

**STAYTON CITY COUNCIL  
MEETING MINUTES  
March 1, 2010**

**CALL TO ORDER**

**7:02 p.m.**

**Mayor 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: Partnership with Stayton High School – Painting of Westown Wall:** Community Participation Coordinator Angie Lehnert informed the City Council that she has been working with Stayton High School's (SHS) Associated Student Body advisor. Each SHS student is required to provide 10 hours of community service each school year in order to fulfill their graduation requirements. Ms. Lehnert stated that she and Parks Maintenance Supervisor Bob Parsons have identified several projects students can assist the City with. One of these projects was repainting the Westown Wall along Gardner Avenue. She presented slides showing students cleaning off graffiti and painting the first sections of the wall during a February 19, 2010 service day. Ms. Lehnert stated that she would be looking for more volunteers from the two high schools to continue painting the wall, parks maintenance projects, painting fire hydrants, community art projects, and cleanup of the Welcome to Stayton signs at the city entries, community garden improvements, as well as work activities at the Library, Pool, and Police Department. She added that City Administrator Don Eubank and she have talked about creating a "volunteer" volunteer coordinator who could take over once she completes her program in Stayton. Mayor About thanked Ms. Lehnert for her good work.

**PUBLIC COMMENTS**

- a. **Mr. Wesley Clayton:** Mr. Clayton stated that he did not find the Council agenda for this meeting on the City's web site and encouraged the City to post the agenda on the website prior to the meeting.

**ANNOUNCEMENTS**

- a. **Additions to the agenda – None.**

## CONSENT AGENDA

- a. **Explanatory Statement for the Urban Renewal Plan:** Mayor Aboud noted that the statement has been approved by the City Attorney and reviewed by staff and is ready for Council action.

**Motion:** From Councilor Vigil, seconded by Councilor Frank, to approve the explanatory statement for the Urban Renewal Plan to be published in the Marion County voter's pamphlet. **Motion passed 5:0**

**PUBLIC HEARINGS** – None.

## UNFINISHED BUSINESS

### Policy Establishing Procedure Regarding Council Communications with City Administration

- a. **Staff Report:** Mr. Eubank reviewed his staff report and provided additional explanation of his comments. He stated that at the February 16, 2010 Council meeting he was directed to prepare a written policy to establish a procedure for the appropriate interaction between individual councilors and the City Administrator, and the Council shall ensure that all City employees, including the City Administrator, will not be subject to individual councilor undue influence, interference with the business of the City or conduct which lacks civility and respect. Mr. Eubank then read the proposed Council policy:

#### **A Policy Establishing a Procedure Regarding Council Communications with the City Administration.**

Declaration: It is the policy of the Stayton City Council to ensure that all employees, including the City Administrator, are not subjected to the Mayor's or individual Councilors' undue influence, interference with the business of the City or conduct which lacks civility and respect.

#### Implementation:

1. Mayor/Councilor communications regarding City business shall be addressed directly to the City Administrator.
2. Depending on the subject matter, the City Administrator may address the issue, refer it to a Department Manager or refer it to the Stayton City Council.
3. Due to potential liability issues, complaints or concerns about City Staff shall not be discussed in a public forum and will be handled in accordance with City policies and current Employment Agreements.
4. This implementation shall remain in force and effect for six months subject to Council's further review.

Mr. Eubank noted the policy was developed in accordance with the Mayor's letter to the Council dated April 14, 2009 and Councilor Walter's "Council Communication" presented to the Council at the February 16, 2010 meeting, which are both attached to the proposed policy.

Mr. Eubank encouraged councilors to contact the City Administrator in accordance with the above policy at any time to discuss City business, including the accuracy of the Council meeting minutes and other documents, and that the councilors give the City Administrator sufficient notice to be able to respond in a timely manner. He added he has worked hard to encourage City staff, citizens, and councilors to contact him at any time. He stated he has written the proposed policy to make sure the City government will remain productive, enable the staff to do their jobs to the best of their abilities, and not have to respond to last minute requests. Mr. Eubank stated that he believes the proposed policy will enable the staff to handle requests appropriately, effectively, and efficiently.

He stated under implementation section #1 this will help him to direct issues to the proper department head and then provide answers in a timely manner. The policy will not affect informal contacts with the City Administrator. Mr. Eubank noted that although Section 18 of his employment agreement addresses the issue of Council interference in the City Administrator's duties, he stated

that this is proposed as a Council policy and the proposed policy does support this section of his contract.

Under implementation section #2, Mr. Eubank said if he cannot address an issue he will contact the department head directly or by email, and will provide the Mayor and Council a copy of his email to that department head. The department head will then be able to consider and respond to the City Administrator and the appropriate elected official.

Mr. Eubank informed the City Council that the City has an approved administrative policy in place to handle citizen complaints and concerns. Mr. Eubank stated that he believes the proposed communication policy is a sound policy and will get the administration of the City back on track.

- b. **Council Deliberation:** Mayor Aboud said that the policy establishing the procedure between the Council and City Administrator was the result of a motion passed by the Council at the prior meeting. He asked if the Council was happy with the proposed policy, if councilors wished to make changes or if they had comments.

Councilor Loftus asked how the proposed policy differs from the current policy. Mr. Eubank explained that it differs in that in the past he has had an open door policy which allowed individual councilors to contact department heads directly. He noted that the direct communication with department heads has led to duplication of effort and work, and to some miscommunications and interpretations. He stated that he believes the new policy directing contacts to the City Administrator will eliminate this confusion and uncertainty.

Councilor Loftus then asked if the City Administrator has the prerogative to prevent any councilor from accessing or getting information on Council business. Mr. Eubank responded that he would give information to the councilors when it is appropriate. Councilor Loftus asked who would make that decision. Mr. Eubank answered that it would be up to him or the department head to make that judgment. Councilor Loftus asked if a Councilor could request the same information making a "freedom of information request" to the City. Councilor Loftus noted there is a section of the Council policy that if a request for information from an individual Councilor will take more than 20 minutes of staff time then it will take the consent of the City Council to do that research. Mr. Eubank said that he would try, with the assistance of staff, to answer questions to the best of his ability. If information is available and it is a reasonable request Mr. Eubank stated that he would do his best to answer councilor inquiries as he has in the past. Mayor Aboud said that implementation section #2 is clear that the City Administrator can respond, direct the issue to a department head or refer the issue to the City Council.

Councilor Vigil stated that he agrees with the proposed policy. Mr. Vigil noted that the written policy presented by the City Administrator did not include all the procedures presented in his oral presentation. He stated that he supports the policy fully. Mayor Aboud stated that the policy may evolve over time. Mayor Aboud stated that the Council vote will be whether or not to support the Declaration and four implementation measures as presented.

- c. **Council Decision:**

**Motion:** Councilor Hemshorn, seconded by Councilor Walters, moved to adopt the policy for Council Communications with the City Administrator as presented.

**Discussion:** Councilor Frank said he has no problem abiding by the proposed policy, but expressed his concern and sadness that it will close off communication with department heads. He did not support the methods and procedures used to present and adopt the policy. Councilor Frank stated that he does not support the way this problem is being handled.

Mayor Aboud noted that under Section 4, the policy will be in place for six months.

Councilor Frank stated it is inappropriate for members of the audience to say things or make negative comments during Council discussion. Mayor Aboud concurred and asked citizens to keep comments to themselves.

City Administrator Eubank responded to Councilor Vigil's comments and said that his goal is to hold himself and the department heads accountable for responding to councilor inquiries.

Councilor Walters said that he hates having to do this, but stated that the problem needed to be addressed. Mayor Aboud called for a vote on the issue.

**Motion Passed 3:1 (Councilor Frank opposed; Councilor Loftus abstained)**

## **NEW BUSINESS**

### **North Santiam School District Grant Request**

a. **Staff Report:** Finance Director Christine Shaffer explained the North Santiam School District (NSSD) has requested a community grant to pay for the application fees for their permit to construct an outdoor school classroom and greenhouse at the Stayton Middle School. She said the City has \$150 remaining in the community grant fund.

b. **Council Deliberation:** None.

c. **Council Decision:**

**Motion:** Councilor Frank, seconded by Councilor Loftus, moved to award the North Santiam School District a \$150 grant.

**Discussion:** Councilor Vigil asked if the City has other funds or the ability to waive building permit fees. Ms. Shaffer stated that the NSSD has not yet obtained their permits and the building permit fees, except for the City's administration fee, are passed through to Marion County.

Planning and Development Director Dan Fleishman informed the Council the building will be placed on the east side of the Middle School and the placement of the building has received the necessary land use approval.

**Motion Passed 5:0**

### **Resolution No. 846 Facility Rules and Regulations**

a. **Staff Report:** Mr. Sebens explained the proposed Resolution updates the City's facilities use permit process and addresses issues the City has had in the past. Some of these issues include damage to the facilities, theft, and cleanliness of the facilities. Under the existing rules the police officers do not have the ability to deal with these problems as they arise and it is difficult for staff to recoup costs from the users. The other changes address the modification to the alcoholic beverage use policy to allow consumption in the City facilities.

- b. **Council Deliberation:** Councilor Loftus inquired about Sections (h) and (i) on page 8 of the proposed Resolution. He raised questions about the limitations on the alcoholic beverages which will be permitted. He asked how the police officer makes a distinction between the types of alcoholic beverages being consumed. Councilor Loftus stated that he thought the Council had provided direction to staff to allow all types of alcoholic beverages and not limit use to just beer, wine, and champagne. He concurred with the limitation on the use of kegs of beer. Under subsection (i), he suggested adding a section to require the applicant to create a demarcation line with tape, barriers, streamers or other method to denote the areas where alcohol can be served.

Mr. Sebens said that he may have misunderstood the Council's prior direction on the type of alcohol that can be consumed. As far as cans and bottles, it is difficult for officers to know whether or not a minor is consuming a beverage in a glass that may have alcohol added to it. Mr. Sebens said he attempted to address this issue by adding restrictions allowing only cans and bottles. Councilor Frank suggested allowing any type of alcoholic beverages. Councilor Loftus stated he liked the addition of the prohibition on kegs. Councilor Vigil noted that prohibiting kegs might prevent the use of the parks for events where micro-brews are served, since these normally are provided in kegs.

Mayor Aboud indicated that the original issue on the use of alcoholic beverage was raised to allow the toasting of wine/champagne at the Jordan Bridge or the consumption of wine at Library Foundation fundraising events.

Mr. Sebens said that the proposed resolution will allow alcoholic beverages at the Jordan Bridge, the Community Center, the library and designated areas of the park. Councilor Vigil said his intent is to prevent private users mixing hard drinks on site.

Mr. Sebens said one option is to substitute the word "alcoholic beverage" in place of "beer and wine" within the resolution. Councilor Vigil commented that he would like to prohibit the use of distilled spirits.

Mayor Aboud polled the council. Councilors Hemshorn, Vigil, and Walters agreed with prohibiting "distilled spirits". Councilors Loftus and Frank supported allowing all types of alcohol.

Mayor Aboud polled the Council. Councilor Vigil suggested that alcohol be permitted, with no distilled spirits. Councilors Loftus, Walters, and Hemshorn supported this alternative.

Mr. Sebens read proposed changes to the resolution:

1. Throughout the Resolution substitute "alcoholic beverage" for "beer and wine", but prohibits serving distilled spirits in any City facility and park location.
2. Add a subsection (a) to Section (i) on page 3 of 8 stating that where alcohol is permitted in an outside park site, that the area where alcohol is allowed to be clearly marked and signed by "No alcoholic beverages be permitted beyond this point", or similar language.

Councilor Loftus asked about attendance levels and the number of security officers who will be required. The draft resolution says there will be a minimum of two officers where expected attendance of 200 or more and a minimum of four (4) officers where alcohol is served. Mr. Sebens explained that for events where alcohol is served at the Community Center, the renters underestimate the number of attendees and there is typically a packed house. Mr. Sebens stated that the Police Department uses their discretion in gauging the number of officers that will be needed. For events, such as a retirement party or family gathering, they may reduce the number of officers required. Councilor Loftus suggested the Resolution needs to allow for increases in the number of officers

when needed. Mayor Aboud inquired about events where there will be less than 200 attendees. Mr. Eubank said that the Police Department tries to gauge how many officers are needed to fit the event and uses its discretion when issuing the facilities use permit.

c. **Council Decision:**

**Motion:** Councilor Loftus, seconded by Councilor Walters, moved to adopt Resolution No. 846, as amended, adopting rules governing the use of the Community Center, Jordan Bridge, City parks and other facilities and repealing previous rules. **Motion passed 5:0**

**Proposed Amendments to the Natural Resources Overlay District**

- a. **Staff Report:** Planning and Development Director Dan Fleishman presented his staff report on the proposed revision to the Natural Resource Overlay District (NROD). Mr. Fleishman explained the purpose of the review was to reconsider the setback requirements from the Salem Ditch which Council sent to the Planning Commission in June 2009. The Planning Commission has considered the issue and made a recommendation to the City Council.

The City has established an NROD that encompasses both the natural waterways and the man-made ditches within the city. Along the man-made ditches the NROD is 50 feet wide, and along the natural waterways and Salem Ditch, north of Shaff Road, the NROD is 100 feet wide. Mr. Fleishman showed 34 non-conforming buildings along the Salem Ditch that are located within the NROD. He pointed out non-conforming uses within the Mill Stream Woods development, W. Burnett Street and W. High Street neighborhoods. These structures were built before the regulations were adopted by the City.

In addition to the NROD area, Mr. Fleishman stated Stayton Municipal Code (SMC) 17.20.082 establishes special setbacks for riparian areas. By itself the NROD does not establish setbacks, it specifies what uses are allowed along the waterways. Mr. Fleishman explained there are only a small number of uses permitted within the NROD, such as pedestrian trails, public parks, recreation areas, public water supply buildings, resource enhancement projects, roads, and access drives. The NROD does not permit the construction of private structures such as garages or houses within the setback areas, *de facto* creating a setback requirement for most private property.

Mr. Fleishman stated the Planning Commission considered the policy reasons behind the purpose and effectiveness of buffers along water bodies. He stated research shows that buffers that are established to protect water quality should have a minimum of 50 feet to 100 feet. Other buffers to protect wildlife habitat may extend up to 100 meters. Buffers which include vegetation to reduce stream temperatures may be smaller. He explained the City has a DEQ-approved TMDL plan which includes stipulations that the City should retain buffers to create vegetative buffers to protect water quality. Based on the Planning Commission's review, they have recommended that the width of the NROD zone be reduced from 50 feet to 25 feet and that all of the riparian setback references which are already in SMC 17.20 be moved to the NROD section of the SMC, so all policies and regulations are placed in one section.

Mr. Fleishman said the Planning Commission will schedule a public hearing at their March 2010 Planning Commission meeting if the City Council finds the proposal satisfactory.

- b. **Council Deliberation:** Mayor Aboud thanked Mr. Fleishman for the presentation and stated that the Council action would be to decide if it wants to alter the proposal or have the Planning Commission hold a public hearing on the proposed amendments.

Councilor Hemshorn asked if the proposal will loosen the restrictions and allow for increased private use and allow placement of buildings closer to the Salem Ditch. Mr. Fleishman responded yes, it reduces the setback to 25 feet.

Councilor Frank asked if the 50-foot setback has a scientific basis. Mr. Fleishman responded that if the purpose of the buffer area is to improve water quality, reduce sediment impact, lower water temperatures, and protect fauna along the waterways, then the research shows a 50-foot to 100-foot buffer is recommended. Councilor Frank asked if the existing non-conforming lots would have to be brought into conformance. Mr. Fleishman responded that no changes will be required, but property owners will be required to meet the new requirements in the future.

Councilor Frank said that at this time, he does not see a need to change the ordinance. Councilor Frank asked Mr. Fleishman what his recommendation is as the Planning and Development Director. Mr. Fleishman answered his recommendation would be to keep the boundaries of the NROD where they are today, but allow existing non-conforming structures to be expanded, if they meet the erosion and vegetation management standards, and do not allow existing structures to be expanded and placed closer to the Salem Ditch. Councilor Frank stated he concurred with the staff analysis.

Councilor Vigil stated he likes the option of allowing existing non-conforming structures to be expanded so that an addition would not be closer than 25 feet to the Salem Ditch, and not allowing new structures to be closer than the current 50-foot setback.

Councilor Walters commented that within a new development, he would recommend the City keep the setback at 50 feet. However, in the existing developed area, he has no objections to reducing the setback to 25 feet. He also noted that garage or outbuildings may have less negative environmental impact than a property owner adding fertilizers, herbicides or other chemicals to a lawn or landscaped area. He concludes the 25-foot setback is a good compromise.

Councilor Loftus complimented Mr. Fleishman on the thoroughness of the staff report. He stated that the only issue he has concerns the vegetation management portion of the proposal. He wanted to make sure the regulations are written to permit gardens within the setback area and requested the Planning Commission consider this concern.

- c. **Council Decision:** Mayor Aboud reviewed the choices before the Council on how to refer the proposal back to the Planning Commission.

**Motion:** Councilor Loftus, seconded by Councilor Walters, moved to direct the Planning Commission to hold a public hearing on the proposed amendments to comply with the Planning Commission's recommendations.

**Discussion:** Councilor Vigil asked for clarification of the motion. Councilor Loftus stated that his motion is intended to recommend that existing non-conforming structures within the NROD could be expanded to within 25 feet of the Salem Ditch, as Councilor Vigil had suggested. Mayor Aboud suggested the motion be restated to clarify this intent.

Councilor Frank asked if the minutes of the Council discussion would be part of the Planning Commission record and be considered by them. Mayor Aboud asked Mr. Fleishman to include the minutes of the Council's discussion in the Planning Commission record. Mr. Fleishman said he would include this portion of the Council minutes in the Planning Commission's record.

Councilor Loftus asked what the process would be for a person who wanted to remodel or expand a non-conforming structure. Mr. Fleishman stated that if the City approves the amendments as proposed by Councilor Vigil, then the City would review a building permit application to ensure the applicant complies with all SMC standards. He did not believe there is any other review. Councilor Loftus wants to make sure the process is simple for the homeowner or business owner and will not require a public hearing.

Councilor Vigil stated he concurred with Councilor Walters comment that new development needs to comply with the 50-foot setback standard, but properties within the current developed area would have the setback reduced to 25 feet. This will allow for uniformity of setbacks within the developed area.

Mr. Fleishman corrected one item in his staff report. Since this proposal affects statewide planning goals, the City is required to give the Department of Land Conservation and Development a 45-day notice. Therefore, the Planning Commission will not be able to hold their public hearing until the April 2010 Planning Commission meeting.

**Motion passed 5:0**

## **STAFF/COMMISSION REPORTS**

### **Rich Sebens – Acting Chief of Police**

- a. **Community Action Drug Prevention Network:** Mr. Sebens informed the Council the City annually participates in an underage drinking task force. This involves officers going into businesses and informing them of legal requirements. The City has received a \$300 grant to continue its participation in the program.
- b. **Prescription Drug Turn-In Event:** Mr. Sebens informed the Council that the City will be participating in a prescription drug turn-in event. Citizens may turn in expired, unused, or unknown prescription drugs at the Police Department on Saturday, March 13, 2010. He explained that prescription drugs dumped into the City's sewer system impact local streams and rivers. The purpose of the event is to educate people and encourage them to turn in unused medications. The drugs will then be taken to the Marion County Solid Waste burner in Brooks for disposal.

Councilors expressed support for the program. Councilor Loftus asked when the City will start testing for prescription drugs at the Wastewater Treatment Plant. Public Works Director Dave Kinney responded that the City will begin its testing program after July 1, 2010 in order to establish base line data on the drugs found in the City's wastewater.

### **Dave Kinney – Public Works Director**

- a. **Wastewater Treatment Facility Project Update:** Mr. Kinney informed the Council that the City's application for grant and loan funding for the Phase 2 Wastewater Treatment Facility expansion has not yet been approved by the U.S. Department of Agriculture, Rural Utilities Services (USDA-RUS) office in Portland. Once approved by the Portland office, the application will be forwarded to Washington D.C. for review and action because a portion of the funding will use American Recovery and Reinvestment Act (ARRA) Federal stimulus dollars. This process may take 8 weeks from the time the USDA's Portland office approves the application.

Mr. Kinney reviewed the current status of the project and gave a PowerPoint presentation on the project components. The City is under a DEQ order to make improvements to the Wastewater



Treatment Facility because the plant has violated the City's National Pollution Discharge Elimination System (NPDES) wastewater discharge permit. He stated the City has completed design of the proposed improvements and in February 2010 the plans were approved by both DEQ and USDA-RUS staff. The City is now required to start construction of the improvements by August 2010.

The estimated project cost is \$11.3 million. Mr. Kinney stated the City has prioritized the project components. When the project is bid, the City will award a contract for the highest priority projects that fit within the funding package. The City believes the loan will be \$6.5 to \$7.5 million, grant funding will be \$2.5 to \$3.5 million, and the City will contribute \$1.8 million from its cash reserves. The City will be required to increase sewer rates to repay the loan.

The City has not received a "Letter of Conditions" from USDA-RUS. This was expected by January 1, 2010. Due to the delay in funding approval, bidding the project and construction has been delayed and is on indefinite hold until the funding is approved. Mr. Kinney said the City may receive the USDA "Letter of Conditions" by May 15, 2010. The City has assumed USDA funding would be approved this fiscal year. Since it has not been approved yet, the City may have to return to the City Council with a supplemental budget to ensure the City complies with State budget law for all the engineering expenses the City has incurred this year. The City will not advertise the project for bid until the funding package is secure. We cannot award the contract until all of the USDA funding and interim financing is complete. Consequently, the City is now anticipating the construction will not begin until August or September 2010.

Councilor Walters asked if the City would lose the majority of the construction season. Mr. Kinney said yes.

Councilor Loftus asked what happens if the City does not start construction by August 1, 2010. Mr. Kinney said he anticipates DEQ would grant a 6-month extension if the City is moving forward with financing.

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

**Luke Cranston, Douglas Street:** Mr. Cranston asked if the City Council has a policy on how individual councilors communicate with the public. He stated that he had been contacted by a councilor several months before about a proposed Ordinance change, but the councilor did not have copies of the proposed amendments with them. He suggested councilors bring appropriate documentation when talking with citizens about City business.

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

City Administrator Eubank indicated that Mr. Fleishman wished to share a couple of information items with the Council. Mr. Fleishman informed the Council that on March 2, 2010 a land use training session will be held. He invited councilors to attend the training session.

Mr. Fleishman stated that on March 4, 2010 a public meeting to discuss the City's proposed application for an Enterprise Zone will be held. Affected taxing agencies have been invited to meet with City officials to learn about the City's proposal to create an Enterprise Zone for the City's Wilco Road industrial area. In response to several questions, Mr. Fleishman stated the City Council will have to adopt a Resolution authorizing the submittal of the Enterprise Zone application to the Oregon Business Development Department.

**BUSINESS FROM THE MAYOR**

Mayor Aboud announced there is one opening on the City's Parks Board and several openings on the Budget Committee. He encouraged citizens to talk to him about these openings.

Mayor Aboud stated he has talked with a number of citizens about the creation of a Comprehensive Plan Review Committee that was suggested at one of the Town Hall meetings. Mayor Aboud asked how many citizens the Council would like to see appointed to this committee. Councilor Loftus suggested this be a citizens committee composed of seven or more citizens. Councilors Vigil, Walters, and Frank stated they believe a committee of seven citizens would be appropriate.

Councilor Vigil suggested the committee focus its efforts on problems or issues that the staff or community has identified. Mayor Aboud referred the Council to a comprehensive plan review work plan Mr. Fleishman developed in 2007 as a suggested outline of issues to be considered. In particular Mayor Aboud indicated that the committee will focus on issues that will affect economic development. Mr. Fleishman will staff the committee.

**BUSINESS FROM THE COUNCIL**

Councilor Frank complimented Rebekah Meeks on the new pool schedule.

Councilor Loftus had suggested at a previous meeting that the City take a closer look at the City's systems development charges. Mayor Aboud asked him to discuss his suggestions or comments. Councilor Loftus had suggested waiving systems development charges, particularly in areas where the City would like to see economic development or revitalization, such as First Avenue or the downtown area. He added that he understood the Council wanted to take a "wait and see" approach for now. With the City applying for an Enterprise Zone, that area should be avoided for now.

Councilor Frank advised the Council that the Attorney General's office is holding informational forums on the Oregon Open Meetings Law and Public Records Law. He encouraged councilors to keep informed on these issues and proposed changes to these laws since they affect how the City does business.

Councilor Loftus stated that he has received a letter from the City Administrator regarding his request for a "freedom of information" request to the City and was concerned the City is destroying meeting notes. He suggested the City retain these notes for the public record.

There being no further business, the meeting was adjourned at 9:09 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

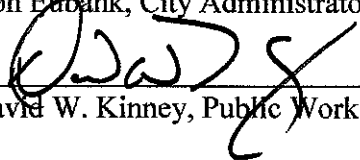
Date: 4/22/2010

By:   
Gerry Aboud, Mayor

Date: 4/22/10

Attest:   
Don Eubank, City Administrator

Date: 04/21/2010

Submitted by:   
David W. Kinney, Public Works Director