City of Stayton
City Council Meeting Action Minutes
November 18, 2013

LOCATION: STAYTON COMMUNITY CENTER, 400 W. VIRGINIA STREET, STAYTON

Time Start: 7:00 P.M. **Time End:** 9:40 P.M.

COUNCIL MEETING ATTENDANCE LOG

COUNCIL	STAYTON STAFF
Mayor Scott Vigil	Alissa Angelo, Deputy City Recorder
Councilor Emily Gooch	Dan Fleishman, Director of Planning & Development
Councilor Catherine Hemshorn	David Kinney, Public Works Director
Councilor Jennifer Niegel	Louise Meyers, Library Director (excused)
Councilor Henry Porter	Rich Sebens, Police Chief
Councilor Brian Quigley	Christine Shaffer, Interim City Administrator
	David Rhoten, City Attorney
	Pamela Abernathy, Special Counsel

AGENDA	ACTIONS
REGULAR MEETING	
Presentations / Comments from the Public a. Donation to Park Fund from Car Show Committee by Chair Alan Kingsley	Mr. Kingsley was unable to attend. Ms. Shaffer announced the Car Show Committee had presented the City with a check in the amount of $700 for use of the park during the car show this past summer.
Announcements a. Additions to the Agenda b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.	None None
Consent Agenda a. November 4, 2013 City Council Meeting Minutes	Motion from Councilor Gooch, seconded by Councilor Hemshorn, to approve the consent agenda. **Motion passed 4:0 (Niegel abstained).**
Public Hearing **Ordinance No. 962, Amendments in the Downtown Zone** a. Commencement of Public Hearing b. Staff Report – Dan Fleishman c. Questions from Council d. Proponents' Testimony e. Opponents' Testimony	Mayor Vigil opened the hearing at 7:04 p.m. Mr. Fleishman reviewed his staff report. Discussion of Floor Area Ratio (FAR). None Gerry Aboud, 836 E. Kathy Street spoke in opposition of the proposed minimum FAR.

f. General Testimony	None
g. Questions from the Public	None
h. Questions from the Council	Discussion on parking, building, and properties in the downtown DRMU zone.
i. Staff Summary	Mr. Fleishman provided a brief summary.
j. Close of Hearing	Mayor Vigil closed the hearing at 7:47 p.m.
k. Council Deliberation	The Council discussed the proposed changes to the minimum FAR. Consensus of the Council was to lower the minimum FAR to 0.20.
l. Council Decision	Motion from Councilor Niegel, seconded by Councilor Hemshorn, to adopt Ordinance No. 962 as amended and bring it back to the December 4, 2013 Council meeting for second consideration. **Motion passed 5:0.**
Presentations / Comments from the Public	
a. Paul Manning, CEO of the Family YMCA of Marion and Polk Counties	Mr. Manning apologized for arriving late and read a statement to the Council. Discussion of filling the Aquatics Manager position, lack of general updates from the YMCA to the Council, and the Stayton Sprint Triathlon. YMCA staff will now provide a report to the Council on a monthly basis.
Ordinance No. 963, Amendments for the Interchange Development Zone	
a. Commencement of Public Hearing	Mayor Vigil opened the hearing at 8:22 p.m.
b. Staff Report – Dan Fleishman	Mr. Fleishman reviewed his staff report.
c. Questions from Council	Discussion of maximum square footages on current approved uses, and the history of the Interchange Development Zone.
d. Proponents' Testimony	Keith Whisenhunt spoke in favor. However, requested the Council consider amending to allow for a 3,000 square foot building. Don Jensen and Jack Yarbrough also spoke in favor but also recommended allowing a 3,000 square foot building.
e. Opponents' Testimony	None
f. General Testimony	None
g. Questions from the Public	David Nielsen, 2069 Cardinal Avenue, asked if there are any legal barriers due to the stipulated

	judgment on that development. Mr. Fleishman spoke about the requirements of the stipulated judgment.
h. Questions from the Council	Discussion of property and if any nearby properties could house a 3,000 square foot building.
i. Staff Summary	Mr. Fleishman provided a brief summary.
j. Close of Hearing	8:47 p.m.
k. Council Deliberation	Councilor Niegel recommended removing the maximum square footage requirement.
l. Council Decision	Motion from Councilor Niegel, seconded by Councilor Gooch, to approve Ordinance No. 963 as amended. **Motion passed 5:0.**
New Business	
a. ODOT Fund Exchange Agreement	Motion from Councilor Niegel, seconded by Councilor Hemshorn, to authorize the Mayor to execute the Fund Exchange Agreement between the City of Stayton and ODOT in the amount of $90,310.10. **Motion passed 5:0.**
b. City Administrator Recruitment	It was the consensus of the Council to move forward with extensive background checks on the top two candidates.
c. Santiam Water Control District Memorandum of Agreement	Motion from Councilor Hemshorn, seconded by Councilor Niegel, to authorize the interim City Administrator to sign the Memorandum of Understanding with the Santiam Water Control District as presented. **Motion passed 5:0.**
Unfinished Business	
a. Potential Annexation of Various Street Right-of-Ways and other Properties	Motion from Councilor Niegel, seconded by Councilor Gooch to direct staff to return to the December 4, 2013 City Council meeting with a resolution to initiate annexation of the territories identified by staff provided the property owners give consent. *Discussion:* Councilor Quigley asked if the closure of the E. Marion County Justice Court wasn't moving forward, would staff still be pursuing this. Chief Sebens stated no. **Motion passed 5:0.**
Staff / Commission Reports	
a. Finance Director's Report – Christine Shaffer	No discussion.

b. Police Chief's Report – Rich Sebens	No discussion.
c. Public Works Director's Report – Dave Kinney	Mr. Kinney briefly discussed phase 2 of the sidewalk maintenance program.
d. Planning & Development Director's Report – Dan Fleishman	Brief discussion of the FAR by Councilor Gooch. Mr. Fleishman stated the public hearing is now closed and nothing further can be added to the record at this time.
e. Library Director's Report – Louise Meyers	No discussion.
Presentations / Comments From the Public a. Bill Martinak, 15556 Coon Hollow Road	Inquired about obtaining a copy of the Memorandum of Understanding. Discussion of new fees that will be implemented due to this.
Business from the City Administrator	None
Business from the Mayor	None
Business from the Council	None
Future Agenda Items a. Review of City Charter b. TMDL 5th Year Report	

APPROVED BY THE STAYTON CITY COUNCIL THIS 2ND DAY OF DECEMBER 2013, BY A 4:0 VOTE OF THE STAYTON CITY COUNCIL.

Date: 2-12-13 By: _____
A. Scott Vigil, Mayor

Date: _____ Attest: Christine Shaffer
Christine Shaffer, Interim City Administrator

Date: 12-4/13 Transcribed by: Alissa Angelo
Alissa Angelo, Deputy City Recorder