

**STAYTON CITY COUNCIL  
MEETING MINUTES  
October 05, 2009**

**CALL TO ORDER**

**7:00 p.m.**

**Mayor Gerry Aboud**

**FLAG SALUTE**

**ROLL CALL**

Mayor Gerry Aboud  
Councilor Frank  
Councilor Hemshorn

Councilor Loftus  
Councilor Vigil  
Council Walters, excused

**STAFF:**

Don Eubank, City Administrator  
Rich Sebens, Acting Chief of Police  
Dave Kinney, Public Works Director  
Dan Fleishman, City Planner  
Christine Shaffer, Finance Director  
Louise Meyers, Library Director, excused  
David A. Rhoten, City Attorney, excused  
Jeffrey M. Strickland, Assistant City Attorney, excused  
Rebecca Petersen, Deputy City Recorder

**PRESENTATIONS/COMMENTS FROM THE PUBLIC**

**a. October Domestic Violence Month:** Walt Beglau, Marion County District Attorney. Mr. Beglau stated that October is Domestic Violence Awareness Month. Domestic Violence occurs in every part of our society, and no community or group is immuned to it. Domestic Violence against the Mother is the greatest threat to the family unit, and it is the driving force behind the majority of crimes prosecuted by the criminal division of the Marion County District Attorney's office. He introduced Jane Downing, Executive Director with Mid-Valley Crisis Service in Salem, and Cherie Girod, Executive Director of the Canyon Crisis Center, Mill City. Both ladies gave an overview of what their respective agencies do to protect women and children from this terrible crime, and emphasized the need to let the community know of their services.

**b. Spotlight: Stayton Family Memorial Pool:** Kathi Kent, Specialty Instructor, presented a slide show highlighting various programs the pool provides along with maintenance upgrades that have recently taken place at the facility.

**ANNOUNCEMENTS**

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

**CONSENT AGENDA**

**a. Approval of September 21, 2009 City Council Meeting Minutes:**

Ms. Petersen noted corrections on page four, and Councilor Loftus added a correction on page two.

**MOTION:** From Councilor Loftus, seconded by Councilor Vigil, to approve the meeting minutes as amended. Motion passed 3:0, 1 abstain (Hemshorn).

**PUBLIC HEARINGS – None.**

**UNFINISHED BUSINESS**

**Resolution No. 843 Fees and Charges for Various City Services:**

**a. Staff Report:** Ms. Shaffer summarized the information provided in the agenda packet.

**b. Council Deliberation:** In response to concerns as to what other jurisdictions are charging for liquor license fees, Mr. Sebens stated that the City of Dallas recently raised their fees to this same amount. The proposed fees are not what it actually costs the city in staff time to perform the related investigations. In response to a question as to why a fee is charged for garage sales, Ms. Shaffer stated that some folks could abuse the four sales per year ordinance and having to obtain a permit it is monitored. The city is currently working on a process to possibly place the garage sale addresses on the city's website, this way folks would feel they are getting something for their money.

**c. Council Decision:**

**MOTION:** From Councilor Hemshorn, seconded by Councilor Loftus to approve Resolution No. 843 Adopting Fees and Charges for Various City Services.

**DISCUSSION:** Councilors discussed the excessive increase in the liquor license rates and suggested a reduction in the increases for a new license, license transfer, license classification change and late license fee.

**AMENDED MOTION:** From Councilor Loftus, seconded by Councilor Vigil, to amend the motion to reduce the New License Fee to \$50., the License Transfer Fee to \$50., the License Classification Change to \$50., and the Late License Fee to 9%. Motion passed: 3:1 (Hemshorn).

**MAIN MOTION PASSED:** 4:0.

**Facilities Report including Assessment of Curves Building:**

**a. Staff Report:** Mr. Kinney summarized the information provided in the agenda packet.

The Council asked staff to evaluate the potential of using the CURVES building as the Public Works and Planning office, in lieu of renting the existing building at 311 N. Third Avenue. Staff has identified various issues to be considered as part of the decision process: (1) Priorities for Capital Improvement Projects and how would the relocation to the CURVES building would fit into the Council's priority list; (2) Feasibility of Remodeling

the CURVES building for City offices; (3) Life Cycle Options, short term (up to 10 years) vs. long term (20 years); (4) Remodeling Costs and Annualized Cost Comparisons; and (5) Impact if City Elects to Construct a New City Hall on the Site.

Public Facilities: Facility Maintenance Schedule:

**b. Council Deliberation:**

1. The CURVES building has enough room for city hall, public works and planning staff. The City could sell the city hall building and use the funds as seed money to construct a new city hall.
2. If the needed repairs to the CURVES building are done, it would not be the same building it would be a building with added improvements.
3. The police department should stay in the same location as there is not enough room at the CURVES building to include that department.

**c. Council Decision:** A work session will be held in November, date yet to be determined, to discuss the feasibility of utilizing the CURVES building for a city hall, public works and planning office.

**NEW BUSINESS**

**An Ordinance Amending the City of Stayton's Comprehensive Plan and Zone Maps for Property located at 1401 N. Tenth Avenue.**

**a. Staff Report:** Mr. Fleishman summarized the information provided in the agenda packet. At the direction of legal counsel several additional findings beyond those in the approved order were added to the ordinance.

**b. Council Deliberation:** There were no questions from councilors.

**c. Council Decision:**

**Motion:** From Councilor Loftus, seconded by Councilor Frank, to move to direct that Ordinance (unnumbered), amending the City of Stayton's Comprehensive Plan and Zone Maps for property located at 1401 N. Tenth Avenue be read for the first time by title only. **Motion passed:** 4:0.

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

**Motion:** From Councilor Loftus, seconded by Councilor Frank, to move to approve the first reading of Ordinance (unnumbered), amending the City of Stayton's Comprehensive Plan and Zone Maps for property located at 1401 N. Tenth Avenue. **Motion passed:** 4:0.

The Ordinance was assigned number 914.

**Motion:** From Councilor Loftus, seconded by Councilor Frank, to move to direct that Ordinance No. 914, amending the City of Stayton's Comprehensive Plan and Zone Maps for property located at 1401 N. Tenth Avenue be read for the second time by title only. **Motion passed:** 4:0.

Ms. Petersen read Ordinance No. 914 for the second time by title only.

**Motion:** From Councilor Loftus, and seconded by Councilor Frank, to move to approve the second reading of Ordinance No.914 and direct the Mayor to execute the Ordinance as enacted. **Motion passed** 4:0.

**STAFF/COMMISSION REPORTS – None.**

**PRESENTATIONS/COMMENTS FROM THE PUBLIC – None.**

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

**a. Contact with Senators:** Mr. Eubank stated that recently he had met with representatives from Senator Wyden's office and Congressman Merkley's office to keep in touch regarding distribution of stimulus monies.

**b. Energy Trust Rebates and Tax Credit:** Ms. Shaffer distributed a memo to council members informing them of the funds that have been received from Business Energy Tax Credits. The Pool lighting project rebate was \$6,056 and the Boiler project rebate was \$4,830. The Lighting project also qualified for an Oregon Business Tax Credit and Oregon Department of Energy assisted in finding the City a pass through partner, who has purchased the City's Tax Credit for \$4,569.

#### **BUSINESS FROM THE MAYOR**

**a. Graffiti on Box Cars/Locust Street:** Mayor Aboud stated that over the past few years he has been in contact with Willamette Valley Railway regarding their location of stored rail cars on Locust Street and the graffiti on the cars. The close proximity to residences makes it a real eyesore for the community and the railway has been asked repeatedly to remove the cars. With no graffiti ordinance in place giving the city enforcement to have the cars moved council members suggested the Mayor compose a letter to the railway, asking them to relocate the cars.

#### **BUSINESS FROM THE COUNCIL**

**a. Facility Maintenance:** Councilor Loftus stated that he would like to see the Facility Maintenance Plan include incidences for security purposes.

**b. Trees at Riverfront Park:** Councilor Loftus suggested not planting trees that the city cannot adequately take care of. Trees that were planted at Riverfront Park are dead or dying due to poor conditions or lack of water.

**ADJOURN**

There being no further business, the meeting was adjourned at 8:35 pm.

APPROVED BY THE STAYTON CITY COUNCIL this 19th day of October 2009, by a 3:0  
VOTE OF THE STAYTON CITY COUNCIL.

CITY OF STAYTON

Date: 10/29/2009

By: /S/  
Gerry Aboud, Mayor

Date: 10/29/2009

Attest: /S/  
Don Eubank, City Administrator

Date: 10/28/2009

Submitted By: /S/  
Rebecca Petersen, Deputy City Recorder