meetings are necessary for the URA immediately since there are no funds yet, but planning discussions can begin.

Will be attending the first Parks and Rec Master Plan meeting.

Courthouse Square Park looks great thanks to Public Works and Cyndi's idea of adding candy canes. The public was very receptive to the park decorations.

Thanked Cyndi for her time as Interim City Manager she did a great job keeping the City running.

I. CITY MANAGER'S REPORT

Cyndi Park, Interim City Manager thanked the patience while she was learning how to navigate her role. Thanked all staff for all the work they put in behinds the scenes.

J. ADJOURN

There being no further business to discuss the meeting adjourned at 7:51pm.

Respectfully submitted:

APPROVED BY COUNCIL on **January 6, 2025**

By:

☐ As Written

☒ As Amended

Rocio Vargas, City Recorder

Annette Frank, Mayor