

MINUTES
DAYTON CITY COUNCIL
REGULAR/EXECUTIVE SESSION
November 5, 2018

PRESENT: Mayor Elizabeth Wytoski
Councilor John Bixler
Councilor John Collins
Councilor Kitty Mackin
Councilor Trini Marquez
Councilor Nikki McGraw
Councilor Darrick Price

ABSENT:

STAFF: Rochelle Roaden, Interim City Manager/City Recorder
Vicki Durand, Community Development Assistant

A. CALL TO ORDER & PLEDGE OF ALLEGIANCE

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

B. ROLL CALL

Mayor Wytoski noted there was a quorum with Councilors Bixler, Collins, Mackin, Marquez, McGraw and Price.

C. APPEARANCE OF INTERESTED CITIZENS

None present.

D. CONSENT AGENDA

DARRICK PRICE MOVED TO APPROVE THE MINUTES OF THE REGULAR SESSION OF OCTOBER 1, 2018 AS AMENDED. SECONDED BY JOHN COLLINS. Motion carried with Bixler, Collins, Mackin, Marquez, McGraw, Price and Wytoski voting aye.

E. ACTION ITEMS

1. Dayton Footbridge Presentation, Ric Stephens, University of Oregon

Ric Stephens, Instructor from the School of Planning, Public Policy and Management at the University of Oregon, gave a 15 minute presentation on the collaborative project between the Department of Land Conservation and Development (DLCD) and the University of Oregon.

2. Resolution 18/19-7 Brookside Cemetery

JOHN BIXLER MOVED TO APPROVE RESOLUTION 18/19-7 A RESOLUTION APPROVING THE DONATION OF REAL PROPERTY AGREEMENT WITH DAYTON SCHOOL DISTRICT AND AUTHORIZING MAYOR WYTOSKI TO SIGN THE AGREEMENT ON BEHALF OF THE CITY OF DAYTON.

SECONDED BY TRINI MARQUEZ. *Motion carried with Bixler, Collins, Mackin, Marquez, McGraw, Price and Wytoski voting aye.*

3. Resolution 18/19-8 Debt Service Fund Appropriations

DARRICK PRICE MOVED TO APPROVE RESOLUTION 18/19-8 A RESOLUTION TRANSFERRING THE DEBT SERVICE FUND APPROPRIATIONS FROM MATERIAL AND SERVICES TO THE DEBT SERVICE CATEGORY IN THE 2018/19 CITY OF DAYTON FISCAL YEAR BUDGET. SECONDED BY JOHN BIXLER. *Motion carried with Bixler, Collins, Mackin, Marquez, McGraw, Price and Wytoski voting aye.*

4. Approval of Purchase – Pump for Footbridge Pump Station

JOHN COLLINS MOVED TO APPROVE THE PURCHASE OF A PUMP FOR THE FOOTBRIDGE PUMP STATION WITH A BUDGET OF \$10,600. SECONDED BY DARRICK PRICE. *Motion carried with Bixler, Collins, Mackin, Marquez, McGraw, Price and Wytoski voting aye.*

Mayor Wytoski noted for the record and the sake of transparency that she wanted to make a correction that in June 2018 staff was aware that the cost could be over \$10,000.

5. Council Meeting Schedule for the First Quarter of 2019 Discussion

Mayor Wytoski noted that there are several critical items that need to be discussed when all council members are present. All councilors confirmed they will be available for the 2019 January and February work sessions. It was agreed that council will not hold a work session in November or December 2018.

Mayor Wytoski closed the Regular Session at 7:03 pm and stated Council would move into Executive Session pursuant to ORS 192.660(2)(f) to consider information or records that are exempt by law from public inspection (ORS 40.225) and ORS 192.660(2)(i) to review and evaluate the job performance of a chief executive officer, other officers, employees and staff, if the person whose performance is being reviewed and evaluated does not request an open hearing.

Mayor Wytoski closed the Executive Session at 7:51 pm and moved back into the Regular Session.

DARRICK PRICE MOVED TO APPOINT ROCHELLE ROADEN AS THE CITY MANAGER AND AUTHORIZE THE MAYOR TO ENTER INTO AN EMPLOYMENT AGREEMENT. SECONDED BY JOHN BIXLER. *Motion carried with Bixler, Collins, Mackin,*

Marquez, McGraw, Price and Wytoski voting aye.

F. CITY COUNCIL COMMENTS AND CONCERNS

Kitty Mackin voiced her concerns regarding the costs of water and sewer. She suggested that charging water rates based upon actual usage rather than a flat rate would lower costs for those who use less water. John Collins mentioned the possibility of giving a discount for residents who use 200 cubic feet or less. Mayor Wytoski said this might be a good topic for a future work session. Kitty Mackin also inquired about the fees that Payment Services Network (PSN) charges for payments made through their service. She asked if the City might be able to pay the fee which would encourage residents to make online payments rather than paying in the office. She questioned why a credit card payment made at City Hall does not incur a fee when making one online does. Mayor Wytoski and Rochelle Roaden, Interim City Manager, explained that the online fee is charged by PSN, a third party contractor, not the City and that the City does not incur any of those fees. Mayor Wytoski then explained that previous research has indicated there were no cities willing to absorb the cost of the fee as it's a consumer option to pay that way. John Collins offered an explanation on how the system works advising that PSN charges those fees for the convenience of paying online, stating those fees are how the company makes a profit. Discussion continued.

John Collins mentioned having previously spoken to his mailman regarding Dayton Village and the name of the gentleman, Mr. Lopez, who was the Homeowners Association (HOA) President. He was able to speak with Megan Lopez, advising that he has obtained a copy of the bylaws. He is concerned that the homeowners are not following them, stating that currently the HOA is out of compliance with the law. John Collins stated that he would like to see the City of Dayton raise the level of awareness on how to set the HOA up while the City is still the owner of half of the lots on the property. Some of the items he feels need attention are the need to begin collecting dues for future upkeep and repairs on the infrastructure as well as knowledge on how to manage their property. John Collins advised he is willing to volunteer and help get things started, mentioning the possibility of doing a walk-through to create a list of things needing to be done. He would also like to purchase a book with the laws so it could be provided to the homeowners.

MAYOR WYTOSKI MOVED TO APPROVE THE AMENDED MOTION TO AUTHORIZE JOHN COLLINS TO BEGIN A CONVERSATION AND PROVIDE SOME INFORMATIONAL MATERIALS AND GUIDANCE FOR THE CURRENT OWNERS AND LEADERSHIP OF THE HOMEOWNERS ASSOCIATION AT DAYTON VILLAGE. A BUDGET NOT TO EXCEED \$75.00 IS AUTHORIZED FOR THE PURCHASE OF A BOOK TO BE GIVEN TO THE CURRENT OWNERS AND LEADERSHIP OF THE HOMEOWNERS ASSOCIATION. SECONDED BY NIKKI MCGRAW. Motion carried with Bixler, Collins, Mackin, Marquez, McGraw, Price and Wytoski voting aye.

Trini Marquez asked for an update on the sewer project. Rochelle Roaden advised that she would provide an update in the City Manager's Report. Trini Marquez also expressed concern regarding a man who was seen taking pictures of homes, hers included. She intended to speak with him and inquire as to why he was taking pictures but he left before she could ask. Several councilors suggested it may have been a real estate agent or possibly someone admiring her landscaping.

Mayor Wytoski advised that she spoke with Jason Hay, Superintendent, Dayton School District, who is thinking of changing the model for their monthly meetings. He stated that the school board is in agreement that City Councilors do not need to attend their meeting unless a need arises. All councilors were in agreement that they would attend only when required.

G. INFORMATION REPORTS

1. City Manager Report

Rochelle Roaden reported that Transit Lodging Tax (TLT) revenue is up this year. She advised that at this time last year \$44,000 had been received and to date, we have received \$52,980. The increase is primarily due to revenue from Willamette Wine Country RV Park.

A water comparison for the well field during the month of October was provided with Lafayette at 48% and Dayton at 52%. Rochelle Roaden mentioned that it appears Lafayette has repaired their leaks, advising that the City will continue to monitor their usage. John Collins noted that he would like to see a comparison on metered consumption.

Rochelle Roaden gave an update on the sewer project advising that the contractor has largely completed the installation of the sewer mainlines and sewer lateral replacement work on the Ferry Street trunk sewer. Initial TV inspections of the pipeburst mainlines were completed a few weeks ago and there are several locations where grade correction work will be required. The contractor has been told to concentrate on the Main Pump Station and go back to finish this work later.

Regarding the Main Pump Station, the contractor has nearly completed the excavation of the wetwell pit. Once the subgrade is inspected and approved, they will install the baserock and begin setting the formwork for the wet-well base-slab and walls. After the wetwell structure and the gravity sewers across the pump station site are completed, it is anticipated the contractor will proceed with construction of the remaining site improvements. At this point, it appears that the pump station construction may be completed two (2) months or more behind the schedule contract completion date of 12/08/2018.

Denny Muchmore, City Engineer, is scheduled to attend the December 3, 2018 Council Meeting where he will provide a current update on the project and discuss possible liquidated damages due to increased staff, consultant and inspection time, impacts to the public, etc. due to the work extending beyond the specified contract period.

Council members were reminded of the local Government Dinner being held at the Palmer Creek Lodge Community Events Center on November 15, 2018 at 6:30 p.m. Invitations have gone out.

Deputy Roy Harnell, Yamhill County Sheriff Department, is on vacation until November 20, 2018. Sergeant Whitlow will be in charge in Deputy Harnell's absence and has advised they will provide coverage for Dayton.

Rochelle Roaden attended a winter emergency preparedness meeting with Yamhill County. The National Weather Service presented information for this winter noting it will be an El Nino winter with warmer temperatures than usual. Precipitation levels are expected to be lower than usual.

Rochelle Roaden noted that she will be attending the Pre-One Stop Meeting with SEDCOR and Business Oregon on November 15, 2018. The meeting will be held at Dayton City Hall. The meeting will provide funding possibilities and anticipated costs for the Dayton Footbridge.

Rochelle Roaden advised she has spoken to Brian Huettl of Lonestar BBQ & Catering regarding his signage. He had previously been told he could not have the sign at his business due to protrudance. Rochelle provided him with a copy of the Dayton Municipal Code regarding signs allowing illuminated projecting signage along with the length restrictions. She advised that based upon the Municipal Code his sign is allowed and he is welcome to put it up.

She also spoke with the owners of The By-Pass Bar & Grill letting them know that the City's property line is about 4-5 feet from their western wall. They were advised that the City is getting quotes on fencing along the property line and that it is anticipated it will take 4-6 weeks before the quote is received. Once an installation date has been confirmed the property line will be surveyed, prior to the fence being installed.

H. ADJOURN

There being no further business, the meeting adjourned at 8:33 pm.

Respectfully submitted:

APPROVED BY COUNCIL on December 3, 2018.

By: Rochelle Roaden
City Recorder

As Written As Amended


Elizabeth Wytoski, Mayor