



Dallas City Council Agenda

Monday, May 18, 2009, 7:00 p.m.
 Mayor Jim Fairchild, Presiding
 Dallas City Hall
 187 SE Court Street
 Dallas, Oregon 97338

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

Police Chief
 John Teague

Public Works Director
 Fred Braun

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 May 4, 2009 Council meeting p. 3	Approval
4. 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>	
5. PUBLIC HEARINGS <i>(Public comment will be allowed on items appearing on this portion of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.)</i>	
a. A public hearing on the proposed supplemental budget for the City of Dallas for the fiscal year July 1, 2008 to June 30, 2009. The purpose of the hearing is to discuss the supplemental budget with interested persons. p. 6	
6. REPORTS OR COMMENTS FROM THE COUNCIL MEMBERS	
7. REPORTS OF SPECIAL COMMITTEES AND CITY OFFICERS City Manager's Reports	
a. Façade Grant Program p. 7	Motion
b. Finance Software	Information
c. 2008 Opportunity to Recycle Update p. 14	Information
d. Report on the May 12, 2009 Planning Commission Mtg p. 15	Information
e. Department reports for the month of April p. 16	Information

Dallas City Council Agenda

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Our Vision

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

Our Mission

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

Our Motto

*Commitment to the Community.
People Serving People.*

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

f. Other

8. COMMUNICATIONS AND PETITIONS

9. RESOLUTIONS

- a. Resolution No. 3181 – A Resolution authorizing the transfer of budgetary funds. [p. 27](#) Roll Call Vote
- b. Resolution No. 3182 – A Resolution adopting and appropriating a Supplemental Budget for Fiscal Year 2008-2009. [p. 29](#) Roll Call Vote
- c. Resolution No. 3183 – A Resolution authorizing an interfund loan. [p. 30](#) Roll Call Vote
- d. Resolution No. 3184 – A Resolution amending the fee for Plan Review of certain Building Permit Applications; and repealing prior conflicting Resolutions. [p. 31](#) Roll Call Vote

10. FIRST READING OF ORDINANCE

11. SECOND READING OF ORDINANCE

12. OTHER BUSINESS

13. ADJOURNMENT

DALLAS CITY COUNCIL
Monday, May 4, 2009
Council Chambers

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The Dallas City Council met in regular session on Monday, May 4, 2009, at 7:00 p.m. in the Council Chambers of City Hall with Mayor Jim Fairchild presiding.

ROLL CALL

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

Also present were: City Manager Jerry Wyatt, City Attorney Lane Shetterly, Community Development Director Jason Locke, Police Chief John Teague, Assistant City Manager Kim Marr, and Recording Secretary Emily Gagner.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF MINUTES

Mayor Fairchild declared the minutes of the April 20, 2009, Council meeting approved as presented.

QUESTIONS OR COMMENTS FROM THE AUDIENCE

Brian Fast, Kids, Inc. Board President, stated that with recent concerns brought forth at the last Council meeting, he wanted to address a few things regarding the Board. He reviewed the Kids, Inc. objectives and bylaws. Mr. Fast indicated there is some concern that Kids, Inc. needs to become more competitive, but he feels Kids, Inc.'s goal should be to keep as many kids playing sports as possible and to keep it fun. Mr. Fast reviewed the structure of the Kids, Inc. Board, noting it is a voluntary board that oversees the budget, coordinates the facilities, and provides clerical support. Each sport then has its individual board, which then selects coaches, coordinates fundraisers, etc. He acknowledged there is a high turnover rate, which leads to a lack of consistency. Mr. Fast stated he would appreciate going back to the way it was eight years ago when there was a City representative that attended the Board meetings. He offered a proposal that says there is a non-voting member of the Board appointed by the City, noting he hopes that addresses some of the concerns brought forth by some citizens.

Councilor Lamb asked Mr. Fast if he would come to the Administrative Committee meeting later in the month. Mr. Fast stated he or a representative would attend. Councilor Shein asked what the City representative used to do, and why we stopped sending someone. Mr. Wyatt indicated he was the City representative that used to attend those meetings, and it mainly involved discussing facility scheduling. Councilor Shein stated his concern about the City getting involved, noting the City has no business telling a private organization what to do.

Chelsea Pope, Executive Director of the Dallas Area Visitor Center, informed the Council that she attended the Governor's Conference on Tourism in April and she talked with a lot of people who were very interested in what is going on in Dallas.

PUBLIC HEARINGS

REPORTS OR COMMENTS FROM COUNCIL MEMBERS

COMMITTEE REPORTS OF APRIL 27, 2009

Building and Grounds Committee – Councilor Wes Scroggin, Chair

David Shein reviewed the agenda items, noting there was one item that will come up later in the meeting for further discussion.

Public Works Committee – Councilor Dave Voves, Chair

1 Kevin Marshall reviewed the Public Works Committee agenda.

2 **REPORTS OF SPECIAL COMMITTEES AND CITY OFFICERS**

3 **OREGON 150 PROJECTS**

4 Mr. Wyatt reported that Dallas's Clean Up Oregon project is scheduled for May 16 and Ms. Pope
5 is our Oregon 150 coordinator. Ms. Pope indicated that May was designated as Take Care of
6 Oregon month by the Governor, and May 16 and 17 are "Take Care of Oregon Days." She
7 stated we will be doing a major downtown cleanup and is hoping to rally enough support to
8 come and help beautify our downtown. She explained she is looking for people, money and
9 supplies for projects that could include pressure washing sidewalks, planting flowers, washing
10 windows, or even painting. Ms. Pope advised the event will run from 9:00 a.m. to 12:00 noon on
11 Saturday, May 16 and has been declared an official Oregon 150 event.

12 **PLANNING FEE ON BUILDING PERMITS**

13 Mr. Locke explained that an issue was brought to his attention by an employee about the
14 planning fee attached to some building permits. He reported that we currently charge the same
15 flat planning fee of \$200 for big and small projects. Mr. Locke reviewed the staff
16 recommendation to make the planning fee more equitable and have it better reflect the time
17 planning staff takes to review projects.

18 Councilor Marshall asked if this fee change would be revenue neutral. Mr. Locke indicated
19 option #2 is the closest approximation to revenue neutral. Councilor Lawson asked Mr. Locke to
20 explain what is involved in a plan review. Mr. Locke explained that when a project comes in,
21 the planning staff reviews the plans to ensure compliance with the Dallas Development Code.
22 He explained the planning review is different than the building review, where they ensure the
23 plans meet building codes.

24 There was discussion about the fact that some projects are not currently charged the planning fee,
25 while the new proposal shows everyone paying that fee. Mr. Locke explained the current criteria
26 for whether a project is charged the fee is if the project involves an actual expansion of a
27 structure. He noted some things are not captured in that, such as interior remodels, and added
28 that the planning staff looks at every project that comes in to the Building Department.

29 Councilor Woods asked why staff is recommended option number two over option number three.
30 Mr. Locke explained that it is clearer.

31 There was some discussion about how much time the planning staff devotes to smaller projects.
32 Mr. Locke explained that smaller projects tend to be more problematic and take generally some
33 fairly significant time.

34 Councilor Lawson suggested using an hourly rate, as that could take care of all the concerns
35 raised. Mr. Locke stated the Council could choose to go in that direction, but it becomes an
36 accounting issue. He noted the planning staff would have to carefully track their time and then
37 have to explain themselves when people challenge the charges. He added once the dollar per
38 hour fee is calculated, it would likely turn out to be fairly high.

39 Councilor Woods made a motion to direct the City Attorney to prepare a resolution adopting the
40 Community Development planning fee to equal .15% of the value over \$100,000 or a \$50
41 minimum, with no maximum fee. The motion was duly seconded and **CARRIED BY A**
42 **MAJORITY** with Council President Brian Dalton, Councilor Warren Lamb, Councilor Kevin
43 Marshall, Councilor David Shein, and Councilor Ken Woods, Jr. voting YES and Councilor
44 Lawson voting NO.

45 **AMERICAN RECOVERY AND REINVESTMENT ACT UPDATE**

46 Mr. Wyatt reviewed monies the City anticipates to receive from the American Recovery and
47 Reinvestment Act. He indicated we have requested appropriations for items such as the
48 Monmouth Cutoff Improvement project, the Senior Center, the fire station remodel and training
49 facility upgrade, and the Wastewater Treatment Facility upgrades to utilize reclaimed water, as

1 well as several Public Works projects that are in the CIP. Mr. Wyatt advised that staff is busy
2 making sure our projects are ready to go, noting there is a great deal of confusion right now
3 regarding where the money is going and the timeframes. Mayor Fairchild thanked the staff for
4 their work so far.

5 OTHER

6 **COMMUNICATIONS AND PETITIONS**

7 **RESOLUTIONS**

8 **FIRST READING OF ORDINANCE**

9 **SECOND READING OF ORDINANCE**

10 **OTHER BUSINESS**

11 Councilor Woods stated that as the Chair of the Administrative Committee, he would like the
12 Council to consider taking action on what Mr. Fast brought up earlier and authorize the City
13 Manager to appoint a non-voting member to the Kids, Inc. Board. Councilor Woods made a
14 motion to appoint the City Manager or his designee as a non-voting member to Kids, Inc. Board.
15 The motion was seconded.

16 Councilor Dalton asked if Mr. Wyatt had someone in mind. Mr. Wyatt indicated he would start
17 off to see where things are, and since he knows the history a little, and then delegate that
18 responsibility in the future. Councilor Lawson asked if they should wait until they know what
19 the Kids, Inc. Board thinks about it. Councilor Woods pointed out that Mr. Fast proposed the
20 idea. Councilor Dalton asked if this would actually be beneficial. Mr. Wyatt stated it would be
21 helpful, noting that when the City is not represented, we get blamed for a lot of issues.

22 The motion CARRIED UNANIMOUSLY with Council President Brian Dalton, Councilor
23 Warren Lamb, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor David Shein, and
24 Councilor Ken Woods, Jr. voting YES.

25 Mr. Wyatt requested permission to close City Hall for one hour one morning to have a full
26 employee meeting. He explained that when meetings are held during working hours, not
27 everyone can attend because of the need for phone coverage. He proposed closing City Hall
28 from 8:00 to 9:00 a.m. just one time.

29 Councilor Shein made a motion to allow closing City Hall for one hour. The motion was duly
30 seconded and CARRIED UNANIMOUSLY with Council President Brian Dalton, Councilor
31 Warren Lamb, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor David Shein, and
32 Councilor Ken Woods, Jr. voting YES.

33 Mr. Wyatt reported that Eric Totten, the Parks employee that assisted in catching the arsonist,
34 will be receiving a reward on the Courthouse lawn Friday, May 8 at 11:45 a.m.

35 Mr. Wyatt indicated he did not have a topic prepared for the May workshop due to the work on
36 the budget, and asked the Council if it would be okay to cancel the May workshop. There were
37 no objections.

38 There being no further business, the meeting adjourned at 8:15 p.m.

39 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. 5 a	Topic: Public Hearing on Proposed Supplemental Budget
Prepared By: Cecilia Ward	Meeting Date: May 18, 2009	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Recommend approval of Resolution adopting and appropriating a Supplemental Budget for Fiscal Year 2008-09. (This will be done by roll call vote later in the Council meeting)

BACKGROUND:

As the Council is aware the City recently completed the audit for Fiscal Year 2007-08 Budget. The review of every fund is conducted during the audit with the auditor and an adjustment for deposits that was previously coded for journal entry correcting fund balances is required. Due to the amount of the appropriation, the City should adopt and appropriate a Supplemental Budget amending the Unappropriated Fund line item to officially show the balance. The Supplemental Budget does not change any other appropriation in the 2008-09 Budget.

The Resolution adopting and appropriating the Supplemental Budget for Fiscal Year 2008-09 can be found further on in the agenda packet under Resolutions.

FISCAL IMPACT:

None. The dollar amount was already calculated for fund balances and future budget proposals.

ATTACHMENTS:

None

DALLAS CITY COUNCIL

REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 7 a	Topic: Façade grants and Loans
Prepared By: Jason Locke	Meeting Date: May 18, 2009	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED ACTION:

Approve the Façade Improvement Grant Program to provide \$10,000 for matching grants (not to exceed \$2,000 per project) for specified improvements, and changes to the Facade Loan Program Guidelines.

BACKGROUND:

Staff is proposing to utilize some of the funds currently earmarked for the existing Facade Loan program to start a limited Façade Improvement Grant program. The proposal was reviewed by the Economic Development Commission and received no negative feedback.

The Façade Grant program would initially provide \$10,000 for matching grants (not to exceed \$2,000 per project) for specified improvements. This would allow for the funding of at least 5 façade improvement projects. Then, depending on the success of the program, we could provide additional grants as our funds allow and as the Council directs.

The amendments to the Façade Loan Program would extend the time allowed for loan repayment from 5 years to 10 years, limit deferred payments, establish a fixed interest rate of 4%, allow loans in all commercial districts, and authorize the City Manager to approve loans with the positive recommendation of the Commercial Retention and Recruitment Committee.

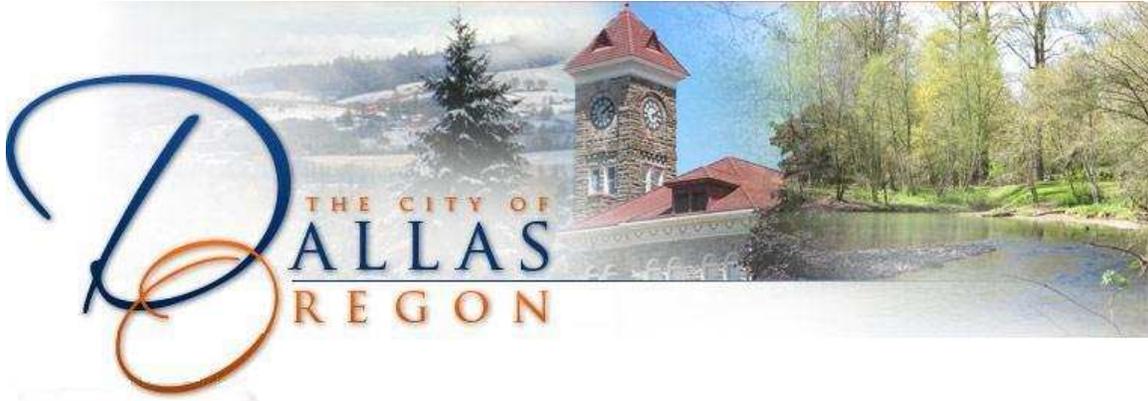
The proposal was reviewed and recommended for Council approval by the Buildings and Grounds Committee on April 27, 2009.

FISCAL IMPACT:

The cost of the Façade Improvement Grant program will be \$10,000 for matching grants (not to exceed \$2,000 per project). These funds are available through the City's revolving loan fund.

ATTACHMENTS:

- 1) Façade Improvement Grant Guidelines
- 2) Revised Commercial Façade Improvement Loan Program



Façade Improvement Grant Program

Purpose:

The City of Dallas has implemented a Façade Improvement Grant Program to:

1. Enhance the exterior condition of businesses in the Central Business District (CBT) as defined by the City of Dallas Development Code.
2. Restore the historic character of buildings within the district.
3. Improve private assets in the Central Business District by revitalizing the distinctiveness and integrity of downtown structures.

Eligible Improvements:

1. Awnings appropriate for the façade improvement and architecture.
2. Exterior painting that it is consistent with other downtown buildings.
3. Non-internally illuminating signs that are compatible with other buildings on the block and that conform to the standards of the Development Code and Sign Code.
4. Exterior masonry repair.
5. Repair to exterior facades (front, rear & side facades are eligible).
6. Repair or replacement to cornices, doors, windows, decorative detail, awnings, window display lighting.
7. Exterior lighting
8. Landscaping features (e.g. window boxes or planters)
9. Bike racks or benches
10. Removal of barriers to access for people with disabilities

Ineligible Projects:

1. Interior improvements
2. Roofing and paving
3. Sign removal, replacement or repair
4. Structural improvements
5. Security measures (i.e. gates, security systems)
6. Loading docks or parking entrances
7. Removal of architecturally important features

Application Process:

In order to receive a Façade Improvement Grant the building owner, or tenant approved by the building owner, shall complete all of the following:

1. Review the program guidelines.
2. Complete and submit a Façade Improvement Grant Application form.
3. Submit a summary of proposed improvements which should include photographs of existing conditions and a written description of proposed improvements.
4. Submit a specific description of each part of the proposed improvements (paint color, material type, etc.) including cost estimates for the proposed improvements. Bids must be provided if the work is being done by a contractor.

Conditions of Approval:

Design review will be performed by the City of Dallas. Façade Grant applications will be reviewed on a first-come, first-served basis. Approval will be contingent upon available funds. The following criteria must be met:

1. Improvements must be on property within the Central Business District.
2. Improvements must conform to the standards of City of Dallas Development Code requirements for the Central Business District zoning district.
3. Properties must be up to date on all municipal taxes.
4. Conditions of Approval may be developed by the City of Dallas and shall be attached to the application.
5. Funding is limited to one grant per business/storefront, per 24 month period.

Approval Procedures:

1. Upon receipt of all application materials described above, City Staff will review the application and make recommendations to the City of Dallas Commercial Development Team committee.

2. The board will then make a decision based upon the character of the proposed design and its compliance with the code standards of the CBD. The City of Dallas may develop Conditions of Approval which shall be attached to the Grant Approval Agreement.
3. If approved, City staff will contact the applicant and construction may begin after the Grant Approval Agreement is signed by the applicant and the City Manager. If not approved, the City of Dallas will provide a written explanation for rejection. The City of Dallas may also include recommendations for steps that may be taken to receive approval.
4. Successful applicants must sign the Façade Improvement Grant Approval Agreement.

Payment Procedures:

Construction may begin only after the application is approved by the City of Dallas. Any work done prior to formal approval, will not be eligible for grant reimbursement.

Grants will be issued only after construction is complete. Projects must be complete within twelve (12) months of approval. Upon completion of a project, city staff must be contacted for a site inspection. If the inspector finds that the project complies with all standards and conditions above and with the pre-approved plans submitted with the application, the City shall provide funding for up to fifty percent (50%) of the total cost of the project, not to exceed \$2,000. For example, a grant could be used to pay \$2,000 of a project costing \$4,000 or more.

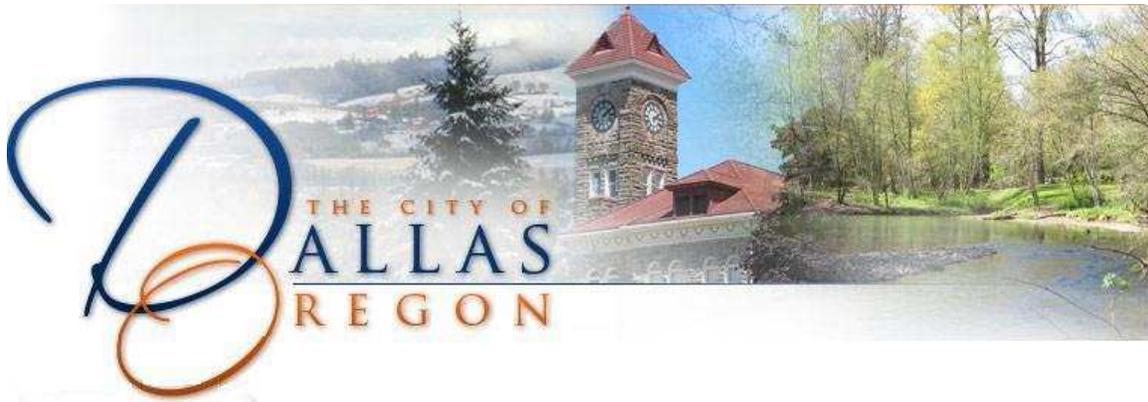
If a contractor was used, a written invoice must be provided to the city before funds will be granted. If a contractor was not used, receipts must be provided to the City Staff before a reimbursement will be issued. Only materials may be reimbursed for projects that do not use a contractor. Receipts and invoices must be accompanied by proof of payment (i.e. cancelled checks). Funds shall then be dispersed within thirty (30) days from the date of invoice receipt.

Further Information:

It is recommended that the applicant discuss their project with City staff prior to submitting an application. Questions and applications will be accepted at:

For more information contact:

John Swanson
City of Dallas Community Development Department
503-831-3572
187 SE Court St.
Dallas, OR 97338



Commercial Façade Improvement Loan Program

The City of Dallas offers a low-interest loan program specifically designed to improve the appearance of commercial buildings. Applicants are eligible for up to \$20,000 at a rate of 4% interest. Eligible projects include exterior rehabilitation and restoration, as well as painting, awnings, lighting, and signage. All applications will be subject to approval of City Manager upon the recommendation of the Commercial Development Team.

Eligibility Criteria and Terms:

- Eligible applicants must be the owner(s) of the building or have the owner(s) written approval.
- The building must be located in a Commercial zoning district.
- Loans shall only be used for façade improvements as defined herein.
- The interest rate will be 4%.
- Loans need approval of the City Manager after review and recommendation by the Commercial Development Team.
- The improvements need to be consistent with the architectural theme of the area.
- Property taxes must be current before a loan can be made.
- A 2% loan fee, closing costs and title insurance shall be paid by the Applicant.
- Details of the proposed project, including specifications of material type and contractor's bid, must be enclosed with the application.
- Repayment of the loan shall begin three months after the date of initial loan disbursement and shall be completed within ten years of initial disbursement. No deferment of loan payments is permitted unless specifically authorized by the City Manager due to unusual or extenuating circumstances.
- Loan funds shall not be disbursed if the improvements do not comply with the façade improvements approved by the City.

Loan Guidelines:

Who is eligible?

Those businesses located within any Commercial zoning district. Eligible projects include exterior rehabilitation and restoration, as well as painting, awnings and signage. Interior rehabilitation, purchase of inventory, promotions or business venture expansions do not qualify.

- **Awnings**

Fixed aluminum and awnings simulating mansard roofs and umbrellas are generally inappropriate for traditional downtown commercial buildings. If awnings are added, choose those that are made from soft canvas or vinyl materials rather than wood or metal. Metal awnings, barrel or square extension awnings, and internally illuminated “vinyl” awnings are discouraged, but may be approved if they are determined to be compatible with the building design.

- **Signs**

Signs should be of a size, placement, design, materials and style compatible with the building as well as other buildings on the block and should not cover or obscure significant architectural detailing or features. Hanging signs may be appropriate if they are of a scale and design compatible with the building and other buildings on the block. No plastic, neon, internally illuminated, vinyl or other incompatible signage will be eligible under the terms of the loan. Fluorescent “day glow” sign colors are not permitted,

- **Paint Color**

Paint Color should be, at a minimum, appropriate to the style and setting of the building. Color selection should complement the building in question as well as other buildings in the block. In general, color schemes for wall and major decorative trim or details should be kept simple; in most cases, the color or colors chosen for a storefront should be used on other painted exterior detailing (windows, shutter, cornice, etc.) to unify upper and lower portions of the façade. The City has a color palette available for color selection.

- **Design approval procedure**

Submit your design plan to the Director of Community Development, who will forward it to the Commercial Retention and Recruitment Committee for a recommendation. The Director will assist you with meeting the design guidelines established by the City Council and Livable Oregon Downtown Development Association.

- **Application procedure**

Pick up a copy of the Façade Improvement Loan Program application at the City Hall, Community Development Department, 187 SE Court Street, Dallas, Oregon 97338. Submit a completed application, project drawings, project budget and project bids to the Director of Community Development.

John Swanson
City of Dallas Community Development Department
503-831-3572
187 SE Court St.
Dallas, OR 97338



Oregon

Theodore R. Kulongoski, Governor

Department of Environmental Quality

Western Region - Salem Office

750 Front St. NE, Ste. 120

Salem, OR 97301-1039

(503) 378-8240

(503) 378-3684 TTY

April 30, 2009

Jerry Wyatt, City Manager
City of Dallas
PO Box 67
Dallas, OR 97338

05-01-09A11:32 RCVD

Re: Approval of Polk County's
2008 Opportunity to Recycle Report

Dear Mr. Wyatt:

This letter acknowledges the receipt of Polk County's 2008 Opportunity to Recycling Report. The report was complete and the recycling programs in the City of Dallas were found to be in compliance with all requirements of the Oregon Administrative Rules 340 Division 90. Also, the documentation submitted for the education and promotion activities in your city is sufficient to meet the requirements in the Polk County Wasteshed's Expanded Education and Promotion Plan. If you have any questions regarding this letter please feel free to call me at (503)-378-5089.

Sincerely,

Cathie Rhoades
Waste Reduction Analyst
Western Region

cc: Cathie Rhoades DEQ-WR
Julie Jackson, Allied Waste of Dallas





AGENDA
City of Dallas Planning Commission
TUESDAY, May 12, 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

Commissioner
Murray Stewart

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 March 10, 2009
4. PUBLIC COMMENT – This is an opportunity for citizens to speak to items not on the agenda (3 minutes per person please.)
5. PUBLIC HEARINGS
6. OTHER BUSINESS
 - A) Wyatt Node Update
 - B) Schedule of Code Revision Workshops
 - C) Planning Budget for FY 2009-10
7. COMMISSIONER COMMENTS
8. STAFF COMMENTS
9. ADJOURN

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 503.831.3572 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	Code Enforcement	Ed Totten

April 2009 Monthly Report - Planning, Building, Code Enforcement

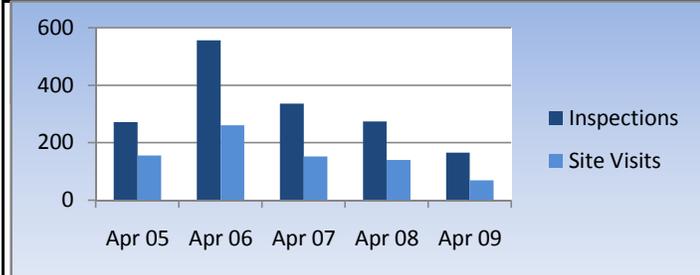
REVENUES		Month	Fiscal YTD
Planning	Apr-09	\$ 1,341	\$ 18,689
Building	Apr-09	\$ 7,476	\$ 169,918

LAND USE APPLICATIONS

	Sign	Home Occupation	Conditional Use	Variance	Partition / Replat	Subdivision	Street Plan	Annexation	Zone Change
Apr-09	3	4	0	0	0	0	0	0	0
YTD 2009	5	5	0	0	0	0	0	0	0
Apr-08	3	3	2	1	0	0	0	0	0
Total 2008	13	8	4	4	5	1	0	0	1

INSPECTIONS AND SITE VISITS

Monthly: Inspections - 165	Site Visits - 69
Year to Date: Inspections - 563	Site Visits - 279



CODE ENFORCEMENT

Current Open Cases:	30
New Cases processed in April:	
6.505 Abandoned Vehicles	10
6.32 Vehicles Stored on Street	19
5.584 Vehicles Stored on Proper	15
Other Ordinances	<u>20</u>
	64
Number of Followups	153
Number of Parking Citations	8

BUILDING PERMIT SUMMARY

Permit Use	Apr-09	Apr-08	YTD Total 2009	Annual Total 2008	YTD Valuation 2009	Annual Valuation 2008
New Single Family	0	4	3	30	\$ 522,451	\$5,896,612
New Duplexes	0	0	0	0	0	0
New Multifamily	0	0	1	1	3,759,944	390,000
Residential Remodel	6	4	17	61	435,488	1,652,102
Residential Accessory Building	0	0	4	4	55,388	59,891
New Commercial	0	1	0	16	0	4,283,623
Commercial Remodel	3	1	14	49	334,380	982,441
New Industrial	1	0	1	1	46,530	1,302,945
Industrial Remodel	0	0	0	0	0	0
Public Building	0	1	2	6	6,533	1,627,415
Mobile Home Accessory	0	0	0	0	0	0
Misc./No Fee Permits	0	0	0	0	0	0
Total All Categories	10	11	42	168	\$ 5,160,714	\$16,195,028

DALLAS AQUATIC CENTER

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

APRIL 2009 MONTHLY REPORT

REVENUE	Apr-09	Fiscal YTD
General Admission	\$13,910	\$148,409
Annual Membership	6,935	79,010
Concessions	7,662	69,766
Pool Rental/Parties	1,660	28,860
Other	751	58,165
Apr-09	\$31,978	\$384,250
Apr-08	\$46,078	\$363,073

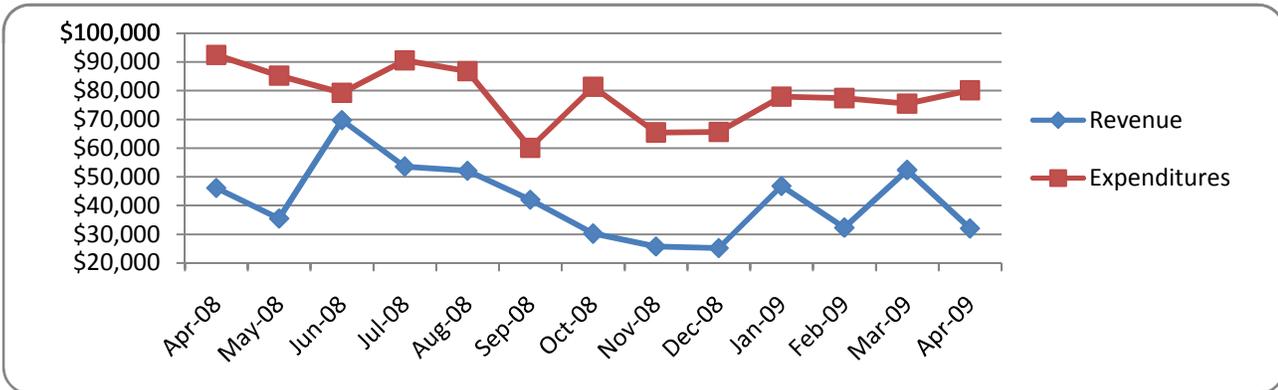
Current Members:	
Annual	883
3-month Water Aerobics	28

Monthly Attendance:	
April	9,135

R/E Ratio = 48.7%

(Revenue/Expenditure)

EXPENDITURES	Month	Fiscal YTD
Apr-09	\$80,108	\$788,674
Apr-08	\$92,430	\$794,320



Utility Costs:	Apr-09	Fiscal YTD
Natural Gas	\$13,898	\$148,209
Electricity	\$8,492	\$79,587

**Dallas Public Library
Monthly Report for April 2009**

Circulation Statistics

Adult	Apr 2009	Apr 2008	Children	Apr 2009	Apr 2008
Print Materials	7127	8224	Print Materials	2767	2838
Books on Tape/CD	496	547	Books on Tape/CD	181	177
AV Materials	1379	1224	AV Materials	848	929
Misc. items	1041	1562			
2009 Year to Date 41,618			2009 Year to Date 14,559		
Remote Renewals 937			2009 Year to Date 3421		
Combined Total 59,598					

Additional Activity

	April 2009	April 2008	Year to Date 2009
Non-Resident User Fees	\$ 290.00	\$ 200.00	\$ 2620.00
Fines Collected	\$ 698.79	\$ 715.98	\$ 3175.73
Photocopies	\$ 72.54	\$ 97.30	\$ 386.17
Reference Questions	1250	1152	4519
Volunteer Hours	255	252.5	1089.25

Registered Patrons – April 2009

City Residents		Non-Resident – Fee Paid		Non-Resident - Restricted	
Adult	5813	Adult	387	Adult	1375
Child	1676	Child	76	Child	447
YA (12-17)	537	YA (12-17)	20	YA (12-17)	104
Total	8026	Total Fee	483	Kids C.A.R.E.	481
				Total Restricted	2407
Non-Resident Total 2890					
Total Registered Patrons 10,916					

The Children's Room welcomed 232 young people to both Infant/Toddler and Preschool Storytimes during the month of April. These fun and energetic programs are open to all area patrons, and their children and grandchildren.

EBSCO, our magazine database, logged 246 searches in April. This easy to use and definitely user friendly resource continues to be well used by patrons of all ages, both at home and in the Library.

**DALLAS LIBRARY BOARD
CITY HALL
January 20, 2009**

The Library Board met on Tuesday, April 21, 2009 at 4:04 pm in the City Hall Conference Room. Board members present were Grace Scatterday, Darla Newton, and Gwen VanDenBosch. In addition to the Board, Mayor Jim Fairchild and Library Supervisor Donna Zehner were present.

The minutes from the January meeting were reviewed and approved by the Board.

The Library Supervisor provided the Board with a report on the current status of the Library. The discussion focused primarily on physical changes that have occurred in the Library. The new shelving has arrived and has been installed. Currently staff and volunteers are shifting collections. The Library will be receiving new signage for the front desk area, along with re-positioning other signs. Self Check has been well received by patrons of all ages. Reminder that this is a pilot program, however, it's so popular that it is likely to be expanded to more libraries.

Spring Break brought in over 300 children for the various events and activities that took place throughout the week. Of course, crafts programs were the biggest draw.

The Library will be holding a Food For Fines event throughout the month of May. From May 1 through May 30, patrons will be able to reduce their fines by \$1 per item donated. This is the first time the Dallas Library has participated in this type of event, and the staff are very excited. Any lost or damaged materials will still need to be paid for, and are not included in this event. Anyone wishing specific details may visit the Library or contact the Library by phone. Flyers, press releases, bookmarks, etc. have been developed and are available to the public.

Friends update on activities at the Library included a wrap up of Hobby Day 2009. Over 300 people attended this event and we had a full house for the number of participants showing their hobbies/collectibles. Other updates included; Dallas Community Foundation presenting the Friends with a check for \$1000 – to purchase books on CD and large print materials. Also, we had a site visit from the Trust Management group pertaining to the grant application. The Friends will hear sometime in mid to end of May, whether they will receive funds or not. It's an all or nothing with Trust Management.

On Saturday, May 2, 2009 from 11am to 2pm the Friends will join with the Library to hold our annual Open House. As part of this event, the Friends are sponsoring a program by Robert Hamm "***Becoming Oregon: A Printed History***". This program begins at 11:15am. Following his presentation, there will be light refreshments – with a children's craft program at 1:30pm.

As a combination Other Business and Friends Activities, a discussion was held about the possibility of increasing the number of signs around town, to better promote the Friends Book Sale during SummerFest. A number of possibilities were discussed, as was feedback from last year's Book Sale. The Friends will investigate increasing the visibility of the Book Sale to the adjacent vendor areas, parade route, etc.

There being no further business, the next meeting date was set for July 21, 2009.

The meeting was adjourned at 4:50 pm.

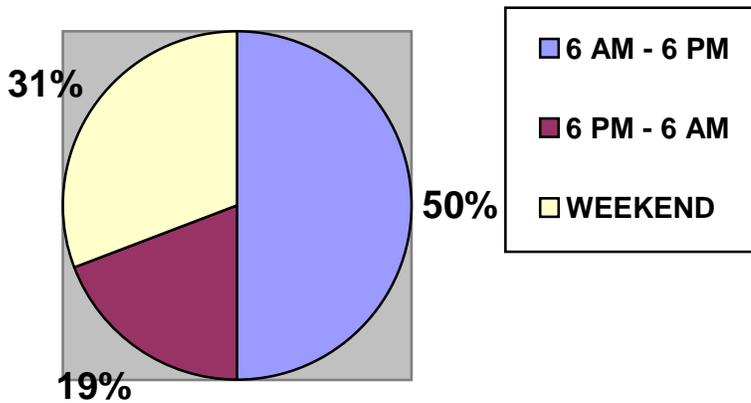
COUNCIL REPORT – APRIL 2009

To: Mayor & City Council Members

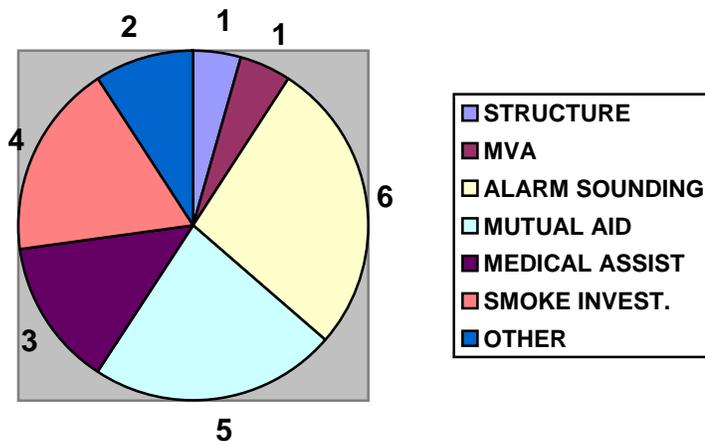
From: Fire Chief

Dallas Fire Department:

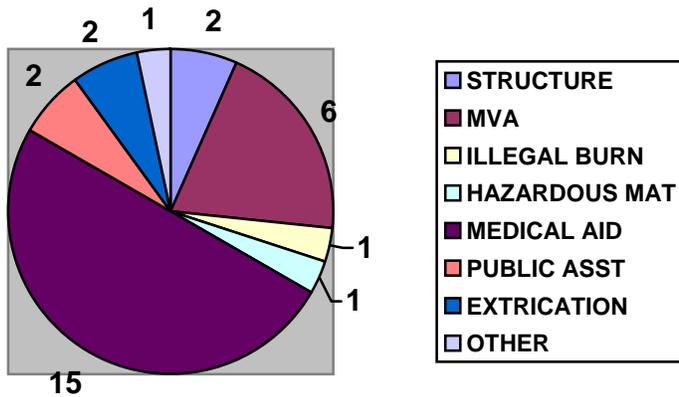
Station 100 responded to 52 calls of which 26 were between 6 AM – 6 PM, 10 between 6 PM – 6 AM and 16 during the weekend.



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

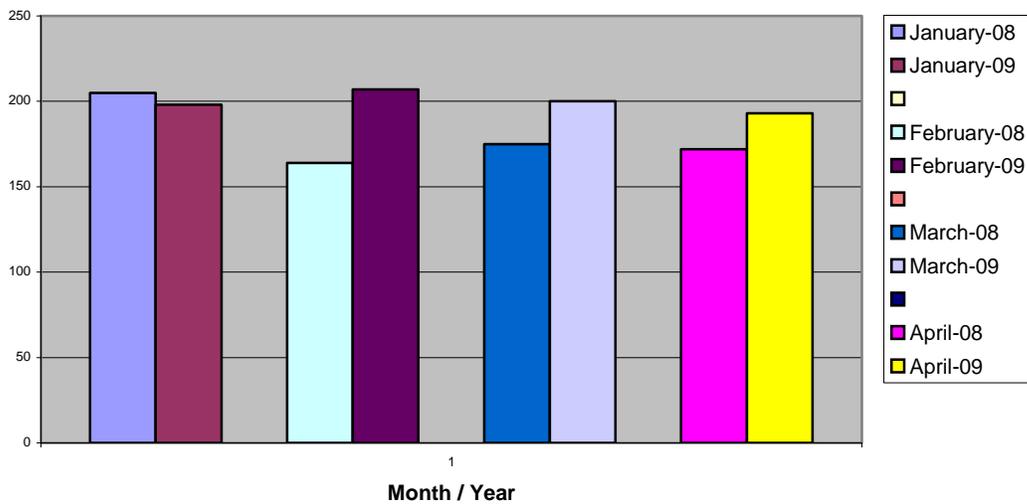


Rural responses by station 110 during the month were for the following incidents.



Dallas Emergency Medical Service:

EMS Response Comparison



DALLAS POLICE DEPARTMENT

APRIL 2009

Investigations / Arrests

Animal Ordinance Offenses	Clear by Arr	09
Assaults	Clear by Arr	05
Criminal Mischief	Clear by Arr	03
Curfew	Clear by Ref	03
Disorderly Conduct	Clear by Arr	02
DUII	Clear by Arr	03
Driving While Suspended	Clear by Arr	03
Drug Offenses	Clear by Arr	01
Fail Carry Present License	Clear by Arr	02
Fail Perform Duties Driver	Clear by Arr	01
Harassment	Clear by Arr	01
Minor in Possession Alcohol	Clear by Arr	16
Police Officer Custody – Mental	Clear by Arr	02
Prohibited Exposure	Clear by Arr	01
Resisting Arrest	Clear by Arr	04
Runaway	Clear by Ref	01
Thefts	Clear by Arr	03
Trespass	Clear by Arr	01
Unlawful Use Motor Vehicle	Clear by Arr	01
Warrants	Clear by Arr	02

64 TOTAL ARRESTS (Apr '08 Arrests: 103)

The following is a summary of traffic violations committed:

08	Speeding Violations
06	License Violation
13	Insurance Violations
07	Moving Violations
01	Fail Wear Seat Belt
06	All Other

JUVENILES

Seventeen juveniles were referred to juvenile authorities for their actions

TOTAL CALLS FOR SERVICE: 844 (Last yr: 932)

133	Incident Reports
711	Event Reports

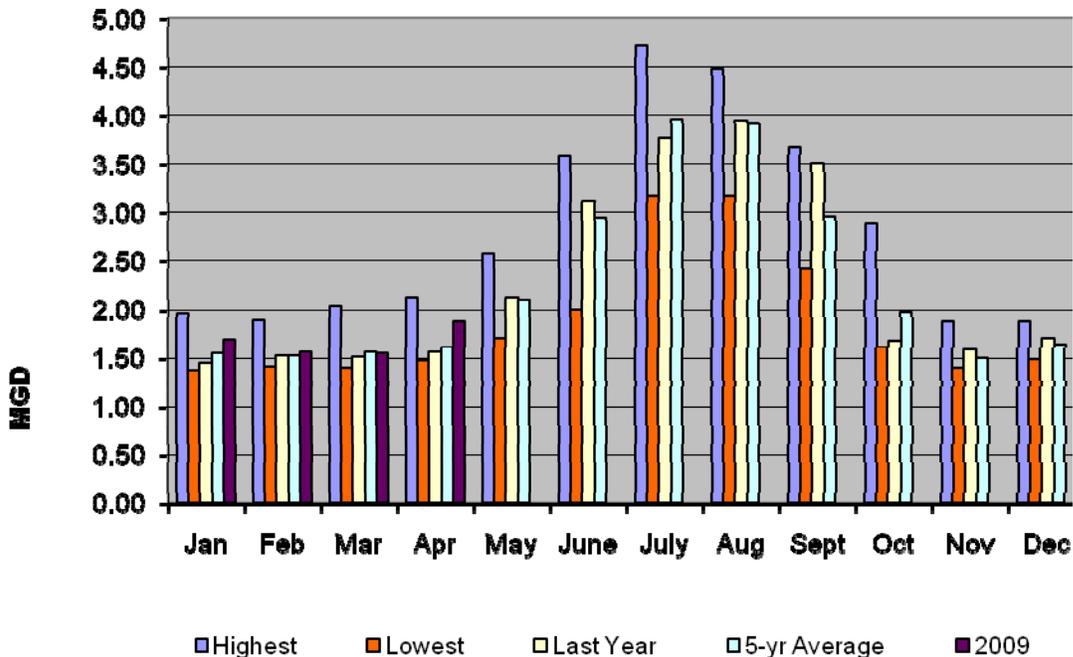
DEPARTMENT OF PUBLIC WORKS

Monthly Report for April 2009

Water Division

	<u>2009</u>	<u>Unit</u>		<u>2008</u>	<u>Unit</u>	
Total Discharge to Town	56.42	MG		50.6	MG	
Total Water Raw	62.34	MG		56.2	MG	
Peak Day	4-21	2.81	MG	4-24	2.37	MG
Daily Average-Raw	2.07	MGD		1.87	MGD	
Daily Average-City	1.88	MGD		1.69	MGD	
Backwash Water	3.90	MG		2.70	MG	
Filter to Waste	.71	MG		.15	MG	
Flushing		MG		.42	MG	
Discharge Water	.10	MG		.10	MG	
ASR Injection	7.13	MG		5.07	MG	
Average High Temp	60 ^o	F		56.0 ^o	F	
Average Low Temp	38 ^o	F		36.9 ^o	F	
Total Precipitation	1.34	Inches		1.97	Inches	

Average Daily Treated Water Production

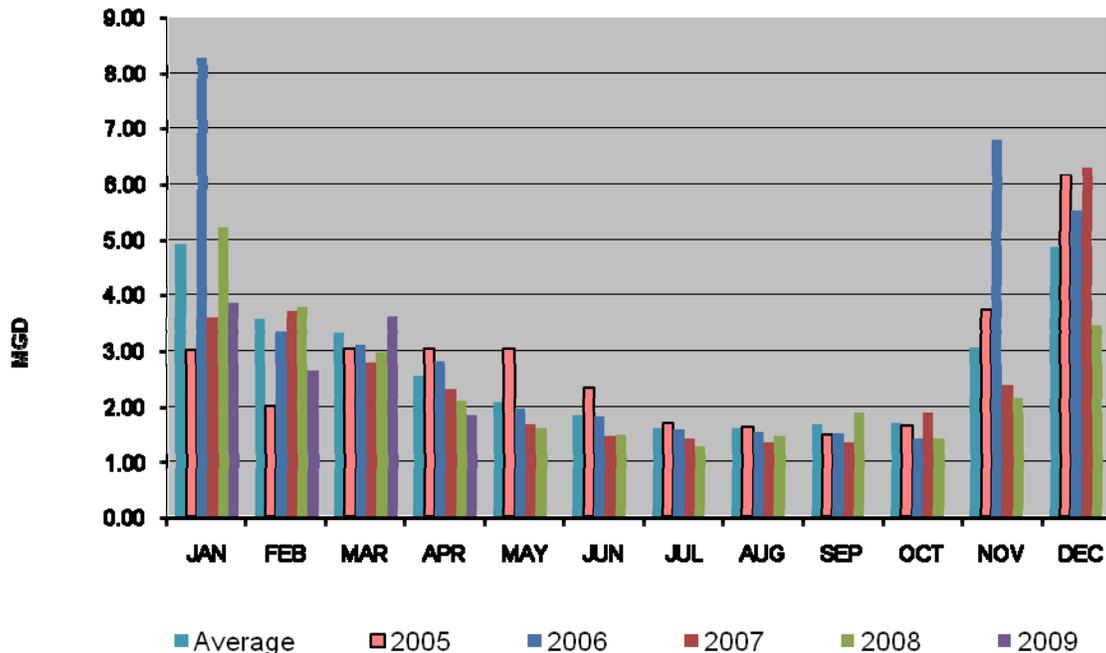


Wastewater Division

Effluent Flow

	<u>2009 Units</u>	<u>2008 Units</u>
Monthly Total Flow	55.1 MG	68.9 MG
Peak Day Flow	(April 2) 2.48 MG	(April 1) 3.25 MG
Daily Average Flow	45 MG	2.95 MG

Effluent - Average Daily Discharge by Month



Plant Maintenance

- ✓ Trojan technical services repaired UV system.
- ✓ Humus Ponds are mixed weekly to accelerate drying of biosolids.
- ✓ Plant grounds upkeep is increasing as spring begins and summer approaches.
- ✓ Staff has drafted an update of the WWTP Emergency Action Plan.

Plant Performance

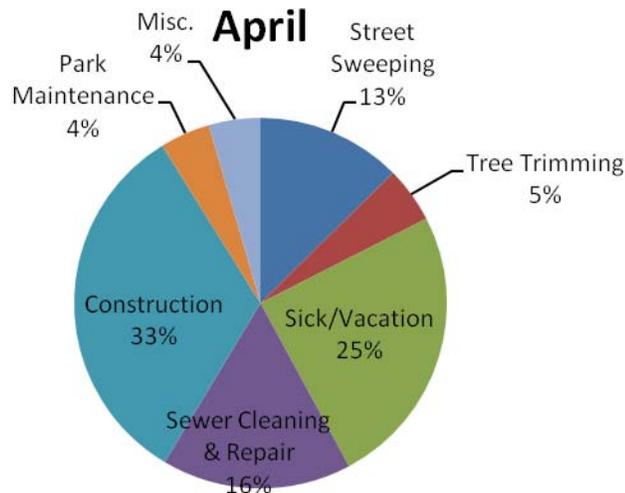
The wastewater plant is entering the summer period of NPDES permit requirements (May to October) during which effluent limits become more stringent due to lower flows and ecological concerns in Rickreall Creek. The East headworks screen is scheduled for a major overhaul in fiscal 09-10. The ultraviolet (UV) disinfection system is scheduled for a complete lamp replacement in fiscal 09-10.

Parks

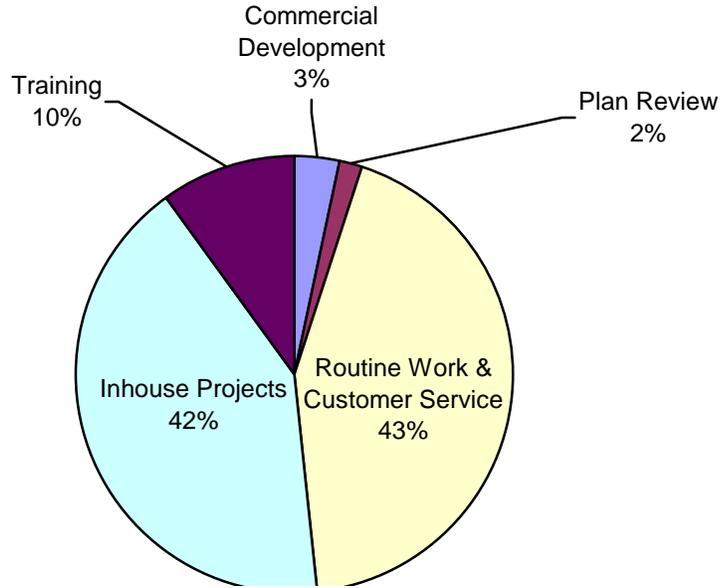
The Parks department provided the following routine services:

- ✓ Prepare restrooms for opening
- ✓ Opened restrooms for summer use
- ✓ Cleaned leaves from shrub beds
- ✓ Cleaned and filled Japanese pond
- ✓ Cleaned and opened new side kitchen area for use
- ✓ Repaired damage caused by vandalism
- ✓ Charge Water lines in parks for irrigation
- ✓ Put tables out for picnic use
- ✓ Wash outside of park buildings
- ✓ Regular mowing of all parks
- ✓ Weed shrub beds and landscape areas
- ✓ Performed monthly safety check of playground equipment on April 17
- ✓ Repair irrigation lines
- ✓ Pick up fallen limbs from storm damage
- ✓ Equipment service checked and/or repaired
- ✓ Ordered new playground equipment for Gala Park
- ✓ Installation of new playground equipment at Birch Park
- ✓ Install borders and fall protection at Birch Park
- ✓ Morrison Students cleaned brush and debris from Rickreall Creek Trail,
- ✓ Planted 6 trees for Arbor Day
- ✓ Ordered boarder timbers for Gala Park
- ✓ Curb grass spray all sidewalks in town

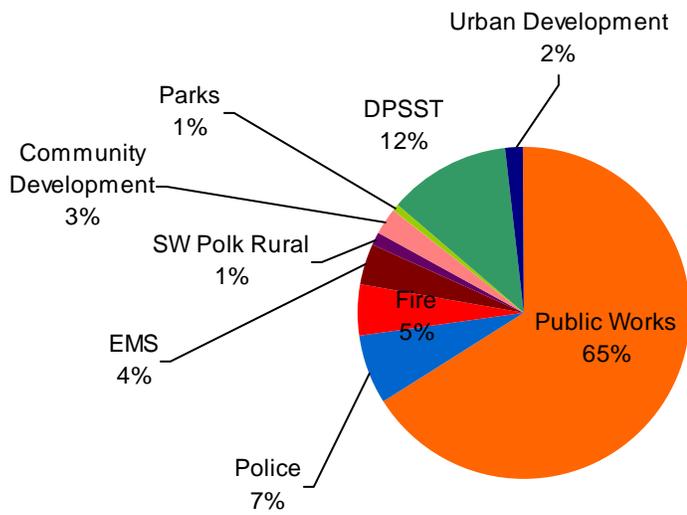
Street and Construction Division



Engineering



Shop Services



RESOLUTION NO. 3181

A Resolution authorizing the transfer of budgetary funds.

WHEREAS, it is necessary to transfer the appropriation authority of \$16,000 from the General Fund, Non-Departmental and Contingency Department, to the General Fund, Municipal Court Department, for unanticipated personnel costs; and

WHEREAS, it is necessary to transfer the appropriation authority of \$63,000 from the General Fund, Non-Departmental and Contingency Department, to the General Fund, Ambulance Department, for unanticipated personnel and contractual costs; and

WHEREAS, it is necessary to transfer the appropriation authority of \$12,000 from the General Fund, Non-Departmental and Contingency Department, to the General Fund, Fire Department, for unanticipated personnel costs; and

WHEREAS, it is necessary to transfer the appropriation authority of \$180,000 from the General Fund, Non-Departmental and Contingency Department, to the General Fund, Police Department, for unanticipated personnel costs and material and services costs; and

WHEREAS, it is necessary to transfer the appropriation authority of \$33,700 from the General Fund, Non-Departmental and Contingency Department, to the General Fund, Recreation Department, for unanticipated liability insurance costs; and

WHEREAS, it is necessary to transfer the appropriation authority of \$1,500 from the General Fund, Non-Departmental and Contingency Department, to the Internal Services Fund, Mayor and Council Department, for unanticipated material and services costs; and

WHEREAS, it is necessary to transfer the appropriation authority of \$60,000 from the General Fund, Non-Departmental and Contingency Department, to the Internal Services Fund, Finance Department, for software;

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

Section 1. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$16,000 from the General Fund, Non-Departmental and Contingency Department, to the General Fund, Municipal Court Department.

Section 2. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$63,000 from the General Fund, Non-Departmental and Contingency Department, to the General Fund, Ambulance Department.

Section 3. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$12,000 from the General Fund, Non-Departmental and Contingency Department, to the General Fund, Fire Department.

Section 4. That the City Manager be, and he hereby is, authorized and directed to

transfer the appropriation authority of \$180,000 from the General Fund, Non-Departmental and Contingency Department, to the General Fund, Police Department.

Section 5. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$33,700 from the General Fund, Non-Departmental and Contingency Department, to the General Fund, Recreation Department.

Section 6. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$1,500 from the General Fund, Non-Departmental and Contingency Department, to the Internal Services Fund, Mayor and Council Department.

Section 7. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$60,000 from the General Fund, Non-Departmental and Contingency Department, to the Internal Services Fund, Finance Department.

Section 8. This Resolution shall be effective upon its passage.

Adopted: May 18, 2009
Approved: May 18, 2009

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

RESOLUTION NO. 3182

A Resolution adopting and appropriating a Supplemental Budget for Fiscal Year 2008-2009.

WHEREAS, Oregon Local Budget Law, under ORS 294.480, provides that certain occurrences or conditions that were not known at the time the budget was prepared may require a change in the adopted budget and that a supplemental budget is required to pay the additional expenses and spend the extra revenue; NOW, THEREFORE:

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

Section 1. That the City Council of the City of Dallas hereby adopts the supplemental budget for the fiscal year beginning July 1, 2008, and that the amounts shown below are hereby appropriated for the purposes indicated within the Fund listed:

<u>Fund</u>	<u>2008-09 Budget Revenues</u>	<u>2008-09 Budget Expenditures</u>
<i>System Development:</i>		
Sewer Projects (Earnings on fund, only)	\$783,819	\$783,819
Sewer SDC Transfer GF		
<i>General:</i>		
Transfer from Sewer SDC	\$783,819	\$783,819
Unappropriated Fund Balance		

Section 2. This resolution shall be effective upon its passage.

Adopted: May 18, 2009
Approved: May 18, 2009

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

RESOLUTION NO. 3183

A Resolution authorizing an interfund loan.

WHEREAS, it is necessary to establish and authorize an interfund loan from the Sewer System Development Fund to Aquatic Center Trust for approved energy efficiency upgrades and other necessary capital improvements; and

WHEREAS, the principal amount of the interfund loan is not to exceed \$800,000, with 0% interest; and

WHEREAS, payment of the loan shall be made as follows:

\$135,000 rebate from the Oregon Energy Trust; \$135,000 from Oregon Department of Energy in the form of a business energy tax credit (BETC) payment; and the balance to be paid in annual payments from the General Fund Aquatic Center budget in the amount approved by the city council. Full loan repayment is anticipated and shall occur in no more than 5 years as authorized by Oregon budget law ORS 294.460. NOW, THEREFORE;

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

Section 1. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$800,000 from the Sewer System Development Fund to the Aquatic Center Trust and establish an interfund loan on the terms and conditions set forth above.

Section 2. This resolution shall be effective upon its passage.

Adopted: May 18, 2009
Approved: May 18, 2009

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

RESOLUTION NO. 3184

A resolution amending the fee for Plan Review of certain Building Permit Applications; and repealing prior conflicting Resolutions.

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

Section 1. The plan review fee for review by the Community Development Department of building permit applications for projects filed with the City is hereby amended, and the plan review fee shall be:

(1) For projects having a value of \$100,000 or less, as determined in accordance with the application for the building permit for the project, the sum of \$50;
or

(2) For projects having a value of more than \$100,000, the sum of \$50 plus .15 percent of that portion of the value of the project in excess of \$100,000.

Section 2. This Resolution shall take effect on July 1, 2009, and upon its effective date, all conflicting prior Resolutions are repealed.

Adopted May 18, 2009
Approved May 18, 2009

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT
CITY MANAGER