

**MINUTES
DAYTON CITY COUNCIL
SPECIAL SESSION
May 16, 2024**

PRESENT: Councilor Annette Frank
Councilor Drew Hildebrandt
Councilor Kitty Mackin
Council President Jim Maguire
Councilor Luke Wildhaber

ABSENT: Councilor Rosalba Sandoval-Perez

STAFF: Rochelle Roaden, City Manager
Ashleigh Dougill, City Attorney
Rocio Vargas, City Recorder

A. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Council President Maguire called the meeting to order at 6:00pm. All those present gave the Pledge of Allegiance.

B. ROLL CALL

Council President noted that there was a quorum present with Councilors Frank, Hildebrandt, Mackin, and Wildhaber in person.

C. APPEARANCE OF INTERESTED CITIZENS

Larry Smurthwaite, 773 Joel Palmer Way, Dayton, requested an investigation into a City employee. He asked council to consider hiring a City Manager that lives in Dayton. He asked council to reconsider the interim City Manager nomination.

Linda McGrew, 734 SE Palmer Ln., Dayton, stated that she was present when the UGB swap occurred. She stated that she is concerned that there is a change of management and that her property issues will not be resolved.

Harold Lyon, 13600 SE Ash Rd., Dayton, stated that he is also here concerning the property he owns that is part of the UGB.

Mike Billings, 1980 NE Gibbs Circle, McMinnville, stated that he has lost volunteers due to the unprofessional reactions of a City employee.

Lyndon Hansen, Tigard Oregon, asked if the City of Dayton was included in the State funds for housing.

D. ACTION ITEMS

1. Accept Mayor's Resignation with Effective Date and Declare Seat Vacant

Council President read the Mayor's Resignation letter.

ANNETTE FRANK MOVED TO ACCEPT THE MAYOR'S RESIGNATION EFFECTIVE MAY 16, 2024, AND DECLARE THE SEAT VACANT. SECONDED BY DREW HILDEBRANDT. Motion carried with Frank, Hildebrandt, Mackin, Maguire and Wildhaber voting aye.

2. Public Hearing

Council President Maguire opened the public hearing at 6:15pm to deliberate on the appropriate interim Mayor selection process.

There was no public comment.

Council President Maguire stated that there are two options stated in the charter to make the vacancy available to the public, wait two weeks for resumes and applications, or to appoint from within the Council.

There was a discussion of the options.

Council President Maguire closed the public hearing at 6:20pm.

KITTY MAKIN MOVED TO APPOINT THE INTERIM MAYOR FROM THE COUNCIL. SECONDED BY ANNETTE FRANK. Motion carried with Frank, Hildebrandt, Mackin, Maguire and Wildhaber voting aye.

3. Deliberate on appointment of individual to serve as interim Mayor.

There was discussion held on the appointment of a council member as interim Mayor.

KITTY MACKIN MOVED TO APPOINT COUNCIL PRESIDENT MAGUIRE AS INTERIM MAYOR. Motion failed.

DREW HILDEBRANDT MOVED TO NOMINATE COUNCILOR ANNETTE FRANK AS INTERIM MAYOR. Motion carried with Frank, Hildebrandt, Mackin, Maguire and Wildhaber voting aye.

4. Accept the resignation of Councilor Annette Frank and declare the seat vacant.

Councilor Frank presented her resignation effective May 16, 2024.

LUKE WILDHABER MOVED TO ACCEPT COUNCILOR FRANK'S RESIGNATION AS COUNCILOR AND DECLARE HER COUNCILOR SEAT VACANT. Motion carried with Frank, Hildebrandt, Mackin, Maguire and Wildhaber voting aye.

5. Public Hearing

Council President Maguire opened the public hearing at 6:30pm to deliberate on the appropriate interim City Councilor selection process.

Linda McGrew, 734 SE Palmer Ln., Dayton, commented that when she was in city council as a council president, she was under the impression she would be mayor until the next election. She stated that in her opinion the interim Mayor should be voted in.

Council President closed the public comment at 6:34pm.

There was a deliberation on the process set forth in the Dayton Municipal Code (DMC) Chapter 1.03.

DREW HILDEBRANDT MOVED TO DIRECT STAFF TO COMMENCE THE PROCESS SET IN DMC 1.03.03 TO FILL THE OPEN COUNCIL SEAT. SECONDED BY LUKE WILDHABER. Motion carried with Hildebrandt, Mackin, Maguire, and Wildhaber voting aye. Frank did not vote.

6. Swearing in of interim Mayor

Rochelle Roaden, City Manager, swore in Annette Frank as interim Mayor.

7. Agenda amended.

Jim Maguire requested to amend the agenda to include his resignation as Council President.

KITTY MACKIN MOVED TO AMEND THE AGENDA TO INCLUDE THE ELECTION OF A NEW COUNCIL PRESIDENT. SECONDED BY JIM MAGUIRE. Motion carried with Hildebrandt, Mackin, Maguire, and Wildhaber voting aye. Frank did not vote.

KITTY MACKIN MOVED TO NOMINATE LUKE WILDHABER AS COUNCIL PRESIDENT. SECONDED BY DREW HILDEBRANDT. Motion carried with Frank, Hildebrandt, Mackin, Wildhaber voting aye. Maguire voted nay.

LUKE WILDHABER MOVED TO NOMINATE KITTY MACKIN AS COUNCIL PRESIDENT. Motion failed Frank and Wildhaber voted aye. Maguire voted nay. Hildebrandt abstained.

Luke Wildhaber is voted as new Council President.

E. COUNCILOR COMMENTS AND CONCERNS

Councilor Hildebrandt commented that the meeting was well done. He asked for council to continue to work together.

Mayor Frank thanked the council for the votes.

F. ADJOURN

There being no further business Mayor Frank adjourned the meeting at 6:48pm.

Respectfully submitted:

APPROVED BY COUNCIL on **June 3, 2024**

By:

As Written

As Amended

Rocio Vargas, City Recorder



Annette Frank, Mayor