

DAYTON CITY COUNCIL MINUTES

Regular Meeting

Monday, July 11, 2016

111 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 - Delphine Bailey, Michael Paris, Byron Kaczmarski, Dain Nysoe, Zac Weatherford
Absent - Kathy Berg, Christine Broughton
Public: Tony Aukerman, Laura Aukerman, Paige Aukerman, Dave Bailey, Mike Smith, Michael Haight, Debbie Behler, Patty Becker, Marchand Hovrud, Shane Loper, Jeff Turner, Kraig Horlacher
Staff: Jim Costello - Public Works Director, Karen Scharer - Planning Director, Clint Atteberry - Code Compliance Officer, Trina Cole - City Clerk-Treasurer

2. CONSENT AGENDA:

Action: Bailey makes a motion; Weatherford seconds the motion, and the motion carries unanimously approving the Consent Agenda as presented: A) & B) The following voucher/warrants/electronic payments are approved for payment:

Funds

Claims Clearing Vouchers	43004-	
	43022;43065-	\$47,867.49
	43068;	

Payroll Warrant Nos.:	42972-43003;	
	43023-43064	\$102,490.43

Total \$150,357.92

3. SPECIAL GUESTS/PUBLIC COMMENT

Patty Becker, 311 E. Washington Avenue, reads her letter in support of dissolving the E. Washington Street and Southside Historic Districts.
Marchand Hovrud, 206 E. Park Street, addresses Council in support of dissolving the Southside and E. Washington Street Historic Districts.
Laura Aukerman, 300 S. 1st Street, urges Council to abolish the Southside and E. Washington Street Historic Districts.

4. COMMITTEE/BOARD/ COMMISSIONER REPORTS

Public Safety - Nysoe reports that a quarterly meeting was held to with the Committee, Sheriff Miller, and Code Compliance Officer to discuss community-wide public safety topics. He urges that a

representative from the Prosecuting Attorney's Office be in attendance in the future.

Public Works - Costello reports that the N. Front Street Project is underway.

Finance - There is no report.

Parks/Public Grounds - There is no report.

Planning/Economic Development - There is no report.

Personnel - There is a bargaining unit meeting to be held, Wednesday, June 15, 2016.

Emergency Management - There is no report.

Chamber of Commerce - There is no report.

Commissioners - There is no report.

5. REPORTS OF CITY OFFICERS

Sheriff - There is no report.

Planning Director - Scharer reports the following: 1) Planning Commission will be discussing the State's legislation specific to marijuana cooperatives; 2) City is looking for two volunteers to serve on the Dayton Historic Preservation Commission; 3) Waitsburg Times article incorrectly reported on the Dayton Historic Preservation Commission's (DHPC's) recommendation regarding the Historic District Advisory Ballot outcome. There was a split vote; therefore, the DHPC did not have a recommendation for City Council on whether to dissolve or maintain the Dayton Register E. Washington Street and Southside Historic Districts.

Code Compliance - There is no report.

Public Works - There is no report.

City Clerk-Treasurer - There is no report.

Mayor Pro-Tempore - There is no report.

Mayor - George reads letter from Bette Lou Crothers, on behalf of the All-Wheels Weekend Committee, thanking Public Works for their help and a job well done during the All-Wheels annual event.

6. UNFINISHED BUSINESS

There is no unfinished business for discussion.

7. NEW BUSINESS

Scharer summarizes a request the City received to surplus property, Assessor Parcel IDs - 263773 and 263540, generally located 120 feet east of North Willow Street and 140 feet north of West Dayton Ave. There is no action.

Action: Council discusses Resolution No. 1283 in detail including dissolution of the Dayton Register Residential Historic Districts and an expedited schedule for such dissolution. Bailey makes a motion; Nysoe seconds the motion to authorize Resolution No. 1283 with the following changes, "Paragraph 5 - WHEREAS, the City Council considers it in the best public interest to revise the project schedule to allow the Council to act expeditiously on dissolving the Dayton Register South Side Historic District and Dayton

Register Washington Street Historic District." There is no further discussion. The motion carries unanimously. The changes are provided in Exhibit "A" of the July 11, 2016 City Council Minutes.

8. FINAL PUBLIC COMMENT

Jeff Turner, 307 E. Tremont Street, requests that City Council nullify Chapter 5-18 of the Dayton Municipal Code. There is no action.

Shane Loper, 500 S. 1st Street, thanks City Council for adopting Resolution No. 1283 moving towards the dissolution of the Dayton Register Southside and E. Washington Street Historic Districts. Bailey reminds Council of the upcoming Dayton Alumni Association Parade.

Nysoe and Kaczmarski notify Mayor George that they will be absent for the next regular meeting.

9. ADJOURN

With no further business to come before the Council, the regular meeting is adjourned at 6:49 p.m.

City of Dayton



By: Craig George, Mayor

Attested:



Trina Cole, City Clerk-Treasurer

Approved:

August 8, 2016

Date

RESOLUTION NO. 1283

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON AMENDING THE SCHEDULE FOR THE 2016 HISTORIC PRESERVATION POLICY, CODE AND PROCESS UPDATE PROJECT.

WHEREAS, under Resolution 1277, the Dayton City Council approved the work program for the 2016 Historic Preservation Policy, Code and Process Update Project (HPP-2016).

WHEREAS, under the umbrella of HPP-2016, an "Advisory Vote to the City Council" was conducted by the Dayton Historic Preservation Commission and City Planning Department. The purpose of the advisory vote was to provide the Dayton Register South Side Historic District and Dayton Register Washington Street Historic District property owners an opportunity to directly advise the City Council as to whether they wish to dissolve or retain their Dayton, local register historic districts.

WHEREAS, property owners of each district voted to advise the City Council to dissolve their local register historic district.

WHEREAS, the advisory vote process has caused a delay in preparing draft HPP-2016 policy and code updates which was not anticipated in the project schedule.


WHEREAS, the City Council considers it in the best public interest to revise the project schedule to allow the Council to act expeditiously on ~~whether~~ dissolving the Dayton Register South Side Historic District and Dayton Register Washington Street Historic District, ~~will be dissolved or remain as local register historic districts:~~

WHEREAS, the project schedule as revised establishes three phases for review. HPP-2016 Phase 1 includes the workshops, survey, and drafting of policy and code updates. Phase 2 shifts the "Advisory Vote" to an earlier consideration by the City Council before HPP-2016 Phase 3. While the HPP-2016 Phase 3 schedule is extended, the process for public review, public hearings for policy and/or code updates will remain the same.

NOW THEREFORE, be it resolved by the City Council of the City of Dayton, Washington as follows:

The schedule for the 2016-Historic Preservation Policy, Code and Process Update Project is amended as shown on the attached Exhibit B.

PASSED by the City Council of the City of Dayton, Washington this 6TH day of July, 2016.



Craig George, Mayor

Attest:



Trina Cole, City Clerk-Treasurer

CITY OF DAYTON
Scope of Work
2016 - Historic Preservation Policy, Code
and Process Update Project (HPP-2016)

A. GLOSSARY

- COA – Certificate of Appropriateness
- DHPC – Dayton Historic Preservation Commission
- DMC – Dayton Municipal Code
- DMC 5.18 - Dayton Municipal Code Chapter 5.18, Historic Preservation Chapter
- SSHHD – South Side Historic District
Reference is used with the "Local" (Register) or "National Register" of Historic Places.
- STV – Special Tax Valuation
- WSHD – Washington Street Historic District
Reference is used with the "Local" (Register) or "National Register" of Historic Places.

B. PROBLEM STATEMENTS

1. DMC 5-18. is organized and/or subtitled, so as to result in tendency for misinterpretation. Sections of the code have been either miss-quoted and/or miss-applied. One example is the interpretation of DMC 5-18.02(C.) as applied to individual properties in the Dayton Register of Historic Places and as applied to properties within a Dayton Register Historic District.
2. Code provisions of this Chapter are not fully consistent with city policy, other DMC Chapters and provisions within DMC 5-18.
3. A number of SSHHD and WSHD property owners are dissatisfied with the requirements for COAs under DMC Chapter 5-18 Code and consider the code to disregard individual property rights.*

C. GOALS OF PROJECT

1. Adopt Historic Preservation Code amendments consistent with the Comprehensive Plan and with wide support by stakeholders (individual and district property owners, DAHP, DHPC, DPC, city staff and community groups).
3. Eliminate inconsistencies with City Policy within the Historic Preservation Code.
4. Develop consistencies between city policy, Historic Preservation Codes, DHPC Rules, and application forms. Also, eliminate redundancy in Historic Preservation Codes and DHPC Rules.
5. Develop provisions to allow for exceptions when a property owner has a financial hardships.
6. Reduce review time of COAs and STVs, while maintaining compliance with the Open Public Meetings Act.

D. DELIVERABLES & RESPONSIBILITIES

	Planning Dept.	DHPC	DPC	CC
Survey for SSHD and WSHD property owners & tabulate results	L	R		
Develop Key Options for policy and code amendments	L	R ¹		
Open house / Workshops – Education displays & materials encouraging Input for Key Options	L	R ¹		
Public Hearings – Public Testimony			L	R (optional)
Written Recommendations	R	R	R	
Draft Ordinance	L	S		
Adopt Amendments	S			L
Revise Rules and Forms	S	L		

L = Lead Responsibility R = Responsibility S = Support

¹DHPC appointed subcommittee

E. TIMELINE

See attached schedule.

***Background:**

There are strong differing opinions of district property owners regarding individual property rights, and also the need for all owners to preserve the historic character their homes and the districts. The local WSHD and SSHD were each created by the Dayton City Council in 2008 and 2009 respectfully. District(s) formation occurred after residents of each district cast a majority vote in favor of forming their district. In 2015, a number of WSHD and SSHD property owners came forward during DHPC meetings to explain that before the vote in 2008 they understood a district property owner could choose (at a future date) to have their property removed from a district. Codes were available for public review and community meetings were held in Oct. 2008 where it was clearly stated that property owners would not have an option to withdraw (from the district) should the district be formed. However, previous versions of COA application instructions at the time were confusing and easily misinterpreted. The COA application reference to property owners “opting out” of their individual property listing on the Dayton Register was misinterpreted by some to allow property owners in districts the choice of “opting out” of a district.

Schedule --Historic Preservation Code Review / Update-HPP-- 2016 Revised 7/11/2016

Phase 1 -- PUBLIC OUTREACH AND DRAFTING		
Timeline	Task	Notes
10-2015 -11/2015	Residential District Survey	<u>Complete</u>
1/2016	Scope of Work	<u>Complete</u>
1/2016	Process/Public Participation Plan	<u>(P/P) Complete</u>
1/2016	Survey Prepared for DDHD	Send with Open house notice
1/2016	DHPC recommendations on P/P	<u>Complete</u>
2/2016	Council approval of P/P	<u>Complete</u>
Staff analytical work		
12/2015 -- 4/2016	Identify code revision options (DMC 5-18 & DMC 11-07) for: districts, COA, process, DHPC membership, Update data, history/background information, district ownership information	<u>Ongoing</u>
City/DHPC Open House and Workshops		
Wed. 2/24/2016	Open house and Workshop focus on: Moving Forward - Options for Districts & Permit review process	2 - 4 pm & 5 - 7 pm prior to DHPC Regular Meeting_ <u>Complete</u>
Sat. 2/27/2016	Open house and Workshop focus on: Moving Forward - Options for Districts & Permit review process	10 am -- 1 pm <u>Complete</u>
Mon. 2/29/2016	Open house and Workshop focus on: Moving Forward - Permit review process options	4 -- 6 pm and 6:30 -- 8 pm (only City staff) <u>Complete</u>
DHPC Meetings, Review Recommendation		
3/23/2016	DHPC discussion of workshops held and options for policy and code change.	<u>Complete</u>
THU 7/2016	2 nd Meeting Discussion	Direction given to City Planning Staff for DHPC recommendation <u>Ongoing</u>
THU 8/2016	3 rd Meeting Discussion Optional	Direction given to City Planning Staff for DHPC recommendation <u>Ongoing</u>
4/27/2016	Recommendation on amendments <i>Alternative rec. may be provided by staff.</i>	Forward to DPC for public hearing

NEW ADDITION -

PHASE 2 – ADVISORY VOTE TO CITY COUNCIL FOR DISSOLVING DAYTON REGISTER (LOCAL) SSHD & WSHD												
GENERAL TIME LINE												
S = Shortest timeline (6 wks) L = Longest timeline (16 wks)												
Realistic estimate to be an 8 – 10 week schedule for the City Council to hold the required public hearing and take final action on considering whether to dissolve the districts, provided one or two special meetings of the City Council can be facilitated.												
Prepare documents 2-wks-	§ L ASAP											
Publish Notices : SEPA/60-day & Hearing- <i>Notice-only-Published-on-a-Thursday</i> Expedited version	ASAP§											
SEPA Comment / Appeal Period (<i>Assumes no appeal</i>)	§ L ASAP											
Introduce to- Council Ordinance to City Council for Dissolution of Districts <i>Schedule on regular mtg?</i>	§ L ASAP											
City Council Public Hearing <i>Schedule on regular mtg?</i>												
Comm-Expedited-Review- OR---												
Comm-60-day-comment- period (<i>if not expedited</i>)												
City Council Action- <i>After SEPA-Final & 60-day- notice Schedule on regular mtg?</i>												
Implementation Tasks for Dissolved Districts – Property Title Recordings – Extinguish Local District on Title (<i>Budget Item if City funds recordings</i>) Revise Zoning Maps, Revise Inventory Records, Comp Plan. Update reference in text of CP, Update City Website, DAHP records												



EXHIBIT B
Page 4 of 7

<u>PHASE 3 - POLICY AND CODE UPDATE PUBLIC REVIEW PROCESSES</u>		
SEPA & Public Hearing Notice		
<u>5/2016</u> <u>9/2016</u>	Conduct SEPA review	Analyze environmental consequences that would result from the proposed changes.
<u>5/2016</u> <u>9/2016</u>	Send Notice of SEPA TD & Hearing	30 days prior to public hearing
<u>5-6/2016</u> <u>9/2016</u>	Send Commerce 60 Day Notice of Intent to Adopt	
Dayton Planning Commission (DPC) review and hearing		
<u>5/17/2016</u> <u>10/2016</u>	Planning Commission review of revisions to the comprehensive plan and development regulations.	Comprehensive Plan changes only if needed.
<u>6/21/2016</u> <u>10/2016</u> & TBD	Planning Commission public hearing(s) on amendments	
<u>6/2016</u> <u>10/2016</u>	Planning Commission discussion of hearing testimony and possible modifications	Staff prepares draft ordinance
<u>7/2016</u> <u>10/2016</u>	Planning Commission Recommendation on amendments	Updated ordinance forwarded to State Dept. of Commerce.
City Council review and action		
<u>7-8/2016</u> <u>11/2016</u>	Schedule City Council study sessions on proposed amendments and Planning Commission recommendation(s) & Alternatives	
<u>8-9/2016</u> <u>11/2016</u>	<u>Optional</u> - City Council public hearing on proposed amendments	
<u>9/2016</u> <u>12/2016</u>	City Council Action	
<u>9/2016</u> <u>12/2016</u>	Publish Notice of Adoption in paper	
<u>9/2016</u> <u>12/2016</u>	Submit final Ordinance to State	
Rules and Forms Update		
<u>9/2016</u> <u>10/2016</u> <u>1-3/2017</u>	DHPC drafts and approves rule and form changes consistent with amendments.	

DAYTON HISTORIC PRESERVATION

CODE

~~AND PROCESS PROJECT 2016HPP-2016~~

PUBLIC PARTICIPATION PLAN

1. Purpose and mission.

Public participation is an essential part of the City of Dayton's planning process. This public participation program provides the framework for public input on the review amendment, and ultimate update of the city's Historic Preservation Code DMC 5-18.

In designing this program, the City of Dayton attempts to involve the broadest cross-section of the community, particularly encouraging involvement of both groups and individuals.

2. Early and continuous participation

From the onset of the process, including the creation of the participation program, the city staff will seek public involvement by using methods that include surveys, information bulletins, and distribution lists for all interested parties to receive regular notices, meeting advertisements, and a webpage with up to date content. The public will be well advised of the opportunities for involvement and particularly encouraged to participate in providing views and comments on key options available for code and process updates.

The following groups of stakeholders have been identifies and each (along with individuals) will be given notice of initial opportunities to comment and to also request emailed notice of future opportunities.

Stakeholders groups currently identified:

- Dayton City Council
- Dayton Mayor and City Staff
- DPC - Dayton Planning Commission
- DHPC - Dayton Historic Preservation Commission
- DDHD - Downtown Dayton Historic District property owners
- SSHD -South Side Historic District property owners
- WSHD - Washington Street Historic District property owners
- Individual -Dayton Register of Historic Places property owners
- DAHP -WA ST Department of Archeology and Historic Preservation Dayton Chamber of Commerce {Downtown Merchants}

EXHIBIT B
Page 6 of 7

3. Communication and information

City staff will encourage participation through outreach and educational efforts, including a webpage with bi-monthly updates. A bulletin-type publication posted, and updated regularly at City Hall. This bulletin is designed to describe the opportunities for public involvement, and provide contact information, including the web site, and email, address for public inquiry and comment.

4. Public meetings and notice

All public meetings will be advertised by formal public notices posted and published in consistent locations including City Hall, Dayton Library, "The Waitsburg Times" (local weekly newspaper) . Interested parties will be further notified through an email notice distribution list.

5. Provisions for open discussion and written comments

Public workshops will be advertised and made accessible to a broad audience of stakeholders. Discussion will be ensured and encouraged by designated time for facilitated discussion. Public hearings will be held prior to adoption of amendments.

Written comments will be accepted and encouraged at all venues and in various forms, including email messages and facsimiles. Notice of public comments periods will encourage written comments and provide contact information. Comments should be addressed to the City of Dayton Planning Dept., 111 S. 1st Street, Dayton, Washington 99328; 509-540-6747; or (E-mail Address) kscharer@daytonwa.com . Planning staff will encourage public comments be in writing so they can be forwarded to the DHPC, DPC and be officially recognized as part of the public hearing process.

6. Consideration of public comments.

All comments on draft proposals and alternatives will be accepted and brought to the attention of the DHPC and DPC for their consideration prior to their decision to forward a recommendation. Written comments will also be available to each City Council Member and will be kept on file for public review. Those commenting will receive notification of opportunities for further involvement and commenting, should new opportunities be added.