



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, June 20, 2016

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> <i>LA-1601: Sign Code amendments public hearing</i>	PG . 3 Motion
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 June 6, 2016 City Council meeting	PG . 41
b. Cancel the July 5, 2016, Dallas City Council meeting	PG . 44
c. Canvass the election results for Measure 27-119 from the May 17, 2016 election	PG . 45
d. Adopt forms for 2016 City Council and Mayor elections	PG . 47
e. Appoint Richard Moore to fill Wendy Spark's seat on the Parks Advisory Board	PG . 52
7. ITEMS REMOVED FROM CONSENT AGENDA	



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.

DALLAS CITY HALL

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.

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. Fire Department cost recovery proposal | PG. 55 | Motion |
| b. May financials | PG. 56 | Information |
| c. Councilor Stewart's resignation | PG. 57 | Motion |
| d. Council goal updates | | Information |
| e. Other | | |

10. FIRST READING OF ORDINANCE

11. SECOND READING OF ORDINANCE

12. RESOLUTIONS

- | | | |
|---|--------|----------------|
| a. <u>Resolution No. 3347</u> : A Resolution adopting the budget of the City of Dallas, Oregon, for the fiscal period beginning July 1, 2016, and ending June 30, 2017, making budgeted appropriations, and levying taxes for said fiscal period. | PG. 66 | Roll Call Vote |
| b. <u>Resolution No. 3348</u> : A Resolution declaring the City of Dallas's election to receive State Revenues. | PG. 71 | Roll Call Vote |

13. OTHER BUSINESS

14. ADJOURNMENT

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 5	Topic: LA 16-01 Sign Code Amendments Public Hearing
Prepared By: Jason Locke, Community Development/ Operations Director 	Meeting Date: June 20, 2016	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Ron Foggin, City Manager		

RECOMMENDED ACTION: Hold the public hearing, make any changes that the Council may feel is necessary, and direct staff to prepare and ordinance adopting the Amendments

BACKGROUND

The current Dallas Sign Code was adopted in January of 2015, after approximately a year of public meetings, hearings, and input. In November of 2015, after receiving complaints about a couple of provisions of the new sign code, the City Council directed the Planning Commission to relook at it.

The Planning Commission focused on addressing the exceptions process and temporary signs. The attached final draft is the subject of the public hearing. Also attached is the entire record on this matter.

SUMMARY TIMELINE:

- January 2-015 – Revised Sign Code adopted.
- November 2015 – The Council directs the Planning Commission to relook at a couple of provisions of the Sign Code.
- February – April 2015 – Planning Commission reviews and discusses options for amendments.
- May 2015 – Planning Commission holds public hearing and makes recommendation to the City Council for amendments.
- June 2016 – City Council Holds Public Hearing on Amendments.

FISCAL IMPACT: None

DALLAS 2030 VISION IMPACT: Improve the general business climate

ATTACHMENTS:

Staff Report and entire record

CITY OF DALLAS
City Council

STAFF REPORT
DATE: JUNE 13, 2016

FILE NO.	LA 16-01
HEARING DATE	JUNE 20, 2016 7:00 P.M. CITY HALL COUNCIL CHAMBERS 187 SE COURT STREET DALLAS, OREGON 97338
OWNER	N/A
REQUEST	REVISE THE DALLAS SIGN CODE: EXEMPTION PROCESS AND TEMPORARY SIGNS
LOCATION	CITY OF DALLAS
RECOMMENDATION	HOLD THE PUBLIC HEARING, TAKE TESTIMONY AND DIRECT STAFF TO PREPARE AN ORDINANCE ADOPTING THE AMENDMENTS

BACKGROUND INFORMATION

Revision of the Dallas Sign Code

The current Dallas Sign Code was adopted in January of 2015, after approximately a year of public meetings, hearings, and input. In November of 2015, after receiving complaints about a couple of provisions of the new sign code, the City Council directed the Planning Commission to relook at it.

The Planning Commission focused on addressing the exceptions process and temporary signs. The attached final draft is the subject of the public hearing. Also attached is the entire record on this matter.

Conclusion: The Planning Commission has recommended revising the Exception procedure, allowing more square footage for temporary signs, changing the allocation to be at the discretion of the business for temporary signs, and adding a grand opening and special event process to address the issues raised by the Council.

Recommendation:

Hold the public hearing, make any changes that the Council may feel is necessary, and Direct staff to prepare and ordinance adopting the Amendments.

EXCEPTIONS

3.6.120 Exceptions.

The Planning **Official** may authorize exceptions from the requirements of this chapter where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, strict application of this chapter would cause an undue or unnecessary hardship; provided that no exception shall be granted for signs prohibited by Section 3.6.050 of this chapter, except for off-site directional signs, for which an exception may be granted. In granting an exception the Planning Official may attach conditions which he/she finds necessary to protect the best interests of the surrounding property or neighborhood or otherwise achieve the purposes of this chapter.

- A. No exception shall be granted unless it can be established that:
 - (1) The request is necessary to prevent a hardship due to factors such as topography, location, surrounding development, lot shape or lot size;
 - (2) The granting of the exception will not result in material damage or prejudice to other property in the vicinity; and
 - (3) The request will not be detrimental to community standards and the appearance of the city.
- B. An exception request shall be made in accordance with Chapter 5.1.050 and processed as a **Type II** application.

(Changed review to Planning Official with a Type II Procedure)

3.6.050 Prohibited Signs.

The following signs are prohibited:

- A. Hazardous signs.
- ~~B. Signs that are otherwise permitted but not in compliance with the applicable requirements of this chapter, or in violation of any other provision of the Dallas City Code or Dallas Development Code.~~
- C. Signs within or which overhang streets, except as allowed in this chapter.
- D. Portable signs in the following categories:
 - (1) Signs on a vehicle parked on private property, public property or right-of-way, unless the vehicle is used for transport in the normal day-to-day operations of a business, except as provided in section 3.6.040 Q.
 - (2) Signs propped up by or leaning against a motor vehicle when such vehicle is parked in the public right-of-way.
- E. Moving signs.
- F. Balloon signs twenty-four (24) inches in diameter or greater.
- G. Electronic Digital (Video) signs.
- H. Flashing signs, except as provided in 3.6.040Z.
- I. Roof signs.
- J. Signs that appear similar in shape, color, size or copy to traffic control devices.
- K. Off-site signs, except as lawfully exist prior to adoption of this Chapter.
- L. Portable or temporary signs in the right-of-way, unless approved by the City Manager.

Temporary Signs – Review size and allocation

3.6.060 Temporary signs.

A. Temporary signs may be erected and maintained only in compliance with this section.

- (1) Temporary signs that exceed the applicable area limitations set forth in 3.6.060.B shall not be permitted.
- (2) Temporary signs that overhang a public right-of-way and that are authorized by a governmental agency are not subject to the provisions of 3.6.060.B, below.
- (3) With the exception of subsection (2) above, and signs installed or authorized by a governmental agency, no temporary signs are permitted in or over public right-of-way.
- (4) Temporary and portable signs over four feet tall shall be set back a minimum of five feet from the street side of a property line. This does not apply to a sign placed within a recessed entryway, provided that no portion of the sign extends over a public sidewalk, or to signs which hang from the face or wall of a building, provided that the sign does not extend more than two inches from the face or wall.
- (5) Temporary signs affixed to a building may be placed no higher than the building's eave, top of wall, or parapet.
- (6) With the exception of subsection (2) above, temporary signs shall not be attached to trees, shrubbery, utility poles or traffic control signs or devices.
- (7) Temporary signs are not counted against the total area of permanent sign allowance.

B (2) Commercial (CG, CN, and CBD) and Industrial (I) Zones:

- a. Temporary signs shall be limited to ~~three (3) per building or two (2) per business in a multi-tenant complex, and shall not exceed sixteen (16) square feet in area per side per sign~~ a total of 60 square feet per business. Except as provided in subsection A(2), above, attachment of a temporary sign to permanent signs or structures, awnings, trees, or utility poles is prohibited. Temporary signs on a site or building may be placed for a period not exceeding 90 days without a permit, but must be legibly dated in permanent marker on the initial date of display in the lower right hand corner of the sign.
- b. In addition to the temporary signs otherwise permitted in this code, a business may have temporary signs in excess of the number and size allowed above, during events as listed below:

Grand opening event: A grand opening is an event of up to 30 days duration within 30 days of issuance of a certificate of occupancy for a new or remodeled structure, or within 30 days of change of business or ownership. No business may have more than one grand opening event per calendar year. The applicant shall notify the city in writing of the beginning and ending dates prior to the grand opening event.

Sale or other events: Two other events per calendar year. The events may not be more than ten consecutive days' duration, and not less than 30 days apart.

CITY OF DALLAS
NOTICE OF PUBLIC HEARING

The Dallas City Council will hold a public hearing on Monday, June 20, 2016 at 7:00 p.m., in the Council Chambers at City Hall, 187 SE Court Street, Dallas, Oregon, on a proposal to **amend the City of Dallas Sign Code. Specifically, amendments are being proposed to the EXEMPT and TEMPORARY sign regulations.**

The City Council will consider testimony which addresses the Proposed Sign Code Amendments. Testimony may be submitted in writing to the Dallas Community Development Department, City Hall, Dallas, Oregon 97338, or in writing or orally at the public hearing. The public hearing will be conducted in a manner that permits testimony from all interested parties. All persons wishing to testify must sign in and be recognized by the Chair.

Written comments submitted to the Community Development Department by June 16, 2016, will be included with the staff report. Written comments submitted after that date will be forwarded to the City Council at the public hearing. The staff report will be available for inspection at the Community Development Department at least seven days prior to the hearing. Copies of the staff report and all documents are available for inspection at the Community Development Department at no cost and copies will be provided at a reasonable cost.

Dallas City Hall is handicapped-accessible. Any requests for accommodation should be made at least 48 hours before the meeting to the Community Development Department, 503-831-3565 or TDD 503-623-7355.

STAFF CONTACT FOR ADDITIONAL INFORMATION: Jason Locke, 503.831.3565 or TDD phone 503.623.7355.

Dated: June 1, 2016
Posted: June 1, 2016
Published: June 8, 2016

Jason Locke, Community Development Director
City of Dallas, Oregon



City of Dallas
Planning Commission
Council Chambers - City Hall
May 10, 2016 - 7:00 p.m.

DRAFT

MINUTES

1 **CALL TO ORDER**

2 President Chuck Lerwick called the meeting to order at 7:02 p.m.

3 **ROLL CALL**

4 Commissioners Present: Chuck Lerwick, Chris Castelli, Andy Groh, David Shein, Marc
5 Pazina, and Robert Wilson

6 Absent: Carol Kowash

7 Staff present: City Attorney Lane Shetterly, Community Development Director
8 Jason Locke, Planner Suzanne Dufner, and Recording Secretary
9 Margie Pearce

10 **APPROVAL OF MINUTES**

11 President Chuck Lerwick presented the minutes of the regular meeting of April 12, 2016.
12 Commissioner David Shein made a motion to approve the minutes as presented and
13 Commissioner Bob Wilson seconded the motion. The motion passed unanimously.

14 **PUBLIC COMMENT**

15 President Chuck Lerwick explained the rules for making public comment.

16 There were no public comments.

17 **PUBLIC HEARING**

18 **HO 16-03: Type III Home Occupation 930 W Ellendale Ave, Dallas**
19 **Applicant: Michael and Malinda Boyer**

20
21 President Lerwick opened Public Hearing HO 16-03 at 7:04 pm.
22
23
24

25 STAFF REPORT:

26 Ms. Suzanne Dufner reviewed the staff report for a request to allow a gunsmithing and internet
27 sales business in a RL district. The applicants are seeking Type III approval to modify several of
28 the Type I standards related to signage and on-site retail sales. The Staff recommended approval
29 of the Home Occupation Permit application with seven (7) conditions.
30

31 APPLICANT PRESENTATION

32 Michael Boyer, 930 W Ellendale Ave, related that he already has an established business but the
33 building has issues and he felt that moving the business to his home was the most feasible plan.

34 PERSONS SPEAKING FOR OR AGAINST

35 There were none.

36 COMMISSIONER QUESTIONS

37 Commissioner Andy Groh asked whether the ADA parking spot was van accessible and would
38 the business sign on the building be permanent?

39 Mr. Boyer replied that the ADA parking spot would be in an area that would be van accessible
40 and the sign would be removable. He also stated he had no problems with the conditions.

41 President Lerwick closed Public Hearing HO 16-03 at 7:30 pm.

42 DISCUSSION BY COMMISSION

43 Mr. Lane Shetterly recommended there should be an amendment to Condition 1 to read
44 "...unless otherwise approved by the City of Dallas Planning Commission, and as described in
45 the application".

46 It was moved by Commissioner Shein to approve HO 16-03 with the seven (7) conditions and
47 the amendment to Condition 1 as described by Mr. Shetterly. The motion was duly seconded by
48 Commissioner Groh and carried with a unanimous vote.

 49 **Legislative Amendment 16-01-Admendments to the Sign Code**

50 President Lerwick opened Public Hearing LA 16-01 at 7:35 pm.

51 Mr. Jason Locke reviewed what the Planning Commission had already done regarding
52 exceptions, temporary signs, and special event signs. He reviewed the verbiage which was
53 discussed at the April 12, 2016 Planning Commission meeting and asked how the Commission
54 would like to proceed.

55

56 PERSONS SPEAKING FOR OR AGAINST

57 There were none.

58 President Lerwick closed Public Hearing LA 16-01 at 7:50 pm.

59 DISCUSSION BY COMMISSION

60 Mr. Shetterly recommended there be a verbiage change in the first paragraph under exceptions to
61 read, “In granting an exception the Planning Official may attach conditions which he/she finds
62 necessary...”, and omit the “A business may have” in the last paragraph regarding Sale and other
63 events.

64 It was moved by Commissioner Shein to forward the sign amendments to the City Council with
65 recommended verbiage changes by Mr. Shetterly. The motion was duly seconded by
66 Commissioner Castelli and carried with a unanimous vote.

67 **OTHER BUSINESS**

68 Mr. Locke presented the Combined Land Use and Building Report stating that there has been
69 steady growth.

70

71

72 **The meeting adjourned at 8:00 p.m.**

APPROVED:

President

Date

**CITY OF DALLAS
Planning Commission**

**STAFF REPORT
DATE: MAY 3, 2016**

FILE NO.	N/A
HEARING DATE	MAY 10, 2016 7:00 P.M. CITY HALL COUNCIL CHAMBERS 187 SE COURT STREET DALLAS, OREGON 97338
OWNER	N/A
REQUEST	REVISE THE DALLAS SIGN CODE: EXEMPTION PROCESS AND TEMPORARY SIGNS
LOCATION	CITY OF DALLAS
RECOMMENDATION	HOLD THE PUBLIC HEARING, TAKE TESTIMONY AND MAKE A RECOMMENDATION TO THE CITY COUNCIL

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The Planning Commission focused on addressing the exceptions process, and temporary signs. The attached final draft is the subject of the public hearing. Also attached is the entire record on this matter.

Conclusion: Revising the Exception procedure, allowing more square footage and changing the allocation to be at the discretion of the business for temporary signs, and adding a grand opening and special event process, seems to address the issues raised by the Council.

Recommendation:

Hold the public hearing, make any changes that the Commission feels necessary, and forward to the City Council for approval.

EXCEPTIONS

3.6.120 Exceptions.

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- A. No exception shall be granted unless it can be established that:
 - (1) The request is necessary to prevent a hardship due to factors such as topography, location, surrounding development, lot shape or lot size;
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Temporary Signs – Review size and allocation

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STAFF CONTACT FOR ADDITIONAL INFORMATION: Jason Locke, 503.831.3565 or TDD phone 503.623.7355.

Dated: April 19, 2016
Posted: April 19, 2016
Published: April 27, 2016

Jason Locke, Community Development Director
City of Dallas, Oregon



Community Development Department

Memo

To: Dallas Planning Commission
From: Jason Locke, Community Development/Operations Director 
Date: April 12, 2016
Re: Sign Code Review

As discussed at the last Planning Commission meeting, staff has provided a draft of the proposed changes. They are in [blue](#).

Attachments:

Revised temporary sign draft

EXCEPTIONS

3.6.120 Exceptions.

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**City of Dallas
Planning Commission
Council Chambers - City Hall
March 8, 2016 - 7:00 p.m.**

MINUTES DRAFT

1 CALL TO ORDER

2 President Chuck Lerwick called the meeting to order at 7:00 p.m.

3 ROLL CALL

4 Commissioners Present: Chuck Lerwick, Chris Castelli, Andy Groh, David Shein, Marc
5 Pazina, and Robert Wilson.

6 Absent: Carol Kowash

7 Staff present: City Attorney Lane Shetterly, Community Development Director
8 Jason Locke, and Recording Secretary Margie Pearce.

9 APPROVAL OF MINUTES

10 President Chuck Lerwick presented the minutes of the regular meeting of February 9, 2016.
11 Commissioner Pazina made a motion to approve the minutes as presented and Commissioner
12 Shein seconded the motion. The motion passed unanimously.

13 PUBLIC COMMENT

14 President Chuck Lerwick explained the rules for making public comment.

15 There were no public comments.

16 PUBLIC HEARING

17 None

18 OTHER BUSINESS

19 Mr. Locke reviewed the work the Commissioners have done pertaining to the sign code -
20 exceptions and temporary signs. He stated there were a couple of different avenues to consider
21 with the exceptions process:

22 1. Remove 3.6.050B, which closes the loop created by the verbiage of the code.

23 2. Make the exceptions process a Type II review, which makes the process shorter.

24 Mr. Locke stated with the temporary signs there were also a couple of options to consider:

25 1. Allow more signs per street front footage.

26 2. Create a Special Event signs section in the code.

27 **DISCUSSION BY COMMISSION**

28 Consensus by the Commission was to see a draft which incorporates removing 3.6.050B in the
29 exceptions process and creating a Special Event signs section.

30 **COMMISSIONER COMMENTS**

31 There were none.

32 **STAFF COMMENTS**

33 The updated Dallas Development Code will be handed out at the next Planning Commission
34 meeting.

35 Mr. Locke asked if there were any Commissioners besides Mr. Groh and Ms. Kowash who were
36 planning on attending the Planning in Oregon: Building Successful Communities Training.

37

38

39

40 **The meeting adjourned at 7:50 p.m.**

41

APPROVED:

President

Date

EXCEPTIONS – Remove the loop and discuss the exceptions process

3.6.120 Exceptions.

The Planning Commission may authorize exceptions from the requirements of this chapter where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, strict application of this chapter would cause an undue or unnecessary hardship; provided that no exception shall be granted for signs prohibited by Section 3.6.050 of this chapter, except for off-site directional signs, for which an exception may be granted. In granting an exception the Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood or otherwise achieve the purposes of this chapter.

- A. No exception shall be granted unless it can be established that:
 - (1) The request is necessary to prevent a hardship due to factors such as topography, location, surrounding development, lot shape or lot size;
 - (2) The granting of the exception will not result in material damage or prejudice to other property in the vicinity; and
 - (3) The request will not be detrimental to community standards and the appearance of the city.
- B. An exception request shall be made in accordance with Chapter 5.1.050 and processed as a Type III application.

3.6.050 Prohibited Signs.

The following signs are prohibited:

- A. Hazardous signs.
- ~~B. Signs that are otherwise permitted but not in compliance with the applicable requirements of this chapter, or in violation of any other provision of the Dallas City Code or Dallas Development Code.~~
- C. Signs within or which overhang streets, except as allowed in this chapter.
- D. Portable signs in the following categories:
 - (1) Signs on a vehicle parked on private property, public property or right-of-way, unless the vehicle is used for transport in the normal day-to-day operations of a business, except as provided in section 3.6.040 Q.
 - (2) Signs propped up by or leaning against a motor vehicle when such vehicle is parked in the public right-of-way.
- E. Moving signs.
- F. Balloon signs twenty-four (24) inches in diameter or greater.
- G. Electronic Digital (Video) signs.
- H. Flashing signs, except as provided in 3.6.040Z.
- I. Roof signs.
- J. Signs that appear similar in shape, color, size or copy to traffic control devices.
- K. Off-site signs, except as lawfully exist prior to adoption of this Chapter.
- L. Portable or temporary signs in the right-of-way, unless approved by the City Manager.

Temporary Signs – Review size and allocation

3.6.060 Temporary signs.

A. Temporary signs may be erected and maintained only in compliance with this section.

- (1) Temporary signs that exceed the applicable area limitations set forth in 3.6.060.B shall not be permitted.
- (2) Temporary signs that overhang a public right-of-way and that are authorized by a governmental agency are not subject to the provisions of 3.6.060.B, below.
- (3) With the exception of subsection (2) above, and signs installed or authorized by a governmental agency, no temporary signs are permitted in or over public right-of-way.
- (4) Temporary and portable signs over four feet tall shall be set back a minimum of five feet from the street side of a property line. This does not apply to a sign placed within a recessed entryway, provided that no portion of the sign extends over a public sidewalk, or to signs which hang from the face or wall of a building, provided that the sign does not extend more than two inches from the face or wall.
- (5) Temporary signs affixed to a building may be placed no higher than the building's eave, top of wall, or parapet.
- (6) With the exception of subsection (2) above, temporary signs shall not be attached to trees, shrubbery, utility poles or traffic control signs or devices.
- (7) Temporary signs are not counted against the total area of permanent sign allowance.

Commercial (CG, CN, and CBD) and Industrial (I) Zones:

Temporary signs shall be limited to three (3) per building or two (2) per business in a multi-tenant complex, and shall not exceed sixteen (16) square feet in area per side per sign. Except as provided in subsection A(2), above, attachment of a temporary sign to permanent signs or structures, awnings, trees, or utility poles is prohibited. Temporary signs on a site or building may be placed for a period not exceeding 90 days without a permit, but must be legibly dated in permanent marker on the initial date of display in the lower right hand corner of the sign.



Community Development Department

Memo

To: Dallas Planning Commission
From: Jason Locke, Community Development/Operations Director
Date: February 9, 2016
Re: Sign Code Review

As discussed at the last Planning Commission meeting, the City Council remanded the sign code back to the Planning Commission on a 5-4 vote on December 1, 2015. The City Attorney has provided a memo that recapped the discussion at the Council, which was accompanied by the transcript of the Council discussion.

On December 29, 2015, the Chamber of Commerce submitted a letter that provided their position plus their expectation that a wide-ranging review take place.

As the City Attorney has stated, the Planning Commission may determine how it wants to proceed, based on all of this information. That review can range from addressing the issues of concern raised during the Council discussion to opening the whole sign code for review and possible revision.

Based on the Commission decision, staff will prepare an outline of process and procedure for the Commission.

Attachments:

Memo from City Attorney, City Council Transcript, Chamber of Commerce Letter, Current Sign Code



**City of Dallas
Planning Commission
Council Chambers - City Hall
February 9, 2016 - 7:00 p.m.**

DRAFT MINUTES

1 **CALL TO ORDER**

2 President Chuck Lerwick called the meeting to order at 7:00 p.m.

3 **ROLL CALL**

4 Commissioners Present: Chuck Lerwick, Chris Castelli, Andy Groh, Carol Kowash,
5 David Shein, and Marc Pazina.

6 Absent: Robert Wilson

7 Staff present: City Attorney Lane Shetterly, Community Development Director
8 Jason Locke, Planner Suzanne Dufner, and Recording Secretary
9 Margie Pearce.

10 **APPROVAL OF MINUTES**

11 President Chuck Lerwick presented the minutes of the regular meeting of January 12, 2016.
12 Commissioner Shein made a motion to approve the minutes as presented and Commissioner
13 Kowash seconded the motion. The motion passed unanimously.

14 **SWEARING IN**

15
16 Andy Groh was sworn in to fill the Planning Commissioner vacancy

17
18 **PUBLIC COMMENT**

19 President Chuck Lerwick explained the rules for making public comment.

20 Mr. Gene Henshaw spoke in regards to the Sign Code and urged the commissioners to take the
21 Chamber of Commerce suggestions in consideration when revisiting the issues brought up by the
22 City Council.

23

24

25 **OTHER BUSINESS**

26 Mr. Jason Locke reviewed the remand of the Sign Code from the City Council and stated that
27 there were a number of options available to the Planning Commission regarding how to proceed
28 based on the information from the City Council and the Chamber of Commerce.

29 Mr. Lane Shetterly commented that in the Sign Code, Sections 3.6.120 and 3.6.050 in
30 combination create a no exceptions loop. He stated that if the Commission removed item B of
31 section 3.6.050 it would remove the loop and allow for certain exceptions.

32 Mr. David Shein stated that he felt that the Planning Commission should focus on the issues the
33 City Council brought up and that the Chamber of Commerce issues were the same as those
34 brought up prior to the Sign Code revision and there was no need to address those again.

35 President Lerwick concurred with Commissioner Shein. He stated that the Planning Commission
36 had done a good job with the Sign Code. He felt that somewhere in the variances and exceptions
37 the Planning Commission missed the mark and by cleaning up those issues citizens can be best
38 served.

39 Mr. Shein wanted to look at the size of temporary signs and short notice situations.

40 There was a consensus from the Commissioners that they would like to investigate the option
41 which Mr. Shetterly discussed, in addition to looking at the sizes of temporary signs.

42 **COMMISSIONER COMMENTS**

43 Commissioner Kowash brought to the Commissioner's attention that there was a legislative bill
44 dealing with inclusionary zoning. Mr. Locke discussed what that was and that Oregon
45 jurisdictions were not allowed to include it in their Development Codes.

46

47 **STAFF COMMENTS**

48 Mr. Locke reminded the Commissioners that the Land Use and Building report is included in the
49 agenda packet.

50 **The meeting adjourned at 7:45 p.m.**

51

APPROVED:

President

Date

December 29, 2015

Mayor Brian Dalton, City of Dallas
Jim Fairchild, President Dallas City Council,
Dallas City Hall
187 SE Court Street Dallas, OR 97338

Re: Revisions to the City of Dallas Sign Code

Dear Mayor Dalton and President Fairchild;

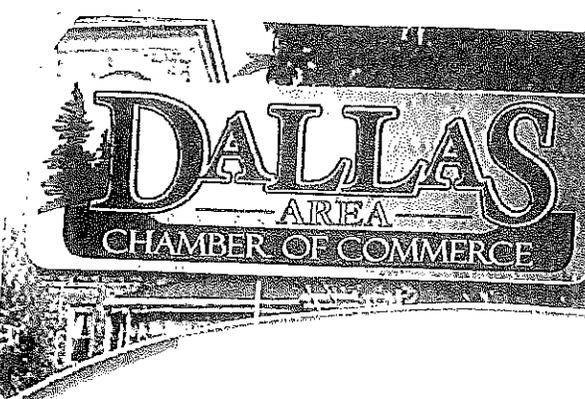
On behalf of the members of the Dallas Area Chamber of Commerce, we want to thank you for requesting the City Planning Commission to review the Dallas Sign Code.

As we, and others, testified at your December 7th 2015 Council meeting, there are still numerous issues and questions about the sign code, how is applied, its interpretation and the enforcement. A lot of these issues were raised in the chambers letter of January 2014 but additional issues have arisen since the revised code adoption.

We would ask that a workshop be held by both the council and planning commission to fully discuss the issues in the sign code. The process of public hearings did not afford a discussion of the issues only a presentation of them. It is important to reiterate that the goal of the chambers' involvement in revising the sign code was and is to ***"Have a sign ordinance that is simple and clearly written for interpretation, which provides businesses the opportunity to advertise and inform or direct the consumer to/of the business."***

The general areas for discussion and possible revision are:

- A provision that allows discretionary decisions by the City Manager in the application of the code.
- A provision that provides the same calculation for the square footage of temporary signs as permanent signs.
- Provisions for off premise directional signs to business locations.



DALLAS

AREA
CHAMBER OF COMMERCE

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www.dallasoregon.org

- Clarifying the number of signs allowed on a business based upon frontage instead of the 3 per building or 2 per business in a multi-tenant building.
- Provisions allowing temporary, A-Frame or Sandwich Board signage in and on public right of way in the front of the business when no impediment of vehicular or pedestrian traffic occurs.
- Allow signs for home occupations in residential zones
- Allow Banners/ribbons/feather signs property or store front at a business location as a permanent sign instead of a temporary
- Allow using Humans as directional and advertisement signage at the business location on or off right of way

We would hope the discussion would include signage need by industry or retail type and advertising need; discussion of what is an "industry standard" for sign types and a comparison between signage ordinances of neighboring communities. We are also prepared to draft specific language for your consideration.

Sincerely,



Bob Brannigan
Chamber Board President

cc: Chuck Lerwick, President, City of Dallas Planning Commission
Ron Foggin, City Manager
Jason Locke, City Community Development Director
All City Councilors
All Planning Commission Members
Chamber Board of Directors
Chelsea Metcalfe, Chamber Executive Director

MEMORANDUM

To: Dallas Planning Commission

Cc: Jason Locke and Suzanne Dufner

From: Lane P. Shetterly, City Attorney

Re: City Council "Remand" of Dallas Sign Code

Date: January 8, 2015

The Dallas City Council, at its meeting on December 1, 2015, voted 5 - 4 to send the recently adopted Dallas Sign Code back to the Dallas Planning Commission. The purpose of this memorandum is to help the Planning Commission understand what the council's specific concerns were that were basis of its action, to help focus the Planning Commission on its review.

For your information, a copy of the full transcript of the council's discussion on the matter is attached to this memorandum.

The council's discussion and action was precipitated by testimony during the "Public Comment" portion of the council meeting about a code enforcement action directed at the new Capital Ford dealership. As part of its "grand opening" event, the new dealership had displayed temporary signs that exceeded the size limits for temporary signs and the number of signs permitted on the property under the sign code. When he was informed about the violation by the code enforcement officer, the property owner looked at the provisions in the code for an exception (variance), but determined he was not eligible for an exception so did not seek one.

Following the public comment, Councilor Garus made a motion to "remand" the sign code "for review." In his motion, Councilor Garus said "I do think that * * * at least allowing a, a new company like Capital to come in and have a grand opening and be exempt * * * for a period of time or somethin' like that * * * needs to be addressed again." (See Councilor Garus's ("MG") comments on page one of the transcript.)

In the course of discussion that followed, the focus of the comments in support of the motion seem also seems to have been on the temporary sign issue. (See Council Lawson's ("JL") comments at the bottom of page one of the transcript,

attached: "I believe that a lot of the things that we talked through on the sign code were very, very accurate and we had reasons for them, but I honestly believe, the grand opening never even crossed our radar. It was something that we discussed, so I would highly encourage us to review that portion of it because I truly believe that it definitely is something that we could, uh, open that up for a temporary option, that sort of thing, so I would agree." She reiterated the point in her comments on page four of the transcript: "I go back to what I said. I don't see there, we never discussed grand openings for any business. So I have no problem letting the Planning Commission review that because that's not, that's an anomaly that we did not think of.")

Another issue that was specifically discussed was the exception process, and whether the property owner would have been eligible for an exception under the provisions of section 3.6.050. The general sense of the discussion was that he should have been able to at least request an exception. On my review after the council meeting, it appears that section 3.6.050.B, which defines "Prohibited Sign" to include "Signs that are otherwise permitted but not in compliance with the applicable requirements of this chapter * * *," may well make such signs ineligible for an exception, as section 3.6.130 says "Prohibited Signs" are not eligible for an exception. If the exclusion for Prohibited Signs from the exception process is so interpreted, arguably the only signs that would be eligible for an exception would be off-site directional signs, since an exception for them is specifically provided for in section 3.6.130. I advised the council after the council meeting that this situation would benefit from some clarification on review by the Planning Commission.

The council did not identify any other specific issues with the sign code for the Planning Commission to review. That said, the Planning Commission's power to review and propose recommendations in the sign code is plenary. The purpose of this memorandum is not to limit the scope of the Planning Commission's review, but to help inform it what the council's primary concerns in sending the sign code back to the Planning Commission were, based on the council's discussion.

MG: I just wanna move that we uh, we take some of the advice that we've heard um regarding the sign code and possibly throw it back to the Planning Commission and I know you guys all seen my email about it and I, I went through the sign code. I spent several hours goin' through it and um looking at other suggestions. I don't know what the right thing to do at the moment is, but, um, I do think that, you know, at least allowing a, a new company like Capital to come in and have a grand opening and, and be exempt um for a time period or somethin' like that so people can really know that they're there and uh and have a chance to get in and see what they're offering and, and, and us recognizing that they have invested significant amount of money into our community by coming here so I just, I do think it needs to be addressed again and I know there was a lot of work that went into it already, but, um, obviously it's, it, we didn't get it right, and, uh, you know, we've got a goal, every one of us have signed off on a goal that we wanna make sure we're, um, enticing business to our community and we're working on our economic development and uh somthin' like this, um, needs to be addressed. It, you know, word gets out that you know we're not willing to work with them or, or help them out um other businesses are gonna think about that before they come in and, and wanna do business with Dallas so I think it just needs to be reviewed and, and uh go back to the drawing board for a little bit and, and try to find a solution that's beneficial and, and somebody mentioned that its' possibly a not a one-size fits all type of a situation and, and I agree with that one hundred percent. We have a commercial district. We have a more a historical downtown district and um we need to find a good fit that works for those different areas, so, that's all I have to say.

BD: Was that a motion? I heard the word motion (inaudible). It was a long motion, I guess.

MG: I, I just recommend that we, we do throw that back to the Planning Commission and and

BD: In order to do that there'd have to be a motion to really

MG: I move that we take the sign code and allow the Planning Commission to go back through it and

BD: Remand it to them

MG: Remand it, yes

BD: for review. Is that correct? (inaudible)

It's been remanded to, it's been moved by Councilor Garus and seconded by Councilor, two seconds

JF: Whichever one...

BD: Um, alright, discussion about that? Jackie.

JL: Um, I believe that a lot of the things that we talked through on the sign code were very, very accurate and we had reasons for them, but I honestly believe the, the grand opening never even crossed our radar. It was something that we didn't discussed, so I would highly encourage us to review that portion of it because I truly believe that it definitely is something that we could, uh, open that for a temporary option, that sort of thing, so I would agree.

BD: Thanks, Jackie. Bill next and then Kelly.

BH: Uh, I feel (inaudible, background noise). Um, you know I think it's a real shame that the new, uh, business owners, um, were not informed until they found the codes enforcement officer knocking on their door, however, as a uh new business, I would have hoped that they would have uh contacted the city and talked to somebody about the uh sign and code ordinance and uh this, you know, issue could have probably been resolved. And uh my personal feelings are if every time a um individual or a group does not like the uh ordinance or the rules that we establish, they bring it to us and say, you know, you didn't think everything through, I think we outta change it, and so, we spend a lot of time changing things that if we allowed them to work their course, this hasn't even been in full uh existence for over a year, to know, you know, what works and what doesn't work.

BD: Thanks Bill. Kelly?

KG: I guess the only thing I wanted to say is, I, I guess I get unhappy when I hear people say that, where's the common sense, why aren't we willing to work with people? I guess this is the attorney in me. If the code says something and we, and, and, I certainly want to encourage Capital Ford. I want 'em to be here, and if, it, if we need to go back and look at it, I'm happy to do that. But the fact that someone doesn't say to you we're gonna grant an exception to the code is not, I don't think that's being negative to business, because you have to apply the code fairly to everyone and if you created an exception for one person, then if someone else comes along, then you have to create an exception for that person. So, I, I guess I just get worried about that language and that somehow by enforcing the code, that we, any, any of our codes or rules, that we're being negative to business. No, we're not. We, we want business. We want economic development. But if, but if someone does something that violates the code, or, or the law, then at that time you have to tell 'em they violated it. Now they can bring it to us and we can look at it. We can decide that maybe something gets to be, that needs to be changed, but I I don't think this idea that we're not willing to work with people when there's a clear violation of the code. I, I, I'm just, I'm just worried about that language because we do wanna work with people but we can't, the, the, the development department, they don't have any authority to grant unilateral exceptions to the law as its laid out. And so, to, to the extent that people see a problem and wanna bring it to the Council, we are all ears. Um, but I, I just hope that people aren't getting overly angry at the people that are enforcing those laws because we need them to do those fairly and equitably to everyone.

BD: Thanks Kelly. Jim.

JF: And I wanna just piggy back a little bit on what uh Councilor Gabliks said and that is uh, I talked, Mike and I are good friends and so we talk to each other and what have you. And I asked him, I said, ok, how did the enforcement people approach you and that. And he said that they approached him in a positive, professional, and, uh, I'm not, the way, the way a professional person would have to do that. We do not give them the right to pick and choose which ones they enforce and don't enforce. And so that's where they came from. And so at that point there, it comes back to us, in that if we're going to make changes. But I also want to applaud our people in the fact that apparently they did what we asked them to do in the right manner and in a professional manner. And so, I applaud them on that.

BD: Thank you, Jim. Uh, Ken.

KW: I guess bein' on the Council for a couple years, I've seen this go (inaudible).

BD: More like thirty-five?

KW: Um, you know, we spent a lot of time do, redoing this, our sign code. And a lot of people put a lot of hours into this. It's been almost a year of work, starting in January of last year and proceeding through September and October before final approval. And I agree that the sign code doesn't not fit everybody. One size does not fit all. I know that. So what happens when somebody wants to do something that's a little different? They come to us and ask for a variance. And it's a variance that we can work with or work around, and each variance is gonna be unique. And we work with that. But I, I think the sign code, as it sits is pretty, pretty fair. But, if there was a variance requested for the grand opening for a period of thirty, sixty, ninety days, or whatever the timeframe, uh, they should, I think they should come to the City Council and ask for a variance. And the next business that has a little problem with our sign code, and if they want to do something special, they come and ask for a variance. And we work with them. We're very pro-business in this community. My business has been here for over a hundred years. My family's been here since the 1860's. This is my home and I'm proud of it and I want to support the businesses. Uh, I live a block from downtown and I'm proud to be able to say that. And I like the downtown and want to support it. And uh, I think this is the way we should do this is ask, they ask for the variance.

BD: Thank you.

MG: Um. My understanding, and I spent several hours going through this sign code, under 3.6.120 under exceptions, it's very specific on how they could get a variance, and there, there was just not an option that fit what their needs were to apply for a variance on this. So that's what the actual sign code is. So to be clear, Ford absolutely um listened to the City. They immediately took the signs down and complied and not anybody from there have I heard anybody say anything negative about the City of Dallas. What they're doing, the way they came to me and talked to Jim and came down here tonight is part of the process of, this happened to us and we think that this should be looked at. And so, um, it's not that they're saying that you guys did somethin' wrong or they're wantin' special treatment, it's they wanna be engaged in the process of actually fixing the ordinance so it's more clear. And one of the suggestions I put in the email was, too, under that exceptions clause that we broaden it or make it so it's under the Planning Commission or under the City Manager's authority to grant those special exceptions for a variance. The way it's written now, I did not see a legal way to grant them a variance. So.

BD: Thanks. Bill.

BH: The only question I have and maybe you can answer or maybe they can, is, uh, did they actually come down and make contact with uh, the uh, building department or economic development to determine what requirements they needed to make as a, for signage for a new business?

MG: Well, what I was told is the day that they were approached, uh, they went down that same day to the City here and, and spoke

BH: No, what I'm asking was did they contact the building department or community development prior to putting the signs up on their

MG: I can't say for that. I can say though, that's, when you're starting a new business, you have a lot on your mind and that's probably the last thing that you're thinking about, quite honestly, Bill. So.

BD: (Inaudible). LaVonne.

LW: Thank you. I think that what Ken is talking about is very, very, very good. Because in the years that I've been on here, we've had things come before us and thanked the public for coming and bringing 'em to our attention because we're not always aware until it is brought to us, but I think the variance system is a very, you know, it's a very fair way of dealing with things and I would hope that we can possibly, you're saying it isn't quite adequate to use those variance, that possibly we can review it and look at it and make that minor change.

BD: Thanks. Murray.

MS: Um, just reiterating quickly too, about um, we, we are pro-business, and that's what we're about. And we're about economic development. We want businesses to thrive here. Um, there's no doubt about that. And, uh, we all need that. Um, we, we, we do, I reiterate what Councilor Woods said about, you know, the Planning Commission and what it, what purpose it serves and what it did and the hard work and labor that it does. We trust the process and we trust what comes through. We also look at our town aesthetically and we want to have a certain uh, appearance and a certain way of doing that. Not that those signs look bad, you know, and, and but they, but, but things like that could everywhere if we don't have it under control and have those types of things, we have communities that don't look like very nice communities with signage everywhere on 'em. That's where, that's where you know, we are, we are wanting to, you know, be proactive both ways, but have a certain appearance that we're trying to dial up to as a community. And so, there's a lot of work that goes into something like this and, and again when one business comes in and, and applaud them for comin' in because they're serving our community. Uh, they are, they are putting a lot of dollars into our community. Applaud them for that. Applaud them for keepin' a, a new car dealership going in our town. Um, very much so. But, um, we, we also need to be careful about how many other businesses take theirs down and how many other businesses comply and don't come and, and talk about it. Knee jerk reaction so to speak, sometimes on one thing and that type of thing. So, so, so, just, just wanna bring up, you know that, that we can't always change everything like Councilor Gabliks said for one thing. I'm worried about that too. Make an exception for everyone else. You know, that, that uh, that needs to be done. So. That's my comments.

BD: Jackie.

JL: I go back to what I said. I don't see there, we never discussed grand openings for any business. So I have no problem letting the Planning Commission review that because that's not, that's an anomaly that we did not think of. There's no reason for us to make that exception once and for all, always forever for the code for new businesses coming into the community. I don't think that's something that would be a gate to open every business every time they wanted to change something in the code to open the door to change, make changes. So, I think it's something that we overlooked in our, in doing the extensive amount of time we spent on the code. Um, that it's an opportunity for us to review, review that and be able to have the opportunity for new businesses to have those big splashes but still stay in balance with what our thought process was of not every single business having eighteen signs where after that many signs you don't see any signs, 'cause it's just all signs. So then it's a waste of advertising money anyway when everybody tries to one-up the

other because they have so many signs and then somebody else has to have more and there was a lot of time put into that code and I think that stands and should continue, but the areas that we didn't think of, I think it's an opportunity to review that portion.

BD: Thanks. Kelly then Kevin.

KG: I guess I would just um my sense of the variance and I'm not speak, I'm, I'm not counsel for this agency but I am an attorney. My sense is that there could be, that this is something that could have been um addressed by a variance. And so that's, that's why I just don't see, I, I, I mean let's get, let's listen to their request for a variance and not completely go back in and redo the code. (inaudible) And so I would look to our attorney to see um what his legal opinion would be.

LS: The standards for a variance, it is it is within the authority of the Planning Commission to grant a variance. That's very clear. Um, and the standards for a variance are showing, one, that a request is necessary to prevent a hardship due to factors such as, and so that's not an exclusive list, just kind of an exemplary list, topography, location, surrounding development, lot shape, or lot size. So the question of how many signs because the lot is a particular size, that's (inaudible). It, it's not, it's, and also "granting of the exception shall not result in material damage or prejudice to other property in the vicinity and it will not be detrimental to community standards or the appearance of the city." Those are actually pretty loose standards for uh, for the granting of a variance. Uh, it's one of those things where I think a creative applicant and a willing Planning Commission can probably find room to uh fit, uh, some, some different sized tools through that. I'm not saying that a variance would have been granted in this case, I haven't seen an application, I don't know specifically what the issues were, but uh, I will say that it is a fairly um loose standard for, that at least gets them through the door to request a variance uh, and then of course the Planning Commission can attach conditions to that. So, I'm not going to say that this person, this business could have gotten a variance, um, but I'm sure, I'm sure not saying there was no opportunity at least to uh to uh make the request.

BD: Thank you, Lane. (Inaudible)

KM: People are talking about (inaudible) you know as if by looking at it saying we might want to amend something or whatever is taking away from the value of the original document which a lot of people put a lot of time in, I don't think reviewing it occasionally and deciding there may be a couple things that could be tweaked here and there, add in something, rather than going through a series of variances, because the original document didn't account for these possibilities, so I don't think that in any way defames or takes away from that document whether, you know, it can be a work in progress because situations are in progress (inaudible). So, what Jackie was saying I think is, is, you know, we didn't account for this to begin with. Oh (inaudible) It doesn't take anything away from the many hours that were put into developing the document to begin with.

BD: Thank you, Kevin. Micky.

MG: So, um, yeah, what Lane read was that exceptions clause. The reason why I didn't see that there was a fit for it was because it does, it also says "provided that no exception shall be granted for signs prohibited by Section 3.6.050" so the signs that they wanted to put are prohibited in that other section.

LS: In what respect? What are (inaudible)

MG: They're two by twelve size wise. (inaudible)

JL: (inaudible) ...the other signs, the quantity, the banners, the (inaudible)

LS: I don't (inaudible) Yeah, I don't see those as being prohibited signs.

Jason L: They're not necessarily prohibited, they're over sized. (inaudible)

LS: Yeah, yeah, 3.6.1 (inaudible) at least from what I've heard, I haven't seen them, haven't driven by, I don't, from what I've heard, I don't think it falls within a prohibited sign.

JL: It does. I know from past experience the two by twelve sign do not fit square footage

LS: That means they don't comply with the code, but that does, there's a specific section that addresses particular types of signs that are prohibited, hazardous signs, um, uh, certain, moving signs, electronic digital video signs, so it's not just any sign that doesn't comply with the code, that's not a prohibited sign. There are certain categories of signs that by definition in section 3.6.050 are prohibited and from what I've heard, this sign was over sized apparently, but it, that doesn't make it a prohibited sign within the meaning of 3.6.050.

JL: It just doesn't fit with the code.

LS: Doesn't, it doesn't comply with the code. Which is what takes you to the variance or the exception request.

BD: Okay. We have a motion on the floor to remand the, uh, sign code back to the Planning Commission. Uh, I've heard arguments from both sides of the spectrum here, so I think unless you object, I'd like a roll call vote on this, so we'll be able to understand who (inaudible) or what? Rather than just noise, you know. Is there any objection to that? Secretary will call the roll.

JT: Council President Fairchild

JF: Yes.

JT: Councilor Gabliks

KG: No

JT: Councilor Garus

MG: Yes

JT: Councilor Hahn

BH: No

JT: Councilor Lawson

JL: Yes

JT: Councilor Marshall

KM: Yes

JT: Councilor Stewart

MS: No

JT: Councilor Wilson

LW: Yes

JT: Councilor Woods

KW: No

BD: Okay, we have a five to four vote in favor, yes, so it will be remanded back to the Planning Commission for an additional look.

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 June 6, 2016, 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.

DALLAS CITY COUNCIL	Monday, June 6, 2016
<p>The Dallas City Council met in regular session on Monday, June 6, 2016, at 7:00 p.m. in the Civic Center of City Hall with Mayor Brian Dalton presiding.</p>	
<p>Council:</p> <p>Council members present: Council President Jim Fairchild, Councilor Kelly Gabliks, Councilor Micky Garus, Councilor Bill Hahn, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. Excused: Councilor Murray Stewart</p>	
<p>Staff:</p> <p>Also present were: City Manager Ron Foggin, City Attorney Lane Shetterly, Fire Chief Fred Hertel, Police Chief Tom Simpson, Environmental & Engineering Services Director Fred Braun, Community Development and Operation Director Jason Locke, Finance Director Cecilia Ward, City Recorder/HR Manager Emily Gagner, and Recording Secretary Jeremy Teal.</p>	
<p>Pledge of Allegiance:</p> <p>Mayor Dalton led the Pledge of Allegiance.</p>	

AGENDA	ACTION
<p>1:25 IF I WERE MAYOR CONTEST</p>	<p>Mayor Dalton announced the winners of the “If I Were Mayor” contest.</p> <p>Junior high essay winners include: Jordan Wynia Jazelle Samp-Curry Samantha Smith</p> <p>Elementary poster winners: Alexis Fish Molly Berger Marika Stewart</p>
<p>EMPLOYEE INTRODUCTION</p>	<p>There were none.</p>
<p>11:34 COMMENTS FROM THE AUDIENCE</p>	<p>Each citizen was given three minutes to speak.</p> <p>Full comments are available by listening to the audio for the meeting.</p> <p>Warren Lamb introduced the new Titus 3 House Manager Elaine Ginter.</p> <p>The following comments made were in regards to a motion Councilor Garus made regarding researching new funding options for the aquatic center.</p> <p>19:48 #1 Michele Duncan 21:20 #2 Gary Weis 24:41 #3 David Shein</p>

	<p>27:50 #4 Sydney Alamein & Jaden Irwin 28:38 #5 Linda Ross 31:38 #6 Tory Banford 33:56 #7 Wes Scroggin 38:02 #8 Issac Maiden 39:33 #9 Matthew Beasley 41:20 #10 Richard Hoefler 43:46 #11 Laurel Woodworth</p>
<p>46:59 PUBLIC HEARINGS PUBLIC HEARING ON THE ON THE 2016-2017 CITY OF DALLAS BUDGET AND USE OF STATE REVENUE SHARING FUNDS</p>	<p>Mayor Dalton opened the public hearing at 7:47 p.m.</p> <p>Mayor Dalton read a statement regarding the budget.</p> <p>Mr. Foggin noted the budget was approved and passed on to the Council for final approval by the Budget Committee. He gave a brief overview powerpoint of the budget.</p> <p>Mayor Dalton asked for comments from the audience:</p> <p>Gary Weis, 774 SE Guy Ln., asked if there were any issues with lead in the water. Mr. Foggin noted Dallas was lead free.</p> <p>Mayor Dalton closed the public hearing at 8:11 p.m.</p> <p>There was discussion regarding the \$30,000 being used for pickleball courts using Park SDC funds and the removal from the capital projects.</p> <p>It was moved by Councilor Lawson to withdraw the \$30,000 from capital projects. The motion was duly seconded and failed with a vote of 2-6. Councilor Garus and Councilor Lawson voted YES, Council President Fairchild, Councilor Gabliks, Councilor Hahn, Councilor Marshall, Councilor Wilson, and Councilor Woods voted NO.</p> <p>It was moved by Councilor Hahn to approve the 2016-2017 City of Dallas Budget and the use of State Revenue Sharing funds as approved by the Budget Committee and direct staff to prepare the resolutions for the June 20, 2016, Council meeting adopting the budget and authorizing use of state revenue sharing funds. The motion was duly seconded and carried with a vote of 6-2. Council President Fairchild, Councilor Gabliks, Councilor Hahn, Councilor Marshall, Councilor Wilson, and Councilor Woods voted YES. Councilor Garus and Councilor Lawson voted NO.</p>
<p>1:33:18 CONSENT AGENDA</p> <p>Items approved by the Consent Agenda: approve minutes of May 16, 2016 City Council meeting minutes.</p>	<p>It was moved by Councilor Marshall <i>to approve the Consent Agenda as submitted</i>. The motion was duly seconded and carried with a vote of 8-0.</p>

ITEMS REMOVED FROM CONSENT AGENDA	There were none.
1:37:11 REPORTS OR COMMENTS FROM THE MAYOR AND COUNCIL MEMBERS	Councilor Garus and Councilor Wilson recognized the dedication of Senior Officer Jim Rodriguez upon his retirement for his 27 years of service for Dallas.
1:33:49 REPORTS FROM CITY MANAGER AND STAFF	
COUNCIL GOAL UPDATE	Mr. Foggin reported Phase 5 of the Rickreall Creek Trail would move forward this summer with the construction of the bridge that would cross the creek to the dog park. He noted the bid was awarded to Fabrication Products, Inc. He stated the street resurfacing project would get underway with Knife River winning the bid and starting on three locations in Dallas.
FIRST READING OF ORDINANCE	There were none.
SECOND READING OF ORDINANCE	There were none.
1:41:55 RESOLUTIONS Resolution No. 3346: A Resolution Approving an Application to the Transportation Growth Management (TGM) Program of the State of Oregon for a Grant to Update the City of Dallas Transportation System Plan.	A roll call vote was taken and Mayor Dalton declared Resolution No. 3346 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 LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.
OTHER	There was none.
ADJOURNMENT	Mayor Dalton recessed the Council meeting at 8:43 p.m. He noted there would be a Urban Renewal Agency Board of Directors meeting prior to the Executive Session.
EXECUTIVE SESSION	Mayor Dalton called the Executive Session to order at 9:01 p.m. as authorized under ORS 192.660(2)(e), to conduct deliberations with persons designated by the governing body to negotiate real property transactions.
ADJOURNMENT	Mayor Dalton reconvened the Council meeting at 9:17 p.m. There being no further business, the meeting adjourned at 9:18 p.m.
Read and approved this _____ day of _____ 2016.	
ATTEST:	Mayor

City Manager	

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 6 b	Topic: Cancel July 5, 2016 City Council Meeting
Prepared By: Emily Gagner	Meeting Date: June 20, 2016	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Approved By: Ron Foggin		

RECOMMENDED MOTION:

With approval of the consent agenda, Council would be authorizing the cancellation of the July 5, 2016, City Council meeting, with the understanding that if any urgent issues arise, the meeting will be held.

BACKGROUND:

We do not anticipate any agenda items for the July 5 Council meeting. For this reason, we are requesting the Council cancel the July 5, 2016, City Council meeting. As always, if something comes up, we can schedule an emergency meeting.

FISCAL IMPACT:

None

ATTACHMENTS:

None

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 6c	Topic: Canvass of City Elections
Prepared By: Emily Gagner	Meeting Date: June 20, 2016	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Ron Foggin		

RECOMMENDED MOTION:

With approval of the Consent Agenda, the Council is accepting the results of the May 17, 2016, Primary Election.

BACKGROUND:

As required by the Charter of the City of Dallas, the Council must canvass the results of the election held May 17, 2016, for Measure 27-119, the street bond. Attached is a copy of the abstract of votes provided to us by the Elections Officer for Polk County. The bond measure was defeated with a vote of 1835 for and 3050 against.

The City Council simply needs to accept these results so they may be made a part of the permanent record to comply with the City Charter.

FISCAL IMPACT:

None

ATTACHMENTS:

Abstract of Votes

27-119 City of Dallas

Vote for 1

	Y e s	N o	O V V O E T R E S	U V N O D T E E R S
0154 154	727	1308	0	147
0156 156	590	794	0	100
0162 162	518	948	0	94
CANDIDATE TOTALS	1835	3050		341
CANDIDATE PERCENT	37.56	62.43		



CERTIFIED TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL
VALERIE UNGER, Polk County Clerk

By *[Signature]* Deputy

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 6 d	Topic: Forms for 2016 City Council Election
Prepared By: Emily Gagner	Meeting Date: June 20, 2016	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Ron Foggin		

RECOMMENDED MOTION:

Approval of the consent agenda will approve forms SEL 101, SEL 121, and SEL 338 for use by candidates for the 2016 Mayor and City Council election.

BACKGROUND:

The Dallas City Code 2.025(1) states: “Nominations shall be by petition specifying the position sought in a form prescribed by the Council.”

The State of Oregon has developed the following forms:

- SEL 101 – “Candidate Filing Form (Major Political Party or Nonpartisan)”
- SEL 121 – “Candidate Signature Sheet - Nonpartisan”
- SEL 338 – “Petition Submission (Candidate, Voter’s Pamphlet)”

Copies of these forms are attached to this memo. The State does allow cities to use their own forms as long as they meet certain criteria; however, staff recommends using the state forms with the alterations included to make completing them easier for candidates.

FISCAL IMPACT:

NONE

ATTACHMENTS:

Forms SEL 101, SEL 121, and SEL 338

Candidate Filing

Major Political Party or Nonpartisan

SEL 101

rev 09/15
ORS 249.031

Filing Dates	Candidate Filing	State Voters' Pamphlet	Candidate Withdrawal
		Filed electronically using ORESTAR	
General Election November 8, 2016			
First Day to File	August 1, 2016	July 11, 2016	
Last Day to File	August 26, 2016	August 30, 2016	September 2, 2016

i All information must be completed or the form will be rejected.

This filing is an Original Amendment

Filing Officer

Secretary of State County Elections Official City Recorder (Auditor)

Office Information

Filing for Office of:

District, Position or County: City of Dallas, Polk County

Party Affiliation: Democratic Party Republican Party Independent Party Nonpartisan

Incumbent Judge: Yes No Nondisclosure on file

Paying by Declaration or Petition:

Declaration, with the required fee

Office	Filing Fee	Office	Filing Fee
United States President	n/a	District Attorney	\$50
United States Vice President	n/a	County Judge	\$50
United States Senator	\$150	MSD Executive Officer, MAD Director	\$100
United States Representative	\$100	MSD Councilor	\$25
Statewide Offices	\$100	County Office	\$50
State senator or Representative	\$25	City Office	Set by charter or ordinance
Circuit Court Judge	\$50	Justice of the Peace	n/a

Prospective Petition Petition circulators will be paid Yes No

Candidate Information

Name of Candidate				
First	MI	Last	Suffix	Title

How you would like your name to appear on the ballot

Candidate Residence/Route Address

Street Address	City	State	Zip	County

Candidate Mailing Address

Street Address or PO Box	City	State	Zip

Contact Information: Only one phone number is required.			
Work Phone	Home Phone	Cell Phone	Fax
Email Address		Web Site, if applicable	

Occupation (present employment) If no relevant experience, None or NA must be entered.

Occupational Background (previous employment) If no relevant experience, None or NA must be entered.

Educational Background (schools attended) If no relevant experience, None or NA must be entered.

Complete name of School (no acronyms)	Last Grade completed	Diploma/Degree/Certificate	Course of Study

Educational Background (other) Attach a separate sheet if necessary.

Prior Governmental Experience (elected or appointed) If no relevant experience, None or NA must be entered.

Campaign Finance Information (not applicable to candidates for federal office)

Candidate Committee

Yes, I have a candidate committee.

No, I do not expect to spend more than \$750 or receive more than \$750 during each calendar year. I understand I must still keep records of all campaign transactions and if total contributions or total expenditures exceed \$750 during a calendar year, I must follow the requirements detailed in the Campaign Finance Manual.

No, but will be filing a Statement of Organization for Candidate Committee (SEL 220).

By signing this document, I hereby state that:

- I will accept the nomination for the office indicated above
- I will qualify for said office if elected
- all information provided by me on this form is true to the best of my knowledge **and**
- no circulators will be compensated based on the number of signatures obtained by the circulator on a prospective petition

For Major Political Party Candidates

- ~~if not nominated, I will not accept the nomination or endorsement of any political party other than the one named~~
- ~~I have been a member of said political party, subject to the exceptions stated in ORS 249.046, for at least 180 days before the deadline for filing a nominating petition or declaration of candidacy (ORS 249.031). Does not apply to candidates filing for the office of US President.~~



Warning

Supplying false information on this form may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years. (ORS 260.715). A person may only file for one lucrative office or not more than one precinct committee person at the same election. Unless the person has withdrawn from the first filing, **all** filings are invalid.(ORS 249.013 and ORS 249.170)

Candidate's Signature _____

Date Signed _____

Candidate Signature Sheet | Nonpartisan

Petition ID _____

Signatures for this petition are being gathered by PAID Circulators VOLUNTEER Circulators

This is a candidate nominating petition. Signers of this page must be active registered voters in the county listed.

i Signatures must be verified by the appropriate county elections official before the petition can be filed with the filing officer. Candidates should allow ample time for the verification process to be completed before 5pm on the filing deadline day.

County _____

Candidate Information	
Name	Office
Election	District or Position Number

To the Secretary of State of Oregon/County Elections Official/City Recorder, We the undersigned voters, request the candidate's name be placed on the ballot at the election listed above for nomination to the office indicated.

i Signers must initial any changes the circulator makes to their printed name, residence address or date they signed the petition.

Signature	Date Signed mm/dd/yy	Print Name	Residence or Mailing Address street, city, zip code
1	_____	_____	_____
2	_____	_____	_____
3	_____	_____	_____
4	_____	_____	_____
5	_____	_____	_____
6	_____	_____	_____
7	_____	_____	_____
8	_____	_____	_____
9	_____	_____	_____
10	_____	_____	_____

Circulator Certification This certification **must** be completed by the circulator and additional signatures **should not** be collected on this sheet once the certification has been signed and dated!

I hereby certify that I witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet, and I believe each person is a voter qualified to sign the petition (ORS 249.061). I also hereby certify that compensation I received, if any, was not based on the number of signatures obtained for this petition.

Circulator Signature	Date Signed mm/dd/yy	Sheet Number
_____	_____	Sheet will be numbered by group submitting the petition.

Printed Name of Circulator	Circulator's Address street, city, zip code
_____	_____

Petition Submission

Candidate, Voters' Pamphlet

SEL 338

rev 01/14
OAR 165-010-0005, 165-014-0005

This form must be completed and filed with each submittal of signatures.

Filing Officer		
<input type="checkbox"/> State	<input type="checkbox"/> County for both county and district petitions	<input type="checkbox"/> City

Election Type		Year			
<input type="checkbox"/> Primary	<input type="checkbox"/> General	<input type="checkbox"/> Special Election	<input type="checkbox"/> 2014	<input type="checkbox"/> 2016	<input type="checkbox"/> 2018

Petition Information	
Candidate Name or Measure Number	

Type of Filing	Number of Signatures Submitted
<input type="checkbox"/> Candidate Nominating Petition	
<input type="checkbox"/> Voters' Pamphlet, Candidate	
<input type="checkbox"/> Voters' Pamphlet, Measure	

Candidate	
→ By signing this document, I hereby state that all information on the form is true and correct to the best of my knowledge.	

Name	Contact Phone	Email Address
Signature		Date Signed

Measure Argument Filer	
→ By signing this document, I hereby state that all information on the form is true and correct to the best of my knowledge.	

Name	Contact Phone	Email Address
Signature		Date Signed

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 6e	Topic: Parks Advisory Board Appointments
Prepared By: Jeremy Teal	Meeting Date: June 20, 2016	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Ron Foggin		

RECOMMENDED ACTION:

Approval of the Consent Agenda would appoint Richard Moore to the Parks Advisory Board.

BACKGROUND:

The vacancy left by Wendy Sparks would allow the appointment of Richard Moore. Mr. Moore will be an excellent addition to the board with his extensive background in parks and recreation.

FISCAL IMPACT:

None

ATTACHMENTS:

Application from Mr. Moore

JUN 14 2016



05-09-16A17:

PRIORS ___ RAIN ___ COP ___
DMV-w ___ DL ___ CCH ___
N-DEx ___ OJIN ___ Oth ___
By: ___ Date ___

CITIZEN COMMITTEE INTEREST FOI

Name: RICHARD MOORE

Address: [REDACTED]

Mailing Address: 11 11

Phone: Work: _____ Home: cell [REDACTED]

E-mail Address: [REDACTED] Yrs as Dallas Resident: 2

Occupation and Employer: Retired

Employer's Address and Telephone: _____

May we contact you at work? Yes No

I am interested in serving on the following Committee(s):

- Budget Committee
- Parks and Recreation Board
- Citizens Advisory Committee for the Comprehensive Plan
- Planning Commission
- Economic Development Commission
- Urban Renewal District Advisory Committee
- Library Board
- Utility Rate Advisory Committee

I am interested in being on a waiting list if there are no current vacancies.

Please write a brief narrative describing your interest, qualifications, and what you hope to accomplish in this position. Include the skills, experience, and knowledge you possess that would help you contribute in this position. Feel free to attach a resume or other information you feel would be helpful.

SERVED AS A RECREATION LEADER IN ANUAPA, COLORADO
AFTER RECEIVING MY B.S. IN RECREATION
ADMINISTRATION FROM ARIZONA STATE UNIVERSITY
MOVED TO OLATHE, KANSAS TO BE THEIR
RECREATION DIRECTOR AND LATER SERVED
AS PARKS AND RECREATION DIRECTOR OF
FLAT RIVER MO (NOW CALLED PARK HILLS, MISSOURI)
I ALSO WAS A STATE PARK MANAGER FOR ST. JOE STATE PARK
IN MISSOURI AND MOST RECENTLY WAS A FOREST MANAGER
IN ALASKA

Educational Background

High School: ENGLE ROCK H.S.

Graduated GED

College: ARIZONA STATE UNIVERSITY

Degree: B.S. REC ADM

Previous Volunteer/Committee Experience:

Volunteer Agency: _____

Address: _____ Telephone: _____

Duties: _____

Have you ever been convicted of a felony? Yes No

AUTHORIZATION WAIVER

I have completed the above questions and to the best of my knowledge, what has been stated is true. If appointed, I agree to serve without reimbursement of any kind. I understand that I may be subject to a criminal records check. I further understand that irrespective of any criminal records check, the City of Dallas may decline my volunteer application or volunteer services at any time.



Applicant's Signature

6-9-16

Date

Please return completed application to:
City Manager's Office
City of Dallas
187 SE Court St
Dallas, OR 97338
503-831-3502

.....
Date received at City Hall: _____

Date appointed: _____

Board, Commission or Committee: _____

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 9 a	Topic: Fire Department Cost Recovery Proposal
Prepared By: Fred Hertel	Meeting Date: June 20, 2016	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Approved By: Ron Foggin		

RECOMMENDED ACTION:

Motion to direct staff to develop an ordinance creating a cost recovery mechanism that allows the City to collect revenue for expenses that occur during certain incidents/events and a resolution setting the fee amounts.

BACKGROUND:

Dallas Fire & EMS implemented a cost recovery and billing procedure for false alarms in 2013. This proposal will expand current practices to many other cost recovery opportunities including: transportation incidents, unprotect or inadequate response area incidents, automated fire and medical alarms, fire code enforcement, fire incidents, extrication, rescues and standby services. This cost recovery process can be used to hold individuals accountable for the costs of services outside our responsibilities. We are further recommending that we coordinate these efforts with SW Polk Fire toward the end of creating the consistency called for in the Fire & EMS Master Plan. As an example: if we respond to a logging accident with fire resources outside of the City of Dallas and SW Polk Fire boundaries, we currently have no mechanism to recover those costs that the citizens of Dallas or SW Polk Fire expended for that service.

SUMMARY TIMELINE:

- September 2015 – February 2016: Staff level discussions
- April 2016: presented this project to the Public Safety Committee with examples of other agency ordinances and resolutions. The Public Safety Committee voted to move forward to the entire Council.
- May 2016: present to the entire Council through the Public Safety Committee report.

FISCAL IMPACT:

Cost recovery – the recovery of dollars expended on incidents involving transportation incidents, unprotect or inadequate response area incidents, automated fire and medical alarms, fire code enforcement, fire incidents, extrication, rescues and standby services

DALLAS 2030 VISION IMPACT:

This project is being developed and implemented in cooperation with SW Polk Fire District thus meeting this 2030 Vision Element: “Dallas has broad access to community-based police, fire and medical services through enhanced regional cooperation.”

ATTACHMENTS:

None

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 9b	Topic: May 2016 Financial Report
Prepared By: Cecilia Ward	Meeting Date: June 20, 2016	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Approved By: Ron Foggin		

RECOMMENDED ACTION:

Information only

BACKGROUND:

Reports are available on the City's website. Go to City Departments; under Finance click on Financial Data Portal. This will take you to:



May 2016 financial highlights:

- Percent collected/spent should be at 91.67%. This can vary up or down depending on seasonal or one-time revenues and expenditures.
- The following budgeted capital improvement payments were made in May:
 - Capital Projects Fund - balance of Aquatic Center software upgrade \$7,083
 - Capital Projects Fund - Fire equipment \$9,516
 - Capital Projects Fund - Flooring City Hall \$7,476
 - SDC Fund - Park Projects - Ian Tawney Memorial Park upgrades \$9,505
 - Water Fund - Equipment - Pump at ASR well; replace drive fans intake plant \$30,615
 - Water Fund - Transmission Water Line - Clay St. \$28,347

SUMMARY TIMELINE:

NA

FISCAL IMPACT:

NA

DALLAS 2030 VISION IMPACT:

Element 1.f.: Dallas citizens of all ages are proud of their city and involved in its civic affairs, engaged in important community issues & invested in their city's future.
Strategy – Continue to improve transparency in providing financial information.

ATTACHMENTS:

None

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 9 c	Topic: Councilor Stewart's Resignation
Prepared By: Emily Gagner	Meeting Date: June 20, 2016	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Ron Foggin		

RECOMMENDED ACTION:

Council has a few options:

- 1) Move to adopt the procedure included in the packet to fill the vacancy
- 2) Move to adopt a different process to fill the vacancy
- 3) Defer discussion of filling the vacancy to the next Council meeting
- 4) Defer appointment until after the November election

BACKGROUND:

Councilor Stewart has submitted his resignation from the Council, effective June 21, 2016.

Section 29 of the Charter indicates, "Vacancies in elective offices in the city shall be filled by vote of a majority of the incumbent members of the council." However, the Charter is silent on the process the council should use.

The last vacancy we had was in 2012. The process we used to fill that vacancy (and a vacancy we had in 2011) is attached for review and discussion. I have included the application form, which is modeled after the state's election forms. I also included the list of questions used in the last process.

There are other options as well. If the Council would prefer, they could adopt a different method for filling the vacancy at tonight's meeting, defer discussion until the July 18 meeting to give Councilors an opportunity to think about alternatives, or defer appointment until after the November 8 election.

SUMMARY TIMELINE:

NA

FISCAL IMPACT:

NA

DALLAS 2030 VISION IMPACT:

NA

ATTACHMENTS:

Procedure used to fill vacancy in 2012

To: The Dallas City Council

June 13, 2016

I am writing this in regards to submitting my resignation of serving on the Dallas City Council as an elected member of the Dallas City Council of Dallas Oregon.

I am resigning due to a job transfer in Eugene Oregon as of 6/24/16 and after June 24 will no longer reside in the City of Dallas and will be moved.

My last meeting & service will be on 6/20/16 and will be officially done after this date.

I have appreciated working for many years in serving in many capacities & The Dallas City Council. I have had many positive experiences, and bright accomplishments in serving the citizens of Dallas.

Thank you and best regards always to all I have had the privilege to serve with.

Murray Stewart



1264 SE Appleseed Dr

Dallas, Oregon

503-559-4542

APPLICATION PROCESS

TOPIC: Determine the candidates to be interviewed by the Council at the **July 18, 2016 (or August 1, 2016)** workshop

1. The Council will adopt a procedure and an application form to be used by anyone interested in serving on the Council.
2. Once adopted, staff will publicize the vacancy and provide the application form to anyone who requests it.
3. Applications will be accepted until 5:00 p.m. on Friday, **July 8 (or July 22, 2016)**.
4. After the closing date and time, applications will be screened to ensure candidates meet the minimum qualifications under Section 12 of the City Charter to serve on the Council.

MONDAY, JULY 18 (OR AUGUST 1) COUNCIL WORKSHOP

TOPIC: Interview All Candidates for Vacant Council Position

1. All Councilors will have been supplied with final candidates' packets/application forms and the process outlined in this document in advance of the Workshop.
2. The interview will be held in "Candidate Forum" fashion in the Council Chambers. All candidates will sit at a long table in front of the Council. The Mayor will act as Moderator.
3. Candidates will draw numbers randomly, 1-thru-7 [assumes 7 candidates] prior to the start of the meeting. This will determine the order in which the prepared questions are asked and also determine the seating arrangement at the table, #1 on the left as viewed from the Moderator's seat, to #7 on the right.
4. There will be prepared questions deemed to be relevant to service on the Council. Questions will be read from the list in numerical order by the Moderator. The first question will be answered first by the applicant who has drawn the number "1", the second question by the applicant who has drawn number "2", and so forth through all questions.
5. Each applicant will be limited to 2 minutes to address any question asked. This will be timed by the staff who will indicate an audible 30-second warning before the expiration of time. The Moderator will cut the applicant off at the end of 2 minutes.
6. After the applicant who draws the number "1" answers question number 1, the floor will be turned over to the remaining candidates by the Moderator to see if they also want to address the question. The candidates wishing to speak will be called upon by the Moderator until all candidates have had the opportunity to speak once on the question on the floor. No applicant will be allowed to speak more than once in answer to any particular question.
7. After all prepared questions have been answered, the floor will be thrown open for each Councilor to pose one question each to either the panel or any specific applicant. The Moderator will assure that each applicant is allowed the opportunity to answer each of these questions in turn.
8. After all questions have been answered, each applicant may make a closing statement starting with Applicant #1 and proceeding to Applicant #7 in that order. Each closing statement is limited to 2 minutes under the rules listed above.

MONDAY, JULY 18, AUGUST 1 OR AUGUST 15 – CITY COUNCIL MEETING

TOPIC: Selection Procedure

Inasmuch as the Charter requires that the vacancy be filled by a majority of the incumbent Council members, that means that the appointment will require at least 5 votes. The first candidate to achieve 5 votes will be the candidate appointed to the Council. In the event of a tie vote (in this case, 4-4), the Mayor may choose, at his discretion, to cast the deciding vote.

The Selection Procedure recommended for adoption at this meeting is as follows:

1. That during the regular Council meeting on **July 18, August 1 or August 15**, as an Agenda item, the selection process will take place.
2. Each Councilor will be distributed a ballot with the names of all the candidates on it. There will also be a blank space for each Councilor to write his or her own name on the ballot (by state law this process must not be by secret ballot).
3. After the ballots are distributed to the Councilors, the Mayor will open up the floor for any discussion regarding the procedures or comments regarding the candidates. It would be appropriate at this time for any Councilor to discuss the merits of any or all of the candidates and/or to declare what their vote will be and why.
4. Each Councilor will then fill out their ballot indicating their selection of one of the candidates to fill the vacant position. They will also write their own name on the ballot in the space provided.
5. The ballots will be gathered, the results read aloud by the clerk and the outcome summarized. Each Councilor's name will be read out loud in conjunction with their vote, for example, "Councilor Smith votes in favor of Mrs. Brown." At the end, the Secretary will announce the summarized results. For example, "Mrs. Brown has received 5 votes, Mr. Quick has received 2 votes and Mr. Elmer has received 1 vote." In that example, the Mayor would then declare that Mrs. Brown has won the appointment to the Council by the necessary margin.
6. In the event that none of the candidates receives the necessary 5 votes, then a second written ballot will be taken using the exact same procedures as in round one of the balloting, except that the names of any candidate who received zero votes in the first vote will be dropped from subsequent votes.
7. If after 3 rounds of ballot voting no applicant has yet received the required 5 votes, the Mayor will declare a 10-minute recess.

8. Following the recess, the Mayor will open up the floor to a motion from any of the Councilors to appoint a particular person from the list of candidates to fill the open position. For example, “I move that Mrs. Jones be appointed to fill the vacant Council seat.” (It would not be proper to say, “I move to nominate Mrs. Brown to fill the vacant Council seat.”). The motion will require a second. A roll-call vote will then be taken on the motion. If the motion receives 5 or more votes, then that applicant will be appointed to the open position. If not, then the floor will again be opened for another motion, and so forth until either an applicant receives the necessary votes or it is clear that there is a stalemate.

Council Vacancy Interview Questions

1. What inspired you to want to be a Dallas City Council member?
2. Please tell us about your personal and professional background.
3. What do you think the role of the local government is in economic development?
4. What do you hear from people close to you as the major issue facing the City and how would you propose the City address it?
5. What do you feel is the greatest strength of our community?
6. Tell us about your volunteer efforts and community involvement.
7. As a Councilor, what would you do or say if someone called you at home to complain about a new pothole in their neighborhood street?
8. If the economy does not continue to improve, and further city budget reductions become necessary, what would you recommend cutting first?
9. What is your philosophy of local government and its role?
10. Tell us about a conversation you've had or ideas you have about improving the livability for the citizens of Dallas.
11. Opportunity for additional Councilor questions
12. Closing comments from each candidate

Filing of Candidacy for Vacant Council Seat

This information is a matter of public record and may be published or reproduced.

Candidate Information			
Candidate Name:			
Residence Address:			
City:	State:	ZIP Code:	
How long have you lived in Dallas?		Are you a Qualified Elector in Oregon?	
Home Phone:	Work Phone:	Cell Phone:	
Fax:	Email Address:		
Mailing Address <i>(where all correspondence will be sent)</i> :			
City:	State:	ZIP Code:	
Required Information <i>(if no relevant information, list "none")</i>			
Occupation <i>(present employment - paid or unpaid)</i>			
Occupational Background <i>(previous employment - paid or unpaid)</i>			
Volunteer Work <i>(past and present volunteer experience)</i>			
Educational Background <i>(schools attended, use attachment if needed)</i>			
Complete Name of School <i>no acronyms</i>	Last Grade Level Completed	Diploma/Degree/ Certificate	Course of Study <i>optional</i>
Other:			
Prior Governmental Experience <i>(elected or appointed)</i>			

Why do you wish to be appointed? What do you have to offer the Dallas City Council?

By signing this document, candidate hereby states:

*He/she will accept the nomination for office indicated

*He/she will qualify for said office if selected

*That all information provided on the form, including occupation, educational and occupational background, and prior governmental experience, is true to this best of his/her knowledge.

Candidate's Signature

Date Signed

This information is a matter of public record and may be published or reproduced.

NOTE: The candidates will be interviewed by the Council at noon on **Wednesday, April 11, 2012, during the regularly scheduled Council workshop.** If you are qualified to proceed to the interview process, will you be able to attend this meeting? YES NO

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 12a	Topic: Resolution 3347
Prepared By: Cecilia Ward	Meeting Date: June 20, 2016	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Ron Foggin		

RECOMMENDED ACTION:

Adopt Resolution 3347 adopting the budget of the City of Dallas, Oregon, for the fiscal period beginning July 1, 2016 and ending June 30, 2017, making budgeted appropriations and levying taxes for said fiscal period.

BACKGROUND:

For purposes of the Local Budget Law, either a resolution or ordinance by the governing body provides the local government with legal spending authority throughout the fiscal year. Separate appropriations for each fund must be made for each fund in which there are expenditures.

SUMMARY TIMELINE:

The Budget Committee met 3/28/16, 4/18/16, 5/2/16, and 5/16/16 to discuss budget challenges and the proposed budget. At the 5/16/16 meeting, the Budget Committee voted 11-2 to recommend the Council approve the proposed budget. At the 6/6 Council meeting, a public hearing was held and the Council approved the 2016-2017 City of Dallas Budget and the use of State Revenue Sharing funds as approved by the Budget Committee and directed staff to prepare the resolutions for the June 20, 2016, Council meeting adopting the budget and authorizing use of state revenue sharing funds.

FISCAL IMPACT:

Provides legal spending authority for FY 2016-2017

DALLAS 2030 VISION IMPACT:

NA

ATTACHMENTS:

Resolution 3347

RESOLUTION NO. 3347

A Resolution adopting the budget of the City of Dallas, Oregon for the fiscal period beginning July 1, 2016 and ending June 30, 2017, making budgeted appropriations and levying taxes for said fiscal period.

WHEREAS, at a meeting of the City Council of the City of Dallas, Oregon, duly held on the 6th day of June, 2016, a budget for the City for the fiscal year beginning July 1, 2016 and ending June 30, 2017, heretofore submitted by the Budget Committee to the people of the City after due notice and public hearing, was submitted to the City Council for adoption for and on behalf of the City; and

WHEREAS, the appropriations for said period as shown by said budget are in the respective sums and for the purposes following:

<u>Budgeted Fund</u>	<u>Appropriated Amount</u>
1. GENERAL FUND	
a) Administration	
Total Appropriation	\$ 596,600
b) Municipal Court	
Total Appropriation	\$ 246,000
c) Library	
Total Appropriation	\$ 509,350
d) Parks	
Total Appropriation	\$ 353,700
e) Finance	
Total Appropriation	\$ 638,700
f) Fire	
Total Appropriation	\$ 811,555
g) Ambulance	
Total Appropriation	\$ 1,462,065
h) Police	
Total Appropriation	\$ 3,260,800
i) Aquatic Center	
Total Appropriation	\$ 853,000
j) Planning	
Total Appropriation	\$ 274,400
k) Facilities Maintenance	
Total Appropriation	\$ 179,000
l) Non-Departmental	
Non-Departmental Transfers	\$ 200,000
Debt Service	86,395
Operating Contingencies	<u>100,000</u>
Total Appropriation	\$ 386,395
TOTAL APPROPRIATIONS – GENERAL FUND	\$ <u>9,571,565</u>

2. CAPITAL PROJECTS FUND		
Capital Outlay	\$	827,000
Operating Contingencies		<u>158,000</u>
Total Appropriation	\$	<u>985,000</u>
3. BUILDING INSPECTIONS FUND		
Personnel Services	\$	282,000
Materials & Services		22,300
Transfers		<u>44,000</u>
Total Appropriation	\$	<u>348,300</u>
3. STREET FUND		
Personnel Services	\$	315,000
Materials & Services		334,700
Capital Outlay		305,500
Transfers		83,500
Contingency		<u>881,000</u>
Total Appropriation	\$	<u>1,919,700</u>
4. SEWER FUND		
Personnel Services	\$	580,000
Materials & Services		1,099,000
Capital Outlay		895,000
Transfers		551,000
Debt Service		1,035,892
Contingency		<u>538,608</u>
Total Appropriation	\$	<u>4,699,500</u>
5. STORMWATER FUND		
Personnel Services	\$	109,000
Materials & Services		56,300
Transfers		29,000
Contingency		<u>62,200</u>
Total Appropriation	\$	<u>256,500</u>
6. WATER FUND		
Personnel Services	\$	447,000
Materials & Services		770,800
Capital Outlay		1,950,000
Transfers		445,000
Debt Service		607,010
Contingency		<u>1,337,690</u>
Total Appropriation	\$	<u>5,557,500</u>

6. <u>FLEET MANAGEMENT FUND</u>		
Personnel Services	\$	212,000
Materials & Services		204,700
Transfers		80,000
Contingency		<u>417,900</u>
Total Appropriation	\$	<u>914,600</u>
7. <u>SYSTEM DEVELOPMENT FUND</u>		
Capital Outlay	\$	6,727,500
Transfers		<u>389,000</u>
Total Appropriation	\$	<u>7,116,500</u>
8. <u>GENERAL OBLIGATION FUND</u>		
Debt Service	\$	<u>524,959</u>
Total Appropriation	\$	<u>524,959</u>
9. <u>TRUST FUND</u>		
Park	\$	16,000
Fire-Harpy Bovard Scholarship		3,000
Fire-Extrication Team		45,000
Fire Volunteer Appreciation		120,000
Fire-Other		4,500
Mid-Valley Reserve Training		15,000
Library		45,000
Economic Development		15,000
Community Dinner		<u>2,500</u>
Total Appropriation	\$	<u>266,000</u>
10. <u>GRANT FUND</u>		
Total Appropriation	\$	<u>3,074,680</u>
11. <u>GENERAL LONG TERM DEBT FUND</u>		
Debt Service	\$	<u>128,620</u>
Total Appropriation	\$	<u>128,620</u>
TOTAL APPROPRIATIONS, ALL FUNDS		\$ 35,363,424
TOTAL UNAPPROPRIATED AND RESERVE AMOUNTS, ALL FUNDS		<u>1,758,376</u>
<i>TOTAL ADOPTED BUDGET</i>		\$ <u>37,121,800</u>

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. The budget for the City of Dallas for the fiscal year beginning July 1, 2016 and ending June 30, 2017, heretofore submitted to the City Council by the Budget Committee of said City after due notice and public hearing, and as set forth above, is hereby adopted as the budget for said City for said period.

Section 2. The City Council of the City of Dallas hereby levies the taxes provided for in the adopted budget at the rate of \$4.1954 per \$1,000 of assessed value for operations and in the amount of \$524,959 for bonds and these taxes are levied upon all taxable property within the City as of 1:00 a.m. July 1, 2016. These taxes are hereby imposed and categorized for tax year 2016-17 upon the assessed value of all taxable property within the City:

	Subject to the General Government Limitation	Excluded for Limitation
General Fund	\$4.1954/\$1,000	\$0
Bonded Debt Fund	_____ \$0	<u>\$524,959</u>
Category Total	\$4.1954/\$1,000	\$524,959
	<i>TOTAL LEVY</i>	<i>\$4,772,766</i>

Section 3. The amounts of money herein above and in said budget specified are hereby appropriated to the several funds for the purposes specified, respectively.

Section 4. That the City Manager shall, not later than the 15th day of July, 2016, notify the Assessor and Clerk of Polk County, Oregon, respectively, in writing, of the tax levy made by said City, stating the amount of money to be raised for the fiscal period beginning July 1, 2016 and ending June 30, 2017, and the method by which said levy is to be apportioned to the real and personal property subject to assessment.

Section 5. This Resolution shall be effective upon its passage.

Adopted: June 20, 2016

Approved: June 20, 2016

Brian Dalton, Mayor

ATTEST:

APPROVED AS TO FORM:

Ron Foggin, City Manager

Lane P. Shetterly, City Attorney

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 12b	Topic: Resolution 3348
Prepared By: Cecilia Ward	Meeting Date: June 20, 2016	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Ron Foggin		

RECOMMENDED ACTION:

Adopt Resolution 3348 declaring the City of Dallas' election to receive State Revenues.

BACKGROUND:

State Revenue Sharing Law, ORS 221.770, requires cities to pass a resolution or ordinance each year stating that they want to receive state revenue sharing money.

SUMMARY TIMELINE:

The Budget Committee met 3/28/16, 4/18/16, 5/2/16, and 5/16/16 to discuss budget challenges and the proposed budget. At the 5/16/16 meeting, the Budget Committee voted 11-2 to recommend the Council approve the proposed budget. At the 6/6 Council meeting, a public hearing was held and the Council approved the 2016-2017 City of Dallas Budget and the use of State Revenue Sharing funds as approved by the Budget Committee and directed staff to prepare the resolutions for the June 20, 2016, Council meeting adopting the budget and authorizing use of state revenue sharing funds.

FISCAL IMPACT:

Provides state revenue sharing funds for FY 2016-2017

DALLAS 2030 VISION IMPACT:

NA

ATTACHMENTS:

Resolution 3348

RESOLUTION NO. 3348

A Resolution declaring the City of Dallas' election to receive State Revenues.

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

Section 1. Pursuant to ORS 221.770, the City of Dallas hereby elects to receive State Revenues for fiscal year 2016-2017.

Section 2. This Resolution shall be effective on its passage.

Adopted: June 20, 2016
Approved: June 20, 2016

BRIAN W. DALTON, MAYOR

ATTEST:

APPROVED AS TO FORM:

RONALD W. FOGGIN,
CITY MANAGER

LANE P. SHETTERLY,
CITY ATTORNEY

I certify that a public hearing before the Budget Committee was held on May 16, 2016, and a public hearing before the City Council was held on June 6, 2016, giving citizens an opportunity to comment on use of State Revenue Sharing.

Emily Gagner, City Recorder