

DAYTON CITY COUNCIL MINUTES

Regular Meeting

Monday, November 14, 2016

112 S. 1st Street

Dayton, WA 99328

1. CALL TO ORDER: Mayor George calls the meeting to order at approximately 6:00 p.m.

Roll Call: Present - Kathy Berg, Zac Weatherford, Dain Nysoe, Byron Kaczmariski, Michael Paris, Delphine Bailey

Absent - Christine Broughton

Staff: Public Works Director Jim Costello, Planning Director Karen Scharer, Code Compliance Officer Clint Atteberry, City Clerk-Treasurer Trina Cole

2. CONSENT AGENDA:

ACTION: Nysoe makes a motion; Bailey seconds the motion, and the motion carries unanimously approving the Consent Agenda as presented: A (i) Table September 12, 2016 City Council Meeting Minutes; (ii) Table October 10, 2016 City Council Meeting Minutes; (iii) Approve October 17, 2016 Special City Council Meeting; & B & C The following voucher/warrants/electronic payments are approved for payment:

Funds

B. Claims	43469-43471; 43507-43553;	
Clearing	43564; 43566	\$106,411.24
Vouchers		
C. Payroll	43449-43468; 43473-43494;	
Warrant Nos.:	43503-43505; 43556-	\$83,213.50
	43563;43565	
Total		\$189,624.74

3. SPECIAL GUESTS/PUBLIC COMMENT

Art Hall, 420 E. Spring St., distributes pictures of alleged nuisance violations; supports nuisance codes but expresses opposition of the City's existing nuisance codes; reads a summary of the state's definition of various nuisances; expresses opinion that the City's enforcement of the existing nuisance code is subjective, not objective; feels the city's nuisance code is similar to CCR's and are being imposed on a 100 year-old community; explains due process, vagueness, and equal protection and provides examples of each; disagrees with MRSC's purpose of nuisance abatement; cites Hatfield's and McCoy's legal battles and urges individuals to speak

to their neighbors; distributes additional pictures of a fence that was cut to meet code enforcement requirements; urges Council to encourage development, new business, salaries, wages to clean up neighborhoods.

Mr. Hall states opposition to proposed Ordinance No. 1904.

Dave Bailey, states support of codes and the need for enforcement of codes, but expresses that proper mechanisms should be in place to enforce codes appropriately.

Ann Strode supports and commends the City for moving forward with code compliance by hiring a code compliance officer.

George reads letter of support of code compliance penned by Jennie Dickinson.

Bailey cites narrative from the 2016 Budget approved December 7, 2016 that stated support of an aggressive code compliance program for fiscal year 2016.

Paris states that it is a new program that may need "tweaks"; feels that the new program is effective based on community response; and supports the continuation of the program.

Mike Smith states recognition of subtle changes and expresses appreciation of the efforts of and supports code compliance.

4. COMMITTEE/BOARD/ COMMISSIONER REPORTS

Public Safety - No report.

Public Works - No report.

Finance - Bailey reports staff continues work on the 2017 budget.

Parks/Public Grounds - No report.

Planning/Economic Development - No report.

Personnel - Paris reports that bargaining unit negotiations continue.

Emergency Management - No report.

Chamber of Commerce - Berg reports that the 2016 Chamber Banquet was successful.

Commissioners - No report.

5. REPORTS OF CITY OFFICERS

Sheriff - Columbia County Sherriff's Office has hired one new deputy, and he's currently at the Academy.

Planning Director - Scharer reports: 1) The Dayton Planning Commission will be holding a public hearing November 15 on the 2018 Comprehensive Plan and Development Regulations Project and on the proposed Public Participation Plan.

Code Compliance - No report.

Public Works - Costello reports: 1) Community sign has been installed at the corner of Highway 12 and S. Cottonwood; and 2) Discussion ensues pertaining to annual leaf pickup.

City Clerk-Treasurer - Cole reports on her attendance at the Infrastructure Assistance Coordinating Council conference including meeting with a technical committee to discuss the City's Wastewater Treatment Plant's 2021 regulatory requirements and funding options for the project. Cole summarizes the 2021 Department of Ecology regulatory requirements including the removal of the City's wastewater effluent from the Touchet River at least 6-months out of the year. She further summarizes grant opportunities associated with the project.

Mayor Pro-Tempore - There is no report.

Mayor - Mayor - There is no report.

6. UNFINISHED BUSINESS

ACTION: Cole summarizes the completion of N. Front Street and reasoning why the City was not successful in obtaining full reconstruction funding including sidewalk replacement funding for N. Front Street specifically that the project did not meet the Transportation Improvement Board's criteria for full reconstruction. Paris makes a motion; Nysoe seconds the motion to authorize RESOLUTION NO. 1292 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAYTON, COLUMBIA COUNTY, WASHINGTON, ACCEPTING THE TRANSPORTATION IMPROVEMENT BOARD (TIB) FY 2017 OVERLAY PROJECT, PROJECT NO. 2-E-924(004)-1, AS FINAL AND COMPLETE. There is no discussion. The motion carries unanimously.

7. NEW BUSINESS

George closes the regular meeting and opens the public hearing at 6:27 p.m. to receive public testimony on surplusizing 20' by 130' of city-owned property general located at the northwest corner of N. Second Street and E. Dayton Avenue, Columbia County Property Id. No. 263771. Costello summarizes the proposed surplus of city property.

Public hearing is closed and the regular meeting is re-opened at 6:28 p.m.

ACTION: Bailey makes a motion; Paris seconds the motion to authorize RESOLUTION No. 1293, DECLARING CERTAIN REAL PROPERTY AS SURPLUS AND AUTHORIZING THE MAYOR TO SELL THE SAME. There is no discussion. The motion carries unanimously.

At 6:28 p.m. George closes the regular meeting and opens the public hearing to receive public testimony regarding proposed Ordinance No. 1903, amending the Dayton Municipal Code, Titles 10, 11, 12, 17, and 19, for consistency with Title 10, Administration of Development Regulations and Title 21, Code Compliance. Scharer summarizes proposed Ordinance No. 1903. There is no public comment.

George closes the public hearing and reopens the regular meeting at 6:29 p.m.

ACTION: Nysoe makes a motion; Berg seconds the motion to authorize Ordinance No. 1903, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON, AMENDING CODIFIED DAYTON MUNICIPAL CODE TITLES 10, 11, 12, 17, 19 FOR CONSISTENCY WITH TITLE 10, ADMINISTRATION OF DEVELOPMENT REGULATIONS AND TITLE 21, CODE COMPLIANCE. There is no discussion. The motion carries unanimously.

At 6:30 p.m. George closes the regular meeting and opens the public hearing to receive public testimony and review proposed revenue sources including potential ad valorem tax increases and proposed appropriations as presented in the City of Dayton 2017 Preliminary Budget. Mayor George summarizes the Dayton City 2017 as follows: Budget Emphasis for 2017 - Infrastructure is the focus for 2017; the 2017 Dayton budget was developed following meetings with all six of the City Council Committees and Staff, and great input was received from everyone; Total budget for 2017 - \$ 6,803,300, 2016 budget was \$ 5,765,300 resulting in an 18% increase from 2016; increase is a result of the S. 1st Street Reconstruction project which includes both grant and loan proceeds to improve the street, water and sewer infrastructure; Current expense increase by less than 1% or .57%; There are proposed water and sewer utility rate increases totaling \$5.65 for a ¾" meter, inside city limits, residential unit (Sewer = \$2.25, Water = \$3.40) or approximately 6.75%, last increases were as follows: Water: 2014 and Sewer: 2015; purpose for utility rate increases are to make major capital improvements and provide for ongoing maintenance of the utility facilities; Proposed Property Tax increase of 1% or approximately \$3,480; 2017 Budget Revenues are as follows: Current Expense: Gambling taxes, 1% Real & Personal Property Tax increase, Sales & Use Taxes, B & O Taxes, and Excise Taxes totaling \$706,000; Streets: Motor Vehicle Fuel Taxes and Sales & Use Taxes totaling \$188,000; Hotel/Motel Excise Tax Fund: Hotel/Motel taxes totaling \$51,000; Capital Improvements Fund: Transportation Benefit District and Real Estate Excise Tax totaling \$70,000; Expenditures in summary : S. 1st Street Reconstruction Project; E. Patit Avenue Water Main Line Replacement Project; High School Water Main Project; Additional staff position to assist with customer service needs, website management, potentially social media tools, and other administrative assistant needs; Continue working on a street financing plan that includes water and sewer improvements as necessary and that capitalizes on outside resources; Complete the Water Utility Rate Study; Research funding options to implement the design of the levee deficiency correction program allowing construction to begin in 2017 or 2018; Coordinate the Wastewater Treatment Plant Construction Project efforts. Work with state and local agencies to reduce the costs associated with the project or obtain financial assistance; Establish new city codes

to allow code compliance in areas that are not currently covered; Promote the "See Something Say Something" campaign locally; Address vegetation overgrowth along the public right of ways; Begin the Dayton Comprehensive Plan Periodic Update; Develop informational assistance bulletins to assist citizens viewing the City website and provide information associated with zoning, building, historic preservation and shorelines management topics; Revise Historic Preservation bylaws and application forms for consistency with new 2016 policies and codes; Update Historic Preservation Records on new WADAHP WISAARD and City Inventory; Create City Property GIS Overlay Map; Replacing/relocating street signs; Perform alley re-conditioning to repair potholes; Create and implement a scheduled street cleaning/sweeping program; Perform major crack seal repairs to various city streets and the levee trail; and, conduct a loss prevention inventory of all city sidewalks. There is no public comment. George closes the public hearing at 6:35 p.m.

ACTION: Bailey makes a motion; Berg seconds the motion to authorize RESOLUTION NO. 1294, AUTHORIZING PROPERTY TAX REVENUE PURSUANT TO RCW 84.55.120. There is no discussion. The motion carries unanimously.

ACTION: Atteberry summarizes proposed Ordinance No. 1904, Berg makes a motion; Paris seconds the motion to authorize Ordinance No. 1904, AMENDING ORDINANCE NO. 1895, SECTION 6-9.020 OF THE DAYTON MUNICIPAL CODE, TO PROVIDE THAT IT SHALL BE A PUBLIC NUISANCE TO GROW MARIJUANA PLANTS OR TO PROCESS MARIJUANA OR MARIJUANA-INFUSED PRODUCTS IN A MANNER SUCH THAT MARIJUANA CAN BE SEEN OR SMELLED FROM A PUBLIC PLACE OR THE PRIVATE PROPERTY OF A HOUSING UNIT. Bailey inquires on reason for code compliance officer's willingness to enforce versus law enforcement officers. Atteberry explains that it pertains to fence heights and attractive nuisance enforcement. Berg makes a motion; Paris seconds the motion to authorize Ordinance No. 1904, AMENDING ORDINANCE NO. 1895, SECTION 6-9.020 OF THE DAYTON MUNICIPAL CODE, TO PROVIDE THAT IT SHALL BE A PUBLIC NUISANCE TO GROW MARIJUANA PLANTS OR TO PROCESS MARIJUANA OR MARIJUANA-INFUSED PRODUCTS IN A MANNER SUCH THAT MARIJUANA CAN BE SEEN OR SMELLED FROM A PUBLIC PLACE OR THE PRIVATE PROPERTY OF A HOUSING UNIT. There is no further discussion. Berg, Paris, Weatherford, Kaczmarksi vote in favor; Bailey and Nysoe vote opposed. The motion carries.

ACTION: Bailey makes a motion; Nysoe seconds the motion to authorize the Mayor to begin the hiring process for the 2017 Clerical Assistant position. Cole summarizes the position's job description. There is no discussion. The motion carries unanimously.

8. FINAL PUBLIC COMMENT

Ann Strode asks if the City and other local agencies are working together on code compliance issues. Bailey responds yes, the code compliance officer has worked with the Health Department. Deputy Sheriff Helm states yes, code compliance officer has been working with the Sheriff's Office as well.

9. EXECUTIVE SESSION

Mayor George closes the regular meeting and opens the Executive Session at 6:41 p.m. for consideration of minimum offering price for sale or lease of real estate if there's a likelihood that disclosure would decrease the price, RCW 42.30.110(1)(C). He states the Session will be for approximately ten minutes. Mayor George closes the Executive Session and reopens the regular meeting at 6:52 p.m.

10. ADJOURN

With no further business to come before the Council, the regular meeting is adjourned at 6:52 p.m.

City of Dayton



By: Craig George, Mayor

Attested:



Trina Cole, City Clerk-Treasurer

Approved:

December 19, 2016

Date