

**STAYTON CITY COUNCIL
MEETING MINUTES
January 19, 2010**

CALL TO ORDER

7:00 p.m.

Council President Hemshorn

FLAG SALUTE

ROLL CALL

Mayor Gerry Aboud, excused	Councilor Loftus
Councilor Frank	Councilor Vigil
Councilor Hemshorn	Council 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
Rebecca Petersen, Deputy City Recorder

PRESENTATIONS/COMMENTS FROM THE PUBLIC

a. Spotlight: Results of Invasive Plant Survey along North Santiam River: Jennifer Meisel, Marion Soil and Water Conservation District (MSWCD) presented results from a survey that was conducted during the Summer of 2009. The AmeriCorps Crew working for MSWCD conducted the survey on private and public lands along the North Santiam River and the lower portions of 27 tributaries in Marion County from Whitewater Creek above Idanha through the City of Stayton. In response to a question as to what would be the city's involvement now that they have been provided with the survey results, Mr. Kinney stated the Park and Recreation Board will be reviewing the survey results and how they impact the city parks. In response to a question as to who had more invasive plant species on their property, Ms. Meisel stated the majority was on private property with the exception of the upper property which is Forest Service land.

b. Community Survey: Angie Lehnert, Community Participation Coordinator with AmeriCorp working for the City of Stayton, and Dan Fleishman gave an overview of the survey results. The survey represents citizen opinions in Stayton, 2500 surveys were distributed and 300 were hand delivered to multi-family rental units. A total of 419 completed surveys were returned of the 2800 distributed. Various sections of the survey were discussed and how each was ranked. Mr. Eubank stated that staff will take into consideration public comments and concerns outlined in the survey when budgeting for the

next fiscal year. Council members complimented Ms. Lehnert and Mr. Fleishman for a fine survey.

c. Citizen Concern: Ruben Sisto, 930 E. Santiam, Stayton. Mr. Sisto stated recently he received a letter from the city of Stayton notifying him of an address change to his residence. It's a real inconvenience to have to change your address. He indicated an adjoining property owner also received the letter. Mr. Eubank stated that staff is working on the issue and will be in contact with the residents soon.

ANNOUNCEMENTS

a. Additions to the Agenda: None.

CONSENT AGENDA

- a. Approval of City Council Meeting Minutes of January 04, 2010**
- b. OLCC License Renewals for 2010**

Motion: From Councilor Frank, seconded by Councilor Loftus, to approve the consent Agenda. Motion passed 5:0.

PUBLIC HEARINGS – None.

UNFINISHED BUSINESS

Ordinance 917, Readings by Title Only

- a. Staff Report:** Mr. Rhoten reviewed the staff report included in the council packet materials.
- b. Council Deliberation:** None.
- c. Council Decision:**

Motion: From Councilor Frank, seconded by Councilor Loftus, to direct that Ordinance 917, amending provisions of Chapters 2.04, 2.08, 2.12, 2.20, 2.52 & 2.60 of the Stayton Municipal Code, to reflect the 2010 City of Stayton Charter Language, and declaring an emergency designating January 01, 2010 as the effective date, be read for the first time by title only. **Motion passed:** 5:0.

The Deputy City Recorder read the proposed ordinance for the first time by title only.

Motion: From Councilor Frank, seconded by Councilor Loftus, to approve the first reading of Ordinance No. 917 amending provisions of Chapters 2.04, 2.08, 2.12, 2.20, 2.52 & 2.60 of the Stayton Municipal Code, to reflect the 2010 City of Stayton Charter Language, and declaring an emergency designating January 01, 2010 as the effective date. **Motion passed:** 5:0.

Motion: From Councilor Frank, seconded by Councilor Loftus, to direct that Ordinance No. 917, amending provisions of Chapters 2.04, 2.08, 2.12, 2.20, 2.52 & 2.60 of the Stayton Municipal Code, to reflect the 2010 City of Stayton Charter Language, and declaring an emergency designating January 01, 2010 as the effective date, be read for the second time by title only. **Motion passed:** 5:0.

Ms. Petersen read Ordinance No.917 for the second time by title only.

Motion: From Councilor Frank, seconded by Councilor Loftus, to approve the second reading of Ordinance No.917 and direct the Mayor to execute the Ordinance as enacted. **Motion passed** 5:0.

Revised COLA for Represented Employees

- a. **Staff Report:** Mr. Eubank reviewed the staff memorandum included in the council packet materials.
- b. **Council Deliberation:** None.
- c. **Council Decision:**

Motion: From Councilor Frank, seconded by Councilor Walters, to approve the COLA for both bargaining units of 2.3%. **Motion passed:** 5:0.

NEW BUSINESS

OLCC Change of Ownership Application – Cheers on First (from Bella’s Italian Grill)

- a. **Staff Report:** Mr. Sebens reviewed the staff memorandum included in the council packet materials.
- b. **Council Deliberation:** None.
- c. **Council Decision:**

Motion: From Councilor Vigil, seconded by Councilor Loftus, to forward a recommendation of approval to the Oregon Liquor Control Commission regarding the application of Cheers on 1st. Motion passed: 5:0.

Proposed COLA Management/Non-Representative Employees

- a. **Staff Report:** Mr. Eubank reviewed the staff memorandum included in the council packet materials.
- b. **Council Deliberation:** In response to a question as to how much it would cost the city to fund the management non-represented employees COLA, Mr. Eubank stated it would be around \$6,000 for the rest of the fiscal year. The total amount would be \$30,000 for both the union employees and the management/non-union employees.

Councilor Loftus stated he could not support a management COLA. With the current economic situation and the unemployment rate that keeps going up a lot of folks are grateful to have a job and would probably even take a pay cut to keep the job. The money could be better used to fund improvements for streets and sidewalks.

Councilor Walters stated that staff is doing a good job and the council owes it to them to make sure they are granted a COLA.

Councilor Vigil stated he was concerned that in the future Stayton might not be doing as well and that the money could be utilized in a better way.

Councilor Frank stated it's an issue of fairness and there's a certain amount of equitability in it. It makes sense to move forward with the promises that the council made to staff.

c. Council Decision:

Motion: From Councilor Frank, seconded by Councilor Walters, to approve a 2.3% Cost of Living Adjustment for management and non-union employees effective January 01, 2010. Motion passed: 4:1 (Loftus)

Opportunity to Apply for Enterprise Zone Designation

a. Staff Report: Mr. Fleishman reviewed the staff memorandum included in the council packets. Ray Burstedt, President of Strategic Economic Development Corporation (SEDCOR) was present to answer questions regarding the zone.

b. Council Deliberation: Councilor Frank read a prepared statement opposing the formation of an Enterprise Zone designation and gave examples of jurisdictions that had formed the districts that were not successful. Councilor Loftus stated he would like to see what kind of impact the zone would have on the school district and fire districts. Councilor Vigil stated it's an ideal time to apply for the designation as it's not taking money out of the citizens' pockets. Councilor Walters and Hemshorn stated they too support an Enterprise Zone district as the community survey pointed out that the citizens wish to see more locally owned businesses in Stayton.

c. Council Decision:

Motion: From Councilor Loftus, seconded by Councilor Walters, to move to authorize the City Administrator to begin the preliminary process of submitting an application to the Oregon Business Development to sponsor an Enterprise Zone to include the Wilco Road industrial area and the remainder of the Census Bureau Block Group 4, and return to the City Council for consideration of a resolution supporting the application. 4:1 (Frank)

Discussion: The code is penalizing an owner for owning lots that are next to each other, if they were one apart it would be ok. Mr. Fleishman stated that the current code states multiple properties in common ownership need to be combined to the extent necessary to meet the dimensional requirements of the code.

Motion Passed: 5:0

STAFF/COMMISSION REPORTS

City Administrator's Report – Don Eubank

- a. **Town Hall Forum Feedback:** Mr. Eubank stated the Town Hall Forum on January 14th was well represented by the community and the city's accomplishments for 2009 were reviewed. The discussion of forming a committee to discuss various issues in the code and SDC's was suggested by Councilor Loftus and have local citizens serve on the committee and make recommendations to the Council. The formation of the committee will wait until Mayor About returns from vacation.

Finance Director's Report – Christine Shaffer

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

Acting Police Chief's Report – Rich Sebens

- a. **Statistical Report for December 2009:** No discussion.

Library Director's Report – Louise Meyers

- a. **December 2009 Activities/Statistics:** There were no questions asked.

Public Works Director's Report – Dave Kinney

- a. **December 2009 Monthly Operating Report:** There were no questions asked.

Pool Manager – Rebekah Meeks

- a. **December 2009 Monthly Operating Report:** Ms. Meeks reviewed the recent pool closure to install the new pump and motor, the pool newsletter and the formation of a Friends of the Pool committee.

PRESENTATIONS/COMMENTS FROM THE PUBLIC – None.

BUSINESS FROM THE CITY ADMINISTRATOR – None.

BUSINESS FROM THE MAYOR – None.

BUSINESS FROM THE COUNCIL

- a. **Council President Business:** Councilor Hemshorn stated a greeters session would be taking place on the 20th which she would not be able to attend, and asked if another councilor would be present for an opening of a new business. Councilor Loftus stated he would probably be able to make the event.

- b. **Councilor Vigil Comments:** Councilor Vigil stated the Park and Recreation Board would like to pursue a grant for Santiam Park. He also stated that recently he viewed a video of a meeting held by Congressman Schrader that was attended by a city council member from Stayton. The council member was not representing the city and his attendance at the meeting was not an issue.

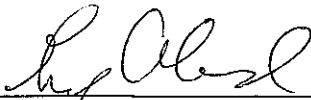
ADJOURN

There being no further business, the meeting was adjourned.

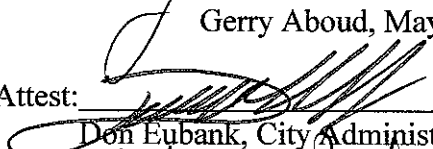
APPROVED BY THE STAYTON CITY COUNCIL this 16th day of February 2010, by a 4:1 (Loftus) VOTE OF THE STAYTON CITY COUNCIL.

CITY OF STAYTON

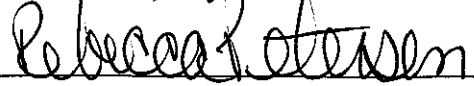
Date: 2/17/2010

By: 
Gerry Aboud, Mayor

Date: 2/17/2010

Attest: 
Don Eubank, City Administrator

Date: 02/17/2010

Submitted by: 
Rebecca Petersen, Deputy City Recorder