



City Council

Mayor
Jim Fairchild

Council President
Ken Woods, Jr.

Councilor
Brian Dalton

Councilor
Warren Lamb

Councilor
Jackie Lawson

Councilor
Kevin Marshall

Councilor
Wes Scroggin

Councilor
David Shein

Councilor
David Voves

Councilor
LaVonne Wilson

Staff

City Manager
Jerry Wyatt

Asst. City Manager
Kim Marr

City Attorney
Lane Shetterly

Community Development
Director
Jason Locke

Finance Director

Fire Chief
Bill Hahn

Interim Police Chief
Tom Simpson

Public Works Director
Fred Braun

Dallas City Council Agenda

Monday, December 15, 2008, 7:00 p.m.

Mayor Jim Fairchild, Presiding

Dallas City Hall

187 SE Court Street

Dallas, Oregon 97338

All persons addressing the Council will please use the table at the front of the Council. All testimony is electronically recorded. If you wish to speak on any agenda item, please raise your hand to be recognized after the Mayor calls the item, or sign in on the provided card.

<u>ITEM</u>	<u>RECOMMENDED ACTION</u>
1. ROLL CALL	
2. PLEDGE OF ALLEGIANCE TO THE FLAG	
3. APPROVAL OF MINUTES Approval of minutes of the Dec 1, 2008 Council meeting (p. 3)	Action requested
4. REPORTS OR COMMENTS FROM THE COUNCIL MEMBERS	
5. QUESTIONS OR COMMENTS FROM THE AUDIENCE <i>This time is provided for citizens to address the Council or introduce items for Council consideration on any matters other than those on the agenda.</i>	
6. PUBLIC HEARINGS <i>(Public comment will be allowed on items appearing on this portion of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.)</i>	
7. REPORTS OF SPECIAL COMMITTEES AND CITY OFFICERS City Manager's Reports	
a. Allied Waste Report	Information
b. 2010 Census Partner Proclamation (p. 7)	Proclamation
c. Public Works/Building and Grounds Committee Meeting	Discussion
d. Report on the Dec 9, 2008, Planning Commission Mtg (p. 8)	Information
e. Department Reports for the month of November (p. 9)	Information

Dallas City Council Agenda

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Our Vision

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

Our Mission

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

Our Motto

*Commitment to the Community.
People Serving People.*

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

f. Other

8. COMMUNICATIONS AND PETITIONS

9. RESOLUTIONS

10. FIRST READING OF ORDINANCE

- a. Ordinance No. 1696 – An Ordinance amending provisions of the Dallas City Code, “Parking Regulations;” creating new provisions; and repealing conflicting provisions. (p. 27) First Reading

11. SECOND READING OF ORDINANCE

- a. Ordinance No. 1695 – An Ordinance establishing criminal background check policies concerning applicants for employment, appointed volunteers and others; and declaring an emergency. (p. 30) Roll Call Vote

12. OTHER BUSINESS

13. ADJOURNMENT

DALLAS CITY COUNCIL
Monday, December 1, 2008
Council Chambers

The Dallas City Council met in regular session on Monday, December 1, 2008, at 7:01 p.m. in the Council Chambers of City Hall with Mayor Fairchild presiding.

ROLL CALL

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

Also present were: City Manager Jerry Wyatt, City Attorney Lane Shetterly, Assistant City Manager Kim Marr, Public Works Director Fred Braun, Community Development Director Jason Locke, and Recording Secretary Emily Gagner.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Fairchild led the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES

Mayor Fairchild declared the minutes of the November 17, 2008, Council meeting approved as presented.

REPORTS OR COMMENTS FROM COUNCIL MEMBERS

Mayor Fairchild reported that the City received a plaque from the National League of Cities signifying the City has been a member for 25 years.

Councilor Dalton reminded everyone of the Christmas tree lighting on Friday at the Courthouse.

COMMITTEE REPORTS OF November 24, 2008

Administrative Committee Meeting – Councilor Kevin Marshall, Chair

Councilor Marshall reviewed the agenda from the Administrative Committee, noting there were no action items.

Public Safety Committee Meeting – Councilor David Shein, Chair

Councilor Shein reviewed several items from the Public Safety Committee agenda that could result in future Council action. He first discussed downtown residence parking permits, which would provide parking permits for those people who live downtown. Staff will research this further and come back to the Committee with a specific proposal. The next item was a change in the ordinance for exemptions for service vehicles or patrons parking downtown. He indicated the Police Chief has traditionally done these exemptions, but staff found recently that there is no actual authority for anyone other than the Council to issue those waivers. Staff will prepare a draft ordinance to bring to the full Council. Councilor Shein next discussed the background check format and procedure. He stated the City has a written policy, but for legal reasons, we must have an ordinance. He indicated there is a first reading of the ordinance tonight to put into Code what we already do by policy. Councilor Shein reported there was discussion about a medication round-up to keep old medicines out of the sewer system. Staff will research and report back to the Committee. Councilor Shein advised that the City has received some complaints about people feeding wild animals within city limits, particularly a flock of turkeys on the north end of town. He stated there is a limited amount the City can do, but they can make it unlawful to feed wild animals. Staff will be doing some research and come back to the full Council with a report and draft ordinance. Councilor Shein reported that the new ambulance the City ordered is going to be late due to problems in the supply chain. The supplier is securing the City a loaner vehicle similar to the one they are building for us, from Springfield. Councilor Shein indicated the Fire Chief is looking into the idea of banning backyard burning within the City limits. He will do further research and bring a proposal back to the Council.

Councilor Scroggin commented that an individual came to talk to Rotary that was with an

1 organization that collects old medications and gives them to those who can't afford to pay for
2 medication. He would like to see the City look into a program like that. Mr. Wyatt indicated the
3 City plans to incinerate the medication.

4 Councilor Scroggin asked if the City could do something in the wild animal ordinance to help
5 with the feral cat problem in the City. City Attorney Shetterly indicated it would be difficult to
6 define feral cats, as they are the same species as house cats, and the City does not license cats.

7 Councilor Voves stated he has seen reports that other cities have been able to do something with
8 the turkey problem, and wondered why Dallas can't. City Attorney Shetterly stated his
9 understanding is that Oregon Department of Fish and Wildlife (ODF&W) will trap the birds, but
10 they want to see initiative on the City's part too. He indicated he has a draft of a feeding
11 ordinance ready and stated anything the City does will be coordinated with ODF&W. Mr. Wyatt
12 advised staff will bring the no-feed ordinance to Council and contact ODF&W.

13 Councilor Lawson asked if the new ambulance is a replacement or additional vehicle. Mr. Wyatt
14 stated it is a replacement. Councilor Lawson asked why we are getting a used loaner if we are
15 just replacing a vehicle. Mr. Wyatt stated the loaner is newer than ours and is the same model as
16 the one we will be getting.

17 Councilor Lawson asked, regarding the downtown parking permit, if there weren't lots behind
18 the buildings downtown available for the residents, and if so, why the City is providing parking
19 permits. Mr. Wyatt explained many of those lots are private property. Councilor Lawson asked
20 why these residents will be allowed to take away business parking. Councilor Shein explained
21 these permits will be very limited, and also, not every business has parking behind the building.
22 Councilor Dalton indicated the permits would not be allowed on Main Street, but around the
23 corners. Councilor Lawson asked what the justification is. Mayor Fairchild indicated that is
24 why staff will be coming back with a full report. Councilor Shein stated that is why this topic is
25 not an action item at tonight's meeting.

26 **QUESTIONS OR COMMENTS FROM THE AUDIENCE**

27 There were no questions or comments from the audience.

28 **PUBLIC HEARINGS**

29 **REPORTS OF SPECIAL COMMITTEES AND CITY OFFICER**

30 **CANVASS ELECTION RESULTS**

31 Mr. Wyatt stated the Charter requires canvassing, or accepting, the election results. He then
32 reviewed those results.

33 Council President Woods moved to accept the election results of the November 4, 2008, election.
34 The motion was duly seconded and CARRIED UNANIMOUSLY with Council President Ken
35 Woods, Jr., Councilor Brian Dalton, Councilor Jackie Lawson, Councilor Kevin Marshall,
36 Councilor Wes Scroggin, Councilor David Shein, Councilor Dave Voves, and Councilor
37 LaVonne Wilson voting YES.

38 **PRELIMINARY 2008 POPULATION ESTIMATE**

39 Mr. Wyatt explained this item is just for the Council's information. The July 1, 2008 population
40 estimate is 15,375.

41 **PARK RESERVATIONS**

42 Mr. Wyatt explained we have received a number of requests for inflatables in the park. Staff is
43 also suggesting an increase in the fee for large groups due to increased costs to the City for
44 garbage. With an increased fee, staff can get more garbage containers.

45 Council President Woods asked what the inflatable policy would be. Mr. Wyatt explained it
46 would set a time for setup and take down of the inflatables and ensure they were located in a
47 specific place. Council President Woods asked if the City would require a certificate of
48 insurance. Mr. Wyatt stated we would.

49 Councilor Scroggin moved to direct the City Manager to implement the policy and associated

1 deposit for the use of inflatables within the Dallas City Park and implement an additional fee for
2 large groups using the reservation system. The motion was duly seconded and CARRIED
3 UNANIMOUSLY with Council President Ken Woods, Jr., Councilor Brian Dalton, Councilor
4 Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein,
5 Councilor Dave Voves, and Councilor LaVonne Wilson voting YES.

6 BLUE GARDEN UPDATE

7 Mr. Wyatt stated he has been working with the property owner and the building official has been
8 on site. Staff has issued the final permit for work. The owner has been doing demolition work,
9 removed all the duct work, and added sheathing and structural bracing. They can now move
10 forward with the structural membrane construction. Mr. Wyatt indicated the owners of the Blue
11 Garden have worked with Mr. Brixius to resolve his water issues. Councilor Shein asked for
12 notification when the roof is actually in place.

13 OTHER

14 Mr. Wyatt reminded the Council of the joint City Council/Planning Commission workshop on
15 Thursday, December 4 from 6:30 to 8:00 p.m.

16 Mr. Wyatt indicated the next Council workshop on December 10 would review EMS and the fire
17 bond.

18 COMMUNICATIONS AND PETITIONS

19 APPLICATION FOR TAXI CAB BUSINESS LICENSE – AFFORDABLE TAXI

20 Mr. Wyatt stated this request was withdrawn.

21 OTHER

22 Mr. Wyatt noted the Council received an invitation for a ribbon cutting ceremony on Friday for
23 the unveiling of the first traffic helicopter in Salem.

24 RESOLUTIONS

25 FIRST READING OF ORDINANCE

26 **Ordinance No. 1695:** An Ordinance establishing criminal background check policies concerning
27 applicants for employment, appointed volunteers and others; and declaring an emergency.

28 Mr. Wyatt stated this is the ordinance recommended by public safety subcommittee.

29 Mayor Fairchild declared Ordinance 1695 to have passed its first reading.

30 SECOND READING OF ORDINANCE

31 **Ordinance No. 1693:** An Ordinance adopting the Transportation System Plan (TSP), Volume I,
32 Sections 1-8, and Volume II, Appendices, dated November 17, 2008, as a chapter of the Dallas
33 Comprehensive Plan and repealing current transportation data, projects, language and policies.

34 Mayor Fairchild declared Ordinance No. 1693 to have passed its second reading. A roll call vote
35 was taken and Mayor Fairchild declared Ordinance No. 1693 to have PASSED BY A
36 UNANIMOUS VOTE with Council President Ken Woods, Jr., Councilor Brian Dalton,
37 Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David
38 Shein, Councilor Dave Voves, and Councilor LaVonne Wilson voting YES.

39 **Ordinance No. 1694:** An Ordinance adopting amendments to the Dallas Development Code.

40 Mayor Fairchild declared Ordinance No. 1694 to have passed its second reading. A roll call vote
41 was taken and Mayor Fairchild declared Ordinance No. 1694 to have PASSED BY A
42 UNANIMOUS VOTE with Council President Ken Woods, Jr., Councilor Brian Dalton,
43 Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David

1 Shein, Councilor Dave Voves, and Councilor LaVonne Wilson voting YES.

2 **OTHER BUSINESS**

3 Councilor Scroggin passed out a paper that spelled out something he's thought about for a while.
4 He stated it was a proposal for discussion about the way the Council selects a Council President.
5 He indicated he has met with the City Attorney and the City Manager, and has looked at the City
6 Charter. His proposal is that at the first meeting in the odd year, the Council will elect the
7 person who has been on the Council the longest. The next odd year, they would elect the person
8 who has been on the Council the next longest amount of time, if that person so chooses to serve
9 as Council President. As new people join the Council, they would be added to the end of the
10 seniority list. Councilor Scroggin indicated that if the Council chooses to follow this agreement,
11 it cannot be binding. Councilor Shein stated some people would have to wait 18 years to be
12 elected the Council President. Councilor Scroggin stated there are probably several members of
13 the Council that won't want to be president. He added that people may leave the Council, which
14 will also bump people up on seniority. Councilor Voves clarified that the proposal would not
15 preclude someone from voting for someone else. Councilor Scroggin stated that is correct.

16 Mayor Fairchild advised the Council to think about the proposal and stated they can discuss it
17 further at another meeting or at a workshop.

18 The meeting was recessed at 8:00 p.m. for executive session to evaluate the City Manager.

19 Mayor Fairchild reconvened the Council meeting at 8:34 p.m.

20 Council President Woods stated everyone is pleased with Mr. Wyatt's performance.

21 Council President Woods moved to renew the City Manager's contract with an increase from 3%
22 to 6% in his deferred compensation contribution. The motion was duly seconded and CARRIED
23 UNANIMOUSLY with Council President Ken Woods, Jr., Councilor Brian Dalton, Councilor
24 Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein,
25 Councilor Dave Voves, and Councilor LaVonne Wilson voting YES.

26 There being no further business, the meeting adjourned at 8:40 p.m.

27 Read and approved this _____ day of _____ 2008.
28
29
30

Mayor

31
32
33 ATTEST:

34 _____
35 City Manager



2010 CENSUS PARTNER PROCLAMATION

Whereas, an accurate census count is vital to our community and residents' well-being by helping planners determine where to locate schools, day-care centers, roads and public transportation, hospitals and other facilities, and is used to make decisions concerning business growth and housing needs; and,

Whereas, more than \$300 billion per year in federal and state funding is allocated to states and communities based on census data; and,

Whereas, census data ensure fair Congressional representation by determining how many seats each state will have in the U.S. House of Representatives as well as the redistricting of state legislatures, county and city councils, and voting districts; and,

Whereas, the 2010 Census creates jobs that stimulate economic growth and increase employment opportunities in our community; and,

Whereas, the information collected by the census is protected by law and remains confidential for 72 years;

Now, therefore, we PROCLAIM that the City of Dallas is committed to partnering with the U.S. Census Bureau to help ensure a full and accurate count in 2010.

As a 2010 Census partner, we will:

1. Support the goals and ideals for the 2010 Census and will disseminate 2010 Census information to encourage those in our community to participate.
2. Encourage people in the City of Dallas to place an emphasis on the 2010 Census and participate in events and initiatives that will raise overall awareness of the 2010 Census and ensure a full and accurate census.
3. Support census takers as they help our community complete an accurate count.
4. Create or seek opportunities to collaborate with other like-minded groups in our community, such as Complete Count Committees, to utilize high-profile, trusted voices to advocate on behalf of the 2010 Census.

Signed this 15th day of December, in the year 2008

ATTEST:

Mayor Jim Fairchild

Jerry Wyatt, City Manager

**City of Dallas Planning Commission
City Hall Council Chambers
187 SE Court St.**

**TUESDAY
December 9, 2008 - 7:00 p.m.**

AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES - Regular meeting of November 12, 2008 and workshop of December 4, 2008.
4. PUBLIC COMMENT – This is an opportunity for citizens to speak to items not on the agenda (3 minutes per person please.)
5. ANNOUNCEMENT OF PUBLIC HEARING GUIDELINES
(Copies available in the slots at the door.)
6. PUBLIC HEARINGS
 - A) A public hearing on the application of LS Construction Co, applicant, and Les Schwab Tire Centers of Portland, owner, to consider a Conditional Use to allow four storage containers at 121 Main Street, Tax Lot 7.5.28CC 801, in a CG, Commercial General, zone.

A motion was made, seconded, and carried to approve the request, subject to the seven (7) conditions listed in the staff report, and an added condition that the sight-obscuring fence also be installed on the south side of the storage containers.
7. OTHER BUSINESS
 - A) _____
 - B) _____

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		

November 2008 Monthly Report - Planning & Building

REVENUES		Month	Fiscal YTD
Planning	Nov-08	\$ 3,800	\$ 14,575
Building	Nov-08	\$ 18,239	\$ 97,963

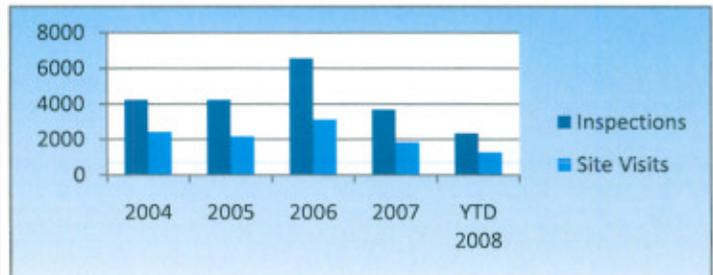
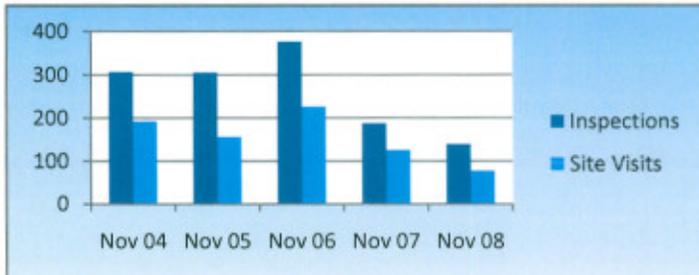
LAND USE APPLICATIONS

	Sign	Home Occupation	Conditional Use	Variance	Partition / Replat	Subdivision	Street Plan	Annexation	Zone Change
Nov-08	0	0	0	0	0	1	0	0	0
YTD 2008	13	8	4	4	5	1	0	0	1
Nov-07	1	0	1	0	0	0	0	0	0
Total 2007	15	5	7	10	8	3	0	1	5

INSPECTIONS AND SITE VISITS

Monthly: Inspections - 139 Site Visits - 77

Year to Date: Inspections - 2,355 Site Visits - 1,279



BUILDING PERMIT SUMMARY

Permit Use	Nov-08	Nov-07	YTD Total 2008	Annual Total 2007	YTD Valuation 2008	Annual Valuation 2007
New Single Family	1	5	30	71	\$5,896,612	\$14,792,450
New Duplexes	0	0	0	0	0	0
New Multifamily	0	0	1	1	390,000	272,792
Residential Remodel	2	4	58	47	1,642,594	1,188,903
Residential Accessory Building	0	4	4	21	59,891	379,298
New Commercial	0	1	15	12	3,724,861	4,199,410
Commercial Remodel	1	2	46	34	965,893	1,347,583
New Industrial	0	0	1	0	1,302,945	0
Industrial Remodel	0	0	0	0	0	0
Public Building	1	0	6	10	1,627,415	140,159
Mobile Home Accessory	0	0	0	0	0	8,040
Misc./No Fee Permits	0	0	0	0	0	0
Total All Categories	5	16	161	197	\$15,610,211	\$22,328,635

DALLAS AQUATIC CENTER

City Manager - Jerry Wyatt
Director - Jason Locke
Supervisor - Tina Paul

NOVEMBER 2008 MONTHLY REPORT

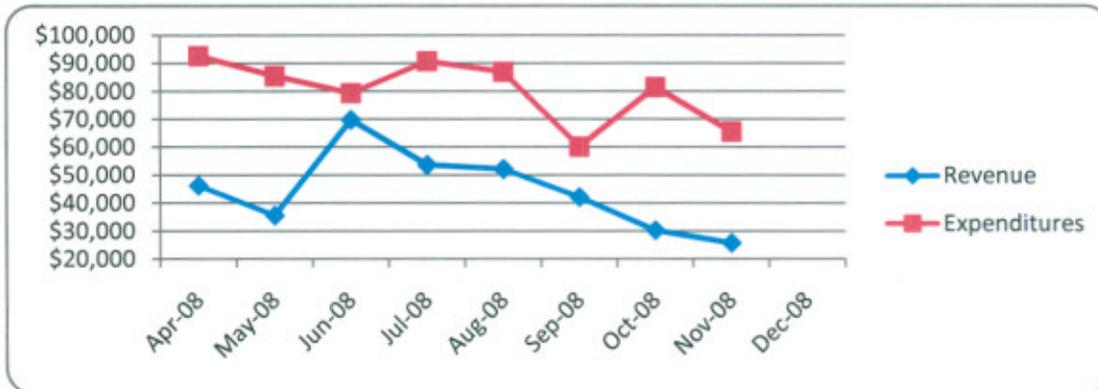
REVENUE	Nov-08	Fiscal YTD
General Admission	\$10,930	\$85,953
Annual Membership	6,422	42,265
Concessions	3,548	30,882
Pool Rental/Parties	2,935	8,185
Other	1,853	30,901
Nov-08	\$25,688	\$198,186
Nov-07	\$22,679	\$165,079

Current Members:	
Annual	627
3-month Water Aerobics	31

Monthly Attendance:	
November	12,436

EXPENDITURES	Month	Fiscal YTD
Nov-08	\$65,429	\$395,913
Nov-07	\$69,872	\$381,982

R/E Ratio = 50%
 (Revenue/Expenditure)



Utility Costs:	Nov-08	Fiscal YTD
Natural Gas	\$12,804	\$47,178
Electricity	\$7,237	\$38,487

Whats New:

- * Tina and her staff are reviewing scheduling weekly to ensure maximum utilization of staff and minmization of payroll
- * The Blue Dolphin Swim Team has broken away from Kids, Inc, and become a private swim club.
- * The Dallas High School held their first swim meet on 12/5, with 5 teams competing.
- * WOU Women's Water Polo team is in the process of negtitaing to use the facility for their matches

**Dallas Public Library
Monthly Report for November 2008**

Circulation Statistics

Adult	Nov 2008	Nov 2007	Children	Nov 2008	Nov 2007
Print Materials	6488	7203	Print Materials	2469	2684
Books on Tape/CD	593	454	Books on Tape/CD	161	154
AV Materials	1150	895	AV Materials	877	730
Misc. items	874	1310			
2008 Year to Date	114,844		2008 Year to Date	43,337	
Remote Renewals	856		2008 Year to Date	9586	
Combined Total	167,767				

Additional Activity

	November 2008	November 2007	Year to Date 2008
Non-Resident User Fees	\$ 290.00	\$ 170.00	\$ 5395.00
Fines Collected	\$ 638.64	\$ 869.63	\$ 9159.80
Photocopies	\$ 67.46	\$ 153.25	\$ 8664.51
Reference Questions	926	1163	12,692
Volunteer Hours	251.25	179.50	2619.50

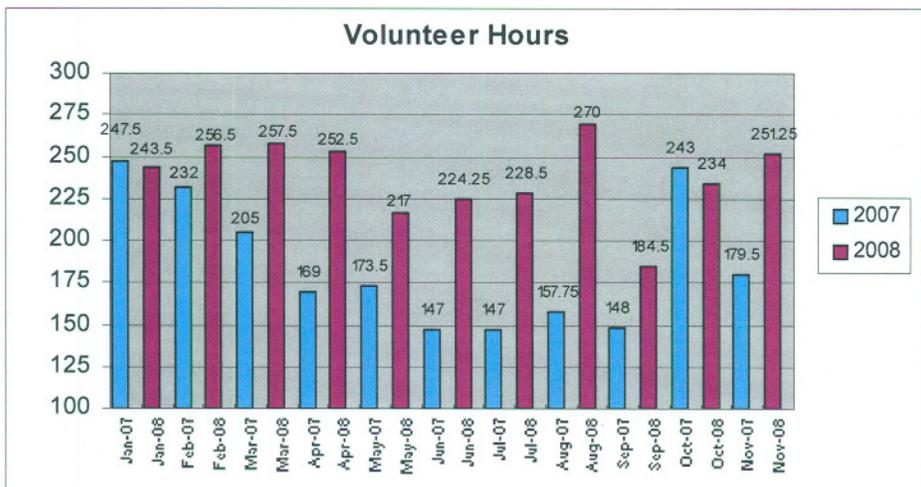
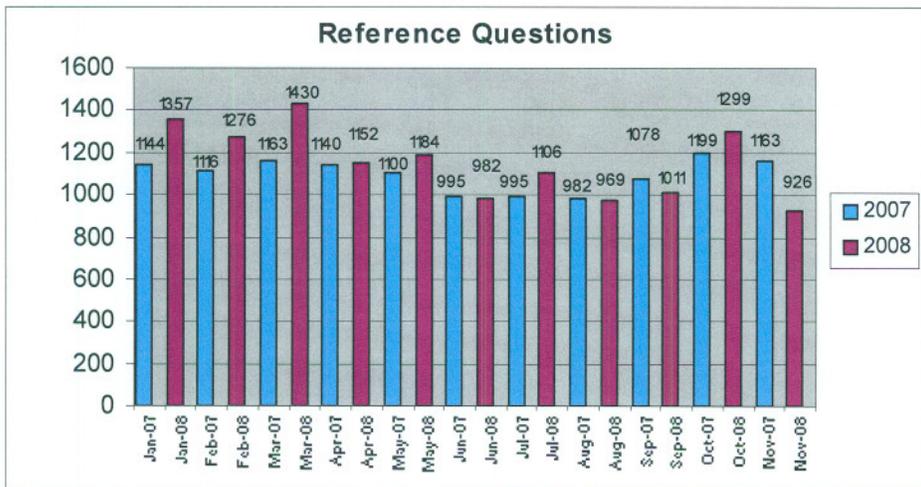
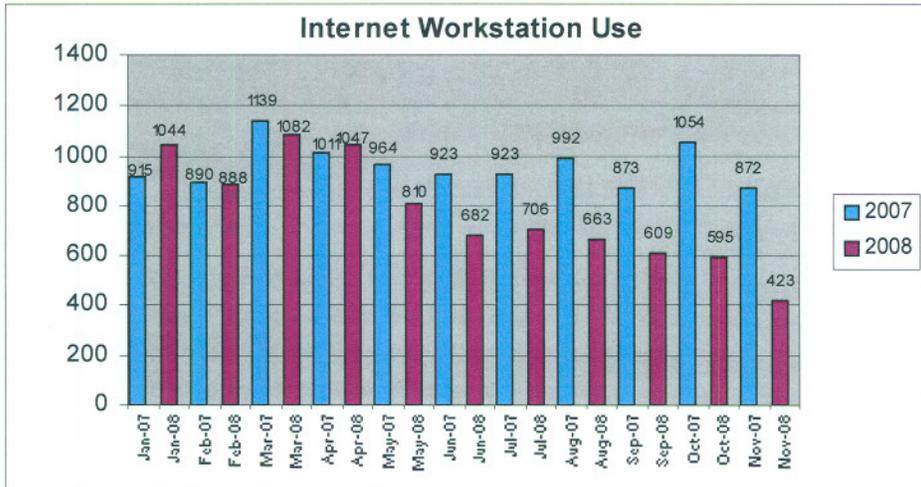
Registered Patrons – November 2008

City Residents		Non-Resident – Fee Paid		Non-Resident - Restricted	
Adult	5606	Adult	360	Adult	1235
Child	1638	Child	74	Child	415
YA (12-17)	510	YA (12-17)	37	YA (12-17)	165
Total	7754	Total Fee	471	Kids C.A.R.E.	466
				Total Restricted	2281
Non-Resident Total	2752				
Total Registered Patrons	10,506				

In addition, the month of November found the Children's Room buzzing with excitement as the Fall Sessions of Infants/Toddlers and Preschool Storytimes continue to be a popular activity. A total of 193 of our youngest patrons enjoyed hearing stories, music and in general participating in these exciting, fun-filled activities.

Announcement We've been waiting for several months, and now as part of a pilot project, our Self Check terminal has a definite date of Dec. 1, 2008 for installation and set up!!

Dallas Public Library Monthly Report for November 2008



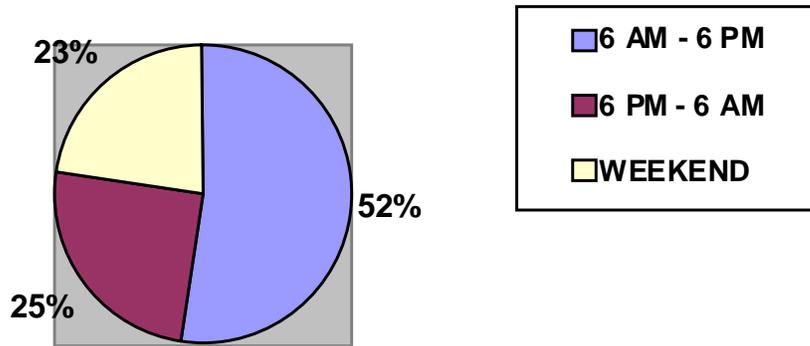
COUNCIL REPORT – NOVEMBER 2008

To: Mayor & City Council Members

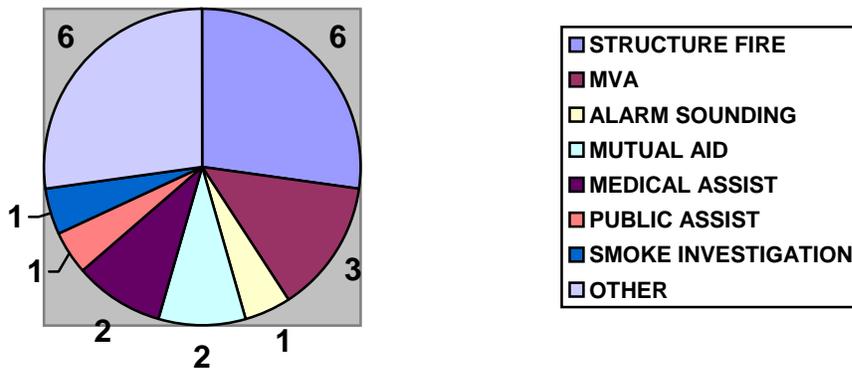
From: Fire Chief

Dallas Fire Department:

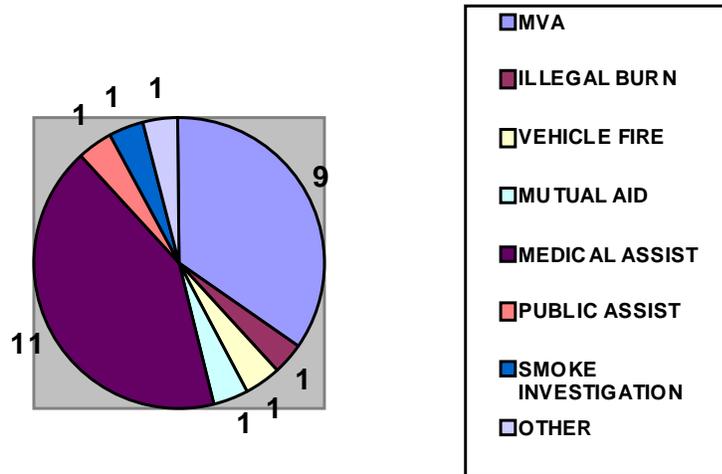
Station 100 responded to 48 calls of which 25 were between 6 AM – 6 PM, 12 between 6 PM – 6 AM and 11 during the weekend.



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.



Dallas Fire and EMS bond was not successful; we believe a down turn in the economy was the leading factor.

Dennis Unger and Bill Hahn attended the Oregon Fire District Directors Association and Oregon Fire Chief Association conference in Seaside. There were a lot of good speakers who provided a wealth of knowledge.

A joint child safety seat clinic was held at the Dallas station in partnership with Salem Hospital and West Valley Hospital.

City Manager Jerry Wyatt, who shared some thoughts on the bond results, attended our quarterly staff meeting.

Members of the fire department and association attended the dedication of Dicks Auto Glass and the Car Doctor at their new site on Monmouth Cut-Off.

Dallas Emergency Medical Service:

Arrival of the new leased medic unit has been pushed back due to problems with a sub-contractor. The tentative delivery date is now late March or April. In the mean time we are working with Springfield to use a unit they will be offering for sale.

Based on current activity, it appears our medical responses for the year will be equal to or slightly higher than last year's totals.

New equipment has been added to better provide access for fluids or drug administration with the "Easy IO" a bone marrow device.

MEMORANDUM

DALLAS POLICE DEPARTMENT MONTH OF NOVEMBER '08

TO: JERRY WYATT

December 15, 2008

FROM: INTERIM CHIEF TOM SIMPSON

Our two newest officers were hired, Jim Wadsworth on Nov 7th and Sunny McKnight on Nov 10th. Wadsworth has no prior police experience and was hired to replace Donnie Vidrio who left to work for Salem Police. He currently lives in South Salem. McKnight has approximately twelve years of prior experience as a police officer and lives here in Dallas. The position she filled was an additional position the City Manager authorized to help improve patrol coverage. The additional officer will enable us to better manage the minimum staffing required by our current Collective Bargaining Agreement, as prompted by the recent passage of Senate Bill 400.

Lieutenants Dankenbring, Dunham, Hatchell and Van Laanen attended their first week of Middle Management training at DPSST in Salem. This training helps provide new supervisors with the necessary skills to manage law enforcement employees. This includes, but is not limited to, managing the complexities of labor law, managing resources assigned to their respective patrol squads and carrying out--and insuring compliance with--Department and City policies.

Multiple reports of suspicious fires spanning several weeks became organized as an investigation into what was suspected as a serial arsonist. The Police and Fire Departments joined efforts with the Oregon State Police and Office of the State Fire Marshal to aggressively investigate what was developing into a series of criminal events not common for our community.

NOVEMBER 2008

The following is a summary of traffic violations committed:

09 Speeding Violations
05 License Violation
09 Insurance Violations
11 Moving Violations
04 All Other

Investigations / Calls for Service by this Department

45	Animal Ordinance Offenses	Clear by Arr	03
01	Arson	Clear by Arr	01
04	Assaults	Clear by Arr	05
03	Burglary	Clear by Arr	01
21	Criminal Mischief	Clear by Arr	08
11	Disorderly Conduct	Clear by Arr	11
04	DUII	Clear by Arr	04
02	Driving While Suspended	Clear by Arr	02
03	Drug Offenses	Clear by Arr	03
01	Elude	Clear by Arr	01
02	Endangering Welfare Minor	Clear by Arr	02
05	Fail Carry Present License	Clear by Arr	05
01	Fail Register Sex Offender	Clear by Arr	01
02	Furnishing Alcohol to Minor	Clear by Arr	02
08	Harassment	Clear by Arr	03
02	Interference Police Officer	Clear by Arr	02
15	Minor in Possession Alcohol	Clear by Arr	15
02	Menacing	Clear by Arr	02
02	Ordinance Offenses	Clear by Arr	02
01	Public Indecency	Clear by Arr	01
02	Reckless Driving	Clear by Arr	02
02	Recklessly Endangering	Clear by Arr	02
03	Resisting Arrest	Clear by Arr	03
03	Runaway	Clear by Arr	03
01	Stalking	Clear by Arr	01
26	Thefts	Clear by Arr	07
02	Trespass	Clear by Arr	05
03	Unlawful Entry Motor Vehicle	Clear by Arr	03
03	Warrants	Clear by Arr	03
74	Assist Public		
55	Assist Law		
22	Suspicious Activity		
13	Suspicious Vehicles		
08	Suspicious Persons		

- 16 Disturbances
- 07 911 Hangup
- 07 Welfare Checks
- 03 Assist Traffic
- 21 False Alarms
- 15 Civil Complaints
- 19 Noise Complaints
- 31 FIR (Field Investigation Report)

Arrests by this Department

- 03 Animal Ordinance Offenses
- 01 Arson I
- 05 Assault
- 01 Burglary
- 08 Criminal Mischief
- 11 Disorderly Conduct
- 05 DUII's
- 03 Drug Offenses
- 02 Driving While Suspended
- 01 Elude (Att)
- 02 Endangering Welfare Minor
- 05 Fail Carry & Present License
- 01 Fail Register Sex Offender
- 02 Furnishing Alcohol to Minor
- 03 Harassment
- 02 Interference Police Officer
- 02 Menacing
- 15 Minor in Possession Alcohol
- 02 Ordinance Offenses
- 01 Public Indecency
- 01 Reckless Driving
- 02 Reckless Endangering
- 03 Resisting Arrest
- 03 Runaway
- 01 Stalking Violation
- 07 Thefts
- 05 Trespass
- 03 Unlawful Entry Motor Vehicle
- 03 Warrants
- 103 **TOTAL ARRESTS** (Arrests for November '07:120)

TOTAL CALLS FOR SERVICE: 807 TOTAL (Last yr: 1033)

154 Incident Reports
653 Event Reports

JUVENILES

Eighteen juveniles were referred to juvenile authorities for their actions

COMMUNITY SERVICE REPORTS NOVEMBER 2008

COMMUNITY PROGRAMS

Community Service Officer ~ Jennifer Croll

- Officer Croll, along with Kim Marr, attended a PIO training held in Prineville.
- Three separate Neighborhood Watch presentations were held this month.
- A two-day training session was held in Portland on Evidence and Property in which Officer Croll attended.
- Two After Darc activity nights were well attended by middle and high school age students.

Animal Control

Community Service Officer ~ Todd Pendley

The new Helion program appears to be working well, and we are able to process dog licenses for the public in a streamline manner. We will be distributing additional brochures in the community in the very near future.

Code Enforcement
Community Service Officer ~ Ed Totten

November 2008

<u>NUMBER OF TOWED VEHICLES</u>	<u>0</u>
<u>NUMBER OF CITATIONS ISSUED</u>	<u>6</u>
<u>NUMBER OF FOLLOW-UP ACTIVITIES COMPLETED</u>	<u>88</u>

NEW CASES STARTED:

<u>DCC # 5.584-INOPERABLE VEHICLES (PRIVATE PROPERTY)</u>	<u>11</u>
<u>DCC # 6.320-VEHICLES STORED ON STREET/PARK STRIP</u>	<u>7</u>
<u>DCC # 6.505-ABANDONED VEHICLES</u>	<u>7</u>
<u>DCC # 5.582-JUNK</u>	<u>0</u>
<u>DCC # 5.556-SCATTERING RUBBISH (PRIVATE PROPERTY)</u>	<u>6</u>
<u>DCC # 6.315-TRUCK PARKING</u>	<u>1</u>
<u>DCC # 6.310-PROHIBITED STOPPING & PARKING</u>	<u>0</u>
<u>DCC # 5.276-CAMPING ON PUBLIC PROPERTY</u>	<u>0</u>
<u>DCC # 6.605-PARKING REGULATIONS (CAMPING)</u>	<u>0</u>
<u>DCC # 6.125-OBSTRUCTING STREETS OR SIDEWALKS</u>	<u>1</u>
<u>DCC # 5.588-GRAFFITI</u>	<u>2</u>
<u>DCC # 5.552- ATTRACTIVE NUISANCES</u>	<u>1</u>

HABITUAL PROBLEMS/OTHER ISSUES:

NARRATIVE:

Six citations were issued for parking violations.

DEPARTMENT OF PUBLIC WORKS

Monthly Report for November 2008

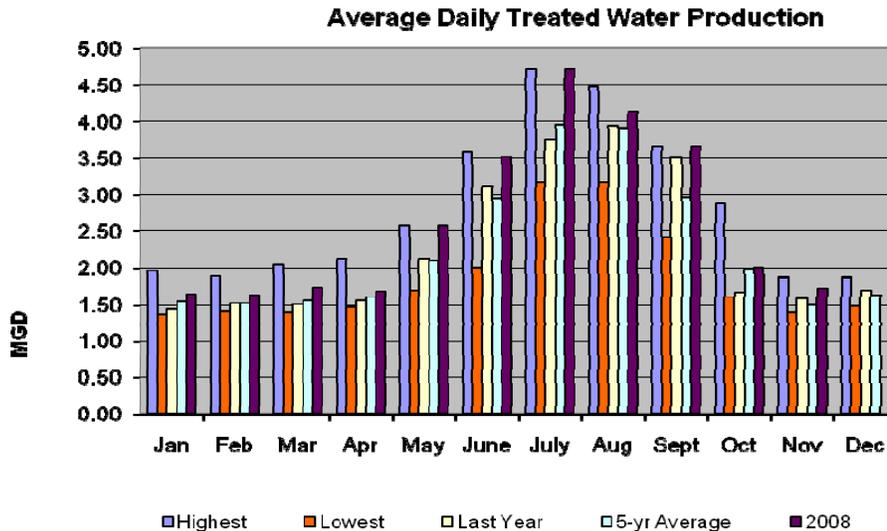
Water Division

	<u>2008</u>	<u>Unit</u>		<u>2007</u>	<u>Unit</u>
Total Discharge to Town	51.75	MG		47.6	MG
Total Water Raw	51.99	MG		49.7	MG
Peak Day	(Nov. 26) 2.06	MG	(Nov. 4)	2.01	MG
Daily Average-Raw	1.73	MGD		1.65	MGD
Daily Average-City	1.73	MGD		1.59	MGD
Backwash Water	4.11	MG		2.1	MG
Filter to Waste	1.25	MG		0.43	MG
Flushing		MG		0.25	MG
Discharge Water	.10	MG		0.10	MG
ASR Discharged					
Average High Temp	54 ° F			51.4 ° F	
Average Low Temp	41 ° F			35.9 ° F	
Total Precipitation	3.62	Inches		3.75	Inches

Mercer Dam and Watershed:

Reporting normal. Visual inspections were done on November 3, 5, 14, and 17, and walking inspections on November 7 and 21.

- 11-3 Dam 50'8"
- 11-5 Dam 59'1"
- 11-7 Dam Full



***Note: Usage continues to be at or near all-time highs**

Water Division – Continued

Intake Pump Station: Reporting normal. DC Electric completed drives and air burst.

Water Treatment Plant: Reporting normal. DC Electric put in paper management wiring for new computer and clearing contact basin was completed.

Reservoirs: Reporting normal. Prepared hatches and doors for the divers.

New Services: Three new services this month:

$\frac{3}{4}$ " 1085 SW Linden Lane

$\frac{3}{4}$ " 2017 SE Rhododendron Avenue

$\frac{3}{4}$ " 527 SE Hankle Street

Leak Repairs: There were no leaks to repair.

Worked on: Turn Valves, Meter Maintenance, Read Meters, Cleaned Contact Basin at Plant.

Wastewater Division

Effluent Flow

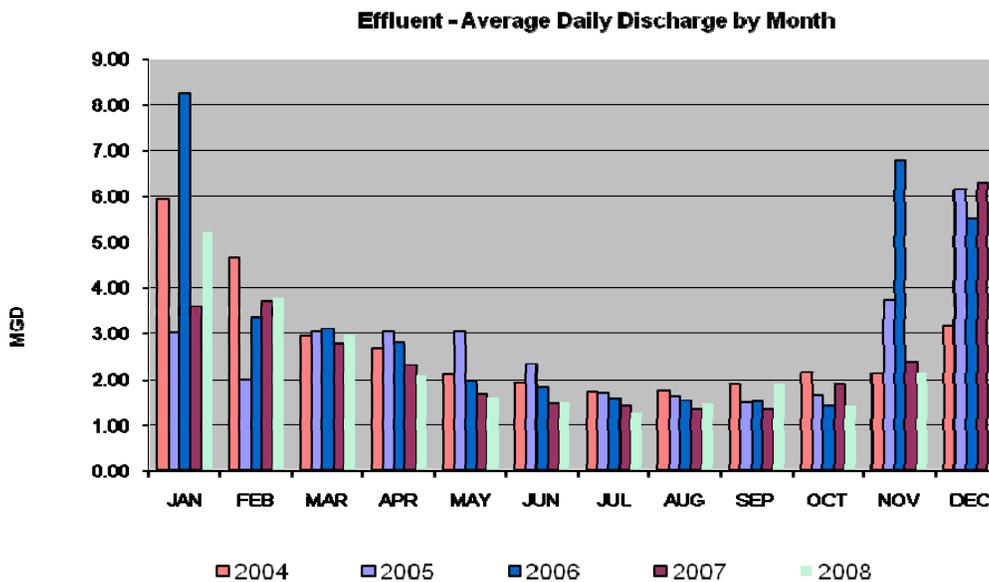
		<u>2008 Units</u>		<u>2007 Units</u>
Monthly Total Flow		64.38 MG		71.28 MG
Peak Day Flow	(Nov. 12)	4.04 MG	(Nov. 18)	5.48 MG
Daily Average Flow		2.15 MG		2.38 MG

Plant Maintenance

- ✓ Compliance audit from CH2M HILL OMI technical specialist, all data entry, records, and laboratory procedures are within CH2M HILL OMI specifications.
- ✓ Reduced aeration in the biological process to save energy yet maintain ammonia permit compliance.
- ✓ Rebuilt influent pump air relief valve.
- ✓ The plant experienced large influent pumps failing on November 12, 2008 due to foreign objects wrapping around the pump impellers.
- ✓ Removed one large influent pump and one small influent pump for repairs.

Plant Performance

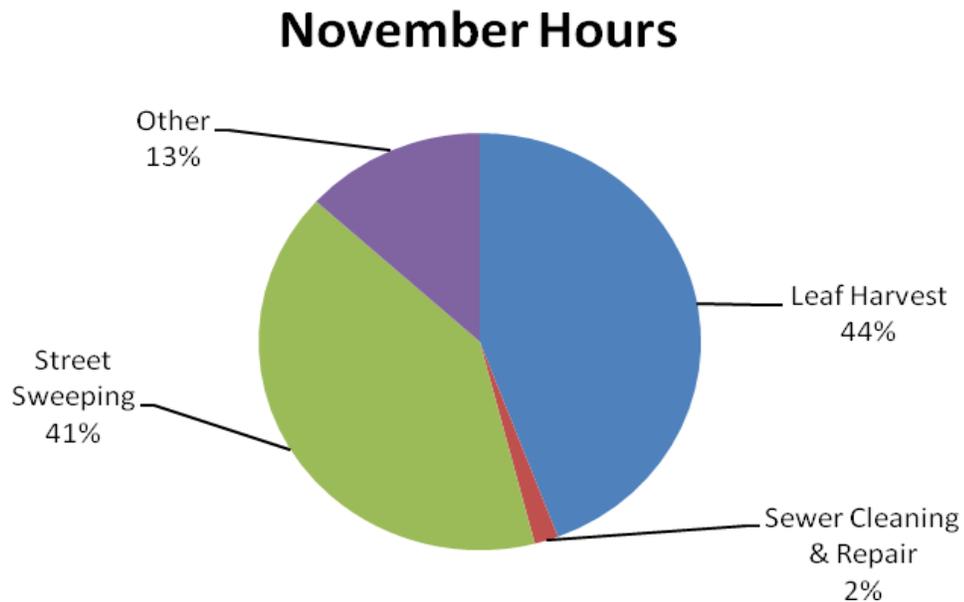
The plant experienced high flows on November 12, 2008. The large influent pumps had difficulty operating and upon inspection foreign debris was found in one the large influent pump impellor and in the influent pump station wetwell. The debris was removed and in the future operations will perform more frequent checks of the influent pump station wetwell. A compliance audit was performed at the beginning of November. All record keeping books, laboratory procedures, and data entry was accurate and within CH2M HILL OMI compliance specifications.



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

The Parks department provided the following routine services:

- ✓ Regular mowing of all parks
- ✓ Mulch or accumulate leaves from lawn areas
- ✓ Removed leaves from trails
- ✓ Pick up fallen limbs
- ✓ Prune shrubs
- ✓ Equipment service checked and/or repaired
- ✓ Removed leaves from park building roofs
- ✓ Landscaped Island on northeast corner of Ambulance Station
- ✓ Polk Co. Juvenile Work Crew cleared brush from Park Trail on November 15
- ✓ Ordered replacement trees for W. Ellendale Avenue
- ✓ Obtain quotes for stationary bench frames
- ✓ Have pedestals built for new barbeques
- ✓ Men's bathroom restoration from fire on November 20

Engineering

Subdivisions:

- Cynthian Oaks, Phase 2: Waiting for detention as-builts.
- Oak View Estates: Construction Underway.

Commercial Developments:

- Trinity Lutheran Church: Grading permit issued (August).
- DRV Ellendale Duplexes: Construction underway.
- Jasper Crossing Phase I: Construction underway.
- Ellendale Manor: Construction on-hold.
- MAK Metals: Construction underway.
- Miller Avenue Apartments: Plans under review

Programs / Projects:

- Phase II/ Monitoring: Plan approved by DEQ; fifth sampling event completed, preliminary results reviewed.
- Levens Street Bridge Replacement: Discussing fixes w/contractor.
- SE Monmouth Cut-off / Uglow Ave Intersection: Project review scheduled.
- Main St Water Reservoir: Electrical and telemetry work underway. Facilities disinfection and some site work including fencing remain.
- Downtown Parking Lot: Preliminary design and estimate completed.
- Maple Street Sewer: Project on hold.
- Intake Upgrade: Complete.
- PLC Upgrade: New PLC online. Operations/reporting software development underway.
- Clay Street Storm Sewer: Project on hold.
- Updating City of Dallas Construction Specification book.
- Cherry Street Water Transmission Line: Pipeline installed, punch list items remain.
- Loan funding approved for Mercer Dam outlet pipe repair.

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 grant application for feasibility studies submitted and recommended for award.
- Tracking Backflow testing.
- Pavement Management: Information analysis.
- Sidewalk Inspections: Ongoing.
- Weed Abatement: Season Completed.

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:

- OECD Water improvement documentation and reimbursement request
- ASR pump station project and grant application (award pending)
- 2 MG reservoir tank project
- Rotary Park improvement planning and coordination
- Cherry Street water project
- Downtown tree trimming project
- Capital Improvement Project (CIP)
- AMR project coordination
- EDA grant preparation and meetings
- Award tank cleaning and inspection project
- Lead and copper testing followup

Shop Services:

- Ongoing maintenance on vehicles, machinery & construction equipment
- Assist in leaf harvest
- Began in-house fabrication of park benches

Shop services hours were divided into the following areas:

Aquatic Center	9.50 hrs.
Community Development	4.00 hrs.
EMS	24.00 hrs.
Fire	20.00 hrs.
Outside Labor (Work performed within another division)	29.00 hrs.
Parks	7.50 hrs.
Police	6.50 hrs.
Public Works	216.50 hrs.
Rural Fire	1.00 hr.
Water	2.00 hrs.

Support Services

- Administrative support for Public Works
- Code Enforcement
- SOGs

ORDINANCE NO. 1696

An Ordinance amending provisions of the Dallas City Code, "Parking Regulations;" creating new provisions; and repealing conflicting provisions.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Dallas City Code Section 6.345 is hereby amended to read as follows:

"6.345 Parking Variances.

"The City Manager, or the City Manager's designee, may authorize a variance from the requirements of sections 6.300 to 6.330 if, due to special and unusual circumstances, literal interpretation would cause an undue or unnecessary hardship. In granting a variance, the City Manager or the City Manager's designee may attach conditions necessary to protect the best interests of the surrounding property or neighborhood and to otherwise achieve the purposes of sections 6.300 to 6.330. At the City Manager's discretion, the City Manager may refer a request for a variance to the council."

Section 2. Dallas City Code Section 6.350 is hereby amended to read as follows:

"6.350 Application.

"An application for a variance by a vehicle owner or his authorized agent shall be filed with the City Manager on prescribed forms."

Section 3. The following Section 6.353 is hereby added to and made a part of the Dallas City Code, "Parking Regulations:"

"6.353 Appeal.

"Any person aggrieved by a decision of the City Manager or the City Manager to grant or deny a variance under section 6.345 may appeal such decision to the City Council by filing a notice of appeal with the City Manager, together with an appeal fee of \$25."

Section 4. Dallas City Code Section 6.355 is hereby amended to read as follows:

“6.355 Public Hearing.

“In the event of an appeal filed under section 6.253, or if the City Manager refers an application for a variance to the council the appeal or variance shall be considered by the council at a public hearing. The hearing shall be held within 30 days after the notice of appeal or application is filed. The Manager shall give notice of the hearing in the following manner:

“(1) Notice shall be posted on neighboring property that would be directly affected by the variance and at least four copies posted within the affected area in a prominent and conspicuous place, at least ten days before the hearing. The notice shall be titled "Notice of Public Hearing Affecting this Area," in letters of at least one inch in height.

“(2) By sending notice by mail, not less than ten days before the date of the hearing, to the owners of the property abutting the property involved, as shown on the records of the county assessor. Failure of a person to receive notice specified in these subsections shall not invalidate any procedures in connection with the application for a variance.”

Section 5. Dallas City Code Section 6.360 is hereby amended to read as follows:

“6.360 Conditions.

“No variance shall be granted unless it can be shown that all of the following conditions exist:

“(1) The use authorized by the variance will not create a hazardous condition for vehicular or pedestrian traffic.

“(2) The use authorized by the variance will not cause an unreasonable inconvenience or disturbance to persons residing on neighboring properties.

“(3) Exceptional or extraordinary conditions apply to the applicant in the use of the applicant’s vehicle that do not apply generally to others and over which the applicant has no control.

“(4) The variance requested is the minimum variance from the provisions and standards of sections 6.300 to 6.330 which will alleviate the hardship.”

Section 6. All prior and conflicting ordinance provisions are hereby repealed.

Read for the first time: December 15, 2008
Read for the second time: January 5, 2009
Passed by the City Council: January 5, 2009
Approved by the Mayor: January 5, 2009

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

ORDINANCE NO. 1695

An Ordinance establishing criminal background check policies concerning applicants for employment, appointed volunteers and others; and declaring an emergency.

WHEREAS, ORS 181.555 and OAR 257-010-0025 establish procedures for access to criminal record information possessed by the Oregon State Police (OSP) through the Law Enforcement Data System (LEDS); and

WHEREAS, ORS 181.555(1) provides access to criminal offender information by criminal justice agencies and by other state and local agencies; and

WHEREAS, OAR 257-010-0025(1)(a) permits a Criminal Justice Agency access to OSP criminal offender information required to implement a local ordinance; and

WHEREAS, OAR 166-200-0090 provides for retention of employment selection information for a period of three years; and

WHEREAS, in order for the City government to operate effectively, persons selected for employment, public service volunteers, and certain other community employees and non-profit volunteers, must have the highest degree of citizen and public trust and confidence; and

WHEREAS, all City employees and service volunteers represent the City to its citizens; many City employees and volunteers have responsibilities to regulate and maintain public health and safety; and some City employees have the ability to authority to bind the City contractually, have access to public funds and property, and possess access to privileged and proprietary information submitted to City in confidence; and

WHEREAS, there is a need to protect vulnerable members of the community from harmful or dangerous encounters to persons who pose a risk based on a record of prior criminal activity, and to that end a review of the criminal records of certain other community employees and non-profit volunteers and housing tenants in the City is necessary and appropriate; and

WHEREAS, the City Council finds that it is in the public interest to access OSP criminal offender information through the LEDS system, for applicants for employment, and public service volunteers with the City, and certain other employees

in the community and non-profit volunteers and housing tenants; NOW, THEREFORE,

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. All applicants for employment or volunteer positions with the City, and all persons for whom a community employer, housing provider or non-profit organization authorized to request criminal background checks on employees or volunteers under Section 5 has requested a criminal background check, shall authorize the City to conduct a criminal background check through the OSP LEDS system.

Section 3. A member of the Police Department trained and authorized to perform criminal background checks through the LEDS system will conduct the check on the prospective City employee or volunteer, and orally report to the City Manager that the applicant's records indicates "no criminal record" or "criminal record." If the applicant's record is reported as "criminal record", the City Manager will, under OAR 257-010-0025, request a written criminal history report from the OSP Identification Services Section. The City Manager shall take into account the written criminal background record available to the City Manager for consideration in making whatever decision the City has been asked to consider.

Section 4. The written criminal background record on persons that are not hired or appointed by the City as an employee or volunteer will be retained in accordance with the requirements of OAR 166-200-0090 for a period of three years and thereafter will be destroyed. The criminal background record of applicants and volunteers with a criminal history that are hired, appointed or recommended by the City will become a part of the confidential personnel files of that individual. Access to confidential personnel files shall be limited to only authorized persons who have an official need to access such files that is sanctioned by law or regulation.

Section 5. Non-profit organizations that serve the community, other community employers, including, but not limited to public and private businesses, and housing providers in the community, may submit a request to the City Manager that the Police Department perform criminal background checks on prospective employees, volunteers and tenants. Such checks shall be at the sole discretion of the City Manager, who shall take into account Police Department workload priorities and staff availability. The Police Department shall confirm only if a criminal record on such persons exists, without any detail of such record.

Section 6. This Ordinance being necessary for the immediate preservation of the public health, safety, and welfare, an emergency is declared to exist and this Ordinance shall take effect immediately upon its passage.

Read for the first time: December 1, 2008
Read for the second time: December 15, 2008
Adopted by the City Council: December 15, 2008
Approved by the Mayor: December 15, 2008

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER