

**STAYTON CITY COUNCIL
MEETING MINUTES
July 16, 2012**

CALL TO ORDER

7:00 p.m.

Mayor Vigil

FLAG SALUTE

ROLL CALL

Mayor Scott Vigil	Councilor Jennifer Niegel
Councilor Henry Porter	Councilor James Loftus
Councilor Brian Quigley	

STAFF

Don Eubank, City Administrator
Christine Shaffer, Finance Director
Rich Sebens, Police Chief
Dan Fleishman, Director of Planning and Development
Louise Meyers, Library Director
David Kinney, Public Works Director, excused
David A. Rhoten, City Attorney
Alissa Angelo, Deputy City Recorder

PRESENTATIONS/COMMENTS FROM THE PUBLIC

- a. **Swearing in of new Police Officer, presented by Chief Rich Sebens:** Chief Sebens swore in new Stayton Police Officer Daniel Altabef.
- b. **Drug Dog Informational Presentation, presented by Officer Paul Eves and Sergeant Charlie Button:** This presentation has been rescheduled for an upcoming City Council meeting.

ANNOUNCEMENTS

- a. **Additions to the Agenda:** Mr. Eubank indicated he had a correction to the agenda under Business from the Mayor. This is a request for appointment from Susan Brandt, who would like to join the P.E.G. Commission.
- b. **Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.:** None.

CONSENT AGENDA

- a. **July 2, 2012 City Council Meeting Minutes**
- b. **Acceptance of Funding from the Stayton Public Library Foundation for 2012 – 2013 in the amount of \$24,000.**
- c. **OLCC Change of Ownership – Happy Dragon Restaurant**

MOTION: From Councilor Niegel, seconded by Councilor Quigley, to adopt the Consent Agenda. **Motion passed 4:0.**

PUBLIC HEARING – None.

UNFINISHED BUSINESS – None.

NEW BUSINESS

Resolution No. 889, Adopting Fees and Charges for Various City Services

- a. **Staff Report:** Ms. Shaffer reviewed the staff report included in the Council packets. She spoke about the proposed changes to the fee schedule, as well as comparisons of fees made with other cities.

Councilor Loftus asked what would trigger a call-out on a weekend. Ms. Shaffer explained the call-out charge and when the fee is assessed. He was concerned that citizens disconnected due to non-payment are also being charged this additional fee to have their water turned back on over a weekend. Ms. Shaffer explained the process for non-payment disconnects and the fees they are assessed.

Councilor Loftus inquired about the inspection fee for sidewalks. Mr. Fleishman explained what would trigger the cost for an inspection.

- b. **Council Deliberation:** Councilor Loftus indicated he has performed his own research on fees, and has spoken with Ms. Shaffer. He stated there is still the outstanding issue of solicitor licenses. He asked Mr. Fleishman how many solicitors came into town last year. Mr. Fleishman stated he issued three solicitor's licenses during 2011, two of which were people from out of town and one to a business with a physical location in Stayton.

Mayor Vigil briefly reviewed the discussion that had taken place at the June 18 City Council meeting regarding Shiver's Frozen Yogurt and their issue with obtaining a solicitor's license. He expressed his feelings on solicitor's licenses, and who should be required to obtain a solicitor's license. He recommended adding a section to the code that refers to a public right-of-way vendor, which would be separate from a solicitor.

Councilor Loftus feels the \$150 fee charged for a solicitor's license is too high, especially compared to what the City charges for an OLCC application. Ms. Shaffer stated the fees for OLCC applications are set by the State, not the City. She also pointed out that in 2011 the fee for a solicitor's license was reduced from \$300 to \$150. The fee for additional employee background checks came into play due to situations like Shiver's where there may be several employees needing to be approved.

Councilor Niegel disagreed with Mayor Vigil's opinion. She feels a background check should be completed on anyone obtaining a solicitor's license, whether they are going door to door or driving up and down the street, as they are still coming in to our community and having contact with us and our children.

Councilor Porter suggested creating a category such as street sales, for example, for this type of soliciting.

Mayor Vigil asked if Mr. Fleishman was able to gather any further information on this subject. Mr. Fleishman indicated he had not had a chance since speaking with the Mayor

earlier that afternoon. He continued that changing the code is a policy decision for the Council.

Councilor Loftus asked if the Council adopts the Resolution this evening, can it be modified again when the Council chooses how to proceed with the solicitor licenses. Ms. Shaffer confirmed the fees can be modified or any new fees added in during the yearly update next July. Councilor Loftus continued that he still has concerns with requiring background checks for the Solicitor Licenses.

Ms. Shaffer stated in her research, many communities charge a business registration fee which Stayton does not. As part of this business registration fee, it seems many communities do require a background check.

Councilor Quigley asked when the fee was reduced from \$300. Ms. Shaffer stated last year it was reduced to \$150. Prior to last year, Mr. Fleishman explained the options available for obtaining a Solicitor's License.

Councilor Loftus expressed his concerns about the fees for the land use process. Councilor Quigley asked about the hourly rates charged. Mr. Fleishman reviewed the process and fees for land use. These fees are deposits and whatever is not spent during the land use process is refunded to the applicant.

c. Council Decision:

MOTION: From Councilor Porter, seconded by Councilor Niegel, to adopt Resolution No. 889, Adopting Fees and Charges for Various City Services.

Council Discussion

Councilor Porter asked if he should amend the motion to indicate this can be brought back at anytime there is an issue. Mayor Vigil stated this is already the case, and the fees can be brought back at anytime.

Mayor Vigil stated he fears by continuing to lower fees related to solicitor licenses and background checks, our costs are not being fully covered. It appears to him the fee is being reduced to solve an issue related to the complaint from Shivers. However, it doesn't appear the issue will be resolved by simply dropping the amount of the fee.

Councilor Quigley inquired about background check requirements for an OLCC permit. Chief Sebens explained the requirements for OLCC permits and how they differ from what is done for solicitor licenses. The background check for solicitor licenses while not as extensive is similar to what is done for an OLCC permit.

Councilor Loftus stated he has a concealed weapons permit and it cost him \$50 for the Sheriff to go through the background check process. He understands there is extensive time put into the OLCC backgrounds, he feels some of these fees are inhibiting to businesses.

Motion passed 3:0 (Niegel, Porter, Quigley voted yes; Councilor Loftus voted present).

STAFF/COMMISSION REPORTS

Finance Director's Report – Christine Shaffer

- a. **June 2012 Monthly Finance Department Report:** Ms. Shaffer reviewed her monthly Finance Department Report.

Police Chief's Report – Rich Sebens

- a. **June 2012 Statistical Report:** Chief Sebens briefly reviewed the June 2012 report. He also mentioned that National Night Out will be held on Tuesday, August 7 at Pioneer Park, Santiam Park, Westown Park, and Quail Run Park.

Public Works Director's Report – David Kinney

- a. **June 2012 Monthly Operating Report:** Mr. Eubank stated Mr. Kinney is on vacation. He briefly reviewed current projects including the 10th Avenue project.

Pool Manager's Report – Rebekah Meeks

- a. **June 2012 Monthly Operating Report:** Mr. Eubank informed the Council that Ms. Meeks is also on vacation.

Library Director's Report – Louise Meyers

- a. **June 2012 Activities / Statistics:** Ms. Meyers reviewed the June Library Director's report and the current happenings at the Library.

PRESENTATIONS/COMMENTS FROM THE PUBLIC – None.

BUSINESS FROM THE CITY ADMINISTRATOR

- a. **P.E.G. Access Commission:** Mr. Eubank reviewed the brief staff report and stated their meetings will be held bi-annually or as needed. He also recently spoke with a representative from Wave Broadband and they are very close to being able to air the City Council meetings live on channel 5. Staff will continue to update the Council on any new progress.
- b. **AFSCME COLA Increase:** Mr. Eubank briefly reviewed the staff report included in the Council packet. This increase is per the AFSCME Union contract ratified by the City Council in 2011.
- c. **July 23, 2012 at 6:00 p.m. Council Work Session at the Community Center:** Mr. Eubank reminded the Council of the upcoming Comprehensive Plan City Council work session.
- d. **SummerFest – Third Avenue Clean-Up:** Recently, approximately 8 volunteers and 4 City representatives assisted in the clean-up of Third Avenue in preparation for SummerFest.

BUSINESS FROM THE MAYOR

- a. **Reappointment of Susan Brandt to the P.E.G. Access Commission:** Mayor Vigil stated he would like to reappoint Susan Brandt to the P.E.G. Access Commission.

MOTION: From Councilor Niegel, seconded by Councilor Quigley, to reappoint Susan Brandt to the P.E.G. Access Commission. **Motion passed 4:0.**

- b. **Letter of Interest from Emily Gooch for Vacant City Councilor position:** Mayor Vigil informed the Council the City Administrator had received a letter of interest for the vacant Council position. Ms. Gooch was in the audience and at Councilor Porter's request, Mayor Vigil introduced her.

BUSINESS FROM THE COUNCIL

- a. Councilor Porter will be out of town the first week of August and the first week of September.
- b. Councilor Quigley requested solicitor licenses be placed under future agenda items in order to resolve this issue. Councilor Loftus suggested a work session be scheduled to further discuss the issue. Mayor Vigil stated prior to scheduling a work session, he would like to see what Mr. Fleishman finds from other cities on this issue. He suggested the second meeting in September when all Council members will be present.

FUTURE AGENDA ITEMS

- a. **Public Hearing – Phillips Property Annexation**
- b. **City Facebook Page**
- c. **10th Avenue Improvements Project – Property Assessments**
- d. **Solicitor Licenses**

ADJOURN

There being no further business, the meeting was adjourned at 7:54 p.m.

APPROVED BY THE STAYTON CITY COUNCIL THIS 20TH DAY OF AUGUST 2012, BY A 3:0 VOTE OF THE STAYTON CITY COUNCIL.

CITY OF STAYTON

Date: 8-20-12

By: [Signature]
A. Scott Vigil, Mayor

Date: 8/20/12

Attest: [Signature]
Don Eubank, City Administrator

Date: 8/20/12

Transcribed by: [Signature]
Alissa Angelo, Deputy City Recorder