

DALLAS CITY COUNCIL
Monday, March 17, 2014
Council Chambers

The Dallas City Council met in regular session on Monday, March 17, 2014, at 7:00 p.m. in the Council Chambers of City Hall with Mayor Brian Dalton presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

Council members present: Council President LaVonne Wilson, Councilor Jim Brown, Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, and Councilor Ken Woods, Jr.

Also present were: City Manager Ron Foggin, City Attorney Lane Shetterly, Chief of Police Tom Simpson, Fire Chief Fred Hertel, Community Development/Operations Director Jason Locke, Engineering and Environmental Services Director Fred Braun, Finance Director Cecilia Ward, and Recording Secretary Jeremy Teal.

Mayor Dalton led the Pledge of Allegiance.

1:15 EMPLOYEE RECOGNITION

Chief Hertel introduced the Dallas Extrication team who were awarded the governor's volunteer award. He noted they would also be considered for the state level award.

3:42 COMMENTS FROM THE AUDIENCE

Doug Graven, 566 NW Denton, Dallas, Co-Owner of Pressed Coffee & Wine bar on Main Street announced the grand opening on Saturday, March 22 at 9:00 a.m.

PUBLIC HEARINGS

5:00 CONSENT AGENDA

Councilor Lawson asked to remove item b from the Consent Agenda.

It was moved by Councilor Marshall *to approve the Consent Agenda as submitted*. The motion was duly seconded and carried with a 9-0 vote.

Item approved by the Consent Agenda: a) March 3, 2014, City Council meeting minutes.

6:00 ITEMS REMOVED FROM THE CONSENT AGENDA

b) OLCC Application for an Annual License for The Exchange, formerly Tilted.

Councilor Lawson stated she would like to discuss the OLCC application and was concerned about the falsified answers on the application.

Mr. Shetterly noted that a denial of an OLCC application required a public hearing.

It was moved by Council President Wilson *to move the OLCC application to a public hearing at the next Council meeting*. The motion was duly seconded and carried by a 9-0 vote.

REPORTS OR COMMENTS FROM THE MAYOR AND COUNCIL MEMBERS

9:00 IF I WERE MAYOR CONTEST

Mayor Dalton gave a brief overview of the "If I Were Mayor" contest and asked for volunteers to judge the contest. Councilor Jones, Councilor Brown, Council President Wilson, and Mayor Dalton volunteered to be judges.

GENERAL COMMENTS

OTHER

REPORTS FROM CITY MANAGER AND STAFF

16:00 FEBRUARY FINANCIAL REPORT

Mr. Foggin reported that the February Financial report was routine.

OTHER

16:48 Mr. Foggin stated he received a letter from Tony's regarding Bike Nights. He noted the events would be moved to Saturdays and still close streets and add another event bringing the total to three, May 24, July 26, and August 30.

17:55 Mr. Foggin stated the memo concerning the Council minutes was provided for everyone and the staff was looking for feedback. He noted time stamps would be inserted into the action minutes to coincide with the audio and the audio would be streaming on the website.

Councilor Brown was initially concerned with listening to the audio, but with the time stamps and the accompanying action minutes he felt it would be a time saving venture.

Councilor Gabliks asked about going paperless. Mr. Foggin noted he had purchased a Microsoft surface tablet and if that worked out the Council would move toward that and go paperless.

RESOLUTIONS

28:17 **Resolution No. 3289** - A Resolution authorizing the transfer of budgetary funds.

Ms. Ward outlined the two transfers. The first was from the General Fund in the amount of \$10,000 for the Municipal Court, and the second from the Street Fund in the amount of \$25,000 for the street study.

A roll call vote was taken and Mayor Dalton declared Resolution No. 3289 to have PASSED BY A 9-0 VOTE with Councilor Jim Brown, Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, Council President LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

31:30 **Resolution No. 3290** - A Resolution of the City of Dallas authorizing a grant application under the Oregon Parks and Recreation Department Local Government Grant Fund for rehabilitation of the restrooms at the Dallas City Park; and committing available local matching funds.

Councilor Stewart asked for a brief overview of the project.

Mr. Foggin advised that ventilation, lighting, and fiberglass panels to prevent urine and graffiti stains would be installed along with new paint to freshen up the restrooms. He noted that if the City received both grants the restrooms would be reroofed.

A roll call vote was taken and Mayor Dalton declared Resolution No. 3290 to have PASSED BY A 9-0 VOTE with Councilor Jim Brown, Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, Council President LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

36:41 **Resolution No. 3291** - A Resolution amending the Deferred Compensation Plan for Section 457 Plan Funds contributed by employees to ICMA Retirement Corporation.

Mr. Foggin reported that the City had employees participating in the plan and the City hadn't adopted the plan yet.

A roll call vote was taken and Mayor Dalton declared Resolution No. 3291 to have PASSED BY A 9-0 VOTE with Councilor Jim Brown, Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, Council President LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

38:23 **Resolution No. 3292** - A Resolution requesting that the Dallas-Independence-Monmouth Enterprise Zone be designated for Electronic Commerce.

Mr. Locke noted this was an add-on to the current Enterprise Zone and would include any e-commerce businesses. He stated that any business had to be in the enterprise zone and actively taking advantage of it.

A roll call vote was taken and Mayor Dalton declared Resolution No. 3292 to have PASSED BY A 9-0 VOTE with Councilor Jim Brown, Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, Council President LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

FIRST READING OF ORDINANCE

42:40 **Ordinance No. 1764** – An Ordinance accepting the conveyance of certain real property for public park use; and declaring an emergency.

Mr. Shetterly advised the property included two pocket parks in the Barberry Node. He noted that he requested a log book report and found a development agreement with the City, CCRs due to the subdivision, and a trust deed by the FIFE group. He stated the CCR and trust deed would be

released before the next Council meeting.

Mayor Dalton declared Ordinance No. 1764 to have passed its first reading.

SECOND READING OF ORDINANCE

44:50 Ordinance No. 1761 – An Ordinance amending the Dallas Comprehensive Plan Map for a parcel of real property owned by Gary and Bertha Fitzwater from Industrial to Residential.

A roll call vote was taken and Mayor Dalton declared Ordinance No. 1761 to have PASSED BY A 9-0 VOTE with Councilor Jim Brown, Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, Council President LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

45:50 Ordinance No. 1762 – An Ordinance changing the zoning designation of a parcel of real property owned by Gary and Bertha Fitzwater from Industrial to Residential Medium Density.

A roll call vote was taken and Mayor Dalton declared Ordinance No. 1762 to have PASSED BY A 9-0 VOTE with Councilor Jim Brown, Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, Council President LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

46:35 Ordinance No. 1763 – An Ordinance amending provisions of the Dallas City Code Section 5.430, relating to Mercer Lake regulations.

A roll call vote was taken and Mayor Dalton declared Ordinance No. 1763 to have PASSED BY A 9-0 VOTE with Councilor Jim Brown, Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, Council President LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

47:40 OTHER BUSINESS

Mayor Dalton advised that the State Historic Preservation office had a “Diamonds in the Rough” grant program to help restore facades of older buildings in Oregon. He noted that building owners were encouraged to apply, but was told the City could apply for this grant.

Councilor Lawson declared an actual conflict of interest as she was a downtown building owner, and asked if the City applied if it would preclude other owners. Mr. Foggin noted that the paperwork was unclear if the City could even apply for the grant.

It was moved by Councilor Stewart *to apply for the Diamonds in the Rough grant program*. The motion was duly seconded and was carried with a vote of 9-0.

EXECUTIVE SESSION

Mayor Dalton recessed the meeting at 7:52 p.m. to go into Executive Session as authorized under ORS 192.660(2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations

Mayor Dalton reconvened the Council meeting at 8:17 p.m.

There being no further business, the meeting adjourned at 8:17 p.m.

Read and approved this _____ day of _____ 2014.

ATTEST:

Mayor

City Manager