

# DALLAS CITY COUNCIL

## AGENDA

**Mayor Jim Fairchild Presiding**

**Monday, July 7, 2008, 7:30 PM**

**Dallas City Hall\***  
**187 SE Court Street**  
**Dallas, OR 97338**

All persons addressing the Council will please use the table at the front of the Council. All testimony is electronically recorded. Public participation is encouraged. If you desire to speak on any agenda item, please raise your hand to be recognized after the Mayor calls the item, or sign in on the provided card. If you wish to address the Council on any item not on the agenda, you may respond as the Mayor calls for questions and/or comments from the audience.

### **1. ROLL CALL**

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### **2. APPROVAL OF MINUTES**

- 2.1. Approval of minutes of the June 16, 2008, Council meeting page 3
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### **3. REPORTS OR COMMENTS FROM COUNCIL MEMBERS**

- 3.1. Mayor's monthly report for June page 9
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- 3.2. Council President's monthly report for June page 10
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### **4. QUESTIONS AND/OR COMMENTS FROM THE AUDIENCE**

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### **5. REPORTS OF SPECIAL COMMITTEES AND CITY OFFICERS**

#### 5.1. City Manager's Reports

- a. Set workshop agenda topics and dates page 11
  - b. Set hearing date for appeal of CUP duplex approval page 13
  - c. Reminder about Community Center Workshop July 9
  - d. Appointment to Urban Renewal Advisory Committee (Jenny Wilfong) page 14
  - e. Department reports for May (Community Development, Fire and Ambulance, Police, and Public Works.) page 22
  - f. Other
-

**6. COMMUNICATIONS AND PETITIONS**

- 6.1. OLCC application for new outlet - L'Attitude Point One page 41
  - 6.2. OLCC application for new outlet – Wal-Mart page 46
  - 6.3. Invitation to Polk County Drug Court Graduation page 50
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**7. PUBLIC HEARINGS**

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**8. RESOLUTIONS**

- 8.1. Resolution No. 3162: A Resolution of the City of Dallas, Polk County, Oregon, calling a Measure Election to submit to the electors of the City the question of contracting General Obligation bonded indebtedness in an aggregate principal amount not to exceed \$6,985,000 to finance the costs of capital construction and capital improvements; declaring intent to reimburse expenditures; and related matters. page 51
  - 8.2. Resolution No. 3163: A Resolution establishing a schedule of fees for dog licensing. page 55
  - 8.3. Resolution No. 3164: A Resolution approving the financing agreement whereby the City finances and/or refinances certain real or personal property; and authorizing the officers of the City to execute the financing agreement and such other documents and certificates as may be necessary to carry out the transactions contemplated by the aforementioned agreement. page 56
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**9. FIRST READING OF ORDINANCE**

- 9.1. Ordinance No. 1689: An ordinance Amending DCC 6.305, 6.310, 6.325 and 6.365 regarding Parking Regulations; adding new provisions to Dallas City Code Chapter 6; and repealing conflicting provisions. page 59
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**10. SECOND READING OF ORDINANCE**

- 10.1. Ordinance No. 1688: An Ordinance Amending DCC 5.382 and 5.384 Regarding Licensing of Dogs; and repealing conflicting provisions. page 63
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**11. OTHER BUSINESS**

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**12. ADJOURNMENT**

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The Dallas City Council met in regular session on Monday, June 16, 2008, at 7:30 p.m. in the Council Chambers of City Hall with Mayor Fairchild presiding.

**1. ROLL CALL**

Council members present were: Council President Ken Woods, Jr., Councilor Brian Dalton, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor David Shein, Councilor Dave Voves, and Councilor LaVonne Wilson. Excused: Councilor Warren Lamb and Councilor Wes Scroggin.

Also present were: City Manager Jerry Wyatt, City Attorney Lane Shetterly, Assistant City Manager Kim Marr, Police Chief Jim Harper, Fire Chief Bill Hahn, Community Development Director Jason Locke, Finance Director Marcia Baragary, and Recording Secretary Laurie Roberts.

**2. APPROVAL OF MINUTES**

Hearing no corrections, Mayor Fairchild declared the minutes of the June 2, 2008, Council meeting approved as presented.

**3. REPORTS OR COMMENTS FROM COUNCIL MEMBERS**

3.1 Presentation of prizes for "If I were Mayor" essay contest

Mayor Fairchild gave a brief description of the Oregon Mayor's Association's "If I were Mayor" contest and related prizes. He presented awards and prizes to Ana Hammond for her third place essay, and Cody Rogers for his first place essay. He noted that Mr. Roger's essay is entered for further consideration at the League of Oregon Cities (LOC) office. Mr. Rogers shared the three suggestions he included in his essay. Mayor Fairchild announced the second place award was for Allison Hatton, who was not present.

3.2 Mayor's monthly report for May

Mayor Fairchild handed out materials from the LOC and National League of Cities committee meetings he attended. He advised that there may be an upcoming resolution regarding the reauthorization of the surface transportation act. There were no questions regarding the materials or the Mayor's monthly report.

3.3 Council President's monthly report for May.

There were no questions regarding the President's monthly report.

**4. QUESTIONS OR COMMENTS FROM THE AUDIENCE**

Aaron Felton introduced himself as a candidate for Polk County District Attorney. He gave a presentation regarding the Polk County District Attorney race.

Glen Harmison, Dallas Cruisers Car Club, announced that there would be a car show this Saturday at the Academy Building. He requested the Council's approval to block off one block of Academy Street and asked that the 2-hour parking limit not be enforced. He confirmed they have permission from Polk County to use the grounds and asked that the City allow them to use the power for the stage to keep the NAPA blow up inflated. He also requested permission for placement of small offsite directional signage in three locations. Mr. Wyatt reviewed the request and stated that street closures require Council action, but the signage and use of power does not.

Councilor Lawson made a motion to approve closure of Academy Street from Main Street to SW Robb Street on Saturday, June 21. The motion was seconded and CARRIED UNANIMOUSLY with Council President Ken Woods, Jr., Councilor Brian Dalton, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor David Shein, Councilor Dave Voves, and Councilor LaVonne Wilson voting YES.

1 **5. REPORTS OF SPECIAL COMMITTEES AND CITY OFFICERS**

2 5.1 a) APPROVAL OF ELECTION FORMS

3 Mr. Wyatt reviewed his report and presented the forms that are provided by the State of Oregon.  
4 He explained that the Council needs to approve the forms since the State has made revisions  
5 since the last time they were approved by the Council.

6  
7 Councilor Dalton moved to approve the forms as presented for the 2008 Mayor and City Council  
8 election. The motion was seconded and CARRIED UNANIMOUSLY with Council President  
9 Ken Woods, Jr., Councilor Brian Dalton, Councilor Jackie Lawson, Councilor Kevin Marshall,  
10 Councilor David Shein, Councilor Dave Voves, and Councilor LaVonne Wilson voting YES.

11 5.1 b) CANDIDATE'S RESPONSIBILITIES AND STEPS IN PROCESS FOR MAYOR AND  
12 COUNCIL ELECTIONS

13 Mr. Wyatt provided information regarding the upcoming openings for Mayor and five City  
14 Council positions. He advised that the candidate information packets would be available on June  
15 23 and the packet provides more information. He explained that all nominating petitions must be  
16 filed with the City Manager no earlier than July 28, and no later than 5:00 p.m. on August 26.

17 5.1 c) DISCUSSION CONCERNING TRANSIENT LODGING TAX REPORTING PERIODS

18 Mr. Wyatt reported the two local hotels have requested that there be a change to allow quarterly  
19 tax reporting instead of monthly reporting.

20  
21 David Shein made a motion to direct the City Attorney to draft an amendment to the Transient  
22 Lodging Tax Ordinance to reflect the payment of the tax to be due on a calendar quarterly basis  
23 verses a monthly basis. The motion was duly seconded and CARRIED UNANIMOUSLY with  
24 Council President Ken Woods, Jr., Councilor Brian Dalton, Councilor Jackie Lawson, Councilor  
25 Kevin Marshall, Councilor David Shein, Councilor Dave Voves, and Councilor LaVonne Wilson  
26 voting YES.

27 5.1 d) DISCUSSION CONCERNING CITY INSURANCE COVERAGE

28 Mr. Wyatt presented the report on the annual city insurance renewal and reviewed the fiscal  
29 impact, which was a reduction of \$6,586 in premium for the city's general liability, property, and  
30 automobile insurance, and an increase of \$273 in premium for the city's workers compensation  
31 for the 2008-09 fiscal year.

32  
33 Council President Woods declared an actual conflict of interest and asked to be excused from the  
34 Council at 7:53 p.m. He then spoke to the Council as the Insurance Agent of Record and  
35 presented the General Liability and Property renewal proposal from City/County Insurance  
36 Services (CIS), and stated they are the only insurance company still willing to provide public  
37 entity coverage. He reviewed the details of the policy coverage and premiums in detail.

38  
39 Councilor Wilson moved to authorize the City Manager to sign the recommended General  
40 Liability, Property, and Automobile insurance proposal from CIS. The motion was seconded and  
41 CARRIED UNANIMOUSLY with Councilor Brian Dalton, Councilor Jackie Lawson, Councilor  
42 Kevin Marshall, Councilor David Shein, Councilor Dave Voves, and Councilor LaVonne Wilson  
43 voting YES.

44  
45 Ken Woods gave a presentation on the Worker's Compensation insurance. He explained how  
46 the premium is calculated and the competitor's products, noting the discount for writing the GL,  
47 Property and Workers Comp insured with CIS is \$2,800.

48  
49 Councilor Dalton moved to authorize the City Manager to sign the workers compensation  
50 insurance proposal from CIS. The motion was seconded and CARRIED UNANIMOUSLY with  
51 Councilor Brian Dalton, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor David  
52 Shein, Councilor Dave Voves, and Councilor LaVonne Wilson voting YES.

53  
54 Council President Woods rejoined the Council at 8:11 p.m.

1 5.1 e) DALLAS AQUATIC CENTER UPDATE

2 Community Development Director Jason Locke reported on the affect of the new Aquatic Center  
3 rates on membership and stated that as of 5:00 p.m. today there were 133 new members and 95  
4 renewals for a total of 228 members. He noted that since the changes 14 days ago, revenue has  
5 increased \$37,785 just on membership fees, which exceeds the Council goal of a 50% increase in  
6 memberships. He stated that the internal goal is 500 members by next spring, which would make  
7 the facility more budget neutral. He advised they also changed the merchant point-of-sale credit  
8 card machine which previously cost \$6,000 per year. We are now with Bank of America, which  
9 will cut merchant fees by \$5,000 per year. He reviewed the marketing and advertising program  
10 and discussed the physical plant issues and what is being done to fix them. Mr. Locke  
11 commended Tina Paul and the staff for doing an amazing job, and noted that customer service is  
12 improving and people are excited.

13 5.1 f) PARKING ORDINANCE UPDATE

14 Mr. Wyatt reported on the Parking Ordinance Update. Mr. Shetterly stated he worked on the  
15 revisions with Chief Harper and gave an update on the specific changes to the Ordinance. There  
16 was discussion about collection of fines and habitual offenders, as well as permits for parking  
17 downtown.

18 Chelsea Pope, Chamber of Commerce, stated that the Downtown Business Committee is new  
19 and presented their letter in response to the parking citation item presented at the Council  
20 meeting on June 2. She advised they are strongly in support of the increase in fees and hours, a  
21 waiver of fees for people shopping downtown for longer periods of time, a progressive fee  
22 program, and parking permits for business owners, residents and property owners. She noted  
23 that the downtown parking is being used by County and City court attendees, and asked for the  
24 Council's consideration for related parking problems.

25 Mr. Wyatt discussed a multi-step approach, with the Ordinance being the first step and other  
26 options being considered in the future. Councilor Shein stated he would like to take a look at  
27 other options and supports the ordinance for now. Police Chief Harper advised there are  
28 variances the Police Department offers such as a service, patron, handicap, and jury duty permits.  
29

30 Councilor Woods moved to direct the City Manager and the City Attorney to prepare an  
31 ordinance adopting amendments to the city parking regulations according to the draft ordinance.  
32 The motion was seconded and CARRIED UNANIMOUSLY with Council President Ken  
33 Woods, Jr., Councilor Brian Dalton, Councilor Jackie Lawson, Councilor Kevin Marshall  
34 Councilor David Shein, Councilor Dave Voves, and Councilor LaVonne Wilson voting YES.

35 5.1 g) FIRE BOND MEASURE PROPOSAL

36 Mr. Wyatt presented the report for the Fire Bond Measure Proposal.

37  
38 Fire Chief Bill Hahn gave a presentation on the Volunteer Fire Department and the estimated  
39 amount they save the taxpayers each year. He explained the options they are proposing and  
40 asked for City Council support of the Bond proposal.

41  
42 Mr. Eriks Gablicks stated he represents the Dallas Volunteer Firefighters Association and gave a  
43 presentation about volunteer programs. He explained the needs for equipment and facilities and  
44 changes within the department. He stated they are not just firefighters; they are the emergency  
45 services providers. He stated they need better training facilities and noted the ambulances and  
46 engines are outdated. Mr. Gablicks requested the Council's support.

47  
48 There was some discussion about the fire display area. Councilor Shein made a motion to have  
49 staff work with the Bond Counsel and direct the City Attorney to draft a Resolution calling for a  
50 measure election to submit to the electors of the City the question of contracting general  
51 obligation bonded indebtedness in the aggregate principal amount not to exceed \$6,900,000 to  
52 finance costs of capital construction and capital improvements for Fire/Emergency Services  
53 facilities construction/improvement according to the provisions laid out in Option 2b and that we  
54 designate it the Dallas Fire and Emergency Services Project Bond. The motion was seconded.  
55 Councilor Dalton asked if there would be a bond workshop. Mr. Wyatt stated there would not,

1 as the Fire bond is ready to go. Councilor Lawson asked if the bond costs are included. Mr.  
2 Shetterly responded that they are not and advised that the actual final amount would be in the  
3 Resolution and that is what the Council approves. The motion was seconded and CARRIED  
4 UNANIMOUSLY with Council President Ken Woods, Jr., Councilor Brian Dalton, Councilor  
5 Jackie Lawson, Councilor Kevin Marshall, Councilor David Shein, Councilor Dave Voves, and  
6 Councilor LaVonne Wilson voting YES.

7 5.1 h) REPORT ON JUNE 10, 2008, PLANNING COMMISSION MEETING

8 Mr. Wyatt reviewed the three items on the June Planning Commission agenda. The first item  
9 was an application to allow a duplex on NW Robert Street, which was approved with two  
10 conditions. The second item was for a partition of one lot into two lots at 545 SE Hankel Street,  
11 which was approved with six conditions. The third item was a recommendation to the City  
12 Council to consider adoption of the Transportation System Plan (TSP). Councilor Woods asked  
13 if the staff reports could be presented with the Council agenda. Mr. Wyatt advised he would  
14 present more information in the future. Mr. Wyatt suggested a Council workshop be held after  
15 the presentation of the TSP at the Council meeting in July.

16 5.1 i) BILLS OF THE CITY FOR THE MONTH OF MAY

17 There were no questions or comments regarding the bills of the City.

18 5.1 j) OTHER

19 Mr. Wyatt presented the 2008 Sounds of Summer poster.

20 **6. COMMUNICATIONS AND PETITIONS**

21 Chelsea Pope, Chamber of Commerce, presented a letter regarding the request for action on the  
22 downtown trees. She explained the Downtown Business Committee understands there is a long-  
23 range plan, but because the trees have grown too large, they have grown into the buildings, and  
24 the roots are uplifting the sidewalks. She requested that the trees be removed immediately in the  
25 area and the spaces be paved, or at least the trees should be trimmed or topped significantly.  
26

27 Councilor Shein asked about the impact to the Tree City USA designation. Mr. Wyatt stated the  
28 trees are trimmed every other year and can be trimmed again, but advised it needs to wait until  
29 fall. He added that it will cost about \$5,000 dollars, and it will be a significant trimming. He  
30 advised that they can be maintained, but if they are topped we'd be in violation of our tree  
31 ordinance. Councilor Woods asked about the Urban Renewal District and shared his concerns  
32 about using City funds to maintain property in the District.  
33

34 Councilor Lawson declared a potential conflict as a downtown business owner but stated she felt  
35 the class exception applied. She suggested removing two or three trees and trimming others  
36 substantially to improve visibility. Discussion was held about removal and replacement of  
37 individual nuisance trees, as done in the past. In response to a question, Councilor Lawson  
38 explained the sidewalks are lifting which creates a potential hazard for the pedestrians, and the  
39 trees are growing into the power lines.  
40

41 Councilor Wilson made a motion to forward the request to the Buildings and Grounds  
42 Committee for further review and have a staff report prepared. The motion was seconded. After  
43 discussion regarding the next meeting not being until August, the motion was revised to move  
44 the item to the Administrative Committee. The revised motion was seconded. Councilor Voves  
45 asked who is responsible for pedestrian tripping hazards. Mr. Wyatt advised that the adjacent  
46 business owners are responsible by Code. Mr. Wyatt explained that a sidewalk survey is being  
47 done and over 300 areas have been identified as damaged, and in the downtown, the business  
48 owners are assisted by the City with grinding and sidewalk improvement program. Mr. Locke  
49 advised that Greenworks is doing a study and has identified the problem, and their  
50 recommendation is due in September. Councilor Shein noted there is still a short-term issue.  
51 The motion CARRIED UNANIMOUSLY with Council President Ken Woods, Jr., Councilor  
52 Brian Dalton, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor David Shein,  
53 Councilor Dave Voves, and Councilor LaVonne Wilson voting YES.

1 **7. PUBLIC HEARINGS**

2 **8. RESOLUTIONS**

3 **8.1 Resolution No. 3155**

4 A Resolution establishing permit fees for the Oregon Plumbing Specialty Code and repealing  
5 prior conflicting Resolutions.

6  
7 A roll call vote was taken and the Mayor declared Resolution No. 3155 to have PASSED by a  
8 UNANIMOUS VOTE with Council President Ken Woods, Jr., Councilor Brian Dalton,  
9 Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor David Shein, Councilor Dave  
10 Voves, and Councilor LaVonne Wilson voting YES.

11 **8.2 Resolution No. 3156**

12 A Resolution establishing permit fees for the Oregon Mechanical Specialty Code and repealing  
13 prior conflicting Resolutions.

14  
15 A roll call vote was taken and the Mayor declared Resolution No. 3156 to have PASSED by a  
16 UNANIMOUS VOTE with Council President Ken Woods, Jr., Councilor Brian Dalton,  
17 Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor David Shein, Councilor Dave  
18 Voves, and Councilor LaVonne Wilson voting YES.

19 **8.3 Resolution No. 3157**

20 A Resolution establishing permit fees for the Oregon Residential Specialty Code and repealing  
21 prior conflicting Resolutions.

22  
23 A roll call vote was taken and the Mayor declared Resolution No. 3157 to have PASSED by a  
24 UNANIMOUS VOTE with Council President Ken Woods, Jr., Councilor Brian Dalton,  
25 Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor David Shein, Councilor Dave  
26 Voves, and Councilor LaVonne Wilson voting YES.

27 **8.4 Resolution No. 3158**

28 A Resolution establishing permit fees for the Oregon Structural Specialty Code and repealing  
29 prior conflicting Resolutions.

30  
31 A roll call vote was taken and the Mayor declared Resolution No. 3158 to have PASSED by a  
32 UNANIMOUS VOTE with Council President Ken Woods, Jr., Councilor Brian Dalton,  
33 Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor David Shein, Councilor Dave  
34 Voves, and Councilor LaVonne Wilson voting YES.

35 **8.5 Resolution No. 3159**

36 A Resolution adopting the budget of the City of Dallas, Oregon for the fiscal period beginning  
37 July 1, 2008 and ending June 30, 2009, making the budgeted appropriations and levying taxes for  
38 said fiscal period.

39  
40 A roll call vote was taken and the Mayor declared Resolution No. 3159 to have PASSED by a  
41 UNANIMOUS VOTE with Council President Ken Woods, Jr., Councilor Brian Dalton,  
42 Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor David Shein, Councilor Dave  
43 Voves, and Councilor LaVonne Wilson voting YES.

44 **8.6 Resolution No. 3160**

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

46  
47 A roll call vote was taken and the Mayor declared Resolution No. 3160 to have PASSED by a  
48 UNANIMOUS VOTE with Council President Ken Woods, Jr., Councilor Brian Dalton,  
49 Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor David Shein, Councilor Dave  
50 Voves, and Councilor LaVonne Wilson voting YES.

51 **8.7 Resolution No. 3161**

52 Mr. Wyatt presented Resolution No. 3161, which was not included in the agenda. He explained  
53 the various appropriations related to the police department labor negotiations and equipment

1 maintenance, and the necessary replacement of a pump at the Dallas Aquatic Center.

2  
3 A Resolution authorizing the transfer of budgetary funds.

4  
5 A roll call vote was taken and the Mayor declared Resolution No. 3161 to have PASSED by a  
6 UNANIMOUS VOTE with Council President Ken Woods, Jr., Councilor Brian Dalton,  
7 Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor David Shein, Councilor Dave  
8 Voves, and Councilor LaVonne Wilson voting YES.

9 **9. FIRST READING OF ORDINANCE**

10 **9.1 Ordinance No. 1688**

11 An Ordinance amending DCC 5.382 and 5.384 regarding licensing of dogs; and repealing  
12 conflicting provisions.

13  
14 The Mayor declared Ordinance No. 1688 to have passed its first reading.

15  
16 **10. SECOND READING OF ORDINANCE**

17 **10.1 Ordinance No. 1687**

18 An Ordinance changing the zoning designation of a parcel of real property owned by Raymond  
19 Baker and Daniel Carver from Residential Agricultural to Residential Medium Density.

20  
21 In response to a question, Mr. Wyatt confirmed the request is for the Wyatt Node.

22  
23 Mayor Fairchild declared Ordinance No. 1687 to have passed its second reading. A Roll Call  
24 vote was taken and Mayor Fairchild declared Ordinance No. 1687 to have PASSED by a  
25 UNANIMOUS VOTE with Council President Ken Woods, Jr., Councilor Brian Dalton,  
26 Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor David Shein, Councilor Dave  
27 Voves, and Councilor LaVonne Wilson voting YES.

28 **11. OTHER BUSINESS**

29 Councilor Shein commended the Community Development Director and staff for the excellent  
30 work at the Dallas Aquatic Center.

31 There being no further business, the meeting adjourned at 9:29 p.m.

32 Read and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

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\_\_\_\_\_  
Mayor

36 ATTEST:

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\_\_\_\_\_  
City Manager

# MEMORANDUM

Date: July 2, 2008  
To: City Council Members  
From: Mayor Fairchild  
Re: June 2008 Activities

## Meetings and activities attended representing the City:

June 2 7:30 p.m. to 9:30 p.m. - City Council meeting.

June 3 1:00 p.m. to 2:45 p.m. – Judged Senior Projects at Dallas High School.

June 5 10:00 a.m. to 12:00 p.m. – Oregon 150, Take Care of Oregon Committee meeting in Portland.

June 6 10:00 a.m. to 1:00 p.m. – League of Oregon Cities (LOC) Community Development Committee meeting in Salem.  
5:00 p.m. to 6:30 p.m. – Attended reception for Mayors walking in the Portland Floral Parade.

June 7 9:00 a.m. to 12:30 p.m. – Walked as part of the Oregon Mayors Walking Unit in the Portland Floral Parade.

June 9 2:00 p.m. to 3:00 p.m. – Senior Center Advisory Committee.

June 10 7:30 p.m. to 8:30 p.m. – Planning Commission meeting.

June 13 10:00 a.m. to 1:00 pm. – Oregon 150 Board of Directors meeting in Portland

June 15 8:00 a.m. to 9:00 a.m. – Attended Dallas Fire Department Father’s Day breakfast.

June 16 12:00 p.m. to 1:00 p.m. – Chamber of Commerce forum.  
7:30 p.m. to 9:30 p.m. - City Council meeting.

June 17 3:30 p.m. to 4:30 p.m. – Council of Governments (COG) Board of Directors meeting – gave a speech on Oregon 150 projects.

June 18 11:30 a.m. to 1:30 p.m. – Council workshop on citizen survey.

June 19 12:00 p.m. to 1:00 p.m. – Economic Development Committee.

June 21 12:00 p.m. to 2:00 p.m. – Attended “Wine, Chocolate and More” at Polk County Fairgrounds as a host. Proceeds are going to abused women and children.

June 24 3:30 pm. to 4:30 p.m. – COG Regional Development Committee meeting in Salem.

June 25 1:00 p.m. to 2:00 p.m. – Willamette Valley Hospital Foundation Board conference call.

June 26 10:00 a.m. to 12:00 p.m. – LOC Conference Planning Committee meeting in Salem.

June 27 7:00 a.m. to 8:00 a.m. – Polk County Mayors/Managers/Commissioners monthly breakfast.

JF:eg

# MEMORANDUM

**Date:** July 1, 2008  
**To:** Mayor Fairchild and City Council Members  
**From:** Council President Ken Woods, Jr.  
**Cc:** City Manager Jerry Wyatt  
**Subject:** Council President's June 2008 Monthly Report

June 1            7:30 – 10:10 PM  
                      **City Council Meeting**

June 5            3:30 – 5:00 PM  
                      **MWACT & Reception for new ODOT Region 2  
                      Manager, Jane Lee**

June 16           7:30 – 9:30 PM  
                      **City Council Meeting**

July 18            11:30 – 1:30 PM  
                      **City Council Workshop**

June 24           2:00 – 2:35 PM  
                      **CIS Board of Trustees tele-conference call**

Ken Woods

# DALLAS CITY COUNCIL REPORT

**TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No. 5.1 a</b>	<b>Topic:</b> Council Workshop Topics & Dates
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> July 7, 2008	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION: None

BACKGROUND: There are several topics that have been brought up at past Council meetings that warrant further, in-depth discussion. Staff is recommending the Council set up a workshop once per month to address these issues. Potential topics include:

1. Transportation System Plan (TSP)
2. Recreation District
3. Ambulance Department
4. Outside Water
5. City Charter

FISCAL IMPACT: None

ATTACHMENTS: TSP staff report

## **Attachment to Item 5.1 a**

**TOPIC:** Workshop and Public Hearing Date For the TSP

**PREPARED BY:** Jason Locke, Community Development Director

**RECOMMENDED ACTION:** Set the date for the workshop for the Transportation System Plan for **July 28**, 2008 (at noon or 5:30?), and the public hearing for August 4, 2008.

**BACKGROUND:** At their June 10, 2008 meeting, the Dallas Planning Commission held a properly noticed public hearing on the Transportation System Plan and recommended forwarding the TSP to the City Council for adoption.

Because of the length and breadth of the document, staff would like to have a workshop with the Council to provide an overview of the TSP, and answer questions you may have. Keep in mind that the document contains a number of important policy choices for the Council.

We would like to schedule the public hearing for the August 4, 2008 regular Council meeting. This would give us time to properly notice the hearing

**FISCAL IMPACT:** None

# DALLAS CITY COUNCIL REPORT

**TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No. 5.1 c</b>	<b>Topic:</b> Set the date for an appeal of CU/2-08 approval
<b>Prepared By:</b> Jason Locke, Community Development Director	<b>Meeting Date:</b> July 7, 2008	<b>Attachments:</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

**RECOMMENDED ACTION:** Set the date for the appeal of a Planning Commission approval of a Conditional Use Permit for a duplex, application # CU/2-08, located in the 100 block of NW Robert St. for August 18, 2008.

**BACKGROUND:** At their June 10, 2008 meeting, the Dallas Planning Commission held a properly noticed public hearing on the application, and approved the request for a Conditional Use Permit for a duplex with two conditions of approval. The Final Order of Approval was signed and Notice of Decision sent to all parties on June 13, 2008. On June 20, 2008, the city received an appeal of the decision. The notice of appeal was timely filed with the proper fee.

**FISCAL IMPACT:** None

**ATTACHMENTS:** None

# DALLAS CITY COUNCIL REPORT

**TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No.</b>	<b>Topic:</b> Appointment to Urban Renewal Advisory Committee
<b>Prepared By:</b> John Swanson	<b>Meeting Date:</b> June 16, 2008	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

Appoint Jenny S. Wilfong, 250 NE Elderberry Lane, Dallas, to the Urban Renewal Advisory Committee.

BACKGROUND:

Ms. Wilfong has submitted a “Citizen Committee Interest Form” to the City of Dallas expressing interest in serving several different committees. She is a business professional with over nine years of accounting experience. She is a graduate of Western Oregon University and is currently enrolled in Marylhurst University’s MBA program with an expectation to graduate in June of 2009. Her financial and business expertise and professional experience would make her an excellent addition to the Urban Renewal Advisory Committee, particularly as the City of Dallas Urban Renewal Agency is poised to begin utilizing Urban Renewal funds on a downtown streetscape improvement plan.

FISCAL IMPACT:

There would be no fiscal impact appointing Jenny Wilfong to the Urban Renewal Advisory Committee.

ATTACHMENTS:

- Citizen Committee Interest Form
- Letter of interest
- Resume

### CITY OF DALLAS CITIZEN COMMITTEE INTEREST FORM

Name: Jenny S. Wilfong

Address: Lane, Dallas, OR 97338

Mailing Address: (If different) SAME

Phone: Work 503- Home 503-811-810 Cell # -

E-mail Address: Jenny.Wilfong@cityofdallas.gov Years as a Dallas Resident: 28

Occupation and Employer: Senior Fiscal Analyst, Dept. of Human Services

Employer's address and Telephone: 500 Summer St. NE, Salem, OR 97301  
503-945-5653

May we contact you at work?  yes  no

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

- |   |  |
|---|--|
| <input type="checkbox"/> Aquatic Center Advisory Committee                      | <input type="checkbox"/> Park and Recreation Board;                            |
| <input checked="" type="checkbox"/> Budget Committee                            | <input checked="" type="checkbox"/> Planning Commission                        |
| <input type="checkbox"/> Citizens Advisory Committee for the Comprehensive Plan | <input checked="" type="checkbox"/> Urban Renewal District Advisory Committee) |
| <input checked="" type="checkbox"/> Economic Development Commission             | <input type="checkbox"/> Other   |
| <input type="checkbox"/> Library Board  |  |

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. Please include your skills, experience, and knowledge that you would contribute in this position. (Please feel free to attach a cover letter, resume, or other helpful information.)

Please see attached skills summary and resume.

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**Education Background**

High School Pemysdale High School Graduated  GED

College Western Oregon University Degree Bachelors of Science in Business

Have you ever been convicted of a felony? Yes  No

**Previous Volunteer/Committee Experience:**

Volunteer Agency N/A

Address \_\_\_\_\_ Telephone \_\_\_\_\_

Duties \_\_\_\_\_

**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.

*[Signature]*  
Applicant's Signature

02-26-08  
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: \_\_\_\_\_

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## JENNY S. WILFONG

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**TO:** CITY OF DALLAS  
**FROM:** JENNY S WILFONG  
**SUBJECT:** CITIZEN COMMITTEE INTEREST  
**DATE:** 2/26/2008  
**CC:** PERSONAL RESUME FILE

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I have a Bachelors of Science Degree in Business, focusing in Accounting, minor in Public Policy and Administration from Western Oregon University. I also have a Human Resource Management Certification from Portland State University. I am currently enrolled in Marylhurst University's Masters of Business Administration (MBA) program and will graduate June of 2009.

I obtain a wide variety of accounting, budget, business, and leadership experience. I first started working for a CPA and financial planner in tax accounting part time while I was still attending Western Oregon University and full time during the tax season for two years. From that employment I received an in depth knowledge of public accounting and tax accounting.

For Spirit Mountain Casino and Hotel I worked as a Finance Specialist for over two years in general ledger accounting, revenue and expense analysis, budget analysis, as well as the full cycle accountant for Spirit Mountain Management Consulting, Inc.

Also working for Spirit Mountain Casino and Hotel I managed the payroll for 1500 employees. I maintained all payroll files, all correspondence with employees and outside agencies, input all employee timecards and transmitted to ADP. Administered all payroll reporting to accounting and management. Supervised and trained a payroll specialist to assist in all payroll activities.

Working for Colson and Colson I was the full cycle accountant for sixteen First Premier Properties using Peach Tree Accounting software until I upgraded to MAS90. I was also the cost accountant for fourteen in progress construction projects. I managed all financial activities for each of these properties as well.

Working for the Confederated Tribes Gaming Commission I was the Compliance Auditor for the Tribe that was constructing a new casino in Florence, Oregon. I created an Auditing program based on Federal, State, and Compact regulations and minimum internal controls. I also created the Federal Regulation 31 Program that is required by Federal Law for all Financial Institutions. I was in charge of the compliance program as well as the ongoing training program. I was the head of the annual external and internal audits for the Casino. I conducted quarterly audits of all areas of the casino and issued management audit reports which outlined exceptions and any other findings of concern. I was responsible for reviewing the casino's financial statements monthly and reporting to the Tribal Council with any oddities and or questions that I felt needed to be raised as questions to casino management. I worked with MAS90 as well as ACRES Slot Accounting System. I constructed a Microsoft Access databases for Title 31 program as well as vendor licensing database that I was also responsible for.

I currently own my own successful bookkeeping business and service two client's full cycle bookkeeping needs on a part time basis.

I currently work for the Department of Human Services in the Administrative Services Division (ASD) as the Lead Senior Fiscal Analyst. I also work a great deal with ORBITS , our official budget software and BRIO which is the reporting tool for the SFMS accounting system. I have learned a great deal about Policy Option Packages (POPs) and Essential Budget Level (EBLs), as well as Financial Information Statements (FIS) and Financial Summaries (GRIDS). I also assisted in recreating the 05-07 Budget to Orbits Tracker (BOT). I am currently one of the two analysts in charge of budget execution for all of ASD which is a \$428 million budget. I meet monthly to review the budget, any possible issues or concerns that may come about regarding budget as well as actual expenditures and revenues.

In the current 07-09 budget I proposed comptroller source movements within each office's budget to clear negative budget items and to bring each budget more in line with what their actual spending was for 05-07. I worked with Central Processes Expenditure and Revenue Coordination (CPERC) closely to submit the ASD budget for audit.. I have worked closely with our last rebalance for the 2007-2009 LAB. I am currently in the middle of the 2008 Special Session preparing Legislative Concept fiscal impact statements.

I am a self starter, very motivated, a very quick learner and adapter. I have over nine (9) years total of a variety of accounting experience, over three (3) years of that is tax and audit experience and four (4) years of budget experience. I work very well with any team, am very easy to work with and have a great positive attitude.

# Jenny S. Wilfong

Dallas, Oregon 97338

Phone:

~ Mobile:

Email: j

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Career Overview: *A business professional with over nine years of accounting experience.*

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## Education:

Western Oregon University, Monmouth, OR

- *Bachelor of Science in Business*

Portland State University, Portland, OR

- *Human Resources Management Certification*
- 

## Experience:

**2007-Current**    *Department of Human Services*    *Salem, OR*

*Senior Fiscal Analyst*

- Coordinate preparation of monthly fiscal reports to the administrative staff, forecast department revenues and expenditures, and analyze fiscal trends.
- Conduct and coordinate special analyses for fiscal requests.
- Identify opportunities for improved operational efficiencies within the administrative services division.
- Develop budgets for thirteen offices individually. Identify revenue sources and make determination on budget movements to present to Legislature.

**2005-Current**    *Werner Bookkeeping Services, Inc.*    *Dallas, OR*

*Owner*

- Owner and operator of a business providing full cycle accounting services for client(s).
- Have organized accounting functions of two companies onto QuickBooks Pro from manual and outsourced processes.

**2004-2005**    *Confederated Tribes Gaming Commission*    *Florence, OR*

*Compliance Auditor*

- Developed and implemented accounting, cage, soft count, slot accounting system, and IT Gaming Commission regulations and internal controls.
- Ensured that Three Rivers Casino complied with all Federal, State, and Gaming Commission regulation and minimum internal control standards.
- Developed complete audit program that includes each area of the casino both gaming and non-gaming.
- Conducted audits and displayed any findings to casino management on a continual basis.
- Conducted Due Diligence investigations on each class two and class three gaming vendor the casino intends on doing business with. Approved and collected fees for licensure of these vendors.
- Created and administered a Regulation 31 program including internal controls, all records, and constant employee training.
- Contracted and coordinated an annual external audit company to complete the NIGC inspection as well as the financial statement audit.

2003-2004

*Colson & Colson General Contractor, Inc.*

*Salem, OR*

*Accountant*

- Ensured operation within Generally Accepted Accounting Principles.
- Full cycle accountant, to include all month transactions and bank activity for sixteen (16) residential and commercial properties.
- Preparation of monthly budget analysis and financial statements.
- Completed all project and cost accounting for fourteen (14) construction in progress projects around the United States and Canada.
- Managed all bank accounts, which included opening accounts for new projects, manage draws and funding for the projects, and closing completed projects.
- Analyzed cost general ledgers for accuracy and project costs compared to budget.
- Analyzed all project trial balances for construction fund available as well as land purchase and payoffs.

2000-2003

*Spirit Mountain Casino & Hotel*

*Grand Ronde, OR*

08/02-08/03

*Payroll Supervisor*

- Supervised, coordinated, transmitted and completed all payroll activities through ADP for a casino enterprise with over 1500 employees.
- Trained casino employees on proper payroll, time and attendance policies and procedures.
- Maintained and ensured confidentiality over all corporate records to oversee that all departments work within the company policies and procedures. Protect employee rights and abide by the Bureau of Labor and Industries statutes.
- Responded to all customer service requests such as employee inquires, providing information to outside individuals as well as management.
- Coordinated and executed payroll corrections, adjustments and hand paychecks.
- Created biweekly and monthly payroll and management reports for executive management.

06/00-08/02

*Finance Specialist*

- Reconciled general ledger accounts following Generally Accepted Accounting Principles.
- Initiated wires to the Tribal entity from the casino through Wells Net from Wells Fargo.
- Prepared quarterly workers compensation reports for SAIF and filed reports.
- Administrator of Stromberg Time and Attendance system. Ensure that the system is working properly, problem solve and correct any problems that users have.
- Assured that all wage and hour laws are communicated followed and consistently carried out casino wide.
- Full cycle accountant for Spirit Mountain Management Consulting, Inc. (SMMCI). Created and carried out all accounting practices for the organization.
- Completed analysis of general ledger accounts to prepare a full report to the CFO of variances.
- Completed budget analysis by comparing budget to actual numbers through FRX reporting writer, investigate the variances and report them with a full explanation.

1998-2000

***Rick J. Romer & Company, Inc.***

***Keizer, OR***

*Administrative Assistant*

- Managed daily office organization including scheduling for two CPA's and CFP's, all client correspondence via telephone, email fax, and walk in customers.
  - Supervised one administrative assistant who coordinated tax return documents and tax client contact.
  - Coordinated the distribution of tax organizers to all tax clients.
  - Prepared tax returns for personal tax clients.
  - Created reports for clients to show portfolios and allocation of mutual fund
-

# COMMUNITY DEVELOPMENT

City Manager	Jerry Wyatt	Building Official	Ted Cuno
Director	Jason Locke	Building Inspector	Troy Skinner
Assistant	Laurie Roberts	Planner	John Swanson
Building & Grounds	Ken Stoller		

## May 2008 Monthly Report - Planning & Building

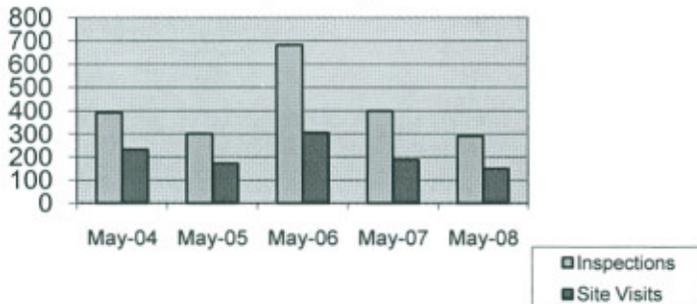
### LAND USE APPLICATIONS

	Signs	Home Occupations	Conditional Uses	Variances	Partitions/ Replats	Subdivisions	Street Plans	Annexations	Zone Changes
May-08	0	1	0	1	1	0	0	0	0
YTD 2008	3	5	2	3	2	0	0	0	1
May-07	5	2	2	0	1	1	0	0	1
Total 2007	15	5	5	19	9	4	0	1	7

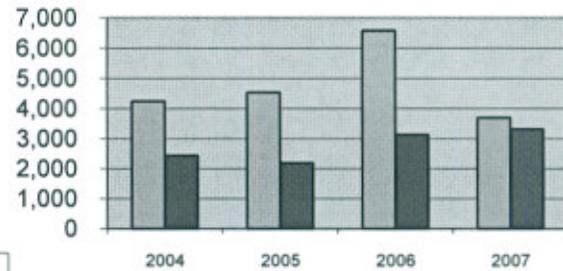
### INSPECTIONS AND SITE VISITS

Monthly Inspections: 290	Site Visits: 152	Year to Date Inspections: 1,261	Site Visits: 664
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Inspections and Site Visits  
Historically in May



Inspections and Site Visits  
Annually



### BUILDING PERMIT SUMMARY

Permit Use	May 2008	May 2007	YTD Total 2008	Annual Total 2007	YTD Valuation 2008	Annual Valuation 2007
New Single Family	4	8	19	71	\$3,579,404	\$27,817,118
New Duplexes	0	0	0	0	0	1,014,008
New Multifamily	0	0	0	1	0	7,252,179
Residential Remodel	7	5	31	47	718,333	1,179,230
Residential Accessory Bldg.	0	1	1	21	9,136	242,455
New Commercial	1	2	8	12	2,651,606	183,242
Commercial Remodel	6	2	20	34	491,150	1,560,685
New Industrial	0	0	0	0	0	0
Industrial Remodel	0	0	0	0	0	67,323
Public Bldg.	0	0	1	10	9,400	59,440
Mobile Home Accessory	0	0	0	1	0	9,136
Misc. / No Fee Permits	0	0	0	0	0	0
<b>Total All Categories</b>	<b>18</b>	<b>18</b>	<b>80</b>	<b>197</b>	<b>\$7,459,029</b>	<b>\$39,384,816</b>

# DALLAS AQUATIC CENTER

**City Manager**  
**Director**

**Jerry Wyatt**  
**Jason Locke**

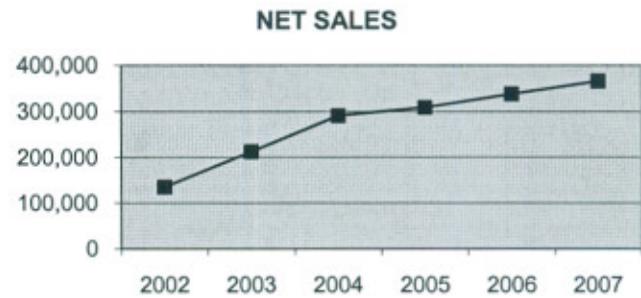
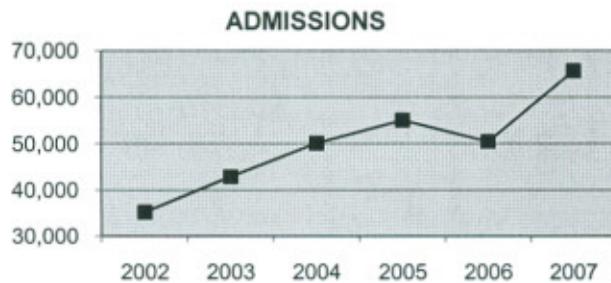
**Supervisor Tina Paul**

## May 2008 Monthly Report

### ACTIVITIES

May Item	2008		2007		2006		2005		
	Units	Net Sales							
Admission	6,901	\$ 19,231	5,806	\$ 14,825	5,069	\$ 14,459	4,095	\$ 12,343	
Annual Membership Passes	40	\$ 4,051	27	\$ 4,547	12	\$ 4,082	4	\$ 1,775	
Annual Pass W Ex	-	\$ -	2	\$ 810	-	\$ -	-	\$ -	
Coupon Books (All types)	15	\$ 1,116	43	\$ 2,845	40	\$ 2,604	33	\$ 2,271	
Water Aerobic Passes	10	\$ 505	26	\$ 1,631	27	\$ 1,259	42	\$ 1,967	
Gift Certificates	4	\$ 55	5	\$ 95	6	\$ 135	5	\$ 65	
Pro Shop	199	\$ 1,688	113	\$ 1,174	143	\$ 1,442	146	\$ 1,587	
Concessions	3,437	\$ 3,570	3,024	\$ 2,965	2,389	\$ 2,067	2,389	\$ 2,067	
Pass Redemption	444	\$ -	646	\$ -	564	\$ -	570	\$ -	
Middle School	-	\$ -	89	\$ 2,250	-	\$ -	37	\$ 700	
Special Events	35	\$ 244	31	\$ 44	18	\$ 124	-	\$ -	
<b>Total Net Sales</b>		<b>\$ 30,460</b>		<b>\$ 31,186</b>		<b>\$ 26,172</b>		<b>\$ 22,775</b>	
Difference:		\$ (726)							

### ADMISSION AND NET SALES



### FISCAL YEAR NET SALES

	2008	2007	2006	2005	2004	2003
July	-	\$ 45,789	\$ 40,745	\$ 36,149	\$ 39,272	\$ 32,626
August	-	\$ 37,366	\$ 34,487	\$ 36,455	\$ 34,704	26,093
September	-	\$ 20,160	\$ 23,429	\$ 20,497	\$ 17,603	9,161
October		\$ 22,258	\$ 20,678	\$ 19,655	\$ 19,303	17,941
November		\$ 22,679	\$ 19,957	\$ 17,332	\$ 17,235	18,419
December		\$ 22,906	\$ 27,189	\$ 16,804	\$ 19,271	13,718
	2009	2008	2007	2006	2005	2004
January		\$ 37,752	\$ 29,407	\$ 26,019	\$ 25,551	19,224
February		\$ 24,440	\$ 30,277	\$ 27,321	\$ 25,304	22,533
March		\$ 39,150	\$ 43,156	\$ 30,594	\$ 32,541	29,149
April		\$ 31,429	\$ 26,709	\$ 27,095	\$ 26,937	22,714
May		\$ 30,460	\$ 31,186	\$ 26,172	\$ 22,775	20,053
June		\$ -	\$ 34,936	\$ 35,007	\$ 29,428	30,179
<b>Fiscal Year Total:</b>		<b>\$ 334,389</b>	<b>\$ 362,156</b>	<b>\$ 319,100</b>	<b>\$ 309,924</b>	<b>\$ 261,810</b>

**COMMUNITY DEVELOPMENT DEPARTMENT**  
**Dallas Public Library**  
**Monthly Report for May 2008**

**CIRCULATION STATISTICS**

<b>ADULT</b>	<b>May 2008</b>	<b>May 2007</b>	<b>Year to Date 2008</b>
Non-Fiction	1580	1551	8160
Fiction	2250	2461	13,473
New Books	2040	2250	10,726
Paperbacks	1019	884	5526
Periodicals	264	275	1316
Sound Recordings	260	194	1459
Books on Tape	143	345	881
Books on CD	364	213	1731
Videotapes	384	486	2531
DVDs	453	282	2282
Media Bags	368	446	2224
CD-ROMS	3	6	8
ILL (in)	12	9	89
ILL (out)	9	17	26
NVL loans (in)	0	0	15
NVL loans (out)	0	0	7
Internet Workstations	810	964	4871
Equipment	47	42	248
<b>Adult Total</b>	<b>10,006</b>	<b>10,425</b>	<b>55,573</b>
<b>CHILDREN'S</b>			
Non-Fiction	834	633	3759
Fiction	2065	1887	10,896
New Books	105	117	345
Periodicals	46	62	219
Sound Recordings	48	50	242
Books on Tape	132	133	807
Books on CD	47	19	176
Videotapes	47	381	2436
DVDs	223	146	957
CD-ROMS	39	64	277
CD-ROMS (in house)	80	97	456
<b>Children's Total</b>	<b>4090</b>	<b>3589</b>	<b>20,570</b>
<b>Remote Renewals</b>	<b>912</b>	<b>950</b>	<b>4484</b>
<b>Monthly Total</b>	<b>15,008</b>	<b>14,964</b>	<b>80,627</b>

**COMMUNITY DEVELOPMENT DEPARTMENT  
Dallas Public Library  
Monthly Report for May 2008**

**REGISTERED PATRONS – May 2008**

<b>City Residents</b>	
Adult	6608
Child	1766
YA (12-17)	603
<b>Total</b>	<b>8977</b>
<b>Non-Resident – Fee</b>	
Adult	500
Child	99
YA (12-17)	43
<b>Total Fee</b>	<b>642</b>
<b>Non-Resident –Restricted</b>	
Adult	1572
Child	471
YA (12-17)	205
Kids Card	496
<b>Total Restricted</b>	<b>2744</b>
<b>Non-Resident Total</b>	<b>3386</b>
<b>Total Registered Patrons</b>	<b>12,363</b>

**CHILDREN’S ROOM ACTIVITIES**

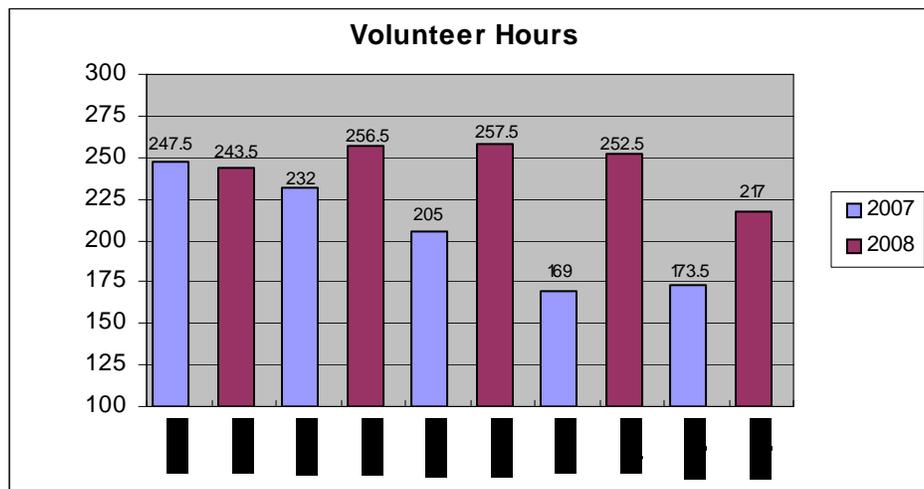
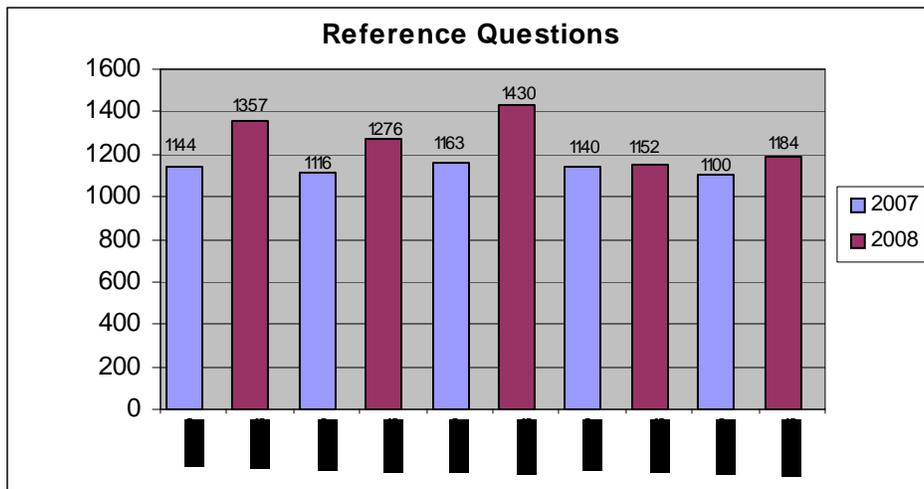
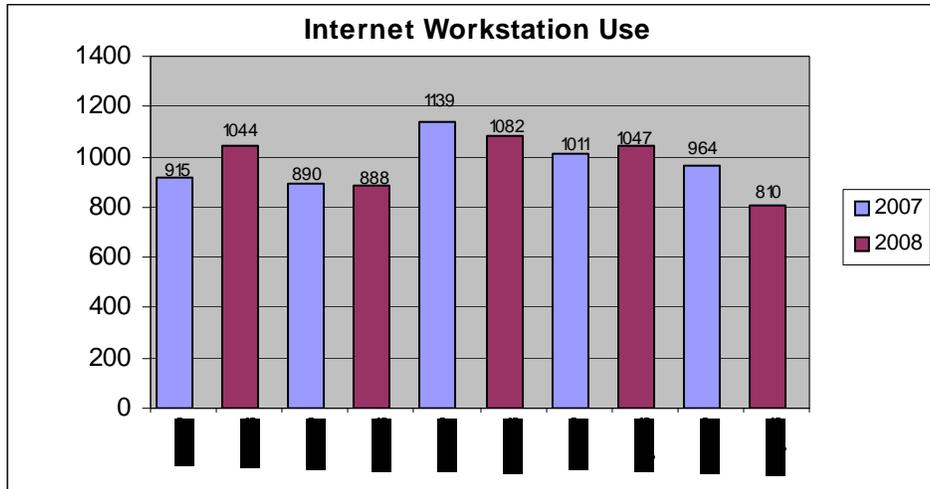
In addition, the month of May found the Children’s Room lively and active, as the Spring Sessions of both Infant/Toddler and Preschool Storytimes came to a close, and class visits temporarily replaced these fun events. Storytime attendance brought in 78 young people, to see and hear stories, while class visits reached 1816 students. The students had the opportunity to learn about books and the Library, and especially the Summer Reading Program. A total of 1894 young people participated in these Library activities.

**ADDITIONAL ACTIVITY**

	<b>May 2008</b>	<b>May 2007</b>	<b>Year to Date 2008</b>
<b>Non-Resident User Fees</b>	\$ 530.00	\$ 680.00	\$ 3405.00
<b>Fines Collected</b>	\$ 955.21	\$ 1139.59	\$ 4817.80
<b>Photocopies</b>	\$ 152.10	\$ 152.95	\$ 729.95
<b>Reference Questions</b>	1184	1100	6399
<b>Volunteer Hours</b>	217	173.5	1227

**COMMUNITY DEVELOPMENT DEPARTMENT  
Dallas Public Library  
Monthly Report for May 2008**

May 2008



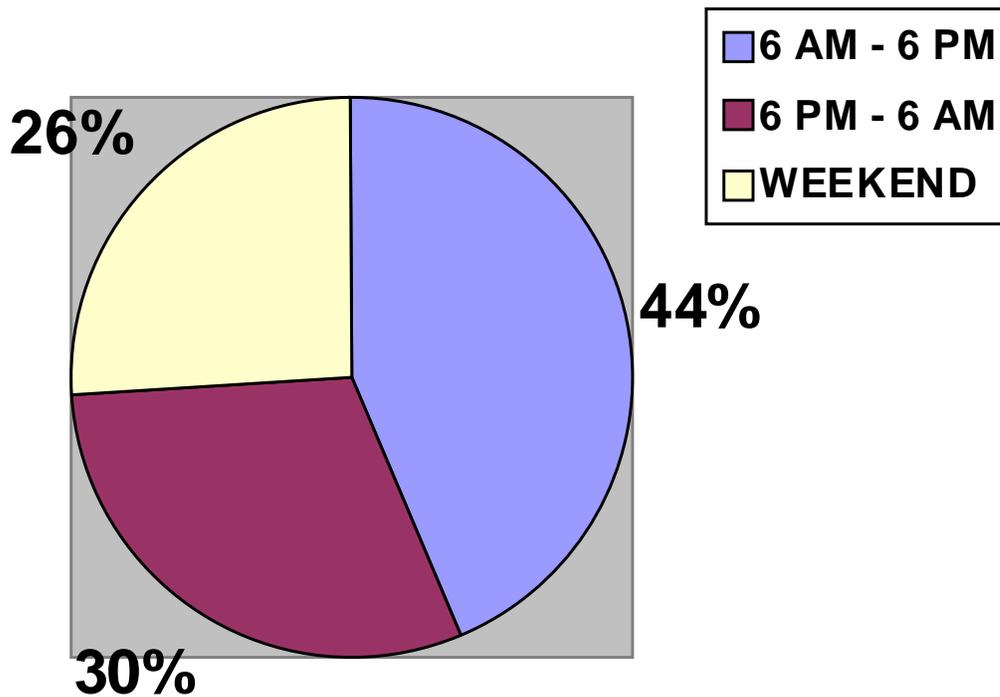
# COUNCIL REPORT – MAY 2008

**To:** Mayor and City Council Members

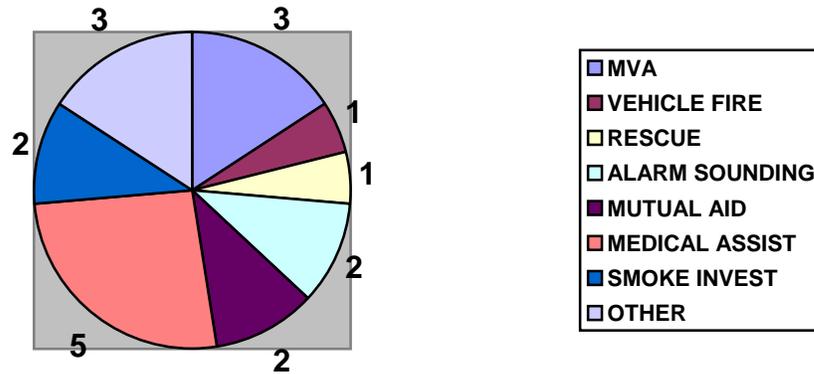
**From:** Fire Chief Bill Hahn

Dallas Fire Department:

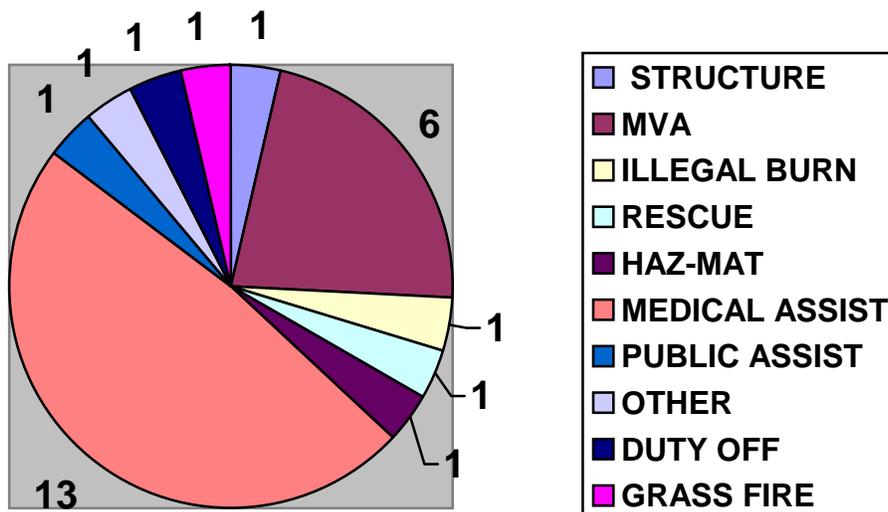
Station 100 responded to 46 calls of which 20 were between 6 AM – 6 PM, 14 between 6 PM – 6 AM and 12 during the weekend.



City responded to the following incidents during the month from station 100.



Rural responses by Station 110 during the month were for the following incidents.



Southwest Polk County Rural Fire Protection District, Rickreall Station, had their annual pancake breakfast. A statue of a firefighter was dedicated in front of the station to honor members that served the Department and have passed, with the names etched on the front.

Chief Hahn attended a workshop for the City Council to explain the needs of the Fire Department for the November bond. A tour of the training grounds and station were provided following the workshop.

Members of the department attended the Oregon Fire Chief's Meritorious Awards Banquet on May 16, 2008. Five members of the Southwest Polk County RFPD were recognized along with six members of Dallas Fire and two from Dallas EMS for efforts on a January 21, 2008 motor vehicle accident with entrapment.

Captain Eriks Gabliks was presented with the Presidents Award for his individual dedication and commitment to the fire service through his work at Department of Public Safety Standards and Training and his volunteer service at Dallas Fire Department.

Battalion Chief Del Fredricks received the Achievement Award for his 57 years of dedicated service to Dallas Fire Department.

Dallas members participated in the Walk for Life held at the Dallas High School track for fighting cancer.

Members of the department provide station tours for 202 second grade students from Lyle, Oakdale and Whitworth Elementary Schools.

Dallas Fire & EMS along with Dallas Police and Polk County Sheriff were presented plaques for dedicated service to the Dallas Retirement Village.

## Dallas Emergency Medical Service:

Dallas EMS Paramedic Melody Eddings has accepted a position with West Valley Fire District in Willamina. She will continue to assist us when her schedule allows.

Transports from West Valley Hospital to other local area hospitals continue to hold constant.

Dallas EMS will be testing a new shift schedule for the full time paramedics that will have them working 48 hours with 96 hours off. Beginning the first of July, Paramedics will test this new schedule for three months. Medics staffing the second unit will be in-station the first of July.



## MAY 2008

### The following is a summary of traffic violations committed:

33	Speeding Violations
09	License Violation
15	Insurance Violations
20	Moving Violations
07	Equipment Violations
04	Safety belt Violations
11	Other

### Investigation by this Department

47	Animal Ordinance Offenses	Clear by Arr	17
08	Assaults	Clear by Arr	09
01	Attempting to Elude	Clear by Arr	01
01	Carry Concealed (Felon)	Clear by Arr	01
01	Computer Crime	Clear by Arr	01
17	Criminal Mischief	Clear by Arr	12
03	Criminal Mistreatment	Clear by Arr	03
12	Curfew	Clear by Arr	12
07	Disorderly Conduct	Clear by Arr	07
09	DUII	Clear by Arr	09
02	Driving While Suspended	Clear by Arr	02
01	Drug Offenses	Clear by Arr	01
05	Fail Carry Present License	Clear by Arr	05
01	False Info Liability Insurance	Clear by Arr	01
01	False Report to Police	Clear by Arr	01
02	Fail Perform Duties of Driver	Clear by Arr	02
09	Harassment	Clear by Arr	09
01	Improper Use 9-1-1	Clear by Arr	01
01	Menacing	Clear by Arr	01
23	Minor in Possession Alcohol	Clear by Arr	23
04	Ordinance Offenses	Clear by Arr	04
01	Reckless Burning	Clear by Arr	01
01	Reckless Driving	Clear by Arr	01
02	Refusal Breath Test	Clear by Arr	02
05	Runaway	Clear by Arr	05
03	Sex Offense	Clear by Arr	02
30	Thefts	Clear by Arr	09
05	Trespass	Clear by Arr	05
05	Unlawful Entry Motor Vehicle	Clear by Arr	05
12	Warrants	Clear by Arr	12

103 Assist Public  
 35 Assist Law  
 38 Suspicious Activity  
 23 Suspicious Vehicles  
 06 Suspicious Persons  
 16 Disturbances  
 11 911 Hangup  
 18 Welfare Checks  
 12 Assist Traffic  
 13 False Alarms  
 16 Civil Complaints  
 25 Noise Complaints  
 29 FIR (Field Investigation Report)  
 18 Accidents

**Arrests by this Department**

17 Animal Ordinance Offenses  
 09 Assaults  
 01 Attempting Elude Police Officer  
 01 Carrying Concealed Weapon  
 01 Computer Crime  
 12 Criminal Mischief  
 03 Criminal Mistreatment  
 12 Curfew  
 07 Disorderly Conduct  
 09 DUII's  
 06 Drug Offenses  
 02 Driving While Suspended  
 01 Felon Possession Concealed Weapon  
 05 Fail Carry & Present License  
 02 Fail Perform Duties Driver  
 01 False Info Liability Insurance  
 01 False Info Report  
 01 Improper Use 911  
 04 Ordinance Offense  
 01 Menacing  
 23 Minor in Possession Alcohol  
 02 Prohibited Exposure  
 03 Reckless Driving  
 02 Refusal Breath Test  
 05 Runaway  
 02 Sex Offenses  
 10 Thefts  
 05 Trespass  
 05 Unlawful Entry Motor Vehicle  
 12 Warrants  
 165 TOTAL ARRESTS

Arrests for May '07: 122

**TOTAL CALLS FOR SERVICE:** 992 **TOTAL (Last yr: 1047)**  
204 Case Numbers  
788 Event Numbers

**JUVENILES**

Thirteen juveniles were referred to juvenile authorities for their actions

**DALLAS POLICE DEPARTMENT**  
**CODE ENFORCEMENT REPORT**

**May 2008**

Community Service Officer Totten

<b><u>NUMBER OF TOWED VEHICLES</u></b>	<b><u>0</u></b>
<b><u>NUMBER OF CITATIONS ISSUED</u></b>	<b><u>19</u></b>
<b><u>NUMBER OF FOLLOW-UP ACTIVITIES COMPLETED</u></b>	<b><u>160</u></b>

**NEW CASES STARTED:**

<b><u>DCC # 5.584-INOPERABLE VEHICLES (PRIVATE PROPERTY)</u></b>	<b><u>19</u></b>
<b><u>DCC # 6.320-VEHICLES STORED ON STREET/PARK STRIP</u></b>	<b><u>28</u></b>
<b><u>DCC # 6.505-ABANDONED VEHICLES</u></b>	<b><u>3</u></b>
<b><u>DCC # 5.582-JUNK</u></b>	<b><u>3</u></b>
<b><u>DCC # 5.556-SCATTERING RUBBISH (PRIVATE PROPERTY)</u></b>	<b><u>13</u></b>
<b><u>DCC # 6.315-TRUCK PARKING</u></b>	<b><u>2</u></b>
<b><u>DCC # 6.310-PROHIBITED STOPPING &amp; PARKING</u></b>	<b><u>0</u></b>
<b><u>DCC # 5.276-CAMPING ON PUBLIC PROPERTY</u></b>	<b><u>0</u></b>
<b><u>DCC # 6.605-PARKING REGULATIONS (CAMPING)</u></b>	<b><u>0</u></b>
<b><u>DCC # 6.125-OBSTRUCTING STREETS OR SIDEWALKS</u></b>	<b><u>6</u></b>
<b><u>DCC # 5.588-GRAFFITI</u></b>	<b><u>0</u></b>
<b><u>DCC # 5.552- ATTRACTIVE NUISANCES</u></b>	<b><u>1</u></b>

**HABITUAL PROBLEMS/OTHER ISSUES:**

**NARRATIVE:**

Nineteen citations were issued for parking violations.

TO: JERRY WYATT, CITY MANAGER  
 FROM: FRED BRAUN, DIRECTOR OF PUBLIC WORKS

**DEPARTMENT OF PUBLIC WORKS  
 Monthly Report for May 2008**

	<u>Water Division</u>			<u>2007</u>	<u>Unit</u>
	<u>2008</u>	<u>Unit</u>			
Total Discharge to Town	79.81	MG		65.90	MG
Total Water Raw	80.50	MG		74.30	MG
Peak Day	5/17/08	2.57 MG	05/31/07	4.31	MG
Daily Average-Raw		2.60 MGD		2.39	MGD
Daily Average-City		2.57 MGD		2.12	MGD
Backwash Water		.236 MG		2.46	MG
Filter to Waste		.24 MG		2.60	MG
Flushing		- MG		0.10	MG
Discharge Water		.10 MG		0.10	MG
ASR Injected		7.36 MG		6.94	MG
Average High Temp		67.0 ° F		69.0	° F
Average Low Temp		47.7 ° F		44.5	° F
Total Precipitation		.43 Inches		1.27	Inches

Mercer Dam and Watershed: Reporting okay. C-More ran a camera up the outlet pipe and videotaped.

- Visual inspections were done on May 9 and 23.
- Full walking inspections were done on May 1 and 13.
- Installed flashboards on May 13, 14, and 27.
- Installed of membranes on May 16 and 21.
- Dug out channel on May 21

Intake Pump Station: Reporting okay. Reinstalled the drive for Pump #1.

Water Treatment Plant: Reporting okay.

Worked on:

- ♦ Daily, weekly, monthly, quarterly, yearly maintenance items

Reservoirs: Reporting okay.

New Services: Two new 3/4" services were installed at 858 SE Academy Street and 410 NW Reed Lane.

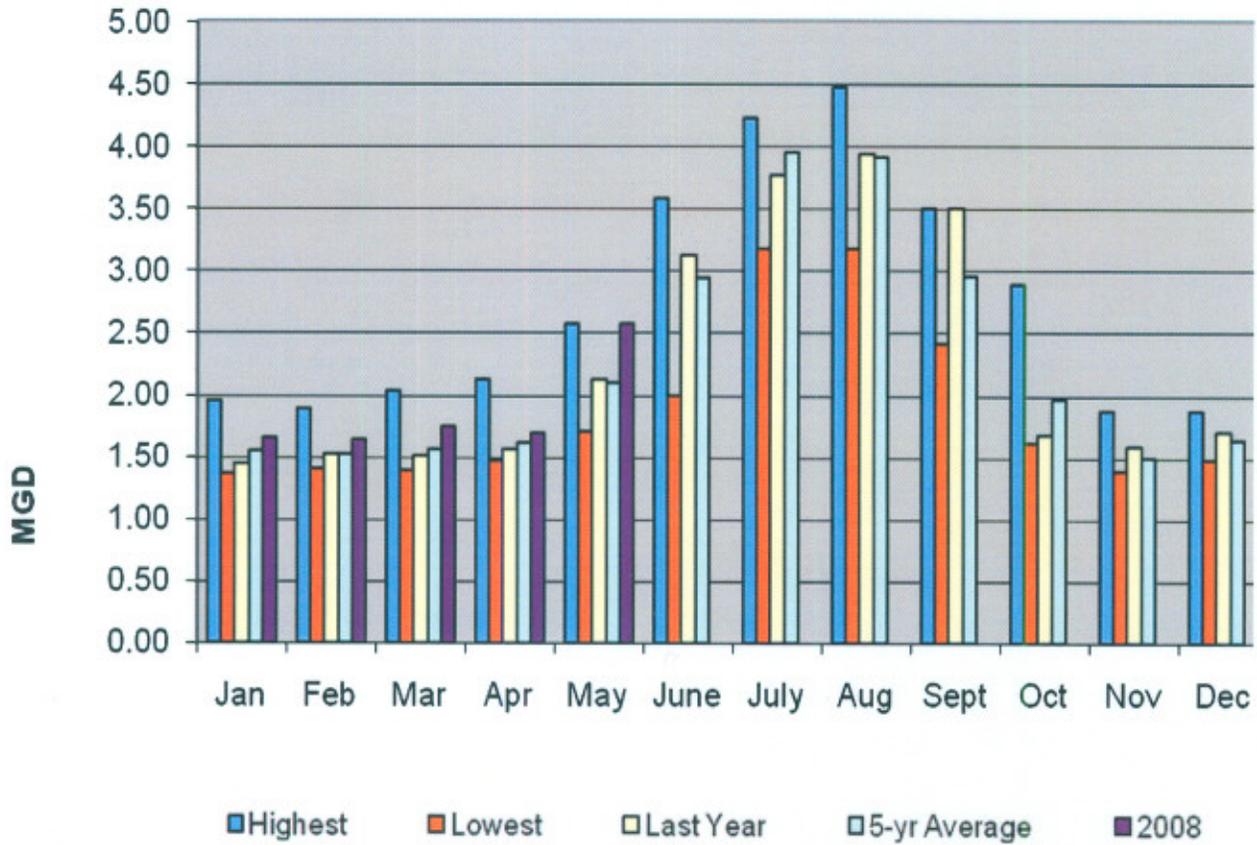
- 3/4" outside meter reset at 2080 SW Fairview Avenue
- 3/4" irrigation meter at Tract D of River Gleann Estates
- 3/4" 1404 SE Barberry

Repairs Leaks at: Replaced 1" copper on Mistletoe.

Worked on:

- Moved Polk Station service to new main on 5/27
- Moved outside water on Polk Station service to new main on 5/28
- Read meters

### Average Daily Treated Water Production



**Wastewater Division**  
Effluent Flow

		<u>2008</u>	<u>Units</u>		<u>2007</u>	<u>Units</u>
Monthly Total Flow		49.97	MG		51.69	MG
Peak Day Flow	5/21/08	1.97	MG	5/16/07	2.21	MG
Daily Average Flow		1.61	MG		1.67	MG

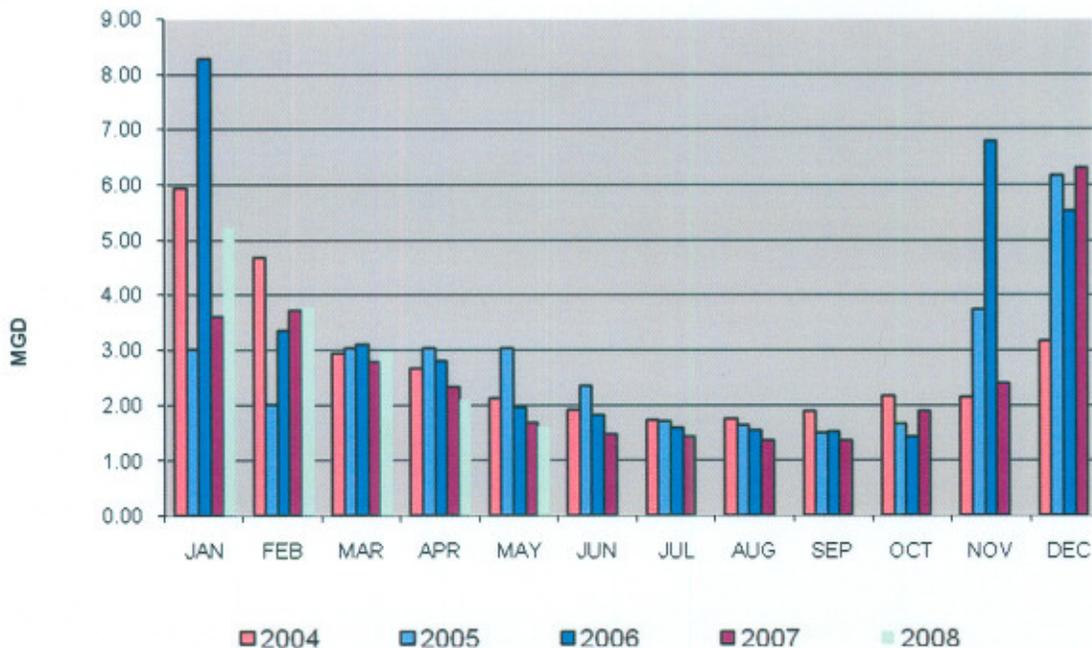
Plant Maintenance:

- Pumped solids from the solids holding tank to the West Humus pond.
- Using man-lift vehicle, pressure washed oxidation ditch structure, headworks structure, and maintenance building roof.
- Took creek flow measurements using flow-metering device for accurate measure of Rickreall Creek.
- Replaced UV Lamps at UV Bank 1A.
- Cleared out miscellaneous brush and branches surrounding plant grounds.

Plant Performance:

The plant is performing exceptionally well removing ammonia and maintaining low total suspended solids (TSS) in the effluent. We have begun mixing the biosolids in the humus ponds once per day. The temperatures have been cooler than normal, which affects the drying process. However, drying performance should improve in the months of June through August.

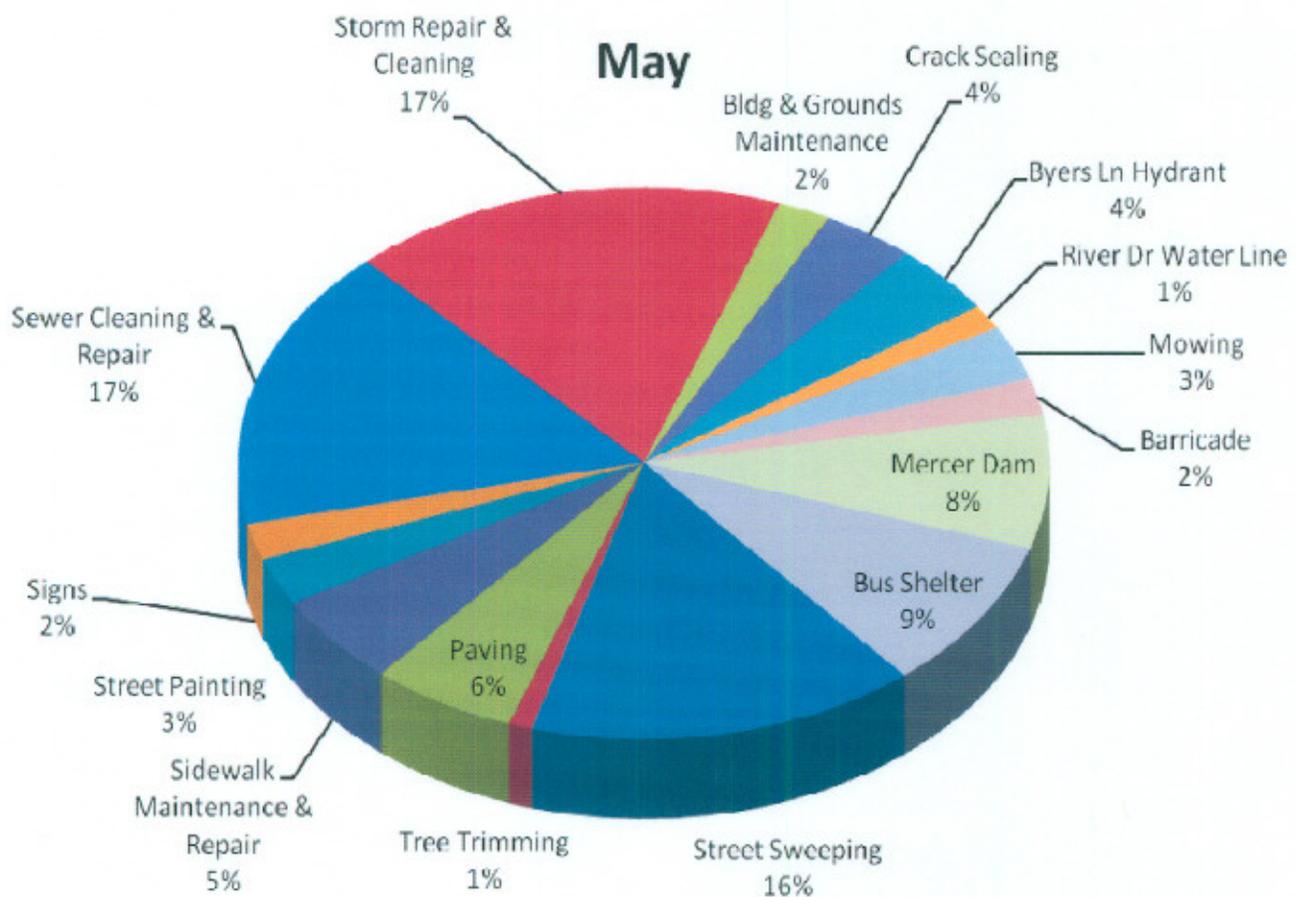
**Effluent - Average Daily Discharge by Month**



## Street and Construction Division

### Maintenance:

Catch basin maintenance, cold patching, curb and sidewalk repair, equipment and vehicle upkeep and repair, manhole grouting, mowing of City properties and/or rights of way, open ditch maintenance, painting of streets, plug and patching, preventative maintenance on sewer lift stations, reimbursable work, sanitary rehabilitation, sanitary repair and cleaning, service repair, shop and office, sign work, storm repair, street sweeping, tree trimming, unimproved streets and alleys, utility locates, and various other maintenance duties.



### Parks Division

The Parks department provided the following routine services during the month of May:

- Applied bark dust to shrub beds
- Repaired damage caused by vandalism
- Cut grass hillside west of ball diamond
- Performed regular mowing of all parks
- Weeded shrub beds and landscape areas
- Performed monthly safety check of playground equipment on May 16, 2008
- Repaired irrigation lines
- Picked up fallen limbs
- Performed equipment service checks and/or repairs
- Sprayed curb grass
- National Guard removed obstacle course at Rotary Park
- Tested all Park backflow devices
- Replaced irrigation clock at Whitworth Complex
- Installed drip irrigation to north side of Levens Street Bridge
- Worked with John Lofton on Rotary Park build plan
- Installed new backflows at Fountain Island and Academy Outdoor Stage

## Engineering

### Subdivisions:

- Cynthian Oaks, Phase 2: As-builts under review.
- Ellendale Estates: As-builts under review.
- Oak View Estates: Waiting for construction to begin.
- Pacific Heights: As-builts under review.
- River View Phase I: Waiting for permits.

### Commercial Developments:

- Les Schwab Remodel/Addition: Construction complete & accepted.
- Trinity Lutheran Church: Plans sent back to engineer for revisions.
- DRV Ellendale Duplexes: Construction underway.
- Jasper Crossing Phase I: Construction underway.
- Ellendale Manor: Plans submitted for review.

### Programs / Projects:

- Phase II/ Monitoring: Plan approved by DEQ; third sampling event completed.
- Levens Street Bridge Replacement: Landscaping complete.
- SE Monmouth Cut-off / Uglow Ave Intersection: Project shelved.
- Ambulance Parking Lot: Landscape remaining.
- Main St Water Reservoir: Pipe installed in Main St. Tank constructed, painting underway.
- Downtown Parking Lot: Preliminary design and estimate completed.
- Maple Street Sewer: Project on hold.
- Intake Upgrade: Addressing drive reliability issues.
- PLC Upgrade: New PLC online; final testing underway.
- Clay Street Storm Sewer: Project on hold.
- Updating City of Dallas Construction Specification book.
- River Drive Water Line: Construction complete, testing line.
- Cherry Street Water Transmission Line: Design completed.
- Willamette TMDL Implementation Plan: Approved by DEQ

### Routine Work:

- Map Updates: Ongoing.
- Utility Locates: Normal
- Engineering, Project Scoping, Public Assistance: Normal
- Planning Commission / City Council / Community Development Team: Normal
- Watershed: Attended meetings/project coordination Rickreall and Luckiamute Watershed Councils.
- WWTF-NPDES: Submitted required reports.
- Water Treatment Facility/Water Supply: ASR injection cycle ongoing.
- Tracking Backflow testing
- Pavement Management: Information analysis.
- Sidewalk Inspections: Ongoing.
- Weed Abatement: Started May, ongoing through September.

**Administrative Services Division Activities**

**Project Management**

Continued tracking engineering task orders  
 Reviewed invoices for payment recommendation  
 Communication with various project managers on status of projects

Reviewed contract documents  
 Project meetings  
 Project management

**Public Information**

Web Page monitoring & updates for new web page

Channel 17 notices

**Safety**

MSDS updates

Safety meetings

**Additional Projects**

OECDD Water improvement documentation and reimbursement request  
 ASR pump station project  
 2 MG reservoir tank project

Rotary Park improvement planning and coordination  
 Update bid specifications  
 Cherry Street water project

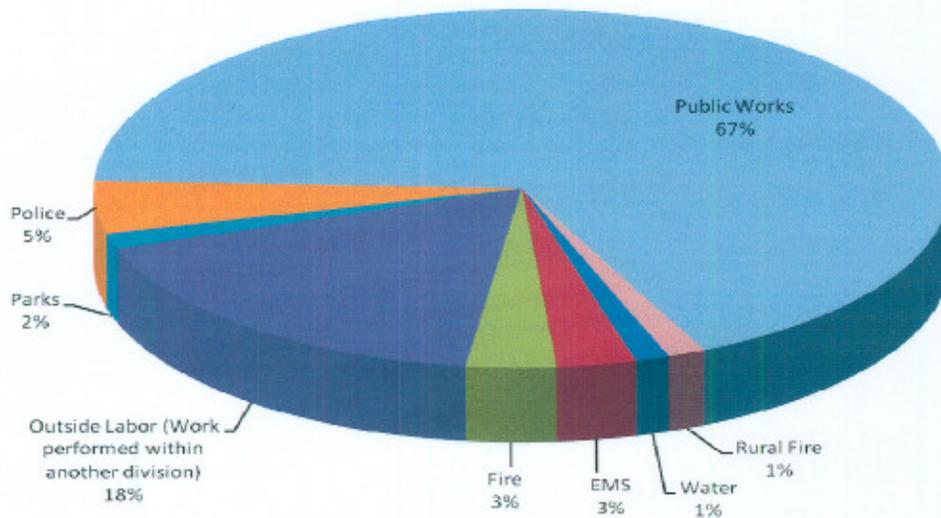
**Shop Services**

Ongoing maintenance on vehicles, machinery & construction equipment  
 Gasoline fuel tank was cleaned out

Aquatic Center maintenance and pump evaluation

Shop services hours were divided into the following areas:

**May 2008 Shop Service Hours**



**Support Services**

Administrative support for Public Works  
 Code Enforcement

Map updates  
 SOGs

# DALLAS CITY COUNCIL REPORT

**TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No. 6.1</b>	<b>Topic:</b> OLCC Liquor License Application for New Outlet
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> July 7, 2008	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

Approve the OLCC application for a new establishment at 904 Main Street for L' Attitude Point One.

BACKGROUND:

The City received an OLCC application for a new outlet at 904 Main Street for L' Attitude Point One.

The Police Chief has reviewed the application and has no items of concern. I recommend endorsement of this application.

FISCAL IMPACT: None

ATTACHMENTS: OLCC License Application for L' Attitude Point One.





# OREGON LIQUOR CONTROL COMMISSION INDIVIDUAL HISTORY

PLEASE PRINT OR TYPE

YOU MUST ANSWER ALL QUESTIONS ON THIS FORM. IF THE QUESTION DOES NOT APPLY, WRITE N/A IN THE SPACE.  
ATTACH ADDITIONAL SHEETS IF NECESSARY.

Trade Name (d.b.a.): \_\_\_\_\_ City: \_\_\_\_\_

1. Name: Cox Penny Marlene  
(last) (first) (middle)

2. Other names used (maiden, other): \_\_\_\_\_

3. Residence Address: Richmeall OR 97371  
(number and street) (city) (state) (ZIP code)

4. Home Phone:( \_\_\_\_\_ Business Phone:( \_\_\_\_\_

5. \*SSN: \_\_\_\_\_ ace of Birth: L DOB: \_\_\_\_\_ Sex: M  F  
(State/Country) (mm) (dd) (yyyy)

6. Driver License or State ID #: \_\_\_\_\_ State: \_\_\_\_\_ Spouse's name: \_\_\_\_\_

7. List all states, other than Oregon, where you have lived during the past ten years:  
None

8. Do you currently hold, or have you ever held a liquor license in this or any other state?  Yes  No  
If yes, when, where and name of premises? PEARL gallery under Norval Corporation

9. In the past twelve years, have you been convicted of any violation, misdemeanor or felony?  Yes  No  
If yes, what, when and where? \_\_\_\_\_

10. Have you ever entered into a diversion agreement?  Yes  No  
If yes, when and where? \_\_\_\_\_

11. Do you have any arrests or citations that have not been resolved?  Yes  No  
If yes, arrested/cited for: \_\_\_\_\_ Date \_\_\_\_\_ County/City/State/ \_\_\_\_\_

12. If you are applying for a retail liquor license:  
a. Do you have any financial interest, direct or indirect, in any manufacturer or distributor of alcohol?  Yes  No If yes, what and where: \_\_\_\_\_  
b. Does any person having a financial or ownership interest in a manufacturer or distributor have an interest in, or potential claim upon your business or premises, for instance through investment, a loan, lease or contract?  Yes  No If yes, who? \_\_\_\_\_

13. Have you ever had a warning, violation, suspension, fine, cancellation or refusal as a licensee or service permittee, in Oregon or any other state?  Yes  No If yes, when: \_\_\_\_\_ where: \_\_\_\_\_

I UNDERSTAND THE OLCC WILL USE THE ABOVE INFORMATION TO CHECK FOR CRIMINAL RECORDS. I UNDERSTAND IF MY ANSWERS ARE NOT TRUE AND COMPLETE, THE OLCC MAY DENY MY LICENSE APPLICATION.

Applicant Signature: Penny Cox Date: 6-18-08

**\*SOCIAL SECURITY NUMBER DISCLOSURE** As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). The OLCC will refuse a license to any applicant or licensee who fails to provide his/her SSN. Your SSN will be used only for child support enforcement purposes unless you sign below.

Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a)). If you consent to these uses, please sign here:

Applicant Signature: Penny Cox Date: 6-18-08



4 5 1 0 0 1 A 1

1-800-452-OLCC (6522)  
www.oregon.gov/olcc

(rev. 12/07)



# OREGON LIQUOR CONTROL COMMISSION INDIVIDUAL HISTORY

PLEASE PRINT OR TYPE

YOU MUST ANSWER ALL QUESTIONS ON THIS FORM. IF THE QUESTION DOES NOT APPLY, WRITE N/A IN THE SPACE. ATTACH ADDITIONAL SHEETS IF NECESSARY.

Trade Name (d.b.a.): L'ATTITUDE POINT ONE City: DALLAS, OR

1. Name: SINCLAIR JANETTE STARLEY  
(last) (first) (middle)

2. Other names used (maiden, other): \_\_\_\_\_

3. Residence Address: \_\_\_\_\_  
(number and street) (city) (state) (ZIP code)

4. Home Phone: (\_\_\_\_\_) Business Phone: (\_\_\_\_\_) \_\_\_\_\_

5. \*SSN: \_\_\_\_\_ State of Birth: \_\_\_\_\_ DOB: \_\_\_\_\_ Sex: M \_\_\_ F

6. Driver License or State ID #: \_\_\_\_\_ State: \_\_\_\_\_ Spouse's name: N/A

7. List all states, other than Oregon, where you have lived during the past ten years: ARIZONA

8. Do you currently hold, or have you ever held a liquor license in this or any other state? \_\_\_ Yes  No  
If yes, when, where and name of premises? \_\_\_\_\_

9. In the past twelve years, have you been convicted of **any** violation, misdemeanor or felony?  Yes \_\_\_ No  
If yes, what, when and where? DUI, ARIZONA 1999

10. Have you ever entered into a diversion agreement? \_\_\_ Yes  No  
If yes, when and where? \_\_\_\_\_

11. Do you have any arrests or citations that have not been resolved? \_\_\_ Yes  No  
If yes, arrested/cited for: \_\_\_\_\_ Date \_\_\_\_\_ County/City/State/ \_\_\_\_\_

12. If you are applying for a retail liquor license:  
a. Do you have any financial interest, direct or indirect, in any manufacturer or distributor of alcohol? \_\_\_ Yes  No If yes, what and where: \_\_\_\_\_  
b. Does any person having a financial or ownership interest in a manufacturer or distributor have an interest in, or potential claim upon your business or premises, for instance through investment, a loan, lease or contract? \_\_\_ Yes  No If yes, who? \_\_\_\_\_

13. Have you ever had a warning, violation, suspension, fine, cancellation or refusal as a licensee or service permittee, in Oregon or any other state? \_\_\_ Yes  No If yes, when: \_\_\_\_\_ where: \_\_\_\_\_

I UNDERSTAND THE OLCC WILL USE THE ABOVE INFORMATION TO CHECK FOR CRIMINAL RECORDS. I UNDERSTAND IF MY ANSWERS ARE NOT TRUE AND COMPLETE, THE OLCC MAY DENY MY LICENSE APPLICATION.

Applicant Signature: [Signature] Date: 6/17/08

**\*SOCIAL SECURITY NUMBER DISCLOSURE** As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). The OLCC will refuse a license to any applicant or licensee who fails to provide his/her SSN. Your SSN will be used only for child support enforcement purposes unless you sign below.

Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a)). If you consent to these uses, please sign here:

Applicant Signature: [Signature] Date: 6/17/08



1-800-452-OLCC (6522)  
www.oregon.gov/olcc

(rev. 12/07)



OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION

Please Print or Type

Applicant Name: LATITUDE ENTERPRISES Phone:

Trade Name (dba): LATITUDE POINT ONE

Business Location Address: 904 MAIN STREET

City: DALLAS, OR ZIP Code: 97338

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday 11am to 3 PM
Monday 11am to 3 P.M.
Tuesday 11am to 9 P.M.
Wednesday 11am to 9 PM
Thursday 11 am to 9 PM
Friday 11 am to 9 P.M.
Saturday 11 am to 9 PM

Outdoor Area Hours: SAME

Sunday to
Monday to
Tuesday to
Wednesday to
Thursday to
Friday to
Saturday to

The outdoor area is used for:

Food service Hours: 11 to 9
Alcohol service Hours: 11 to 9
Enclosed, how GATED FENCE

The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: Yes No If yes, explain: PART OPEN ONLY THROUGH OCT.

ENTERTAINMENT

Check all that apply:

- Live Music, Recorded Music, DJ Music, Dancing, Nude Entertainers, Karaoke, Coin-operated Games, Video Lottery Machines, Social Gaming, Pool Tables, Other:

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday to
Monday to
Tuesday to
Wednesday to
Thursday to
Friday to
Saturday to

SEATING COUNT

Restaurant: Outdoor:
Lounge: Other (explain):
Banquet: Total Seating:

OLCC USE ONLY
Investigator Verified Seating: (Y) (N)
Investigator Initials:
Date:

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: Date:

# DALLAS CITY COUNCIL REPORT

**TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No. 6.2</b>	<b>Topic:</b> OLCC Liquor License Application for New Outlet
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> July 7, 2008	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

Approve the OLCC application for a new establishment at 321 NE Kings Valley Highway for Wal-Mart.

BACKGROUND:

The City received an OLCC application for a new outlet at 321 NE Kings Valley Highway for Wal-Mart.

The Police Chief has reviewed the application and has no items of concern. I recommend endorsement of this application.

FISCAL IMPACT: None

ATTACHMENTS: OLCC License Application for Wal-Mart.

RECEIVED JUN 16 2008



OREGON LIQUOR CONTROL COMMISSION  
LIQUOR LICENSE APPLICATION

PLEASE PRINT OR TYPE

Application is being made for:

LICENSE TYPES

- Full On-Premises Sales (\$402.60/yr)
  - Commercial Establishment
  - Caterer
  - Passenger Carrier
  - Other Public Location
  - Private Club
- Limited On-Premises Sales (\$202.60/yr)
- Off-Premises Sales (\$100/yr)
  - with Fuel Pumps
- Brewery Public House (\$252.60)
- Winery (\$250/yr)
- Other: \_\_\_\_\_

ACTIONS

- Change Ownership
- New Outlet
- Greater Privilege
- Additional Privilege
- Other \_\_\_\_\_

FOR CITY AND COUNTY USE ONLY  
The city council or county commission:

\_\_\_\_\_  
(name of city or county)

recommends that this license be:

Granted  Denied

By: \_\_\_\_\_  
(signature) (date)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

OLCC USE ONLY

Application Rec'd by: OLCC pending

Date: 6/13/08 EW

90-day authority:  Yes  No

Applying as:

- Individuals
- Limited Partnership
- Corporation
- Limited Liability Company

1. Applicant(s): [See SECTION 1 of the Guide]

① Wal-Mart Stores, Inc. ③ \_\_\_\_\_

② \_\_\_\_\_ ④ \_\_\_\_\_

2. Trade Name (dba): Wal-Mart Store # 2315

3. Business Location: 321 NE Kings Valley Highway, Dallas, OR. 97338  
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 702 SW 8th St. Dept. 8916 Bentonville, Ar. 72716-0500  
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 503-623-0490 479-204-9864  
(phone) (fax)

6. Is the business at this location currently licensed by OLCC?  Yes  No

7. If yes to whom: n/a Type of License: n/a

8. Former Business Name: n/a

9. Will you have a manager?  Yes  No Name: Margaret Stover / Assistant Manager  
(manager must fill out an individual history form)

10. What is the local governing body where your business is located? City of Dallas  
(name of city or county)

11. Contact person for this application: Jackie Peckham 479-204-2073  
702 SW 8th St., Bentonville, Ar. 72716-0500 479-204-9864 Jackie.Peckham@wal-mart.com  
(address) (name) (phone number(s)) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① Rick W. Brazile Date 5-28-08 ③ \_\_\_\_\_

② Rick Brazile- V.P. of Finance Date \_\_\_\_\_ ④ \_\_\_\_\_

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OREGON LIQUOR CONTROL COMMISSION

JUN 13 2008

1-800-452-OLCC (6522)  
www.olcc.state.or.us

SALEM REGIONAL OFFICE

OREGON LIQUOR CONTROL COMMISSION  
**BUSINESS INFORMATION**



Please Print or Type

Applicant Name: Wal-Mart Stores, Inc. Phone: 479/204-2073  
 Trade Name (dba): Wal-Mart Store # 2315  
 Business Location Address: 321 NE Kings Valley Highway  
 City: Dallas, OR. ZIP Code: 97338

**DAYS AND HOURS OF OPERATION** 9 to 9

**Business Hours:**  
 Sunday 7am to 10p  
 Monday \_\_\_\_\_ to \_\_\_\_\_  
 Tuesday \_\_\_\_\_ to \_\_\_\_\_  
 Wednesday \_\_\_\_\_ to \_\_\_\_\_  
 Thursday \_\_\_\_\_ to \_\_\_\_\_  
 Friday \_\_\_\_\_ to \_\_\_\_\_  
 Saturday \_\_\_\_\_ to \_\_\_\_\_

**Outdoor Area Hours:**  
 Sunday \_\_\_\_\_ to \_\_\_\_\_  
 Monday \_\_\_\_\_ to \_\_\_\_\_  
 Tuesday \_\_\_\_\_ to \_\_\_\_\_  
 Wednesday \_\_\_\_\_ to \_\_\_\_\_  
 Thursday \_\_\_\_\_ to \_\_\_\_\_  
 Friday \_\_\_\_\_ to \_\_\_\_\_  
 Saturday \_\_\_\_\_ to \_\_\_\_\_

The outdoor area is used for: n/a  
 Food service Hours: \_\_\_\_\_ to \_\_\_\_\_  
 Alcohol service Hours: \_\_\_\_\_ to \_\_\_\_\_  
 Enclosed, how \_\_\_\_\_  
 The exterior area is adequately viewed and/or supervised by Service Permittees.  
 \_\_\_\_\_ (Investigator's Initials)

Seasonal Variations:  Yes  No If yes, explain: \_\_\_\_\_

**ENTERTAINMENT**

Check all that apply: n/a

- Live Music
- Recorded Music
- DJ Music
- Dancing
- Nude Entertainers
- Karaoke
- Coin-operated Games
- Video Lottery Machines
- Social Gaming
- Pool Tables
- Other: \_\_\_\_\_

**DAYS & HOURS OF LIVE OR DJ MUSIC**

n/a  
 Sunday \_\_\_\_\_ to \_\_\_\_\_  
 Monday \_\_\_\_\_ to \_\_\_\_\_  
 Tuesday \_\_\_\_\_ to \_\_\_\_\_  
 Wednesday \_\_\_\_\_ to \_\_\_\_\_  
 Thursday \_\_\_\_\_ to \_\_\_\_\_  
 Friday \_\_\_\_\_ to \_\_\_\_\_  
 Saturday \_\_\_\_\_ to \_\_\_\_\_

**SEATING COUNT**

Restaurant: \_\_\_\_\_ Outdoor: n/a  
 Lounge: \_\_\_\_\_ Other (explain): \_\_\_\_\_  
 Banquet: \_\_\_\_\_ Total Seating: \_\_\_\_\_

**OLCC USE ONLY**  
 Investigator Verified Seating: \_\_\_\_\_ (Y) \_\_\_\_\_ (N)  
 Investigator Initials: \_\_\_\_\_  
 Date: \_\_\_\_\_

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: Rick W. Brazile Date: 5-28-08

Rick Brazile- V.P. of Finance **1-800-452-OLCC (6522)**  
[www.olcc.state.or.us](http://www.olcc.state.or.us)



# OREGON LIQUOR CONTROL COMMISSION INDIVIDUAL HISTORY

PLEASE PRINT OR TYPE

YOU MUST ANSWER ALL QUESTIONS ON THIS FORM. IF THE QUESTION DOES NOT APPLY, WRITE N/A IN THE SPACE. ATTACH ADDITIONAL SHEETS IF NECESSARY.

Trade Name (d.b.a.): Wal-Mart City: Dallas

1. Name: Stover Margaret Kathleen  
(last) (first) (middle)

2. Other names used (maiden, other): Carr

3. Residence Address: \_\_\_\_\_  
(number and street) Dallas OR 97338  
(city) (state) (ZIP code)

4. Home Phone: (503) \_\_\_\_\_ Business Phone: (503) 623-0490

5. \*SSN: \_\_\_\_\_ Place of Birth: \_\_\_\_\_ DOB: \_\_\_\_\_ Sex: M \_\_\_ F X  
(State/Country) (mm) (dd) (yyyy)

6. Driver License or State ID #: \_\_\_\_\_ State: \_\_\_\_\_ Spouse's name: \_\_\_\_\_

7. List all states, other than Oregon, where you have lived during the past ten years:  
ARIZONA

8. Do you currently hold, or have you ever held a liquor license in this or any other state? \_\_\_ Yes X No  
If yes, when, where and name of premises? N/A

9. In the past twelve years, have you been convicted of **any** violation, misdemeanor or felony? \_\_\_ Yes X No  
If yes, what, when and where? N/A

10. Have you ever entered into a diversion agreement? \_\_\_ Yes X No  
If yes, when and where? N/A

11. Do you have any arrests or citations that have not been resolved? \_\_\_ Yes X No  
If yes, arrested/cited for: N/A Date \_\_\_\_\_ County/City/State/ \_\_\_\_\_

12. If you are applying for a retail liquor license:  
a. Do you have any financial interest, direct or indirect, in any manufacturer or distributor of alcohol? \_\_\_ Yes X No If yes, what and where: N/A  
b. Does any person having a financial or ownership interest in a manufacturer or distributor have an interest in, or potential claim upon your business or premises, for instance through investment, a loan, lease or contract? \_\_\_ Yes X No If yes, who? N/A

13. Have you ever had a warning, violation, suspension, fine, cancellation or refusal as a licensee or service permittee, in Oregon or any other state? \_\_\_ Yes X No If yes, when: N/A where: N/A

I UNDERSTAND THE OLCC WILL USE THE ABOVE INFORMATION TO CHECK FOR CRIMINAL RECORDS. I UNDERSTAND IF MY ANSWERS ARE NOT TRUE AND COMPLETE, THE OLCC MAY DENY MY LICENSE APPLICATION.

Applicant Signature: Margaret Stover Date: 10-13-08

**\*SOCIAL SECURITY NUMBER DISCLOSURE** As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). The OLCC will refuse a license to any applicant or licensee who fails to provide his/her SSN. Your SSN will be used only for child support enforcement purposes unless you sign below.

Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a)). If you consent to these uses, please sign here:

Applicant Signature: Margaret K. Stover Date: 10-13-08



4 5 1 0 0 1 A 1

1-800-452-OLCC (6522)  
www.oregon.gov/olcc

(rev. 12/07)



**YOU ARE INVITED  
TO ATTEND**

**POLK COUNTY DRUG COURT'S  
THIRD ANNUAL GRADUATION**

**JULY 14, 2008**

**IMMEDIATELY FOLLOWING  
DRUG COURT SESSION @ 2:00 P.M.  
COURTROOM 1**

**POLK COUNTY COURTHOUSE  
850 MAIN STREET  
DALLAS, OR 97338**

**RSVP: LOY @ 503-623-1877**



**RESOLUTION NO. 3162**

**A RESOLUTION OF THE CITY OF DALLAS, POLK COUNTY, OREGON, CALLING A MEASURE ELECTION TO SUBMIT TO THE ELECTORS OF THE CITY THE QUESTION OF CONTRACTING GENERAL OBLIGATION BONDED INDEBTEDNESS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,985,000 TO FINANCE THE COSTS OF CAPITAL CONSTRUCTION AND CAPITAL IMPROVEMENTS; DECLARING INTENT TO REIMBURSE EXPENDITURES; AND RELATED MATTERS.**

WHEREAS, the City Council of the City of Dallas, Polk County, Oregon (the "City"), has determined that a need exists for the City to finance the costs of capital construction and capital improvements, as more fully described in Exhibit A, attached hereto (the "Project"), and pay bond issuance costs; and

WHEREAS, the costs of the Project and costs of issuance to be funded with bond proceeds are estimated to be not more than \$6,985,000; and

WHEREAS, Oregon Revised Statutes Chapter 287A, subject to voter approval, authorizes the City to contract bonded indebtedness to provide funds to finance the costs of the Project and to pay bond issuance costs; and

WHEREAS, the City anticipates incurring expenditures (the "Expenditures") to finance the costs of the Project and wishes to declare its official intent to reimburse itself for any Expenditures it may make from its general funds on the Project from the proceeds of voter-approved general obligation bonds (the "Bonds"), the interest on which shall be excluded from gross income under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the City understands that the use of proceeds of the Bonds to reimburse an Expenditure may occur no later than the later of (a) 18 months after the date of such Expenditure or (b) 18 months after completion of the projects to which such Expenditure relates, and in any event no later than three years after the date of such Expenditure; and may occur no earlier than sixty (60) days prior to the date of the adoption of this resolution; except for preliminary expenditures in an amount not exceeding 20% of the Bond proceeds or expenditures which do not exceed the lesser of \$100,000 or 5 percent of the Bond proceeds. Preliminary expenditures include: architectural, engineering, surveying, soil testing and similar costs incurred prior to commencement of acquisition, construction or rehabilitation of the projects, other than land acquisition, site preparation and similar costs incident to commencement of construction;

NOW, THEREFORE, the City Council of the City of Dallas, Polk County, Oregon, resolves as follows:

1. A measure election is hereby called for the purpose of submitting to the electors of the City the question of contracting general obligation bonded indebtedness in the name of the City in an amount not to exceed \$6,985,000. Bond proceeds will be used to finance the Project and pay all Bond issuance costs. The Bonds shall mature over a period of not more than twenty-one (21) years.
2. The measure election hereby called shall be held in the City on the 4th day of November, 2008. As authorized by the County Clerk of Polk County, Oregon, and the Oregon Secretary of State, the election shall be conducted by mail pursuant to ORS 254.465 and 254.470.

3. The City authorizes the Mayor, City Manager (each an “Authorized Representative”) or a designee of the Authorized Representative to act on behalf of the City and to take such further action as is necessary to carry out the intent and purposes herein in compliance with the applicable provisions of law.

4. Pursuant to ORS 250.275(5) and 250.285 the city elections officer (city clerk, auditor or recorder) of the City (the “City Elections Officer”) shall publish in the next available edition of the Polk County Itemizer-Observer, a newspaper of general circulation in the City of Dallas, a notice of receipt of the ballot title including notice that an elector may file a petition for review of the ballot title not later than the seventh business day after the title is filed with the City Elections Officer in substantially the form attached hereto as Exhibit A (the “Notice”). Pursuant to ORS 254.095(2) the City directs the City Elections Officer to deliver the Notice to the Polk County Elections Office not later than September 4, 2008 (sixty-one (61) days prior to the election date).

5. The City hereby declares its official intent to reimburse itself with the proceeds of the Bonds for any of the Expenditures incurred by it prior to the issuance of the Bonds.

6. The law firm of Kirkpatrick & Lockhart Preston Gates Ellis LLP is hereby appointed to serve as bond counsel with respect to the issuance of the Bonds. The City will pay the fees and expenses of bond counsel from Bond proceeds.

7. This resolution shall take effect immediately upon its adoption by the City Council.

ADOPTED by the City Council of the City of Dallas, Polk County, Oregon this 7<sup>th</sup> day of July, 2008.

**CITY OF DALLAS  
POLK COUNTY, OREGON**

By: \_\_\_\_\_  
JAMES B. FAIRCHILD, MAYOR

ATTEST:

By: \_\_\_\_\_  
JERRY WYATT, CITY MANAGER

**EXHIBIT A**

**NOTICE OF BOND ELECTION**

**CITY OF DALLAS  
POLK COUNTY, OREGON**

**NOTICE IS HEREBY GIVEN** that on November 4, 2008, a measure election will be held in Polk County, Oregon. The following shall be the ballot title of the measure to be submitted to the City's voters on this date:

**CAPTION:<sup>1</sup>**

**AUTHORIZES ISSUANCE OF GENERAL OBLIGATION BONDS  
FOR FIRE/EMERGENCY PURPOSES**

**QUESTION:<sup>2</sup>**

Shall the City of Dallas issue bonds to construct and equip Fire/Emergency Services facilities; purchase ambulances/fire engine? If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of sections 11 and 11b, Article XI of the Oregon Constitution.

**SUMMARY:<sup>3</sup>**

- This measure authorizes the issuance of general obligation bonds in an amount not to exceed \$6,985,000 to finance the construction and equipping of a fire training facility, including multi-level training tower, classroom, equipment and furnishings, site improvements, other; modification of existing fire station for safety and structural functions, energy efficiency, ADA compliance, electrical upgrade, restrooms and lockers, other; purchase of ambulances and a fire engine; and bond costs.

The Bonds would mature in twenty one (21) years or less from issuance date and may be issued in one or more series.

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<sup>1</sup> Use no more than 10 words in the caption.

<sup>2</sup> Use no more than 20 words in the question.

<sup>3</sup> Use no more than 175 words in the summary section.

Notice is hereby given that a ballot title for a measure referred by the City has been filed with the City Elections Officer on \_\_\_\_\_, 2008. The ballot title caption is AUTHORIZES ISSUANCE OF GENERAL OBLIGATION BONDS FOR FIRE/EMERGENCY PURPOSES. An elector may file a petition for review of this ballot title in the Polk County Circuit Court no later than 5:00 p.m., \_\_\_\_\_, 2008 (seven (7) business days after filing of this notice with the City Elections Officer).

\_\_\_\_\_  
Signature of authorized City Elections Officer

\_\_\_\_\_  
Date signed

\_\_\_\_\_  
Printed name of authorized City Elections Officer

City Manager  
\_\_\_\_\_  
Title

This legal notice is to be published by the City Elections Officer in the next available edition of *The Polk County Itemizer Observer*, Dallas, Oregon, or in another newspaper of general distribution within the City after the date of the Resolution.

RESOLUTION NO. 3163

A Resolution establishing a schedule of fees for dog licensing.

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

Section 1. The following rates shall apply to dog licenses issued by the City of Dallas:

(a) Spayed or neutered dog license:

One year	\$15.00 without microchip identification
Two years	25.00 without microchip identification
Three years	35.00 without microchip identification

One year	\$13.00 with microchip identification
Two years	22.00 with microchip identification
Three years	30.00 with microchip identification

(b) Fertile dog license:

One year	\$35.00 without microchip identification
Two years	67.00 without microchip identification
Three years	95.00 without microchip identification

One year	\$30.00 with microchip identification
Two years	60.00 with microchip identification
Three years	85.00 with microchip identification

(c) Delinquent license charge \$10.00, plus license fee

(d) Replacement of lost tags \$5 per lost tag

(e) The fees provided in subsections (a) and (b) may be prorated for the first year of the license if the license is issued for other than a full calendar year as provided in Dallas Code Section 5.382(1).

Section 2. The fees established herein shall be effective upon adoption of this resolution.

Adopted: July 7, 2008

Approved: July 7, 2008

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JAMES B. FAIRCHILD, MAYOR

ATTEST:

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JERRY WYATT, CITY MANAGER

# DALLAS CITY COUNCIL REPORT

**TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No. 8.3</b>	<b>Topic:</b> Resolution No. 3164
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> July 7, 2008	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION: Approval of the Resolution.

BACKGROUND: The following is the Resolution to purchase a Type III Highliner Ambulance through the League of Oregon Cities financing program. This was the ambulance that was described by Chief Bill Hahn at a previous Council meeting.

FISCAL IMPACT: \$210,000 financed over seven years at a maximum average interest rate of 7.00%.

ATTACHMENTS: Resolution No. 3164

**RESOLUTION NO. 3164**

NAME OF CITY: CITY OF DALLAS  
LOCATED IN: POLK COUNTY, OREGON  
MAXIMUM PRINCIPAL COMPONENT: \$210,000  
MAXIMUM FINANCING TERM: SEVEN (7) YEARS  
MAXIMUM AVERAGE INTEREST RATE: 7.00%  
EXECUTING OFFICIALS: Mayor, City Manager

RESOLUTION APPROVING THE FINANCING AGREEMENT WHEREBY THE CITY FINANCES AND/OR REFINANCES CERTAIN REAL OR PERSONAL PROPERTY; AND AUTHORIZING THE OFFICERS OF THE CITY TO EXECUTE THE FINANCING AGREEMENT AND SUCH OTHER DOCUMENTS AND CERTIFICATES AS MAY BE NECESSARY TO CARRY OUT THE TRANSACTIONS CONTEMPLATED BY THE AFOREMENTIONED AGREEMENT.

WHEREAS, the above named City (the "City"), is authorized under Oregon Revised Statutes ("ORS") 271.390 and ORS Chapter 287A to enter into binding financing agreements to finance and/or refinance certain real or personal property; and

WHEREAS, the League of Oregon Cities (the "League") has established its cooperative financing program called the League of Oregon Cities' Cooperative Asset Financing Program (the "Program"), which allows members of the League who are authorized by law to enter into financing agreements (the "Participating Cities"), to participate in a pooling of the individual Participating Cities' financing agreements to achieve better interest rates and lower administrative and legal costs; and

WHEREAS, to accomplish the Program, the League has entered into a Master Financing Agreement, dated as of April 27, 2004, as amended, (the "Master Financing Agreement"), with Wedbush Morgan Securities, Inc. (the "Underwriter") pursuant to which financing and refinancing will be made available by the Underwriter to Participating Cities under the terms set forth in the Master Financing Agreement; and

WHEREAS, it is intended that the City will enter into a Financing Agreement (the "Financing Agreement"), to finance and/or refinance certain real or personal property more particularly described therein (the "Project") and as agreed and approved to by the Executing Officials subject to the terms and conditions and for the purposes set forth in the Financing Agreement; and

WHEREAS, the City anticipates incurring expenditures (the "Expenditures") to finance the costs of the Project and wishes to declare its official intent to reimburse itself for any Expenditures it may make from its general funds on the Project from the proceeds of Certificates of Participation (the "COPs"), the interest on which shall be excluded from gross income under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code");

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY DOES HEREBY FIND, DETERMINE, DECLARE AND RESOLVE AS FOLLOWS:

Section 1. Recitals. All of the above recitals are true and correct and the City Council of the City so finds and determines. The City hereby determines that the Project is needed for City purposes.

Section 2. Approval of Financing Agreement. The Financing Agreement shall be approved by the representatives of the City executing said documents, said representatives' execution thereof to be conclusive evidence of said representatives' approval. The City Council designates the Mayor and City Manager, (each an "Executing Official") and authorizes and directs them to execute, attest to and deliver the Financing Agreement and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution on behalf of and as the act and deed of the City.

Section 3. Terms of Financing. The City shall participate in the Program. The total principal component of payments shall not exceed the Maximum Principal Component designated above. In no event shall the maximum average interest rate exceed the Maximum Average Interest Rate designated above. The term of the financing shall not exceed the Maximum Financing Term set forth above provided that the term may be rounded up or down to coincide with the payment dates of principal component under the Program. Execution of the Financing Agreement by the Executing Officials shall be deemed to be final approval of the final payment schedule to the Financing Agreement.

Section 4. Disclosure Relating to Financing Agreement. In the event that the aggregate principal amount of certificates of participation of which the Financing Agreement is a part exceeds \$1,000,000, then the Executing Officials is authorized to do the following: (a) review the disclosure information on the City in the disclosure document prepared by the Underwriter, and upon conformance with any changes requested by the Executing Official, to deem it a final disclosure document (the near final official statement) under Securities and Exchange Commission Rule 15c2-12 (the "Rule"), and (b) if required, execute and deliver a continuing disclosure certificate whereunder the City will agree to comply with the information reporting requirements of the Rule.

Section 5. Further Authority. The City shall, and the officers and agents of the City are hereby authorized and directed to, take such action, expend such funds and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution and to carry out, comply with and perform the duties of the City with respect to the Financing Agreement.

Section 6. Reimbursement of Prior Expenses. The City hereby declares its official intent to reimburse itself with the proceeds of the COPs for any of the Expenditures incurred by it prior to the issuance of the COPs.

Section 7. Effective Date. This Resolution shall take effect and be in full force and effect from and after its passage and approval.

APPROVED BY THE CITY COUNCIL OF THE CITY OF DALLAS, POLK COUNTY, OREGON THIS 7<sup>th</sup> DAY OF JULY, 2008.

**CITY OF DALLAS  
POLK COUNTY, OREGON**

\_\_\_\_\_  
JAMES B. FAIRCHILD, MAYOR

**ATTEST:**

\_\_\_\_\_  
JERRY WYATT, CITY MANAGER

ORDINANCE NO. 1689

An Ordinance Amending DCC 6.305, 6.310, 6.325 and 6.365 regarding Parking Regulations; adding new provisions to Dallas City Code Chapter 6; and repealing conflicting provisions.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. DCC 6.305, entitled "Method of Parking," is amended to read as follows:

"6.305 Method of Parking.

"(1) A motor vehicle parked on a public street shall be positioned along the right side of the street as determined from the position of the driver of the vehicle when it is being operated in a legal manner, approximately parallel with the curb line of the street, and not more than twelve inches from the curb line except as provided in subsections (2), (3), and (4) of this section.

"(2) A motor vehicle parked on a public street in the areas listed in this subsection shall be positioned along the right side of the street as determined from the position of the driver of the vehicle when it is being operated in a legal manner, with the right front wheel of the vehicle against the curb line of the street at an angle of approximately 45 degrees as measured from the curb line. The streets are:

"(a) Church Street from the south line of Oak Street to the north line of Washington Street.

"(b) Mill Street from the west line of Jefferson Street to the east line of Church Street.

"(c) Court Street from the west line of Jefferson Street to the east line of Church Street.

"(d) Along all other streets that have been specifically marked or designated as diagonal parking areas.

"(3) On streets on which traffic is restricted to vehicles moving in one direction only, motor vehicles shall be positioned along either the right or left side of the street as determined from the position of the driver of the vehicle when it is being operated in a legal manner, approximately parallel with the curb line, and as close to the curb line as is practicable.

"(4) Notwithstanding the provisions of subsections (1), (2), and (3) of this section, vehicles, while actually being used in the loading or discharge of cargo anywhere within the city, may be backed into the curbing unless otherwise directed by the chief of police or other police officer."

Section 2. DCC 6.310, entitled "Prohibited Stopping and Parking," is amended to read as follows:

“6.310 Prohibited Stopping and Parking.

“No person shall stop or park a motor vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control signal, in any of the following places:

“(1) Within an intersection.

“(2) On a crosswalk.

“(3) Between a safety zone and the adjacent curb, or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings.

“(4) Within 25 feet from the intersection of curb lines or, if none, within 15 feet of the intersection of property lines at an intersection within a business or residence district, except at alleys.

“(5) Within 30 feet of an official flashing beacon, stop sign, or traffic control sign located at the side of the roadway.

“(6) Within 15 feet of the driveway entrance to a fire station.

“(7) Within 10 feet of a fire hydrant.

“(8) In front of a private driveway or public or private alley.

“(9) On a sidewalk.

“(10) Alongside or opposite a street or highway excavation or obstruction when such stopping, standing, or parking would obstruct traffic.

“(11) On the roadway side of a vehicle stopped or parked at the edge or curb of a highway or street.

“(12) At a place where official traffic signs have been erected prohibiting, limiting or restricting standing and parking.

“(13) Within a 25-foot radius of the intersection of the centerline of a highway and a railway crossing.

“(14) In a manner that causes the vehicle to occupy more than one designated parking stall in areas where stalls are indicated by markings on the street or curb.”

Section 3. DCC 6.325, entitled "Time Limitations," is amended to read as follows:

“6.325 Time Limitations.

“(1) No person shall stand or park a motor vehicle upon the street in excess of two hours between 8:00 a.m. and 5:00 p.m., except Sundays and holidays, on the following:

“(a) Main Street between its intersection with the north line of Washington Street and its intersection with the south line of Academy Street.

“(b) The north side of Washington Street from its intersection with the west line of Jefferson Street to its intersection with the east line of Church Street.

“(c) Court Street, from its intersection with the west line of

Jefferson Street to its intersection with the east line of Church Street.

“(d) Mill Street from its intersection with the west line of Jefferson Street to its intersection with the east line of Church Street.

“(e) Oak Street from its intersection with the west line of Jefferson Street to its intersection with the east line of Robb Street and Robb Street extended.

“(f) Jefferson Street from its intersection with the south line of Oak Street to its intersection with the north line of Washington Street.

“(2) The repositioning of a motor vehicle from one parked position to another parked position on either side of the street within the same block, and within a thirty minute period of time, shall not be treated as interrupting the continuity of the time the vehicle has been parked for the purposes of this section.”

Section 4. DCC 6.365, entitled "Penalties," is amended to read as follows:

“6.365 Penalties.

“(1) Violation of section 6.300 to 6.325 is punishable as follows:

“(a) By a fine of \$20 if paid within 10 days from the date the citation was issued, or, if not so paid, then

“(b) By a fine of \$40 if paid within the next 50 days, or if not so paid, then

“(c) By a fine of \$60 if not paid within 60 days after issuance of the citation.

“(e) (i) If the prescribed fine is not paid within 30 days of issuance of the citation, the obligation may be turned over to a collection agency.

“(ii) If the prescribed fine is not paid within the first 10 days, the city shall mail a notice to the registered owner advising him of the provisions of the section, but failure to send this notice shall not be a defense nor affect the time periods allowed for payment.

“(iii) A fine shall not be deemed paid until the date payment is actually received by the municipal court or collection agency.

“(iv) The time for payment shall be computed by excluding the day the citation is issued and including the last day, unless the last day falls upon a legal holiday (including city holidays), Saturday or Sunday, in which case payment may be made on the next succeeding business day without additional penalty.

“(2) The fines set forth herein may be amended by resolution of the council. [Subsection (2) added by Ordinance No. 1506, passed January 3, 1995.]”

Section 5. The following new provisions are added to and made a part of Dallas City Code Chapter 6:

6.370. Immobilizer.

Any peace officer may immobilize a motor vehicle located upon a public street or city off-street parking facility by installing on or attaching to the vehicle an immobilizer if:

- (1) The vehicle is parked in violation of any of the provisions of this chapter and at the time displays no license plates; or
- (2) The driver, owner, or person in charge of the motor vehicle has bails, fines, or bail forfeitures of not less than \$60.00 outstanding for more than 30 days.

6.375. Immobilizer Removal.

No person, except a peace officer may remove or attempt to remove the immobilizer and no person shall move or attempt to move a vehicle immobilized under section 6.370 until the device is removed by the City.

6.380. Hearing.

If a vehicle is immobilized, the person entitled to the vehicle may request a hearing in the manner of a hearing on an impounded vehicle in accordance with sections 6.535 to 6.545.

6.385. Immobilization Penalty.

- (1) At the time of immobilization, a peace officer shall, in addition to all unpaid bails, fines or bail forfeitures affix an additional penalty not to exceed \$50 for the installation of the immobilizer.
- (2) The total of all unpaid bails, fines and bail forfeitures shall be paid before the immobilizer is removed. This shall include the immobilizer penalty and all outstanding and unpaid parking citations.

6.390. Tampering With Or Damaging An Immobilizer.

It shall be a Class A misdemeanor for any person to willfully destroy, damage, deface, alter, tamper with, or in any way impair the usefulness, temporarily or permanently, of any immobilizer.

Section 6. All prior ordinances and resolutions that conflict with the provisions set forth in this ordinance are hereby repealed.

Read for the first time:	July 7, 2008
Read for the second time:	July 21, 2008
Passed by the City Council:	July 21, 2008
Approved by the Mayor:	July 21, 2008

\_\_\_\_\_  
JAMES B. FAIRCHILD, MAYOR

ATTEST:

\_\_\_\_\_  
JERRY WYATT, CITY MANAGER

ORDINANCE NO. 1688

An Ordinance Amending DCC 5.382 and 5.384 Regarding Licensing of Dogs; and repealing conflicting provisions.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. DCC 5.382, entitled "License Required," is amended to read as follows:

"DCC 5.382. License Required:

"(1) Every person keeping a dog that has a set of permanent canine teeth or is six months old, whichever comes first, shall procure a license for the dog. The license must be procured by paying a license fee to the City, unless payment of the license fee is waived under subsection (5) below, within thirty days after a dog acquires its permanent canine teeth or turns six months old, as provided above, or the person becomes keeper of the dog, and thereafter continuously maintained in effect as provided herein. A dog license shall be valid for one, two, or three years. License fees shall be established by resolution and are nonrefundable.

"(2) No license shall be issued for any dog with a set of permanent canine teeth without either:

"(a) Certification that the dog has been vaccinated for rabies and that such vaccination is effective until at least thirty days prior to the date of expiration of the licensed applied for; or

"(b) A certification from the examining veterinarian stating that the dog should be exempted from the requirement for rabies vaccination due to medical reasons, and whether the reason for the exemption is permanent, and if it is not, the date the exemption ends. The reasons for the exemption and a specific description of the dog, including name, age, sex, breed, and color shall be recorded by the examining veterinarian on a Rabies Vaccination Certificate which shall bear the keeper's name and address. If the medical exemption is granted for less than the annual license period, the license shall expire 15 days following the expiration of the medical exemption period unless the owner submits a Rabies Vaccination Certificate.

"(3) License tags shall be securely displayed upon dogs at all times, except when the dog is confined to the keeper's premises or displayed in lawful exhibition.

"(4) A license is not transferable to another dog and shall be void upon transfer of a licensed dog to another keeper.

"(5) No license fee shall be required to be paid for any dog in the following circumstances:

"(a) The dog is an "assistance animal" as defined by ORS 346.680, provided the keeper tenders to the Police Department a written statement from a health care professional confirming the dog keeper's

medical need for such a dog.

“(b) The dog is in training to be an assistance animal as defined in ORS 346.680, in affiliation with a recognized organization for the training or placement of assistance animals, provided the trainer tenders to the Police Department a written statement attesting to such status of the dog.

“(c) The dog’s keeper moves into the City of Dallas or the dog’s owner transfers the keeping of the dog to a person who resides in the City, and the dog has a current license from another jurisdiction, provided the dog remains in the possession of the keeper to whom such license was issued.

“(d) The dog is kept primarily in kennels for commercial sale and is not permitted to run at large.

A license shall be issued for such dog upon a determination that the dog qualifies for a license fee waiver for the annual license period.”

Section 2. Licenses issued by Polk County, Oregon prior to and effective as of the effective date of this ordinance shall remain valid until their expiration date, and a dog licensed by Polk County on the effective date of this ordinance shall be deemed licensed for the purpose of this ordinance until such license expires.

Section 3. DCC 5.384, entitled “Impoundment,” is amended to read as follows:

“DCC 5.384 (1) When a dog is impounded under authority of section 5.380, the animal control officer shall give written notice to the owner or custodian of the dog, either by personal service or by posting notice on the front door to the owner or custodian’s residence, if the dog has, on a tag or otherwise on the dog, information sufficient to enable the animal control officer to serve the owner or if the animal control officer has actual knowledge sufficient to enable the animal control officer to serve the owner. Such notice shall state the name of the dog, if known, a general description of the dog, the date it was impounded, the amount of the daily boarding fee and the redemption fee, that a license for the dog must be obtained before redemption, and the date after which the dog may be humanely killed or adopted if the dog has not been redeemed.

“(2) The owner or custodian of the dog may reclaim the animal by paying a daily boarding fee and a redemption fee in the amounts set by resolution of the Council.

“(3) No dog required to be licensed under section 5.382, that does not have a current license when impounded, shall be released from impoundment until the owner or custodian has obtained a license for the dog as provided by section 5.382. In addition, if the dog is (a) unlicensed or (b) licensed but not displaying the license tag required to be displayed under section 5.382(3), the owner or custodian shall implant the dog with microchip identification and registration with an approved national database, and provide proof of such registration within seven days after release from impoundment.

“(4) If, at the expiration of five days after notice was given, the owner or custodian has failed to reclaim the dog and pay the fees, the dog may be humanely

killed or ownership thereof may be transferred to a new owner (adoption) provided the prospective new owner prepays the actual cost of spaying or neutering (which funds shall be transferred to the veterinarian performing the procedure) and thereafter actually has the dog spayed or neutered. The fee for an adoption shall be set by resolution. The Chief of Police, or his or her designee, may waive the requirement that the dog be spayed or neutered if, in his or her opinion, it would be unlikely that the dog would deliver or cause unwanted puppies. A prospective new owner may appeal the decision on the waiver to the City Manager by paying an appeal fee set by resolution. The fee for the adoption of a dog shall be set by resolution provided that fee shall be equal to the cost of neutering or spaying the dog if that requirement is imposed.

“(5) If a written notice as described in subsection (1) above cannot be given within five days of impoundment, the dog may thereafter be humanely killed or adopted under the provisions of subsection (4).

Section 4. All prior ordinances in conflict with the terms and provisions of this ordinance are hereby repealed.

Read for the first time:	June 16, 2008
Read for the second time:	July 7, 2008
Passed by the City Council:	July 7, 2008
Approved by the Mayor:	July 7, 2008

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JAMES B. FAIRCHILD, MAYOR

ATTEST:

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JERRY WYATT, CITY MANAGER