



Dallas City Council Agenda

MONDAY, October 19, 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.

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

<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 Oct 5, 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. Employee/Volunteer Recognition Awards	Presentation
b. Governor's Physical Fitness Award	Presentation
c. Fish Trap and Haul Program at Mercer Dam p. 6	Motion
d. Dallas Tax Rate Discussion p. 10	Information
e. Report on Oct 13 Planning Commission meeting p. 13	Information
f. Department monthly reports p. 14	Information
g. Other	
8. COMMUNICATIONS AND PETITIONS	

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.

9. RESOLUTIONS

- a. Resolution No. 3194: A Resolution endorsing and declaring support for the Dallas School District November 3, 2009, \$8.6 million school bond measure. [p. 23](#) Roll Call Vote
- b. Resolution No. 3195: A Resolution requesting and authorizing the Mid-Willamette Valley Council of Governments to apply for technical assistance grant funding from the Oregon Department of Land Conservation and Development on behalf of the City of Dallas. [p. 25](#) Roll Call Vote

10. FIRST READING OF ORDINANCE

11. SECOND READING OF ORDINANCE

- a. 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. [p. 26](#) Roll Call Vote

12. OTHER BUSINESS

13. ADJOURNMENT

DALLAS CITY COUNCIL
Monday, October 5, 2009
Council Chambers

1

2

3

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

6 **ROLL CALL**

7 Council members present: 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. Excused: Councilor Jackie Lawson.

10 Also present were: City Manager Jerry Wyatt, City Attorney Lane Shetterly, Assistant City
11 Manager Kim Marr, and Recording Secretary Emily Gagner.

12 **PLEDGE OF ALLEGIANCE TO THE FLAG**

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

14 **APPROVAL OF MINUTES**

15 Mayor Fairchild declared the minutes of the September 21, 2009, Council meeting approved as
16 presented.

17 **QUESTIONS OR COMMENTS FROM THE AUDIENCE**

18 Mayor Fairchild asked for comments or questions from the audience on items other than those on
19 the agenda.

20 Wayne Crowder, Program Director for Serving our Veterans at Home (SOVAH), thanked the
21 Council for their help on the recent Veteran Stand Down in the Dallas City Park. He indicated
22 the Stand Down was very successful, with 68 veterans signing in and many more attending. He
23 reported there were eighteen resources present representing federal, state, county, and local
24 organizations. Mr. Crowder reported that SOVAH will qualify for a grant to pay for the
25 expenses of next year's Stand Down. Mr. Crowder asked the Council to consider posting signs
26 at the entrances to town saying Dallas supports our Veterans.

27 William Petrovic discussed the traffic issues on West Ellendale near the new Jasper Crossing
28 entrance. He asked the Council to consider putting in a crosswalk and button light across West
29 Ellendale just to get traffic to stop. He reported that the mail boxes for the residents on the south
30 side of West Ellendale are on the north side of the street, so they have to cross the road to get
31 their mail. Mayor Fairchild acknowledged the City is aware of traffic issues at Jasper and West
32 Ellendale.

33 Mr. Petrovic indicated he would like to start a service lodge of the Loyal Order of Moose, and
34 stated he would need to use the community building to get it started. Mayor Fairchild explained
35 Mr. Petrovic should work with the City Manager about using the Civic Center.

36 Chelsea Pope, Executive Director of the Dallas Area Chamber of Commerce and Visitor's
37 Center, reviewed a letter she distributed to the Council asking for permission to work with City
38 staff and the police to ensure safety for their two Halloween events. There was consensus to
39 allow Ms. Pope to work with the City Manager.

40 **PUBLIC HEARINGS**

41 **REPORTS OR COMMENTS FROM COUNCIL MEMBERS**

42 Mayor Fairchild indicated many of the Councilors went to the League of Oregon Cities (LOC)
43 conference in Portland, and it was a very good conference with good ideas. He encouraged the
44 Councilors to get with the staff if they had any information from the conference that would be
45 helpful.

1 Councilor Wilson encouraged the Councilors to look at the Civic Center, which was updated
2 through staff volunteers. She indicated it was very attractive and a more efficient use of the
3 space.

4 Councilor Woods echoed the Mayor's comments on the LOC conference, noting it was the best
5 in a long time.

6 Councilor Lamb reported on the Rickreall Watershed Council meeting and discussed several
7 projects that were completed or underway.

8 Councilor Voves described a great city as a triangle with a school side, a business side, and a city
9 government side. He indicated Dallas's school side needs to be beefed up and reported the
10 school district has a bond coming up that would be for repairs only and will extend the current
11 tax rate for 7 years. He noted the bond would not increase the current tax rate. Councilor Lamb
12 stated that as Council people, they were elected to be the voice for the city and he noted this was
13 an opportunity to do just that. Councilor Shein indicated the bond was very specific and
14 reasonable in scope and takes advantage of a one-time \$1.3 million windfall in the interest free
15 bonds provided by federal stimulus money. Councilor Scroggin asked if the City could pass a
16 proclamation in support of the school bond. Mr. Shetterly indicated they could pass a resolution.

17 Councilor Scroggin moved to direct staff to prepare a resolution in support of the proposed
18 school bond. The motion was seconded by Councilor Shein and CARRIED UNANIMOUSLY
19 with Council President Brian Dalton, Councilor Warren Lamb, Councilor Kevin Marshall,
20 Councilor Wes Scroggin, Councilor David Shein, Councilor Dave Voves, Councilor LaVonne
21 Wilson, and Councilor Ken Woods, Jr. voting YES.

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

23 **BUDGET COMMITTEE APPOINTMENTS**

24 Mr. Wyatt explained the Budget Committee currently has three vacancies and the City received
25 committee interest forms from three individuals. Mr. Wyatt indicated staff had met with those
26 three and recommend appointing Sam Collins, Tom Martin, and Bob Ottaway to the Budget
27 Committee, noting all three have a background in business.

28 Council President Dalton made a motion to appoint Sam Collins, Tom Martin, and Bob Ottaway
29 to the Budget Committee. The motion was seconded by Councilor Shein and CARRIED
30 UNANIMOUSLY with Council President Brian Dalton, Councilor Warren Lamb, Councilor
31 Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor Dave Voves,
32 Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

33 **OTHER**

34 Mr. Wyatt indicated the City received a certificate thanking us for being an official partner of
35 Oregon 150.

36 Mr. Wyatt reported that the City received a Silver Medal Award for Wellness Promotion at the
37 LOC Conference because 91% of the employees signed up for healthy benefits this year.
38 Councilor Woods stated this helps workers stay healthy, which helps keep Workers'
39 Compensation Insurance rates low.

40 Mr. Wyatt reported that in October the Dallas Aquatic Center is offering five free passes to
41 anyone interested.

42 Mr. Wyatt reminded the Council about the Development Code Workshop that is scheduled on
43 October 27 at 5:30 p.m., noting dinner would be provided.

44 **COMMUNICATIONS AND PETITIONS**

45 **RESOLUTIONS**

46 **Resolution No. 3193:** A Resolution establishing the designation of certain parking stalls on SE
47 Court Street between Main Street and SE Jefferson Street.

1 A roll call vote was taken and Mayor Fairchild declared Resolution No. 3193 to have PASSED
2 BY A UNANIMOUS VOTE with Council President Brian Dalton, Councilor Warren Lamb,
3 Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor Dave
4 Voves, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

5 **FIRST READING OF ORDINANCE**

6 **Ordinance No. 1708:** An Ordinance declaring 49 acres, more or less, of territory located east of
7 Kings Valley Highway and south of the city limits of the City of Dallas annexed to the City of
8 Dallas and withdrawn from Southwestern Polk County Rural Fire Protection District.

9 Mayor Fairchild noted the Council held a public hearing at their last meeting on the annexation.

10 Mayor Fairchild declared Ordinance No. 1708 to have passed its first reading.

11 **SECOND READING OF ORDINANCE**

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

14 Mayor Fairchild declared Ordinance No. 1707 to have passed its second reading. A roll call vote
15 was taken and Mayor Fairchild declared Ordinance Number 1707 to have PASSED BY A
16 UNANIMOUS VOTE with Council President Brian Dalton, Councilor Warren Lamb, Councilor
17 Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor Dave Voves,
18 Councilor LaVonne Wilson and Councilor Ken Woods, Jr. voting YES.

19 **OTHER BUSINESS**

20 There being no further business, the meeting adjourned at 7:44 p.m.

21 Read and approved this _____ day of _____ 2009.

22
23
24
25
26
27
28

Mayor

ATTEST:

City Manager

DALLAS CITY COUNCIL

REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 7 c	Topic: Fish Trap and Haul Program at Mercer Dam
Prepared By: Kenn Carter	Meeting Date: October 19, 2009	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION: Approve the proposed 2009 Aaron Mercer Dam Coho Salmon Trap and Haul Program.

BACKGROUND: Aaron Mercer Dam presents a complete barrier to upstream fish passage. The Rickreall Watershed Council (RWC), Polk County Sportsman’s Club, and Oregon Department of Fish and Wildlife (ODFW) believe that Coho Salmon would benefit from access to spawning and rearing habitat located above the dam. Access to this significant, high quality habitat could be accomplished through a trap and haul program involving capture of the fish below the dam and transporting them for release above the dam. The property owner above the dam (Forest Capital Partners) has agreed to this program. Coho Salmon are not listed as threatened or endangered in the Rickreall Watershed and as such do not pose an undue potential for restrictions to City operations that may be associated with these listings. This initial approval is for this year only and excludes the trap and or haul of any species listed as threatened. Approval for continuation of this program should be considered on a year to year basis.

During the mid to late 1900’s sportsmen introduced Coho Salmon to the Rickreall under Oregon Department of Fish and Wildlife’s STEP Program. This program fell out of favor during the late 1990’s when National Oceanic and Atmospheric Association (NOAA) Fisheries listed native winter steelhead as a threatened species and the non-native Coho Salmon were believed to compete with the steelhead for essential habitat. Recently, ODFW softened on the issue of competition between the fish species and began to again support increased production of Coho in areas where Coho are considered non-native. Despite past efforts, the presence of fish passage barriers and marginal quality of spawning and rearing habitat limited Coho production in the Rickreall. The RWC and Polk Sportsman’s Club have joined forces in efforts to improve Coho Salmon access and habitat in the Rickreall Watershed. These groups hope to greatly improve Coho production with the support of the City by trapping some of the surviving Coho run below Aaron Mercer Dam and transporting the adult fish for release to the watershed above the Dam. The groups believe that the quantity and quality of habitat above the dam is far greater than below the dam and the juvenile offspring of the fish should be able to migrate out over the dam spillway on their own. These groups also hope to take advantage of this year’s unusually high number of returning Coho Salmon which could produce 50 or more spawning pairs versus the more typical 5 to 10 pairs observed at the base of the dam.

Potential adverse impacts to the City could include the placement of some additional restrictions on City operations necessary to maintain water supply systems that presently do not exist and greater competition for obtaining future water rights. In this case any restrictions would likely be

minor and the city could address them as a matter of good stewardship practices. Obtaining water rights is a public process during which all competing interests are identified and considered. The presence of Coho Salmon that currently do not exist above the Dam could become one additional potential competing interest that might need to be addressed in the process of obtaining an additional water right in the future. These concerns would increase substantially upon introduction of a fish species listed as threatened or endangered which is not allowed under this approval.

The RWC with the support of the City recently completed a \$250,000 grant project involving the replacement of a low water ford (Villwock's Ford) that presented a barrier to fish passage on lower Rickreall Creek. The City will benefit from removal of the fish barrier at Villwock's Ford that, formerly during extended low creek flow conditions, forced spawning of Coho Salmon below the Wastewater Treatment Facility Outfall. Had spawning below the WWTF outfall continued on any regular basis, ODFW would likely change its position that Rickreall Creek does not support salmonid spawning and rearing below the WWTF Outfall. This would in turn result in the application of more restrictive water quality criteria used to set the limits that the discharge from the WWTF must meet. The City will also benefit from having a more productive and viable stream as part of its community.

FISCAL IMPACT: None

ATTACHMENTS: Letter from Rickreall Watershed Council



RICKREALL WATERSHED COUNCIL

580 Main Street, Suite A Dallas, Oregon 97338
Phone: 503-623-9680 ext. 112 Fax: 503-623-3489
Email: rickreallwc@hotmail.com
www.rickreallwatershedcouncil.org



TO: Andy Weathers, Forest Capital Partners, LLC

FROM: Charles Redon, RWC Coordinator

RE: Draft Proposal for Fish "Trap and Haul" program at Aaron Mercer Dam on Rickreall Creek, Polk County, Oregon.

The Rickreall Watershed Council would like to seek permission from Forest Capital Partners LLC, the City of Dallas and ODFW to initiate and maintain a volunteer-run seasonal program to help mitigate the lack of fish passage at Aaron Mercer Reservoir.

According to biological surveys and local knowledge, there are approximately 11 miles of good quality habitat for salmonid fish species in tributaries above the reservoir. Allowing fish access to this habitat could significantly increase the reproduction rates of native migratory gamefish as well as allow increased genetic flow for populations of cutthroat trout that are currently isolated above and below the dam.

We would like to operate the trap from early November through mid December. We would haul fish around the dam and release them near the head of Mercer reservoir. The trap would be checked and operated by volunteers who are members of the Rickreall Watershed Council and/or the Polk County Sportsmans' Club. Most often the trap would be checked by the same person, but alternates would be available if needed.

There are two general options the council feels would benefit the watershed:

Option 1.

Haul only Coho salmon and Cutthroat trout. Neither of these species is listed under the Federal Endangered Species Act and therefore permission from the partners listed above is sufficient.

Option 2.

In addition to the species above, haul any Winter Steelhead encountered. Winter Steelhead in the area are listed as threatened under the Endangered Species Act so there would be a great benefit in giving them increased spawning access, but also an increased level of permission required from Federal Agencies.

2009



There are other details which may be worked out through discussion. Please call me if you have any questions and remember you are invited to the August 27th meeting of the Rickreall Watershed Council where we will be discussing this and the proposed gravel placement project. Dinner is at 5:30, business starts at 6pm. We meet at the USDA Service Center, 580 Main St, Suite A in Dallas.

Thank you for your consideration,

Charles Redon, Coordinator
Rickreall Watershed Council

TO: Andy Weather, Forest Control Partners, LLC

FROM: Charles Redon, RWC Coordinator

RE: Draft Proposal for Fish Trap and Haul Program at Anton Meyer Dam on Rickreall Creek, Polk County, Oregon

The Rickreall Watershed Council would like to seek permission from Forest Control Partners, LLC, the City of Dallas and ODFW to install and maintain a volunteer-run seasonal program to help mitigate the lack of fish passage at Anton Meyer Reservoir.

According to biological surveys and local knowledge, there are approximately 11 miles of good quality habitat for fall steelhead above the reservoir. Allowing fish access to this habitat would significantly increase the reproduction rates of native migratory gamefish as well as allow increased genetic flow for populations of outflow trout that are currently isolated above and below the dam.

We would like to operate the trap from early November through mid-December. We would haul fish toward the dam and return them near the head of Meteor reservoir. The trap would be checked and emptied by volunteers who are members of the Rickreall Watershed Council and/or the Polk County Sportsman's Club. Most often the trap would be checked by the same person. If other volunteers would be available if needed.

There are two general options the council feels would benefit the watershed:

Option 1

Haul only Coho salmon and Cutthroat trout. Neither of these species is listed under the Federal Endangered Species Act and therefore permission from the partners listed above is sufficient.

Option 2

In addition to the species above, haul any Winter Steelhead encountered. Winter Steelhead in the area are listed as threatened under the Endangered Species Act so there would be a great benefit in giving them increased spawning access, but also an increased level of permission required from Federal Agencies.

Loop

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 7 d	Topic: Dallas Tax Rate Discussion
Prepared By: Emily Gagner	Meeting Date: October 19, 2009	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

None

BACKGROUND:

The recent Polk County Tax Rate article in the *Itemizer Observer* indicated Dallas residents could expect a 6% tax rate increase over last year. We want to clarify that the increase is due mainly to Chemeketa Community College and Dallas School District Bonds. The actual City of Dallas tax rate increase is actually under 3%.

FISCAL IMPACT:

None

ATTACHMENTS:

Table from Polk County showing comparison of Bond Tax Rates, etc.

COMPARISON OF BOND TAX RATES AND PERCENTAGE DIFFERENCES FROM YEAR TO YEAR

<u>Tax Year</u>	<u>City of Dallas Tax Rate</u>	<u>Dallas City Actual Bond Rate Change from Prior Year</u>	<u>Dallas City Percent Difference</u>	<u>Polk County Actual Bond Rate Change from Prior Year</u>	<u>Polk Co. Percent Difference</u>	<u>Dallas SD Actual Bond Rate Change from Prior Year</u>	<u>Dallas SD Percent Difference</u>	<u>Chemeketa Comm. Coll. Actual Bond Rate Change from Prior Year</u>	<u>CCC Percent Difference</u>	<u>Total Percent Difference</u>
2009	\$ 14.4728	\$ (0.0701)	-0.4844%	\$ (0.0171)	-0.1182%	\$ 0.3136	2.1668%	\$ 0.1812	1.2520%	2.8163%
2008	\$ 14.4660	\$ (0.0385)	-0.2661%	\$ (0.1319)	-0.9118%	\$ (0.4218)	-2.9158%	\$ 0.0100	0.0691%	-4.0246%
2007	\$ 15.0443	\$ (0.0911)	-0.6055%	\$ 0.6880	4.5732%	\$ (0.1307)	-0.8688%	\$ (0.2428)	-1.6139%	1.4849%
2006	\$ 15.0863									

2009 - 2010 Tax Rates By Code Area

ID	NAME	TOTAL	EDUCATION	GOVERNMENT	NON-LIMITED
CODE 0201					
001	POLK COUNTY	1.7031		1.7031	
002	POLK COUNTY BONDS AFTER 2001	0.5390			0.5390
111	CHEMEKETA COMMUNITY COLLEGE	0.6212	0.6212		
112	CHEMEKETA REGIONAL LIBRARY	0.0812		0.0812	
113	CHEMEKETA CC BONDS PRIOR 2001	0.0821			0.0821
114	CHEMEKETA CC BONDS AFTER 2001	0.1815			0.1815
121	WILLAMETTE ESD	0.2945	0.2945		
201	DALLAS CITY	4.1639		4.1639	
202	DALLAS CITY BONDS PRIOR TO 2001				
203	DALLAS CITY BONDS AFTER 2001	0.9264			0.9264
204	DALLAS URBAN RENEWAL	0.0992		0.0992	
401	DALLAS CD	0.0543		0.0543	
505	POLK SOIL/WATER CD	0.0497		0.0497	
602	DALLAS SD 2	6.0767	4.5185		1.5582
711	POLK SENIOR TRANSIT DISTRICT				
		14.8728	5.4342	6.1514	3.2872



AGENDA
City of Dallas Planning Commission
TUESDAY, October 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

Commissioner
Murray Stewart

Staff

Community
Development Director
Jason Locke

City Attorney
Lane Shetterly

Planner
John Swanson

Recording Secretary
Joanne Ballweber

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES - Regular meeting of September 15, 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
 - A) Deliberation on the Dallas Development Code amendments and Comprehensive Plan amendments
6. OTHER BUSINESS
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

DALLAS AQUATIC CENTER



Director - Jason Locke
 Supervisor - Tina Paul

August 2009 MONTHLY REPORT

REVENUE	Month	Fiscal YTD
	Aug-09	\$38,195
	Aug-08	\$52,068

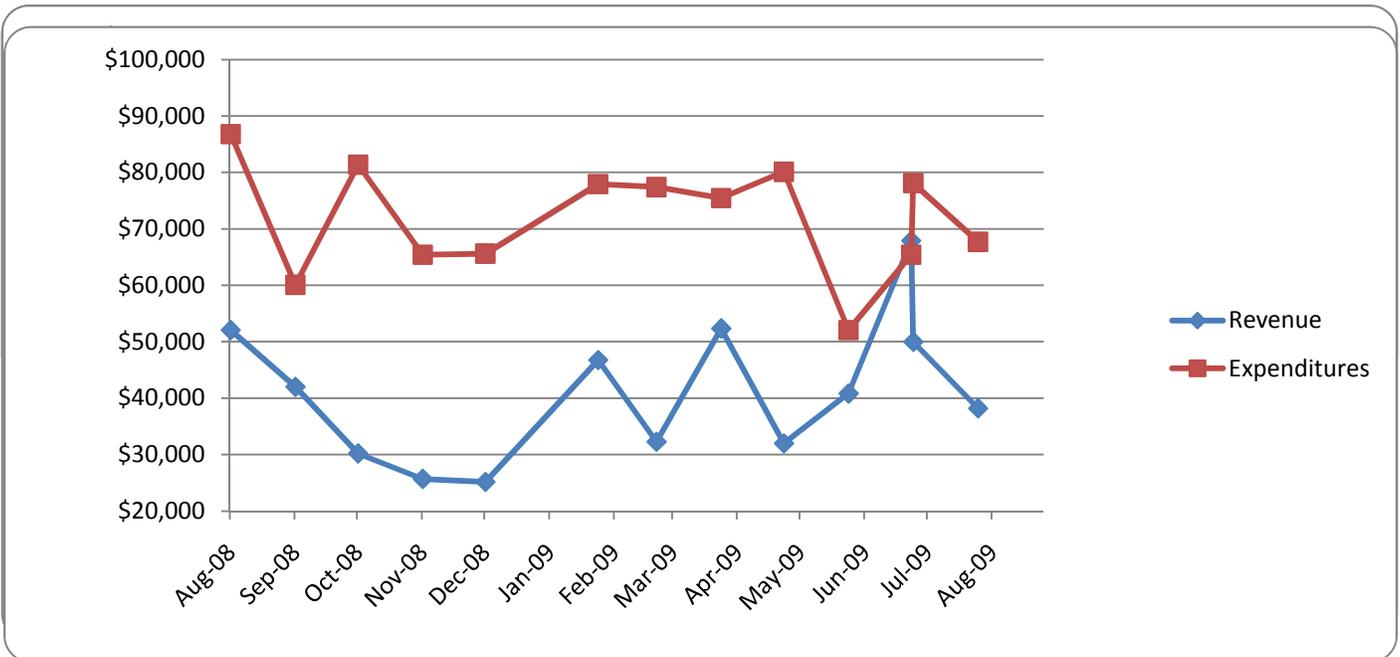
Current Members:	
Annual	791
3-month Water Aerobics	19

EXPENDITURES	Month	Fiscal YTD
	Aug-09	\$67,701
	Aug-08	\$86,790

Monthly Attendance:	
August	9,160
Fiscal YTD	20,054

Utility Costs:	Aug-09	Fiscal YTD
Natural Gas	\$4,253	\$9,965
Electricity	\$6,535	\$11,728

R/E Ratio = 56.4%
 (Revenue/Expenditure)



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

Circulation Statistics

Adult	Sep 2009	Sep 2008	Children	Sep 2009	Sep 2008
Print Materials	7882	6980	Print Materials	2716	2788
Books on Tape/CD	541	991	Books on Tape/CD	160	158
AV Materials	1200	956	AV Materials	1047	763
Misc. items	984	1922			
2009 Year to Date	92,377		2009 Year to Date	34,198	
Remote Renewals	967		2009 Year to Date	7900	
Combined Total	134,475				

Additional Activity

	Sep 2009	Sep 2008	Year to Date 2009
Non-Resident User Fees	\$ 570.00	\$110.00	\$ 5410.00
Fines Collected	\$ 536.88	\$ 798.51	\$ 6357.57
Photocopies	\$ 37.86	\$ 66.60	\$ 781.29
Reference Questions	1039	1011	9928
Volunteer Hours	271	184.5	2473.5

Registered Patrons – September 2009

City Residents		Non-Resident – Fee Paid		Non-Resident - Restricted	
Adult	5353	Adult	344	Adult	1185
Child	1323	Child	58	Child	356
YA (12-17)	418	YA (12-17)	30	YA (12-17)	153
Total	7094	Total Fee	432	Kids C.A.R.E.	441
				Total Restricted	2135
Non-Resident Total	2567				
Total Registered Patrons	9661				

Fall sessions of both Infant/Toddler and Preschool Storytimes resumed in mid-September, with 96 attendees. With 6 young readers participating in the Read to the Dog program, a total of 102 children visited the Library and participated in these fun and exciting events.

EBSCO, still our magazine database, logged 94 searches in September. With school once again in session, the use of this database has slowly increased. As mentioned last month, libraries throughout the state are transitioning to a new magazine indexing database. This transition is still in process; however, patrons are fully able to search for magazine information.

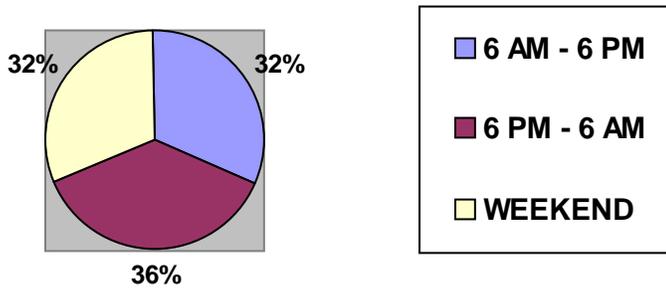
COUNCIL REPORT – SEPTEMBER 2009

To: Mayor & City Council Members

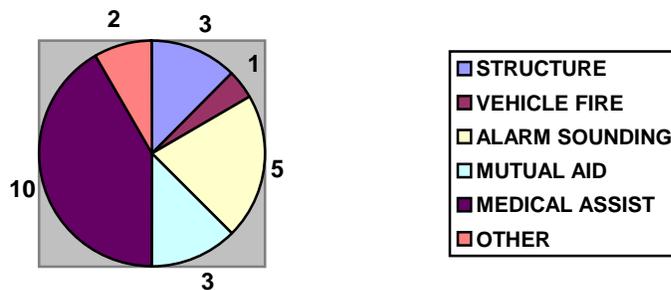
From: Fire Chief Bill Hahn

Dallas Fire Department:

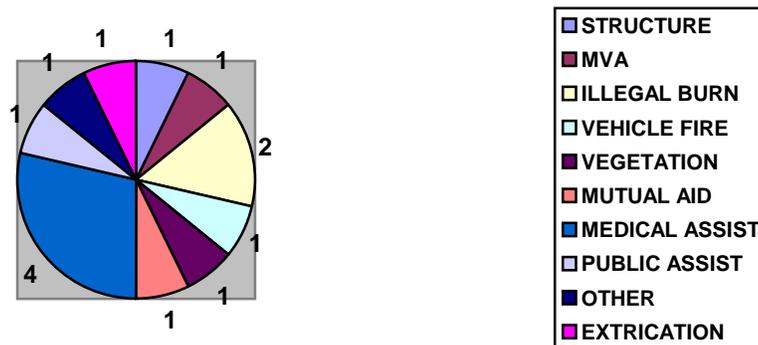
Station 100 responded to 38 calls of which 17 were between 6 AM – 6 PM, 9 between 6 PM – 6 AM and 12 during the weekend.



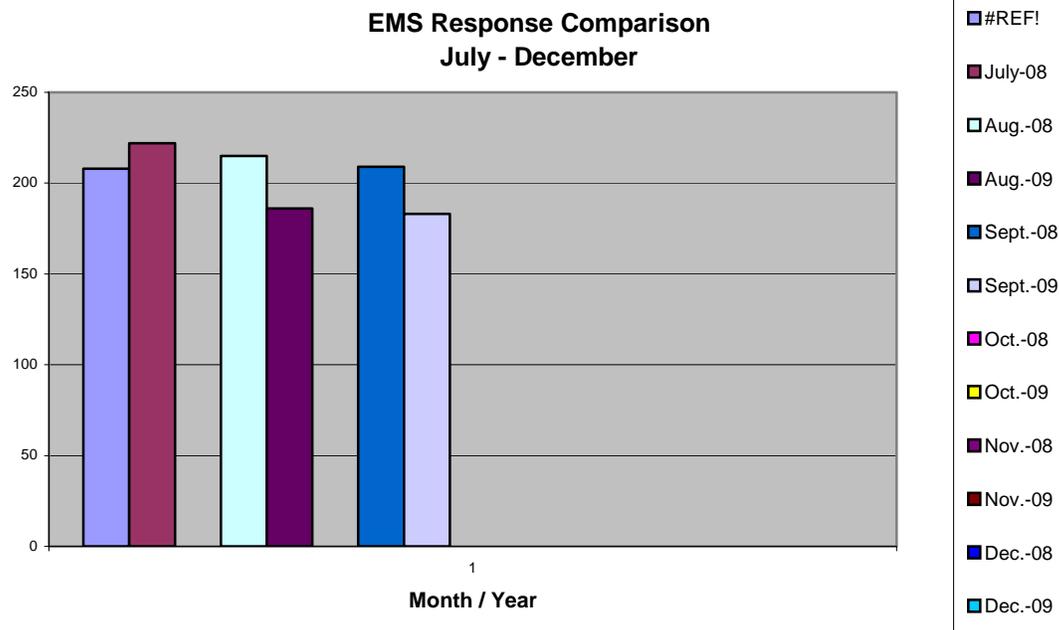
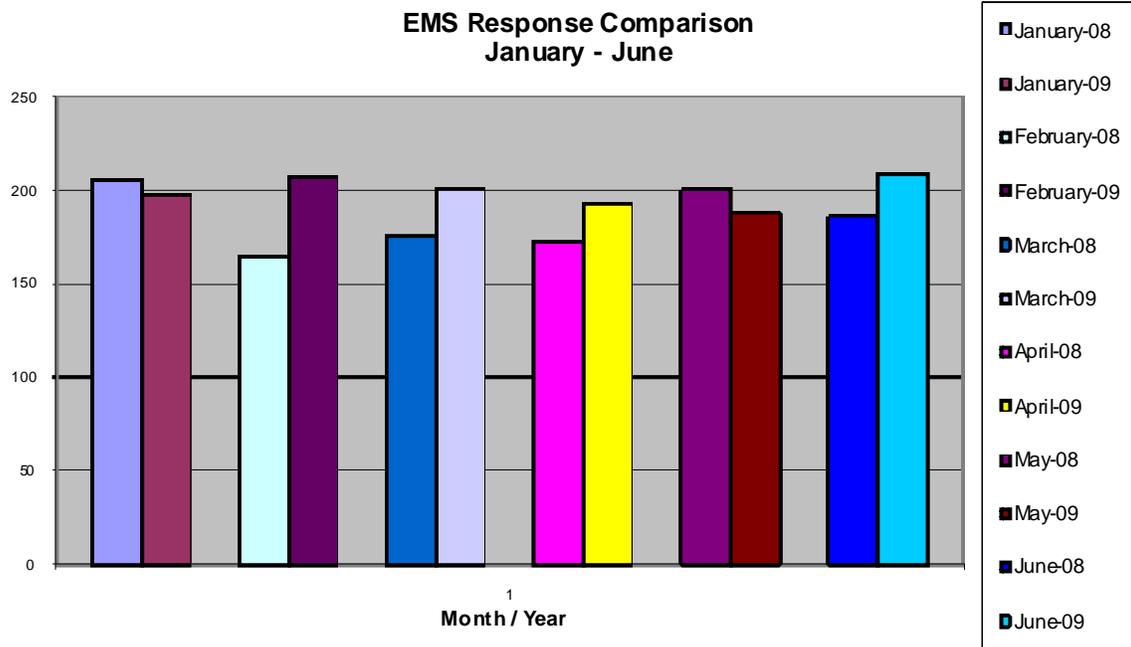
City Responded to the following incidents during the month from station 100.



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



Dallas Emergency Medical Service:



DALLAS POLICE DEPARTMENT

SEPTEMBER 2009

Investigations / Arrests

Animal Ordinance Offenses	Clear by Arr	07
Assaults	Clear by Arr	05
Burglary	Clear by Arr	01
Carrying Concealed Weapon	Clear by Arr	01
Criminal Mischief	Clear by Arr	01
Child Neglect	Clear by Arr	01
Curfew	Clear by Ref	01
Disorderly Conduct	Clear by Arr	04
DUII	Clear by Arr	06
Driving While Suspended	Clear by Arr	01
Drug Offenses	Clear by Arr	06
Endangering Welfare Minor	Clear by Arr	01
Fail Carry Present License	Clear by Arr	04
Harassment	Clear by Arr	06
Improper Use 911	Clear by Arr	01
Interference with 911 Call	Clear by Arr	01
Interference with Police	Clear by Arr	01
Menacing (Domestic)	Clear by Arr	01
Minor in Possession Alcohol	Clear by Arr	05
Ordinance Offenses	Clear by Arr	04
Resisting Arrest	Clear by Arr	01
Runaway	Clear by Ref	03
Sex Offenses	Clear by Arr	02
Strangulation	Clear by Arr	02
Thefts	Clear by Arr	02
Trespass	Clear by Arr	02
Violation Restraining Order	Clear by Arr	01
Warrants	Clear by Arr	16
Willful Detention Library Mtls	Clear by Arr	01

88 TOTAL ARRESTS (SEP '08 Arrests: 87)

The following is a summary of traffic violations committed:

16	Speeding Violations
06	License Violation
25	Pedestrian Violations
07	Moving Violations
12	All Other

JUVENILES

Eight juveniles were referred to juvenile authorities for their actions

TOTAL CALLS FOR SERVICE: 861 (Last yr: 900)

312	Incident Case No.'s
549	CAD Event Reports

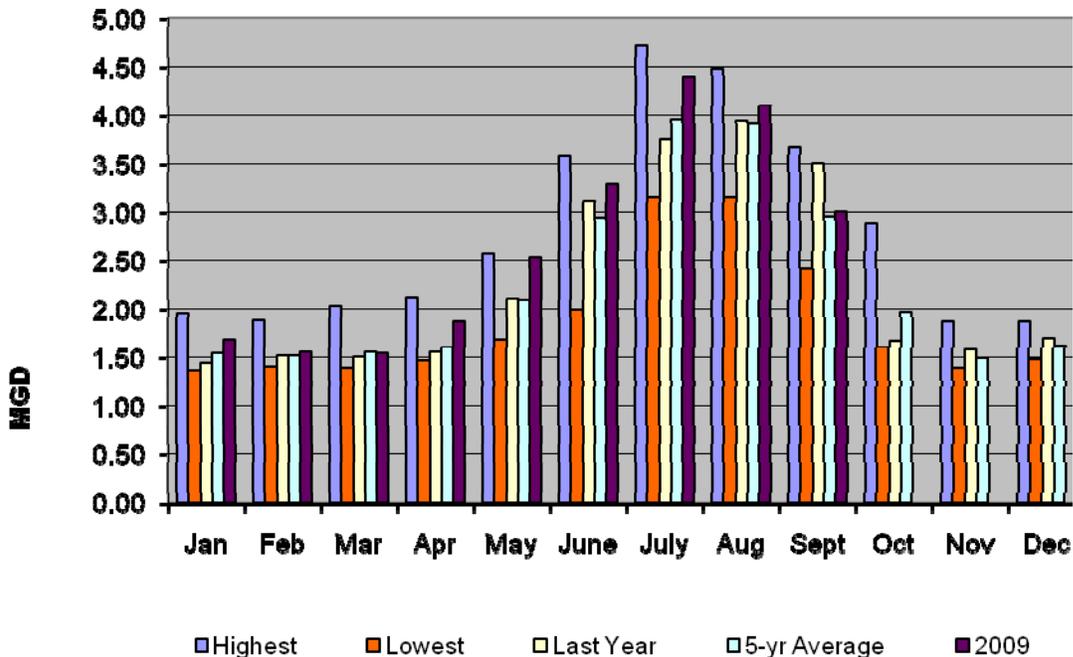
DEPARTMENT OF PUBLIC WORKS

Monthly Report for August 2009

Water Division

	<u>2009</u>	<u>Unit</u>		<u>2008</u>	<u>Unit</u>	
Total Discharge to Town	96.1	MG		110.57	MG	
Total Water Raw	89.8	MG		103.58	MG	
Peak Day	9-24	3.8	MG	9-12	4.49	MG
Daily Average-Raw	3.2	MGD		3.45	MGD	
Daily Average-City	3.0	MGD		3.68	MGD	
Backwash Water	4.3	MG		2.83	MG	
Filter to Waste	.40	MG		.47	MG	
Flushing		MG			MG	
Discharge Water	.10	MG		.25	MG	
ASR Injection		MG				
Average High Temp	78 °	F		72 °	F	
Average Low Temp	51 °	F		47 °	F	
Total Precipitation	1.2	Inches		.74	Inches	

Average Daily Treated Water Production

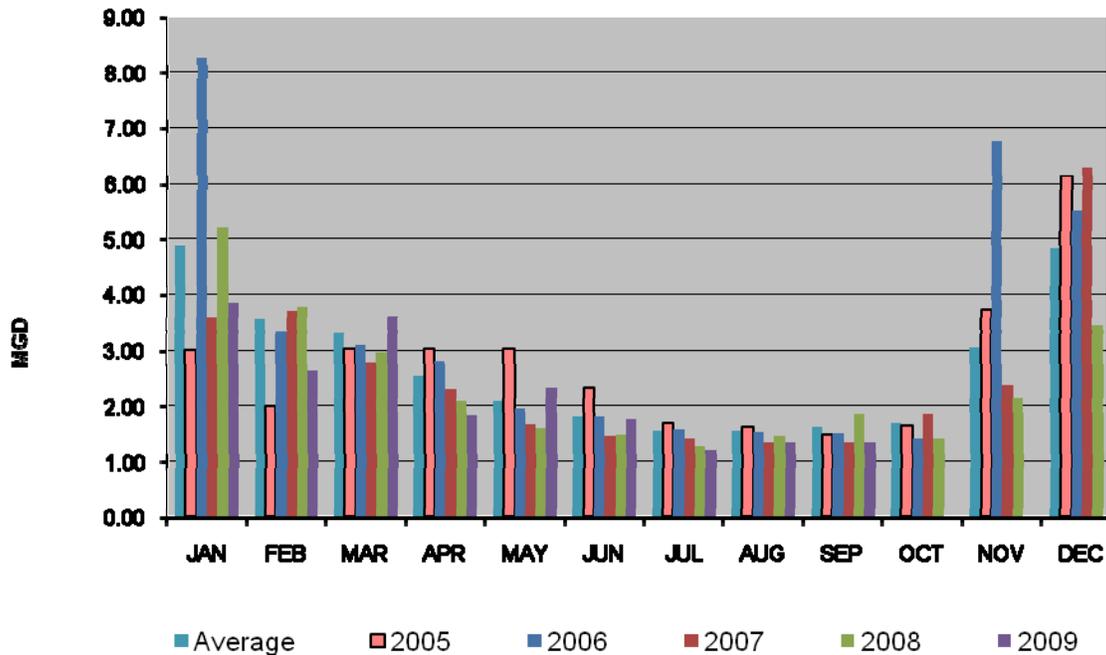


Wastewater Division

Effluent Flow

	<u>2009 Units</u>	<u>2008 Units</u>
Monthly Total Flow	40.64 MG	41.24 MG
Peak Day Flow (Sept. 7)	1.67 MG	(Sept. 1) 1.51 MG
Daily Average Flow	1.35 MG	1.37 MG

Effluent - Average Daily Discharge by Month



Plant Maintenance

- ✓ Biosolids have been hauled to the landfill.
- ✓ Repairs to #1 influent pump were completed in August, pump has been installed and has run without problems so far.
- ✓ Repairs were made to East Lakeside influent screen. Screen has been installed and works well.
- ✓ Replaced a burned up ballast in UV Bank A.
- ✓ Outside water lines have been winterized.

Plant Performance

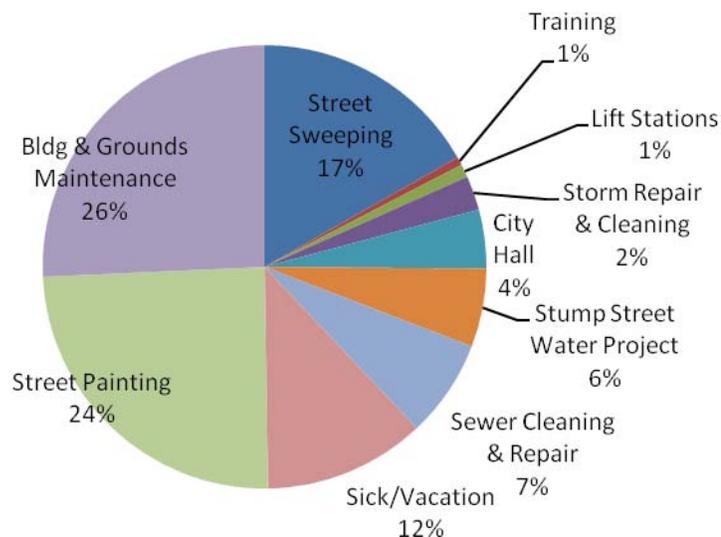
The wastewater plant is in the summer period of NPDES permit requirements (May to October) during which effluent limits become more stringent due to lower flows and ecological concerns in Rickreall Creek.

Parks

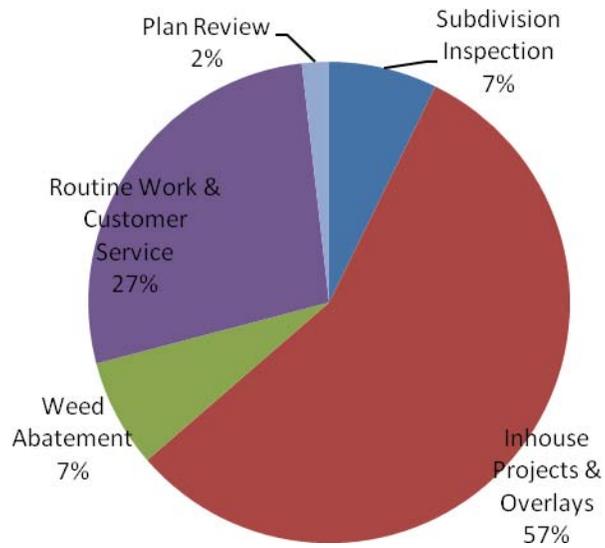
The Parks department provided the following routine services:

- ✓ Cleaned leaves from shrub beds
- ✓ Applied fertilizer to lawn and shrub areas
- ✓ Repaired damage caused by vandalism at
- ✓ Regular mowing of all parks
- ✓ Weed shrub beds and landscape areas
- ✓ Performed monthly safety check of playground equipment on September 18
- ✓ Equipment service checked and/or repaired
- ✓ Clean out wetlands ditch on Barberry Avenue
- ✓ Installation of Disc Golf Course in Brandvold section of the Park
- ✓ Maintain fountain water feature on Main Street
- ✓ Generate work for care area tree planting project
- ✓ Clean out camas field of December storm damage
- ✓ Water street trees
- ✓ End reservations on September 30
- ✓ Repair broken picnic tables
- ✓ Park Trail bank restoration by Russ Brown
- ✓ Sprayed Park trial for blackberries through Polk Soil and Water Grant

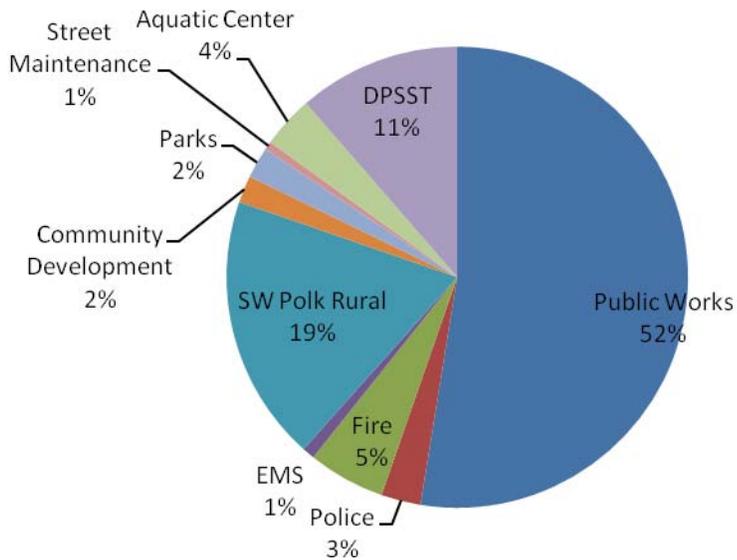
Street and Construction Division



Engineering



Fleet Management



RESOLUTION NO. 3194

A Resolution endorsing and declaring support for the Dallas School District November 3, 2009, \$8.6 million school bond measure.

WHEREAS, the city council of the City of Dallas, Oregon, is committed to a high quality of life for all the residents of the city; and

WHEREAS, public education is fundamental to a high quality of life and to the future of the community; and

WHEREAS, children learn better in an environment that is safe and well maintained; and

WHEREAS, the Dallas School District has invested millions of tax dollars in its school facilities; and

WHEREAS, there are significant maintenance and improvement needs within the district, including roofing of school buildings, heating system improvements and repairs, and parking lot repairs, the performance of which will extend the life of the district's facilities, improve safety for students and staff, and provide an environment more conducive to teaching and learning; and

WHEREAS, the Dallas School District has referred a bond measure to the voters of the District on the November 3, 2009, ballot, to authorize the issuance of \$8.6 million in general obligation bonds to provide funds for such repairs and improvements; and

WHEREAS, the school bond measure proposed by the District would not increase the current tax rate for the district, on account of the phase-out of current bonds; and

WHEREAS, the proposed bond measure, if approved by the voters, would authorize the District to issue the bonds as interest-free Qualified School Construction Bonds, thereby saving approximately \$1.3 million in interest expense and allowing additional bond funds to be used for the direct purpose of the bonds, rather than debt service; and

WHEREAS, if the proposed bond measure is approved by the voters, the District school board will appoint a citizen's advisory committee to oversee the expenditure of the bond proceeds, thereby assuring citizen involvement and transparency in the use and administration of the bond funds;

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

Section 1. The City Council of the City of Dallas hereby endorses and declares its

support for the proposed November 3, 2009, Dallas School District bond measure, and encourages the voting citizens of the City of Dallas and District to support it as well.

Adopted: October 19, 2009
Approved: October 19, 2009

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

RESOLUTION NO. 3195

A Resolution requesting and authorizing the Mid-Willamette Valley Council of Governments to apply for technical assistance grant funding from the Oregon Department of Land Conservation and Development on behalf of the City of Dallas.

WHEREAS, the City of Dallas is a member of the Mid-Willamette Valley Council of Governments (COG) and the COG provides planning services to its member governments;

WHEREAS, the Oregon Department of Land Conservation and Development (DLCD) grant program has \$2.2 million in funding for various grants, including Planning Assistance, Dispute Resolution, Periodic Review, and Technical Assistance; and

WHEREAS, COG has determined that the City qualifies for technical assistance grant funding for completion of a Comprehensive Plan Update to include: updating the City's population projections, streamlining the Comprehensive Plan to better match the City's Development Code, development of an Economic Opportunities Analysis, and completion of a buildable lands inventory.

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

Section 1. The City of Dallas hereby requests and authorizes the Mid-Willamette Valley Council of Governments to apply for technical assistance grant funding from the Oregon Department of Land Conservation and Development on the City's behalf for completion of a Comprehensive Plan Update, as set forth herein.

Adopted: October 19, 2009

Approved: October 19, 2009

JAMES B. FAIRCHILD, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

Resolution - Page 1

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

Exhibit 1

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°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°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°12'30" East along the Westerly boundary of Tax Lot 2000, a distance of 85.57 Feet; thence North 09°15'55" East, along said Westerly boundary 40.78 Feet to the Northwest Corner of Tax Lot 2000; thence continuing North 09°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°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.

