

**City of Stayton
City Council Meeting Action Minutes
January 21, 2014**

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

Time Start: 6:48 P.M.

Time End: 8:08 P.M.

WORK SESSION

COUNCIL	STAFF
Mayor Scott Vigil (excused)	Alissa Angelo, Deputy City Recorder
Councilor Emily Gooch	Christine Shaffer, Finance Director
Councilor Catherine Hemshorn (excused)	David Rhoten, City Attorney
Councilor Jennifer Niegel (excused)	
Councilor Henry Porter	
Councilor Brian Quigley	

COUNCIL MEETING ATTENDANCE LOG

COUNCIL	STAFF
Mayor Scott Vigil (excused)	Alissa Angelo, Deputy City Recorder
Councilor Emily Gooch	Dan Fleishman, Director of Planning & Development
Councilor Catherine Hemshorn (excused)	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

AGENDA	ACTIONS
WORK SESSION (6:48 P.M. TO 6:59 P.M.)	
Municipal Court Judge Interview Questions	Discussion and review of Municipal Court Judge questions.
REGULAR MEETING (7:00 P.M. TO 7:40 P.M.)	
Presentations / Comments from the Public a. Steve Frank, 1515 E. Jefferson Street	Spoke about Storm Water Utility Fee and proposed annexations. Encouraged the Council to hold Town Hall meetings.
Announcements a. Additions to the Agenda b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.	None Councilor Gooch was contacted by a potential medical marijuana business owner.
Consent Agenda a. January 6, 2014 City Council Meeting Minutes	Motion from Councilor Quigley, seconded by Councilor Gooch, to approve the consent agenda. Motion passed 4:0.

Public Hearing	
a. Commencement of Public Hearing	7:07 p.m.
b. Staff Report – Dan Fleishman	Mr. Fleishman reviewed the staff report included in the Council packet.
c. Questions from Council	None
d. Proponents Testimony	None
e. Opponents Testimony	None
f. General Testimony	None
g. Questions from Public	None
h. Questions from Council	Councilor Niegel asked if staff received any questions from the public about the proposed annexations. Staff dealt with a handful of inquiries.
i. Staff Summary	None
j. Close of Hearing	7:20 p.m.
k. Council Deliberation	None
l. Council Decision on Ordinance No. 965	Motion from Councilor Gooch, seconded by Councilor Niegel, to adopt Ordinance No. 965 as presented. Motion passed 4:0.
m. Council Decision on Resolution No. 909	Motion from Councilor Niegel, seconded by Councilor Gooch, to adopt Resolution No. 909 as presented. Motion passed 4:0.
Unfinished Business	
None	
New Business	
a. Resolution No. 910, City Administrator Evaluation Process	Motion from Councilor Quigley, seconded by Councilor Gooch, to adopt Resolution No. 910 as presented. Motion passed 4:0.
b. Ordinance No. 966, Amending SMC 5.08 and 5.12 to Regulate Medical Marijuana Dispensaries within the City of Stayton	Motion from Councilor Gooch, seconded by Councilor Quigley, to adopt Ordinance No. 966 as amended to reference Medical Marijuana Facility. <u>Discussion</u> – Brief discussion of location of facility. Motion passed 4:0.
c. Appointment of a Council Representative to the Adaptive Management Group	Motion from Councilor Quigley, seconded by Councilor Gooch, to appoint Councilor Niegel as the Council Representative to the Adaptive Management Group. Motion passed 4:0.
Staff / Commission Reports	
a. Finance Director’s Report – Christine Shaffer	None
b. Police Chief’s Report – Rich Sebens	Brief discussion of shoplifting prevention.

c. Public Works Director's Report – Dave Kinney	None
d. Planning & Development Director's Report – Dan Fleishman	None
e. Library Director's Report – Louise Meyers	Discussion of cultural passes and statistics.
Presentations / Comments From the Public	None
Business from the City Administrator	None
Business from the Mayor	None
Business from the Council	None
Future Agenda Items	
a. Review of City Charter	
b. Storm Water and Sanitary Sewer Utility Fee Public Hearing (February 3, 2014)	

APPROVED BY THE STAYTON CITY COUNCIL THIS 3RD DAY OF FEBRUARY 2014, BY A _____ VOTE OF THE STAYTON CITY COUNCIL.

Date: _____

By: _____
A. Scott Vigil, Mayor

Date: _____

Attest: _____
Keith Campbell, City Administrator

Date: _____

Transcribed by: _____
Alissa Angelo, Deputy City Recorder

DRAFT

City of Stayton
City Council Meeting Action Minutes
February 3, 2014

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

Time Start: 7:00 P.M.

Time End: 7:56 P.M.

COUNCIL MEETING ATTENDANCE LOG

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

AGENDA	ACTIONS
REGULAR MEETING	
Presentations / Comments from the Public	
a. Swearing in of New Police Officer by Chief Rich Sebens	Chief Sebens swore in new Police Officer Brandon RathLeGurche.
b. Alan Kingsley, Car Show Committee	Mr. Kingsley informed the Council that he will no longer be chair of the Car Show Committee.
Announcements	
a. Additions to the Agenda	None
b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.	Councilor Niegel will be abstaining from the Municipal Court Judge discussion.
Consent Agenda	
a. January 21, 2014 City Council Meeting Minutes	Motion from Councilor Gooch, seconded by Councilor Niegel, to approve the consent agenda as amended. Motion passed 4:0 (Hemshorn abstained).
Public Hearing	
Storm Water Utility Fees – Adoption of Monthly Fees	
a. Commencement of Public Hearing	Mayor Vigil opened the hearing at 7:09 p.m.
b. Staff Report – David Kinney	Mr. Kinney reviewed his staff report.
c. Questions from Council	Brief discussion of project lists, how fees will affect non residential customers, and the City's agreement with the Santiam Water Control District.

d. Proponents' Testimony	None
e. Opponents' Testimony	None
f. General Testimony	None
g. Questions from the Public	None
h. Questions from the Council	Discussion of future budget for storm water.
i. Staff Summary	Nothing further.
j. Close of Hearing	Mayor Vigil closed the hearing at 7:30 p.m.
k. Council Deliberation	Section 6 of Resolution No. 908 was amended to remove the last sentence and recommended fees.
l. Council Decision on Resolution No. 907	Motion from Councilor Niegel, seconded by Councilor Gooch, to adopt Resolution No. 907 as presented. Motion passed 5:0.
m. Council Decision on Resolution No. 908	Motion from Councilor Niegel, seconded by Councilor Hemshorn, to adopt Resolution No. 908 as amended. Motion passed 4:1 (Quigley).
Unfinished Business	None
New Business	
a. Lease Agreement, 352 E. Florence Street	Motion from Councilor Hemshorn, seconded by Councilor Gooch, to approve the lease agreement between the City of Stayton and the Stayton Loyal Order of moose, Stayton Lodge #2639 and authorize the City Administrator to sign the lease agreement. Motion passed 4:1 (Quigley).
b. Building Renovations at 260 N. 2 nd Avenue	Motion from Councilor Hemshorn, seconded by Councilor Niegel, to authorize City staff to move forward with renovations to the building at 260 N. 2 nd Avenue. Motion passed 5:0.
Presentations / Comments From the Public	None
Business from the City Administrator	None
Business from the Mayor	
a. Appointment of Municipal Court Judge	Motion from Councilor Quigley, seconded by Councilor Porter, to ratify the appointment of Jonathan Clark as Municipal Court Judge. Motion passed 4:0 (Niegel abstained).
Business from the Council	None
Future Agenda Items	
a. Review of City Charter	
b. Library Foundation Presentation	

APPROVED BY THE STAYTON CITY COUNCIL THIS 18TH DAY OF FEBRUARY 2014, BY A ____ VOTE OF THE STAYTON CITY COUNCIL.

Date: _____

By: _____
A. Scott Vigil, Mayor

Date: _____

Attest: _____
Keith D. Campbell, City Administrator

Date: _____

Transcribed by: _____
Alissa Angelo, Deputy City Recorder

DRAFT



MEMORANDUM

TO: Mayor Vigil and the Stayton City Council

FROM: Rich Sebens, Chief of Police

SUBJECT: Liquor License-“Change of Ownership” Application-
Full On-Premises Sales

DATE: February 18, 2014

NEW BUSINESS

NAME: Bottle Factory
1883 W Ida St
Stayton, Oregon 97383
B: (503) 769-2652

PREVIOUS BUSINESS

NAME: Rif's Food & Spirits
1883 W Ida St
Stayton, Oregon 97383
B: (503) 769-2652

PARENT COMPANY

NAME: WWI, LLC

OWNERS: Waylon Wymore
38657 Cascadia Village Dr
Sandy, OR 97055
678-201-8828

ISSUE:

This application is for a **“Change of Ownership” and “Change of Trade Name** Liquor License Application. Mr. Waylon Wymore of Sandy, OR has purchased Rif’s Food and Spirits and will be changing the name back to the “Bottle Factory Lounge”.

**STAFF
RECOMMENDATION:**

It is the recommendation of the Stayton Police Department to forward this application to the Oregon Liquor Control Commission (OLCC) with a recommendation for approval.

**BACKGROUND
INFORMATION:**

The location is zoned for this type of business for the city of Stayton. The business is and has been a restaurant and lounge. They do not have current plans to change the type of establishment. This is only a change in ownership and name.

**FACTS AND
FINDINGS:**

I have conducted a background investigation of the business and applicants. I have found nothing out of the ordinary and any reason or legal authority to recommend denial of the application.

Based on the application and background investigation, I find no legal authority to recommend denial of this application.

MOTION(S):

No Motions are needed as this is a consent agenda item.

FISCAL IMPACT: N/A



MEMORANDUM

TO: Mayor Vigil and the Stayton City Council

FROM: Rich Sebens, Chief of Police

SUBJECT: 2014 OLCC Annual Liquor License Renewals (Consent Agenda)

DATE: February 18, 2014

ISSUE:

Annually, the police department reviews the activities occurring at or near the vicinity of all licensed liquor establishments in Stayton. The City Council then gives a recommendation to the Oregon Liquor Control Commission (OLCC) to either recommend or give no recommendation.

**BACKGROUND
INFORMATION:**

In October of 1999, the Council enacted Resolution No. 653; A Resolution Adopting Policy Guidelines and Procedures for Stayton Council Recommendations for Renewal and Issuance of Liquor Licenses. Through these established guidelines and procedures, the City Council ensures equitable and consistent treatment of all liquor license applications. The adoption of this policy protects the interest of the general public by providing consistent direction to staff in the processing of the liquor license.

**FACTS AND
FINDINGS:**

All 2014 reviews were completed in accordance with Council Resolution No. 653, dated October 7, 1999. Oregon law provides criteria to be used by OLCC for license refusal which can be adopted into criteria for police department recommendations.

The standards and criteria are as follows:

Fights or assaults

Liquor law violations by licensee or their employees

Excessive or obtrusive noise

Illegal drug use or sales on the premises

Trespass on private property

Failure of the licensee to take appropriate action to prevent or control problems caused by patrons on the premise or within the local vicinity.

Council Resolution No. 653, Section (F), Evaluation Guidelines and Criteria

1. A recommendation to deny the renewal application will be made when there are persistent problems involving the types of police calls listed above related to the sales of alcohol.
2. The police department will automatically recommend denial of a renewal application when there is a record of ten arrests, in the prior twelve (12) months, of employees or patrons of the licensed business for unlawful activities related to the sale of service of alcohol under the license either on the premises or in the immediate vicinity.
3. Actions by the licensee, which might tend to mitigate the problems, should be considered. Examples of mitigating actions are seeking and following recommendations by the OLCC, or police, and increased security measures.
4. In addition to the criteria previously outlined, a recommendation for denial of a license renewal may be made when there are persistent problems involving police calls related to the sales or service of alcohol not stemming from calls for assistance from the establishment, within the preceding twelve months, concerning unlawful activities by employees and patrons of the licensed business, either on the licensed premises or in the immediate vicinity thereof.
5. The recommendation by the police department is only one component of the liquor license recommendation process. Community input is a significant factor in a complete review of applications. With all licensing activities, it must be remembered that the City recommends and OLCC grants or denies.

**STAFF
RECOMMENDATION:**

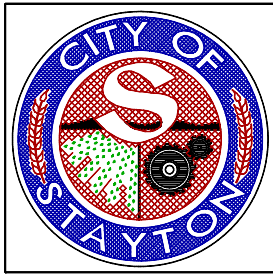
All liquor license establishments met the guidelines and policies established by Resolution No. 653 for the year 2013.

Off Premise Sales	Full On-Premise Sales	Limited On-Premise Sales
Bi-Mart	Rumours Restaurant / Lounge	Fey Asian
Circle K East	Cheers On 1 st	UGO's Pizza
Circle K West	Ixtapa Restaurant	
Roth's IGA	Mick & Moms	
Safeway	Bottle Factory**	
Stayton AM-PM	Red Apple Restaurant Lounge	
Stayton Grocery Outlet	Happy Dragon Restaurant	
Stayton Market and Deli	Moose Lodge #2639	
Stayton Shell		
Stop N Save		

**formerly "Rif's"

RECOMMENDATION: Send a renewal recommendation to OLCC as each business submits their proper yearly renewal fees and forms.

Please let me know if you have any questions.



CITY OF STAYTON

MONTHLY OPERATING REPORT

TO: Mayor A. Scott Vigil and the Stayton City Council

FROM: Jennifer Russell, Administrative Assistant

THRU: Dave Kinney, Public Works Director

DATE: February 18, 2014

SUBJECT: January Monthly Operating Report

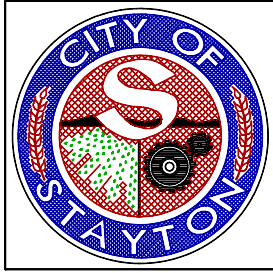
KEY ACTIVITIES

STATUS

- **WWTP Facility** Effluent flows: 32.65 million gallons were treated during January. The highest flow was 1.48 million gallons on January 13th, and the lowest flow was 0.88 million gallons on January 1st. The average flow was 1.09 million gallons. Total rainfall for January was 4.19 inches. 27.51 tons of dewatered biosolids were produced.
- **WTP** Highest production day was 2,090,000 on the January 21st.
- **Water System** Replaced 6 water meter boxes that were in the sidewalk. Installed 12 new water services on W. Washington to existing 12 inch water line. Current water services were on 4 inch water line. The 4 inch water line will be abandoned later in the year. Installed 1 new meter. Installed 1 new radio read unit to the new meter. Replaced 3 meters.
- **Streets** Swept 131 curb miles and removed approximately 66 cubic yards of material.
- **Parks** Volunteers: SHS Life Skills – 31 Hours; Court Ordered – 0 hours.
- **Building Permits**

<u>Permit Type</u>	<u>Issued</u>	<u>SDC's Paid</u>
New Single Family Dwelling	0	0
Residential Building Addition/Alteration/Other	1	(MH Placement)
Commercial Building Addition/Alteration/Other	1	0
Electrical	0	0
Mechanical	1	0
Plumbing	0	0
TOTAL	3	0

One (1) Residential SDC = \$11,065



CITY OF STAYTON
M E M O R A N D U M

TO: Mayor A. Scott Vigil and City Councilors
THRU: City Administrator Keith Campbell
FROM: David W. Kinney, Public Works Director
DATE: February 18, 2014
SUBJECT: Public Works Update – Informational Items

Here is a brief update on a few projects and issues the Public Works Department is currently working on:

1. **Storm Response**

The public works department response to the February 6-9th winter storm event was limited.

- a. **Sanding**: Michael Bradley sanded the key through streets during the initial snowfall on Thursday, February 6th. Once snow got deeper than 2", sanding was no longer effective. After the Thursday snowfall, packed snow accumulated on streets and we continued sanding on 1st Avenue, 10th Avenue and a few other intersections and steep streets.
- b. **Snow Plowing**: The City does not have any snow plows or snow removal equipment. We called North Santiam Paving to bring in their grader beginning on Thursday afternoon during the first snowfall when accumulation reached 4"+. The grader was out during most daylight hours on Friday, Saturday and Sunday. Plowing was done on the following streets:
 - i. Arterials: 1st, Shaff, Fern Ridge and 10th Avenue (to the hospital).
 - ii. Major Collectors: Wilco, E. Washington, W. Washington
 - iii. Minor Collectors: Locust, Gardner, Regis, 3rd Avenue
 - iv. Hilly residential areas: E. Pine, 28th, Highland Dr, Fir/Pine to Hospital

We made an effort to keep these main streets passable so residents could get to stores and the hospital. We did not plow residential neighborhoods, except the streets noted above. During the height of the snowfall, streets were generally passable with packed snow. When the roads began to melt late Friday, intersections and residential streets were much more difficult to drive on as large ruts and mounds of snow were built up. We appreciate residents patience and understanding. A few complaints came into City Hall & PW.