



Dallas City Council Agenda

Monday, October 5, 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 Sept 21, 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>	
6. REPORTS OR COMMENTS FROM THE COUNCIL MEMBERS	
7. REPORTS OF SPECIAL COMMITTEES AND CITY OFFICERS City Manager's Reports a. Budget Committee Appointments p. 7 b. Other	Motion
8. COMMUNICATIONS AND PETITIONS	
9. RESOLUTIONS a. <u>Resolution No. 319</u> : A Resolution establishing the Designation of Certain Parking Stalls on SE Court Street between Main Street and SE Jefferson Street. p. 15	Roll Call Vote

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.

10. FIRST READING OF ORDINANCE

- a. Ordinance No. 170: An Ordinance declaring 49 acres, more or less, of territory located east of Kings Valley Highway and south of the city limits of the City of Dallas annexed to the City of Dallas and withdrawn from Southwestern Polk County Rural Fire Protection District. **p. 16** First Reading

11. SECOND READING OF ORDINANCE

- a. Ordinance No. 1707: An Ordinance amending Dallas City Code Section 6.305, relating to parking; and repealing conflicting provisions. **p. 20** First Reading

12. OTHER BUSINESS

13. ADJOURNMENT

DALLAS CITY COUNCIL
Monday, September 21, 2009
Council Chambers

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The Dallas City Council met in regular session on Monday, September 21, 2009, at 7:00 p.m. in the Council Chambers of City Hall with Mayor Jim Fairchild presiding.

ROLL CALL

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

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

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Fairchild led the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES

Mayor Fairchild declared the minutes of the September 8, 2009, Council meeting approved as presented.

QUESTIONS OR COMMENTS FROM THE AUDIENCE

Mayor Fairchild asked for comments or questions from the audience on items other than those on the agenda. There were none.

PUBLIC HEARINGS

Public Hearing on the Annexation of tax lots 8.5.5B 200, 300, 400, 500, 600, 1800, 1801, 1900, 1902, 1093, 2000, 2100 and 8.5.5A 400, totaling 49 +/- acres and withdrawal from Southwestern Polk County Rural Fire Protection District.

Mayor Fairchild opened the Public Hearing at 7:05 p.m. He reviewed the public hearing procedure.

Jason Locke, Community Development Director, reviewed the staff report for the proposed annexation. He noted the Planning Commission recommended approval of the annexation. He explained there is no zone change at this time because there is the potential to designate this as another Master Plan Node to ensure the ideas of transportation, utilities, and land use function well together. Councilor Shein asked why the far southern section of the UGB wasn't included in the annexation. Mr. Locke explained the owner just opened a dairy and staff considered that to be incompatible with an urban use.

Council President Dalton asked about Code Enforcement of the properties being annexed. Mr. Locke stated once the properties were in City limits, they would be under the City's jurisdiction whether it was for code enforcement or library cards.

Jerry Carlson, applicant, noted he was a long-time resident of Dallas and plans to retire in Dallas soon. He stated he agreed with the staff report as it was written and indicated his interest in moving the annexations along was his interest in cleaning up one property and help develop one of the properties. There were no questions of the applicant.

There was no testimony from the audience.

Mayor Fairchild closed the Public Hearing at 7:14 p.m.

Councilor Woods moved to direct staff to prepare an Ordinance adopting the proposed annexation and prepare notices to affected agencies in accordance with the applicable Oregon Revised Statutes. The motion was duly seconded by Councilor Scroggin and CARRIED UNANIMOUSLY with Council President Brian Dalton, Councilor Warren Lamb, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor Dave Voves,

1 Councilor LaVonne Wilson and Councilor Ken Woods, Jr. voting YES.

2 **REPORTS OR COMMENTS FROM COUNCIL MEMBERS**

3 Council President Dalton indicated he participated in a clean-up on property owned by a family
4 whose husband is serving in Iraq. He stated it was a vacant house which needed help and a
5 number of volunteers cleaned that up the past weekend.

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

7 **UNITED WAY PRESENTATION**

8 Denise Swanson, Resource Development Director for the Mid-Willamette Valley United Way,
9 discussed with the Council the things United Way does for the community. Ms Swanson
10 indicated United Way raised over \$2 million last year and they hoped for that again in the
11 coming year. She then reviewed the programs United Way is currently serving in Dallas.

12 **DOWNTOWN TREE PLANTING PROJECT**

13 Jason Locke reported that at the last Urban Renewal Advisory Committee meeting, staff brought
14 forth a proposal to start replanting some of the trees that were lost on Main Street, noting they
15 also looked at trees on Washington Street. Mr. Locke indicated staff scouted out potential
16 locations and got an Oregon State Urban Forester involved to make sure they picked the right
17 trees. He stated that from a staff perspective, there is some urgency to replant since the City of
18 Dallas was named a Tree City, USA and lost almost an entire block of trees, so the staff didn't
19 want to wait to implement the downtown streetscape plan. Mr. Locke then reviewed the tree
20 planting plan which proposed planting a total of 24 trees, including 11 on Main Street. He said
21 staff had talked to several business owners and many were excited and felt it would be an
22 enhancement to their businesses. Mr. Locke indicated the total cost of the project would be about
23 \$6,500, which would be funded out of Urban Renewal money.

24 There was some discussion about the choice of trees to be planted, including size and artistic
25 placement of the trees. Mayor Fairchild confirmed the consensus of the Council was to proceed
26 with the project.

27 **FARM PROPERTY LEASE**

28 Mr. Wyatt reviewed the three submitted proposals for leasing the farm property. He stated as he
29 looked at each one, each proposal included experience, had good qualities, and offered
30 something appealing. Mr. Wyatt recommended the Council accept the proposal from Fast
31 Farms.

32 Councilor Wilson moved to direct the City Attorney to prepare a farm lease agreement with Kirk
33 Fast Farms. The motion was seconded by Councilor Lamb and CARRIED UNANIMOUSLY
34 with Council President Brian Dalton, Councilor Warren Lamb, Councilor Kevin Marshall,
35 Councilor Wes Scroggin, Councilor David Shein, Councilor Dave Voves, Councilor LaVonne
36 Wilson and Councilor Ken Woods, Jr. voting YES.

37 **STREET MAINTENANCE FEE**

38 Mr. Wyatt indicated the Council packet included the questions and responses from the Public
39 Hearing that was held on August 17. He advised the Council that he would like to schedule three
40 community forums to review the information with citizens. Mr. Wyatt discussed the three issues
41 that stood out most from the public hearing, specifically the timing of the fee, whether or not
42 there would be a cap, and what exactly the rate would be. Mr. Wyatt reviewed staff's proposal
43 to have a flat base rate for every utility customer, both residential and commercial.

44 Councilor Shein expressed concern about having a conversation with the community before there
45 was a concrete proposal in place. Mr. Wyatt confirmed staff was recommending a flat rate for
46 the fee. Council President Dalton agreed with Councilor Shein's idea of going to the public with
47 something concrete, and asked what was proposed for non-profits. Mr. Wyatt stated they would
48 be included, as the fee is being proposed across the board. He indicated the only difference is for

1 multi-family units or shopping plazas with only one meter and several tenants, those would be
2 charged per unit. Councilor Lamb and Mayor Fairchild agreed the proposal was much easier to
3 understand and implement. Council President Dalton stated one major concern of the earlier
4 proposal was that it would entail a great deal of staff time, and asked if the new proposal would
5 be more staff friendly. Mr. Wyatt stated it would certainly not take the staff time of the previous
6 proposal. Councilor Wilson thanked Mr. Wyatt and his staff for the work they put in noting they
7 took the Council and public input and developed a plan that is a very equal way for everyone to
8 contribute. Councilor Lamb stated he liked that all the public's questions were answered, which
9 shows the staff and Council do listen to the public.

10 Mayor Fairchild confirmed that it was the consensus of the Council to hold two or three
11 community chats for the public to be able to discuss the proposed Street Improvement Fee.

12 SENIOR CENTER UPDATE

13 Mr. Wyatt reported the work to secure funds for the Senior Center continues to move forward.
14 He stated he would like to have the Council's support to appoint a new group that would focus
15 solely on fund raising for the new senior center. He explained the Senior Center Advisory
16 Committee had been focused on site selection and the profile of the new building, adding they
17 served well. Mr. Wyatt indicated the new group would focus more on funding, including the
18 Community Development Block Grant and other grants. The consensus of the Council was to
19 move forward with the formation of a new committee to focus on fundraising.

20 JOINT CITY/SCHOOL/CHAMBER MEETING

21 Mr. Wyatt indicated there would be a joint meeting with the School Board, Chamber Board and
22 City Council on November 17 at 6:00 p.m. in the High School Library to discuss community
23 visioning.

24 REPORT ON THE SEPTEMBER 15 PLANNING COMMISSION MEETING

25 Mr. Wyatt reviewed the agenda from the September 15 Planning Commission meeting.

26 DEPARTMENT REPORTS FOR THE MONTH OF AUGUST

27 Mr. Wyatt reviewed the department reports for the month of August.

28 OTHER

29 Mr. Wyatt informed the Council that there were no agenda items for the September 28
30 Administrative and Public Safety Committees, so he advised cancelling the meeting.

31 Mr. Wyatt reported there would be some general sprucing up in certain areas of City Hall
32 including cleaning and painting. He indicated staff would be volunteering to paint and help
33 clean up.

34 COMMUNICATIONS AND PETITIONS

35 RESOLUTIONS

36 **Resolution No. 3192:** A Resolution adopting the Polk County Multi-Jurisdictional Hazard
37 Mitigation Plan.

38 A roll call vote was taken and Mayor Fairchild declared Resolution No. 3192 to have PASSED
39 BY A UNANIMOUS VOTE with Council President Brian Dalton, Councilor Warren Lamb,
40 Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor Dave
41 Voves, Councilor LaVonne Wilson and Councilor Ken Woods, Jr. voting YES.

42 FIRST READING OF ORDINANCE

43 **Ordinance No. 1707:** An Ordinance amending Dallas City Code Section 6.305, relating to
44 parking; and repealing conflicting provisions.

45 Mr. Wyatt indicated this Ordinance would allow the police to park perpendicular and include
46 parallel parking across the street.

47 Mayor Fairchild declared Ordinance No. 1707 to have passed its first reading.

1 **SECOND READING OF ORDINANCE**

2 **Ordinance No. 1706:** An Ordinance establishing procedures for City Council recommendations
3 to the Oregon Liquor Control Commission regarding granting, renewing, modifying or denying
4 of liquor licenses within the City.

5 Mayor Fairchild declared Ordinance No. 1706 to have passed its second reading. A roll call vote
6 was taken and Mayor Fairchild declared Ordinance Number 1706 to have PASSED BY A
7 UNANIMOUS VOTE with Council President Brian Dalton, Councilor Warren Lamb, Councilor
8 Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor Dave Voves,
9 Councilor LaVonne Wilson and Councilor Ken Woods, Jr. voting YES.

10 **OTHER BUSINESS**

11 Councilor Wilson complimented the City Attorney for all the work he puts in to the Ordinances
12 and Resolutions and thanked him.

13 There being no further business, the meeting adjourned at 8:22 p.m.

14 Read and approved this _____ day of _____ 2009.

15
16
17 _____
18 Mayor

19 ATTEST:
20 _____
21 City Manager

DRAFT

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 7 a	Topic: Budget Committee Appointments
Prepared By: Emily Gagner	Meeting Date: October 5, 2009	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Staff recommends a motion to appoint Sam Collins, Tom Martin, and Bob Ottoway to the Budget Committee.

BACKGROUND:

Three members of the Budget Committee have resigned their position: Lisa Koloen, Joanne Moss, and Darla Williams. We have received Citizen Committee Interest forms from Sam Collins, Tom Martin, and Bob Ottoway indicating they would be interested in serving on that committee. Staff has reviewed their applications and supports these appointments.

FISCAL IMPACT:

None

ATTACHMENTS:

Citizen Committee Interest Forms

**CITY OF DALLAS
CITIZEN COMMITTEE INTEREST FORM**

Name: Sam Collins

Address: [REDACTED] Dallas, OR 97338

Mailing Address: (If different) _____

Phone: Work (503) 838-0888 ext 122 Home [REDACTED]

E-mail Address: [REDACTED] Years as a Dallas Resident: 41

Occupation and Employer: Senior Vice President - Marquis Spas

Employer's address and Telephone 596 Hoffman Road - Independence, OR 97351

May we contact you at work? yes no

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

- | | |
|--|--|
| <input type="checkbox"/> Aquatic Center Advisory Committee | <input type="checkbox"/> Park and Recreation Board; |
| <input checked="" type="checkbox"/> Budget Committee | <input 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.)

My sole interest is in making a contribution in an area where I may be of value to the
community. Based on the brief overview provided to me by Mr. Jerry Wyatt, I believe I can
provide what he is asking for. Specific to this particular committee, I have experience in
building/managing budgets and cost centers while working within specified parameters.
My goal would be to bring an objective eye and provide value to the committee.

Education Background

High School Dallas High School Graduated GED
College _____ Degree _____
Have you ever been convicted of a felony? Yes No

Previous Volunteer/Committee Experience:

Volunteer Agency Dallas Booster Club
Address P.O. Box 416 - Dallas, OR 97338 Telephone (503) 623-3341
Duties Board member (Vice President)

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.

Ann Ellis 9-30-09
Applicant's Signature Date

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

Date Received at City Hall _____ Date Appointed: _____
Board, Commission or Committee: _____

**CITY OF DALLAS
CITIZEN COMMITTEE INTEREST FORM**

Name: Tom martin

Address: [REDACTED]

Mailing Address: (If different) [REDACTED]

Phone: Work 831-1200 Home _____

E-mail Address: [REDACTED] Years as a Dallas Resident: 6 months.

Occupation and Employer: GM - Forest River Inc.

Employer's address and Telephone 1429 SE Uglow. (503) 831-1200

May we contact you at work? yes no

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

- | | |
|---|---|
| <input type="checkbox"/> Aquatic Center Advisory Committee | <input type="checkbox"/> Park and Recreation Board; |
| <input checked="" type="checkbox"/> Budget Committee | <input 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.)

Please See attached

Education Background

High School McMinnville Graduated GED
College CCC - OSU Degree AS - Real Estate
Have you ever been convicted of a felony? Yes No

Previous Volunteer/Committee Experience:

Volunteer Agency Sedcor
Address 745 Commercial St. NE Telephone 503 - 585 - 6225
Duties Executive Board

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.

 10-1-09
Applicant's Signature Date

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

.....
Date Received at City Hall _____ Date Appointed: _____
Board, Commission or Committee: _____

October 1, 2009

Dear City Council Members,

Below is a brief description of my qualifications, interests and what I hope to accomplish as a member on the City of Dallas Budget Committee.

Leadership strengths include strategic business planning and executing programs for all phases of the business life cycle. Including but not limited to: Startup, expansion, contraction, turnaround & reengineering.

Business analyst skilled in assessing company business positions, equipping organization with tools for turnaround and growth, and developing benchmarks to measure performance. Diverse operational expertise extends to finance/accounting, purchasing materials management, logistics, production, QA/QI, HR, information systems, sales, and budgeting, cash management and cost controls.

Sincerely,

Tom Martin

CITY OF DALLAS
CITIZEN COMMITTEE INTEREST FORM

Name: Bob OTTAWAY

Address: [REDACTED]

Mailing Address: (If different) Dallas, OR 97338

Phone: Work 503 623-5174 Home [REDACTED]

E-mail Address: [REDACTED] Years as a Dallas Resident: 37

Occupation and Employer: Exec. Westview Products, Inc.

Employer's address and Telephone 1350 SE Shelton St. Dallas
503 623-5174

May we contact you at work? yes no

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

- | | |
|---|---|
| <input type="checkbox"/> Aquatic Center Advisory Committee | <input type="checkbox"/> Park and Recreation Board; |
| <input checked="" type="checkbox"/> Budget Committee | <input 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.)

Business & School Bd. budgeting & oversight

Education Background

High School Dallas High Graduated GED

College Oregon State U. Degree B.A.

Have you ever been convicted of a felony? Yes No M.A.
Monterey Inst. of Foreign Studies

Previous Volunteer/Committee Experience:

Volunteer Agency Dallas School Dist., City of Dallas, Dal. Comm. Fdn.

Address _____ Telephone _____

Duties _____

AUTHORIZATION WAIVER

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

Robert J. Ottaway
Applicant's Signature

9/30/09
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 _____ Date Appointed: _____

Board, Commission or Committee: _____

RESOLUTION NO. 3193

A Resolution Establishing the Designation of Certain Parking Stalls on SE Court Street between Main Street and SE Jefferson Street.

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

Section 1. The area comprising the four parking stalls on the south side of SE Court Street between Main Street and SE Jefferson Street designated for public safety vehicles only in Resolution No. 3146, is hereby designated as five parking stalls for public safety vehicles only, which shall be perpendicular to the curb line.

Section 2. The parking stalls on the north side of SE Court Street between the driveway entrances to the Polk County Courthouse off-street parking, west of SE Jefferson Street, are hereby designated as parallel parking stalls

Section 3. The Public Works Director shall mark and place appropriate signs at said parking stalls so as to inform the public of the requirements of this Resolution.

Section 4. Any prior resolutions establishing parking regulations contrary to those set forth herein are hereby repealed.

Section 5. This resolution shall be effective November 4, 2009.

Adopted: October 5, 2009

Approved: October 5, 2009

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

ORDINANCE NO. 1708

An Ordinance declaring 49 acres, more or less, of territory located east of Kings Valley Highway and south of the city limits of the City of Dallas annexed to the City of Dallas and withdrawn from Southwestern Polk County Rural Fire Protection District.

WHEREAS, more than half of the owners of land in the territory hereinafter described, who also own more than half of the land in the territory and real property therein representing more than half of the assessed value of all real property in the territory, which is contiguous to the City of Dallas, did petition the City to annex that territory to the City and withdraw said territory from the Southwestern Polk County Rural Fire Protection District, and a statement of their consent has been filed with the City; and

WHEREAS, said territory is a part of the Southwestern Polk County Rural Fire Protection District; and

WHEREAS, after due notice and public hearing on August 11, 2009, the Dallas Planning Commission recommended to the City Council that it approve the requested annexation and withdrawal of said territory from the Southwestern Polk County Rural Fire Protection District; and

WHEREAS, after due notice, the City Council held a public hearing on said petition on September 21, 2009, and at the conclusion thereof found that the proposed annexation and withdrawal of said territory from the Southwestern Polk County Rural Fire Protection District should be approved; NOW, THEREFORE,

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. That the real property described on Exhibit 1 attached hereto and by reference incorporated herein, containing 49 acres, more or less be, and the same hereby is, declared to be duly annexed to the City of Dallas, Polk County, Oregon and shall forever be a part of the City of Dallas.

Section 2. That the approval of this annexation is based upon the following findings and conclusions:

- A. More than half of the owners of land in the territory, who also own more than half of the land in the territory and real property therein representing

more than half of the assessed value of all real property in the territory consented in writing to the annexation, and filed a statement of consent with the City before the date of the above-reference public hearing on the annexation.

- B. The subject property is located within the City's Urban Growth Boundary and is planned and available for annexation and development.
- C. The subject property is contiguous to and a logical and orderly extension of the City.
- D. The property can be provided with the full range of urban facilities, and therefore approval of the annexation is consistent with the Dallas Comprehensive Plan.
- E. The application meets the requirements of all standards of review.
- F. The staff report regarding this property, dated September 21, 2009 is incorporated herein by reference.

Section 3. That the annexed territory described in Exhibit 1, above, is hereby declared to be withdrawn from the Southwestern Polk County Rural Fire Protection District.

Read for the first time: October 5, 2009
Read for the second time: October 19, 2009
Adopted by the City Council: October 19, 2009
Approved by the Mayor: October 19, 2009

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

PROPOSED KINGS VALLEY ANNEXATION

A parcel of property lying in Section 5, Township 8 South, Range 5 West, in the Willamette Meridian, Polk County, Oregon and shown on Tax Maps 8.5.5B and 8.5.5A dated 1/23/09, more particularly described as follows:

Beginning at the Northwest Corner of the Robert M. Guthrie Donation Land Claim Number 47; thence South $89^{\circ}45'30''$ East, 30.00 Feet to the Southwest Corner of that property described in deed Book 201 Page 1551 and being the Southwest Corner of Tax Lot 300 Tax Map 8.5.5B and on the Easterly right of way of the Kings Valley Highway Number 223 **THE TRUE POINT OF BEGINNING**; thence North $00^{\circ}12'30''$ East along said Easterly right of way of Highway 223 and the Westerly boundary of said Tax Lot 300 a distance of 73.50 Feet to the Southwest Corner of Tax Lot 400 and as described in Deed Book 381 Page 95; thence North $09^{\circ}16'00''$ East along said highway right of way and along the Westerly boundary of said Tax Lot 400 a distance of 75.00 Feet to the Southwest Corner of Tax Lot 500; thence continuing North $09^{\circ}16'00''$ East along said highway right of way and the Westerly Line of Tax Lot 500 a distance of 168.23 Feet to the Northwest Corner of Tax Lot 500 as described in Deed Book 372 Page 574; thence South $89^{\circ}45'30''$ East along the Northerly boundary of said Tax Lot 500 a distance of 178.80 feet to the Northeast Corner of said Tax Lot 500; thence North $09^{\circ}16'30''$ East along the Easterly boundary of Tax Lot 601 and Westerly boundary of Tax Lot 600 as described in Deed Book 200 Page 474 a distance of 178.33 Feet to the Northeast Corner of said Lot 601; thence continuing North $09^{\circ}16'30''$ East, 29.47 Feet to the North line of Tax Lot 200 as described in Deed 2005-006044; thence North $89^{\circ}59'44''$ East along said North line a distance of 993.18 Feet to the Northeast Corner of said Tax Lot 200 Tax Map 8.8.5B, said point also being the Northwest Corner of Tax Lot 200 Tax Map 8.5.5A described in said Deed 2005-006044; thence continuing North $89^{\circ}59'44''$ East along the North line of Tax Lot 200 a distance of 458.20 Feet to the Northeast Corner of said Tax Lot 200; thence South $00^{\circ}20'51''$ East along the Easterly line of Tax Lot 200 a distance of 525.20 Feet to the Southeast corner; thence North $89^{\circ}45'30''$ West along the South Line a distance of 416.30 feet to the Northwest Corner of Tax Lot 300 Tax Map 8.5.5A and the Northeast Corner of Tax Lot 1900 Tax Map 8.5.5B as described in Deed 2002-018475; thence South $00^{\circ}12'30''$ West along the Easterly line of said Tax Lot 1900 and the Westerly line of Tax Lot 300 Tax Map 8.5.5A a distance of 660.00 Feet to the centerline of a 30 foot wide public road also being the Southeast Corner of Tax Lot 1900 and the Southwest Corner of Tax Lot 300; thence; South $89^{\circ}45'30''$ East along said road centerline a distance of 208.15 Feet to the Northeast Corner of Tax Lot 400 Tax Map 8.5.5A as described in Deed 2003-003237; thence along the Easterly boundary of said Tax Lot 400 the following courses South $45^{\circ}46'58''$ West, 171.20 Feet; thence South $44^{\circ}21'33''$ West, 233.59 Feet; thence South $33^{\circ}51'03''$ West, 135.83 Feet to the Southeast Corner of said Tax Lot 400; thence North $89^{\circ}45'30''$ West along the Southerly boundary of Tax Lot 400 a distance of 295.05 Feet to the Southwest Corner of said Tax Lot 400 and the Southeast Corner of Tax Lot 1801 Tax Map 8.5.5B as described in Deed 2007-007703; thence North $89^{\circ}45'30''$ West along the Southerly boundary of said Tax Lot 1801 a distance of 161.97 Feet to the Southwest Corner of said Tax Lot 1801 and the Southeast Corner of Tax Lot 1800; thence continuing North $89^{\circ}45'30''$ West and along the Southerly boundary of Tax Lot 1800 as described in Deed 2007-007703 a distance of

680.91 Feet to the Southwest Corner of said Tax Lot 1800 and on the Easterly right of way of the Kings Valley Highway Number 223; thence along said right of way the following courses;

North $00^{\circ}12'30''$ East, 400.73 Feet to centerline of a 30 foot wide public road said point being the Northwest Corner of said Tax Lot 1800 and the Southwest Corner of Tax Lot 1903; thence continuing North $00^{\circ}12'30''$ East along the Westerly boundary of Tax Lot 1903 a distance of 426.30 Feet to the Southwest Corner of Tax Lot 2000; thence continuing North $00^{\circ}12'30''$ East along the Westerly boundary of Tax Lot 2000, a distance of 85.57 Feet; thence North $09^{\circ}15'55''$ East, along said Westerly boundary 40.78 Feet to the Northwest Corner of Tax Lot 2000; thence continuing North $09^{\circ}15'55''$ East and along the Westerly boundary of Tax Lot 2100 a distance of 109.20 Feet the Northwest Corner of said Tax Lot 2100; thence North $89^{\circ}45'30''$ West along the Southerly boundary of Tax Lot 300 a distance of 23.61 Feet to the Southwest Corner of said Tax Lot 300 and the **TRUE POINT OF BEGINNING**. As shown on the attached drawing.

NOTE: This description is based on current deeds, record of surveys and tax maps 8.5.5A and 8.5.5B as no field measurements were made this description and drawing are not a legal boundary survey.



ORDINANCE NO. 1707

An Ordinance amending Dallas City Code Section 6.305, relating to parking; and repealing conflicting provisions.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Dallas City Code Section 6.305 is hereby amended to read as follows:

6.305 Method of Parking.

(1) A motor vehicle parked on a public street shall be positioned along the right side of the street as determined from the position of the driver of the vehicle when it is being operated in a legal manner, approximately parallel with the curb line of the street, and not more than 12 inches from the curb line as provided in (2), (3), and (4) of this section.

(2) Except as otherwise expressly provided by resolution of the council and specifically marked or designated by an official traffic sign or signs, a motor vehicle parked on a public street in the areas listed in this subsection shall be positioned along the right side of the street as determined from the position of the driver of the vehicle when it is being operated in a legal manner, with the right front wheel of the vehicle against the curb line of the street at an angle of approximately 45 degrees as measured from the curb line. The streets are:

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

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

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

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

(3) On streets on which traffic is restricted to vehicles moving in one direction only, motor vehicles shall be positioned along either the right or left side of the street as determined from the position of the driver of the vehicle

when it is being operated in a legal manner, approximately parallel with the curb line, and within 12 inches of the curb.

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

Section 2. All prior and conflicting ordinances are hereby repealed.

Read for the first time: September 21, 2009
Read for the second time: October 5, 2009
Adopted by the City Council: October 5, 2009
Approved by the Mayor: October 5, 2009

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER