

**STAYTON CITY COUNCIL  
MEETING MINUTES  
Monday, April 5, 2010**

**CALL TO ORDER**

**7:00 PM**

**Mayor Gerry About**

**FLAG SALUTE**

**ROLL CALL**

Mayor Gerry About  
Councilor Frank  
Councilor Hemshorn

Councilor Loftus  
Councilor Vigil  
Councilor Walters

**STAFF:**

Don Eubank, City Administrator  
Christine Shaffer, Finance Director  
Rich Sebens, Acting Chief of Police  
Dave Kinney, Public Works Director  
Dan Fleishman, Director of Planning and Development  
Louise Meyers, Library Director  
David A. Rhoten, City Attorney  
Jeffrey M. Strickland, Assistant City Attorney  
Debbie Layman, Recording Secretary

**PRESENTATIONS/COMMENTS FROM THE PUBLIC**

- a. **SPOTLIGHT: SB 737 Testing & Implementation steps the City must take to test for and treat priority pollutants (prescription drugs, etc.)**

Brenda Kuiken presented a PowerPoint presentation to talk about Oregon Senate Bill 737 requirements to test for and treat priority pollutants which enter the City of Stayton wastewater stream.

Councilor Walters asked if we had a choice or was this something we have to do to. Ms Kuiken stated this was mandated through the senate bill that was passed in 2007.

Councilor Loftus asked if there are any funds available from the state to implement this. Ms. Kuiken stated no, it's up to our individual city budget.

Councilor Loftus asked if we have a rough idea of what it's going to cost us to implement this type of plan. Ms. Kuiken stated it would cost approximately \$14,000 to do the sampling and by pooling our money with the Association of Clean Water Agencies (ACWA), it will cost Stayton around \$2,000 to complete the (reduction) plan.

Councilor Loftus asked once it is determined that the City of Stayton has 20% of the 118 pollutants they have identified, what mitigation measures is the City required to implement. Ms. Kuiken stated that it all depends on the type of chemical. If the chemical items are in the pharmaceutical and personal care products areas that the City can take out of the waste stream by having a collection point, it's not going to be very expensive; but if it's something like cholesterol that goes into the sewage waste stream, then there

may be some sort of treatment process that the City has to install in order to get that out of the waste stream.

Councilor Loftus asked if the treatment process is that like an injection process or is it adding a new layer of filtering? Ms. Kuiken indicated she had not yet seen any final recommendations for treatment processes. However, some of the things that have been kicked around at meetings are things like reverse osmosis which is going to be extremely expensive.

Councilor Frank complimented Ms. Kuiken on her report. Mr. Frank stated in the City of Corvallis pamphlet it was mentioned that more detailed information about priority pollutant list and pollutant reduction is available on the DEQ website at [www.deq.state.or.us](http://www.deq.state.or.us). If anyone wanted to look that up on their own, they can do that. Ms. Kuiken confirmed that, yes; if you visit the DEQ website and search for Senate Bill 737 you can find all those things. Councilor Frank indicated the pamphlet also stated that in addition to capturing and treating these materials, the city may have to build additional treatment facilities before discharging waste into the river. Councilor Frank pointed out that our river is quite pristine, so this is quite a process; that it will take some great minds, some great actions. Councilor Frank asked Ms. Kuiken how she felt, was it overwhelming; what was her take on this? Ms. Kuiken replied that it really depends on how many of the chemicals are found in the City of Stayton waste stream. She indicated she wasn't really sure what we will be doing for the legacy chemicals, for instance DDT & the PCB's. These chemicals are not manufactured in Stayton, Ms. Kuiken does not know if they are going to be in the City's effluent at the wastewater treatment plant, and if found, how we would remove them is still a question.

Councilor Walters asked where in the process we test this. Ms. Kuiken indicated test samples will be taken from the effluent at the wastewater treatment facility. Councilor Walters asked how we will know what was in the river water prior to it coming to us, is there a base line? He indicated he would hate to see us trying to take out stuff that was in the river naturally. Ms. Kuiken stated that for another \$7,000.00 we could test the city's raw water source, as well as the wastewater treatment facility influent, and then know what is coming in and know what is being processed out. However, the chemicals will still be coming into the plant, so the City will still have to remove them at some point.

Councilor Loftus stated that the drug take back program seemed like it was pretty successful and asked if it was only done once a year? Ms. Kuiken stated that this was the first that was put on, she then referred this question to Acting Chief Sebens since the police department was the one that put this on. Councilor Loftus stated that his thought was that if we were doing a drug take back event there might be chemicals, household chemicals like muriatic acid that somebody has because they used to have a pool, where they could turn that in on an event. Ms. Kuiken stated that Marion County Public Works Environmental Services does have household chemical waste collection events periodically throughout the year that are held in Stayton.

Council Walters asked Acting Chief Sebens if we could work out where there is a box at the police station with two locks on it, which anybody could bring in anything. Acting Chief Sebens stated that he and Public Works Director Kinney have been talking about that possibility and what it would take to get a box set up where people could come and turn their medications in. The medications would then be taken to the burn center and disposed of on a regular basis. Acting Chief Sebens stated that as far as the collection sites go, the agency that was pulling everybody together is planning on putting another one on in the fall since this one worked so well. Following that we will look at whether we want to do them quarterly or twice a year.

Councilor Walters stated that what he was thinking was that if Great Aunt Lucy dies, you've got her drugs and you don't want to hold on to them. You could throw them away or take them down to the police

station. Acting Chief Sebens that is exactly what had been part of prior discussions and they are looking into the feasibility of and cost of what it will take to get boxes set up and for us to dispose of the drugs.

Councilor Hemshorn asked if the hospital would be an option, since they have medications they have to destroy as well; for a small fee could we partner with them and allow people to turn their drugs in there? Acting Chief Sebens stated that Public Works Director Kinney has a meeting scheduled for Wednesday to meet with the hospital to discuss that topic also.

The Mayor pointed out that Regis Girls Basketball Team took the championship in their league this year and the Stayton Highlighters Dance and Drill Team also took the championship in their division and that's their eighth year in a row. The Mayor gave his congratulations to both teams.

#### **ANNOUNCEMENTS – PLEASE READ CAREFULLY**

- a. Additions to the agenda – None.
- b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc. – None.

#### **CONSENT AGENDA**

- a. **City Council Meeting Minutes of March 01, 2010**
- b. **City Council Meeting Minutes of March 15, 2010**

Mr. Eubank reported the minutes for the March 1, 2010 Council meeting were not distributed to the City Council in time for the Council to review and consider them at this meeting. Mayor Aboud stated they will be placed on the April 19<sup>th</sup> council agenda. The Mayor stated we would be voting on the March 15, 2010 minutes only.

**Motion:** From Councilor Loftus, seconded by Councilor Walters, to approve the City Council minutes of March 15, 2010. **Motion passed 5:0.**

**PUBLIC HEARINGS – None.**

**UNFINISHED BUSINESS – None.**

#### **NEW BUSINESS**

##### **Ord. 921 Amend SMC 8.04.055 Prohibiting Consumption of Alcoholic Beverages on Public Property**

Acting Chief Sebens informed the City Council that he is presenting an ordinance to formally allow alcoholic consumption on city properties. Acting Chief Sebens told the Council that this change is needed to implement the resolution adopted at the March 15, 2010 meeting to allow alcoholic beverages on the Jordan Bridge and other city facilities.

**Motion:** From Councilor Loftus, seconded by Councilor Hemshorn, to enact Ordinance No. 921 amending the Stayton Municipal Code Section 8.04.055 Prohibiting the Consumption of Alcoholic Beverages on Public Property and declaring an emergency. Debbie Layman polled the Council. **Motion passed 5:0.**

##### **75 Well Rehabilitation**

#### **a. Staff Report – Dave Kinney, Public Works Director**

Public Works Director David Kinney presented a staff report on the proposed rehabilitation of the 75 Well located adjacent to the North Santiam River. Mr. Kinney reported that in December 2009, the City Council authorized staff to contract with GSI to evaluate the City's two backup shallow groundwater wells: 50 Well & 75 Well. The purpose of the evaluation was to determine if the wells can be rehabilitated or not. GSI completed the field assessment, reviewed the existing iron bacteria contamination, evaluate water chemistry, and made several recommendations on options available to the City of Stayton.

Public Works Director Kinney reviewed GSI's findings. GSI reported the City has two backup wells to supply water during winter months when the North Santiam River turbidity is high. The City uses these backup wells every year, but only on an occasional basis. During a typical year, Mr. Zeller estimates the City may need to rely on the wells to provide drinking water a total of 3 to 4 weeks during a given year. Neither of the two wells is a year-round backup well.

1. **50 Well.** The 50 Well is on the north side of the Water Treatment Plant and near the Power Canal discharge. This well has too many iron bacteria and pH issues to rehabilitate it. However, Public Works Director Kinney said the staff does not recommend taking any action to decommission the well until the rehabilitation of the 75 Well is completed.
2. **75 Well.** The 75 Well is next to the North Santiam River, east of the Water Treatment Plant. Public Works Director Kinney said GSI and city staffs have concluded this well can be rehabilitated. The estimated cost for the 75 well rehabilitation is approximately \$87,000. This includes the cleaning of the obstructed screen, installation of a new pump and motor, new electrical panels, controls, and refurbishing of the well building.
3. **Drill a New Well.** A third option GSI considered was the drilling of a new production well. Public Works Director Kinney said GSI estimates the well drilling and well development will cost \$121,000, but indicated the City would have to build a well house and buy pumps, motors, piping, electrical, controls, etc. The City can anticipate additional costs of \$250,000 to \$350,000, but it could be as high as \$750,000, depending on the level of environmental reviews, pump station building or other DHS requirements. The City does not have funding available to drill a new well.
4. **Regulatory and Funding Issues.** Public Works Director Kinney reported the rehabilitation of the 75 HP well has no regulatory issues, since the Oregon Department of Human Services Health Division - Drinking Water Section (DHS-DWS) considers it a "maintenance" activity versus a "redevelopment project" which would require submittal of engineered plans for DHS-DWS approval. The Health Division and Oregon Business Development Department have concluded the well rehabilitation is an eligible activity under the Safe Drinking Water Revolving Loan Fund program and the City can proceed by using a change order with the City's contractor.

#### **b. Council Deliberation**

The Mayor referenced the 50 Well; asking what if any harm the water is doing that is coming out of there, is there any difficulty with the water? Public Works Director Kinney stated the water has two issues, one is the iron bacteria, which is not a health hazard to the public, but it does foul the wells, pumps, and the motors that are there; it will eventually clog the pores of the well casing that is in the ground. In the treatment process at the filter beds, it does put more of a burden on the treatment process. Bob Zeller has

concluded, since the pH level is in the 6 range, that it is actually more difficult to process the water through our filter sands than if it were coming in with out that pH level.

The Mayor asked if the problem was that it affects the bio mass? Public Works Director Kinney stated that it does affect the bio mass and it also affects the amount of soda ash that would then have to put into the water to basically soften it. In terms of a health problem, no, it is not a health hazard; it is perfectly acceptable for drinking water.

The Mayor stated that it was suggested that we not decommission the 50 Well at this point, and wondered if it would be something to keep on line, as far as an emergency, in case we need it? Public Works Director Kinney stated the difficulty with the well is not just the well itself and the water, it's the pumps. The pumps that were down there were WWII era, 50 hp pumps and the problem we've had is the operator's have been hesitant to turn them off for fear they would not start again. We don't know if they are off now; we don't know if they will in fact start again. If they don't we will have to replace them with another motoring pump. We also don't need 50 hp, which is a pretty heavy electrical demand user. At the 75 Well, it is named that because it was a 75 hp pump, we're probably going to replace it with a 15 hp pump because it just has to push the water over to the water treatment plant. It was designed so it could push the water all the way to the top of the Regis tower. The pumps don't have to be anywhere near the size that they were originally.

The Mayor asked what time frame is the 75 Well working; from what you were saying when the water level in the river reaches a certain point, it's no longer effective? What time of year? Public Works Director Kinney stated the summer months would be the time, basically from July 1 through October 1, when we would not normally be using that riverside well.

Public Works Director Kinney also mentioned that other issues with the iron bacteria, one of the problems that have occurred is the volume of water coming into the wells has decreased over time. There are times when the well casing and the pipe which are down in the ground are not fully covered with water and that has allowed that iron bacteria to generate more than if it was under water at all times. One of the changes that we need to make in the operations of the 75 Well is to be sure that the laterals that collect the water would be filled with water at all times. This would diminish the possibility of the iron bacteria growing in the well.

The Mayor stated that it would seem the importance of the 50 Well is that it could dump water all year long? Public Works Director Kinney stated that is because of its location next to the power canal, it is constantly recharged with water from the Power Canal. The Mayor stated that to eliminate that source which in essence is from July through September, we're counting on the river water. It would seem that we would want to move quickly towards replacing the 50 Well.

The Public Works Director stated that long term we need to be looking at drilling another well, that's in the water master plan to come up with another longer term well. The report indicates there are the potential for some wells within the aquifer that can pump as high as 3200 gallons per minute. That does call for them to be deeper draft wells instead of the two shallower wells. Whether or not we could use the water rights from the 50 Well to transfer to a new deeper well is just an unknown at this point.

The Mayor indicated his concern is if something contaminates the water upstream from us in the Santiam River it doesn't do us any good to have an agreement with the City of Salem as they are pulling the same water as we are. Whatever harms us would certainly be harmful to them. That's why I see the importance of the 50 Well. The Mayor would like to see us do is have a plan to replace it.

Councilor Loftus inquired if there is any type of injection system that we could utilize to mitigate some of the iron oxide as well as putting in the sensors so that it shuts off before the laterals are uncovered. Public Works Director Kinney stated the GSI report mentioned the use of an acid wash within the two wells. He indicated his experience has been that either they use a hydrochloric type of acid or another type of muriatic acid. Councilor Loftus interjected phosphoric acid is what the report is calling for. Public Works Director Kinney indicated that would be the typical type of treatment depending on what the bacteria levels are and also the amount of fouling you are seeing. You would probably have to be doing that on a fairly regular basis.

Councilor Loftus asked about mitigating it on the other end before it gets into our water treatment facility. He asked if could pre-screen so we are pulling out most of the bio-solids? Public Works Director Kinney replied that because of the location of the 50 where it's coming into the system it is unlikely with the set up that is there now unless you would add additional screening coming in. You'd have the same issue with the cleaning of those screens and he was not sure it changes things that much. Filter beds would do as good if not a better job than some other type of screening.

Councilor Frank asked if Public Works Director Kinney's recommendation was to rehabilitate Well 75 and hold off on the 50WELL. Public Works Director Kinney stated correct, let's see what we do with the 75; see how that comes about and go from there.

Councilor Vigil asked about the email that was part of the staff report. He stated it didn't sound like there was an answer to the email, as he read through it, he read it backwards as it looked as if this happened first, it was our guy asking somebody else if we would be able to do this through the water treatment facility loan agreement. Councilor Vigil read: "the borrowers shall install or construct the following improvements at the water treatment plant: shallow well field; it doesn't give specific actions, so I think the City will be able to proceed without trouble."

Councilor Vigil asked if we are really relying on this guy's interpretation or do we know for a fact that it's not going to be a problem? Public Works Director Kinney stated the City had contacts with two health division staff; the first is Tom Charbonneau, the drinking water regulation specialist, and second, Roberto Reyes, the Safe Drinking Water Revolving Loan Fund (SDWRLF) program coordinator, who manages the drinking water funding programs. Mr. Reyes' response of it not being a problem is relating to whether or not it is an eligible activity under the SDWRLF program. Mr. Charbonneau's reaction was that he considered the rehabilitation of the 75 well a maintenance activity. Public Works Director Kinney stated it is the combination of the two answers together.

Councilor Vigil referenced the Water Treatment Analysis Control Report on page 3 of 4 stating ATP was, it went into pretty good detail of what ATP is; it is the cellular material present in the sample. And it was excessive in both samples -- being particularly high in the casing sample, then it said a value of over 100,000 is concerning. Do we know what the value was; it never said what they actually measured it as? Public Works Director Kinney said it is actually in the tables beforehand. It was in the 230,000 range. Councilor Vigil asked if that was before; is that in the casing or the other one? Public Works Director Kinney stated that in the 50 Well they weren't able to get to the casing so it was in the sample that came out of the well; in the other well, the 75, they did the casing sample and the ATP cells just in the casing were 251 and in the aquifer itself were 414,000. He stated the concern was, from a staffing point was, that the water quality in the aquifer of the 75 Well was better than the 50 Well and the fouling that we were seeing in the 50 Well was significantly higher.

Councilor Walters asked if there was any problem if we don't decommission the 50 Well, will it hurt anything besides falling in the ground. Public Works Director Kinney stated it probably won't fall in the

ground; there are just internal issues with it. He stated the first step is to see what happens with the 75 Well. Staff will then come back to the council and tell them where we are with that and what the next steps are after consultation with the Health Division.

Councilor Walters, point of clarification, the motion was stated as just to proceed with the 75 Well rehabilitation.

### **c. Council Decision**

**Motion:** From Councilor Frank, seconded by Councilor Hemshorn, to authorize the City Administrator to proceed with the 75 Well rehabilitation. **Motion passed 5:0.**

### **Stayton Community Advocate Awards**

Angie Lehnert, Community Participation Coordinator, discussed the potential for initiating a community advocate award to recognize citizens for actions or projects that foster community pride. Ms. Lehnert said that she has researched programs and awards offered by other communities. She said that her staff report recommends up to 5 awards yearly in each neighborhood, with recognition to occur at the annual August Community Night Out. The Parks Board would serve as the selection committee. Awards might be certificates from local businesses, recognition certificates and these would be presented by individual councilors at each park site. The City would acknowledge the award winners through a variety of media sources.

Councilor Hemshorn asked if the award would be driven by a residence address and would this preclude someone from receiving an award. Ms. Lehnert said that the purpose would be to recognize deserving recipients; we wouldn't want to exclude anyone that seems deserving.

Mayor Aboud stated we don't want to exclude anybody just because of where they live; it just becomes a function of where you present the award.

Councilor Vigil stated what he meant by giving it out at the National Night Out, was that it was something we were already doing, there happened to be 5 (five) parks. At the point where you find out who the individuals are, it doesn't matter where they are, they could be the same neighborhood. They just need to be designated at a different park to receive the award.

Councilor Loftus stated he thinks this is a great idea.

**Motion:** From Councilor Hemshorn, seconded by Councilor Walters, moved to direct staff to proceed with undertaking the awards program. **Motion passed 5:0.**

### **STAFF/COMMISSION REPORTS**

#### **City Attorney's Report – David Rhoten**

City Attorney Dave Rhoten presented an update on the Department of Justice investigation on whether or not the City had complied with the public records law requirements regarding the preparation of City Council minutes. The report indicates that Attorney General John Kroger received a verbal request from

Councilors Loftus and Frank at a public forum on public records laws and he referred the complaint to the Criminal Complaint division within the Attorney General's department to research the issue.

The Mayor asked if this was actually a criminal investigation.

City Attorney Dave Rhoten replied that the application was made to the Criminal Justice Division; however, as he understood it reading the investigator's report today, the request was made to the Attorney General; the Attorney General then referred it to the Criminal Investigation Section to do the investigation.

The Mayor asked Councilor Loftus if that is what happened. Councilor Loftus stated he was not clear on what their procedures were. He stated he did have a discussion with the Attorney General John Kroger expressing some concerns that he had. Councilor Loftus asked if there was anything that could be done and he then initiated through the criminal complaint division an investigation. Councilor Loftus stated he was quite grateful there was no criminal complaint found.

Councilor Loftus stated that he was grateful for the changes in procedures that the City Administrator has administered since the complaint was filed. He stated we are getting much more detailed reports, they are still coming in on Wednesday night, and he is not seeing as many mistakes. Councilor Loftus again stated he is quite grateful.

Councilor Hemshorn said that what struck her in the summary is that it is James Loftus and Steve Frank approached Attorney General Kroger, suggesting the Stayton staff, City staff, were falsifying minutes and records. Councilor Loftus stated that is correct.

Councilor Hemshorn stated what has been accomplished since this contact to the Attorney General has made any changes at all. Our minutes are processed, the handwritten notes are still not collected, they are not preserved, and they didn't have to be. Councilor Hemshorn stated she would like to know how two of our councilors are going to the Attorney General as council members when it hasn't been something that has been approved by the rest of the council.

Councilor Loftus stated that was a very good point. He described that at the time he was meeting with the Attorney General he was meeting with him at a public forum and he was acting as a citizen. Councilor Loftus stated the Attorney General had asked him if he was an elected official, he acknowledged he was a Councilor for the City of Stayton. Councilor Loftus stated he then introduced Steve Frank since he was also present at that meeting as another City Councilor.

Mayor Aboud stated that it is very important that when councilors are speaking the people expect that if you are a city councilor or Mayor, that you may speaking for the Mayor or Council. The Mayor agreed with Councilor Hemshorn; when action is taken because you are a City Council member, you either need to stop that and let them know you are not speaking as a council member, nor are you speaking for the council. The Mayor stated that in this case it appears the Attorney General thought you were speaking for the council. The Mayor stated we cannot be doing that. He stated there is a process when you are not happy with something; the council needs to speak as a council. The Mayor indicated he was agreement with Councilor Hemshorn regarding the changes, they were not really changes. They were implemented well before this came up. The Mayor stated if you want something done effectively, this is not the way to do it.

Councilor Loftus stated he wanted to rebut that comment because he spent 13 months having this discussion, 14 months with Mr. Ebuanks, the City Administrator. Councilor Loftus stated the expectations he (City Administrator Eubank) lead him to believe was that there was not going to be any improvement.



Councilor Loftus stated when he saw what he considered to be potentially a criminal act; he acted outside of the Council as he did not feel the Council had the same feelings. Councilor Loftus stated he did not get answers to his questions, he felt it was necessary acting as a citizen to proceed forward.

Councilor Hemshorn had a point of inquiry; she asked how much it has cost for the City's response to these accusations by Councilor Loftus. City Administrator Eubank responded that as of February 11, 2010 the City had incurred \$7,500 we haven't received any other bills. City Administrator Eubank stated he thought we'd have more coming as a result of this Attorney General issue, estimating over \$8,000. Also, the city incurred the loss of an employee for a week and a half.

Councilor Vigil commented that he didn't know that it was necessarily a bad thing to investigate something if you have a suspicion to pursue that; you are looking out for a possible problem. Councilor Vigil stated he didn't agree that we're in a better place because, now, after going through all this as far as getting information and as far as minutes go, we haven't even seen the minutes from March 1<sup>st</sup> and by the time we do see that it's a month later. Councilor Vigil stated if anything, he's behind on just going through minutes; it is difficult to recall what happened back then. He stated this process has been drawn out way too long.

Mr. Frank said that he did not make any accusations and did not file a criminal complaint. Mr. Frank said that he attended one of the Attorney General's forums on public records. He added that Attorney General Kroger asked if his staff could contact Mr. Frank regarding the complaint. Mr. Frank was contacted by the investigator. He informed the Council that he told the investigator that he had no concerns with the City's actions. Mr. Frank said that his name is included because he happened to be at the meeting. Mr. Frank said that he made no complaint and that if it says that he was part of the original complaint, it is inaccurate.

The Mayor thanked Mr. Rhoten for his report.

### **City Administrator's Report – Don Eubank**

#### **a. Community Service Project – Shore Family Letter**

Mr. Eubank read a complimentary e-mail from the Shore Family regarding the on-going community volunteer projects, particularly work recently done on the Westown Wall. The Shores complimented city staff members Angie Lehnert, Community Participation Coordinator, and Bob Parsons, Sr. Parks Maintenance Worker for coordinating the project with Stayton High School and Corban College, who provided student volunteers for the project.

Councilor Vigil asked if we secured enough paint from the same lot to finish the wall so we can make this a priority; so it looks the same tone. Public Works Director Kinney stated you now have at least a two tone wall if not a three toned wall. He stated the wall takes so much paint, the plan is when the group is finished with the wall completely; we'll come back with a spray gun and finished off with a top coat.

Councilor Walters asked if there was any way we could fill in the holes in the wall. Public Works Director Kinney stated he is not sure how we're going to clean up everything that is there to make it all look right.

#### **b. Temporary Skate Park**

Mr. Eubank informed the Council that Stayton high school's shop class will be refurbishing the temporary skate park elements. Mr. Parson's estimate is that work will be completed before school gets out in June.

**c. Permanent Skate Park**

Mr. Eubank reported the citizens who had originally volunteered to spearhead the Skate Park development are no longer interested in leading this effort. Mr. Eubank informed the Council that he has asked the Parks Board to develop a plan of action and recommendation for consideration by the Council.

Councilor Frank inquired as to if City Administrator would like to get into the Sustainability Plan at this time. Mayor Aboud stated it is listed later on the agenda and will be discussed at that time.

**Public Works Director's Report – Dave Kinney**

**a. IWORQ Order Regis Street ADA Ramps**

Public Works Director Kinney informed the City Council that the estimated cost of installing ADA ramps at the Regis High School Driveway and E. Kathy/Regis intersection is approximately \$15,000. Doing two ramps on the south side of Regis Street at the driveway will cost approximately \$6,000. The staff will propose including some funds in the 2010-2011 budget for ADA ramp installation.

Councilor Walters asked if there was a possibility of getting volunteers to help with this project. Public Works Director Kinney stated they had not looked into that option at this time; however, they will do so. Mayor Aboud suggested contacting Regis High School and see if they had anything they were planning to do with that.

**b. Downtown Street Lights (verbal)**

Public Works Director Kinney informed the Council that the estimated cost for installing decorative street lights is \$2,000 per fixture. He and Finance Director Christine Shaffer indicated the staff will propose including \$10,000 in the 2010-2011 budget to install five lights. Councilor Vigil asked to clarify that the project would be five in a row. Councilor Walters asked if the spacing would need to be changed to obtain the appropriate lumen coverage on 3<sup>rd</sup> Avenue. Public Works Director Kinney responded that this is likely but the light coverage and spacing review has not been completed.

**PRESENTATIONS/COMMENTS FROM THE PUBLIC – None.**

**BUSINESS FROM THE CITY ADMINISTRATOR – None.**

**BUSINESS FROM THE MAYOR**

**a. Appointment of Comprehensive Plan Review Committee Members**

John Brandt	Raechelle Brown	Dan Brummer
Art Christiansen	Deb Glander	Dick Morley
Carl Sampson		

Mayor Aboud presented his list of appointments to the committee to the Council for consideration.

Councilor Loftus suggested that Luke Cranston, Russ Strohmeier and Randy Rogers be elevated to the full Committee and that three members Raechelle Brown, Carl Sampson and Dan Brummer be dropped to alternates, since they already serve on other City committees.

**Motion:** From Councilor Hemshorn, seconded by Councilor Walters, to appoint the Comprehensive Plan Review Committee members: John Brandt, Art Christiansen, Carl Sampson, Raechelle Brown, Deb Glander, Dan Brummer, and Dick Morley.

**Motion passed 3:1** (Councilor Loftus opposed); Councilor Frank abstained from voting on the motion.

**b. Appointment of Alternate Comprehensive Plan Review Committee Members**

Luke Cranston	Jody Hack	Dave Quillin
Randy Rogers	Russ Strohmeyer	Erin Turner

Mayor Aboud presented his list of alternate Comprehensive Plan review committee members.

**Motion:** From Councilor Hemshorn, seconded by Councilor Walters, to approve the appointment of the Alternate Comprehensive Plan Review Committee members: Luke Cranston, Jody Hack, Dave Quillin, Randy Rogers, Russ Strohmeyer and Erin Turner.

**Motion passed 3:1** (Councilor Loftus opposed); Councilor Frank abstained from voting on the motion.

**BUSINESS FROM THE COUNCIL**

**a. Community Sustainability Action Plan – Steve Frank**

Councilor Frank asked if we council was aware that May 2010 is Historic Preservation Month. He asked if there was some way we could throw in for revitalization, downtown revitalization. He wondered if there was something Angie could do.

Councilor Frank asked to discuss the DOJ letter as he felt that he was attacked earlier by his fellow councilor. Mayor Aboud stated the issue was already discussed by the council and that they are finished with it. Directing his comment to the city attorney, Councilor Frank said we will talk afterwards. Mayor Aboud stated, Mr. Frank we are finished with that. Mr. Frank stated he is certainly not finished with it as its completely erroneous. Mayor Aboud stated, enough Mr. Frank you are out of order.

Councilor Frank stated he appreciated the work on the Community Sustainability Action Plan as it's a very important issue, and on that note Mr. Mayor, stated Councilor Frank, I am going to leave. Directing his comment to the city attorney, Councilor Frank stated he would be talking to the Mr. Rhoten about DOJ issue.

**Councilor Frank left the meeting at 8:18 p.m.**

Mayor Aboud asked that the Community Sustainability Action Plan issue be tabled until the April 19<sup>th</sup> council meeting. City Administrator had two documents distributed regarding the Community Sustainability Action Plan. He stated that tabling the issue will give the council time to review those documents.

Councilor Loftus directed a question to the City Administrator. He stated he has looked at future agenda items from the past several meetings, and has noticed that the Riverfront Park Management Plan had been taken off. Councilor Loftus asked if there was a reason that had been eliminated from future agenda items.

City Administrator referred this question to Public Works Director Kinney. Public Works Director Kinney stated it is on the project list and will be coming back to the City Council. Mr. Kinney stated that he is waiting for revisions to the plan to incorporate the comments from the City of Salem. The staff will then share the changes with Marion County. Councilor Loftus asked for a copy of the revisions when they are ready. Mr. Kinney responded they would be distributed and a copy of the revised plan would be posted on the City's website.

Councilor Loftus stated he wanted to follow up on Councilor Frank's idea about the Police Advisory Committee and concurred that this issue needs to move forward.

Councilor Hemshorn stated she had one point to make. She stated even with all documentation we've seen regarding attacks on City staff; she has yet to see a staff person walk out during a council meeting and wished to commend the City staff for their strength as not all council meetings are easy. Councilor Hemshorn apologized if Councilor Frank feels she attacked him in reading the document from the Attorney General's Office. However, it was a point of fact that his name was listed in that document as one of the complainants.

Councilor Vigil asked if there are citizens that are interested enough to pursue the formation of a Police Advisory Committee, or if the committee is unnecessary. Acting Chief Sebens responded that the Police Department's efforts to hold a Citizen's Academy were unsuccessful because of the substantial time commitment required of volunteers to attend programs and training. Acting Chief Sebens reported there are citizens interested in serving on a committee. Councilor Vigil asked what changes the way the way the police department operates with the Police Advisory Committee. Acting Chief Sebens stated the Police Advisory Committee will be used to perform community liaison services for the department. Councilor Vigil asked whether this would take patrol officers away from their day to day service. Acting Chief Sebens indicated he would staff the committee.

Councilor Loftus complimented Acting Chief Sebens for providing timely information to the Council on the recent events, especially the threatening dog attack which charged the police officer.

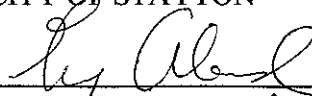
City Administrator Eubank asked the Council if it was acceptable to hold town hall meetings every four months instead of every three months. The Mayor and Council concurred.

There being no further business, the meeting was adjourned at 8:28 p.m.

APPROVED BY THE STAYTON CITY COUNCIL this 19<sup>th</sup> day of April 2010, by a 5:0 VOTE OF THE STAYTON CITY COUNCIL.

CITY OF STAYTON

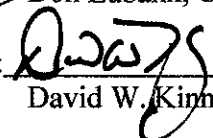

Date: 4/22/2010

By:   
Gerry Aboud, Mayor

Date: 4/22/10

Attest:   
Don Eubank, City Administrator

Date: 04/21/2010

Submitted by:    
David W. Kinney and Debbie Layman