

**STAYTON CITY COUNCIL  
MEETING MINUTES  
December 06, 2010**

**CALL TO ORDER**

**7:00 p.m.**

**Mayor Aboud**

**FLAG SALUTE**

**ROLL CALL**

Mayor Gerry Aboud  
Councilor Frank

Councilor Loftus  
Councilor Vigil  
Councilor Walters

**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  
Jeffrey M. Strickland, Assistant City Attorney  
Rebecca Petersen, Deputy City Recorder

**PRESENTATIONS/COMMENTS FROM THE PUBLIC**

- a. **Lee Hazelwood:** Mr. Hazelwood, Stayton Oregon, stated his opposition to Ordinance 932 and Resolution 864 that would approve Transportation Maintenance Fees, as the issue needs to be forwarded to the voters for their approval before any new taxes are implemented.
- b. **Larry Emery:** Mr. Emery, Stayton Oregon, stated he was in support of a Transportation Fee of \$2.00 per month per single residence, and encouraged the Council to approve the fee and implement it January 1st, 2011.
- c. **Mark Doucette:** Mr. Doucette, Stayton Oregon, asked what the Transportation Maintenance Fee was based on and stated the issue needed to be referred to the voters for their approval before any fee would be assessed. In his opinion money exists in the budget that can be moved to put toward streets.
- d. **Brian Quigley:** Mr. Quigley, Stayton Oregon, read a prepared statement regarding conduct of certain council members at a previous meeting, and their attacks on Ken Cartwright who has given so much to the community in airing the council meetings. Mr. Quigley encouraged the Council as a whole to continue filming Council meetings for the general public.
- e. **David Nielson:** Mr. Nielson, Stayton Oregon, stated he was in support of a

Transportation Fee in the amount of \$2.00 per month for residential use, and asked to pay his in advance.

## **ANNOUNCEMENTS**

**a. Additions to the Agenda:** None.

## **CONSENT AGENDA**

- a. City Council Meeting Minutes of November 15, 2010**
- b. Abstract of Election Results for 2010 General Election**

**Motion:** From Councilor Loftus, seconded by Councilor Walters, to approve the consent agenda. **Motion passed:** 4:0.

## **PUBLIC HEARING**

- a. Commencement of public hearing:** Mayor Aboud opened the public hearing at 7:10 pm.
- b. Preliminary Matters:**
  - 1. Ex parte contact, conflict of interest, bias, etc.:** None.
  - 2. Opening Statement:** Mayor Aboud read the opening statement.
- c. Staff Introduction:** None.
- d. Applicant's Testimony:** Bob Speaker, Corvallis Planner; Brian Vandetta, Udell Engineering; and Roger Roberts Property Owner, were present and provided testimony in support of the proposal. Mr. Speaker reviewed the five criteria of the how the application met approval, the Buildable Lands Inventory and properties that are included in the inventory but are not likely to develop, as well as Stayton's growth rate and the need for 40 acres of additional residential land by 2020. In conclusion he stated that the owners of the property have deep roots in Stayton and that they would produce a good development.
- e. Staff Report:** Mr. Fleishman stated the application is for an annexation, but no development plan at this time. Only six acres of land have been annexed into the City for the 2005 projections thus far. He reviewed several properties that are included in the buildable lands inventory but are in the wetland/flood plan development areas and unlikely to be developed.
- f. Questions from Council:** Councilor Walters asked if the annexation is approved by the voters, does the development plan have to comply with the original plan. Mr. Fleishman stated it would need to substantially comply with the conceptual plan. When the development plan is submitted to the city, it will be reviewed by the Planning Commission at a public hearing, with a notice of their decision provided to the City Council. Councilor Loftus asked how much time and research was put into developing the proposal. Mr. Vandetta stated several hours went into discussions with realtors, but specific hours were unknown. Mr. Speaker stated that the owners conducted a market analysis recently, as well as some years ago to determine what the market needs. A lot of the designs of the plan were dictated by layout of the property, street alignments, and character of the surrounding properties.

- g. Proponent's Testimony:** None.
- h. Opponent's Testimony:** None.
- i. Governmental Agency Testimony:** None.
- j. General Testimony:** None.
- k. Questions from the Public:** None.
- l. Questions from the Council:** Councilor Loftus asked how soon the subdivision would be proposed. Mr. Roberts stated developing the property would be economy-driven and likely is at least one or two years away.
- m. Applicant's Summary:** Mr. Speaker stated the applicants had no further comments.
- n. Staff Summary:** Mr. Fleishman stated he had no further comments.
- o. Close of Hearing:** Mayor About closed the public hearing at 7:45 pm.
- p. Council Deliberation:** Mr. Frank stated he did not see the need for additional housing inside the city limits, as it puts a burden on the infrastructure and an over riding burden on the general population.

Mayor About read the closing statement.

**UNFINISHED BUSINESS** – None.

**NEW BUSINESS**

**Ordinance No. 932 Adopt SMC 3.30 Establish a Transportation Maintenance Program**

- a. Staff Report:** Mr. Kinney reviewed the staff memorandum included in the Council packets.
- b. Council Deliberation:** Councilor Loftus asked Mr. Kinney why the City has neglected maintaining the streets and sidewalks over the years. Mayor About stated, City Council's have never stepped forward to take care of them, and its not staff's fault, its up to the Council to set priorities. Mr. Kinney provided a historical perspective of street improvement projects and the combination of factors involved in why they have not been maintained. Councilor Vigil stated eventually a fee could be a good thing, but that he would like to take a look at more budget adjustments before a new fee is implemented. Councilor Walters stated \$2.00 per month is not bad as its something to start with, and its time to do something.
- c. Council Decision:**

**Motion:** From Councilor Frank, seconded by Councilor Walters, to move to adopt

Ordinance 932 as amended by title only. (*The amendment was to set appeal fees by separate resolution*). Motion passed: 3:1 (Vigil)

**Resolution No. 864 Approving Transportation Maintenance Fees** – This item was deferred to the December 20, 2010 City Council meeting.

**Resolution No. 865 Referring Petitioner Initiated Annexation 17.5 acres north/Shaff Road.**

a. **Staff Report:** The staff report was included in the public hearing portion of the meeting.

b. **Council Deliberation:** None.

c. **Council Decision:**

**Motion:** From Councilor Vigil, seconded by Councilor Loftus, to move that the City Council adopt Resolution No. 865 as drafted, regarding the application of Roger and Joan Roberts and RJR Properties Co. for annexation (Land Use File# 12-09/10), and refer the application to the electors of the City for the May, 2011 election.

**Discussion:** Councilor Loftus stated he would like to see Oakmont as a city street. Mayor Aboud stated when the new Mill Creek Sewer line was installed it provided ample sewer services for the proposed development. Councilor Vigil stated if the proposed development is laid out such as that of Mountain Estates with large lots, having only one access into the development would not be a problem. Councilor Walters stated the developer will do a fine job, the development is nicely done, and these are the city's future customers. It's a win win for everybody. Councilor Loftus stated the development would give the community more housing, would add additional funds to the city tax base, and there are enough checks and balances built into the process to make it a good development.

**Motion passed:** 3:1 (Frank)

**STAFF/COMMISSION REPORTS** – None.

#### **PRESENTATIONS/COMMENTS FROM THE PUBLIC**

a. **Mark Doucette:** Mr. Doucette requested clarification of how a business is defined, referring to the Safeway complex and the number of various businesses that are located on the property.

b. **Russ Strohmeyer:** Mr. Strohmeyer stated that the opportunities the City has with Ken Cartwright should not be ruined because of a few people.

#### **BUSINESS FROM THE CITY ADMINISTRATOR**

a. Mr. Eubank reviewed several upcoming meeting dates.

**BUSINESS FROM THE MAYOR** – None.

**BUSINESS FROM THE COUNCIL**

a. Councilor Loftus stated he wanted to make a point of clarification that in no way shape or form will the City dis-continue to broadcast the videos of Council meetings, and that the City will continue with the PEG Commission.

**ADJOURN**

There being no further business, the meeting was adjourned at 9:00 pm.

APPROVED BY THE STAYTON CITY COUNCIL this 20th day of December 2010, by a 4:0 VOTE OF THE STAYTON CITY COUNCIL.

*Scrivnor's Note: The approved meeting minutes were not signed by Mayor Aboud before his term ended 12-31-2010; therefore they are being signed by the newly elected Mayor Vigil.*

CITY OF STAYTON

Date: 1/18/11

By: [Signature]  
A. Scott Vigil, Mayor

Date: 1/18/11

Attest: [Signature]  
Don Eubank, City Administrator

Date: 01/10/2011

Transcribed by: [Signature]  
Rebecca Petersen, Deputy City Recorder