



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

City Recorder  
Emily Gagner

# Dallas City Council Agenda

Monday, March 15, 2010, 7:00 p.m.

Council President Brian Dalton, 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 sign in on the provided card.*

<u>ITEM</u>	<u>RECOMMENDED ACTION</u>
1. ROLL CALL AND PLEDGE OF ALLEGIANCE	
2. 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>	
3. 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>	
4. CONSENT AGENDA <i>The following items are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be removed from the Consent Agenda and considered separately.</i>	
a. Approval of March 1, 2010 City Council Minutes <b>p. 3</b>	
b. Approve Dallas Arts Association request for Art in the Park on August 1, 2010 <b>p. 6</b>	
c. Adopt Fiscal Policies <b>p. 7</b>	
d. Adopt 2010-2011 City Action Plan <b>p. 11</b>	
e. Acknowledge report of the March Planning Commission Meeting <b>p. 12</b>	
f. Acknowledge February Department Reports <b>p. 13</b>	
5. ITEMS REMOVED FROM CONSENT AGENDA	
6. REPORTS OR COMMENTS FROM THE COUNCIL MEMBERS	

# 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.

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## 7. REPORTS FROM CITY MANAGER AND STAFF

- a. Other
- 

## 8. FIRST READING OF ORDINANCE

- a. Ordinance No. 1717: An Ordinance changing the zoning designation of a parcel of real property from CN, Commercial Neighborhood to CG, Commercial General; and amending the Dallas Zoning Map. [p. 22](#) First Reading
- 

## 9. SECOND READING OF ORDINANCE

- a. Ordinance No. 1719: An Ordinance amending provisions of the Dallas City Code Section 4.458, relating to utility billing. [p. 26](#) Roll call vote
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## 10. RESOLUTIONS

- a. Resolution No. 3197: A Resolution establishing a late payment penalty for delinquent utility charges. [p. 28](#) Roll call vote
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## 11. OTHER BUSINESS

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## 12. ADJOURNMENT

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Note: There will be an Urban Renewal Agency Board of Directors meeting following the Council meeting.

**DALLAS CITY COUNCIL**  
**Monday, March 1, 2010**  
**Council Chambers**

1  
2  
3

4 The Dallas City Council met in regular session on Monday, March 1, 2010, at 7:00 p.m. in the  
5 Council Chambers of City Hall with Mayor Jim Fairchild presiding.

6 **ROLL CALL AND PLEDGE OF ALLEGIANCE**

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

10 Also present were: City Manager Jerry Wyatt, City Attorney Lane Shetterly, Assistant City  
11 Manager Kim Marr, Fire Chief Bill Hahn, Police Chief John Teague, Community Development  
12 Director Jason Locke, Finance Director Cecilia Ward, Planner I John Swanson, and Recording  
13 Secretary Emily Gagner.

14 Mayor Fairchild led the Pledge of Allegiance.

15 **QUESTIONS OR COMMENTS FROM THE AUDIENCE**

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

18 Chelsea Pope, Executive Director of the Dallas Area Visitors Center, announced the downtown  
19 farmers market has been approved to run on the courthouse lawn from June through August on  
20 Thursdays from 3:00 – 7:00 p.m. She indicated there is already a great deal of interest, and it  
21 looks like they might fill 25 vendor spots. Ms. Pope explained they were not calling it a  
22 “farmers’ market” so they could bring in local artists as well, but it is designed to bring in  
23 produce. In response to a question, Ms. Pope explained they are leaning away from commercial  
24 food vendors, and instead hope to encourage the downtown area restaurants to participate. Mr.  
25 Wyatt stated Ms. Pope has done a good job, noting they had discussed this concept for a long  
26 time. He said it is good to see it finally happen.

27 **PUBLIC HEARINGS**

28 **Wal-Mart Zone Change**

29 Mayor Fairchild opened the public hearing on the Wal-Mart zone change at 7:08 p.m. He asked  
30 for ex parte contact or conflict of interest. There were none.

31 Mr. Locke stated this is an effort to correct a past zoning map error for the subject property at  
32 321 NE Kings Valley Highway. Mr. Locke reviewed the history of the zoning on the property  
33 and indicated this would just be a corrective measure to redesignate the property to its actual use.  
34

35 Mr. Locke indicated there are still a couple more resolutions of intent to rezone that were never  
36 finalized, noting he is researching those to address them appropriately. Mr. Shetterly stated he  
37 and Mr. Locke had discussed enacting a sunset on these resolutions of intent to rezone, so these  
38 won't remain open forever.  
39

40 Mayor Fairchild asked for anyone wishing to speak on this matter. There was none. He closed  
41 the public hearing at 7:16 p.m.  
42

43 There was some discussion about how this zone change might impact the neighborhood as far as  
44 property values, or opening the doors to additional uses. Mr. Shetterly explained the City would  
45 just be implementing a zone that reflects what is actually on the ground, so Wal-Mart will now  
46 be authorized to do what they have been doing, which was the commitment made to them in  
47 1980.

48 Councilor Shein moved to approve the zone change in accordance with Resolution No. 2207 and  
49 direct staff to prepare an Ordinance adopting said zone change. Councilor Marshall seconded  
50 the motion, which CARRIED UNANIMOUSLY with Council President Brian Dalton, Councilor  
51 Warren Lamb, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin,  
52 Councilor David Shein, Councilor Dave Voves, Councilor LaVonne Wilson, and Councilor Ken

1 Woods, Jr. voting YES.

2 **CONSENT AGENDA**

3 It was moved by Councilor Marshall and seconded by Councilor Shein to approve the Consent  
4 Agenda as presented. The motion CARRIED UNANIMOUSLY with Council President Brian  
5 Dalton, Councilor Warren Lamb, Councilor Jackie Lawson, Councilor Kevin Marshall,  
6 Councilor Wes Scroggin, Councilor David Shein, Councilor Dave Voves, Councilor LaVonne  
7 Wilson, and Councilor Ken Woods, Jr. voting YES.

8 Items approved by the Consent Agenda were: a) approval of February 16, 2010, City Council  
9 Minutes; b) acknowledge report of Feb 22 Public Works Committee meeting; and c)  
10 acknowledge report of Feb 22 Public Safety Committee meeting.

11 **ITEMS REMOVED FROM CONSENT AGENDA**

12 There were none.

13 **REPORTS OR COMMENTS FROM COUNCIL MEMBERS**

14 **ACTION ITEM FROM FEB 22 PUBLIC WORKS COMMITTEE: *UTILITY BILL LATE FEES***

15 Mr. Wyatt explained this topic came out of the last Public Works Committee meeting. Mr.  
16 Shetterly explained there was an Ordinance already drafted included in the agenda for a first  
17 reading. He noted the ordinance just implements the late fee and there would be a Resolution  
18 following the second reading of the ordinance that would set the fee at \$10 on accounts over 60  
19 days past due.

20 Councilor Dalton moved to direct the City Attorney to draft an Ordinance to implement a late fee  
21 for past due utility bills and a Resolution to set the late fee at \$10 for 60-day past due bills.  
22 Councilor Shein seconded the motion which CARRIED UNANIMOUSLY with Council  
23 President Brian Dalton, Councilor Warren Lamb, Councilor Jackie Lawson, Councilor Kevin  
24 Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor Dave Voves, Councilor  
25 LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

26 **OTHER**

27 Council President Dalton announced there would be an Urban Renewal meeting the following  
28 evening at 5:30.

29 **REPORTS FROM CITY MANAGER AND STAFF**

30 **AUDITOR REPORT**

31 Mr. Wyatt stated he would schedule the auditor to come talk to the Council at a later date, noting  
32 the information in the packet was just a report on the audit. He reviewed the audit report.

33 **ECONOMIC AND COMMERCIAL DEVELOPMENT UPDATE**

34 John Swanson discussed the status of economic development in Dallas. He reported that  
35 commercial vacancy rates are at an all-time low, noting most of the vacant commercial  
36 properties have significant obstacles to getting them on the active business tax roll. He stated the  
37 Community Development Department has been trying hard in this economic climate to provide  
38 as much assistance as possible to local businesses and entrepreneurs and reviewed some ways the  
39 department is helping businesses. Mr. Swanson indicated that overall, the perception is that our  
40 business community is performing well.

41 Jason Locke stated one thing they have been focused on is not only to more aggressively try to  
42 recruit business, but also dispel the notion that the City of Dallas is business unfriendly. He  
43 indicated they go above and beyond what most cities our size do for business assistance,  
44 especially for commercial business. Mr. Locke reviewed some projects of interest involving  
45 vacant industrial land in the City.

46 Councilor Lamb said it was great working with Mr. Locke and Mr. Swanson through the

1 Commercial Development Team. He indicated he liked redefining what was part of the  
2 downtown and Chamber of Commerce's role versus what was the City's role in economic  
3 development.

4 Mr. Wyatt stated some people see a lack of connection between businesses and the community.  
5 He noted the community visioning process through nSight should help with that issue.

6 **NEW UTILITY BILL FORMAT**

7 Mr. Wyatt pointed out the new format of the utility bill, which will be coming out in April. He  
8 noted the information has been given to the newspapers, and posted on the website, as well as  
9 flyers being posted around City Hall.

10 **TGM GRANT SUPPORT LETTER**

11 Mr. Wyatt reviewed the staff report, noting this application would get the City money to pay for  
12 a Master Plan of the Fairview Node.

13 Councilor Dalton moved to authorize the Mayor to sign the letter of support for the TGM grant  
14 for the Fairview Node Master Plan. Councilor Lamb seconded the motion, which CARRIED  
15 UNANIMOUSLY with Council President Brian Dalton, Councilor Warren Lamb, Councilor  
16 Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein,  
17 Councilor Dave Voves, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

18 **OTHER**

19 Mr. Wyatt reported that the City did receive a notice of award for seismic rehabilitation of the  
20 Fire Station. He noted he should know in a couple weeks how much money the City would  
21 receive and added that for the cash match on the grant, most would be in-kind services which  
22 was good news with the budget.

23 **RESOLUTIONS**

24 **FIRST READING OF ORDINANCE**

25 **Ordinance No. 1719:** An Ordinance amending provisions of the Dallas City Code Section  
26 4.458, relating to utility billing.

27 Mayor Fairchild declared Ordinance No. 1719 to have passed its first reading.

28 **SECOND READING OF ORDINANCE**

29 **Ordinance No. 1718:** An Ordinance amending provisions of the Dallas City Code Section  
30 3.410, relating to service driveway standards.

31 Mayor Fairchild declared Ordinance No. 1718 to have passed its second reading. A roll call vote  
32 was taken and Mayor Fairchild declared Ordinance No. 1718 to have PASSED BY A  
33 UNANIMOUS VOTE with Council President Brian Dalton, Councilor Warren Lamb, Councilor  
34 Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein,  
35 Councilor LaVonne Wilson and Councilor Ken Woods, Jr. voting YES.

36 **OTHER BUSINESS**

37 There being no further business, the meeting adjourned at 8:06 p.m.

38 Read and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

39

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41

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\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Manager



# Dallas Arts Association

P.O. Box 192  
Dallas, Oregon 97338

February 22, 2010

Jerry Wyatt  
Office of the City Manager  
City of Dallas  
P.O. Box 67  
Dallas, OR 97338

Dear Jerry,

This letter is to request permission to hold the "Art in the Park" event on Sunday, August 1, 2010 at the Academy street side of the Dallas City Park. The event is being planned from 8:00am to 4:00pm. Entertainment has been scheduled from 11:00am to 4:00pm. Approximately 40 craftsmen/artists will participate. All food services will be asked to comply with local regulations.

We would appreciate it if the gate to the park was opened at 6:00am on Sunday.

Thank you for your consideration of this request. I want to let you know that your staff has been so helpful and we greatly appreciate the city's part in making this event so successful over the years.

Sincerely,

A handwritten signature in cursive script that reads "Sally Clark".

Sally Clark,  
President  
Dallas Arts Association

## PURPOSE

The City of Dallas is committed to responsible fiscal management through financial integrity, prudent stewardship of public assets, planning, accountability and transparency. The purpose of the Fiscal Policies is to enable the City to achieve and maintain a long-term stable and positive financial condition. These policies are adopted by Council as the basic framework for overall financial management of the City, to guide day-to-day and long-range fiscal planning and decision making.

The City of Dallas's financial goals seek to:

- Ensure the financial integrity of the City.
- Improve financial information for decision makers at all levels.
- Assist policy makers as they contemplate long-term City decisions.
- Guide department managers as they implement policy on a day to day basis.
- Demonstrate a sense of accountability into the financial operation of the City.
- Provide the financial stability needed to navigate through economic downturns.
- Fully comply with finance related legal mandates, laws and regulations

To achieve these goals, fiscal policies generally cover areas of revenue management, operating and capital budgeting, financial planning and forecasting, investment and asset management, debt management, accounting and financial reporting, reserves and internal controls.

## Fiscal Objectives

### *Revenue Policy*

1. The City will maximize the use of service users' charges in lieu of taxes and subsidies from other City funds, for services that can be identified and where costs are directly related to the level of service provided.
2. Charges for providing utility services shall be sufficient to finance all operating, capital outlay and debt service expenses of the City's enterprise funds (street, sewer, water, storm), including planning, operating contingency, reserve and future expansion/upgrade requirements.
3. User charges shall fund 100% of the direct cost of development review and building activities. User charges include land use, engineering inspection, building permit and building inspection fees.
4. Charges for services shall accurately reflect the actual cost of providing a specific service. The cost of providing specific services shall be recalculated periodically, and the fee adjusted accordingly. The City shall maintain a current schedule of fees, showing when the fees were last reviewed and/or recalculated and systematically

review user fees and charges to take into account the effects of additional service costs and inflation.

5. The City shall pursue an aggressive policy of collecting delinquent accounts. When necessary, discontinuing service, small claims court, collection agencies, foreclosure, liens and other methods of collection, such as imposing penalties, collection and late charges, may be used.
6. System development charges shall be established to fund the costs of improvements and/or upgrades to service additional increments to growth, such as street, storm, water, sewer, and parks and recreation facilities.

### ***Operating Budget Policy***

1. The City shall prepare, present, adopt and amend its annual operating budget(s) in accordance with Oregon Budget Law.
2. The City shall maintain a budget system to monitor expenditures and revenues on a monthly basis, with a thorough analysis and adjustment (if required) at least at mid-year.
3. The City shall not adopt an operating budget that is greater than the amount of resources available to fund it. Current operating resources will be sufficient to support current operating expenditures, reimbursement transfers, reserves, unappropriated balances and contingencies.
4. Annual recurring revenues (including interfund reimbursement charges) of the General and Enterprise Funds shall not be less than annual recurring operating expenditures (total annual budget, minus capital outlay, equity transfers, reserves, appropriated balances and contingencies).
5. Unless otherwise authorized by City Council, General Fund and other unrestricted revenues shall not be earmarked for specific programs, activities or services.
6. Long-term debt or bond financing shall only be used for the acquisition of capital improvement projects or specialized equipment. Long-term debt or bond financing shall not be used to finance current operating expenditures.

### ***Expenditure Control Policy***

1. Expenditures will be regulated through appropriate internal controls and procedures administrated by the City Manager. The City Manager must ensure expenditures comply with the legally adopted budget. Each Department Head will be accountable for the administration of his/her department budget, to include accomplishing the

goals and objectives incorporated into the budget and monitoring his/her department budget for compliance with spending limitations.

2. All purchases of goods and services must comply with the City's Purchasing Policies, guidelines and procedures and with State laws and regulations.
3. Before the City purchases any major asset or undertakes any operating or capital arrangements that create fixed costs or ongoing operational expenses, the implications of such purchases or arrangements will be fully determined for current and future years.
4. The City will make every effort to control expenditures to ensure City services and programs provided to its citizens and taxpayers are cost effective and efficient.

### ***Capital Improvement Policy***

1. Annually, the City shall adopt a 5-year Capital Improvement Plan (CIP). The document shall provide details on each capital project plan; its estimated costs, sources of financing and a full description, including a detailed statement identifying: (a) the needs, conditions and circumstances that have caused the project's creation and (b) the expected results if the project is approved and implemented.
2. Operating expenditures shall be programmed into each capital project plan, including the cost of implementing the plan and all continuing labor, operating and capital outlay costs.

### ***Accounting Policy***

1. The City shall establish and maintain its accounting systems according to generally accepted accounting practices and shall adhere to generally accepted accounting principles and standards promulgated by the Government Finance Officers Association (GFOA), Government Accounting Standards Board (GASB) and the Financial Accounting Standards Board (FASB).
2. An annual audit shall be performed by an independent public accounting firm, which will issue an official opinion on the annual financial statements, along with a management letter identifying areas needing improvement, if necessary.
3. Full disclosure shall be provided in the financial statements and bond representations.
4. A system of internal controls and procedures will be maintained to provide reasonable assurance of the safeguarding of assets and proper recording of financial transactions and compliance with applicable laws and regulations.

5. Quarterly financial reports showing the current status of revenues and expenditures shall be prepared and distributed to the Council in a timely manner and made available for public inspection.

### ***Debt Policy***

1. Capital projects financed through the issuance of bonds shall not be financed for a period which (a) exceeds the expected useful life of the project and (b) is less than 30% of the expected useful life of the improvements.
2. The City shall use the most prudent methods of acquiring capital outlay items, including the use of lease purchase agreements.
3. The City shall maintain its bond rating at the highest level fiscally prudent, so that future borrowing costs are minimized and access to the credit market is preserved..
4. No debt shall be issued for which the City is not confident that a sufficient specifically identified revenue source is available for repayment. The Finance Director shall prepare an analysis of the source of repayment prior to issuance of any debt.

### ***Reserve Policy***

1. The City shall strive to maintain an unappropriated reserve in all Funds that is at least 10% of the operating budget (excluding debt service, capital outlay, equity transfers, reserves and interfund transfer reimbursement revenues).
2. The City shall establish a contingency fund to provide for unanticipated expenditures of a nonrecurring nature to meet unexpected increases in service delivery costs.

### ***Management of Fiscal Policy***

Fiscal procedures and polices and changes in policies shall be approved by the City Council. The City Manager shall recommend fiscal policy and changes in policy to the City Council. The City Council's Administrative Committee shall conduct an annual review of the City's fiscal policies. The City Manager shall implement fiscal policies and monitor compliance.

**2010 / 2011  
One Year City of Dallas Action Plan  
Adopted:**

1. Adopt a budget that ensures high efficiencies in operations and awareness of the impact on taxpayers
2. Explore potential consolidation of departments and partnerships with outside agencies with the intention of maintaining current level of services at a reduced cost
3. Communicate the City strategies and incentives for property development to maximize business recruitment, enhance the city revenue base and spur job growth
4. Incorporate a sense of community within the city operations that give opportunities for citizen participation and involvement in which dignity, self-respect and community pride can flourish
5. Provide leadership in the community visioning process to bring awareness and clarification to the current character of Dallas
6. Promote a safe, clean, attractive and active community
7. Communicate the opportunities that Dallas offers both to the residents of Dallas and to those outside the community
8. Determine what level of service to provide and establish a plan for funding that level of service
9. Establish a plan which moves toward direct-service funding mechanisms, of which a fire and rescue service district is an example
10. Conduct City Hall, Shop/Fleet Maintenance, Police, and Fire facilities needs assessments, identify deficiencies, and establish a five-year plan for solving those deficiencies



**AGENDA**  
**City of Dallas Planning Commission**  
**TUESDAY, March 9, 2010 - 7:00 p.m.**  
**City Hall Council Chambers**  
**187 SE Court Street**

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- 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 January 12, 2010
  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) ZC/CPA10-01 Zone Change and Comprehensive Plan Map Amendment from Industrial to Residential (Medium Density) for 3.22 ac located on the south side of SE Jonathan Ave  
Applicant: The FIFE Group, Inc.
  6. OTHER BUSINESS  
None
  7. COMMISSIONER COMMENTS
  8. STAFF COMMENTS
  9. ADJOURN

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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](mailto:john.swanson@ci.dallas.or.us)

**Dallas Public Library  
Monthly Report for February 2010**

**Circulation Statistics**

<b>Adult</b>	<b>Feb 2010</b>	<b>Feb 2009</b>		<b>Children</b>	<b>Feb 2010</b>	<b>Feb 2009</b>
<b>Print Materials</b>	7332	7002		<b>Print Materials</b>	2550	2241
<b>Books on Tape/CD</b>	493	524		<b>Books on Tape/CD</b>	177	151
<b>AV Materials</b>	1293	1328		<b>AV Materials</b>	957	783
<b>Misc. items</b>	969	1019				
<b>2010 Year to Date</b>	<b>20,519</b>			<b>2010 Year to Date</b>	<b>7950</b>	
<b>Remote Renewals</b>	<b>1034</b>			<b>2010 Year to Date</b>	<b>1825</b>	
<b>Combined Total</b>	<b>30,294</b>					

**Additional Activity**

	<b>Feb 2010</b>	<b>Feb 2009</b>	<b>Year to Date 2010</b>
<b>Non-Resident User Fees</b>	\$ 960.00	\$ 460.00	\$ 1480.00
<b>Fines Collected</b>	\$ 582.78	\$ 749.65	\$ 1412.25
<b>Photocopies</b>	\$ 147.35	\$ 136.76	\$ 213.47
<b>Reference Questions</b>	1087	1047	2008
<b>Volunteer Hours</b>	307	279	636.5

**Registered Patrons – February 2010**

<b>City Residents</b>		<b>Non-Resident – Fee Paid</b>		<b>Non-Resident - Restricted</b>	
Adult	5581	Adult	353	Adult	1240
Child	1375	Child	62	Child	----
YA (12-17)	428	YA (12-17)	27	YA (12-17)	160
<b>Total</b>	<b>7384</b>	<b>Total Fee</b>	<b>444</b>	Kids C.A.R.E.	475
				<b>Total Restricted</b>	<b>1875</b>
<b>Non-Resident Total</b>	<b>2319</b>				
<b>Total Registered Patrons</b>	<b>9703</b>				

Winter sessions of both Infant/Toddler and Preschool Storytimes continue to be popular with children and their caregivers. During February 225 attendees participated in these fun and exciting programs.

Statistics for the new Gale Databases (magazine subject searching) show that these databases are highly used by our patrons. A total of 213 sessions and 908 searches were performed by our patrons during the month of February.

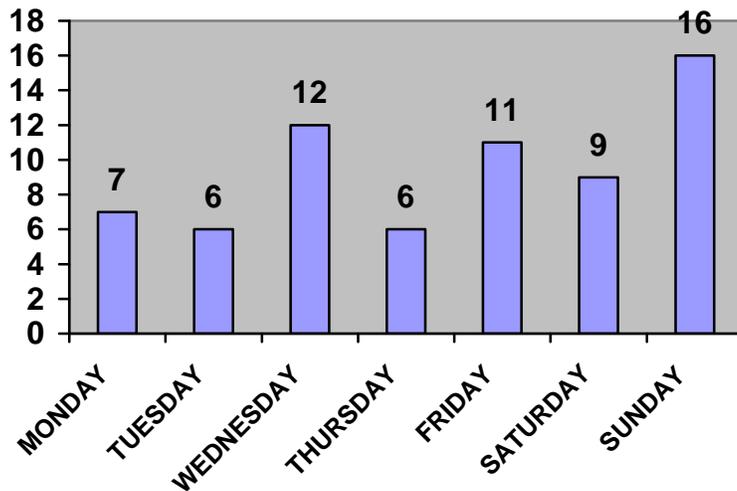
To: Mayor & City Council Members

From: Fire Chief Bill Hahn

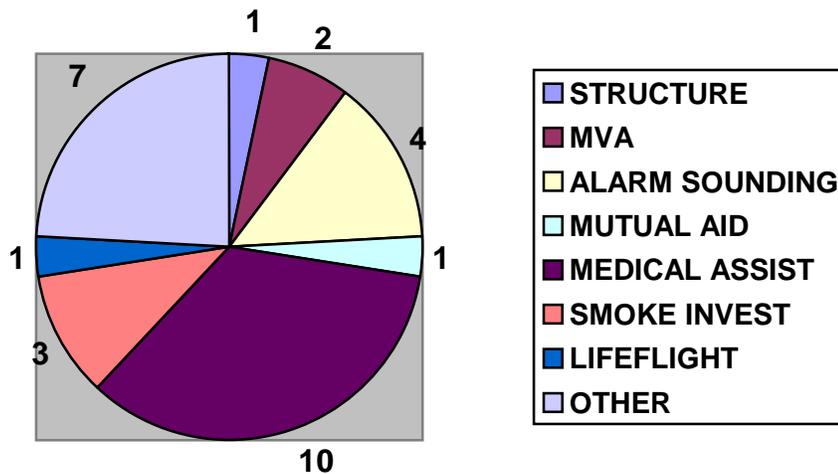
**Dallas Fire Department:**

Station 100 responded to 29 city calls and 38 rural responses for a total of 67, these are divided out by the day of the week.

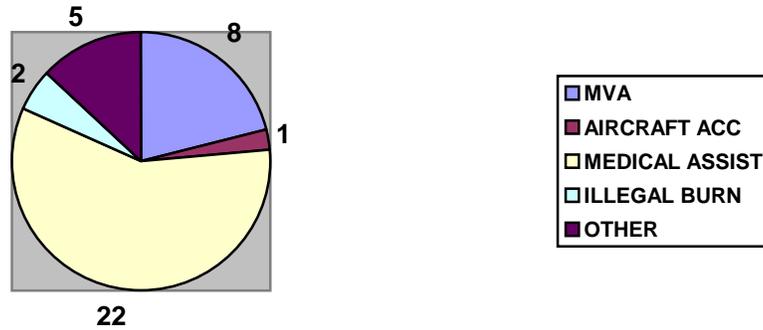
**February Fire Reponses by Day**



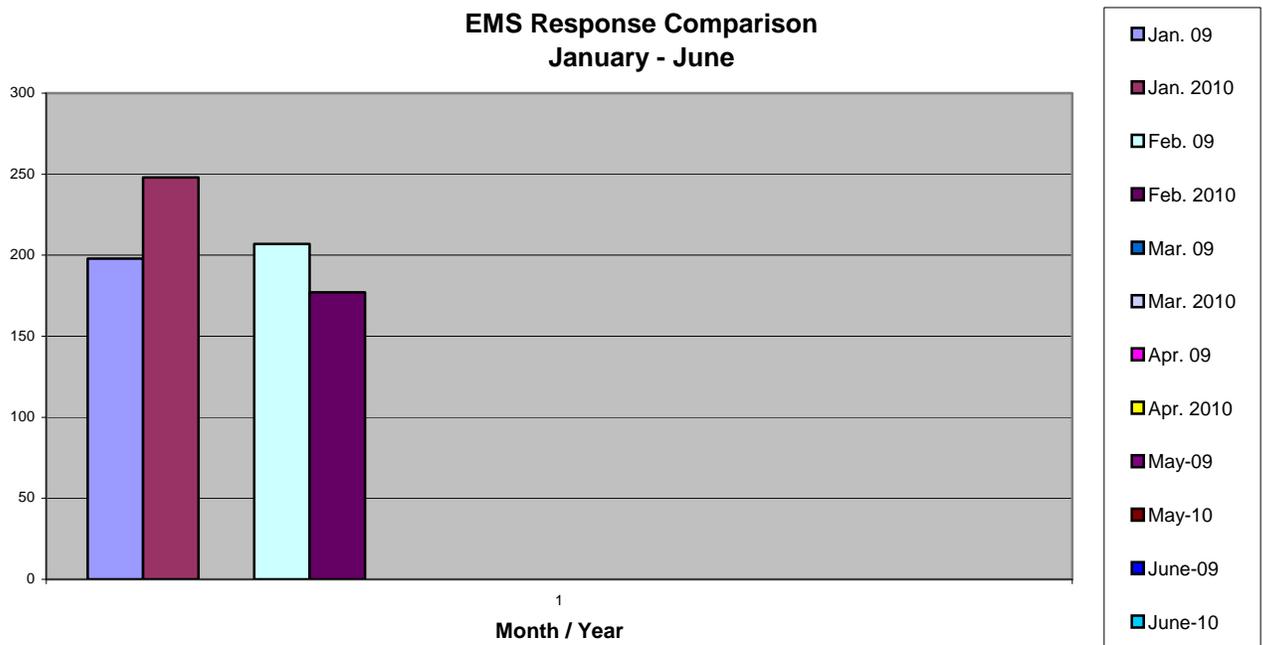
City Responded to the following incidents during the month from station 100.



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



Dallas Emergency Medical Service:



# DALLAS POLICE DEPARTMENT

FEBRUARY 2010

## Investigations / Arrests

Animal Ordinance Offenses	Clear by Arr 03 (11 warnings)
Assaults	Clear by Arr 03
Carrying Concealed Weapon	Clear by Arr 01
Criminal Mischief	Clear by Arr 02
Curfew	Clear by Ref 03
DUII	Clear by Arr 08
Driving While Suspended	Clear by Arr 01
Drug Offenses	Clear by Arr 07
False Info Police Officer	Clear by Arr 04
Fail Carry Present License	Clear by Arr 03
Harassment	Clear by Arr 02
Minor in Possession	Clear by Arr 14
Misuse 9-1-1	Clear by Arr 01
Ordinance Offense	Clear by Arr 01
Resisting Arrest	Clear by Arr 01
Runaway	Clear by Ref 03
Refusal Breathalyzer	Clear by Arr 01
Sex Offenses	Clear by Arr 03
Theft	Clear by Arr 21
Trespass	Clear by Arr 01
Unnecessary Noise	Clear by Arr 01
Warrants	Clear by Arr 12

**96 TOTAL ARRESTS** (FEB '09 Arrests:82 )

### **The following is a summary of traffic violations committed:**

08 Speeding Violations  
06 License Violation  
12 Moving Violations  
13 All Other

### **JUVENILES**

Eleven juveniles were referred to juvenile authorities for their actions

**PARKING CITES ISS:** 39 (9 warnings)

**TOTAL CALLS FOR SERVICE: 732** (Last yr: 901 )

Incident Case No.'s: 461

CAD Event Reports: 271

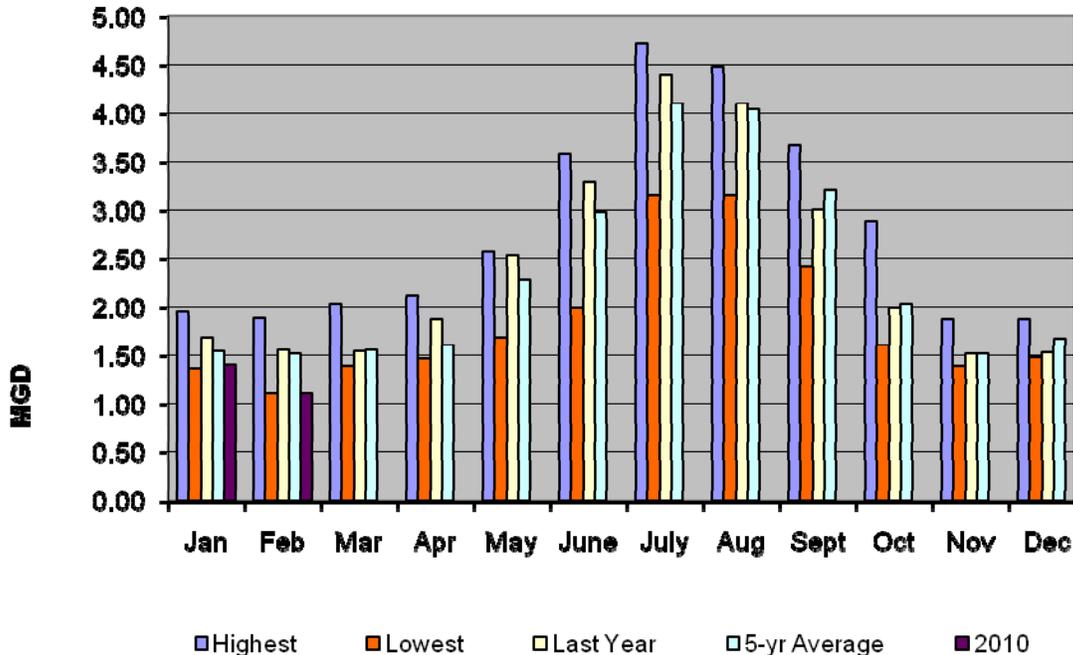
# DEPARTMENT OF PUBLIC WORKS

## Monthly Report for February 2010

### Water Division

	<u>2010</u>	<u>Unit</u>		<u>2009</u>	<u>Unit</u>
Total Discharge to Town	34.62	MG		43.75	MG
Total Water Raw	49.10	MG		49.99	MG
Peak Day	(2-17) 2.07	MG	(2-10)	2.16	MG
Daily Average-Raw	1.58	MGD		1.78	MGD
Daily Average-City	1.12	MGD		1.56	MGD
Backwash Water	2.62	MG		2.90	MG
Filter to Waste	0.44	MG		.69	MG
Flushing	0.00	MG		0	MG
Discharge Water	0.00	MG		.10	MG
ASR Injection	6.66	MG		6.58	MG
Average High Temp	52 °	F		50 °	F
Average Low Temp	42 °	F		32 °	F
Total Precipitation	.14	Inches		2.90	Inches

**Average Daily Treated Water Production**

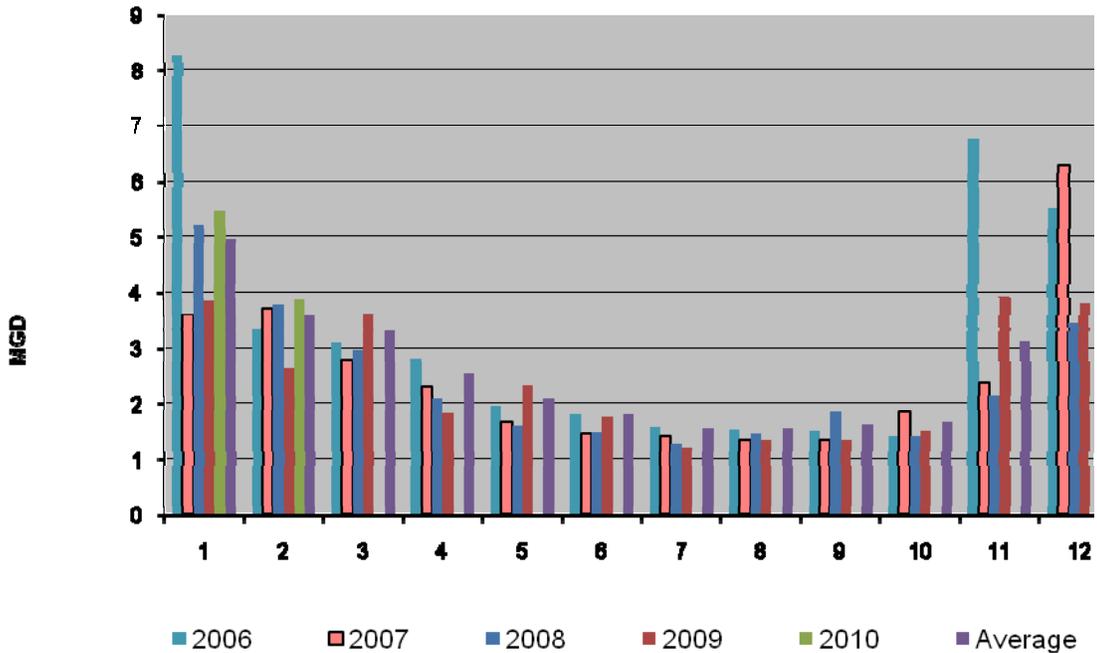


# Wastewater Division

## Effluent Flow

	<u>2010 Units</u>	<u>2009 Units</u>
Monthly Total Flow	108.71 MG	73.50 MG
Peak Day Flow (Feb 26)	7.94 MG	5.16 MG
Daily Average Flow	3.88 MG	2.63 MG

**Effluent - Average Daily Discharge by Month**



## Plant Maintenance

- ✓ Repaired north aeration basin aerator broken tethers.
- ✓ Repaired bent clarifier sweep arm on clarifier #1.
- ✓ Transferring biosolids out of digesters into humus ponds in preparation for spring and summer drying.
- ✓ Monthly preventative maintenance completed.

## Plant Performance

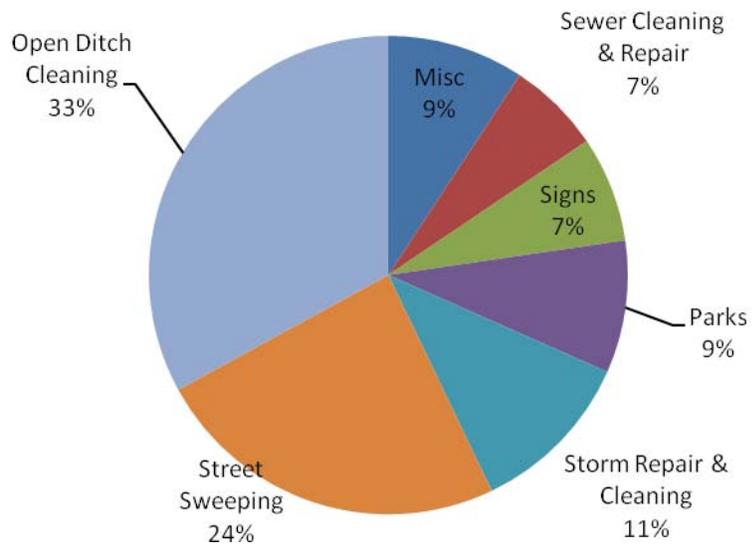
The plant met all permit parameters.

## Parks

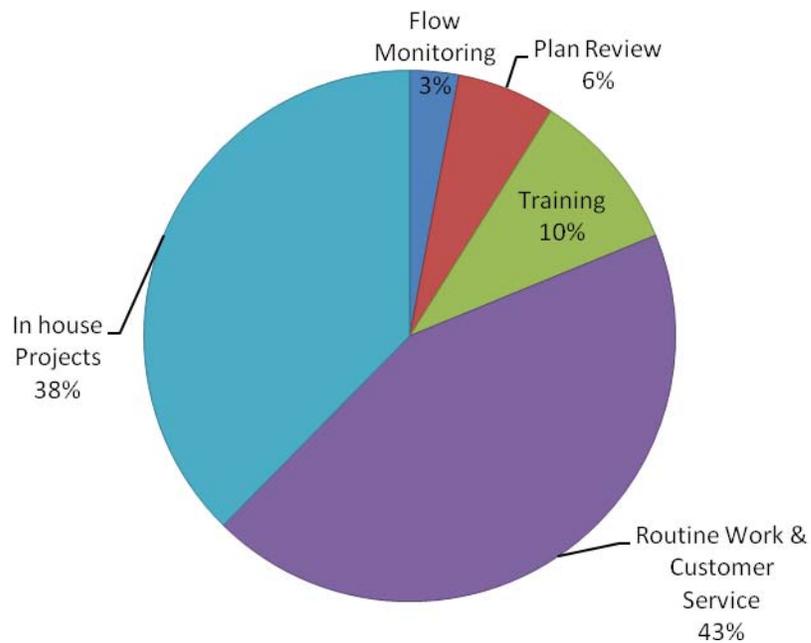
### The Parks department provided the following routine services:

- ✓ Cleaned leaves from shrub beds
- ✓ Applied moss control to lawn areas
- ✓ Applied bark dust to shrub beds
- ✓ Repaired damage caused by vandalism
- ✓ Paint park buildings as needed
- ✓ Regular mowing of all parks
- ✓ Weed shrub beds and landscape areas
- ✓ Performed monthly safety check of playground equipment on Feb 19
- ✓ Removed leaves from trails
- ✓ Pick up fallen limbs
- ✓ Winter table maintenance and equipment repairs
- ✓ Equipment service checked and/or repaired
- ✓ Receive and install new pet waste stations
- ✓ Received replacement tools from theft
- ✓ Installed security system in three park buildings on Allgood side
- ✓ Repair roof on truck garage from December 2007 Storm
- ✓ Received spring fertilizer allocation
- ✓ Installed water crossings on Disc Golf Hole 4 & 5
- ✓ Installed paving stone ribbon on Main Street park trail entrance

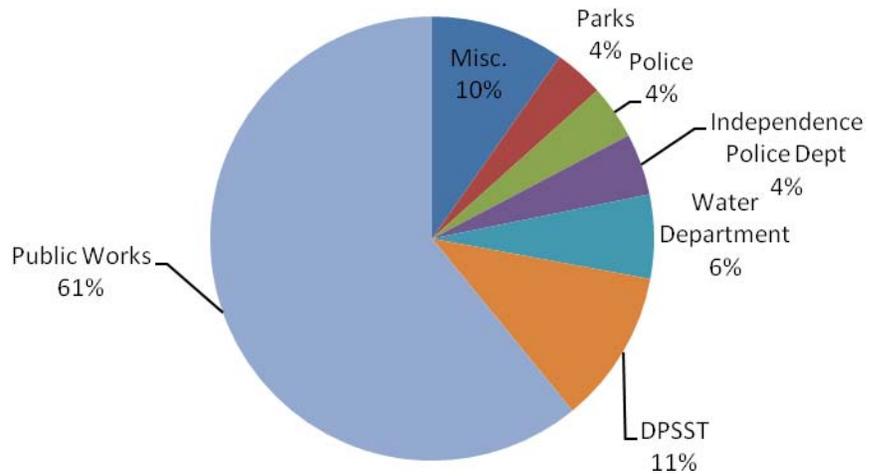
## Street and Construction Division



## Engineering



# Fleet Management



ORDINANCE NO. 1717

An Ordinance changing the zoning designation of a parcel of real property from CN, Commercial Neighborhood to CG, Commercial General; and amending the Dallas Zoning Map.

WHEREAS, by Resolution No. 2207, adopted by the City Council and approved by the Mayor on February 4, 1980, the City Council expressed its intent to change the zone applicable to that certain real property described on Exhibit 1, and shown on the map on Exhibit 2, attached hereto and by reference incorporated herein, from CR, Commercial Restricted and RA, Residential Agriculture, to CR, Commercial General, upon the fulfillment of certain conditions as set forth in said Resolution No. 2207; and

WHEREAS, the conditions set forth in said Resolution have been fulfilled with respect to the real property described on Exhibit 1; and

WHEREAS, Ordinance No. 1583, adopted by the City Council in 1999, erroneously designated said real property CN, Commercial Neighborhood; and

WHEREAS, after due public notice, on March 1, 2009, the City Council held a public hearing on the change of zone of the property herein; and

WHEREAS, after said public hearing the Council determined that the proposed zone change is in keeping with the intent of the City Council as expressed in said Resolution No. 2207, and appropriate to effect the change in the zone of the real property that is the subject of this Ordinance and to amend the zoning map of the City accordingly; NOW, THEREFORE,

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. The Findings and Conclusions set forth in the staff report on this matter, submitted into the record herein at the hearing on March 1, 2010, are hereby adopted and approved as the Findings and Conclusions in support of this zone change.

Section 2. The zoning designation of the real property described on Exhibit 1 hereto is hereby changed from CN, Commercial Neighborhood, to CR, Commercial General.

Section 3. The Dallas Zoning Map shall be, and is hereby declared

amended in accordance with the zone change effected by this ordinance.

Read for the first time: March 15, 2010  
Read for the second time: April 5, 2010  
Passed by the City Council: April 5, 2010  
Approved by the Mayor: April 5, 2010

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JAMES B. FAIRCHILD, MAYOR

ATTEST:

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JERRY WYATT, CITY MANAGER

**EXHIBIT 1**  
**Store #2315, Dallas, OR**

A parcel of land situated in Section 28, Township 7 South, Range 5 West of the Willamette Meridian in Polk County, Oregon, being more particularly described as follows:

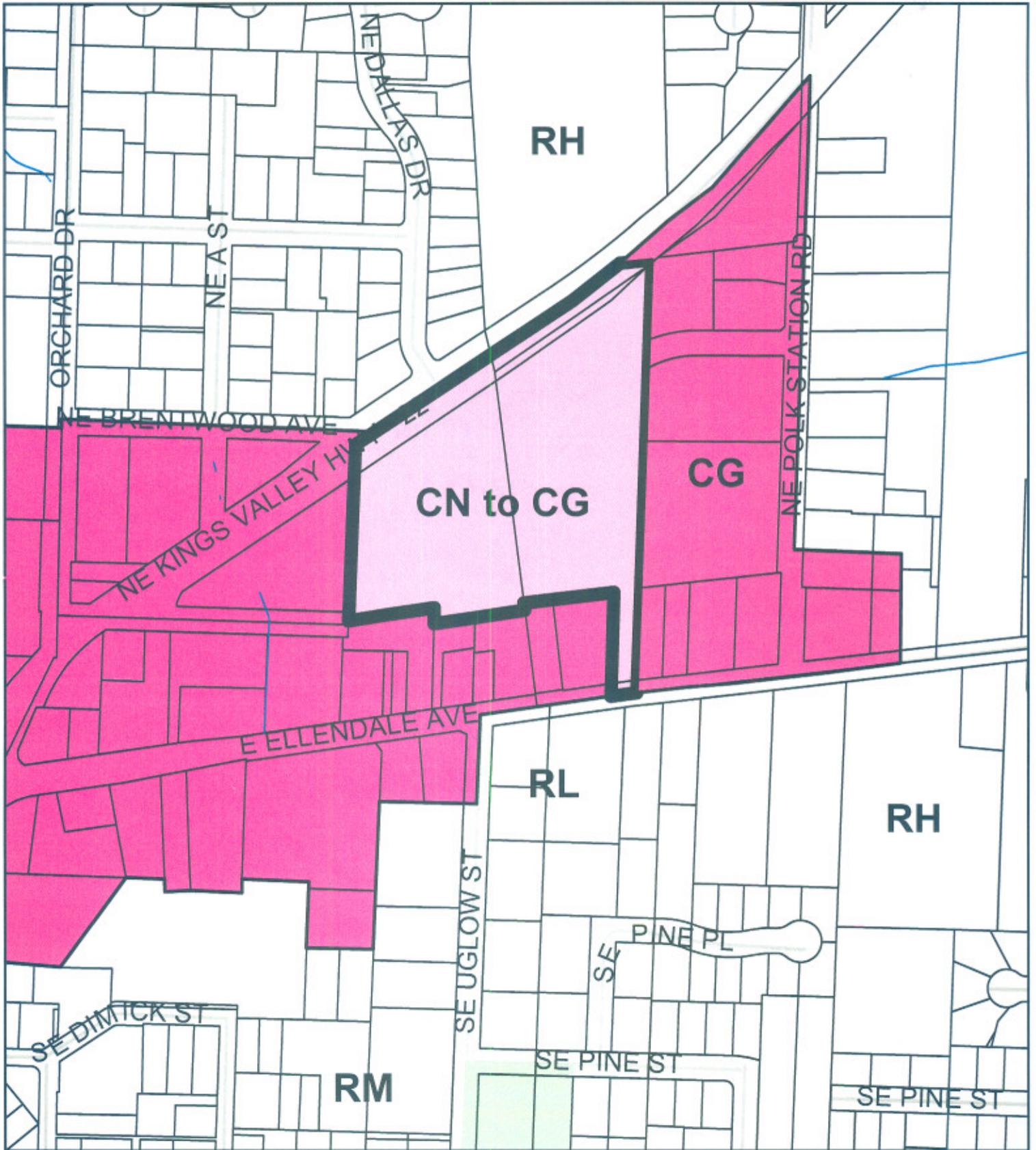
PARCEL 1

Beginning at a 3/4" iron pipe marking the Northeast corner of Block 9, GERMANTOWN in the City of Dallas, Polk County, Oregon; thence North 00°06'41" East along the East boundary line of said GERMANTOWN a distance of 378.41 feet to a 5/8" iron rod with a yellow plastic cap marked "PLS 1678" marking a point on the southeasterly Right-of-way line of Kings Valley Highway (state Highway No. 223); thence North 54°27'20" East along said right-of-way line, a distance of 333.85 feet to a 5/8" iron rod with a yellow plastic cap marked "PLS 1678" marking a point 60 feet left of Engineers Station P.T. 124+22.50; thence northeasterly continuing along said right-of-way line along the arc of a offset spiral curve to the left (the chord of which bears North 53°06'57" East 404.10 feet) an arc distance of 404.19 feet to a 5/8" iron rod with a yellow plastic cap marked "PLS 1678" marking a point 60 feet left of Engineers Station P.C.S.120+22.50; thence North 44°59'11" East along said right-of-way line, a distance of 123.22 feet to a 5/8" iron rod with a yellow plastic cap marked "PLS 1678" marking the Northwest corner of Lot 1, Block 1, NORTH DALLAS TRADE CENTER – Phase 1 as recorded in Volume 9, Page 8, Book of Town Plats for Polk County, Oregon; thence South 00°17'24" East along the West line of said subdivision and the southerly extension thereof, a distance of 981.97 feet to a point on the northerly right-of-way line of East Ellendale Avenue (from said point a 5/8" iron rod with a red plastic cap marked "PLS 1658" bears North 00°17'24" West 0.26 feet); thence South 81°18'21" West along said right-of-way line a distance of 60.63 feet to a point marking the Southeast corner of that tract of land conveyed to James B. Faulkner and Billie H. Faulkner, by instrument recorded in Volume 72, page 37, Book of Records (from said southeast corner a 5/8" iron rod bears South 00°14'30" East 0.15 feet); thence North 00°16'22" West along the East line of said Faulkner tract, a distance of 221.83 feet to the Northeast corner thereof; thence South 81°32'37" West along the North line of said Faulkner tract, a distance of 216.02 feet to a point which bears North 08°47'28" West 20.08 feet from the Northeast corner of that tract of land conveyed to Ellendale Professional Building, a Co-partnership by instrument recorded in Volume 133, Page 1214, Book of Records; thence South 08°47'28" East 20.08 feet to said Northeast corner of said Ellendale Professional Building Co-partnership tract; thence South 79°54'38" West along the Northerly line of said Ellendale Professional Building Co-partnership tract, a distance of 117.78 feet to the northwest corner of that tract of land described in Volume 142, Page 1623, Book of Records; thence following the northerly line of said tract South 79°51'23" West a distance of 99.63 feet to the northwest corner of said tract; thence following the west line of said tract South 00°12'04" West a distance of 206.21 feet to a 5/8" iron rod with a yellow plastic cap marked "PLS 1678" marking a point on the northerly right-of-way line of said East Ellendale Avenue; thence South 79°56'12" West along said northerly right-of-way a distance of 117.18 feet to the Southeast corner of that tract of land described in Volume 169, Page 1505, Book of Records; thence North 00°06'40" East along the East line of said tract, a distance of 153.45 feet; thence leaving the east line of said tract South 89°42'31" West 98.43 feet to a point on the West line of said tract described in Volume 169, Page 1505; thence North 00°06'40" East along said West line a distance of 30.65 feet to a point on the North boundary line of Block 9 of said GERMANTOWN; thence South 89°52'58" East along said boundary line a distance of 11.81 feet to the point of beginning. Parcel 1 contains 419,448 Square Feet (9.629 Acres), more or less.

**EXCEPT:**

Beginning at a point on the East line of that tract of land described in Volume 169, Page 1505, Deed Records which point bears North 89°52'58" West 11.81 feet and South 00°06'40" West 30.65 feet and North 89°42'50" East 98.43 feet from an iron pipe marking the Northeast corner of Block 9, GERMANTOWN in the City of Dallas, and being situated in Section 28, Township 7 South, Range 5 West of the Willamette Meridian in Polk County, Oregon; thence North 89°42'50" East 54.91 feet; thence South 00°06'40" West 145.48 feet to a point on the Northerly line of East Ellendale Avenue; thence South 79°56'12" West along said right-of-way line, a distance of 48.02 feet to the Southeast corner of said tract described in Volume 169, Page 1505, Deed Records; thence North 00°06'40" East along the East line of said tract, a distance of 153.65 feet to the place of beginning.

Briefly, the subject is described as a portion of the southeast 1/4 of the southwest 1/4 of section 28 in Township 7 South, Range 5 West in the Willamette Meridian in Polk County, Oregon. The property is also identified as Tax Lots 7S-5W-28CD: 200 and 202.



ORDINANCE NO. 1719

An Ordinance amending provisions of the Dallas City Code Section 4.458, relating to utility billing.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Dallas City Code Section 4.458 is hereby amended to read as follows:

**4.458 Metering and Billing.**

(1) The city will install and maintain all meters necessary to enable the city to render bills for each class of service furnished. All meters and other equipment furnished by the city will be maintained by the city and will remain city property.

(2) The customer shall give the city or its authorized agents permission to enter the customer's premises at all reasonable times for the purpose of installing, inspecting, repairing, and removing any apparatus and equipment used in connection with the supply and metering of water.

(3) Meters will be read at the time service is first established and at intervals approximately 30 days apart.

(4) (a) Bills showing separately the consumption in cubic feet, and any other charges for service furnished, will be rendered bimonthly and shall be delinquent if not paid within 30 days after the date of presentation. A late payment penalty may be added to any delinquent charges, as established by resolution.

(b) No reduction of amounts billed will be made by reason of loss of water caused by leakage or equipment of the customer unless authorized by the city manager upon written application by the customer.

(5) (a) The city reserves the right to install meters or other devices necessary for the detection and prevention of fraud or waste without notice to the customer.

(b) When a flat rate service is furnished for a special use and a demonstrated abuse of the service occurs, the city may, on written notice to the

customer, meter the service and bill for water supplied under an applicable schedule.

(6) If damage to metering equipment results from molestation or wilful neglect by the customer, the city may repair or replace the equipment and bill the customer for the costs incurred.

(7) (a) The city will, upon request, test a customer's meter without cost to the customer unless the tests are requested more often than every 12 months. If requests for testing meters is made by the customer more often than once every 12 months, the city may charge the customer for the cost of making the test.

(b) When a meter is found to be more than two percent fast, the city will refund to the customer the amount paid for the test, if any, together with the overcharge based on the corrected meter readings for the period in which the meter was in use, not to exceed three months.

(8) If an error is made in billing, the error shall be corrected immediately and the proper refund shall be made to the customer or the corrected amount shall be charged to the customer.

Section 2. This ordinance shall be effective as to utility charges first presented on and after May 1, 2010.

Read for the first time: March 1, 2010  
Read for the second time: March 15, 2010  
Adopted by the City Council: March 15, 2010  
Approved by the Mayor: March 15, 2010

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JAMES B. FAIRCHILD, MAYOR

ATTEST:

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JERRY WYATT, CITY MANAGER

RESOLUTION NO. 3197

A resolution establishing a late payment penalty for delinquent utility charges.

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

Section 1. The late payment penalty on delinquent utility charges authorized under Ordinance No. 1719, amending Dallas City Code Section 4.458, shall be \$10 on delinquent charges not paid within 60 days after the date of presentation. Payments made after assessment of a late payment penalty under this resolution shall applied first to the penalty amount, then to any outstanding balance for charges owing.

Section 2. This resolution shall take effect upon the effective date of Ordinance No. 1719, and shall apply to all charges first presented on and after May 1, 2010.

Adopted March 15, 2010  
Approved March 15, 2010

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JAMES B. FAIRCHILD, MAYOR

ATTEST:

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JERRY WYATT  
CITY MANAGER