

**STAYTON CITY COUNCIL
MEETING MINUTES
March 19, 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, excused
Christine Shaffer, Finance Director
Rich Sebens, Chief of Police, excused
Michael Meeks, Sergeant Stayton PD
Dave Kinney, Public Works Director
Dan Fleishman, Director of Planning and Development
Louise Meyers, Library Director
David A. Rhoten, City Attorney, excused
Jeffrey M. Strickland, Assistant City Attorney, excused
Rebecca Petersen, Deputy City Recorder

PRESENTATIONS/COMMENTS FROM THE PUBLIC

a. Marion County Courthouse Display: Ms. Petersen presented a large display board of pictures within the city including parks, library, pool, bridge and footbridge. Council members liked the layout and suggested adding descriptions to the pictures to better showcase the community. The final framed picture will be placed at the Marion County Courthouse along with other displays from jurisdictions within Marion County, in the Community Hall area.

ANNOUNCEMENTS - None

- a. Additional to the agenda**
- b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.**

CONSENT AGENDA

- a. City Council Meeting Minutes of March 05, 2012**

Motion: From Councilor Loftus, seconded by Councilor Emery, to approve the consent agenda. **Motion passed:** 5:0.

PUBLIC HEARING

Amend SMC 17.24.100 Open Space Requirements for Master Planned Developments

- a. **Commencement of public hearing:** Mayor Vigil opened the public hearing at 7:05 pm and read the opening statement.
- b. **Ex parte contact, conflict of interest, bias, etc:** None
- c. **Staff Report:** Mr. Fleishman reviewed the staff report included in the packet materials. In October 2011, the Council discussed the ownership of open space in the Old Mill Village master planned development (MPD). The City Attorney's interpretation of the code is that it is the sole discretion the City Council to accept open space that is offered to the City by the developer. In the past Staff had interpreted the Code to give the sole discretion to the City Council regarding the open space in a MPD. The amendment requires dedication of the city when the proposed master planned development contains an area designated for a future trail in the Transportation System Plan or Parks Master Plan.
- d. **Proponent's Testimony:** None.
- e. **Opponent's Testimony:** Brent Stevenson, Manager with Santiam Water Control District (SWCD) Stayton. Mr. Stevenson stated he was speaking in opposition of the amendment at this time as both the City and the District need to discuss possible impacts on homeowners, farmers, erosion and flooding along the water way and potential legal issues that could arise. The master trails plan is a nice vision but access to take care of them might be difficult, he said.
- f. **General Testimony:** Susan Horvat, Stayton. Ms. Horvat stated going through the land use process it was learned that the City could not take land unless it was offered; now it appears that the City is rewriting the amendment to take the land anyway. It is not a good way to approach the issue of open space and suggested the Council reconsider the amendment as its not the right way to go.
- g. **Questions from the Public:** None.
- h. **Questions from the Council:** Councilor Quigley stated he agreed with Ms. Horvat that it appears as if the City is changing the code to still get the land and asked if the proposed amendment was being changed to benefit the City. Mr. Fleishman stated the amendment would still be at the sole discretion of the City Council as to whether open space dedicated to the City is accepted. The amendment would require that there be the offer from the land owner or developer to the City in the cases where the trails master plan indicates a future trail in or through the property. Mayor Vigil stated his concern was that if the parks master plan calls for a trail through a specific piece of property and the code is amended, the property owner might not be able to develop their property the way they want to. Mr. Fleishman stated the intent for future trails and transportation plans are general in nature, the purpose is to ensure that connectivity is maintained for a trails system inside the city.

The Code states if a MPD is adjacent to the shore line of the river, Mill Creek or the two ditches then a usable portion of the shore line and reasonable public access shall be part of the open space. In exchange for that the City would reduce the amount of open space

required to 20 percent. The amendment would not affect the design of the development as it would not be changing that portion of the Code. In response to a request from Councilor Loftus, Mr. Fleishman verbally outlined the process for those applying for a MPD.

Councilor Niegel suggested reorganizing the amendment to make its intent more clear.

- i. Staff Summary: None.**
- j. Close of Hearing:** There being no further testimony, Mayor Vigil closed the public hearing.

UNFINISHED BUSINESS – None.

NEW BUSINESS

Ord. 946 Amending SMC 17.24.100 Open Space Requirements for MPD

- a. Staff Report:** Mr. Fleishman stated he had nothing further to add to the staff report, and could make the changes as discussed and bring the draft back at the next meeting.
- b. Council Deliberation:** Consensus of Council Members was that they would like to see copies of the trails plan and the portions of the Parks Master plan that discuss trails and have staff prepare suggested changes and bring the revisions back to the Council at the next meeting.

Motion: From Councilor Quigley, seconded by Councilor Loftus, to continue council deliberations at the next council meeting. **Motion passed: 5:0.**

STAFF/COMMISSION REPORTS

Finance Director's Report

- a. Monthly Finance Department Report:** Ms. Shaffer stated the city is doing well and revenues are exceeding expenditures.

Police Chief's Report

- a. Statistical Report February 2012:** Sergeant Meeks stated the police department believes the recent string of burglaries has been committed by the same group. Officers have stepped up patrols over the past few weeks and they don't believe any current burglaries are related to the same group. Recently a purse snatching took place at Safeway, the purse was recovered and the juvenile suspect got away but has been identified from store video. A robbery took place at Subway recently, the suspect got away but was visible on store video.

Public Works Director's Report

- a. February 2012 Operating Report:** Mr. Kinney explained measures that were taken as a result of recent street flooding issues. Roots in the storm sewer in the Sixth & Pine Street area were determined to be a problem, a few trees causing the problem will be removed and the pipe cleaned out. Fifteenth & Burnett Street will be more long term as meetings with property owners need to take place to discuss long term issues to alleviate flooding. In

response to a question from Councilor Loftus regarding Sixth Avenue issues, Mr. Kinney explained street work that would commence next week to repair Sixth Avenue in front of St. Mary's School. New catch basins will be put in to alleviate ponding, and a full street overlay will be budgeted for next fiscal cycle, he said.

b. Tenth Avenue Improvements Update: Mr. Kinney presented an overview of the Tenth Avenue project. Project funding, project schedule, pavement widening, A/C Overlay and E. Santiam pavement widening were discussed. Councilor Loftus suggested utilizing the city newsletter to alert citizens of the possible traffic congestion areas during construction.

Pool Manager's Report

a. February 2012 Operating Report: Ms. Meeks stated pool memberships had gone up as well as daily receipts.

Library Director's Report

a. February 2012 Activities/Statistics: Ms. Meyers stated all was well at the Library facility.

PRESENTATIONS/COMMENTS FROM THE PUBLIC

a. James Wampler: From the audience, Mr. Wampler stated when the Trails Plan was adopted by the Council it was a dream plan and not a master plan.

BUSINESS FROM THE CITY ADMINISTRATOR – None.

BUSINESS FROM THE MAYOR – None.

BUSINESS FROM THE COUNCIL

Councilor Quigley read a letter he had written regarding the Toast of Stayton event, how the event Accentuated the Positive, was well planned, well attended, generated approximately \$16,000 for the Library, and without the hard work and efforts of Stephanie Jorgensen, city staff and community volunteers the event would not have been as successful. He hoped the event continues to grow and be an annual one.


ADJOURN

There being no further business, the meeting was adjourned at 8:25 pm.


APPROVED BY THE STAYTON CITY COUNCIL this 2nd day of April 2012, by a 5-0 VOTE OF THE STAYTON CITY COUNCIL.

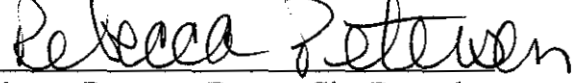
CITY OF STAYTON

Date: 4/2/2012

By: 
A. Scott Vigil, Mayor

Date: 4/2/2012

Attest: 
Don Eubank, City Administrator

Date: 04/02/2012 Transcribed by: 
Rebecca Petersen, Deputy City Recorder