



AGENDA STAYTON CITY COUNCIL MEETING

Monday, November 4, 2013

Stayton Community Center
400 W. Virginia Street
Stayton, Oregon 97383

6:00 p.m. Executive Session (Community Center – North End) pursuant to ORS 192.660.1(2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

7:00 p.m. Regular Meeting (Community Center – North End)

CALL TO ORDER

7:00 PM

Mayor Vigil

FLAG SALUTE

ROLL CALL/STAFF INTRODUCTIONS

PRESENTATIONS/COMMENTS FROM THE PUBLIC

- a. Presentation of Deed for Disc Golf Course by Elaina Turpin
- b. Paul Manning, CEO of the Family YMCA of Marion and Polk Counties

Request for Recognition: If you wish to address the Council, please fill out a green “Request for Recognition” form. Forms are on the table at the back of the room.

Recommended time for presentation is 10 minutes.

Recommended time for comments from the public is 3 minutes.

ANNOUNCEMENTS – PLEASE READ CAREFULLY

Items not on the agenda but relevant to City business may be discussed at this meeting. Citizens are encouraged to attend all meetings of the City Council to insure that they stay informed. Agenda items may be moved forward if a Public Hearing is scheduled.

- a. Additions to the agenda
- b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.

CONSENT AGENDA

- a. October 21, 2013 City Council Action Minutes

Purpose of the Consent Agenda:

In order to make more efficient use of meeting time, resolutions, minutes, bills, and other items which are routine in nature and for which no debate is anticipated, shall be placed on the Consent Agenda. Any item placed on the Consent Agenda may be removed at the request of any council member prior to the time a vote is taken. All remaining items of the Consent Agenda are then disposed of in a single motion to adopt the Consent Agenda. This motion is not debatable. The Recorder to the Council will then poll the council members individually by a roll call vote. If there are any dissenting votes, each item on the consent agenda is then voted on individually by roll call vote. Copies of the Council packets include more detailed staff reports, letters, resolutions, and other supporting materials. A citizen wishing to review these materials may do so at Stayton City Hall, 362 N. Third Avenue, Stayton, or the Stayton Public Library, 515 N. First Avenue, Stayton.

The meeting location 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 prior to the meeting. If you require special accommodations please contact Alissa Angelo, Deputy City Recorder at (503) 769-3425.

PUBLIC HEARING – None

UNFINISHED BUSINESS – None

NEW BUSINESS

Resolution No. 905, Adopting Fees & Charges for City Services Action

- a. Staff Report – Chief Rich Sebens
- b. Council Deliberation
- c. Council Decision

Ordinance No. 961, Revision to Stayton Municipal Code 10.44 Action

- a. Staff Report – Chief Rich Sebens
- b. Council Deliberation
- c. Council Decision

Application for Committees / Commissions Action

- a. Staff Report – Christine Shaffer
- b. Council Deliberation
- c. Council Decision

Potential Annexation of Various Street Right-of-Ways and other properties Action

- a. Staff Report – Chief Rich Sebens and Dan Fleishman
- b. Council Deliberation
- c. Council Decision

STAFF/COMMISSION REPORTS – None

PRESENTATIONS/COMMENTS FROM THE PUBLIC

Recommended time for presentations is 10 minutes.

Recommended time for comments from the public is 3 minutes.

BUSINESS FROM THE CITY ADMINISTRATOR

- a. City Administrator Recruitment – Formal Interview Questions
 - *Questions will be distributed at meeting*

BUSINESS FROM THE MAYOR

BUSINESS FROM THE COUNCIL

FUTURE AGENDA ITEMS

- a. Review of City Charter
- b. Downtown Zoning Amendments

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CALENDAR OF EVENTS

NOVEMBER 2013

Monday	Nov 4	City Council Executive Session	6:00 p.m.	Community Center (north end)
Monday	Nov 4	City Council	7:00 p.m.	Community Center (north end)
Tuesday	Nov 5	Parks & Recreation Board	7:00 p.m.	E.G. Siegmund Meeting Room
Friday	Nov 8	City Council Executive Session	8:00 a.m.	City Hall Conference Room
Friday	Nov 8	Community Leaders Meeting	7:30 a.m.	Covered Bridge Café
Monday	Nov 11	CITY OFFICES CLOSED IN OBSERVANCE OF VETERANS DAY		
Tuesday	Nov 12	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Tuesday	Nov 12	Police Advisory Board	6:00 p.m.	City Hall Conference Room
Monday	Nov 18	City Council	7:00 p.m.	Community Center (north end)
Wednesday	Nov 20	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	Nov 25	Planning Commission	7:00 p.m.	Community Center (north end)
Thursday	Nov 28	CITY OFFICES CLOSED IN OBSERVANCE OF THANKSGIVING		
Friday	Nov 29			

DECEMBER 2013

Monday	Dec 2	City Council	7:00 p.m.	Community Center (north end)
Tuesday	Dec 3	Parks & Recreation Board	7:00 p.m.	E.G. Siegmund Meeting Room
Tuesday	Dec 10	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Friday	Dec 13	Community Leaders Meeting	7:30 a.m.	Covered Bridge Café
Monday	Dec 16	City Council	7:00 p.m.	Community Center (north end)
Wednesday	Dec 18	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Wednesday	Dec 25	CITY OFFICES CLOSED IN OBSERVANCE OF CHRISTMAS		

JANUARY 2014

Wednesday	January 1	CITY OFFICES CLOSED IN OBSERVANCE OF NEW YEARS DAY		
Monday	January 6	City Council	7:00 p.m.	Community Center (north end)
Tuesday	January 7	Parks & Recreation Board	7:00 p.m.	E.G. Siegmund Meeting Room
Friday	January 10	Community Leaders Meeting	7:30 a.m.	Covered Bridge Café
Tuesday	January 14	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Wednesday	January 15	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	January 20	CITY OFFICES CLOSED IN OBSERVANCE OF MARTIN LUTHER KING, JR. DAY		
Monday	January 21	City Council	7:00 p.m.	Community Center (north end)
Monday	January 27	Planning Commission	7:00 p.m.	Community Center (north end)

**City of Stayton
City Council Meeting Action Minutes
October 21, 2013**

LOCATION: STAYTON COMMUNITY CENTER, 400 W. VIRGINIA STREET, STAYTON

Time Start: 6:31 P.M.

Time End: 8:37 P.M.

WORK SESSION ATTENDANCE LOG

COUNCIL	STAFF
Mayor Scott Vigil	Alissa Angelo, Deputy City Recorder
Councilor Emily Gooch	Louise Meyers, Library Director
Councilor Catherine Hemshorn	Christine Shaffer, Finance Director
Councilor Jennifer Niegel	
Councilor Henry Porter	
Councilor Brian Quigley	

COUNCIL MEETING ATTENDANCE LOG

COUNCIL	STAFF
Mayor Scott Vigil	Alissa Angelo, Deputy City Recorder
Councilor Emily Gooch	Dan Fleishman, Director of Planning & Development
Councilor Catherine Hemshorn	David Kinney, Public Works Director
Councilor Jennifer Niegel	Louise Meyers, Library Director
Councilor Henry Porter	Rich Sebens, Police Chief
Councilor Brian Quigley	Christine Shaffer, Finance Director
	David Rhoten, City Attorney (excused)

AGENDA	ACTIONS
WORK SESSION (6:31 P.M. TO 6:50 P.M.)	
City Administrator Recruitment Process	The Council discussed details of the interview process including travel reimbursement up to \$500 for finalists. Interviews were scheduled for Friday, November 8.
REGULAR MEETING (7:00 P.M. TO 8:02 P.M.)	
Presentations / Comments from the Public	
a. Presentation of Deed for Disc Golf Course by the Ford Family Institute	No representatives were present.
Announcements	
a. Additions to the Agenda	None
b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.	Councilor Quigley stated he has spoken with the Parks and Recreation Board, neighbors in opposition and support of the project at Pioneer Park. This will have no bias or influence on his decision this evening.
Consent Agenda	
a. October 7, 2013 City Council Meeting Minutes	Motion from Councilor Gooch, seconded by Councilor Hemshorn, to approve the consent

	agenda. Motion passed 5:0
Public Hearing	None
New Business	
a. Oregon Parks and Recreation Grant – Pioneer Park Rehabilitation Agreement	Mr. Kinney & Parks and Recreation Board member Griffin Green gave a brief presentation and answered questions. Motion from Councilor Hemshorn, seconded by Councilor Niegel, to accept the OPRD Local Government Grant for Pioneer Park improvements in the amount of \$387,600 and authorize the appropriate City officials to sign the grant agreement. <i>Brief Council discussion of matching funds.</i> Motion passed 5:0.
b. Resolution No. 904, Updating the Facility Use Rules	Motion from Councilor Gooch, seconded by Councilor Niegel, to adopt Resolution No. 904 which adopts revised rules governing use of the Community Center, Jordan Bridge, City Parks, and other City facilities, and repeals previous rules as amended. Motion passed 5:0.
Unfinished Business	
a. Resolution No. 903, Amending the Wastewater Systems Development Charge (SDC) to add a Mill Creek Sewer Project Reimbursement Fee	Motion from Councilor Quigley, seconded by Councilor Hemshorn, to adopt Resolution No. 903, implementing a Mill Creek Sewer Project Reimbursement SDC Fee. Motion passed 5:0.
Staff / Commission Reports	
a. Finance Director’s Report – Christine Shaffer	Brief discussion of Financial Statements. The Council inquired about the status of the selection process for a manager at the Stayton Family Memorial Pool. Ms. Shaffer has attempted contact but received no response from Paul Manning, CEO of the YMCA in Salem. This will be discussed further under Business from the Council.
b. Police Chief’s Report – Rich Sebens	Chief Sebens informed the Council that the Marion County Board of Commissioners did vote to close the E. Marion County Justice Court. Staff has begun working on details to implement our own Municipal Court in Stayton.
c. Public Works Director’s Report – Dave Kinney	Council discussion of fence on Burnett Street. Consensus of the Council is to move forward with removal of the fence. However, prior to removal they requested contact be made with the affected

d. Planning & Development Director's Report – Dan Fleishman	neighbors. Mr. Fleishman provided an update on the produce stand location. Also, discussion on condemnation of derelict property Stayton.
e. Library Director's Report – Louise Meyers	Brief discussion of overdue book fines increase in August.
Presentations / Comments From the Public	None
Business from the City Administrator	None
Business from the Mayor	
a. Appointment of Janai Hill to the Planning Commission	Motion from Councilor Gooch, seconded by Councilor Porter, to ratify the appointment of Janai Hill to the Planning Commission. <i>Brief discussion of the Council's desire to see new appointees at the Council meetings when appointed. Mayor Vigil suggested joint meetings with the Council and City Boards and Committees in the future.</i> Motion passed 5:0.
Business from the Council	Councilor Quigley requested a formal letter be sent to Paul Manning, CEO of the Family YMCA of Marion-Polk Counties and the Council concurred. Councilor Porter inquired about requirements for used car lots. Mr. Fleishman provided an explanation.
Future Agenda Items	
a. Review of City Charter	

APPROVED BY THE STAYTON CITY COUNCIL THIS 4TH DAY OF NOVEMBER 2013, BY A ____ VOTE OF THE STAYTON CITY COUNCIL.

Date: _____ By: _____
A. Scott Vigil, Mayor

Date: _____ Attest: _____
Christine Shaffer, Interim City Administrator

Date: _____ Transcribed by: _____
Alissa Angelo, Deputy City Recorder



MEMORANDUM

TO: Mayor Vigil and the Stayton City Council

FROM: Rich Sebens, Chief of Police

SUBJECT: Resolution 905 Adopting Fees and Charges for Various City Services

DATE: November 4, 2013

ISSUE:

Updating and consolidating of Fees and Charges schedule.

STAFF RECOMMENDATION:

Staff recommends adoption of Resolution No.905, which adopts fees and charges for various city services.

BACKGROUND INFORMATION:

Annually the Fees and Charges resolution is updated, allowing fees for services to be adjusted and current each year on one document. This year we are requesting the resolution be revisited due to changes in Stayton Municipal Code Title 10.

Below is a comparative chart showing the current fee structure and proposed amendments. New or increased fees are in bold blue print. Old fees are in Red. A few fees were removed as they are addressed by Oregon Revised Statute.

OPTIONS:

1. Move to enact Resolution 901 Adopting Fees and Charges for Various City Services.
2. Move to enact Resolution 901 Adopting Fees and Charges for Various City Services as amended.
3. Modify the proposed Resolution to be brought back for consideration.
4. Reject the proposed Resolution.

RESOLUTION NO. 905

A RESOLUTION ADOPTING FEES AND CHARGES FOR VARIOUS CITY SERVICES

WHEREAS, the City of Stayton receives requests from citizens for administrative, police, library, public works, planning, parks and facilities requiring the expenditure of personnel time and materials;

WHEREAS, prudent use of the City's financial resources requires that the City charge fees and fines sufficient to recover the cost in personnel time and materials to render the service requested;

NOW, THEREFORE,

BE IT RESOLVED that the City Council directs that the following fees will be charged for services:

Administrative/City Wide

Copies		2013-14 Fee
8.5 X 11 or 8.5 X 14	Per side	\$0.50
11 X 17	Per side	\$1.00
Large Format	Per copy	\$15.00
Audio/Digital Recording	Per CD	\$25.00
Actual if outsourced + admin fee	Per request	\$5.00
Video Tapes		
Actual if outsources + admin fee	Per request	\$5.00
Digital Photos	1 page	\$10.00
Additional pages	Per page	\$5.00
Lien Search	Per search	\$5.00
Fax Transmittals	1 page	\$5.00
Additional pages	Per page	\$1.00
Returned Checks/items or Autopay	Per item	\$25.00
Billing Administrative Fee		10%
Invoice Late Fee		9%
Mailing cost, cost of item +10%	Minimum	\$2.50
All other services	Per hour	\$35.00

Police

		2013-14 Fee
View Police Report: 1 30 minutes		\$12.00
Each 30 minutes thereafter		\$6.00
Open Records check: 1 30 minutes		\$12.00
Each 30 minutes thereafter		\$6.00
Copies of Police Reports; 1 10 pages		\$10.00

Per page thereafter		\$.50
Copies of Digital Photos	1 page	\$10.00
Per each page thereafter		\$5.00
CD of digital photos	Each CD	\$10.00
Carnival, Amusement Park & Concession	Per Year	\$300.00
Promotional Event	Per Event	\$25.00
Garage Sale	Per Event	\$5.00
Camping Permit	Each	\$10.00
Solicitor	One Year	\$150.00
Each Additional Employee	One Year	\$25.00
Liquor License		
Processing Fee	Per Application	\$100.00
Change of Ownership	Per Application	\$75.00
License Privilege Change	Per Application	\$75.00
Renewal or Temporary	Per Year	\$35.00
Junk Dealers	Per Year	\$50.00

Police Ordinance Bail

		2013-14 Fee
Overtime Parking/Prohibited Parking	SMC 10.12.240	\$20 10
Parking Permit Violation	SMC 10.12.247	\$20
Parking Wrong Direction	SMC 10.12.220/ORS811.570(1)	\$85 10
Parking within 20' of Crosswalk	ORS811.550(17)	\$10
Parking within 50' of Traffic Control Device	ORS811.550(18)	\$10
Display of Vehicle for Sale	SMC10.12.310	\$25 10
Displaying of Advertising	SMC10.12.310	\$25 10
Loading Zone	SMC10.12.340	\$85 20
Parking on a Sidewalk	SMC10.40.1040/ORS811.550	\$85 20
Blocking a Driveway	811.550(15)	\$20
Parking on a Bicycle Path/Lane	ORS 811.550(23), 811.550(24)	\$20
Parking in Alley	SMC 10.12.240	\$85 20
No Parking Zone	SMC 10.12.240	\$85 20
Disabled Person Zone	ORS811.615(1)	\$50

Parking within Intersection	ORS811.550(5)	\$50
Double Parking	ORS811.550(3)	\$50
Unlawful Vehicle Storage	SMC10.12.320	\$85 50
Unlawful Repairing, Servicing	SMC10.12.310	\$85 50
Crossing Private Property	SMC10.40.1010	\$85
Passenger Restrictions	SMC10.40.1020	\$85
Skateboards, Toboggans, Sleds etc.	SMC10.40.1030	\$20
Damaging Sidewalks and Curbs	SMC10.40.1040	\$85
Truck Routes	SMC10.40.1060	\$85
Pedestrians	SMC10.32.810	\$20
Bicycles	SMC10.28	\$20
Other Violations of Title 10 Not Specifically Listed	SMC10	\$85 20
Impound Charge Per Day for City Owned Storage Lot	SMC10.16.430	\$35+ Tow Fees

Planning

Pre-Application Meeting		2013-14 Fee
First Meeting	Deposit	Free
Subsequent Meeting within one year of first	Deposit	\$300.00
Application that requires only Staff review	Deposit	\$500.00
Application requiring Planning Commission Hearing	Deposit	\$1300.00
Applications requiring two public hearings		
Comprehensive Plan Map and Zone Map Amendment	Deposit	\$1550.00
Subdivision, Master Plan Development, Site Plan Review that includes Annexation	Deposit	1800.00
Major Annexation	Deposit	\$4500.00
Other Planning Department Applications		
Sign Permits	Per Application	\$25.00
Change of Use Permits	Per Application	\$25.00
Appeals		

Of decisions made by Staff without a public hearing	Per Application	\$250.00
Of decisions made by the Planning Commission	Per Application	\$650.00
Vacation of Streets and Alleys	Per Application	\$500.00
Review of Construction Plans	Per Application	\$650.00
Engineering, Plan Reviews & Inspections (for on-site & off-site public improvements) includes ROW Permit		Actual Costs
Minor Partition	Deposit	\$500.00
Site Development	Deposit	\$750.00
Subdivision (under 10 lots)	Deposit	\$2500.00
Subdivision (11+ lots) or Master Planned Development	Deposit	\$4500.00

Library

		2013-14 Fee
Replacement for lost library card	Per card	\$1.00
Key chain library card	Per card	\$1.00
CD or Floppy Disc	Per disc	\$1.00
Printing	Per page	\$0.10
Overdue items		
Books	Per day	\$0.25
DVD	Per day	\$0.50
Bicycle Locks	Per day	\$0.50
Cultural Pass	Per day	\$5.00
Fees		
Reserve books	Per item	\$0.00
Interlibrary loan: mailing & loan cost	Actual cost	Actual cost+ \$1.00
Damage or lost materials	Actual cost	Actual cost
Barcode removal	Per item	\$1.00
Lost plastic hanger bags	Per item	\$1.50
Lost or damaged video cases	Per item	\$1.50
Non-resident library Card		
Non-Resident Card	Per family	\$60.00
Out of District Card	Per family	\$70.00
Meeting Room key deposit (after hours)		\$25.00
Cleaning fee (no food or beverage)		\$15.00

Cleaning fee with food & beverage		\$25.00
Fee for civic group, one side	Per hour	\$13.00
Fee for civic group, both sides	Per hour	\$18.00
Fee for Private group, one side	Per hour	\$18.00
Fee for Private group, both sides	Per hour	\$23.00
Fee for Commercial group, one side	Per hour	\$23.00
Fee for Commercial group, both sides	Per hour	\$28.00

Public Works

	2013-14 Fee
Water/Sewer Utility Fees	
Water & Sewer Utility Deposit	\$150.00
Water Service Deposit	\$75.00
Sewer Deposit	\$75.00
Water Meter Installation / Connection Charge	
¾" meter	Actual Costs (\$350.00 Minimum)
1" meter or larger	Actual Costs
Late Fee	\$15.00
Delinquent Shut-off Fee for Non Payment of bill	\$20.00
Water On/Off Service Fee	\$10.00
After hours call out service (after first annual courtesy visit)	\$100.00
Water	Resolution-858
Sewer	Resolution-859
Building permits	Per Marion County fee schedule
Right of way Permits (ROW)	
Type 1: Street tree replacement or installation	No Charge
Type 2: Repair/replace sidewalk and/or driveway approach	\$40.00
Type 3: Sidewalk, driveway approach and/or utilities where no street cut is needed.	\$100.00
Type 4: Water, sewer, storm drainage and/or street improvements where excavation or utility cut of pavement is required.	Actual Costs \$250.00 Deposit
Type 5: Franchise Utility (NW Natural, SCTC, Pacificorp, etc.)	Per Franchise Agt. or \$40.00
Type 6: Encroachment Permit to use Public ROW (for a long term use: awning, billboard, structure, etc.)	\$40.00

Facility Rentals

	2013-14 Hourly Rate	2013-14 Cleaning
Community Center		
Civic Organization		
Entire Building	\$18.00	\$80.00
South End	\$14.00	\$50.00
North End	\$10.00	\$30.00
Private Individuals		
Entire Building	\$23.00	\$100.00
South End	\$18.00	\$65.00
North End	\$13.00	\$35.00
Commercial		
Entire Building	\$28.00	\$100.00
South End	\$23.00	\$65.00
North End	\$18.00	\$35.00
Meeting without food are charged the same hourly rate plus \$15.00 cleaning		
Non-resident surcharge rent plus	25%	Above rate
Other Fees		
Key not returned	Per key	\$25.00
Alcohol Beverage Service Permit	Each event	\$50.00
		2013-14 Fee
Alcohol Beverage Cleaning Fee (\$150 refundable if properly cleaned)	Each event	\$300.00
Security(3 hour Min.) (Per officer)	Per hour	\$28.00
Cancellation Fee	Each Event	\$25.00
Parks Facilities application fee (non-refundable)	Each event	\$25.00
Entire Park, excluding Jordan Bridge & Tennis	Per day	\$500.00
Park Rental Area	Per Hour	\$30.00
Refundable Deposit	Per day	\$500.00
Jordan Bridge	1 st 3 hrs	\$100.00
Each additional hour	Per hour	\$20.00
Electrical Panel Key Deposit (cash only)	Per key	\$25.00
Tennis Courts		
Organized Events or Tournaments	Per day	\$100.00



MEMORANDUM

TO: Mayor Vigil and the Stayton City Council

FROM: Rich Sebens, Chief of Police

SUBJECT: Ordinance 961 Amending the Stayton Municipal Code Title 10 Chapters 10.44 Relating to Vehicles and Traffic, Specific Penalties

DATE: November 4, 2013

ISSUE:

Whether or not to adopt an ordinance to amend the Stayton Municipal Code (SMC) Title 10 Chapters 10.44 Relating to Vehicles and Traffic, Specific Penalties.

STAFF RECOMMENDATION:

Council approval.

BACKGROUND INFORMATION:

Recently Council approved several updates to Stayton Municipal Code Title 10. After updating it was realized that Title 10.44 addressed the fine related to the sections of Title 10 that were updated. Recent practice of the City is to remove all fines and fees from the SMC and address them by resolution. Therefore Title 10.44 needs to be amended to reflect this practice.

FISCAL/RESOURCE IMPACT:

N/A

FACTS AND FINDINGS:

N/A

OPTIONS:

1. Move to enact Ordinance No. 961 relating to Stayton Municipal Code Title 10, sections 10.44 as presented.
2. Move to enact Ordinance No. 961 relating to Stayton Municipal Code Title 10, sections 10.44 as amended.
3. Modify the proposed Ordinance to be brought back for consideration
4. Reject the proposed Ordinance.

ORDINANCE NO. 961

**AN ORDINANCE AMENDING THE STAYTON MUNICIPAL CODE TITLE 10, CHAPTERS 10.44
RELATING TO VEHICLES AND TRAFFIC, SPECIFIC PENALTIES.**

WHEREAS, the City of Stayton recently amended sections of Title 10 of the Stayton Municipal Code (“SMC”);

WHEREAS, SMC Title 10.44 needs to be amended to reflect the changes of fees associated with Title 10;

WHEREAS, the City has a recent practice of removing the fees from the SMC and established by Resolution;

WHEREAS, it is the City’s desire to amend Title 10.44

NOW THEREFORE, the City of Stayton ordains:

SECTION 1. Stayton Municipal Code 10 Chapter .44 relating to Vehicles and Traffic is amended to read as set forth in Exhibit A., attached hereto as incorporated herein; replacing and superseding the current text of SMC Title 10 Chapter .44.

SECTION 2. Non-emergency. Upon enactment by the Stayton City Council and the Mayor’s signature, the Ordinance shall become effective 30 days after enactment.

ADOPTED BY THE STAYTON CITY COUNCIL this _____ day of _____, 2013.

CITY OF STAYTON

Signed: _____

By: _____
A. Scott Vigil, Mayor

ATTEST

Signed: _____

By: _____
Christine Shaffer, Interim City Administrator

APPROVED AS TO FORM:

David A. Rhoten, City Attorney

TITLE 10. VEHICLES AND TRAFFIC
EXHIBIT A

CHAPTER 10.44

SPECIFIC PENALTIES

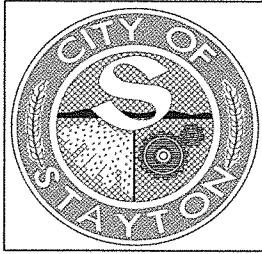
SECTIONS

10.44.1110

10.44.1110

SPECIFIC PENALTIES

- ~~1. Violation of any provision of Sections 10.36.810 to 10.36.870 and Sections 10.40.1010 to 10.40.1060 and is an infraction punishable by a forfeiture not to exceed one hundred dollars (\$100.00).~~
- ~~2. Violation of any provision of Sections 10.12.220 (Parking Regulations) to 10.12.260, 10.32.810 (Pedestrians), and 10.28.710 to 10.28.720 (Bicycles) is an infraction punishable by a forfeiture not to exceed \$50.00.~~
- ~~3. Violation of Sections 10.12.245, 10.12.246, or 10.12.247 may result in the revocation of the residential parking permit of any permittee found to be in violation of this chapter and, upon written notification therefore, the permittee shall surrender such permit to the Stayton Chief of Police. Failure to surrender a residential parking permit so revoked shall constitute a violation of this chapter.~~
1. Violation of any provision of Title 10 Section 10.16.400 (Impoundment and Disposition of Vehicles: General Regulations) is an infraction and punishable by the terms and conditions established by Stayton Council Resolution. ~~(Ord. 806, Nov. 1999)~~
2. Violation of a provision identical to a state statute may be is punishable by the penalty prescribed by the state statute. ~~(Ord. 732, §5, October 1994)~~



MEMORANDUM

TO: Mayor Scott Vigil and Stayton City Councilors

FROM: Christine Shaffer, Finance Director

DATE: November 4, 2013

SUBJECT: Application for Commission / Committee

BACKGROUND:

The City Council has expressed an interest in obtaining more information prior to appointing citizens to Commissions and Committees. City of Veneta uses the attached application. The Stayton City Council could recommend this application be used in the process appoint citizens to Committees. The City would have the application available on our website and it would be available at City Hall for anyone interested in serving their community.

OPTIONS:

1. Move to approve the Commission / Committee application.
2. Move to approve the Commission / Committee application, as modified (stating the nature of the modification).
3. Decline to approve the Application.

MOTION(S):

For Option 1: Move to approve the Commission / Committee application.

For Option 2: Move to approve the Commission / Committee application, as modified

For Option 3: No motion is necessary.



CITY OF STAYTON

APPLICATION FOR COMMISSION/COMMITTEE

NAME OF COMMISSION/COMMITTEE:

PLEASE CHECK ONE:

_____ New Applicant

_____ Application for reappointment

Years resided in Stayton: _____

PLEASE PRINT

Name _____
(Last) (First)

Address _____ Home Ph# _____

Email Address _____ Cell Ph# _____

Occupation _____

Place of Employment _____

Business Address _____

Phone _____ Email _____

1. Please give a brief description of the experience or training that qualifies you for membership on this commission/committee. (If you wish, you may attach a resume or other pertinent material.)

2. Why do you want to become a member of the above-mentioned commission/committee and what specific contribution would you hope to make?

PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION

3. Please list the community concerns related to this commission/committee that you would like to see addressed if you are appointed.

4. Briefly describe your present or past involvement in relevant community groups. (Having no previous involvement will not disqualify you for appointment.)

5. Are you currently serving on any Advisory Boards, Commissions or Committees? If so, which ones?

6. How did you learn about this vacancy?
_____ Newspaper _____ Word of mouth _____ Other

7. Are you employed by, have any business, contractual arrangements or family connections with programs having contractual agreements with the City that might be within the purview of the committee on which you are seeking appointment?

Signature of Applicant _____ Date _____

PLEASE RETURN TO: City of Stayton
 362 N. Third Avenue
 Stayton, OR 97383

It is the policy of the City to comply with all federal and state statutes on equal employment opportunity. This policy shall be applied without regard to any individual employee or job applicant's sex, race, color, religion, national origin, ancestry, age, marital status, political affiliation, genetic information, veteran status or any other legally protected status per state and federal law.

PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION



City of Stayton

MEMORANDUM

TO: Mayor Scott Vigil and City Council Members
FROM: Dan Fleishman, Planning and Development Director
Rich Sebens, Police Chief
DATE: November 4, 2013
SUBJECT: City-initiated Annexation of Street Rights of Way, Property currently Partially in the City, and City-owned Property

ISSUE

The issue before the City Council is whether to initiate annexation of various sections of street right of way, portions of two publicly-owned parcels that are currently partially in City Limits, and portions of four privately owned parcels that are partially in the City Limits, and one City-owned parcel that is not within the City.

BACKGROUND

Over time, as the City has annexed territory into the City Limits, the annexations have not always included the entirety of the street right of way. This results, for instance, in a vehicle traveling west on Shaff Road from Cascade Highway/First Ave. starting outside of the City, entering the City, leaving the City, re-entering the City, and finally leaving the City a second time before the vehicle crosses Salem Ditch. This can present difficulty for the Stayton Police Department and Marion County Sherriff's Office in determining jurisdiction on traffic accidents or other public safety incidents.

In addition, there are a number of properties partially within the City Limits, with two residential properties appearing to have the City Limits passing through the house. Finally, the City's Pine Street water reservoir is not located in the City.

Placing these properties within the City will facilitate law enforcement activities by clarifying the jurisdiction of the Stayton Police Department.

ANALYSIS

Street Rights of Way

There are nine street "right of way" segments that staff has identified that could be brought into the City Limits. These are:

- Shaff Road (3 separate segments between Salem Ditch and Cascade Highway)
- Kindle Way (the northern portion)
- Cascade Highway, between Shaff Road and Highway 22

- Fern Ridge Road (2 segments between Foot Hills Church and Highway 22)
- E Jefferson St, east of N 19th Ave
- Stayton Road, west of Rogue Ave

Five of the above segments are smaller than one acre and could be annexed by the City Council. The other four are large enough that voter approval is required.

Publicly Owned Parcels

Both the Stayton Middle School property and Wilderness Park (owned by the Santiam Water Control District) are partially within the City and partially out of the City. While the City has executed an agreement with the Santiam Water Control District to allow the Police Department to exercise its jurisdiction outside of the City Limits, we have no such agreement with North Santiam School District. Whereas the portions of these parcels that are outside of the City are more than one acre, these annexations would need to be sent to the voters for approval.

Privately Owned Parcels

There are four tax parcels off of Scenic View Dr that are partially within the City. All of these parcels receive City water and sewer service. The City Limits appear to cross right through two of the homes. Again, police agency jurisdiction would be clarified if the entire property was within the City. Staff has not yet contacted the owners of these parcels to see about their willingness for annexation.

Pine Street/Water Reservoir

A portion of Pine St is not dedicated as street right of way and is part of the tax parcel on which the City's Pine St water reservoir is located. The entire parcel is located outside of the City. This parcel is larger than one acre and would require voter approval.

Should the City Council be willing to proceed with annexation, staff will prepare a resolution for City Council approval to initiate the process. Staff will also contact the property owners to determine their consent for annexation. Unless the City Council indicates otherwise, staff will include property only if the owner consents to annexation. Staff will also proceed to have legal descriptions and maps prepared to be part of the resolutions and ordinances.

Once a resolution initiating the annexation process is adopted by the City Council, staff will schedule a public hearing before the Planning Commission. The Planning Commission's recommendation will come back to the City Council, which must hold a second public hearing. For the parcels or portions of rights of way under one acre in size, the City Council may enact an ordinance which will finalize the annexation procedure. For those larger than one acre, staff will present the City Council with a resolution sending the annexations to the voters for approval. Our target is the May 2014 election, which means the resolution will need to be approved by the City Council no later than its second meeting in February. Once the voters approve the annexations, staff will return to the City Council with an ordinance, which will finalize the process.

RECOMMENDATION

City staff recommends the City Council initiate proceedings to annex the street rights of way and request staff contact the property owners to determine consent for annexation.

OPTIONS AND MOTIONS:

Staff has provided the City Council with several options, each with an appropriate motion.

1. Request staff to proceed with the annexation process for all of the identified territories.

I move that the City Council to direct staff to return to the November 18 meeting with a resolution to initiate annexation of the territories identified by staff provided the property owners give consent.

2. Request staff to proceed with the annexation process for some of the identified territories.

I move that the City Council to direct staff to return to the November 18 meeting with a resolution to initiate annexation of the street rights of way, and the following properties (identify which properties), provided the property owners give consent.

3. Take no Action

No motion is necessary