

**STAYTON CITY COUNCIL  
MEETING MINUTES  
November 01, 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, excused (ill)  
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, excused  
David A. Rhoten, City Attorney  
Jeffrey M. Strickland, Assistant City Attorney  
Rebecca Petersen, Deputy City Recorder

**PRESENTATIONS/COMMENTS FROM THE PUBLIC**

**a. Spotlight:** Mr. Kinney gave an overview of the City's Total Maximum Daily Load (TMDL) Plan. The City's TMDL Plan is a component of the State of Oregon's overall water quality management strategy under the Willamette River Basin Management Plan (WRBMP). The WRBMP has been approved by the Oregon Department of Environmental Quality (DEQ) and U. S. Environmental Protection Agency (EPA). The WRBMP identifies the City of Stayton as a designated management agency because it borders Mill Creek and the North Santiam River, which both feed into the Willamette River. Stayton is responsible for monitoring and taking actions to improve water quality within its jurisdictional boundaries (city limits) and to plan for water quality improvements within the Urban Growth Boundary which extends up Highway 22. As part of the City's TMDL plan, the City is responsible for submitting an annual report to the State Department of Environmental Quality (DEQ) that tells them what actions the City has taken to maintain or improve water quality within the Mill Creek and N. Santiam River basins. The City's TMDL plan requires the City to report on and take actions which affect three water quality parameters: (1) temperature, (2) mercury and (3) bacteria. Mr. Kinney reviewed the City's 2009-2010 activities included in the TMDL annual report which was filed with DEQ in September 2010.

**ANNOUNCEMENTS**

**a. Additions to the Agenda:** Ms. Petersen stated Mayor Aboud would like to add the appointment of Eric Hartill to the Park and Recreation Board, under business from the Mayor.

## **CONSENT AGENDA**

- a. City Council Meeting Minutes of October 18, 2010**
- b. Bid Award Santiam Park Poured in Place Playground Surfacing**

**Motion:** From Councilor Loftus seconded by Councilor Walters to approve the consent agenda. Council members were polled and the vote was unanimous.

**PUBLIC HEARINGS – None.**

**UNFINISHED BUSINESS – None.**

## **NEW BUSINESS**

### **M.O.U. w/Marion County Sheriff's Office for Patrol of Wilderness Park Area:**

- a. Staff Report:** Chief Sebens reviewed the staff report included in the packet materials, regarding an Intergovernmental Agreement between Marion County and the City of Stayton, for law enforcement on a small parcel of land between the Riverfront and Wilderness Parks.
- b. Council Deliberation:** Responding to a question regarding annexation of the parcel, Mr. Fleishman stated he believes the property owners are not interested in annexing the property and that the parcel is owned by a tax exempt organization.
- c. Council Decision:** From Councilor Loftus, seconded by Councilor Walters, to move to authorize the Chief of Police to sign the Intergovernmental Agreement between the City of Stayton and the Marion County Sheriff. Motion passed: 4:0.

### **Community Grant Request – Stayton Storm Basketball**

- a. Staff Report:** Ms. Shaffer reviewed the staff memorandum included in the packet materials, for a community grant request to support the Stayton Storm basketball team.
- b. Council Deliberation:** None.
- c. Council Decision:**

**Motion:** From Councilor Frank, seconded by Councilor Loftus, to award a Community Grant to the Stayton Storm basketball team in the amount of \$150.00. Motion passed: 4:0.

## **STAFF/COMMISSION REPORTS**

### **Director of Planning/Development – Dan Fleishman**

- a. Implementation of Downtown Development Plan:** Mr. Fleishman reviewed the staff memorandum included in the packet materials regarding the future of Urban Renewal, and gave a brief description of how valuable and relevant various components of the plan would be to the city, particularly the Vertical Housing Development Zone. The zone would provide

partial property tax exemptions, which is one more thing the city could do to provide incentives to help produce this type of development in the downtown area. The amount of exemption is based on a formula taking into consideration square footage, and total number of stories to the structure. A two story structure would receive a 20% exemption on the improvement value. It's a tool that's out there to use, and it would be a loss of money to the general fund and less money to other taxing districts, he said.

Mr. Fleishman explained that the Urban Renewal Agency adopted a set of bylaws and its time for the agency to continue or repeal the ordinance that established it. It was his recommendation to keep the agency in place. Councilor Loftus asked if there was anything that could be done downtown for local owners that have beautified their properties. Mr. Fleishman stated that if the City wished to provide a monetary incentive to property owners, other than what the legislature says to do, the City needs to budget for it. Councilor Frank stated it was his recommendation to not have the Agency meet on the 13<sup>th</sup>. Councilor Walters stated the people have spoken that they do not want Urban Renewal, but that the City should take what ever funds they can and put it into the Vertical Housing Development Zone.

**Motion:** From Councilor Vigil, seconded by Councilor Frank, to request staff prepare a report for the November 15<sup>th</sup> Council meeting re: Vertical Housing Development Zone. Motion passed: 4:0.

**Discussion:** Mayor Aboud asked for a consensus from the Council as to whether or not the Urban Renewal Committee should be cancelled for the 13<sup>th</sup>, the Council answered in the affirmative.

**b. Report on LUBA Decision:** Mr. Fleishman reviewed the staff report included in the packet materials regarding Ordinance 911 which adopted the Storm Water Master Plan, and was appealed to Land Use Board of Appeals (LUBA) by the Santiam Water Control District (SWCD). LUBA upheld the City's adoption of the Master Plan, rejecting the District's allegations of errors. LUBA found the following: The District's Storm Water Drainage Plan and Policies were not adopted as part of a public process, and the City is not obligated to coordinate its Master Plan with the District's plan; efforts of the City to involve the District in the development of the Master Plan were adequate, and the City's findings balance the needs of the District and the City; and, the Master Plan does not violate Statewide Planning Goal 3 regarding protection of agricultural lands.

Councilor Loftus complimented Mr. Fleishman on the great job he did preparing for the LUBA appeal. Referring to various citations of federal statutes relating to local governments use of the term coordinate, Councilor Loftus asked Mr. Fleishman to research the citations.

#### **Public Works Director -- Dave Kinney**

**a. Pedestrian Bridge Update:** Mr. Kinney reported that Mike Brash, Senior Engineering Technician has been working with Oregon State Bridge Company (OSBC) to complete

construction of the ramps off the north and south end of the bridge. OSBC is a volunteer contractor on the project hopes to complete the ramp work in November.

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

**BUSINESS FROM THE CITY ADMINISTRATOR – None.**

**BUSINESS FROM THE MAYOR**

**a. Appointment to Park and Recreation Board:**

**Motion:** From Councilor Loftus, seconded by Councilor Walters to appoint Eric Hartill to the Park and Recreation Board. Motion passed: 4:0.

**BUSINESS FROM THE COUNCIL**

Councilor Frank stated he wanted to assure folks that have contacted him regarding the reader board sign, that the Council is working on the issue of establishing rules for the use of the board.

Councilor Frank stated the creation of a Boys and Girls Club in Stayton is dear to his heart and that he would like to encourage anyone who would like to start the program in town to do so. Boys and Girls Clubs are a place for teens to go that provides a safe and productive environment, he said.

Councilor Loftus stated he was sent an email message from Mid-Valley Mentors Group that works with young kids, and if anyone is interested in working with the group to contact him for more information.


**ADJOURN**

There being no further business, the meeting was adjourned at 8:12 pm.

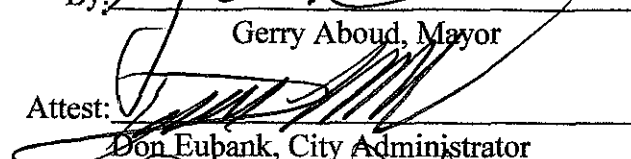
APPROVED BY THE STAYTON CITY COUNCIL this 15<sup>th</sup> day of November 2010, by a 4:0 VOTE OF THE STAYTON CITY COUNCIL.

CITY OF STAYTON

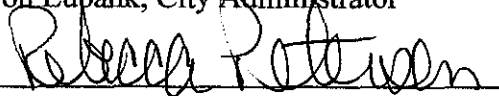
Date: 11/15/2010

By:   
Gerry Aboud, Mayor

Date: 11/16/10

Attest:   
Don Eubank, City Administrator

Date: 11-15-2010

Transcribed by:   
Rebecca Petersen, Deputy City Recorder