

**STAYTON CITY COUNCIL  
MEETING MINUTES  
March 18, 2013**

**CALL TO ORDER**

7:00 p.m.

Mayor Vigil

**FLAG SALUTE**

**ROLL CALL**

Mayor Scott Vigil	Councilor Jennifer Niegel
Councilor Henry Porter	Councilor Catherine Hemshorn, excused
Councilor Brian Quigley	Councilor Emily Gooch

**STAFF**

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

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

Mr. Fleishman announced that Marion County Public Works will be holding an open house regarding their draft Rural Transportation System Plan on March 27, 2013 from 3:00 p.m. to 6:30 p.m. at their offices located at 5155 Silverton Road in Salem.

**ANNOUNCEMENTS**

- a. **Additions to the Agenda:** None.
- b. **Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.:** Councilor Niegel declared a conflict of interest due to her husband being appointed to the Budget Committee under Business from the Mayor.

**CONSENT AGENDA**

- a. **March 4, 2013 City Council Meeting Minutes:**

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

**PUBLIC HEARING – None**

**UNFINISHED BUSINESS**

**Ordinance No. 949, Comprehensive Plan**

- a. **Staff Report:** Mr. Fleishman briefly reviewed his staff report and changes made to the draft Ordinance since the last meeting.
- b. **Council Deliberation:** Councilor Gooch is in support of adopting the Comprehensive Plan.

Councilor Quigley asked if Ordinance No. 949 is not adopted, will the City's current Comprehensive Plan remain in place. Mr. Fleishman stated yes and the State of Oregon mandates the City have a Comprehensive Plan in place.

c. **Council Decision:**

**MOTION:** From Councilor Porter, seconded by Councilor Gooch, to approve the second consideration of revised Ordinance No. 949.

**UPON ROLL CALL VOTE, THE MOTION PASSED 4:0.**

**Ordinance No. 953, Natural Resource Overlay District**

- a. **Staff Report:** Mr. Fleishman briefly reviewed the staff report included in the Council packet. The record remains open; however, staff recommends it be closed following discussion this evening.

On March 13, 2013, the Santiam Water Control District submitted additional testimony to staff. However, he did not have ample time to make revisions to draft Ordinance No. 953 prior to the staff reports deadline. He explained that the Council may choose to postpone consideration of the Ordinance or move to make no changes to the Comprehensive Plan, Official Zoning Map and narrative description of the Natural Resource Overlay District (NROD). Mr. Fleishman also presented a GIS map showing the proposed 25-foot setback and the current 50-foot setback along the Salem Ditch and Stayton Ditch throughout the City.

Mr. Fleishman will bring a revised Ordinance No. 953 to the April 1, 2013 meeting.

Mayor Vigil closed the record for Ordinance No. 953 at 7:30 p.m.

- b. **Council Deliberation:** Councilor Porter suggested any decision on the Ordinance be deferred to the next meeting. The Council agreed.
- c. **Council Decision:** None.

**NEW BUSINESS**

**Resolution No. 896, Oregon Parks and Recreation Grant Application for Pioneer Park**

- a. **Staff Report:** Mr. Kinney reviewed the staff report included in the packet. The Parks and Recreation Board has recommended the Council authorize the submittal of the application. If funded, the grant will pay for several improvements to Pioneer Park.
- b. **Council Deliberation:** Councilor Quigley asked if it's common to have a 40% match for the grant in place prior to submitting the application. Mr. Kinney stated it's best to be as close to the 40% match as possible. Currently, staff is working with local contractors to obtain letters of commitment for the project.

Councilor Quigley asked about the likelihood that another park project in Stayton would receive funding. Mr. Kinney feels the City's application for Pioneer Park is competitive. The project is a rehabilitation project and the park is heavily used. In his opinion, obtaining funding in 2013 is a 50/50 chance. If funding isn't received this year, staff will apply again in 2014.

Mayor Vigil asked about removal of the basketball courts at Pioneer Park. He is concerned if they are removed, they will not be relocated. Mr. Kinney spoke briefly about the master planning process for this project and public comment on the basketball courts. He said there are options for relocating the courts, but a specific plan has not been put into place. Councilor Niegel commented that there may be new courts going in behind Stayton Intermediate School. Mr. Kinney, who is also a member of the North Santiam School District Board, stated this is still in the planning phases but there has been discussion on this. Mayor Vigil strongly feels if the basketball courts are removed from Pioneer Park, new courts need to be available elsewhere in Stayton.

Councilor Quigley asked about the closure of Park Road in phase two of the project. Mr. Kinney spoke about how traffic will be rerouted for those who live off of Park Road.

**c. Council Decision:**

**MOTION:** From Councilor Quigley, seconded by Councilor Gooch, to approve Resolution No. 896. **Motion passed 4:0.**

**Ordinance No. 954, Transportation Maintenance Fee**

- a. **Staff Report:** Mr. Kinney reviewed the staff report included in the City Council packet. He gave a presentation which covered the fees collected and how they have been put to use over the past two years, as well as future projects that will utilize the funds collected from the Transportation Maintenance Fee.
- b. **Council Deliberation:** Mayor Vigil spoke against removing the sunset clause from the Ordinance and his concern about the fees being raised yearly.

Councilor Gooch asked if other cities have a similar program. Mr. Kinney stated there are other cities that include Corvallis and Salem, among others.

Councilor Niegel asked if the fees related to this Ordinance had been increased since the original Ordinance was put into place. Mr. Kinney stated no.

Mayor Vigil recommended the Council only adopt the Ordinance for a two-year period. He stated he does see good things happening with the program, and hasn't been hearing any complaints.

Councilor Quigley asked how staff determined a five-year extension was best. Mr. Kinney stated the initial two years went by quickly and many projects were accomplished. A five-year extension seemed reasonable, although there is no specific reason for the amount of time. Councilor Quigley asked if all the money collected had been spent. Mr. Kinney stated yes.

Councilor Porter feels this is a great program that is showing positive results in the community. He would like to see it continued for the next five years.

**c. Council Decision:**

**MOTION:** From Councilor Porter, seconded by Councilor Niegel, to approve Ordinance No. 954 to amend Stayton Municipal Code Chapter 3.30 to extend the Transportation Maintenance Fee for five years.

**UPON ROLL CALL VOTE, THE MOTION PASSED 4:0.**

**STAFF / COMMISSION REPORTS**

**Finance Director's Report – Christine Shaffer**

a. **February 2013 Monthly Finance Department Report:** No discussion.

**Police Chief's Report – Rich Sebens**

a. **February 2013 Statistical Report:** No discussion.

b. **K9 Officer Update:** Chief Sebens announced that with the help of fundraisers, the Stayton Police Department now has enough funding to obtain a K9 Officer. The dog is scheduled to arrive in May.

**Public Works Director's Report – David Kinney**

a. **February 2013 Monthly Operating Report:** No discussion.

b. **Public Works Update:** No discussion.

**Pool Report**

a. **February 2013 Monthly Operating Report:** No discussion.

**Library Director's Report – Louise Meyers**

a. **February 2013 Activities / Statistics:** No discussion.

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

**BUSINESS FROM THE CITY ADMINISTRATOR – None**

**BUSINESS FROM THE MAYOR**

a. Mayor Vigil asked the Council to ratify his appointment of Chad Niegel to the Budget Committee.

**MOTION:** From Councilor Quigley, seconded by Councilor Porter, to ratify the appointment of Chad Niegel to the Budget Committee. **Motion passed 3:0 (Niegel abstained).**

b. Mayor Vigil asked the Council to ratify the reappointments of Tadd Humphreys and Scott West to the Budget Committee.

**MOTION:** From Councilor Niegel, seconded by Councilor Gooch, to ratify the reappointments of Tadd Humphreys and Scott West to the Budget Committee.  
**Motion passed 4:0.**

**BUSINESS FROM THE COUNCIL**

Councilor Porter asked if there is anything that can be done about the vehicle in the downtown area that is loaded with metal recycling. It is his understanding the vehicle can be parked on the street as long as it is moved every 48 hours.

Chief Sebens provided the Council with background on the issue. The Police Department has been working with this individual. However, there is only so much that can be done if the vehicle is moved every 48 hours.

Councilor Quigley asked if any trailer may be parked on the side of a road. Chief Sebens stated yes, as long as it is moved every 48 hours. Councilor Quigley inquired if anyone is addressing code enforcement issues. Chief Sebens stated they are looked at on a complaint basis.

Mr. Fleishman stated if the Council wished, staff could work on drafting an ordinance that would address this type of issue.

On another topic, Councilor Gooch updated the Council on the recent Santiam Regional Advisory Council (SRAC) meeting she attended. Stephen Dickley, Director of Transportation Development from Salem-Keizer Transit spoke at the meeting about the Regional Transit Plan for the Santiam Canyon area. The next meeting in June will be held in Stayton.

**ADJOURN**

There being no further business, the meeting was adjourned at 8:16 p.m.

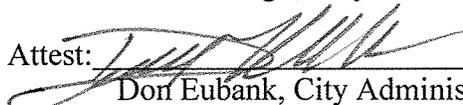
APPROVED BY THE STAYTON CITY COUNCIL THIS 1ST DAY OF APRIL 2013, BY A 5:0 VOTE OF THE STAYTON CITY COUNCIL.

**CITY OF STAYTON**

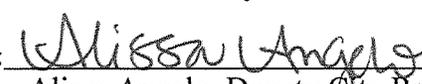
Date: 4-1-13

By:   
A. Scott Vigil, Mayor

Date: 4/2/13

Attest:   
Don Eubank, City Administrator

Date: 4/2/13

Transcribed by:   
Alissa Angelo, Deputy City Recorder

