



**RESOLUTION NO. 26-005**  
**A RESOLUTION CALLING FOR A MEASURE ELECTION TO SUBMIT TO THE ELECTORS**  
**OF THE CITY OF STAYTON THE QUESTION OF AMENDING THE CITY CHARTER, TO**  
**BE PLACED ON THE MAY 19, 2026 ELECTION BALLOT**

**WHEREAS**, the City of Stayton City Council concluded that certain revisions should be made to the City Charter of Stayton, which was last amended in 2018;

**WHEREAS**, with the amendments, the City Council wishes to clarify the City's annexation procedures, update the authority of the Mayor, expand the City Council to include the Mayor and one new Councilor, clarify the role of the City Manager, and incorporate other minor updates; and

**WHEREAS**, because amendments to the Charter must be approved by the City electorate, the City Council desires to submit a ballot measure for amendments to the Charter to the registered voters of the City of Stayton for the May 19, 2026, election.

**NOW THEREFORE, THE STAYTON CITY COUNCIL RESOLVES AS FOLLOWS:**

1. A measure election is hereby called for the purpose of submitting to the electors of the City of Stayton the question of adopting amendments to specific sections of the City Charter of Stayton as shown in the attached Exhibit A. A version of the amended sections of the City Charter of Stayton showing the proposed changes in comparison to the current City Charter of Stayton is attached as Exhibit B.
2. The measure election shall be held in the City on the 19<sup>th</sup> day of May, 2026. Under the direction of the County Clerk of Marion County, and the Oregon Secretary of State, the election shall be conducted by mail pursuant to applicable state law. The elections officer for Marion County is hereby directed to proceed with the election by placing the measure on the ballot and taking such other actions to carry out the intent of this resolution.
3. Ballots from the election shall be counted and tabulated and the results certified as provided by law, and if a majority of the legal voters of the City voting in the election approve the measure, the amendments set out in Exhibit A to the City Charter of Stayton shall become effective July 1, 2026.
4. The City authorizes its City Manager ("Authorized Representative"), or a designee of the Authorized Representative, to act on behalf of the City and to take such further action as is necessary to carry out the intent and purposes herein in compliance with applicable law.
5. The following is approved as the ballot title:

**Caption:** Measure proposing amendments to the City Charter of Stayton

**Question:** Shall proposed amendments to the City Charter of Stayton be adopted?

**Summary:** The City Council proposes these amendments to the City Charter. Amending the Charter requires an affirmative vote of City voters. If approved, the amendments take effect July 1, 2026.

Approving this measure would adopt amendments to the City's Charter, as follows:

- Clarifying that annexation proposals covering more than three acres will be put to a popular vote unless state law provides otherwise.

- Making the Mayor a voting member of the Council.
- Removing the Mayor’s authority to require the Council reconsider ordinance adoptions.
- Modernizing the process to fill vacancies on the Council.
- Adding job duties for the City Manager.
- Clarifying authority of municipal judge to issue non-criminal administrative warrants.
- Updating various provisions to harmonize the above changes.

A complete copy of the proposed Charter amendments is available at Stayton City Hall and at [www.staytonoregon.gov](http://www.staytonoregon.gov). A “yes” vote adopts the proposed amendments. A “no” vote keeps the current Charter unchanged.

6. The City Elections Officer is directed to publish in the next available edition of The Statesman Journal, or in another newspaper of general circulation within the City, a notice of receipt of the ballot as required by state law.
7. The City Elections Officer is directed to deliver the appropriate notice and the ballot title to the Marion County Elections Office after the ballot title appeal timeline has run.
8. The Authorized Representative shall file, prior to applicable filing deadlines, an impartial explanatory statement for the County voter’s pamphlet. The explanatory statement shall comply with applicable state and county requirements.

This Resolution shall take effect immediately upon its adoption by the Stayton City Council.

**ADOPTED BY THE STAYTON CITY COUNCIL THIS 17<sup>TH</sup> DAY OF FEBRUARY, 2026.**

Signed: \_\_\_\_\_, 2026  
Feb 20, 2026

BY:   
Brian Quigley (Feb 20, 2026 11:45:03 PST)  
Brian Quigley, Mayor

Signed: \_\_\_\_\_, 2026  
Feb 24, 2026

ATTEST:   
Julia Hajduk, City Manager

# 26-005 - Charter Amendments Ballot Measure REVISED 2-18-26

Final Audit Report

2026-02-24

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## "26-005 - Charter Amendments Ballot Measure REVISED 2-18-26" History

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**Exhibit A**  
City Charter Update  
Proposed Charter Text for 2026

**Section 4. Annexations.**

Unless mandated by State law, annexations of more than three acres, delayed or otherwise, to the city may only be approved by a prior majority vote among the electorate.

**Section 9. Mayor.**

The mayor presides over and facilitates council meetings, preserves order, enforces council rules and determines the order of business under council rules. The mayor is a voting member of the council and has no veto authority. The mayor appoints members of commissions and committees established by ordinance or resolution with the approval of a majority vote of the council. The mayor must sign all records of council decisions and as authorized by rule, unless otherwise provided in this Charter. The mayor serves as the political head of the city government but shall have no administrative duties.

**Section 17. Ordinance Enactment.**

(a) Except as authorized by subsection (b), enactment of an ordinance requires approval by a majority of the council at two meetings.

(b) The council may enact an ordinance at a single meeting by the unanimous approval of the council members in attendance, provided the proposed ordinance is available to the public at least seven days before the meeting.

(c) Any substantive amendment to a proposed ordinance must be read aloud or made available to the public before the council enacts the ordinance at that meeting.

(d) After the adoption of an ordinance, the vote of each council member must be entered into the council minutes.

(e) When an ordinance is passed, the city recorder shall endorse it with the date of its passage, and the city recorder's name and title of office; and within three days thereafter the mayor shall sign and date it.

**Section 33. Filling Vacancies.**

A mayor or councilor vacancy shall be filled by appointment by a majority of the remaining council members. Notwithstanding the quorum requirement set forth in Section 13, if at any time council membership is reduced to less than 4, the remaining council members may, by majority action, appoint additional members to raise the membership to 4. As little as a single council member may constitute a quorum for purposes of filling a vacant council seat, if all other council seats are vacant. The term of office for the appointee runs from appointment until expiration of the term of office of the last person

elected to that office. If a disability prevents a council member from attending council meetings or a member is absent from the city, a majority of the council may appoint a council member pro tem.

#### **Section 34. City Manager.**

(a) The office of city manager is established as the administrative head of the city government. The city manager is responsible to the council for the proper administration of city business. The city manager will assist the council in the development of city policies, and carry out policies set by ordinances and resolutions.

(b) A majority of the council must appoint and may remove the manager. The appointment must be made without regard to political considerations and solely on the basis of education and experience in competencies and practices of local government management.

(c) The manager must:

- 1) Attend all council meetings unless excused by the mayor or council;
- 2) Make reports and recommendations to the council about the needs of the city;
- 3) Administer and enforce all city ordinances, resolutions, franchises, leases, contracts, permits and other city decisions;
- 4) Appoint, supervise, and remove city employees;
- 5) Organize city departments and administrative structure;
- 6) Prepare and administer the annual city budget;
- 7) Administer city utilities and property;
- 8) Encourage and support regional and intergovernmental cooperation;
- 9) Promote cooperation among the council, staff, and citizens in developing city policies and building a sense of community;
- 10) Perform other duties as directed by the council; and
- 11) Delegate duties but remain responsible for actions of all subordinates.

(d) The mayor and councilors may not directly or indirectly attempt to coerce the manager or a candidate for the office of manager in the appointment or removal of any city employee, or in administrative decisions regarding city property or contracts. To coerce means the act of using threats, intimidation, or undue pressure to influence the manager's decisions or actions. Violation of this prohibition is grounds for removal from office by a majority of the council after a public hearing. In public meetings, council members may discuss or suggest anything with the manager relating to city business.

(e) When the manager is temporarily disabled from acting as manager or when the office of the manager becomes vacant, the council must appoint a manager pro tem. The manager pro tem has the authority and duties of manager, except that a pro tem manager may appoint or remove employees only with council approval.

#### **Section 36. Municipal Court and Judge.**

(a) The mayor may appoint and remove a municipal judge with the consent of the council. A municipal judge will hold court in the city at such place as the council directs. The court will be known as the Municipal Court.

(b) All proceedings of this court will conform to state laws governing justices of the peace and justice courts.

(c) All areas within the city and areas outside the city as permitted by state law are within the territorial jurisdiction of the court.

(d) The municipal court has jurisdiction over every offense created by city ordinance. The court may enforce forfeitures and other penalties created by ordinances. The court also has jurisdiction under state law unless limited by city ordinance.

(e) The municipal judge may:

- (1) Render judgments and impose sanctions on persons and property;
- (2) Order the arrest of anyone accused of an offense against the city;
- (3) Commit to jail or admit to bail anyone accused of a city offense;
- (4) Issue and compel obedience to subpoenas;
- (5) Compel witnesses to appear and testify and jurors to serve for trials before the court;
- (6) Penalize contempt of court;
- (7) Issue processes necessary to enforce judgments and orders of the court;
- (8) Issue search warrants and administrative warrants; and
- (9) Perform other judicial and quasi-judicial functions assigned by ordinance.

(f) The mayor may appoint and may remove municipal judges pro tem with the consent of the council.

(g) The council may transfer some or all of the functions of the municipal court to a state court.

### **Section 8. Council.**

The council consists of a mayor and five councilors nominated and elected from the city at large.

### **Section 10. Council President.**

At its first meeting each year, the council must elect a president from its membership. The president presides in the absence of the mayor and acts as mayor when the mayor is unable to perform duties, including signing records of council decisions and as authorized by rule.

### **Section 13. Quorum.**

Four or more council members are a quorum to conduct business, but two members may meet and compel attendance of absent members as prescribed by council rules.

**Section 18. Effective Date of Ordinances.**

Ordinances normally take effect on the 30th day after enactment or on a later day provided in the ordinance. An ordinance may take effect as soon as enacted or another date less than 30 days after enactment if it contains an emergency clause

**Section 20. Resolution Adoption.**

- (a) Adoption of a resolution or any other council administrative decision requires approval by the council at one meeting.
- (b) Any substantive amendment to a resolution must be read aloud or made available in writing to the public before the council adopts the resolution at that meeting.
- (c) After adoption of a resolution or other administrative decision, the vote of each council member must be entered into the council minutes.
- (d) After adoption of a resolution, the city recorder must attest to the resolution by name, title and date of adoption.

**Section 23. Order Approval.**

- (a) Approval of an order or any other council quasi-judicial decision requires approval by the council at one meeting.
- (b) Any substantive amendment to a proposed order must be read aloud or made available in writing to the public at the meeting before the council approves the order.
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**Exhibit B**  
City Charter Update  
Track Changes Analysis

**Section 4. Annexations.**

~~Annexations over~~Unless mandated by State law, annexations of more than three acres ~~not required by state law must, delayed or otherwise, to the city may only~~ be approved by ~~city voters before the annexations take effect~~a prior majority vote among the electorate.

**Section 9. Mayor.**

The mayor presides over and facilitates council meetings, preserves order, enforces council rules and determines the order of business under council rules. The mayor is ~~not a~~ voting member of the council and has no ~~vote unless there is a tie vote. The mayor has veto~~ authority ~~to require the council to reconsider ordinances.~~ The mayor appoints members of commissions and committees established by ordinance or resolution with the approval of a majority vote of the council. The mayor must sign all records of council decisions and as authorized by rule, unless otherwise provided in this Charter. The mayor serves as the political head of the city government but shall have no administrative duties.

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(c) Any substantive amendment to a proposed ordinance must be read aloud or made available to the public before the council enacts the ordinance at that meeting.

(d) After the adoption of an ordinance, the vote of each ~~councilor~~council member must be entered into the council minutes.

(e) When an ordinance is passed, the ~~City Recorder~~city recorder shall endorse it with the date of its passage, ~~his/her~~and the city recorder's name and title of office; and within three ~~day~~days thereafter the mayor shall sign and date it ~~unless the mayor requires reconsideration of the ordinance.~~

~~(f) If the mayor requires reconsideration of an ordinance, the mayor must return it to the city recorder with written reasons for reconsideration within seven days of receipt of the ordinance. If the mayor does not so return it, such ordinance shall become law as enacted.~~

~~(g) Upon the first regular meeting of the council after the demand for reconsideration by the mayor, the council must consider the reasons provided by the mayor and vote on the ordinance. If at least three councilors vote to enact the ordinance, it shall become law. If no vote is taken at such meeting on the passage of the ordinance, it shall be deemed to have failed to become law.~~

### **Section 33. Filling Vacancies.**

~~A vacancy in the office of mayor will be filled by a majority of the council. A councilor vacancy will be filled by appointment by the mayor with the consent of the council. A mayor or councilor vacancy shall be filled by appointment by a majority of the remaining council members. Notwithstanding the quorum requirement set forth in Section 13, if at any time council membership is reduced to less than 4, the remaining council members may, by majority action, appoint additional members to raise the membership to 4. As little as a single council member may constitute a quorum for purposes of filling a vacant council seat, if all other council seats are vacant. The term of office for the appointee runs from appointment until expiration of the term of office of the last person elected to that office. If a disability prevents a council member from attending council meetings or a member is absent from the city, ~~the mayor with the consent~~ a majority of the council may appoint a ~~councilor~~ council member pro tem.~~

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- ~~11) Delegate duties but remain responsible for actions of all subordinates.~~

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