

**STAYTON CITY COUNCIL
MEETING MINUTES
April 02, 2012**

CALL TO ORDER

7:00 p.m.

Mayor Vigil

FLAG SALUTE

ROLL CALL

Mayor Scott Vigil	Councilor Jennifer Niegel
Councilor Larry Emery	Councilor Henry Porter
Councilor James Loftus	Councilor Brian Quigley

STAFF:

Don Eubank, City Administrator
Christine Shaffer, Finance Director
Rich Sebens, Chief of Police
Dave Kinney, Public Works Director
Dan Fleishman, Director of Planning and Development
Louise Meyers, Library Director, excused
David A. Rhoten, City Attorney, excused
Jeffrey M. Strickland, Assistant City Attorney, excused
Rebecca Petersen, Deputy City Recorder

PRESENTATIONS/COMMENTS FROM THE PUBLIC – None.

ANNOUNCEMENTS – None.

CONSENT AGENDA

- a. City Council Meeting Minutes of March 19, 2012

Motion: From Councilor Emery, seconded by Councilor Niegel, to approve the consent agenda. **Motion passed:** 5:0.

PUBLIC HEARINGS – None.

UNFINISHED BUSINESS

Ord. 946 Amending SMC 17.24.100 Open Space Requirement for MPD

- a. **Staff Report:** Mr. Fleishman reviewed the staff memorandum included in the packet materials along with portions of the Transportation Master Plan, and Park and Recreation Plan that deal with pedestrian bike plans. A question was raised during the public hearing process of how detailed the plan needed to be; currently if the land being divided contains significant wetlands, the city may require a subdivision to be a master plan development, he said.

- b. **Council Deliberation:** Councilor Loftus asked if the wetland area around the Master

Plan Development (MPD) would fall under public open space. Mr. Fleishman stated it would fall under open space if its' along the river, Mill Creek or ditches, and the current code says public access is required. Councilor Emery excused himself from voting as the Master Wetlands Plan showed a trail through his backyard. Councilor Quigley asked what the ratio is of private vs. public ownership for the proposed public trails along the waterway. Mr. Fleishman stated the ratio would be very low. The middle school property shows designated trails, Wilderness Park has current trails and the only publicly owned land that has a proposed trail other than the middle school is the ODOT property on the east side of Cascade Highway. The high school property shows proposed trails but no wetlands exist at that site. Councilor Loftus stated it was his recollection that the City Attorney was responsible for raising the issue of a misinterpretation of an existing ordinance, but that he would rather wait to make a decision when the Council has reached a consensus. There's no rush to fix the code as no development needs the criteria at this time, he said. In response to a question regarding criteria for approving Ord. 946, Mr. Fleishman stated as property comes up for development and the code requires open space to be provided, open space would be dedicated to the City. Councilor Loftus asked if any other MPD exist, and was an exaction process used when other developments along the waterway were constructed. Mr. Fleishman stated the only MPD approved by the City is the Woolen Mill property. Planned Unit Developments exist inside the City but there are no public trails in them. Mayor Vigil stated the ordinance is a method of being able to enforce what the master plan is laying out. Councilor Porter stated he would like to be able to see what lies ahead in implementing a trail plan. Mr. Fleishman stated the issue is before the Council as the City Attorney brought it to staff's attention that their interpretation had been incorrect. Councilor Emery stated he was totally against the trails system as there are too many restrictions for property owners. Councilor Quigley asked if the City had to do anything regarding the open space issue even though the City Attorney brought it up. Mr. Fleishman stated the current code does require public access but does not require that it be dedicated to the City, the amendment is about ownership. Councilor Niegel stated the code can't be changed mid-stream, once a development comes before the City it's too late to implement a change to the code.

c. Council Decision:

Motion: From Councilor Loftus, seconded by Councilor Quigley to table the ordinance.

Discussion: Councilor Porter asked if the issue could be brought back to the Council at a later date if it were tabled.

Motion passed: 4:0.

NEW BUSINESS – None.

STAFF/COMMISSION REPORTS

Public Works Director's Report

a. Tenth Avenue Update: Mr. Kinney explained additions that were added to the project

as the bid came in under budget. Sidewalk at the bottom of the hill will be wrapped around towards the housing authority property, a small portion of sewer will be added, 300' of piping going down the hill will be included in the project, a transition area north on Tenth Avenue, east on Pine Street, 200' east of the intersection, the curb will be extended and a push button pedestrian crossing light will be constructed at the intersection. Curbing on the east side of N. Tenth Avenue, north to Fern Ridge Road is proposed. Councilor Emery stated he would like to see the north end of the project the priority, as history shows a lot of ambulance traffic coming from the north side; Mr. Kinney stated in general hospital staff concurs the north end as the priority. Mr. Kinney stated hospital staff will be meeting with their board soon to discuss the award of the bid.

PRESENTATIONS/COMMENTS FROM THE PUBLIC – None.

BUSINESS FROM THE CITY ADMINISTRATOR

a. Town Hall Meeting Reminder: Mr. Eubank stated a town hall meeting would be held Thursday, April 19th, 6:30 pm to 8:00 pm at Santiam Memorial Hospital, Freres Auditorium.

BUSINESS FROM THE MAYOR – None.

BUSINESS FROM THE COUNCIL

Appointment of Council President: From Councilor Emery, seconded by Councilor Quigley, to retain Councilor Porter as President of the City Council. **Motion passed: 5:0.**

ADJOURN

There being no further business, the meeting was adjourned at 7:58 pm.

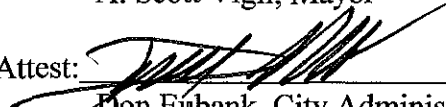
APPROVED BY THE STAYTON CITY COUNCIL this 16th day of April 2012, by a 5:0 VOTE OF THE STAYTON CITY COUNCIL.

CITY OF STAYTON

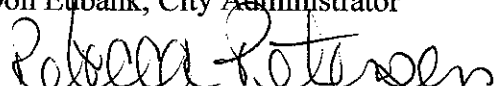
Date: 4/19/2012

By: 
A. Scott Vigil, Mayor

Date: 4/19/2012

Attest: 
Don Eubank, City Administrator

Date: 04/17/2012

Transcribed by: 
Rebecca Petersen, Deputy City Recorder