

**STAYTON CITY COUNCIL
MEETING MINUTES
Tuesday, January 17, 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, excused
Rich Sebens, Chief of Police, excused
Michael Meeks, Sergeant Stayton Police Department
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
Rebecca Petersen, Deputy City Recorder

PRESENTATIONS/COMMENTS FROM THE PUBLIC

a. Susan Brandt, Stayton: Ms. Brandt stated she has worked on previous Local Option Levy Campaigns and will be supporting the upcoming Local Option for the May 2012 Primary. In talking with citizens one thing that helps pass the levy, is to present it as a package including parks, library and pool. Since the levy is for a four year period and the economy is getting better, she encouraged the Council to look at higher than a \$.60 rate, possibly \$.65 or even \$.63 to cover inflation, or revenue will be lost. When people are contemplating moving to a new community they look at what amenities the city has and are more likely to move to an area that funds their library's, parks and pools.

ANNOUNCEMENTS

a. Additions to the Agenda: Mr. Eubank added discussion of Legislative Updates under Business from the City Administrator, and an appointment for the Planning Commission student position under Business from the Mayor.

b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.: None

CONSENT AGENDA

a. City Council Meeting Minutes of January 03, 2012

Motion: From Councilor Loftus, seconded by Councilor Emery, to adopt the consent agenda.

Motion passed: 5:0.

PUBLIC HEARING - None

UNFINISHED BUSINESS - None

NEW BUSINESS

Local Option Levy

- a. **Staff Report:** Mr. Eubank stated that Ms. Shaffer was ill and would not be attending the meeting tonight. He presented the Memorandum prepared by Ms. Shaffer that was included in the packet materials. Referring to Option 4, Mr. Eubank stated that using the tax rate of \$.60 per thousand would levy a tax of \$324,500 in year one and increase to \$344,390 in year four (with a 2% annual increase built in), but the funding for the dehumidification system would be short by \$133,455. The Santiam Community Endowment is willing to donate \$10,000 a year over the four year levy, and Friends of the Pool have indicated they would submit a grant application to the Meyer Memorial Trust for a match to the Endowment's donation.
- b. **Council Deliberation:** Councilor Loftus suggested venting the pool structure to help with the humidity in the pool. Mr. Kinney stated that the proposal is to recirculate air inside the pool building instead of pushing it all outside. The mechanical engineer concluded that 50% more air needs to be pumped to better circulate the air.

Councilor Emery stated he looked at the ceiling beams and they are not cracked and the steel brackets don't show any rust but they will eventually; but the mechanism holding the slide is showing rust. The city should not spend \$350,000 on a dehumidification system in this economy, he said.

Mayor Vigil stated that personally he would not like to see the rate higher than \$.60. The City needs to maintain the pool and library operations and some funds need to be put into the park budget. If the pool is properly maintained it will last longer. If the locker room remodel is not done, and the dehumidification system is not installed it would be a savings to put some funding into parks.

Councilor Quigley asked if there was a particular percentage range on the match for applying for grants. Mr. Kinney stated for parks grants you would need to use foundation money, along with state parks money and local dollars. It's a little more difficult to get funding for pools and state parks grants don't usually support funding pools. If there is no grant match it is difficult to put together a competitive proposal. Local support should be cash, volunteer contributions, staff support, in kind contributions from contractors and or other community groups.

Councilor Loftus asked if general fund money could be moved later in the year for the pool to match a grant, or does it have to be in the fund. Mr. Kinney stated typically it needs to be shown that the monies are budgeted and reserved for the project. In response to a question as to whether or not parks systems development funds could be used for grant matches, Mr. Kinney stated the funds could be used only on projects that expand or provide facilities that will serve new growth.

Councilor Emery asked if all the funds received over the four year period needed to be collected before it could be spent. Mr. Eubank stated the money would be borrowed from the replacement fund for the installation, then the \$91,250 would be paid back each year, all of the funds would not have to be paid before the work could be done.

Councilor Emery suggested \$5,000 for the ADA requirements at the library, \$75,000 for the locker room remodel at the pool, \$50,000 to relocate the slide, and \$100,000 for parks, for a total of \$230,000; a lot of items could be done instead of just one, he said. Mayor Vigil pointed out that the hard sell for the levy will be the parks. If the library and pool have specific amounts for specific needs it would be wise to have a project in mind for parks. Mr. Kinney stated the two projects that have been talked about by the Parks Board over the past year is the rehabilitation of Pioneer Park, specifically the restrooms will be refurbished and expanded, the entrance to the park modified, and the center road and parking lots relocated. The cost estimates were well over half a million dollars but if parts of the project were done such as the restrooms being refurbished, it could be done without matching grant funds. The other project was the skatepark. Councilor Emery stated the restrooms at the pool need more than rehabilitation, they need a total redesign.

Councilor Loftus stated he would like to see additional revenue support to the library for the story teller position. You're not going to sell the voters on a dehumidification system at the pool, but you could probably sell them on upgrades to the restroom at the pool. They will support the library, and if upkeep on the pool is maintained it will last for a long time. Councilor Loftus stated he would like to see the rate less than \$.60.

Councilor Niegel stated she does not want to give up on the HVAC system, and putting another \$125,000 in the pool knowing there will be other problems needs to be addressed at some point. Councilor Loftus stated the condensation needs to be vented out of the building, and a better use for the money would be to spend it on double paned windows.

Councilor Porter asked if any studies had been conducted for venting or double pane windows. Councilor Emery asked if the humidity is worse in the winter than summer, and Ms. Meeks stated yes.

Councilor Quigley stated he would like to stay at \$.60 per thousand, and the second piece is to talk to the endowment about numbers. A work session was scheduled for Monday, January 23rd to continue the discussion.

STAFF/COMMISSION REPORTS

Finance Director's Report – Christine Shaffer

- a. **Monthly Finance Department Report:** No discussion.

Chief of Police's Report – Rich Sebens

- a. **Statistical Report for December 2011:** Sergeant Meeks highlighted response for calls at the Police Department, and stated they were busier than average for the New Year, but with supervisors, officers and reserves working they were able to handle all of the calls. The dedication of reserve officers is very much appreciated and all the good work they do for the city. In response to a question from Councilor Loftus as to why the warrants are down,

Sergeant Meeks stated he did not know why they are down as there was no definite pattern and the Police Department did not do anything different that month.

Director of Planning & Development – Dan Fleishman

a. Sign Code: Mr. Fleishman stated at a previous meeting last fall the Council expressed the desire to review the sign code, specifically signs that conform to the sign code and those that do not. Mr. Fleishman provided a showing of various signs in and out of compliance. Mayor Vigil stated the Council had been provided with a good start and asked those needing further clarification to contact Mr. Fleishman directly. If enough interest is expressed by councilors the subject can be brought back at another meeting.

Public Works Director’s Report – Dave Kinney

a. Monthly Operating Report for December 2011: Mr. Kinney reviewed the monthly operating report. Councilor Porter asked how long the city has kept track of the street sweeper detailed records of the amount that is picked up. Mr. Kinney stated records have been kept since the 1990s.

Pool Manager – Rebekah Meeks

a. Monthly Operating Report for December 2011: Ms. Meeks stated total attendance is up at the pool and with the new membership program staff is able to get a better head count of patrons.

Library Director’s Report – Louise Meyers

a. December 2011 Activities/Statistics: Ms. Meyers reported that the cultural passes are a big hit at the library. She corrected the total number of internet users that was reflected on her staff report. In response to a question as to meeting room attendance and who does it cover, Ms. Meyers stated it covers all uses of the meeting room and those that enter the room.

PRESENTATIONS/COMMENTS FROM THE PUBLIC – None.

BUSINESS FROM THE CITY ADMINISTRATOR

a. Legislative Updates: Mr. Eubank stated he had been visited recently by Councilors Loftus and Quigley regarding questions relating to the Legislative Update 2010/2011 document, that was distributed in December from the city attorney’s office, and that they were requesting additional information on the changes. The city attorney’s office sent out an email hoping to explain the process, and Mr. Strickland is prepared to answer questions the Council has, stated Mr. Eubank.

Councilor Quigley stated his questions were answered by Mr. Strickland before the meeting. Councilor Loftus stated that previous amendments have shown the actual text making it better to understand what the changes are. Without reviewing what the actual text changes are it is difficult to make an informed decision. The document provided by legal counsel cites the Stayton Municipal Code Section, Reference to the Oregon State Statute and Oregon Administrative Rules, Affected Sections, and the Law Status. Councilor Loftus stated he had already spent approximately ten hours comparing the side

by side text documents to ascertain what the specific changes were, and that he could and would not adopt the document as presented, as it would just be adopting a bunch of numbers. Councilor Emery stated he opened the document and determined that he did not have the time to read it all. Councilor Loftus stated he felt he had a legal and moral obligation to read it and understand the entire document so he could make an informed decision. Councilor Porter stated his recollection was that Mr. Strickland was going to provide some interpretation of the document, or that the Council was. Councilor Niegel stated when a person serves on a board they have the right to reasonably rely on the expertise of legal counsel, and she believes Mr. Rhoten and Mr. Stickland are doing the right thing. Mr. Rhoten stated previous reports following each of the legislative sessions over the past twenty years has been provided to the city from their office. The last report submitted included the reference to the code and where the amendment fit into the code. It took approximately six months for his staff to prepare the document, and a decision was made that the amendments to the 2010/2011 Legislative Changes would be modified to stream line the process. Legal staff and department heads reviewed the document for radical changes and there were none found. If the Council chooses to modify the document and add the text his office will proceed. The City of Beaverton goes through the same process he said.

In response to a question as to what if the city chose not to adopt the amendments, Mr. Rhoten stated no changes in the state law would be reflected in the municipal code. Consensus of council members was that they did not want to spend any further legal time on the document that it was sufficient the way it had been presented.

BUSINESS FROM THE MAYOR

a. Planning Commission Appointments:

Motion: From Councilor Emery, seconded by Councilor Quigley, to approve the re-appointment of Michelle Wonderling to the Planning Commission and appointment of James Guerra to the Stayton Planning Commission Student Position.

Motion passed: 5:0.

b. Budget Committee Appointments: Mayor Vigil called for a motion to ratify his reappointment of Shannon Tureck to the Budget Committee and appoint Gerry Aboud to the Budget Committee; no motion was made.

Discussion: Councilor Quigley asked whose terms were up on the budget committee and why was the rest of the council not made aware of the potential appointments. Mayor Vigil stated the two terms that expired December 31, 2011 were Michael Aus and Shannon Tureck. Councilor Loftus stated he had personal issues with Mr. Aboud in his narrow mindedness and his inability to accept outside communication. He recognizes Mr. Aboud has a lot of history in the community, but would hope another interested individual could be found. Councilor Niegel stated she would like to see an application process in place to gain more input on the candidates before they are appointed. Mayor Vigil stated Mr. Aboud would be a great member of the Budget

Committee as he has served on the committee before as both Mayor and Councilor. You need to look at what's good for the town and not look at the personal issues; Mr. Aboud has extensive knowledge and would be a great asset. Mr. Tureck is a commercial property owner and lives in town, he would represent those areas. Mayor Vigil stated he would rather not go through an application process and it's difficult to get citizens interested in serving on committees. Councilor Niegel stated it is up to the City Council to create a Budget Committee according to Budget Law. Mr. Rhoten stated all appointments are made by the Mayor, with ratification from the Council. The Charter specifically gives the Mayor the authority to appoint, with the Council to ratify.

BUSINESS FROM THE COUNCIL – None.

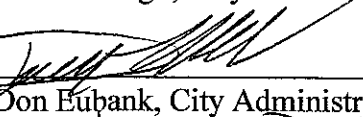
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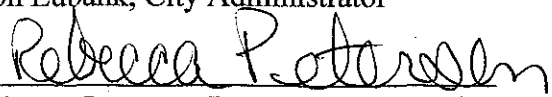
There being no further business, the meeting was adjourned.

APPROVED BY THE STAYTON CITY COUNCIL this 6th day of February 2012, by a 3:0 VOTE OF THE STAYTON CITY COUNCIL.

CITY OF STAYTON

Date: 02-13-2012 By: 
A. Scott Vigil, Mayor

Date: 2-13, 2012 Attest: 
Don Eubank, City Administrator

Date: 02/13/2012 Transcribed by: 
Rebecca Petersen, Deputy City Recorder