

**STAYTON CITY COUNCIL
MEETING MINUTES
September 07, 2010**

CALL TO ORDER

7:00 p.m.

Mayor Aboud

FLAG SALUTE

ROLL CALL

Mayor Gerry Aboud
Councilor Frank

Councilor Loftus
Councilor Vigil
Councilor Walters

STAFF:

Don Eubank, City Administrator
Christine Shaffer, Finance Director
Rich Sebens, Chief of Police
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. **Swearing in of new Police Officer:** Chief Sebens stated he was very proud to swear in Paul Eves as a Police Officer for the City of Stayton. Previously Mr. Eves worked as an ordinance officer with the city of Salem. With their children looking on, Officer Eves' wife Misty pinned his badge on.

- b. **Pool Maintenance Update:** Mr. Eubank reviewed various aspects of the resurfacing at the pool. Emerald Pool employees and pool staff have been working very hard with cleaning, scrubbing and painting the facility. A great deal of pressure washing took place in order to get all of the grime build up removed, before the new surface could be laid down. New square grates replaced the old round ones in order to comply with OSHA requirements. The inside lockers have now been moved to the pool area and locks are available for patrons use. The motor for the slide has been replaced with a new one.

- c. **Community Grant Fund:** Lee Hazelwood, Stayton. Representing the Santiam Senior Center, Mr. Hazelwood stated the group is applying for a community grant in the amount of \$1200. Santiam Senior Center was granted funds from the 2009/2010 fiscal year budget but can always use more. In response to a question as to what the funds would be used for, Mr. Hazelwood stated to provide movies for the center and to help provide some funding for outings for the group.

d. Personal Services Agreement: Susan Brandt, Stayton. Ms. Brandt stated she currently serves on the Public, Education, Government Access (PEG) Commission and received a copy of the proposed agreement. This is a good step towards the total package and a good place to start. Mr. Cartwright has provided a great deal to the city in both time and resources.

Speaking in support of the personal services agreement between the City of Stayton and Ken Cartwright, John Brandt stated he feels Mr. Cartwright's proposal is very reasonable. The compensation for his services is considerably less than what others provide for the same service. His work has done a lot to increase public participation in the community, and it is evident with all of the candidates running for office in the upcoming election.

Danny Silbernagel stated he was speaking in support of Ken Cartwright's proposal with the city as he has done a lot for the community. He helped a great deal with the Special Olympics and his proposal should be approved.

ANNOUNCEMENTS

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

CONSENT AGENDA

- a. August 16, 2010 City Council Meeting Minutes**

Motion: From Councilor Frank, seconded by Councilor Walters, to approve the meeting minutes of August 16, 2010 as presented. Motion passed: 3:0, 1 abstain Loftus.

Mayor Aboud readjusted some of the agenda items.

Personal Services Agreement with Ken Cartwright

- a. Staff Report:** Mr. Eubank stated the city has been working with Mr. Cartwright and others for several years to establish PEG access programming. He has filmed Council meetings, Town Hall meetings and other city events and placed them on WAVE Cable channel 5 at his own expense. Mr. Cartwright has resigned from the PEG Commission and has requested to become an Independent Contractor to film Council meetings and other City meetings as requested. The PEG committee will be conducting fund raising activities to help pay for the services that would be provided by Mr. Cartwright. The City currently has \$525.14 in the PEG Access Trust Fund, monies donated by a private party. A fee of \$.60 per cable customer can be implemented to fund equipment but not to pay for Mr. Cartwright's services. SCTC has agreed to pay half of the \$100 filming costs of Council Meetings, as this would allow them to air Council Meetings on their Web-Site simultaneously as they are aired on Wave Broadband.
- b. Council Deliberation:** Mayor Aboud suggested funding the agreement until the funds run out. Councilor Loftus stated approval from Council should have been received before the services were started, the Council is grateful that Mr. Cartwright has volunteered his time and services to improve the community but feel the \$25 fee for a DVD should be included in the contract and not charged separately. Councilor Frank

stated Mr. Cartwright performs an important service to the community but cautioned implementing a \$.60 user fee to cable subscribers. Mr. Eubank stated the user fee wording was added to accommodate the possibility of charging a fee but it does not pertain to the agreement between Mr. Cartwright and the City. Councilor Vigil stated he was not in favor of any new fee and that Mr. Cartwright's services would be paid for through the PEG funds.

c. Council Decision:

Original Motion: From Councilor Loftus, seconded by Councilor Frank, to modify the contract and correct the effective date to be September 07, 2010 to January 01, 2011 if funds are available, and if on January 01, 2011 funds are still available, it will be extended another 30 days but that the Council has a full report as to PEG Commissions fund raising and cash on hand.

Discussion: Councilor Loftus stated he wanted the motion to include withdrawing the \$25 fee for a DVD. Councilor Frank stated he was withdrawing his second.

First Amended Motion: From Councilor Loftus, seconded by Councilor Frank, to change the effective date to September 07, 2010 to January 01, 2011 or until such time the funds are depleted, and to modify the contract to include a DVD instead of a separate fee being charged, and to direct staff to provide a full report on January 01, 2011 (or the first Council meeting in January 2011) as to cash on hand in the PEG fund.

Discussion: Councilor Walters stated \$25 for a DVD is not a lot of money as it can take a long time to prepare the DVD. He suggested approving the agreement as presented for one year since it includes a 30 day termination clause.

Councilor Frank withdrew his second from the amended motion, hearing the clarification that the current \$25. fee for the DVD is already being paid out of a different account.

Second Amended Motion: From Councilor Vigil, seconded by Councilor Walters to move to authorize the City Administrator to sign the Personal Services Agreement as presented.

Discussion: Councilor Loftus stated the motion needed to be amended to change the effective date to reflect September 07, 2010.

Second Amended Motion Passed: 4:0.

PUBLIC HEARINGS – None.

UNFINISHED BUSINESS

Ordinance No. 924 Land Use & Dev. Code re: Signs

a. **Staff Report:** Mr. Fleishman reviewed the staff memorandum included in the packet.

b. **Council Deliberation:** Councilor Frank complimented staff and council for working together to come up with the sign code language and for the productive work session. Councilor Vigil asked if abandoned signs are turned around can the sign structure still be used? Mr. Fleishman answered in the affirmative. Councilor Loftus pointed out a grammatical error on page 4 that needed to be corrected.

c. **Council Decision**

Motion: From Councilor Loftus, seconded by Councilor Vigil, to adopt Ordinance No. 924 as amended to reflect a change to correct a grammatical error in the document.

Discussion: Mr. Fleishman stated because a correction needed to take place in the document, the final approval will take place at the next meeting.

NEW BUSINESS

Community Grant Request

a. **Staff Report:** Ms. Shaffer reviewed the staff report included in the packet materials, for the Grant Fund Request from Stayton/Sublimity Chamber of Commerce in the amount of \$1150. The money they are requesting is to upgrade their phone system and website. Currently some of the chamber phones hang up on callers during the middle of a conversation and the website is outdated.

b. **Council Deliberation:** Mayor Aboud asked Kelly Schreiber, Executive Director for the chamber if they had contacted the City of Sublimity to obtain funding from their jurisdiction. Ms. Schreiber stated they had no, as they were not aware that Sublimity had funds available. Councilor Loftus stated it was clear from reading the letter from the food bank that their organization could use funds if available. There are a lot of people in the community going hungry and if there are funds available they should be directed there first. Mayor Aboud pointed out that the Chamber of Commerce handles a lot of business for the city with Economic Development and the Santiam Summerfest.

c. **Council Decision**

Motion: From Councilor Loftus, seconded by Councilor Frank to grant the Stayton/Sublimity Chamber of Commerce \$175.

Discussion: Councilor Walters stated if the chambers phone system is that bad, possibly raising the amount to \$300 would help. Councilor Loftus suggested the chamber contact its membership regarding needed funds for a new system. In response to a question as to the cost of a new system, Ms. Schreiber stated it would be \$665. for a four line system. Donna Posvar at SCTC is looking for a used system from a small company looking to upgrade their phone system, but has not come across one yet.

Motion passed: 4:0.

STAFF/COMMISSION REPORTS

- a. **Stayton Food Bank Annual Managers Report:** Mr. Eubank reviewed the managers report from Edna Rickman and stated she does a wonderful job in running the food bank.

PRESENTATIONS/COMMENTS FROM THE PUBLIC – none.

BUSINESS FROM THE CITY ADMINISTRATOR – none.

BUSINESS FROM THE MAYOR – Mayor Aboud stated currently there are two vacancies on the Park and Recreation Board and if anyone is interested in serving on the board to contact him.

BUSINESS FROM THE COUNCIL

Councilor Frank stated he is very proud of his fellow councilors, the professionalism of staff and reminded those present of the upcoming Community Forum meeting scheduled for Thursday, September 23rd, 6:30 pm, Santiam Memorial Hospital.

Councilor Vigil stated he is opposed to imposing a fee to citizens in the amount of \$.60 per month, and that staff needs to have clear direction to not impose a new fee to the citizens. Funds for PEG can be paid through other budget adjustments.

Motion: From Councilor Vigil, seconded by Councilor Walters, to direct staff to not impose any additional fees such as a \$.60 per customer fee.

Discussion: Councilor Loftus stated if the city is considering a PEG fee to be charged, the city could possibly have SCTC customers pay a fee also making it more equitable for all.

Motion failed: 2:2 (Vigil & Walters, yea):(Frank & Loftus, nay) Mayor Aboud broke the tie and voted no, therefore the motion failed.

Councilor Vigil stated as the Park and Recreation Board Liaison for the Council, a lot of discussion on the Skatepark has taken place and its time the Council move forward with a proposal.

Motion: From Councilor Vigil, seconded by Councilor Loftus, to direct staff to place the outline proposal for a skatepark on the next agenda.

Discussion: Councilor Frank stated it was his understanding that the Council was waiting for the Parks Board to come up with a location. Mr. Eubank stated he would bring a plan back to the Council at their next meeting.

Motion passed: 4:0.

Referring to the process used to elect the Council President, Councilor Loftus stated the candidate cannot second himself. Mayor Aboud stated there was no problem when the motion and vote were taken, therefore it stands as is.

Referring to the Riverfront Park Management Plan, Councilor Loftus requested that the Council be given at least two weeks to review the document before it comes to a meeting of the Council.


ADJOURN

There being no further business, the meeting was adjourned.

APPROVED BY THE STAYTON CITY COUNCIL this 20th day of September 2010, by a 3:0 VOTE OF THE STAYTON CITY COUNCIL.

CITY OF STAYTON

Date: September 21, 2010

By: 
Gerry Aboud, Mayor

Date: 9/21/10

Attest: 
Don Eubank, City Administrator

Date: 09/21/2010

Transcribed by: 
Rebecca Petersen, Deputy City Recorder