



City Council

Mayor
Jim Fairchild

Council President
Brian Dalton

Councilor
Warren Lamb

Councilor
Jackie Lawson

Councilor
Kevin Marshall

Councilor
Wes Scroggin

Councilor
David Shein

Councilor
David Voves

Councilor
LaVonne Wilson

Councilor
Ken Woods, Jr.

Staff

City Manager
Jerry Wyatt

Asst. City Manager
Kim Marr

City Attorney
Lane Shetterly

Community Development
Director
Jason Locke

Finance Director
Cecilia Ward

Fire Chief
Bill Hahn

Interim Police Chief
Tom Simpson

Public Works Director
Fred Braun

Dallas City Council Agenda

Tuesday, January 20, 2009, 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 Jan 5, 2009, Council meeting (p 3)	Action Requested
4. REPORTS OR COMMENTS FROM THE COUNCIL MEMBERS	
a. Fire Service Appreciation Day Proclamation (p 7)	Proclamation
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. Employee / Volunteer 4 th Quarter Recognition (p 9)	Presentation
b. WWTF Update by OMI	Information
c. Downtown Task Force Final Report (p 11)	Information
d. Council Legislative Committee Assignments (p 14)	Motion
e. Miller Avenue / Fir Villa Speed Study (p 15)	Information

Dallas City Council Agenda

Page 2

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. Walnut Avenue Speed Study (p 43) Information
- g. Planning Commission member appointment (p 50) Motion
- h. Report on the Jan 13, 2009 Planning Commission Mtg (p 53) Information
- i. Department Reports for the month of December (p 54) Information
- j. Other

8. COMMUNICATIONS AND PETITIONS

- a. Application for Taxi Cab Business License – Squirrels Taxi Service, Inc. (p 71) Motion
- b. Dallas Area Visitor Center Budget Report and Project Report for 2008 (p 76) Information

9. RESOLUTIONS

10. FIRST READING OF ORDINANCE

- a. Ordinance No. 1697 – An Ordinance amending provisions of the Dallas City Code Section 2.005, relating to council meetings. (p 77) First Reading
- b. Ordinance No. 1698 – An Ordinance amending provisions of the Dallas City Code Section 5.386, relating to wild animals; and repealing conflicting provisions. (p 80) First Reading
- c. Ordinance No. 1699 – An Ordinance amending provisions of the Dallas City Code Section 2.550, relating to the Park Board and declaring an emergency. (p 85) First Reading / Roll Call Vote

11. SECOND READING OF ORDINANCE

12. OTHER BUSINESS

13. ADJOURNMENT

Please note: Because of the Martin Luther King, Jr. Day holiday, the Council meeting will be held on **TUESDAY, JANUARY 20.**

1
2
3 **DALLAS CITY COUNCIL**
4 **Monday, January 5, 2009**
Council Chambers

5 The Dallas City Council met in regular session on Monday, January 5, 2009, at 7:00 p.m. in the
6 Council Chambers of City Hall with Mayor Fairchild presiding.

7 **ROLL CALL**

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

11 Also present were: City Manager Jerry Wyatt, City Attorney Lane Shetterly, Assistant City
12 Manager Kim Marr, Interim Police Chief Tom Simpson, Fire Chief Bill Hahn, Community
13 Development Director Jason Locke, Finance Director Cecilia Ward, and Recording Secretary
14 Emily Gagner.

15 **PLEDGE OF ALLEGIANCE TO THE FLAG**

16 Mayor Fairchild led the Pledge of Allegiance to the Flag.

17 **APPROVAL OF MINUTES**

18 Mayor Fairchild declared the minutes of the December 15, 2008, Council meeting approved as
19 presented.

20 **REPORTS OR COMMENTS FROM COUNCIL MEMBERS**

21 **SWEARING IN OF MAYOR AND RE-ELECTED AND NEWLY ELECTED COUNCILORS**

22 City Attorney Lane Shetterly swore in the re-elected and newly elected officials. Each of the
23 officials was presented a Certificate of Election.

24 **ELECTION OF COUNCIL PRESIDENT**

25 Councilor Shein nominated Brian Dalton for Council President.

26 Councilor Voves nominated Ken Woods, Jr. for Council President.

27 A roll call vote was taken and Councilor Dalton was elected Council President with a majority
28 vote, with Councilor Dalton, Councilor Lamb, Councilor Lawson, Councilor Shein and
29 Councilor Wilson voting for Councilor Dalton as Council President and Councilor Marshall,
30 Councilor Scroggin, Councilor Voves, and Councilor Woods voting for Councilor Woods for
31 Council President.

32 **MAYOR'S APPOINTMENT OF COUNCIL STANDING COMMITTEES**

33 Mayor Fairchild reviewed his appointments to the standing committees. These are:

34 Administrative: Ken Woods Jr., Chair, Brian Dalton, Warren Lamb, Jackie Lawson, LaVonne
35 Wilson

36 Building and Grounds: Wes Scroggin, Chair, Kevin Marshall, David Shein, Dave Voves

37 Public Safety: LaVonne Wilson, Chair, Brian Dalton, Warren Lamb, Jackie Lawson, Ken
38 Woods, Jr.

39 Public Works: Dave Voves, Chair, Kevin Marshall, Wes Scroggin, David Shein

40 **COUNCIL APPOINTMENTS AND REAPPOINTMENTS TO THE BUDGET COMMITTEE,
41 PARK AND RECREATION BOARD, AND PLANNING COMMISSION**

42 Mr. Wyatt discussed how the City Code outlines how the Council appoints membership on
43 committees and then he reviewed the various committee members interested in reappointment.

1 Mr. Wyatt noted that staff is looking to interview a couple applicants to replace Scott McLeod on
2 the Planning Commission. The successful candidate will be appointed by the Council at a later
3 date.

4 Mr. Wyatt explained that the Code requires an eleven member Park Board that includes at least
5 one Council member. Currently, there is no Councilor serving on the Park Board. There was
6 some discussion about the number of Board members, and it was agreed that the City Attorney
7 should write an Ordinance changing the number of Board members to “not less than 11 and not
8 more than 13 members” so that all those interested in reappointment could remain on the Board,
9 and we could appoint one Councilor to the Board as well. Mr. Wyatt asked any Councilor
10 interested in serving on the Park Board to let him know.

11 Mr. Wyatt indicated we need to replace James Brown on the Budget Committee, as he is now a
12 City employee, and staff will advertise to fill that position soon. He noted we have not heard
13 from Kelly Gabliks or Darla Williams regarding their interest for reappointment, but he is sure
14 they would be willing to serve another term.

15 Councilor Shein moved to reappoint Dave Pederson and Bob Wilson to the Planning
16 Commission; June Krause, Carol Mannen, Rich Slack, and Al Perkins to the Park Board; and
17 Pete Christensen, Kelly Gabliks, Rosemary Stein, and Darla Williams to the Budget Committee.
18 The motion was duly seconded and CARRIED UNANIMOUSLY with Council President
19 Dalton, Councilor Lamb, Councilor Lawson, Councilor Marshall, Councilor Scroggin, Councilor
20 Shein, Councilor Voves, Councilor Wilson and Councilor Woods voting YES.

21 COUNCIL RATIFICATION OF CITY MANAGER’S AGREEMENT

22 City Attorney Shetterly reported that the amendment to the City Manager’s agreement was
23 drafted per the discussion at the December Council meeting and has been signed by Mr. Wyatt
24 and the Mayor.

25 APPOINTMENT OF MUNICIPAL JUDGE

26 Mr. Wyatt stated he has talked to Judge Ira and he is interested in serving another 2-year term.
27 Councilor Scroggin moved to reappoint Judge Feitelson for another 2-year term as City
28 Municipal Judge. The motion was duly seconded.

29 Councilor Lamb asked Jerry if he does performance evaluations for the judge. Mr. Wyatt
30 indicated he did the last one less than a year ago, and will do one this year again. Councilor
31 Lamb asked if Judge Feitelson is meeting Mr. Wyatt’s standards. Mr. Wyatt stated Judge
32 Feitelson does a nice job.

33 The motion carried unanimously with Council President Dalton, Councilor Lamb, Councilor
34 Lawson, Councilor Marshall, Councilor Scroggin, Councilor Shein, Councilor Voves, Councilor
35 Wilson and Councilor Woods voting YES.

36 APPROVAL OF CITY MANAGER’S 2009 PERFORMANCE EVALUATION FORM

37 Mayor Fairchild indicated the Council needs to come up with the City Manager’s performance
38 evaluation form for 2009. He stated that at the last executive session there was some discussion
39 about who does what. He advised that the memo in the Council packet lists past practice, and the
40 changes to reflect past practice are shown on the evaluation form.

41 Councilor Wilson stated that at the executive session, there was quite a bit of discussion about
42 this, and she felt this Council meeting was not the place to continue that discussion. Councilor
43 Wilson moved to refer this topic to the Administrative Committee for more discussion before
44 finalizing the form and procedure. The motion was duly seconded. Councilor Voves indicated
45 he would like to see models or benchmarks for the criteria on the evaluation form; something to
46 clarify what each number meant. Mr. Wyatt stated he would have staff call other cities in
47 Oregon to get their evaluation forms.

48 Mr. Wyatt indicated that he would be out of town making a presentation at the Federal Building
49 in Seattle for a \$3 million EDA Grant on the next date for the Administrative Committee meeting

1 and asked if the Councilors would agree to move the meeting to the next day, on Tuesday,
2 January 27 at 4:00. The Councilors agreed to move the meeting to the 27th.

3 The motion carried unanimously with Council President Dalton, Councilor Lamb, Councilor
4 Lawson, Councilor Marshall, Councilor Scroggin, Councilor Shein, Councilor Voves, Councilor
5 Wilson and Councilor Woods voting YES.

6 MAYOR'S DECEMBER MONTHLY REPORT

7 There were no questions regarding the Mayor's monthly report for December.

8 COUNCIL PRESIDENT'S NOVEMBER AND DECEMBER MONTHLY REPORTS

9 There were no questions regarding the Council President's monthly reports for November or
10 December.

11 Council President Dalton reported that the holiday decorations would normally have been down
12 already, but the storm delayed that until Sunday, January 11.

13 Councilor Wilson thanked Mr. Wyatt and his staff for picking up the branches that came down in
14 the storm, adding it will be a tremendous help to the citizens. Mayor Fairchild stated that
15 overall, all the employees did a superb job handling phones and getting people help.

16 QUESTIONS OR COMMENTS FROM THE AUDIENCE

17 Chelsea Pope, Executive Director of the Dallas Area Chamber of Commerce and Dallas Visitors
18 Center, noted that the Chamber coordinates the annual community award ceremony, where we
19 gather as a community to recognize, honor and thank businesses and individuals who affect
20 Dallas. She invited everyone to attend, and asked the Councilors to take a few minutes to think
21 about someone they could nominate.

22 PUBLIC HEARINGS

23 REPORTS OF SPECIAL COMMITTEES AND CITY OFFICER

24 Mr. Wyatt introduced Cecilia Ward, the new Finance Director. Ms. Ward thanked the Council
25 for allowing her to be here and noted that she is looking forward to meeting everyone and
26 working with Mr. Wyatt and Ms. Marr and the rest of the City employees.

27 SENIOR CENTER UPDATE TO COUNCIL

28 Mr. Wyatt stated the City has submitted many grant applications already and have only received
29 one letter indicating our project won't be funded. He noted we are still finding other funding
30 sources.

31 2009 COUNCIL ACTIVITIES TIMELINE

32 Mr. Wyatt stated the timeline was just to give the Council an idea of the 2009 activities, noting
33 this can change.

34 BLUE GARDEN UPDATE

35 Mr. Wyatt indicated staff has performed a couple site visits noting the property owner is having
36 trouble with the weather; the roofing membrane cannot be attached in these cooler temperatures.
37 Mr. Wyatt noted that staff had a site visit with Bob Brixius to look at where the water was
38 draining down his wall, and we will continue to work with him. He noted the water issues there
39 may not be related to the Blue Garden building. Mr. Wyatt reported that there was water running
40 into the electrical panel in the building to the north of the Blue Garden, which they assumed was
41 related to the Blue Garden. An electrician came in and reported that it was not due to the Blue
42 Garden building. Mr. Wyatt stated staff is still monitoring the building through the permit.

43 OTHER

44 Mr. Wyatt stated the City is working with Polk County on a declaration of emergency for the
45 recent storm. He noted there is a dollar amount threshold for a declaration of emergency and we

1 are currently significantly below that. Councilor Lawson asked about paying for all the overtime
2 during the storm. Mr. Wyatt stated it will have to come out of the budget.

3 Mr. Wyatt reported that the City held the first Community Holiday Feed, but because of the bad
4 weather, turnout was lower than anticipated. Staff helped feed 75 families in need that evening,
5 and then took the leftover food to the West Valley Housing Authority. We found out later that
6 many of those people rely heavily on Meals-on-Wheels to deliver them food, and Meals-on-
7 Wheels hadn't been by for a week, so that food made a huge difference. Councilor Shein stated
8 he attended and the staff did a fantastic job. Councilor Shein noted he didn't realize the
9 employees footed the bill themselves and stated the staff deserves a big hand.

10 **COMMUNICATIONS AND PETITIONS**

11 **OLCC APPLICATION – SAN ANTONIO RESTAURANT**

12 Councilor Lawson moved to recommend to the OLCC to grant the license for a change of
13 ownership for San Antonio Restaurant. The motion was duly seconded and CARRIED
14 UNANIMOUSLY with Council President Dalton, Councilor Lamb, Councilor Lawson,
15 Councilor Marshall, Councilor Scroggin, Councilor Shein, Councilor Voves, Councilor Wilson
16 and Councilor Woods voting YES.

17 **RESOLUTIONS**

18 **FIRST READING OF ORDINANCE**

19 **SECOND READING OF ORDINANCE**

20 **Ordinance No. 1696:** An Ordinance amending provisions of the Dallas City Code, "Parking
21 Regulations;" creating new provisions; and repealing conflicting provisions.

22 Mayor Fairchild declared Ordinance No. 1696 to have passed its second reading. A roll call vote
23 was taken and Mayor Fairchild declared Ordinance No. 1696 to have PASSED BY A
24 UNANIMOUS VOTE with Council President Dalton, Councilor Lamb, Councilor Lawson,
25 Councilor Marshall, Councilor Scroggin, Councilor Shein, Councilor Voves, Councilor Wilson
26 and Councilor Woods voting YES.

27 **OTHER BUSINESS**

28 Councilor Lamb reported that Christmas Cheer was a success. He thanked everyone who was
29 there and donated their time and money. He noted they provided food boxes for 210 families.

30 There being no further business, the meeting adjourned at 8:02 p.m.

31 Read and approved this _____ day of _____ 2009.

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Mayor

ATTEST:

City Manager

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 4 a	Topic: Fire Service Appreciation Day
Prepared By: Emily Gagner	Meeting Date: January 20, 2009	Attachments 
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

None

BACKGROUND:

In 2007, the Oregon Legislature passed House Joint Resolution 25 establishing January 27 the day to honor those who keep “Oregon citizens safe from the ravages of fire.”

January 27th is significant as the first fire company in the U.S. was organized in Boston in 1678.

FISCAL IMPACT:

None

ATTACHMENTS:

Proclamation

PROCLAMATION

WHEREAS, the members of Dallas's fire service keep our community safe from the ravages of fire by stopping fires before they start through prevention, suppressing fires after they start, and by investigating fires to see how they start; and

WHEREAS, the members of Dallas's fire service dedicate themselves to protection of life and property by promotion of the fire code, increasing public awareness of methods for fire prevention, elevating standards and training for firefighters, increasing their readiness to respond to suppress fires, reducing damage from hazardous materials and arriving first on scene when catastrophic events threaten Oregon; and

WHEREAS, the members of Dallas's fire service, whether paid or volunteer, regularly and selflessly place themselves in hazardous situations that require training, endurance, and genuine care for the safety of the people of Dallas ; and

WHEREAS, volunteers make up most of Dallas's fire service. These men and women protect their neighbors on their own time, and then often serve in fundraising efforts to maintain this critical public safety resource; and

WHEREAS, Dallas's fire service is often the first responder at the scene of disasters and contributes to public safety in ways largely unseen by the public as they develop and enforce the fire code, conduct inspections and investigations, educate to prevent fires and keep Dallas residents safe where they work, live, recreate, and go to school; and

WHEREAS, January 27th is significant marking the first organized fire department in our nation in Boston in 1678;

NOW, THEREFORE, we PROCLAIM that January 27, 2009, is Fire Service Appreciation Day.

Signed this 20th day of January, in the year 2009

ATTEST:

Mayor Jim Fairchild

Jerry Wyatt, City Manager



DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 7 a	Topic: Employee / Volunteer Recognition Award
Prepared By: Kim Marr	Meeting Date: January 20, 2009	Attachments 
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

None

BACKGROUND:

The selection committee has chosen an outstanding volunteer and an outstanding employee to receive the Fourth Quarter, 2008 Recognition Award. We will be making a presentation at the Tuesday, January 20 Council meeting.

FISCAL IMPACT:

None

ATTACHMENTS:

A short description of the hard work our awardees provide to the City.

CITY OF DALLAS OUTSTANDING EMPLOYEE AND VOLUNTEER OF THE QUARTER

Eric Totten Park Maintenance Worker/Utility Worker I has been selected as the Outstanding Employee of the 4th Quarter for 2008. Eric has a great sense of humor and cheerful attitude towards his duties and life in general. Eric is always willing to assist on any projects and provides new ideas and ways to handle difficult tasks.

Eric was instrumental this past December when he assisted many volunteers and City staff to apprehend an arsonist in the Dallas area. Eric's awareness to his work environment and surroundings made it possible for him to identify and play a major role in apprehending a suspected arsonist.

Eric lives in Dallas with his wife Heidi and three children, Tyler, Cassidy and Kloe. He volunteers his time coaching both basketball teams for his children.

The City would like to thank Eric for being a positive influence for the City of Dallas.

Hugh Genualdi has been selected as the Outstanding Volunteer of the 4th Quarter for 2008. Hugh started as a reserve candidate in the fall of 2007 but had to drop out a few months later. He however, stayed on with the Dallas VIP (Volunteers in Policing) while waiting to get back in to the reserve program this past fall. He volunteered with the range program and was instrumental assisting the 1st Annual Community Holiday Dinner for the City of Dallas. Hugh was also a tremendous asset to the Police Department during the arson case, spending countless hours assisting in surveillance and case investigation.

Hugh is a journeyman electrician and moved to Dallas from Chicago a few years ago with his wife, Jannene and their two children, Pamela and Jesse.

Hugh's dedication to the community helps make Dallas the outstanding community it is.

City of Dallas Downtown Task Force

FINAL REPORT

January 20, 2009

Task Force Membership Roster:

Lavonne Wilson
David Lawson
Ken Jacroux
Jeff Mexico
Tim Grimes
Skip Lowrie

Wes Scroggin
Chelsea Pope
Kurt Brees
Tony Teal
Tina Evans
John Swanson, City Staff

Task Force Mission Statement and Work Program

The Dallas Downtown Task force was formed to be an “action” oriented team authorized by the City Council to study, strategize, and plan for developing the downtown to best accommodate commercial development. The mission of the Task Force was to make observations and recommendations based on the following basic objectives:

- Develop strategies and recommendations to foster a full and stable downtown commercial core based on the City Council-adopted principles of the 2003 Commercial Downtown Master Plan.
- Make recommendations for repairs, corrections, and improvements that will create and maintain a healthy business climate to benefit new and existing business in Downtown Dallas.
- Recommend solutions to the City Council in order to provide a positive business climate and a stable economic base for the provision of goods, services and facilities desired by the community in the Downtown Commercial Area.

Downtown Task Force Findings and Recommendations

City of Dallas Responsibilities

One of the primary functions of the Task Force was to compile a list of City of Dallas responsibilities within the Downtown core-area. The City is responsible for the maintenance and general upkeep up all public property in the downtown including streets, alleys, curbs, sidewalks, street signs, street trees, garbage cans, benches and bike racks within the City rights-of-way. The City of Dallas is also responsible for enforcement of existing code and the Task Force recommends that become a higher priority for City staff. To that end, the Task Force has submitted a list of items of concern that are City of Dallas responsibilities to City Manager

Jerry Wyatt and several “fixes” are already in progress. Bear in mind that recent bad weather has caused our Public Works Department to focus on snow removal and emergency repairs Citywide.

Private Property “Challenges” and Recommended Solutions

The Downtown Task Force shifted its focus to private property located within the Downtown core-area. Several hours of discussion and a thorough “walk-around” tour of Downtown Dallas by Task Force members produced a comprehensive list of challenges and problems that were identified on private property, both buildings and vacant land within the Downtown.

Several problems identified are clearly the responsibility of the City of Dallas to provide better and more consistent enforcement of existing City Codes including abandoned signs, parking restrictions, grass and weed control, and improvements to chronically nuisance properties. The Task Force recommends Downtown code enforcement becomes a higher priority in our efforts to improve Downtown Dallas.

The Task Force also created an inventory of privately owned properties within the Downtown that are in need of repair and improvements ranging from potentially serious structural issues to basic clean-up, painting, window repair, and replacement of old signs, lighting, awnings, obsolete wires, etc.

- The purpose of compiling this list is not to embarrass or intimidate property owners into making improvements, but to create a base line of buildings in Downtown Dallas that would benefit from several incentive programs already in place such as the Façade Improvement Loan Program, the Commercial Enterprise Zone Program, and the Mural Program all which may include City-funded professional design assistance.
- The Task Force recommends that the City of Dallas better communicate with property and tenant business owners of their responsibility to adhere to city code and to provide education and guidance on code-related issues.
- The Task Force also recommends that property owners and commercial tenants of buildings with clear “challenges” be approached by City staff to educate them on available incentive programs and to provide property improvement assistance.

Permanent Downtown Association

Another function of the Downtown Task Force was to identify “gaps in services” that challenge Downtown Dallas as we all strive to make improvements to the Downtown commercial core-area. During the meetings of the Downtown Task Force, the question kept coming up, “Who is going to be responsible to facilitate the changes we all see as necessary? What leadership will emerge to make Downtown Dallas a functioning, successful, model downtown that will create a dynamic business atmosphere and re-establish it as a focus of community pride?” The Downtown Task Force has identified a strong need for the establishment of a permanent downtown-specific business association or organization.

This new organization, when developed, could be an official "Oregon Main Street" program or it may begin as a sub-function of the Dallas Area Chamber of Commerce, but it cannot be a city-staff run organization. Downtown organizations MUST be run by the business and property owners in the downtown usually through the formation of a non-profit organization. The Downtown Task Force recommends that the Dallas City Council provide encouragement and support to a downtown organization as the leadership emerges to form a downtown association.

Summary of Findings

The Downtown Task Force would like to thank the Dallas City Council for the opportunity to participate in the exciting process of making Downtown Dallas a strong business environment and a place of community pride. The Task Force members applaud the work that has been accomplished over the last several years from the development of the Commercial Area Downtown Master Plan to the formation of a downtown Urban Renewal District to the investment in professional streetscape design services. All of these accomplishments represent the strong commitment of the Dallas City Council to provide the leadership necessary for real and positive change in Downtown Dallas.

The Downtown Task Force hopes that the findings and recommendations in this report and the work already begun to address identified downtown challenges and issues is helpful and meaningful to the City Council.

In summary, The Downtown Task Force recommends the following:

1. Identify, prioritize and fix problems in the downtown that are clearly the responsibility of the City of Dallas including appropriate code enforcement within the downtown core-area.
2. Communicate with property and tenant business owners of their responsibility to adhere to city code and steer them towards incentive programs and to provide assistance aimed towards downtown property improvements.
3. Encourage and support the formation of a downtown-specific business association managed and operated by downtown stakeholders, property owners, and business owners.

Respectfully submitted,

City of Dallas Downtown Task Force
John Swanson, Community Development Department staff

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 7 d	Topic: Council's Legislative Committee
Prepared By: Emily Gagner	Meeting Date: January 20, 2009	Attachments: <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED ACTION:

Motion to re-establish the Council's Legislative Committee and establish the City's position on bills proposed and pending before the State Legislature. The committee membership previously consisted of the Mayor and the chairs of the four Council Subcommittees. I suggest having noon meetings with meetings on February 4, February 18, and March 5.

- (a) Committee Chair Public Works Committee.
 - i. Dave Voves, Chairperson
- (b) Committee Chair Public Safety Committee.
 - i. LaVonne Wilson, Chairperson
- (c) Committee Chair Public Buildings and Grounds.
 - i. Wes Scroggin, Chairperson
- (d) Committee Chair Public Administration.
 - i. Ken Woods Jr., Chairperson

FISCAL IMPACT:

None

ATTACHMENTS:

None

DALLAS CITY COUNCIL

REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 7 e	Topic: Miller Avenue/Fir Villa Road Speed Study
Prepared By: Fred Braun	Meeting Date: January 20, 2009	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Approve ODOT recommended speeds for SE Miller Avenue and SE Fir Villa Road.

BACKGROUND:

In January 2008, the City Council directed Staff to request that ODOT conduct a speed study of SE Miller Avenue and SE Fir Villa Road. Recently completed improvements have changed the status of the above roadways to more of an urban character. Furthermore, the abrupt change in speed limit of Miller Avenue from 40 MPH to 25 MPH at SE Godsey Road to 20 MPH at the school zone makes it difficult for motorists to adjust.

The current speed limit of both roadway segments is 40 MPH.

The attached ODOT study recommends 35 MPH for both segments. ODOT has requested that the City submit a written response by 2-18-09. Polk County Staff has responded that they have no objections to the changes.

FISCAL IMPACT:

Approximately \$600 to install appropriate signage

ATTACHMENTS:

ODOT speed study with cover letter dated November 25, 2008



Oregon

Theodore R. Kulongoski, Governor

Department of Transportation

Traffic-Roadway Section
355 Capitol St. NE, 5th Floor
Salem, OR 97301-3871
(503) 986-3568
Fax: (503) 986-4063

November 25, 2008

File Code: TRA 7-2

Fred Braun, Public Works Director
City of Dallas
187 SE Court Street
Dallas, OR 97338-3159

Fred Lowe, Engineering Tech
Polk County
820 SW Ash Street
Dallas, OR 97338-2112

Dear Mr. Braun and Mr. Lowe,

As you requested, a speed zone investigation has been conducted on Fir Villa Road from Dallas-Rickreall Hwy (OR 223) (E Ellendale Avenue) to Miller Avenue/Orrs Corner Road (Request ID 6470). A copy of the report indicating the recommended speed zoning is enclosed.

Please let me know if the speed zone recommendation is acceptable. If it is, a speed zone order will be issued and a copy sent to you. If it is not acceptable, the matter can be presented at the next hearing held to decide contested speed zones.

Please provide a written response within 60 days after the date of this letter (by 2/18/2009).

If you have any questions, please call me at (503) 986-3609.

Sincerely,

Debby Corey
Traffic Investigations Coordinator

Enclosure(s)

Copy to:

Weldon Ryan, Traffic Investigator, ODOT Region 2

DC/cwc



OREGON DEPARTMENT OF TRANSPORTATION
Report of Speed Zone Investigation
FIR VILLA ROAD
Dallas – Rickreall Highway (223) to Miller Avenue / Orrs Corner Road
City of Dallas / Polk County
September 25, 2008

Recommendation: Rescind existing SSCB Resolution 1720 dated July 22, 1969 and establish the following speed zoning.

	<u>Existing</u>	<u>Recommended</u>
<u>Investigated:</u>		
From: Dallas - Rickreall Highway (223)	40 mph	35 mph <u>1/</u>
To: 225 feet north of Miller Ave / Orrs Corner Rd		
From: 225 feet north of Miller Ave / Orrs Corner Rd	40 mph	35 mph <u>2/</u>
To: Miller Ave / Orrs Corner Rd		

1/ City of Dallas
2/ Polk County

Historical Background:

Investigation requested by: Fred Braun, Public Works Director, City of Dallas, and Fred Lowe, Engineering Tech, Polk County.

Requested Speed: To lower posted speed to 35 mph.

Previous Action: Existing SSCB Resolution 1720 dated July 22, 1969.

<u>Investigation:</u>	<u>Section</u>
Section Length	0.624 mile
85% Speed	42 mph
2006 Accident Rate*	0
2006 Average Daily Traffic	9000
Culture Type & Density	Moderate Residential
Horizontal Alignment	0 curves
Vertical Alignment	Partially Undulating
Curve Signs & Speed Rider	None
Existing Posted Speed	40 mph
Recommended Speed	35 mph

* Accidents per Million Vehicle Miles

<u>Roadway Data</u>	<u>Section</u>
Surface	Bituminous
Width (FL-FL)	23' – 32'
Lanes	2 - 3
Parking	Partially Prohibited
Shoulders	12'-13' parking one side, 200' S Magnolia 0' – 5' paved (no parking)
Intersecting Streets	2
Paved	2
Stopped	2
Signalized	0
Pedestrian	2
Bikes	1

<u>Accident Data:</u>	<u>Section</u>
Study Period	01/01/04-12/31/06
Total Accidents	0
Injuries	0
Fatalities	0
2006 Accidents	0
2006 Accident Rate (R)	0
2006 State Rate (r) ^{1/}	-
Deviation (R-r)	-

<u>Spot Speed Data:</u>	<u>Section</u>
85% Speed	42 mph
Pace Limits ^{2/}	33 – 42 mph
% in Pace	72%
Maximum Speed	55 mph
Posted Speed	40 mph
% Exceeding Posted Speed	24%
Computed Speed ^{3/}	-
Recommended Speed	35 mph

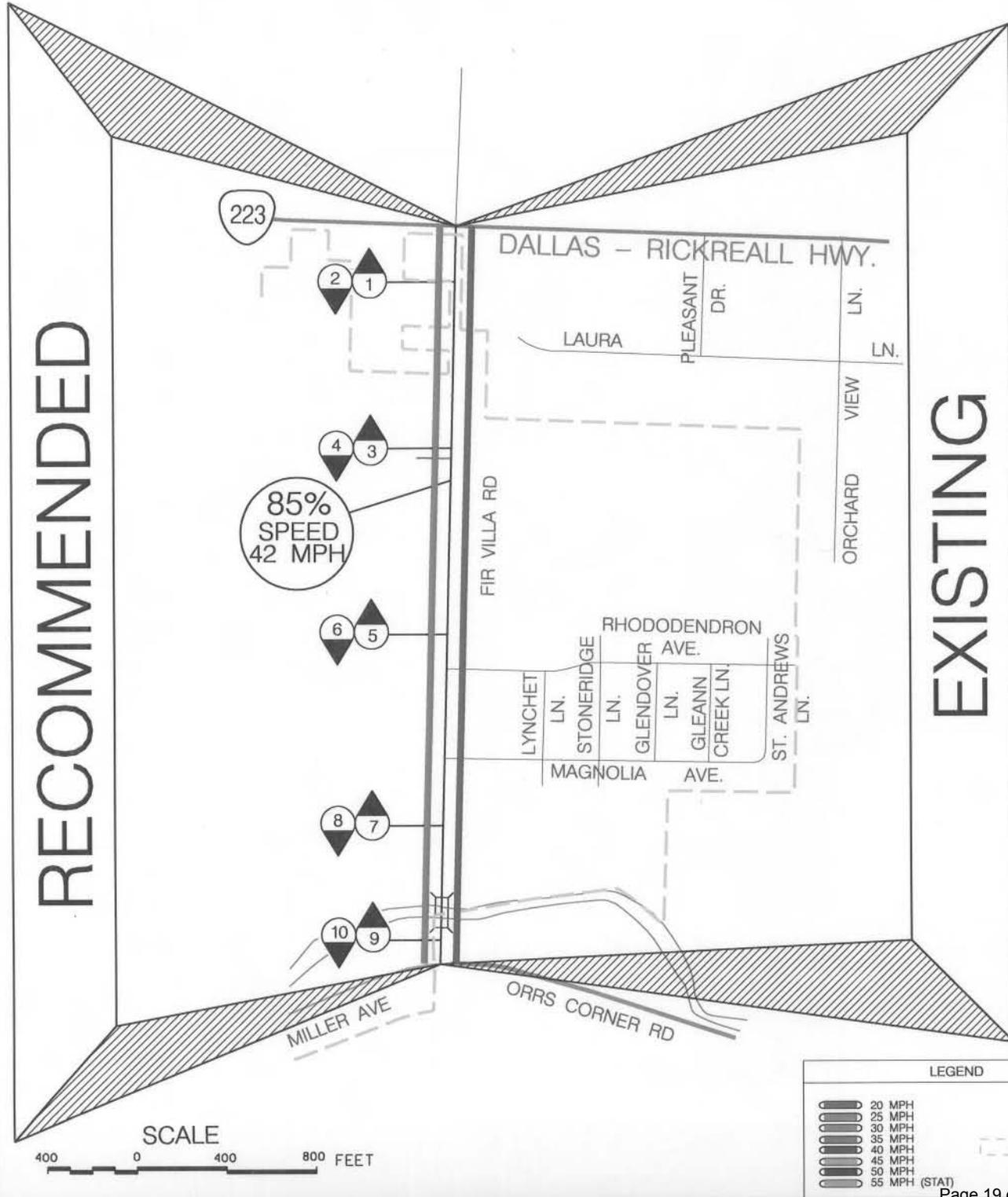
^{1/} No comparable state rate available

^{2/} Ten mile-per-hour range containing the largest number of sampled vehicles.

^{3/} 85% Speed minus deviation

Factors Influencing Recommendation: 85% Speed, pace limits, culture.

FIR VILLA ROAD CITY OF DALLAS / POLK COUNTY



RECOMMENDED

EXISTING

85%
SPEED
42 MPH

SCALE
400 0 400 800 FEET

LEGEND

- 20 MPH
- 25 MPH
- 30 MPH
- 35 MPH
- 40 MPH
- 45 MPH
- 50 MPH
- 55 MPH (STAT)
- CITY LIMITS

**TYPICAL VIEWS
FIR VILLA ROAD
CITY OF DALLAS / POLK COUNTY
APRIL 15, 2008**



1. Looking north from 250' south of Dallas – Rickreall Hwy.



2. Looking south from 250' south of Dallas – Rickreall Hwy.

**TYPICAL VIEWS
FIR VILLA ROAD
CITY OF DALLAS / POLK COUNTY
APRIL 15, 2008**



3. Looking north from 0.19 mi south of Dallas – Rickreall Hwy.



4. Looking south from 0.19 mi south of Dallas – Rickreall Hwy.

**TYPICAL VIEWS
FIR VILLA ROAD
CITY OF DALLAS / POLK COUNTY
APRIL 15, 2008**



5. Looking north from 150' north of Rhododendron Ave.



6. Looking south from 150' north of Rhododendron Ave.

**TYPICAL VIEWS
FIR VILLA ROAD
CITY OF DALLAS / POLK COUNTY
APRIL 15, 2008**



7. Looking north from 300' south of Magnolia Ave.



8. Looking south from 300' south of Magnolia Ave.

**TYPICAL VIEWS
FIR VILLA ROAD
CITY OF DALLAS / POLK COUNTY
APRIL 15, 2008**



9. Looking north from 100' north of Miller Ave / Orrs Corner Rd.



10. Looking south 100' north of Miller Ave / Orrs Corner Rd.

MOTOR VEHICLE ACCIDENT LISTING

City: _____ County: <u>Polk County</u> Street: <u>Fir Villa Rd</u> from: <u>Dallas Rickreal Hwy 223</u> to: <u>Miller Avenue</u>													Compiled by: <u>Weidon Ryan</u> Date: <u>9/25/2008</u>	
REMARKS: Section :														
2004 2005 2006 TOTAL														
ANGLE														
HEAD-ON														
REAR-END														
SIDESWIPE MEETING														
SIDESWIPE OVERTAKING														
TURNING														
PARKING														
NON-COLLISION														
FIXED OBJECT														
PEDESTRIAN														
BACKING														
MISCELLANEOUS														
ALL COLLISIONS													0 0 0	
FATAL													0 0 0	
NON-FATAL													0 0 0	
PROPERTY DAMAGE													0 0 0	
PERSONS KILLED													0 0 0	
PERSONS INJURED													0 0 0	

Oregon Department of Transportation

Roadway: Fir Villa Rd

Date: 3/24/2008

City: Dallas

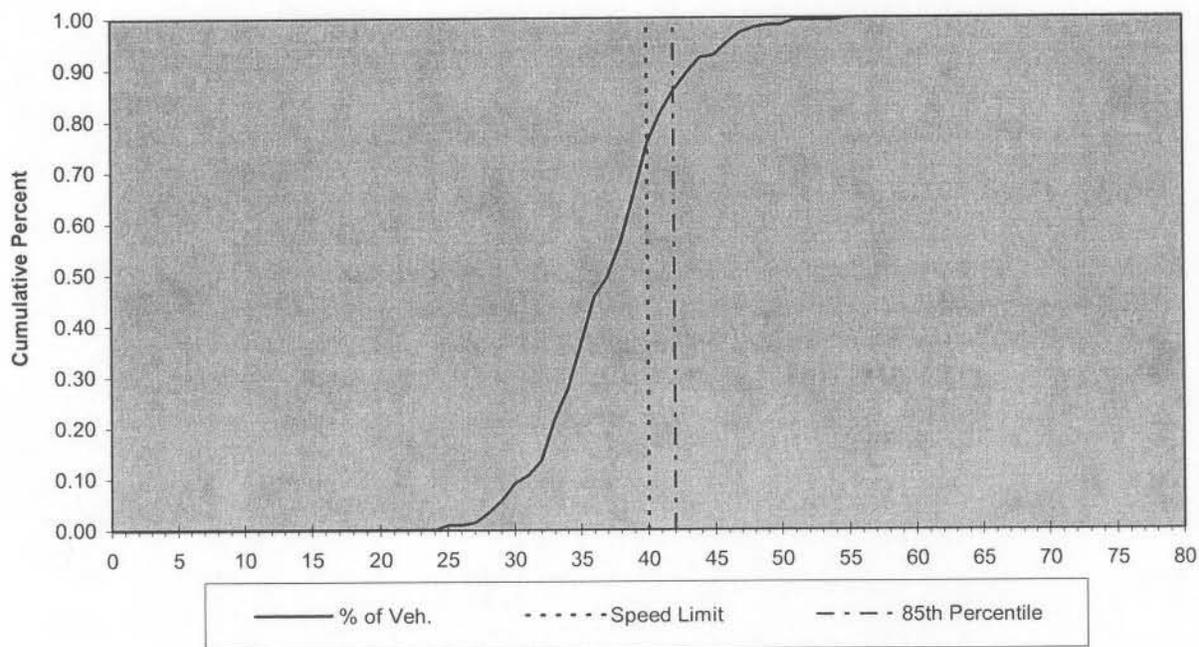
Time: 12:30 - 14:21

County: Polk

Weather: SUNNY

Location: 100 S OF DRIVE IN

Direction of Travel: S-N



	MPH S	Averaged	MPH -N
# of Vehicles	114	206	92
85th % Speed	42	42	42
Pace Limits	33 - 42	33 - 42	33 - 42
% In Pace	73%	72%	72%
Mean Speed	37.53	37.47	37.41
Median Speed	37	37.5	38
Std. Dev.	4.77	5.07	5.45
Max Speed	51	55	55
Posted Speed	40	40	40
% Exceeding Posted	24%	24%	25%



Oregon

Theodore R. Kulongoski, Governor

Department of Transportation

Traffic-Roadway Section
355 Capitol St. NE, 5th Floor
Salem, OR 97301-3871
(503) 986-3568
Fax: (503) 986-4063

November 25, 2008

File Code: TRA 7-2

Fred Braun, Public Works Director
City of Dallas
187 SE Court Street
Dallas, OR 97338-3159

Fred Lowe, Engineering Tech
Polk County
820 SW Ash Street
Dallas, OR 97338-2112

Dear Mr. Braun and Mr. Lowe,

As you requested, a speed zone investigation has been conducted on SE Miller Avenue from 50 feet west of SE Godsey Road to 0.22 mile east of Fir Villa Road (Request ID 6209). A copy of the report indicating the recommended speed zoning is enclosed.

Please let me know if the speed zone recommendation is acceptable. If it is, a speed zone order will be issued and a copy sent to you. If it is not acceptable, the matter can be presented at the next hearing held to decide contested speed zones.

Please provide a written response within 60 days after the date of this letter (by 2/18/2009).

If you have any questions, please call me at (503) 986-3609.

Sincerely,

Debby Corey
Traffic Investigations Coordinator

Enclosure(s)

Copy to:

Weldon Ryan, Traffic Investigator, ODOT Region 2

DC/cwc



OREGON DEPARTMENT OF TRANSPORTATION
Report of Speed Zone Investigation
MILLER AVENUE / ORRS CORNER ROAD
50 feet west of Godsey Road to 0.22 mile east of Fir Villa Road
City of Dallas / Polk County
November 19, 2008

Recommendation: Rescind existing SSCB order 2588 dated 12/10/1975 and SSCB order 2589 dated 12/10/1975 and establish the following speed zoning:

		<u>Existing</u>	<u>Recommended</u>
<u>Investigated:</u>			
A	From: 50 feet west of Godsey Road To: 25 feet west of Fir Villa Road (Dallas ECL)	40 mph	35 mph <u>1/</u>
A	From: 25 feet west of Fir Villa Road (Dallas ECL) To: 200 feet east of Fir Villa Road	40 mph	35 mph <u>2/</u>
B	From: 200 feet east of Fir Villa Road To: 0.22 mile east of Fir Villa Road	40 mph	40 mph <u>2/</u>

1/ City of Dallas
2/ Polk County

Historical Background:

Investigation requested by: Fred Braun, Public Works Director, City of Dallas and Fred Lowe, Engineering Tech, Polk County.

Requested Speed: To lower posted speed to 35 mph within city limits.

Previous Action: SSCB order 2588 dated 12/10/1975 and SSCB order 2589 dated 12/10/1975.

<u>Investigation:</u>	<u>Section A</u>	<u>Section B</u>
Section Length	0.75 mile	0.19 mile
85% Speed	43 mph	51 mph
2006 Accident Rate*	0	0
2006 Average Daily Traffic	5100	5100
Culture Type & Density	Moderate Residential	Light Residential
Horizontal Alignment	3 curves	0 curves
Vertical Alignment	Mostly Level	Mostly Level
Curve Signs & Speed Rider	None	None
Existing Posted Speed	40 mph	40 mph
Recommended Speed <u>4/</u>	35 mph	40 mph

* Accidents per Million Vehicle Miles

<u>Roadway Data</u>	<u>Section A</u>	<u>Section B</u>
Surface	Bituminous	Bituminous
Width (FL-FL)	24'	23' – 25'
Lanes	2-3 w/ 4-6' bikelanes	2
Parking	Partially Prohibited	Partially Prohibited
Shoulders	Curbs w/ 8' parking strip on S side)	5' – 14' paved
Intersecting Streets	5	0
Paved	5	0
Stopped	5	0
Signalized	0	0
Pedestrian	7	2
Bikes	2	0

<u>Accident Data:</u>	<u>Section A</u>	<u>Section B</u>
Study Period	01/01/04-12/31/06	01/01/04-12/31/06
Total Accidents	0	1
Injuries	0	3
Fatalities	0	0
2006 Accidents	0	0
2006 Accident Rate (R)	0	0
2006 State Rate (r) <u>1/</u>	-	-
Deviation (R-r)	-	-

<u>Spot Speed Data:</u>	<u>Section A</u>	<u>Section B</u>
85% Speed	43 mph	51 mph
Pace Limits <u>2/</u>	33 – 42 mph	40 – 49 mph
% in Pace	75%	70%
Maximum Speed	56 mph	60 mph
Posted Speed	40 mph	40 mph
% Exceeding Posted Speed	33%	83%
Computed Speed <u>3/</u>	-	-
Recommended Speed <u>4/</u>	35 mph	40 mph

1/ No comparable state rate available

2/ Ten mile-per-hour range containing the largest number of sampled vehicles

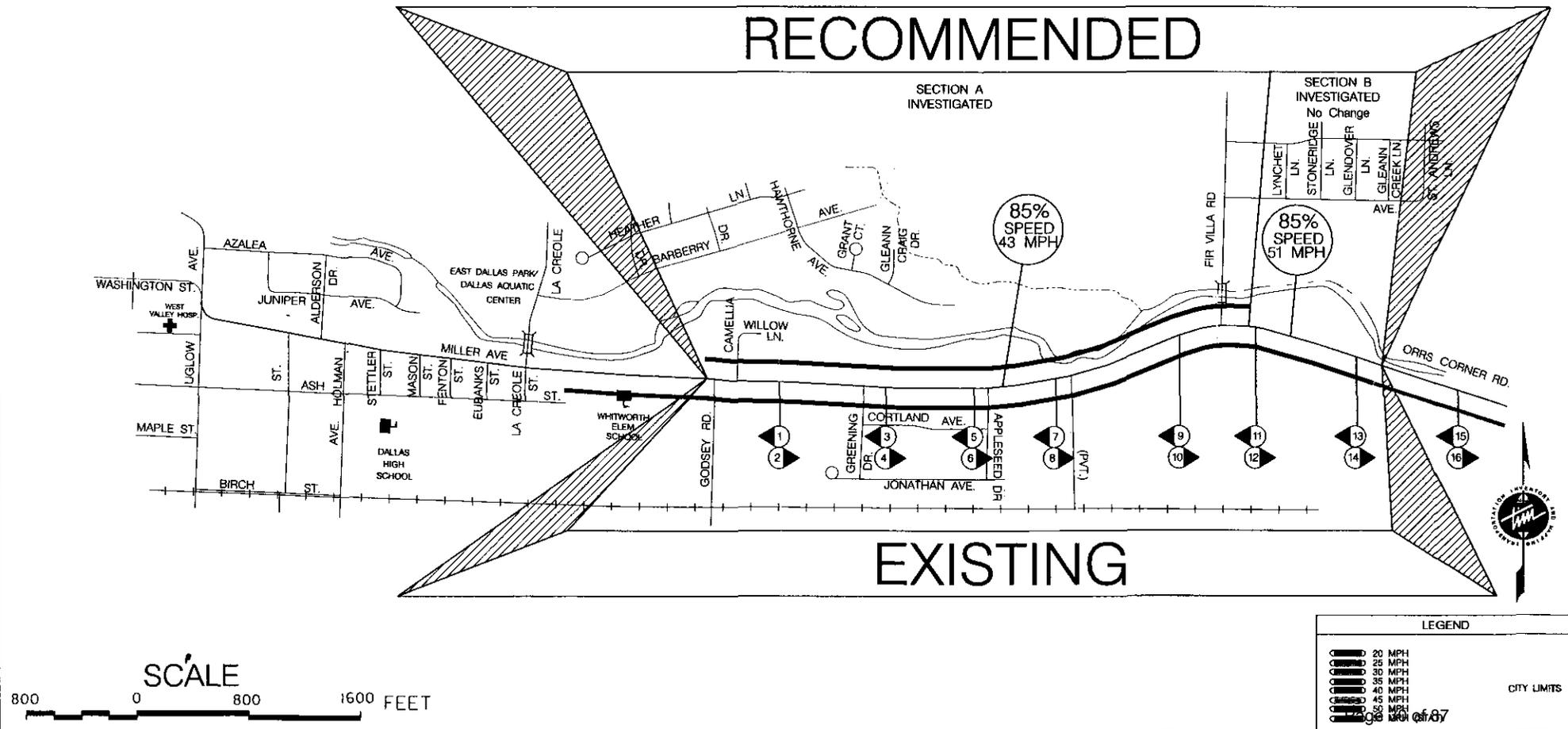
3/ 85% Speed minus deviation

4/ Section B is a transition zone between the 55 mph and 35 mph zones

Factors Influencing Recommendation: 85% Speed, pace limits, culture.

MILLER AVENUE / ORRS CORNER ROAD

CITY OF DALLAS / POLK COUNTY



**TYPICAL VIEWS
MILLER AVENUE
CITY OF DALLAS / POLK COUNTY
APRIL 15, 2008**



1. Looking west from 300' east of Camellia Drive.



2. Looking east from 300' east of Camellia Drive.

**TYPICAL VIEWS
MILLER AVENUE
CITY OF DALLAS / POLK COUNTY
APRIL 15, 2008**



3. Looking west from 150' east of Greening Drive.



4. Looking east from 150' east of Greening Drive.

**TYPICAL VIEWS
MILLER AVENUE
CITY OF DALLAS / POLK COUNTY
APRIL 15, 2008**



5. Looking west from 100' west of Appleseed Drive.



6. Looking east from 100' west of Appleseed Drive.

**TYPICAL VIEWS
MILLER AVENUE
CITY OF DALLAS / POLK COUNTY
APRIL 15, 2008**



7. Looking west from 500' east of Appleseed Drive.



8. Looking east from 500' east of Appleseed Drive.

**TYPICAL VIEWS
MILLER AVENUE
CITY OF DALLAS / POLK COUNTY
APRIL 15, 2008**



9. Looking west from 300' west of Fir Villa Road.



10. Looking east from 300' west of Fir Villa Road.

**TYPICAL VIEWS
MILLER AVENUE
CITY OF DALLAS / POLK COUNTY
APRIL 15, 2008**



11. Looking west from 250' east of Fir Villa Road.



12. Looking east from 250' east of Fir Villa Road.

**TYPICAL VIEWS
MILLER AVENUE
CITY OF DALLAS / POLK COUNTY
APRIL 15, 2008**



13. Looking west from 0.19mi east of Fir Villa Road.



14. Looking east from 0.19mi east of Fir Villa Road.

**TYPICAL VIEWS
MILLER AVENUE
CITY OF DALLAS / POLK COUNTY
APRIL 15, 2008**



15. Looking west from 0.33mi east of Fir Villa Road.



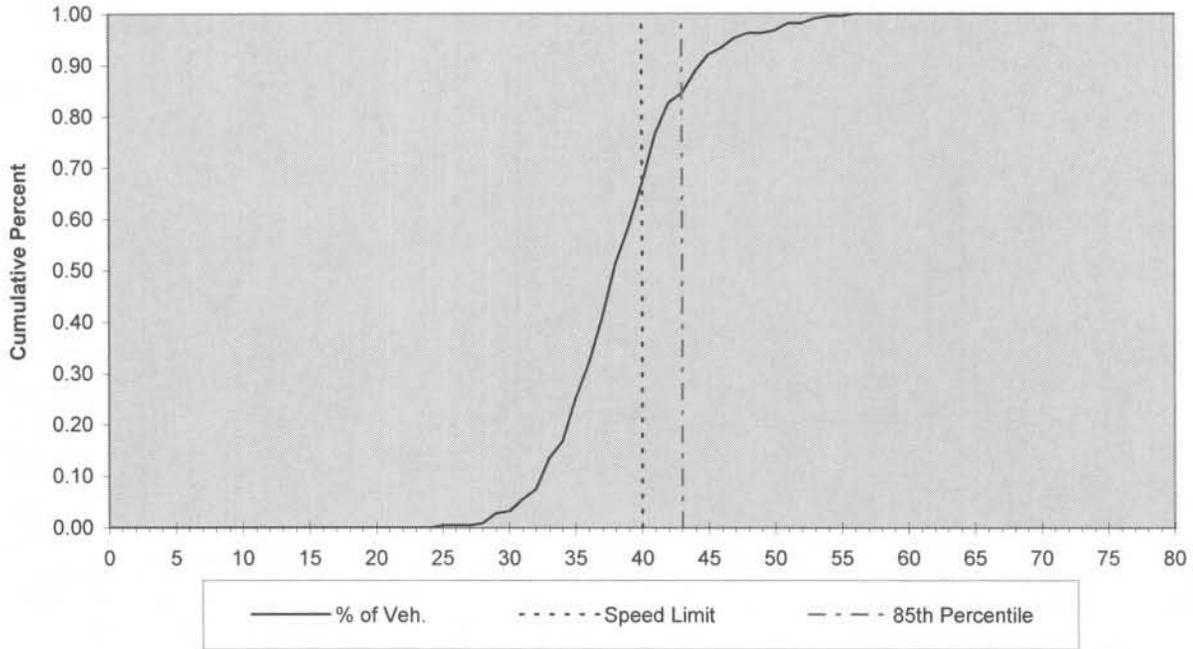
16. Looking east from 0.33mi east of Fir Villa Road.

A

Roadway: Miller Avenue
 City: Dallas
 County: Polk
 Location: 100 E APPLESEED

Date: 3/24/2008
 Time: 10:45 - 12:20
 Weather: SUN-CLOUDS

Direction of Travel: E-W



	MPH E	Averaged	MPH -W
# of Vehicles	106	214	108
85th % Speed	44	43	42
Pace Limits	33 - 42	33 - 42	33 - 42
% In Pace	73%	75%	78%
Mean Speed	39.60	38.76	37.91
Median Speed	39	38	37
Std. Dev.	5.19	4.96	4.60
Max Speed	56	56	53
Posted Speed	40	40	40
% Exceeding Posted	38%	33%	28%

Roadway: Miller Avenue / Orrs Corner Rd

Date: 4/17/2008

City:

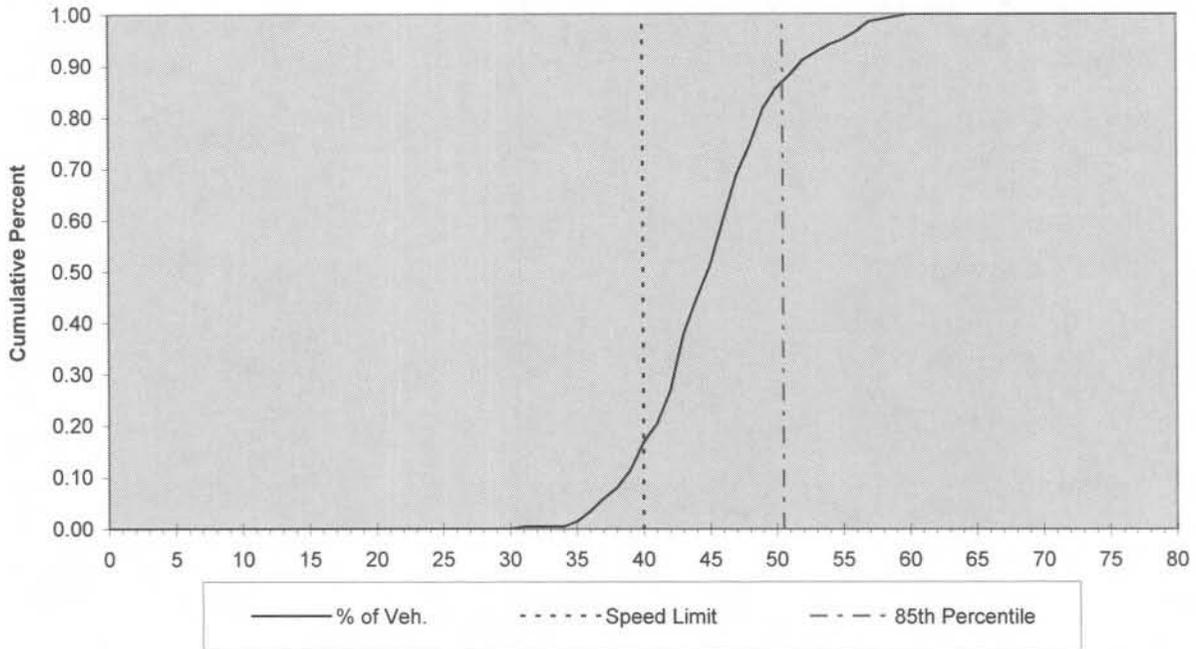
Time: 12:03 - 14:40

County: Polk

Location: 500 E OF FIR VILLA

Weather: OVERCAST

Direction of Travel: E-W



	MPH E	Averaged	MPH -W
# of Vehicles	110	201	91
85th % Speed	51	51	50
Pace Limits	40 - 49	40 - 49	40 - 49
% In Pace	70%	70%	70%
Mean Speed	45.45	45.45	45.44
Median Speed	45	45.5	46
Std. Dev.	5.42	5.15	4.84
Max Speed	60	60	57
Posted Speed	40	40	40
% Exceeding Posted	84%	83%	82%

From: FRED LOWE
To: COREY Debby L; DEAN ANDERSON
Date: 1/22/2008 8:36 AM
Subject: Re: Speed Zoning on Fir Villa Road and Orrs Corner Road

CC: FRED BRAUN

Debby Corey

Polk County has no problems with this speed zone study on Fir Villa and Orrs Corner Road.
Please accept this email as concurrence.

Fred Lowe
Engineering / Survey Technician II
(503) 623-9287
Cell (503) 931-1181

>>> "COREY Debby L" <Debby.L.COREY@odot.state.or.us> 1/16/2008 9:23 AM >>>

Hello! I am the ODOT Speed Zone Coordinator. We received a request from the City of Dallas to investigate the speed zoning on Fir Villa Road south and then west on Miller Avenue to Godsey. Since there are two short sections of roads that are outside the City Limits, we need the County's concurrence that they agree to have the speed zone investigation done on those roads. The roads outside the City are:

* A short section of Fir Villa from Rickreall Creek south to Miller Avenue/Orrs Corner Road.

* The section of 40 mph on Orrs Corner Road from Fir Villa Road to .22 mile to the east.

Please email back and let me know if the County agrees with the investigation. Thank you.

Debby Corey, Traffic Investigations Coordinator
ODOT Traffic-Roadway Section
355 Capitol Street NE, 5th Floor
Salem, OR 97301-3871
Phone: (503) 986-3609
Fax: (503) 986-4063
Email: Debby.L. Corey@odot.state.or.us
Visit our website at:
http://www.oregon.gov/ODOT/HWY/TRAFFIC-ROADWAY/speed_zone_program.shtml

From: FRED LOWE
To: fred.braun@ci.dallas.or.us
Date: 12/2/2008 4:02 PM
Subject: SE Miller Ave. speed zone

Fred B

Let me know if you disagree with ODOT's recommendations.
Other wise we concur with the new speed zone and will reply so to ODOT.

Fred Lowe
Engineering / Survey Technician II
(503) 623-9287
Cell (503) 931-1181

DALLAS CITY COUNCIL

REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 7 f	Topic: SE Walnut Avenue Speed Study
Prepared By: Fred Braun	Meeting Date: January 20, 2009	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

None at this time

BACKGROUND:

At the October 27, 2008, Public Works Committee meeting, several residents from SE Walnut Avenue spoke to the committee about vehicles speeding on the s-curve between SE Uglow and SE Walnut Circle.

Staff continues to place the speed trailer and has completed a speed survey of the subject street between January 7 and 10, 2009. The counter was set up on SE Walnut approximately 100 feet east of the s-curve between SE Uglow and SE Walnut Circle. Attached is the data from the counter. The data is very consistent in each direction and from day to day. The 85th percentile speed is 24 MPH, and the average speed is approximately 21 MPH. The speed limit is 25 MPH. Speed limits are generally set based upon the 85th percentile speed, rounded to the nearest 5 MPH. The current speed limit is appropriate. The maximum recorded speed was one motorist at 30 MPH.

Engineered controls for traffic calming may be justified when the 85th percentile speed is more than 5 MPH above the posted limit, e.g. more than 30 MPH in this case. Engineering controls (i.e. speed bumps, chokers and diversion structures) are not justified at this time.

Enforcement is only effective if traffic speeds are more than 5 MPH above the speed limit. Since 100% of the traffic was less than or equal to 30 MPH, there were no citable motorists during the study period.

Accident data were previously evaluated and not found to be significant.

FISCAL IMPACT:

None

ATTACHMENTS:

Speed study results

TimeMark Incorporated

Description 1 :
 Description 2 :
 Description 3 :

Site:
 Date:

WALNUT
 1/8/2009
 Thursday

24 Hour Speed (60 Min.)
 Channel: Far lane flow

mph	Total	< 10	10 - < 12	12 - < 14	14 - < 16	16 - < 18	18 - < 20	20 - < 22	22 - < 24	24 - < 26	26 - < 28	28 - < 30	30 - < 32	32 - < 34	34 - < 36	36 - < 38	38 - < 40	40 - < 200
11:00 AM	28	0	0	1	2	3	4	11	7	0	0	0	0	0	0	0	0	0
12:00 PM	29	0	1	0	1	2	5	5	9	5	0	1	0	0	0	0	0	0
1:00 PM	20	0	0	0	1	4	5	4	4	2	0	0	0	0	0	0	0	0
2:00 PM	27	0	1	1	1	6	5	6	1	6	0	0	0	0	0	0	0	0
3:00 PM	42	0	1	2	2	1	6	17	5	5	3	0	0	0	0	0	0	0
4:00 PM	33	0	0	0	0	4	11	3	12	2	1	0	0	0	0	0	0	0
5:00 PM	37	0	0	0	0	2	7	15	5	5	2	1	0	0	0	0	0	0
6:00 PM	16	0	0	0	1	1	2	4	8	0	0	0	0	0	0	0	0	0
7:00 PM	19	0	0	0	1	1	7	5	3	2	0	0	0	0	0	0	0	0
8:00 PM	9	0	0	0	0	1	1	3	2	2	0	0	0	0	0	0	0	0
9:00 PM	6	0	1	0	0	1	3	0	0	1	0	0	0	0	0	0	0	0
10:00 PM	3	0	0	0	0	1	0	0	0	1	1	0	0	0	0	0	0	0
11:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1/9/2009																		
12:00 AM	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0
1:00 AM	3	0	0	0	0	0	1	1	0	0	1	0	0	0	0	0	0	0
2:00 AM	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0
3:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:00 AM	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
5:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6:00 AM	6	0	0	0	0	0	2	1	2	0	1	0	0	0	0	0	0	0
7:00 AM	24	1	0	0	1	2	3	4	8	4	1	0	0	0	0	0	0	0
8:00 AM	33	0	0	0	1	0	11	8	6	3	4	0	0	0	0	0	0	0
9:00 AM	18	0	0	0	1	1	1	8	4	3	0	0	0	0	0	0	0	0
10:00 AM	21	0	0	0	0	4	8	3	3	2	1	0	0	0	0	0	0	0
Total	377	1	4	4	12	35	82	100	79	43	15	2	0	0	0	0	0	0
%		0.3	1.1	1.1	3.2	9.3	21.8	26.5	21.0	11.4	4.0	0.5	0.0	0.0	0.0	0.0	0.0	0.0

Percentile Speeds
 (mph)

<u>10.0%</u>	<u>15.0%</u>	<u>50.0%</u>	<u>85.0%</u>	<u>90.0%</u>
17.3	17.9	21.0	24.0	24.6

10 mph Pace Speed
 Number in pace

17.2 - 27.2	Average	20.9 mph
345 (89.8 %)	Minimum	8.9 mph
	Maximum	28.1 mph

Speeds Exceeded

<u>45 mph</u>	<u>55 mph</u>	<u>65 mph</u>
0.0 %	0.0 %	0.0 %
Count	0	0

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 7 g	Topic: Planning Commission Appointment
Prepared By: Jason Locke	Meeting Date: January 20, 2009	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Staff recommends a motion to appoint Murray Stewart to the Planning Commission vacant position. His term would run to January 2012 and at that time he would be up for reappointment.

BACKGROUND:

Due to the resignation of Scott McLeod from the Planning Commission creating a vacancy, staff has advertised and reviewed applications for the vacant position. Based on the review of the applications, the staff makes the above recommendation.

FISCAL IMPACT:

None.

ATTACHMENTS:

Citizen Committee Interest Form for Murray Stewart

**CITY OF DALLAS
CITIZEN COMMITTEE INTEREST FORM**

Name: MURRAY STEWART

Address: DALLAS, TX 75238

Mailing Address: (If different) " "

Phone: Work _____ Home _____

E-mail Address: _____ Years as a Dallas Resident: 30+

Occupation and Employer: Express Employment Professionals

Employer's address and Telephone _____

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 type="checkbox"/> Budget Committee | <input checked="" type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Citizens Advisory Committee for the Comprehensive Plan | <input type="checkbox"/> Urban Renewal District Advisory Committee) |
| <input 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.)

I have grown up in Dallas most of my life. As a graduate of Dallas High School it was not a hard decision to return to the town that gave so much to me! I hope by serving on the Planning Commission to accomplish great & good things for the improvement of our town & community. My biggest skills & experiences have been, when I was a "realtor" in Dallas for 5-years. Working in listing & selling of property. This entailed knowing a lot about zoning, useages, title, deeds, & CCR's to mention a few! I look forward to utilizing my skills & experiences to benefiting Dallas while serving on the Planning Commission

Education Background

High School Dallas High School Graduated GED
College Erskine College / MA-CC Degree Associate Radio/TV
Have you ever been convicted of a felony? Yes No

Previous Volunteer/Committee Experience:

Volunteer Agency P.C.A.R. "WE CARE" P.A.C. School District Committee
Address _____ Telephone many church callings & offices
Kids Inc. Sports
Duties Projects For Community of Dallas / Passing Lead Levy / LDS church

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.

Murray Starn
Applicant's Signature

1/16/09
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 01-16-09 11:36 RCVD Date Appointed: _____

Board, Commission or Committee: _____



AGENDA City of Dallas Planning Commission

TUESDAY, January 13, 2009 - 7:00 p.m.
City Hall Council Chambers
187 SE Court Street

**Planning
Commission**

President
Chuck Lerwick

Vice President
Dave Pederson

Commissioner
Bob Wilson

Commissioner
Doris Stefani

Commissioner
Carrie Mendell

Commissioner
Carol Kowash

Staff

City Manager
Jerry Wyatt

City Attorney
Lane Shetterly

Community
Development Director
Jason Locke

Planner
John Swanson

Recording Secretary
Laurie Roberts

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES - Regular meeting of December 9, 2008 and workshop of January 8, 2009.
4. SWEARING IN APPOINTED MEMBERS
5. PUBLIC COMMENT – This is an opportunity for citizens to speak to items not on the agenda (3 minutes per person please.)
6. PUBLIC HEARINGS
 - A) A public hearing on the application of Commercial Investments Associates LLC, applicant, and Jasper Crossing LLC, owner, for a 7-lot Commercial Subdivision at Tax Lots #7.5.29DD 1202, 1203, 1204, 1210, 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.
7. OTHER BUSINESS
 - A) _____
 - B) _____

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

For questions or comments on the agenda, contact: John Swanson at 503.623.3572 or john.swanson@ci.dallas.or.us

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		

December 2008 Monthly Report - Planning & Building

REVENUES		Month	Fiscal YTD
Planning	Dec-08	\$ -	\$ 14,575
Building	Dec-08	\$ 8,339	\$ 106,303

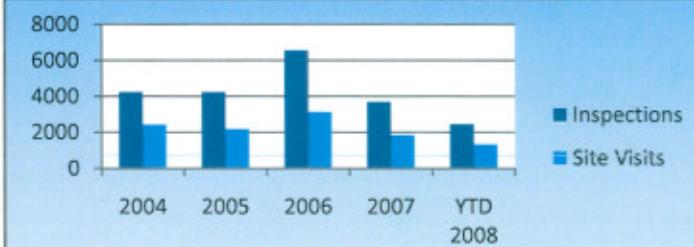
LAND USE APPLICATIONS

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

INSPECTIONS AND SITE VISITS

Monthly: Inspections - 116 Site Visits - 69

Year to Date: Inspections - 2,471 Site Visits - 1,348



BUILDING PERMIT SUMMARY

Permit Use	Dec-08	Dec-07	YTD Total 2008	Annual Total 2007	YTD Valuation 2008	Annual Valuation 2007
New Single Family	0	6	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	3	1	61	47	1,652,102	1,188,903
Residential Accessory Building	0	0	4	21	59,891	379,298
New Commercial	1	1	16	12	4,283,623	4,199,410
Commercial Remodel	3	1	49	34	982,441	1,347,583
New Industrial	0	0	1	0	1,302,945	0
Industrial Remodel	0	0	0	0	0	0
Public Building	0	2	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	7	11	168	197	\$16,195,028	\$22,328,635

DALLAS AQUATIC CENTER

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

DECEMBER 2008 MONTHLY REPORT

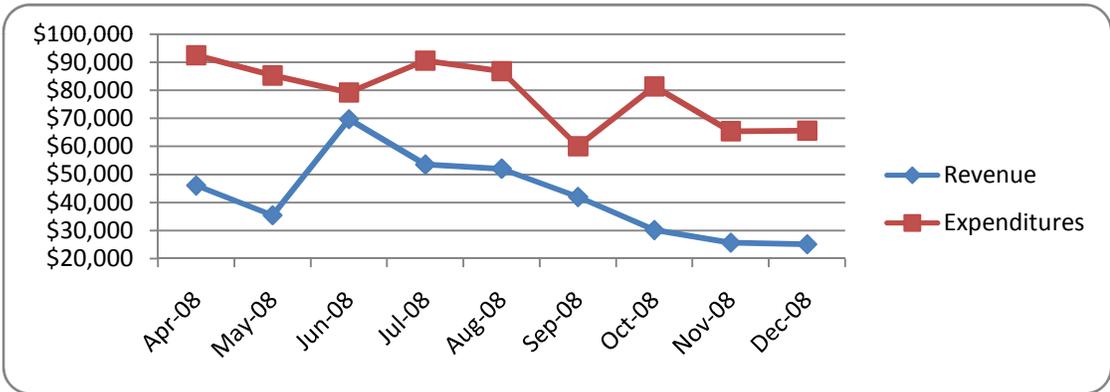
REVENUE	Dec-08	Fiscal YTD
General Admission	\$8,024	\$93,977
Annual Membership	6,793	46,058
Concessions	2,740	33,622
Pool Rental/Parties	3,770	11,955
Other	3,828	34,729
Dec-08	\$25,155	\$220,341
Dec-07	\$22,906	\$187,985

Current Members:	
Annual	734
3-month Water Aerobics	20

Monthly Attendance:	
December	10,355

R/E Ratio = 47.7 %
 (Revenue/Expenditure)

EXPENDITURES	Month	Fiscal YTD
Dec-08	\$65,606	\$461,520
Dec-07	\$66,391	\$448,374



Utility Costs:	Dec-08	Fiscal YTD
Natural Gas	\$19,988	\$67,169
Electricity	\$8,377	\$46,960

Whats New:

- * The Aquatic Center was broken into on 1/3/09. Some small items were stolen, and the door glass broken.
- * The RFP for pool EEM measures was issued. We expect responses the end of January.
- * The Aquatic Center was closed during the heavy snow days. In all, we were closed about 4 full days.
- *

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

Circulation Statistics

Adult	Dec 2008	Dec 2007	Children	Dec 2008	Dec 2007
Print Materials	7470	6691	Print Materials	2306	2184
Books on Tape/CD	577	482	Books on Tape/CD	140	165
AV Materials	1341	1017	AV Materials	847	744
Misc. items	887	1270			
2008 Year to Date	125,119		2008 Year to Date	46,630	
Remote Renewals	1059		2008 Year to Date	10,645	
Combined Total	182,394				

Additional Activity

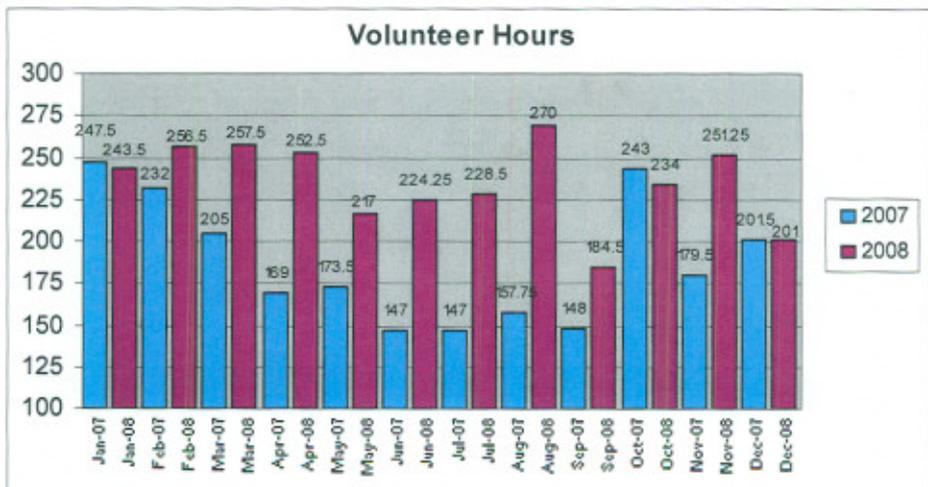
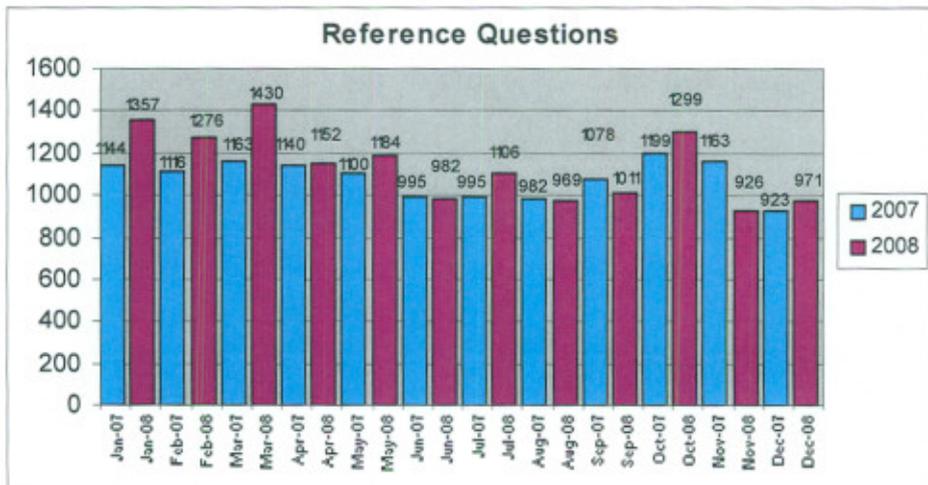
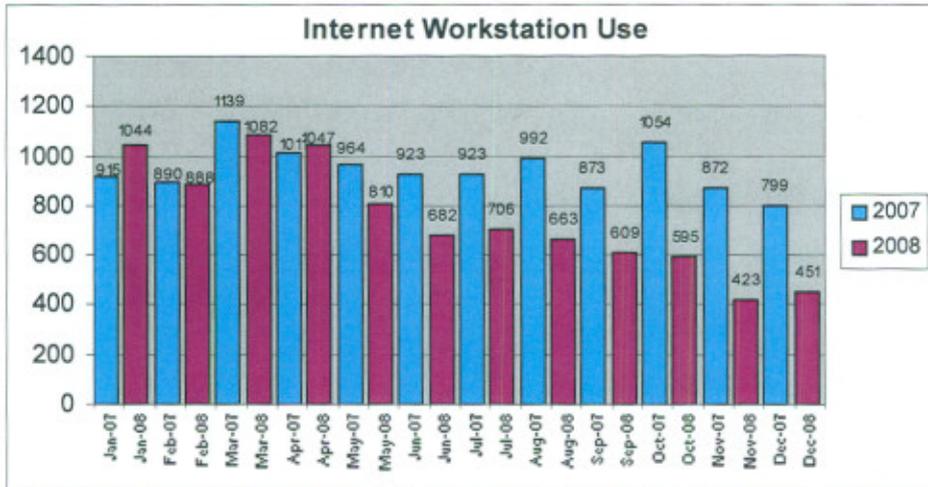
	December 2008	December 2007	Year to Date 2008
Non-Resident User Fees	\$ 560.00	\$ 650.00	\$ 5955.00
Fines Collected	\$ 546.33	\$ 665.79	\$ 9706.13
Photocopies	\$ 68.64	\$ 84.75	\$ 8733.15
Reference Questions	971	923	13,663
Volunteer Hours	201	201.5	2820.5

Registered Patrons – December 2008

City Residents		Non-Resident – Fee Paid		Non-Resident - Restricted	
Adult	5636	Adult	358	Adult	1254
Child	1629	Child	75	Child	421
YA (12-17)	512	YA (12-17)	36	YA (12-17)	164
Total	7777	Total Fee	469	Kids C.A.R.E.	470
				Total Restricted	2309
Non-Resident Total	2778				
Total Registered Patrons	10,555				

The new "Self Check" computer has arrived and is being put to good use by our patrons. With the assistance of a volunteer or two, who spend a few hours each week demonstrating how this wonderful new option works, patrons are having a great time trying out this new function. For those patrons who are basically computer free, or those for whom self check just isn't their cup of tea, that's fine, our staff is always ready to assist them. The new "Self Check" option allows patrons to check out, renew materials, pay fine/fees, and in general monitor their Library account.

Dallas Public Library Monthly Report for December 2008



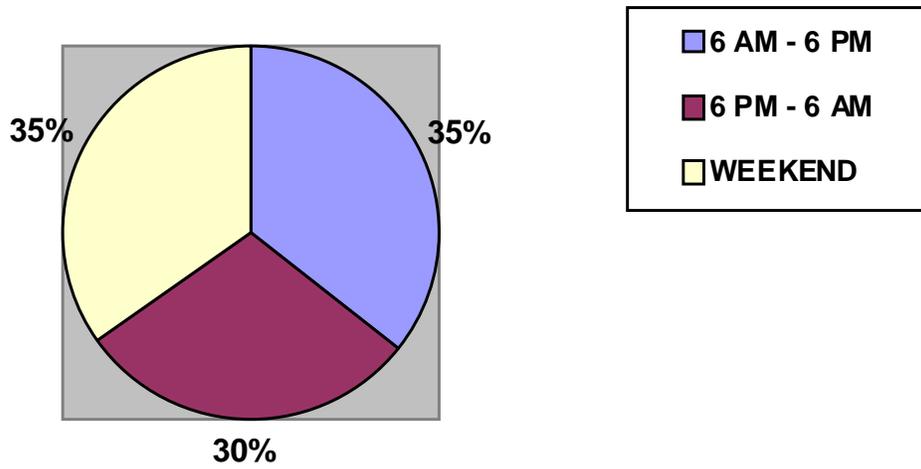
COUNCIL REPORT – DECEMBER 2008

To: Mayor & City Council Members

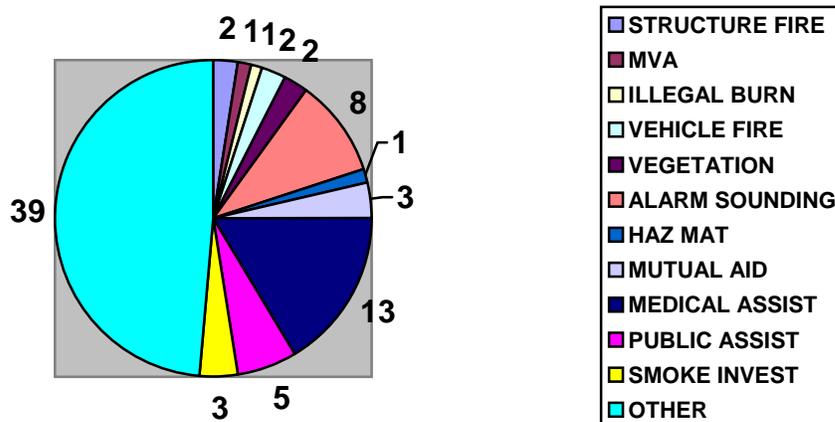
From: Fire Chief

Dallas Fire Department:

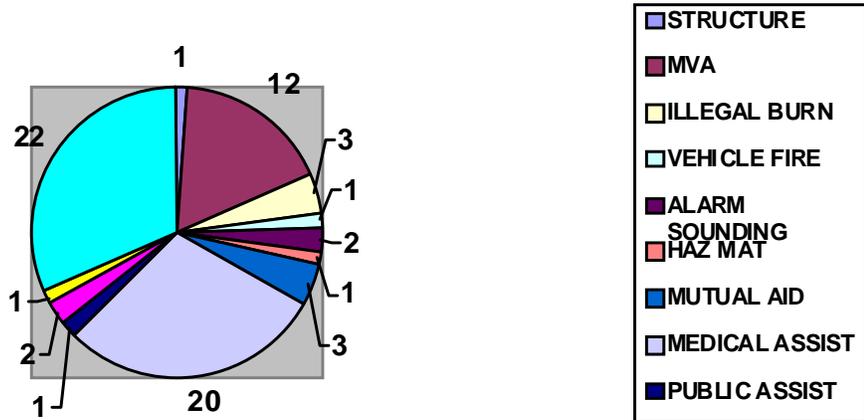
Station 100 responded to 149 calls of which 53 were between 6 AM – 6 PM, 44 between 6 PM – 6 AM and 52 during the weekend.



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.



Chief Hahn is serving on the 911 Budget Committee for this upcoming fiscal year. Hopefully this will give us a handle on needs for the budget year.

Chief Hahn and Inspector Condon conducted a juvenile firesetter intervention for the Polk County Juvenile Department.

Chief Hahn and Chief Cane from Polk Fire District #1 worked with Forestry, revisiting the areas they serve to determine if they still fall under forestry protection.

Deputy Chief Unger attended the retirement of Bob Jung of Marion County Fire Authority. Bob has been with Marion County for 25 years.

The annual employee breakfast was held on December 19th in the fire department clubroom.

Association members conducted the annual Breakfast with Santa on Saturday December 6th. The event was well attended.

Dallas Emergency Medical Service:

On December 1st, Todd Brumfield made a presentation on how Dallas Emergency Medical Services operates so the Council is better informed about the system.

The borrowed Springfield ambulance is in operations and the medics have received many interesting questions about the creamsicle unit. One individual stopped them at a stop sign and asked if they were lost.

MEMORANDUM

DALLAS POLICE DEPARTMENT MONTH OF DECEMBER '08

TO: JERRY WYATT

January 20, 2009

FROM: INTERIM CHIEF TOM SIMPSON

Officers Jim Wadsworth and Sunny McKnight are progressing well in their Field Training Programs. Wadsworth is scheduled to begin academy training at the Oregon Public Safety Academy in early February.

Lieutenants Dankenbring, Dunham, Hatchell and Van Laanen completed their second week of Middle Management training at DPSST in Salem. Each will have a final management staff-project to complete and present to me for review, after which I can sign off the documents for their completion of the overall Middle Management training course. All four are progressing well. It should be noted that I received very favorable, *independent* comments back from other attendees and instructors at the training, regarding the caliber and dedication of the lieutenants who attended from Dallas. They represented us well.

I participated with the City Manager and other government representatives in a community meeting with residents of the Linden Lane area. This was another venue provided citizens to ask questions and voice concerns about a group home being constructed in their neighborhood.

James Riley Porter Jr, a 10 year resident of Dallas, was arrested on the afternoon of Dec 9th, after an alert city park worker (Eric Totten) noticed him acting suspiciously in the park. Porter was ultimately charged with multiple felony counts of Arson and admitted to investigators that he had been setting the fires we had been investigating throughout the community. Porter's reason was that he just liked starting the fires.

Attended the funeral of Woodburn Police Captain Tom Tennant who was killed by the explosion at a Woodburn bank on December 12th. (Approx. 7 DPD staff attended).

Asst Chief Darland and I worked with the City Manager and Department Heads to review and update our City's Emergency Management Plan. This project will continue with more extensive updates over the next few months, including a re-write of the overall plan. This will be in conjunction with Polk County Emergency Management and Oregon Emergency Management, and coordinated by a grant-provided contractor working with area Emergency Managers.

Officers were busy during our responses related to the inclement weather during December. Officers handled over 900 calls for service during December.

Dallas PD staff contributed over \$750.00 to the fund-raiser for our first Community Holiday Dinner! In addition, various department members volunteered their time to help prepare, serve, or clean up after the event. Overall a very successful activity and we look forward to an even better event for the 2009 Holiday season.

DECEMBER 2008

The following is a summary of traffic violations committed:

22 Speeding Violations
05 License Violation
13 Insurance Violations
11 Moving Violations
02 All Other

Investigations / Calls for Service by this Department

51	Animal Ordinance Offenses	Clear by Arr	14
08	Assaults	Clear by Arr	06
04	Burglary	Clear by Arr	01
11	Criminal Mischief	Clear by Arr	02
01	Disorderly Conduct	Clear by Arr	01
04	DUII	Clear by Arr	04
02	Driving While Suspended	Clear by Arr	02
04	Drug Offenses	Clear by Arr	04
02	Fail Carry Present License	Clear by Arr	02
04	Furnishing Alcohol to Minor	Clear by Arr	04
09	Harassment	Clear by Arr	05
01	Interference Police Officer	Clear by Arr	01
01	Minor in Possession Alcohol	Clear by Arr	02
01	Menacing	Clear by Arr	01
04	Ordinance Offenses	Clear by Arr	02
02	Reckless Driving	Clear by Arr	01
04	Reckless Burning	Clear by Arr	04
02	Recklessly Endangering	Clear by Arr	02
03	Runaway	Clear by Arr	03
01	Stalking	Clear by Arr	01
17	Thefts	Clear by Arr	02
05	Trespass	Clear by Arr	01
10	Warrants	Clear by Arr	10
129	Assist Public		
68	Assist Law		
34	Suspicious Activity		
09	Suspicious Vehicles		
07	Suspicious Persons		

- 10 Disturbances
- 23 Domestic Disturbances
- 15 911 Hangup
- 18 Welfare Checks
- 19 Assist Traffic
- 26 False Alarms
- 21 Civil Complaints
- 08 Noise Complaints
- 27 FIR (Field Investigation Report)

Arrests by this Department

- 14 Animal Ordinance Offenses
- 06 Assault
- 01 Burglary
- 02 Criminal Mischief
- 01 Disorderly Conduct
- 04 DUI's
- 04 Drug Offenses
- 02 Driving While Suspended
- 02 Fail Carry & Present License
- 04 Furnishing Alcohol to Minor
- 05 Harassment
- 01 Interference Police Officer
- 01 Menacing
- 02 Minor in Possession Alcohol
- 02 Ordinance Offenses
- 04 Reckless Burning
- 01 Reckless Driving
- 02 Reckless Endangering
- 03 Runaway
- 01 Stalking Violation
- 02 Thefts
- 01 Trespass
- 10 Warrants

75 TOTAL ARRESTS (Arrests for December '07:101)

TOTAL CALLS FOR SERVICE: 904 (Last yr: 970)
 156 Incident Reports
 748 Event Reports

JUVENILES

Eleven juveniles were referred to juvenile authorities for their actions

CODE ENFORCEMENT REPORT

December 2008

Community Service Officer Totten

<u>NUMBER OF TOWED VEHICLES</u>	<u>0</u>
<u>NUMBER OF CITATIONS ISSUED</u>	<u>20</u>
<u>NUMBER OF FOLLOW-UP ACTIVITIES COMPLETED</u>	<u>162</u>

NEW CASES STARTED:

<u>DCC # 5.584-INOPERABLE VEHICLES (PRIVATE PROPERTY)</u>	<u>17</u>
<u>DCC # 6.320-VEHICLES STORED ON STREET/PARK STRIP</u>	<u>25</u>
<u>DCC # 6.505-ABANDONED VEHICLES</u>	<u>9</u>
<u>DCC # 5.582-JUNK</u>	<u>2</u>
<u>DCC # 5.556-SCATTERING RUBBISH (PRIVATE PROPERTY)</u>	<u>9</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>3</u>
<u>DCC # 6.125-OBSTRUCTING STREETS OR SIDEWALKS</u>	<u>4</u>
<u>DCC # 5.588-GRAFFITI</u>	<u>1</u>
<u>DCC # 5.552- ATTRACTIVE NUISANCES</u>	<u>0</u>

HABITUAL PROBLEMS/OTHER ISSUES:

NARRATIVE:

Seventeen citations were issued for parking violations.

COMMUNITY PROGRAMS

Community Service Officer ~ Jennifer Croll

- On December 5, 2008, Officer Croll assisted the Chamber of Commerce, as well as the Fire Department and other local agencies with Santa at the Courthouse and the Tree Lighting.
- An After DARC meeting was held on December 10 at Starbucks. At this time, new members were elected. Roger Pope is the new Chairman with Visual Media. Former Chairman was Mike Lowery with Focal Point. Co-Chairman is Jennifer Croll, Coordinator is Jill Mumma, Secretary is Jeremy Teal, and Treasurer is Susan Morrill.
- Officer Croll attended the Evidence Priors User Group meeting held at Salem Police Dept. on December 11. A new list of codes was proposed for the database.
- A Neighborhood Watch Meeting was held for Hillcrest Drive at Murphy's on December 13. An informative Neighborhood Watch PowerPoint presentation was given. The neighbors had an opportunity to express any concerns.
 - 1) Loud traffic all hours of the night
 - 2) 0300 hours in the morning; can hear individual revving engine approximately 4 houses away.
 - 3) 257 Hillcrest Drive --- multiple neighbors state guy is living in shed with in the back with illegal power and has been warned by city in the past??
- On December 19th, Officer Croll and several other fellow officers attended Fallen Capt. Tennant's Funeral in Salem.

Animal Control

Community Service Officer ~ Todd Pendley

- There were 51 calls for service on animal related incidents, in which fourteen citations were issued.
- Officer Pendley, along with police volunteers, left door hangers with information about licensing your dog. They covered approximately eight square blocks in the SW area of Dallas.

DEPARTMENT OF PUBLIC WORKS

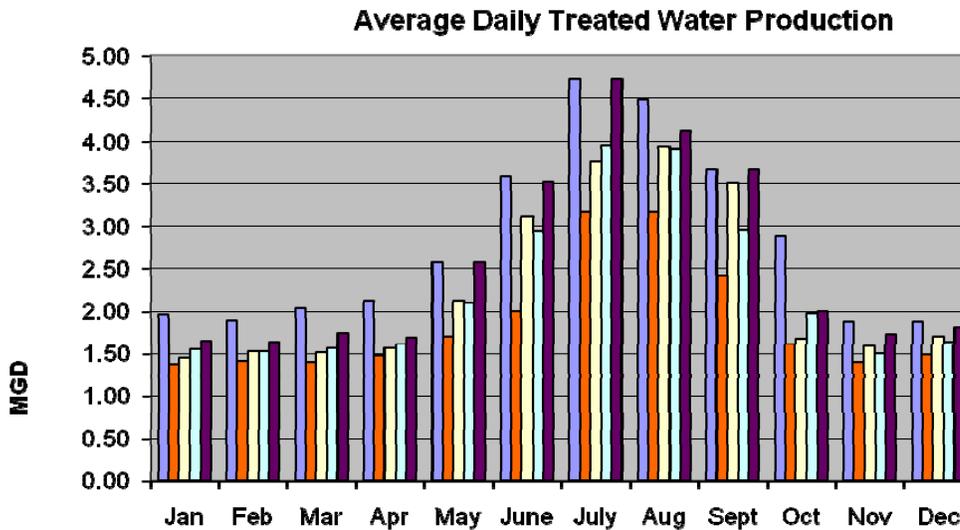
Monthly Report for December 2008

Water Division

	<u>2008</u>	<u>Unit</u>		<u>2007</u>	<u>Unit</u>
Total Discharge to Town	56.1	MG		50.00	MG
Total Water Raw	54.9	MG		54.00	MG
Peak Day	(Dec. 24) 2.54	MG	(Dec. 7)	2.90	MG
Daily Average-Raw	1.8	MGD		1.71	MGD
Daily Average-City	1.8	MGD		1.61	MGD
Backwash Water	3.6	MG		2.78	MG
Filter to Waste	.80	MG		0.26	MG
Flushing	-	MG		0.25	MG
Discharge Water	.10	MG		0.10	MG
ASR Discharged	0	MG		0	MG
Average High Temp	44 ° F			45.4 ° F	
Average Low Temp	30 ° F			34.8 ° F	
Total Precipitation	6.02	Inches		15.01	Inches

Mercer Dam and Watershed:

Reporting normal. Visual inspections were done on December 5 and 19, and walking inspections on December 12. Some debris from storm collected above the lower and upper log boom.



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

Water Division – Continued

Intake Pump Station: Reporting normal. The diesel engine was used during the storm which developed a leak in the radiator; absorbant was put down for the antifreeze that spilled as a result of the leak. The cylinder liners will need to be repaired or, ideally, the unit will be replaced with a generator.

Water Treatment Plant: Reporting normal. CH2M-Hill is continuing to work on problems in the PLC resulting in overtime. Cascade Automation worked on the #1 influent valve and the effluent valve actuator.

Reservoirs: Reporting normal. All of the reservoirs were cleaned by divers.

New Services: One new service this month:
¾" 490 NW Reed Lane

Leak Repairs: A leak caused by electrolysis in a 6" cast line was repaired at the 300 block of Douglas with a 15" full circle clamp.

Worked on: The storm caused extra work for staff resulting in overtime, worked with a contractor on flushing and chlorinating 14" waterline for Main Street tank, and valve turning.

Wastewater Division

Effluent Flow

		<u>2008 Units</u>		<u>2007 Units</u>
Monthly Total Flow		106.18 MG		195.20 MG
Peak Day Flow	(Dec. 27)	10.16 MG	(Dec. 3)	15.02 MG
Daily Average Flow		3.43 MG		6.30 MG

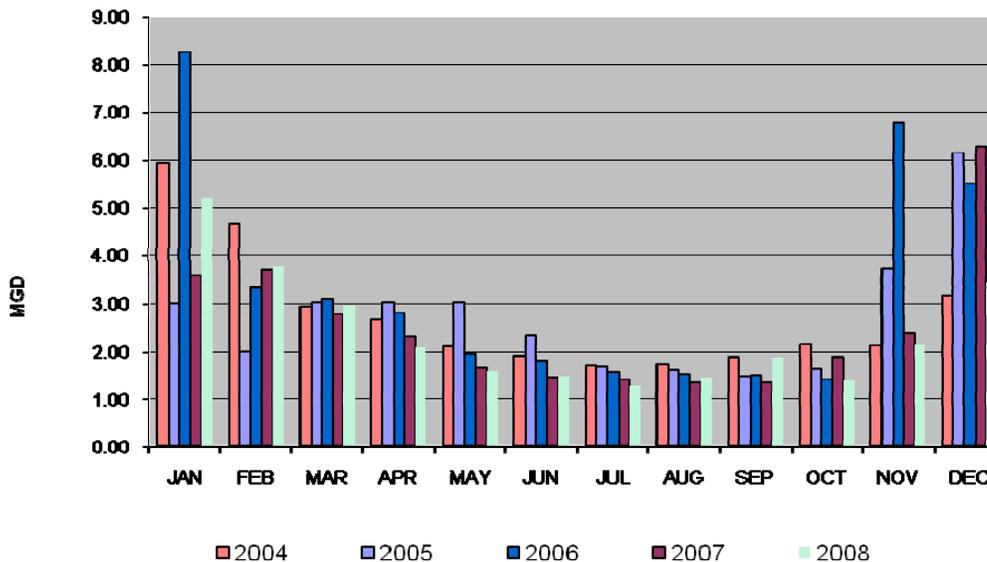
Plant Maintenance

- ✓ Influent Pump Station SCADA programming modified.
- ✓ Ultra violet disinfection system lamp replacement of Bank 1B.
- ✓ Biosolids Report for 2008 prepared and delivered to Oregon DEQ.
- ✓ Multiple power bumps during snow days.
- ✓ Two trees fell during snow days.

Plant Performance

The influent pump station SCADA programming was modified to aid in winter and summer plant processing. The programming performed well during inclement weather conditions that produced high flows, multiple power bumps, and freezing temperatures. Two trees fell during the snow storm and large trees experienced broken branches. Low temperatures froze and broke two pipes - clean-up and repairs are under way.

Effluent - Average Daily Discharge by Month

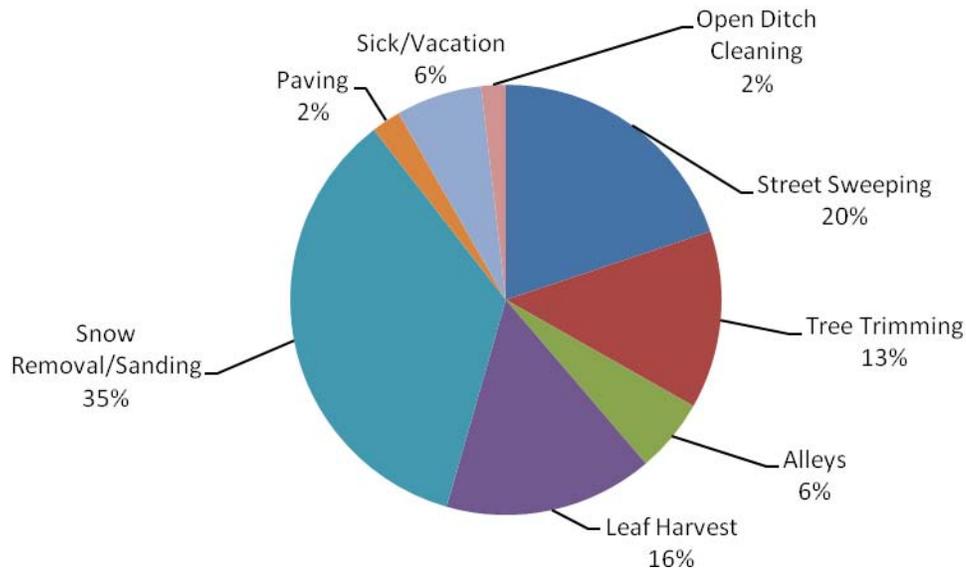


Street and Construction Division

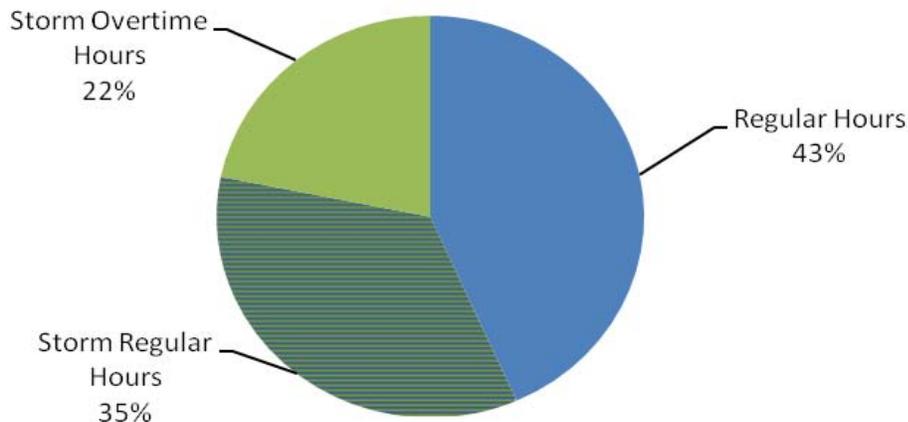
Maintenance:

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.

December Hours



Storm Related Hours



Parks

The Parks department provided the following routine services:

- ✓ Cleaned leaves from shrub beds
- ✓ Applied fertilizer to lawn and shrub areas
- ✓ Repaired damage caused by vandalism
- ✓ Regular mowing of all parks
- ✓ Performed monthly safety check of playground equipment on December 19
- ✓ Mulch or accumulate leaves from lawn areas
- ✓ Removed leaves from trails
- ✓ Prune or remove trees
- ✓ Pick up fallen limbs
- ✓ Prune shrubs
- ✓ Winter table maintenance and equipment repairs
- ✓ Equipment service checked and/or repaired
- ✓ Removed leaves from park building roofs
- ✓ Replace Fountain pump
- ✓ Installation of new Rotary Park sign
- ✓ Remove skate asphalt ramp from Birch Street Park
- ✓ Repair men's restroom from arson vandalism
- ✓ Snow removal from core area side walks
- ✓ Installation of Mutt-mitts and signage at the new Dog Park
- ✓ Chip debris from storm
- ✓ Built and powder-coated five new bench frames for the Park

Engineering

Subdivisions:

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

Commercial Developments:

- Trinity Lutheran Church: Plans approved, waiting for construction
- DRV Ellendale Duplexes: Construction underway
- Jasper Crossing Phase I: Punch list generated
- Ellendale Manor: Construction on-hold
- MAK Metals: Construction underway
- Miller Avenue Apartments: Waiting to meet with Engineer

Programs / Projects:

- Phase II/ Monitoring: Fifth sampling event completed, preliminary results reviewed
- Levens Street Bridge Replacement: Fixes scheduled, disputing with contractor
- SE Monmouth Cut-off / Uglow Ave Intersection: Project review scheduled
- Main St Water Reservoir: Electrical and telemetry work underway, waterlines disinfected, tank disinfection and some site work including fencing remain
- Downtown Parking Lot: Preliminary design and estimate completed
- Maple Street Sewer: Project on hold
- 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: 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: Received ASR grant from WRD
- Tracking Backflow testing
- Pavement Management: Information analysis
- Sidewalk Inspections: Ongoing
- Weed Abatement: Season Completed

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8 a	Topic: Application for Taxi Cab Business License
Prepared By: Emily Gagner	Meeting Date: January 20, 2009	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Move to approve the Application for Taxi Cab Business License for Squirrels Taxi Service, Inc.

BACKGROUND:

The City received an Application for a Taxi Cab Business License from Merlin Berkey of Squirrels Taxi Service, Inc. The Interim Police Chief has performed a background investigation and found no items of concern. Staff recommends approval of the license.

FISCAL IMPACT:

None

ATTACHMENTS:

Application for Taxi Cab Business License (Squirrels Taxi Service, Inc.)

CITY OF DALLAS

APPLICATION FOR TAXI CAB BUSINESS LICENSE

RECEIVED DEC 16 2008 / ek

Applicant's Name: Merlin D. Berkey

Applicant's Residence Address: _____

Business Name: Squirrels Taxi Service, Inc.

Business Address: PO Box 652 Dallas, OR 97338

Business Phone: 971-240-1208 Home Phone: _____

Driver's License # _____ Date of Birth: _____

Social Security Number: _____

List any previous taxi cab business experience: I have operated as a designated driver in Dallas for several years

Provide the following information for each vehicle to be used. Also, provide proof of safe operating condition for each vehicle and insurance coverage.

Vehicle Year, Make and Type: 1997 Dodge Caravan

Seating capacity: 7 passenger

Proposed fee schedule: \$2.95 flag drop; \$1.98 a mile

Proposed hours of service: 24 hours, 7 days a week

Has the applicant, principals or officers been convicted of a felony, misdemeanor, or other offenses: [] Yes [X] No

If yes, please list the charge and penalty: _____

Provide the information required for each driver on the separate application form.

FEES FOR TAXI CAB BUSINESS LICENSE:

Application fee (nonrefundable):	\$100.00	
Driver's permit application fee:	\$ 10.00	(each person)
Annual License fees:	First taxi cab	\$ 50.00
	Each additional taxi cab	\$ 25.00

TRANSFER/REVOICATION OF LICENSE

1. No license may be sold or transferred without City Council approval.
2. A license may be suspended or revoked by the City Council if:
 - a) False Statements are given on the application.
 - b) Operation ceases for 15 days or more without City Council consent.
 - c) Owner violates DCC 7.700 to 7.800.
 - d) Rates charged are higher than those on file.
 - e) Owner fails to pay fees.
 - f) Licensee is convicted of a felony, misdemeanor, or other offense.
3. License may be revoked by the City Manager for just cause to protect the public safety.
4. Any revocation may be appealed to the City Council.

DISPLAY OF LICENSE AND PERMITS

The current license or a photocopy shall be displayed in a manner readily visible to each passenger. Each taxi cab driver shall have a permit issued by the Chief of Police and displayed so that it is visible to all passengers.

INSURANCE

Applicant must provide proof of insurance, to the limits required by Dallas City Code 7.745, with the City of Dallas listed as an additional insured, including evidence that the insurance carrier shall give the City 30 days notice of any change in insurance coverage or of any cancellation of coverage.

TAXI CAB EQUIPMENT AND MAINTENANCE

In addition to all equipment required by state law, each taxi cab shall have:

- 1. An accurate taximeter, visible and readable to all passengers at all times.
- 2. A top light identifying it as a taxi cab.
- 3. A fire extinguisher approved by the Fire Chief.
- 4. The company name and phone number on the exterior of the Vehicle
- 5. A "State of the Art" taxi radio operating on a clear coordinated taxi cab frequency.

Taxi cabs will be kept in proper repair, clean, sanitary and in a safe condition.

RATES

Rates shall be set in accordance with DCC 7.770

HOURS OF SERVICE

Licensee shall have a taxi cab available each hour of every day unless exceptions are granted by the City Council.

VARIANCES

Variations may be provided by the City Council in accordance with DCC 7.790.

VIOLATION OF THIS CODE IS A CIVIL INFRACTION

CERTIFICATION:

I hereby certify that I have read this application and that this application contains no misrepresentations or falsifications and that the information given is true and complete to the best of my knowledge and belief. I authorize the City Dallas to make any necessary and appropriate investigations to verify the information I have provided in my application and to review my personal, financial, and professional background, including any criminal records and past employment records. I release the City of Dallas and any persons, companies, or corporations supplying the above information from all liability pertaining to information concerning my background.

Applicant's Signature: *Armando D. Barber* Date: 12/12/2008

Application Fee Paid: Annual License fees paid Amt. 50⁰⁰
Proof provided: Safe operating condition for each vehicle Insurance coverage

BACKGROUND INVESTIGATION BY CHIEF OF POLICE

A records check of the application revealed:

No items of concern.

The following items of concern: _____

Police Chief's Signature: *T. Simpson* Date: 1/7/09

Name Scan
 Incident Scan
 CCH
 DL Record
 Date 1-7-09 By *[Signature]*

CITY OF DALLAS
APPLICATION FOR TAXI CAB DRIVER'S LICENSE

Applicant's Name: Merlin D. Berkey

Applicant's Residence Address: _____

Driver's License # _____ Date of Birth: _____

Social Security Number: _____ Phone Number: _____

List any previous taxi cab driving experience:

I have operated as a designated driver in Dallas for several years

Has the applicant been convicted of a felony, misdemeanor, or other offenses:

Yes No

If yes, please list the charge and penalty: _____

Has the applicant been involved, as a driver, in any accidents that resulted in injury to one or more persons or property damage in excess of \$500.

Yes No

If yes, please list dates and locations: no automobile accidents in the last five years

A copy of the applicant's fingerprints must be attached to this application.

CERTIFICATION:

I hereby certify that I have read this application and that this application contains no misrepresentations or falsifications and that the information given is true and complete to the best of my knowledge and belief. I authorize the City Dallas to make any necessary and appropriate investigations to verify the information I have provided in my application and to review my personal, financial, and professional background, including any criminal records and past employment records. I release the City of Dallas and any persons, companies, or corporations supplying the above information from all liability pertaining to information concerning my background.

Applicant's Signature: Merlin D. Berkey Date: 12/12/2008

Application Fee paid

Fingerprints received

BACKGROUND INVESTIGATION BY CHIEF OF POLICE

A records check of the applicant revealed:

No items of concern.

The following items of concern: _____

Police Chief's Signature: T. Simpson Date: 1/7/09

Name Scan
Incident Scan
CCH
DL Record
Date 1/7/09 By [Signature]

PROGRESSIVE

WOODS INSURANCE LLC
PO BOX 228
DALLAS , OR 97338

Policy number: 052679660
Underwritten by
Artisan and Truckers Casualty
Company
01/14/2009

Certificate of Insurance

Certificate Holder	Insured	Agent
Additional Insured CITY OF DALLAS OREG 187 SE COURT ST DALLAS, OR 97338	SQUIRRELS TAXI SERVICE, INC P.O. BOX 652 DALLAS, OR 97338	WOODS INSURANCE LLC PO BOX 228 DALLAS , OR 97338

This document certifies that insurance policies identified below have been issued by the designated insurer to the insured named above for the period(s) indicated. This certificate is issued for information purposes only. It confers no rights upon the certificate holder and does not change, alter, modify, or extend the coverages afforded by the policies listed below. The coverages afforded by the policies listed below are subject to all the terms, exclusions, limitations, endorsements, and conditions of these policies.

Policy Effective Date: 01/14/09 Policy Expiration Date: 01/14/10

Insurance coverage(s)	Limits
LIABILITY	\$750 COMBINE SINGLE LIMIT

Description of Location/Vehicles/Special Items

Scheduled autos only
1997 DODGE GRAND CARAVAN 1B4GP54L2VB371875

Certificate number
01409070966

Please be advised that additional insureds and lienholders will be notified in the event of a mid-term cancellation.



Form 5241 (10/02)

January 15, 2009

City of Dallas
Members of the Council
Jerry Wyatt, City Manager
187 SE Court Street
Dallas, OR 97338

Dear Mr. Wyatt and Members of the Council,

2008 was a very exciting year for the Dallas Area Visitors Center!

Due to the funding that we received from the hotel room tax; we were able to move into a larger facility, have full time office staff coverage, partner in the creation and distribution of a 'Fine Wines' Brochure, 'Dallas Postcard' and begin development of the Visitors Center website.

As you are aware, the Chamber & Visitors Center share the same office. We keep record of each and every person that contacts us for assistance and then also keep record of what services they request of us.

We assisted 9,066 people through the year:

- 1,177 were walk in's
- 2,514 were calls
- 5,375 were eMails

Of those 9,066 people:

- 435 were visitors {we mailed 66 packets out}
- 246 were interested or had recently relocated
- 3,069 were regarding events
- 1,353 business referrals were given
- 3,963 were regarding business in general

Our website had 53,495 visitors...all spending a minimum of 60 seconds. Most visitors were accessing our membership database or current event {Friday eNews} information.

In 2009, we are excited to continue with our efforts as well as adding products and services, such as;

- Launching the new section of our website complete with a form for people to request a packet
- Being an exhibitor at the Oregon Governor's Conference on Tourism in Salem
- Producing a brochure featuring the agri-tourism element of our area
- Partnering with our hotels to provide guests with the information they want and need
- Partnering with local realtors to provide potential and actual relocators with the information they want and need

If you have any comments or questions about our program, please feel free to contact me anytime.

Sincerely,



Chelsea Pope
Executive Director

cc: Board of Directors

MEMORANDUM

To: Mayor James Fairchild and City Council
From: Lane Shetterly, City Attorney
Date: January 20, 2009
Re: Ordinance amending DCC 2.005 (Council meetings)

Below is the text of the proposed ordinance amending DCC 2.005, in “compared” format, which covers several code amendments that should be made with regard to city council meetings.

Subsection (1) is amended to reflect that the council has changed the starting time of its regular meetings from 7:30 (as currently provided in the code) to 7:00 p.m. To provide for some flexibility in the event of future changes in meeting times, the proposed language provides that the meetings will be held at 7:00 p.m. “or at such other hour as the council may provide.” I did not propose any amendment to the provision that requires two meetings each month (even though the charter only requires one meeting per month), as that does not seem to be an issue with the council.

Subsection (2) is amended to bring the language of this code section in line with Section 13 of the city Charter, relating to special meetings. The current language of this code section conflicts with the Charter.

Subsection (3) is new, and incorporates requirements of the Oregon Public Meetings Law regarding “emergency meetings,” i.e., meetings called on less than 24 hours’ notice. (“Actual emergency” is not defined in state law, which leaves the city some limited discretion as to what constitutes an emergency, but the Oregon Court of Appeals has held that the emergency “must be dictated by events and cannot be predicated solely on the convenience or inconvenience of the governing body.”) I thought it would be advisable to include this language in this code section, since it relates directly to the subject matter of the section, so that the requirements that apply under state law to a meeting called on less than 24 hours’ notice would be less likely to be overlooked.

The proposed amendment, in “compared” format, is as follows:

2.005 Council Meetings.

(1) Regular meetings of the council shall be held on the first and third Mondays of each month at 7:~~30~~⁰⁰ p.m., or at such other hour as the council may prescribe, in the council chambers in city hall. If a regularly scheduled meeting falls on a legal holiday, the council shall meet on the following day at 7:⁰⁰~~30~~ p.m., or at such other hour as the council may prescribe. The business of the council shall be in the order prescribed by the mayor.

(2) Subject to subsection (3), tThe mayor may, on the mayor's own motion or at the request of three council members, call a special meeting of the council for a time not ~~sooner~~ less than three or more than 48 hours after notice of the special meeting is given. Special meetings may also be called by consent of all the council members.

(3) A special meeting may be held on less than 24 hours' notice only in case of an actual emergency, in which case notice shall be given as is appropriate to the circumstances, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice.

ORDINANCE NO. 1697

An Ordinance amending provisions of the Dallas City Code Section 2.005, relating to council meetings.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Dallas City Code Section 2.005 is hereby amended to read as follows:

2.005 Council Meetings.

(1) Regular meetings of the council shall be held on the first and third Mondays of each month at 7:00 p.m., or at such other hour as the council may prescribe, in the council chambers in city hall. If a regularly scheduled meeting falls on a legal holiday, the council shall meet on the following day at 7:00 p.m., or at such other hour as the council may prescribe. The business of the council shall be in the order prescribed by the mayor.

(2) Subject to subsection (3), the mayor may, on the mayor's own motion or at the request of three council members, call a special meeting of the council for a time not less than three or more than 48, hours after notice of the special meeting is given. Special meetings may also be called by consent of all the council members.

(3) A special meeting may be held on less than 24 hours' notice only in case of an actual emergency, in which case notice shall be given as is appropriate to the circumstances, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice.

Section 2. All prior and conflicting ordinance provisions are hereby repealed.

Read for the first time: January 20, 2009
Read for the second time: February 2, 2009
Passed by the City Council: February 2, 2009
Approved by the Mayor: February 2, 2009

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

MEMORANDUM

To: Mayor James Fairchild and City Council
From: Lane Shetterly, City Attorney
Date: January 20, 2009
Re: Ordinance amending DCC 5.386 (Wild animals and birds)

Below is the text of the proposed ordinance amending DCC 5.386, in “compared” format, which adds a prohibition against feeding to the current code section and extends the code section to include wild birds as well as carnivorous wild animals.

In reviewing the current city code as well as other city ordinances (including the recently enacted Philomath nuisance ordinance that addresses the feeding of birds) I felt this approach – amending an existing code section – was superior to creating a new code section, or series (as in the case of Philomath). The proposal to prohibit the feeding of wild birds seems to fit well in this section.

Subsection (1) adds the prohibition against “feeding” to the existing prohibition against “keeping” and adds wild birds to the code section.

Subsection (2)(b) adds a new definition of “wild bird.” This definition is derived from Department of Fish and Wildlife administrative rules that define “game bird” and “water fowl.” I thought it best to use an existing definition in law, rather than create a new one. This also avoids having to exclude (and define) “song birds,” as the Philomath ordinance does.

Subsection (2)(c) makes clear that intent to attract or feed is required in order to establish a violation of this section. This will avoid inadvertent violations resulting from incidents such as an animal knocking over a garbage receptacle.

Subsection (5) adds a penalty provision, making the first offense of this section a civil infraction (punishable by a fine of up to \$500), and a second and subsequent offenses punishable as a class C misdemeanor. With no express penalty provision, the current code section is punishable only as a civil infraction, regardless of the number of offenses.

Memorandum -- Page 1

The "compared" amendment is as follows:

5.386 Wild Animals.

(1) Except as provided in subsections (3) and (4), no person shall feed or keep in captivity within the city a carnivorous wild animal or wild bird.

(2) As used in this section:-

(a) "Carnivorous wild animal" is means an animal that is not by custom devoted to the service of mankind at the time and in the place in which it is kept. Carnivorous wild animals include, but are not limited to, wolves, coyotes, bobcats, bears, foxes, cougars, and any hybrid animal which has any degree of such wild carnivorous animals.

(b) "Wild bird" means duck, goose, merganser, coot, snipe, band-tailed pigeon, dove, pheasant, quail, partridge, grouse or wild turkey.

(c) "Feed" means to place or allow to be placed, in any manner, food or other attractants with the intent of attracting or feeding carnivorous wild animals or wild birds.

(3) The provisions of this section do not apply to the owners of a circus, tent show, or carnival that is licensed by the city.

(4) The Council may grant an exemption to this section under the following procedures:

(a) An applicant shall file a request for an exemption which includes the following:

- (i) Type of animal;
- (ii) A recent photograph of the animal;
- (iii) Where it will be located;
- (iv) Whether it's location in the city will be temporary or permanent;
- (v) Whether it has bitten, attacked, or otherwise harmed any person;
- (vi) What steps will be taken to insure the public safety;
- (vii) Proof of adequate liability insurance if the animal harms a person or property; and
- (viii) A certification from a licensed veterinary-veterinarian that the animal has received all necessary inoculations, including, but not limited to, rabies, a filing fee in an amount set by resolution of the Council.

(b) The Council shall thereafter hold a public hearing on the request for an exemption, after giving notice to the same property owners who would receive notice of a land use hearing relating to the premises where the animal would be located, not less than ten days in advance of the public hearing.

(c) At the conclusion of the public hearing, the Council shall grant the exemption, grant the exemption with conditions, or deny the exemption.

(d) A failure to continually abide by and maintain any conditions

Memorandum -- Page 2

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imposed by the Council is a violation of this section.

(5) Violation of this section, upon a first offense, shall constitute a civil infraction. Violation of this section upon the second and any subsequent offense shall constitute a Class C misdemeanor.

ORDINANCE NO. 1698

An Ordinance amending provisions of the Dallas City Code Section 5.386, relating to wild animals; and repealing conflicting provisions.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Dallas City Code Section 5.386 is hereby amended to read as follows:

5.386 Wild Animals.

- (1) Except as provided in subsections (3) and (4), no person shall feed or keep in captivity within the city a carnivorous wild animal or wild bird.
- (2) As used in this section:
 - (a) "Carnivorous wild animal" means an animal that is not by custom devoted to the service of mankind at the time and in the place in which it is kept. Carnivorous wild animals include, but are not limited to, wolves, coyotes, bobcats, bears, foxes, cougars, and any hybrid animal which has any degree of such wild carnivorous animals.
 - (b) "Wild bird" means duck, goose, merganser, coot, snipe, band-tailed pigeon, dove, pheasant, quail, partridge, grouse or wild turkey.
 - (c) "Feed" means to place or allow to be placed, in any manner, food or other attractants with the intent of attracting or feeding carnivorous wild animals or wild birds.
- (3) The provisions of this section do not apply to the owners of a circus, tent show, or carnival that is licensed by the city.
- (4) The Council may grant an exemption to this section under the following procedures:
 - (a) An applicant shall file a request for an exemption which includes the following:
 - (i) Type of animal;
 - (ii) A recent photograph of the animal;

- (iii) Where it will be located;
- (iv) Whether it's location in the city will be temporary or permanent;
- (v) Whether it has bitten, attacked, or otherwise harmed any person;
- (vi) What steps will be taken to insure the public safety;
- (vii) Proof of adequate liability insurance if the animal harms a person or property; and
- (viii) A certification from a licensed veterinarian that the animal has received all necessary inoculations, including, but not limited to, rabies, a filing fee in an amount set by resolution of the Council.

(b) The Council shall thereafter hold a public hearing on the request for an exemption, after giving notice to the same property owners who would receive notice of a land use hearing relating to the premises where the animal would be located, not less than ten days in advance of the public hearing.

(c) At the conclusion of the public hearing, the Council shall grant the exemption, grant the exemption with conditions, or deny the exemption.

(d) A failure to continually abide by and maintain any conditions imposed by the Council is a violation of this section.

(5) Violation of this section, upon a first offense, shall constitute a civil infraction. Violation of this section upon the second and any subsequent offense shall constitute a Class C misdemeanor.

Section 2. All prior and conflicting ordinance provisions are hereby repealed.

Read for the first time: January 20, 2009
Read for the second time: February 2, 2009
Passed by the City Council: February 2, 2009
Approved by the Mayor: February 2, 2009

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

Ordinance -- Page 2

MEMORANDUM

To: Mayor James Fairchild and City Council
From: Lane Shetterly, City Attorney
Date: January 20, 2009
Re: Ordinance amending DCC 2.550 (Park Board)

Below is the text of the proposed ordinance amending DCC 2.550, in “compared” format, which addressed amendments regarding the composition of the Park Board.

In subsection (2), the number of members of the Park Board is changed from eleven to a range of not less than eleven nor more than thirteen, as directed by the council at its meeting on January 5, 2009.

While amending this section, I have also proposed an amendment to subsection (2), by deleting language that created staggered terms when the board was originally established. That language is obsolete.

Section 3 of the ordinance includes an emergency clause and refers to Section 35 (2) of the Dallas Charter, which allows an ordinance to become effective upon adoption at one meeting upon the unanimous vote of all council members present. As such, if this ordinance receives a unanimous vote it will become effective immediately.

Section 1. Dallas City Code Section 2.550 is hereby amended to read as follows:

2. 550 Park Board

(1) A city park board is hereby created.

(2) The board shall consist of not less than eleven nor more than thirteen persons appointed by the council who shall serve at the pleasure of the city council. Not less than one member of the board shall be a member of the city council and not more than three members may be non-residents of the city.

~~(2)(3) The term of office for each member is three years except that the term of office for the initial board shall be one year for three members, two years for four members, and three years for four members.~~

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Memorandum -- Page 1

(4) A majority of a quorum of the board is sufficient to conduct board business.

Section 2. All prior and conflicting ordinance provisions are hereby repealed.

Section 3. This ordinance being necessary for the timely conduct of the business of the Park Board, an emergency is hereby declared and this ordinance shall take effect immediately upon passage and approval by the Mayor. Pursuant to Dallas Charter Section 35 (2), and upon unanimous vote of all council members present, this ordinance shall take effect upon passage, without first and second reading.

Memorandum -- Page 2

ORDINANCE NO. 1699

An Ordinance amending provisions of the Dallas City Code Section 2.550, relating to the Park Board and declaring an emergency.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Dallas City Code Section 2.550 is hereby amended to read as follows:

2.550 Park Board

(1) A city park board is hereby created.

(2) The board shall consist of not less than eleven nor more than thirteen persons appointed by the council who shall serve at the pleasure of the city council. Not less than one member of the board shall be a member of the city council and not more than three members may be non-residents of the city.

(3) The term of office for each member is three years.

(4) A majority of a quorum of the board is sufficient to conduct board business.

Section 2. All prior and conflicting ordinance provisions are hereby repealed.

Section 3. This ordinance being necessary for the timely conduct of the business of the Park Board, an emergency is hereby declared and this ordinance shall take effect immediately upon passage and approval by the Mayor. Pursuant to Dallas Charter Section 35 (2), and upon unanimous vote of all council members present, this ordinance shall take effect upon passage, without first and second reading.

Passed by the City Council: January 20, 2009
Approved by the Mayor: January 20, 2009

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER