



**City Council**

Mayor  
Brian Dalton

Council President  
Jim Fairchild

Councilor  
Kelly Gabliks

Councilor  
Micky Garus

Councilor  
Bill Hahn

Councilor  
Jackie Lawson

Councilor  
Kevin Marshall

Councilor  
Murray Stewart

Councilor  
LaVonne Wilson

Councilor  
Ken Woods, Jr.

**City Staff**

City Manager  
Ron Foggin

City Attorney  
Lane Shetterly

Community  
Development/  
Operations Director  
Jason Locke

Finance Director  
Cecilia Ward

Fire Chief  
Fred Hertel

Police Chief  
Tom Simpson

Director of Engineering  
& Environmental  
Services  
Fred Braun

City Recorder  
Emily Gagner

Recording Secretary  
Jeremy Teal

**Dallas City Council Agenda**

Mayor Brian Dalton, Presiding

Monday, September 21, 2015

7:00 pm

Dallas City Hall

187 SE Court St.

Dallas, OR 97338

All persons addressing the Council will please use the table at the front of the Council. All testimony is electronically recorded. If you wish to speak on any agenda item, please sign in on the provided card.

AGENDA ITEM	RECOMMENDED ACTION
1. ROLL CALL	
2. PLEDGE OF ALLEGIANCE	
3. EMPLOYEE RECOGNITION/INTRODUCTION	
4. COMMENTS FROM AUDIENCE <i>This time is provided for citizens to comment on municipal issues and any agenda items other than public hearings. The Mayor may place time restrictions on comments. Please supply 14 copies of the material brought to the meeting for distribution.</i>	
5. PUBLIC HEARINGS <i>Public comment will be allowed on items appearing on this portion of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.</i>	
6. CONSENT AGENDA <i>The following items are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be removed from the Consent Agenda and considered separately.</i>	
a. Approve minutes of September 8, 2015 City Council meeting	PG. 3
7. ITEMS REMOVED FROM CONSENT AGENDA	
8. REPORTS OR COMMENTS FROM MAYOR AND COUNCIL MEMBERS	
a. General Comments from the Councilors and Mayor	
9. REPORTS FROM CITY MANAGER AND STAFF	
a. Clay Street Transmission Line bid results	PG. 6
b. Council goal update	

Information

Information



**Our Vision**

Our vision is to foster an environment in which Dallas residents can take advantage of a vital, growing, and diversified community that provides a high quality of life.

**Our Mission**

The mission of the City of Dallas is to maintain a safe, livable environment by providing open government with effective, efficient, and accountable service delivery.

**Our Motto**

Commitment to the Community.  
 People Serving People.

**City Hall**

Dallas City Hall is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the City Manager's Office, 503-831-3502 or TDD 503-623-7355.

c. Other

		Information
<b>10.</b>	FIRST READING OF ORDINANCE	PG. 8
a.	<u>Ordinance No. 1788</u> : An Ordinance amending Dallas City Code Section 6.325, relating to private marking on curbs; and declaring an emergency.	First Reading
<b>11.</b>	SECOND READING OF ORDINANCE	PG. 11
a.	<u>Ordinance No. 1787</u> : An Ordinance amending Dallas City Code Section 7.540, relating to garage sales.	Roll Call Vote
<b>12.</b>	RESOLUTIONS	PG. 15
a.	<u>Resolution No. 3331</u> : A Resolution establishing the garage sale sign deposit provided by Dallas City Code section 7.540.	Roll Call Vote
<b>13.</b>	OTHER BUSINESS	
<b>14.</b>	ADJOURNMENT	

These minutes are supplemented by electronic recordings of the meeting, which may be reviewed upon request to the City Recorder. Audio files from City Council meetings from September 8, 2015, forward can be found online at <http://www.dallasor.gov/archive> under the corresponding agenda date. Staff reports, resolutions, ordinances, and other documents related to this meeting are also available at that site in the “Council Agendas” archive.

<b>DALLAS CITY COUNCIL</b>	<b>Tuesday, September 8, 2015</b>
The Dallas City Council met in regular session on Tuesday, September 8, 2015, at 7:00 p.m. in the Council Chambers of City Hall with Mayor Brian Dalton presiding.	
<b>Council:</b> Council President Jim Fairchild, Councilor Kelly Gabliks, Councilor Bill Hahn, Councilor Micky Garus, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, and Councilor LaVonne Wilson. Excused: Councilor Ken Woods, Jr.	
<b>Staff:</b> City Manager Ron Foggin, City Attorney Lane Shetterly, Police Chief Tom Simpson, Community Development/Operations Director Jason Locke, Engineering and Environmental Services Director Fred Braun, Finance Director Cecilia Ward, HR Manager Emily Gagner, and Recording Secretary Jeremy Teal.	
<b>Pledge of Allegiance:</b> Mayor Dalton led the Pledge of Allegiance.	

<b>AGENDA</b>	<b>ACTION</b>
<b>1:00 EMPLOYEE RECOGNITION</b>	Chief Simpson introduced Officer Mike Fleming and Officer Hannah Flaming.
<b>COMMENTS FROM THE AUDIENCE</b>	There were none.
<b>PUBLIC HEARINGS</b>	
<b>4:10 CONSENT AGENDA</b> Item approved by the Consent Agenda: a) minutes of August 3, 2015 City Council meeting; b) application for OLCC for West Valley Tap House.	It was moved by Councilor Fairchild <i>to approve the Consent Agenda as submitted.</i> The motion was duly seconded and carried with a vote of 8-0.
<b>ITEMS REMOVED FROM CONSENT AGENDA</b>	There were none.
<b>5:32 REPORTS OR COMMENTS FROM THE MAYOR AND COUNCIL MEMBERS</b>  REPORT OF THE AUGUST 24, 2015 PUBLIC SAFETY COMMITTEE  REPORT OF THE AUGUST 24, 2015 PUBLIC WORKS COMMITTEE	Councilor Stewart reported the committee discussed the Police Chief and Fire Chief’s reports.  Councilor Stewart reported the committee discussed temporary pump stations, house numbers on curbs, and the engineering and community development directors reports. He noted the Utility rate committee would reconvene to discuss street SDCs.

<p><b>13:41 REPORTS FROM CITY MANAGER AND STAFF</b></p>	
<p><b>JULY FINANCIALS</b></p>	<p>Mr. Foggin noted he had hoped to have the July report electronically on the website, but there had been some snags along the way. He stated there was nothing significant to report.</p>
<p><b>COUNCIL GOAL UPDATE</b></p>	<p>Ms. Gagner reported she now had a position description for each volunteer position available posted on the website and would work hard to promote the program.</p> <p>Mr. Foggin announced the next round of citizen academy was coming up and that an extra course to separate fire and police was added.</p> <p>Mr. Foggin stated the City received a grant from OHPI/ HEAL Cities for the Kingsborough Park soft trail expansion project and a local company has volunteered to cut out the trail with machinery.</p> <p>Mr. Johnson noted the Storyteller Festival would be Friday, September 11 and Saturday, September 12.</p>
<p><b>OTHER</b></p>	<p>Mr. Foggin mentioned that 17 more benches had been ordered from EVCOR. He noted 10 would go downtown, and 7 would be for the park trail.</p>
<p><b>32:35 RESOLUTIONS</b>  <b>Resolution No. 3330</b> – A Resolution establishing a fingerprinting service by the City of Dallas and establishing a fee.</p>	<p>A roll call vote was taken and Mayor Dalton declared Resolution No. 3330 to have PASSED BY A VOTE of 8-0 with Council President Jim Fairchild, Councilor Kelly Gabliks, Councilor Micky Garus, Councilor Bill Hahn, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, and Councilor LaVonne Wilson voting YES.</p>
<p><b>33:21 FIRST READING OF ORDINANCE</b>  <b>Ordinance No. 1787</b> – An Ordinance amending Dallas City Code Section 7.540, relating to garage sales.</p>	<p>Mr. Shetterly noted that in section 3 the sentence was corrected to read, "... return of the sign "in" satisfactory condition".</p> <p>Mayor Dalton declared Ordinance No. 1787 to have passed its first reading.</p>
<p><b>34:16 SECOND READING OF ORDINANCE</b>  <b>Ordinance No. 1785</b> – An Ordinance amending the Dallas Comprehensive Plan Map for a parcel of real property owned by Christina and Dale Perry from Residential to Commercial; and declaring an emergency.</p>	<p>A roll call vote was taken and Mayor Dalton declared Ordinance No. 1785 to have PASSED BY A VOTE of 8-0 with Council President Jim Fairchild, Councilor Kelly Gabliks, Councilor Micky Garus, Councilor Bill Hahn, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, and Councilor LaVonne Wilson voting YES.</p>

<p><b>Ordinance No. 1786</b> – An Ordinance changing the zoning designation of a parcel of real property owned by Christina and Dale Perry from Residential (Low Density) to Commercial General; and declaring an emergency.</p>	<p>A roll call vote was taken and Mayor Dalton declared Ordinance No. 1786 to have PASSED BY A VOTE of 8-0 with Council President Jim Fairchild, Councilor Kelly Gabliks, Councilor Micky Garus, Councilor Bill Hahn, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, and Councilor LaVonne Wilson voting YES.</p>
<p><b>EXECUTIVE SESSION</b></p>	

<p><b>ADJOURNMENT</b></p>	<p>There being no further business, the meeting adjourned at 7:35 p.m.</p>
<p>Read and approved this _____ day of _____ 2015.</p> <p style="text-align: center;">_____</p> <p>ATTEST: <span style="float: right;">Mayor</span></p> <p>_____</p> <p style="text-align: center;">City Manager</p>	

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DRAFT

# DALLAS CITY COUNCIL REPORT

**TO: MAYOR AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No.</b> 9 a	<b>Topic:</b> Award of Contract for 2015 Clay Street Water Transmission Pipeline Replacement Project
<b>Prepared By:</b> Fred Braun	<b>Meeting Date:</b> September 21, 2015	<b>Attachments:</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Approved By:</b> Ron Foggin		

**RECOMMENDED ACTION:**

No action - accept information on award of contract to Tapini, Inc. of Battle Ground, Washington.

**BACKGROUND:**

The 2015 Clay Street Water Transmission Pipeline Replacement Project is included in the adopted FY 2015-16 budget in the amount of \$1,400,000 for expenditures, and \$1,400,000 in revenue from the Oregon IFA State Revolving Fund Loan Program. The project includes replacement of approximately 8,000 linear feet of the 60-year old potable water transmission pipeline located between the Water Treatment Plant and Clay Street Reservoir. The pipeline will be upsized from 16 inches to 22 inches in diameter to accommodate growth. The existing line is at the end of its service life and is critical infrastructure for the City's potable water supply system. The engineer's estimated cost of the project is \$1,400,000.

The City formally advertised the Project in August, 2015. Bids were opened on September 17, 2015. A total of 8 bids were received by the deadline. One was not accepted due to a lack of prequalification requirements. Another bid was rejected due to an unsigned bid form. A summary of the bids received and accepted is as follows:

1	Tapani, Inc., Battle Ground, WA	\$ 897,999.00
2	K & E Excavating Inc, Salem, Oregon	\$ 936,027.00
3	Pacific Excavation, Eugene, Oregon	\$1,104,663.00
4	James W. Fowler Co., Dallas, Oregon	\$1,143,747.00
5	Trench Line Excavation, Corvallis, Oregon	\$1,299,574.00
6	Rotschy Inc, Vancouver, WA	\$1,345,659.00

The low bid of \$ 897,999 is less than the amount budgeted for the project and below the engineer's estimate. Staff has verified references, and the company is highly recommended. We have given notice of our intent to award this contract to the low bidder, Tapani, Inc., of Battle Ground, Washington. Staff recommends including a project contingency of \$150,000 (i.e. 15%) to allow for unforeseen work and an additional \$100,000 for construction engineering & testing.

FISCAL IMPACT:

The project is included in the adopted FY 2015-16 budget. The amount budgeted is enough to cover all expenditures related to the project, including contingencies.

DALLAS 2030 VISION IMPACT:

4.e.: Dallas has upgraded and modernized its utilities and infrastructure to support community and economic development...

4.h.: Dallas aggressively protects its... water quality, expanding capacity to accommodate future population growth.

ATTACHMENTS: Bid Summary Sheet.

**DALLAS CITY COUNCIL**  
**STAFF REPORT**

**TO: DALLAS CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No. 10a</b>	<b>Topic:</b> House Addresses on Curbs
<b>Prepared By:</b> Ron Foggin	<b>Meeting Date:</b> September 21, 2015	<b>Attachments:</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Approved By:</b> Ron Foggin		

**RECOMMENDED ACTION:**

I recommend the City Council accept the recommendation of the Public Work Committee that the Dallas City Code be changed to allow house addresses to be painted on curbs and allow staff to develop the rules for the program.

**BACKGROUND:**

Over the years, the City has been approached by service groups, fund raising groups and individuals looking to make money to paint house addresses on curbs. The Dallas City Code currently does not allow this. 6.100 of the City Code make private marking on curbs unlawful. In the past, several City Managers have allowed service groups and fund raising groups to paint house addresses on the curbs, but there is nothing in the current code that allows the City Manager to approve such activities.

**FISCAL IMPACT:**

There will be an application fee which will generate a small amount of revenue.

**DALLAS 2030 VISION IMPACT:**

1.k. – Dallas neighborhoods are clean, safe, friendly and livable places.

**ATTACHMENTS:**

None

ORDINANCE NO. 1788

An Ordinance amending Dallas City Code Section 6.325, relating to private marking on curbs; and declaring an emergency.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Dallas City Code Section 6.325 is hereby amended and restated in its entirety as follows:

**6.100 Private Marking.**

(1) Except as provided in subsection (2), no person shall letter, mark, or paint any letters, marks, or signs on a sidewalk, curb, street, or alley, or post on a parking strip anything designed or intended to prohibit or restrict parking in front of a sidewalk, dwelling, business, or in an alley, except in compliance with the provisions of this chapter.

(2) Upon application to the City Manager, payment of a fee established by resolution of the city council, and approval by the City Manager, a person may paint the street address of the person's property on the face of the curb in front of the person's property. The City Manager is authorized to develop rules governing the painting of such numbers, which rules may address minimum curb size and condition, paint materials, size and color of the numbers and the location of the numbers on the curb. The property owner shall maintain the numbers in good condition and repair as long as they remain on the curb, and the city shall have no responsibility for such maintenance, repair or replacement, nor shall the city be liable to the property owner for any damage to the numbers caused by any street maintenance activity or leaf removal.

Section 2. This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, an emergency is declared to exist and this Ordinance shall take effect immediately upon its passage.

Read for the first time: September 21, 2015  
Read for the second time: October 5, 2015  
Adopted by the City Council: October 5, 2015  
Approved by the Mayor: October 5, 2015

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BRIAN W. DALTON, MAYOR

ATTEST:

APPROVED AS TO FORM:

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RONALD W. FOGGIN,  
CITY MANAGER

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LANE P. SHETTERLY, CITY  
ATTORNEY

# DALLAS CITY COUNCIL REPORT

**TO: MAYOR BRIAN DALTON AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No. 11a</b>	<b>Topic: Ordinance 1787</b>
<b>Prepared By:</b> Cecilia Ward	<b>Meeting Date:</b> September 21, 2015	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Ron Foggin		

RECOMMENDED MOTION:

Adopt Ordinance 1787 amending Dallas City Code Section 7.540, relating to garage sale to second reading.

BACKGROUND:

The City of Dallas requires a garage sale permit for the purpose of a public sale. The City also provides one sign per permit with a \$15 deposit. The deposit is refunded upon return of the sign.

It is the goal of staff to have 100% of garage sales signs available to the public to be in good or better condition. At this time, we have a total of 48 garage sale signs. Out of the 48 only 8 (17%) are in good condition and 15 (31%) are broken.

A garage sale sign replacement program would allow the rotation of the purchase and replacement of signs every year. The program would rotate one-third of the signs every year at an estimated cost of \$90.00 per sign. In order to upgrade all signs the estimated cost will be \$4,500. Moving forward, signs would be replaced every three years. The program would consist of a minimal \$5.00 charge per garage sale permit. A deposit would still be required for the signs. The customer would pay \$15.00 when issued a permit and upon return of the sign \$10.00 would be returned to the customer.

Below is a table with the number of garage sale permits that were issued the last three years. If a \$5.00 charge per permit was implemented it would generate approximately \$3,000-\$3,500 per fiscal year. This would assist staff in attaining the goal of 100% of garage sale signs be in good or better condition.

GARAGE SALE PERMITS		
2013	2014	2015 (through June)
Total      644	Total      615	Total      227

FISCAL IMPACT:

General Fund Revenue - approximately \$3,000-\$3,500

ATTACHMENTS:

Ordinance 1787

### 7.540 Signs.

(1) Only one sign shall be posted upon the premises on which the garage sale is to be held.

(2) One off premises sign for the purpose of directing people to the garage sale shall also be permitted but only a sign issued by the city shall be allowed. In the case of more than one garage sale conducted under a permit by a group of individuals or an association, the group of individuals or association shall be entitled to one off premises sign. Such off premises sign shall be placed at the arterial street that is nearest to the location of the sale.

(3) The city shall have available a reasonable supply of garage sale signs for use by individuals ~~at no cost~~. The city may secure a deposit ~~up to~~ an amount set by resolution of the city council, which resolution may provide that a portion of the deposit shall be refundable upon return of the sign is satisfactory condition, and a portion may be nonrefundable and retained to cover the cost of maintaining and replacing garage sale signs. If a sign is insufficient to cover the cost of replacing the sign in the event it is damaged or lost not returned, or is returned in damaged condition, the city may retain the full amount of the deposit.

(3) Signs shall not be placed in the public right-of-way and shall be placed upon private property only with the consent of the property owner. Signs shall not be placed earlier than one hour before the garage sale starts and shall be removed by no later than one hour after the conclusion of the garage sale.

ORDINANCE NO. 1787

An Ordinance amending Dallas City Code Section 7.540, relating to garage sales.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Dallas City Code Section 7.540 is hereby amended and restated in its entirety as follows:

**7.540 Signs.**

(1) Only one sign shall be posted upon the premises on which the garage sale is to be held.

(2) One off premises sign for the purpose of directing people to the garage sale shall also be permitted but only a sign issued by the city shall be allowed. In the case of more than one garage sale conducted under a permit by a group of individuals or an association, the group of individuals or association shall be entitled to one off premises sign. Such off premises sign shall be placed at the arterial street that is nearest to the location of the sale.

(3) The city shall have available a reasonable supply of garage sale signs for use by individuals. The city may secure a deposit in an amount set by resolution of the city council, which resolution may provide that a portion of the deposit shall be refundable upon return of the sign in satisfactory condition, and a portion may be nonrefundable and retained to cover the cost of maintaining and replacing garage sale signs. If a sign is not returned, or is returned in damaged condition, the city may retain the full amount of the deposit.

(3) Signs shall not be placed in the public right-of-way and shall be placed upon private property only with the consent of the property owner. Signs shall not be placed earlier than one hour before the garage sale starts and shall be removed by no later than one hour after the conclusion of the garage sale.

Read for the first time: September 8, 2015

Read for the second time: September 21, 2015

Adopted by the City Council: September 21, 2015

Approved by the Mayor: September 21, 2015

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BRIAN W. DALTON, MAYOR

ATTEST:

APPROVED AS TO FORM:

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RONALD W. FOGGIN,  
CITY MANAGER

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LANE P. SHETTERLY, CITY  
ATTORNEY

# DALLAS CITY COUNCIL REPORT

**TO: MAYOR BRIAN DALTON AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No. 12 a</b>	<b>Topic:</b> Resolution 3331
<b>Prepared By:</b> Cecilia Ward	<b>Meeting Date:</b> September 21, 2015	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Ron Foggin		

RECOMMENDED ACTION:

Adopt Resolution 3331 establishing the garage sale sign deposit provided by Dallas City Code section 7.540.

BACKGROUND:

Resolution 3331 implements the garage sale sign deposit as stated in Ordinance 1787. In order to make it as smooth a process as possible, we are proposing an effective date of January 1, 2016.

FISCAL IMPACT:

General Fund Revenue - approximately \$3,000-\$3,500

DALLAS 2030 VISION IMPACT:

ATTACHMENTS:

Resolution 3331

RESOLUTION NO. 3331

A Resolution establishing the garage sale sign deposit provided by Dallas City Code section 7.540.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. The deposit for a garage sale sign provided under Dallas City Code section 7.540 shall be \$15, of which \$10 shall be refunded upon return of the sign in satisfactory condition.

Section 2. If a garage sale sign is not returned, or is returned in damaged condition, the full amount of the deposit provided under Section 1 shall be retained.

Section 3. This resolution shall be effective January 1, 2016.

Adopted: September 21, 2015  
Approved: September 21, 2015

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BRIAN W. DALTON, MAYOR

ATTEST:

APPROVED AS TO FORM:

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RONALD W. FOGGIN,  
CITY MANAGER

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LANE P. SHETTERLY,  
CITY ATTORNEY