



Dallas City Council Agenda

Monday, October 4, 2010, 7:00 p.m.

Mayor Jim Fairchild, Presiding

Dallas City Hall

187 SE Court Street

Dallas, Oregon 97338

City Council

Mayor
Jim Fairchild

Council President
Brian Dalton

Councilor
Warren Lamb

Councilor
Jackie Lawson

Councilor
Kevin Marshall

Councilor
Wes Scroggin

Councilor
David Shein

Councilor
David Voves

Councilor
LaVonne Wilson

Councilor
Ken Woods, Jr.

Staff

City Manager
Jerry Wyatt

Asst. City Manager
Kim Marr

City Attorney
Lane Shetterly

Community Development
Director
Jason Locke

Finance Director
Cecilia Ward

Fire Chief
Bill Hahn

Police Chief
John Teague

Public Works Director
Fred Braun

City Recorder
Emily Gagner

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.

ITEM

RECOMMENDED ACTION

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. QUESTIONS OR COMMENTS FROM THE AUDIENCE

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.

4. PUBLIC HEARINGS

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.

THERE ARE NO PUBLIC HEARINGS SCHEDULED.

5. CONSENT AGENDA

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.

a. Approve Sept 20, 2010 City Council Minutes **p. 3**

b. Approve OLCC Application for change of ownership –
Blondie's **p. 5**

c. Approve OLCC Application for change of ownership – Tony's
Place **p. 14**

d. Acknowledge report of September 27 Administrative
Committee Meeting (action item addressed under 8b) **p. 20**

e. Acknowledge report of Sept 27 Building and Grounds
Committee Meeting (no action items) **p. 33**

f. Acknowledge report of Sept 14 Planning Commission
meeting **p. 35**

g. Acknowledge report of Sept 16 Economic Development
Commission meeting **p. 41**

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.

-
6. ITEMS REMOVED FROM CONSENT AGENDA

 7. REPORTS OR COMMENTS FROM THE COUNCIL MEMBERS
 - a. Governor's Fitness Leadership Award Presentation to Jim Dent Presentation

 8. REPORTS FROM CITY MANAGER AND STAFF
 - a. Code Enforcement update p. 45 Information
 - b. Municipal Judge evaluation p. 53 Motion
 - c. Mercer Dam Coho Salmon Trap & Haul Program p. 57 Motion
 - d. Other

 9. RESOLUTIONS

 10. FIRST READING OF ORDINANCE

 11. SECOND READING OF ORDINANCE

 12. OTHER BUSINESS

 13. ADJOURNMENT

1 **DALLAS CITY COUNCIL**
2 **Monday, September 20, 2010**
3 **Council Chambers**

4 The Dallas City Council met in regular session on Monday, September 20, 2010, at 7:00 p.m. in
5 the 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 Jackie Lawson, Councilor
8 Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor LaVonne Wilson
9 and Councilor Ken Woods, Jr. Excused: Councilor Warren Lamb and Councilor David Voves.

10 Also present were: City Manager Jerry Wyatt, City Attorney Lane Shetterly, Deputy Police
11 Chief Tom Simpson, and Recording Secretary Emily Gagner.

12 Mayor Fairchild led the Pledge of Allegiance.

13 **QUESTIONS OR COMMENTS FROM THE AUDIENCE**

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

16 June Krause, Treasurer of the Dallas Area Seniors (DAS), reported to the Council that they have
17 had a fundraising project going on and now have \$65,000 in the capital campaign fund and
18 \$33,000 in an operating fund for the new building when it is built. Ms. Krause explained that
19 when the President Candy Thommen passed away, her family offered a donation matching
20 program of up to \$25,000. Ms. Krause asked the Councilors to donate to the Senior Center to
21 take advantage of the fund matching, which ends at the end of September. She also invited all
22 the Councilors to visit them in the Senior Center.

23 **PUBLIC HEARINGS**

24 **CONSENT AGENDA**

25 Councilor Shein asked to remove the OLCC application from the consent agenda.

26 It was moved by Councilor Marshall and seconded by Councilor Lawson to approve the Consent
27 Agenda with the one item removed. The motion carried unanimously.

28 Items approved by the Consent Agenda were: a) approve September 7, 2010 City Council
29 minutes; and b) acknowledge department monthly reports.

30 **ITEMS REMOVED FROM CONSENT AGENDA**

31 OLCC Application

32 Councilor Shein identified two incomplete areas of concern on the application – lines 10 and 11.
33 Councilor Lawson pointed out that the answer to 12a was written on the 12b line. Council
34 President Dalton moved to approve the OLCC application for a new outlet. The motion was
35 duly seconded and carried unanimously.

36 **REPORTS OR COMMENTS FROM COUNCIL MEMBERS**

37 Councilor Scroggin mentioned that he attended the Chamber forum with the candidates, noting it
38 was well done. He said the Chamber should be given kudos.

39 Council President Dalton stated the Bounty Market had been an exceptionally good thing and has
40 been quite successful. Mayor Fairchild indicated the market would end for the year at the end of
41 September, adding Bonnie with the Chamber had done a super job with it.

42 Mayor Fairchild reported that he attended a National League of Cities Community and Economic
43 Development Committee meeting last week in Texas, noting it was at his own expense. He
44 stated he would bring some of the ideas he got while attending that meeting to the Councilors.

1 **REPORTS FROM CITY MANAGER AND STAFF**

2 **ECONOMIC DEVELOPMENT COMMISSION (EDC) UPDATE**

3 Mr. Wyatt mentioned the City was working with a representative from Praegitzer about a
4 potential business in the Industrial Enterprise Zone. He indicated the company is working on
5 the due diligence right now and should have a proposal to the City within six months or so.
6 Councilor Lawson stated it sounded like a phenomenal opportunity for Dallas so she was highly
7 in favor of expediting the process wherever possible.

8 Mr. Wyatt reported that Redco, the owner of the former TTM building had shown the property to
9 a couple groups, noting they were looking to lease or sell the property.

10 Mr. Wyatt explained that staff continues to work with Weyerhaeuser. He stated they have some
11 vacant property they want to dispose of, adding the existing mill is for sale and could still be
12 operational. He noted the mill is currently not listed on any real estate websites. Mr. Wyatt
13 indicated Representative Jim Thompson is involved in trying to get something done with the
14 property. Councilor Scroggin stated Weyerhaeuser was going to give the City the property next
15 to the fire training facility at one time. Mr. Wyatt indicated that gift was through the local
16 manager, noting the corporate office didn't even know they owned that property. He stated the
17 City is pursuing that piece of property as a donation, adding Weyerhaeuser is looking for positive
18 press, so they should follow through with that donation.

19 Mr. Wyatt indicated Tom Martin, the manager of the local Forest River facility was recently
20 promoted within the company and the new general manager, Gary Denton, will be on site soon.
21 He stated he talked to the human resources director and Forest River is looking stronger than
22 ever and there is no truth to the rumors that Forest River will shut down this site.

23 Mayor Fairchild commented that a couple of the projects mentioned are long-range work and he
24 appreciated all the work staff was doing to stay on top of things.

25 **OTHER**

26 **RESOLUTIONS**

27 **FIRST READING OF ORDINANCE**

28 **SECOND READING OF ORDINANCE**

29 **OTHER BUSINESS**

30 Mayor Fairchild noted the Veterans Memorial Bridge resolution would probably be brought to
31 the Council at the first meeting in November, which still gave plenty of time to dedicate it on
32 Veterans Day.

33 Mr. Wyatt noted the National Guard Armory appraisal had been ordered, noting once completed
34 it would go through their department and then the property would go up for sale. He added
35 Dallas was the only entity to show interest in the property.

36 There being no further business, the meeting adjourned at 7:24 p.m.

37 Read and approved this _____ day of _____ 2010.

38
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Mayor

ATTEST:

City Manager

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 5 b	Topic: OLCC Liquor License Application for Change of Ownership
Prepared By: Emily Gagner	Meeting Date: October 4, 2010	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

With approval of the Consent Agenda, the Council would recommend to the OLCC that the license be granted for change of ownership.

BACKGROUND:

The City received an OLCC application for a change of ownership at 186 SW Court Street for Wellvend LLC dba Blondie's.

The Police Chief has reviewed the application. His memo is attached.

FISCAL IMPACT:

None

ATTACHMENTS:

OLCC License Application for Wellvend LLC dba Blondie's



OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

00-11-104

ENT'D AUG 24 2010

Application is being made for:

LICENSE TYPES

- Full On-Premises Sales (\$402.60/yr)
- Commercial Establishment
- Caterer
- Passenger Carrier
- Other Public Location
- Private Club
- Limited On-Premises Sales (\$202.60/yr)
- Off-Premises Sales (\$100/yr)
 - with Fuel Pumps
- Brewery Public House (\$252.60)
- Winery (\$250/yr)
- Other: _____

ACTIONS

- Change Ownership
- New Outlet
- Greater Privilege
- Additional Privilege
- Other _____

CITY AND COUNTY USE ONLY

Date application received: _____

The City Council or County Commission:

(name of city or county)

recommends that this license be:

- Granted
- Denied

By: _____
(signature) (date)

Name: _____

Title: _____

OLCC USE ONLY

Application Rec'd by: LVS

Date: 8/16/10

90-day authority: Yes No

90-DAY AUTHORITY

Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:

- Limited Partnership
- Corporation
- Limited Liability Company
- Individuals

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① WELLVEND LLC ③ _____

② _____ ④ _____

2. Trade Name (dba): Blondie's

3. Business Location: 186 SW Court st. Dallas Polk OR 97338
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 186 SW Court st Dallas OR 97338
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 503 623 8880 Same
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? Yes No

7. If yes to whom: Blondie's Bar LLC Type of License: Full on Premises Sales

8. Former Business Name: NA

9. Will you have a manager? Yes No Name: Toni Simpson
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? Dallas Polk
(name of city or county)

11. Contact person for this application: Arlin Bidwell Home 503 623 7091
Boss 503 623 8880
(phone number(s))

(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① Arlin Bidwell Date 8-15-10 ③ _____ Date AUG 16 2010

② _____ Date _____ ④ _____

SALEM REGIONAL OFFICE

RECEIVED

OREGON LIQUOR CONTROL COMMISSION



OREGON LIQUOR CONTROL COMMISSION
LIMITED LIABILITY COMPANY QUESTIONNAIRE

● See section 2 of Guide for help with this form

Please Print or Type

LLC Name: WELLVEND LLC Year Filed: 2010

Trade Name (dba): Blondie's

Business Location Address: 186 SW Court st

City: Dallas OR ZIP Code: 97338

List Members of LLC:

Percentage of Membership Interest:

1. Arlin Bidwell
(managing member)

100%

2. _____
(members)

3. _____

4. _____

5. _____

6. _____

(Note: If any LLC member is another legal entity, that entity must also complete an LLC, Limited Partnership or Corporation Questionnaire. If the LLC has officers, please list them on a separate sheet of paper with their titles.)

Server Education Designee: ARLIN BIDWELL DOB: 5-21-44

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Signature: Arlin Bidwell Owner Date: 8-15-10
(name) (title)



OREGON LIQUOR CONTROL COMMISSION INDIVIDUAL HISTORY

PLEASE PRINT OR TYPE

YOU MUST ANSWER ALL QUESTIONS ON THIS FORM. IF THE QUESTION DOES NOT APPLY, WRITE N/A IN THE SPACE. ATTACH ADDITIONAL SHEETS IF NECESSARY.

Trade Name (d.b.a.): Blondies City: Dallas

1. Name: Bidwell Arlin Lee
(last) (first) (middle)

2. Other names used (maiden, other): N/A

3. Residence Address: [REDACTED] Dallas OR 97338
(number and street) (city) (state) (ZIP code)

4. Home Phone: [REDACTED] Business Phone: (503) 623 8880

5. *SSN: [REDACTED] Place of Birth: [REDACTED] DOB: [REDACTED] Sex: M F
(State/Country) (mm) (dd) (yyyy)

6. Driver License or State ID #: [REDACTED] State: OR Spouse's name: [REDACTED]

7. List all states, other than Oregon, where you have lived during the past ten years:
N/A

8. Do you currently hold, or have you ever held a liquor license in this or any other state? ___ Yes No
If yes, when and where? _____

9. In the past ten years, have you been convicted of **any** violation, misdemeanor or felony?
(include traffic violations, if the fine was more than \$50.00) ___ Yes No
If yes, what, when and where? _____

10. Have you ever entered into a diversion agreement? ___ Yes No
If yes, when and where? _____

11. Do you have any arrests or citations that have not been resolved? ___ Yes No
If yes: Arrested/Cited for: _____ Date _____ County/City/State/ _____

12. If you are applying for a retail liquor license:
a. Do you have any financial interest, direct or indirect, in any manufacturer or distributor of alcohol? ___ Yes No If yes, what and where: _____
b. Does any person having a financial or ownership interest in a manufacturer or distributor have an interest in, or potential claim upon your business or premises, for instance through investment, a loan, lease or contract? ___ Yes No If yes, who? _____

13. Have you ever had a warning, violation, suspension, fine, cancellation or refusal as a licensee or service permittee, in Oregon or any other state? ___ Yes No If yes: When: _____ Where: _____

I UNDERSTAND THE OLCC WILL USE THE ABOVE INFORMATION TO CHECK FOR CRIMINAL RECORDS. I UNDERSTAND IF MY ANSWERS ARE NOT TRUE AND COMPLETE, THE OLCC MAY DENY MY LICENSE APPLICATION.

Applicant Signature: Arlin Bidwell Date: 8-15-10

***SOCIAL SECURITY NUMBER DISCLOSURE** As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). The OLCC will refuse a license to any applicant or licensee who fails to provide his/her SSN. Your SSN will be used only for child support enforcement purposes unless you sign below.

Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a)). If you consent to these uses, please sign here:

Applicant Signature: Arlin Bidwell Date: 8-15-10
 Search Completed
 AUG 25 2010



OREGON LIQUOR CONTROL COMMISSION INDIVIDUAL HISTORY

PLEASE PRINT OR TYPE

YOU MUST ANSWER ALL QUESTIONS ON THIS FORM. IF THE QUESTION DOES NOT APPLY, WRITE N/A IN THE SPACE. ATTACH ADDITIONAL SHEETS IF NECESSARY.

Trade Name (d.b.a.): Blondies City: DALLAS

1. Name: ~~Toni~~ Simpson Toni Jean
(last) (first) (middle)

2. Other names used (maiden, other): _____

3. Residence Address: _____ DALLAS OR 97338
(number and street) (city) (state) (ZIP code)

4. Home Phone: (_____) _____ Business Phone: (503) 623 8880

5. *SSN: _____ Place of Birth: _____ DOB: _____ Sex: M ___ F X
(State/Country) (mm) (dd) (yyyy)

6. Driver License or State ID #: _____ State: OR Spouse's name: _____

7. List all states, other than Oregon, where you have lived during the past ten years: _____

8. Do you currently hold, or have you ever held a liquor license in this or any other state? ___ Yes X No
If yes, when, where and name of premises? _____

9. In the past twelve years, have you been convicted of any violation, misdemeanor or felony? X Yes X No
If yes, what, when and where? TRAFFIC VIOLATION DALLAS OR

10. Have you ever entered into a diversion agreement? ___ Yes X No
If yes, when and where? _____

11. Do you have any arrests or citations that have not been resolved? ___ Yes X No
If yes, arrested/cited for: _____ Date _____ County/City/State/ _____

12. If you are applying for a retail liquor license:
a. Do you have any financial interest, direct or indirect, in any manufacturer or distributor of alcohol? ___ Yes X No If yes, what and where: _____
b. Does any person having a financial or ownership interest in a manufacturer or distributor have an interest in, or potential claim upon your business or premises, for instance through investment, a loan, lease or contract? ___ Yes X No If yes, who? _____

13. Have you ever had a warning, violation, suspension, fine, cancellation or refusal as a licensee or service permittee, in Oregon or any other state? ___ Yes X No If yes, when: _____ where: _____

I UNDERSTAND THE OLCC WILL USE THE ABOVE INFORMATION TO CHECK FOR CRIMINAL RECORDS. I UNDERSTAND IF MY ANSWERS ARE NOT TRUE AND COMPLETE, THE OLCC MAY DENY MY LICENSE APPLICATION.

Applicant Signature: Toni J. Simpson Date: 9 21 10

***SOCIAL SECURITY NUMBER DISCLOSURE** As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). The OLCC will refuse a license to any applicant or licensee who fails to provide his/her SSN. Your SSN will be used only for child support enforcement purposes unless you sign below.

Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a)). If you consent to these uses, please sign here:

Applicant Signature: Toni J. Simpson Date: 9 21 10



4 5 1 0 0 1 A 1

1-800-452-OLCC (6522)
www.oregon.gov/olcc

(rev. 12/07)



OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION

Please Print or Type

Applicant Name: Wellvend LLC Phone: 503-623-8880

Trade Name (dba): Blondies

Business Location Address: 186 SW Court st

City: Dallas OR ZIP Code: 97338

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday	<u>7:00 AM</u> to <u>2:30 AM</u>
Monday	_____ to _____
Tuesday	_____ to _____
Wednesday	_____ to _____
Thursday	_____ to _____
Friday	_____ to _____
Saturday	_____ to _____

Outdoor Area Hours:

Sunday	<u>7:00 AM</u> to <u>2:30 AM</u>
Monday	_____ to _____
Tuesday	_____ to _____
Wednesday	_____ to _____
Thursday	_____ to _____
Friday	_____ to _____
Saturday	_____ to _____

The outdoor area is used for:

Food service Hours: 7:00 AM to 2:30 AM

Alcohol service Hours: 7:00 AM to 2:30 AM

Enclosed, how 7' Fence

The exterior area is adequately viewed and/or supervised by Service Permittees.

_____ (Investigator's Initials)

Seasonal Variations: Yes No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

<input checked="" type="checkbox"/> Live Music	<input checked="" type="checkbox"/> Karaoke
<input checked="" type="checkbox"/> Recorded Music	<input checked="" type="checkbox"/> Coin-operated Games
<input checked="" type="checkbox"/> DJ Music	<input checked="" type="checkbox"/> Video Lottery Machines
<input checked="" type="checkbox"/> Dancing	<input checked="" type="checkbox"/> Social Gaming
<input type="checkbox"/> Nude Entertainers	<input checked="" type="checkbox"/> Pool Tables
	<input type="checkbox"/> Other: _____

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday	<u>4:00 PM</u> to <u>9:00 PM</u>
Monday	_____ to _____
Tuesday	_____ to _____
Wednesday	<u>9:00 PM</u> to <u>2:00 AM</u>
Thursday	_____ to _____
Friday	<u>9:00 PM</u> to <u>2:00 AM</u>
Saturday	<u>9:00 PM</u> to <u>2:00 AM</u>

SEATING COUNT

Restaurant: _____ Outdoor: 36

Lounge: 145 Other (explain): _____

Banquet: _____ Total Seating: 181

OLCC USE ONLY

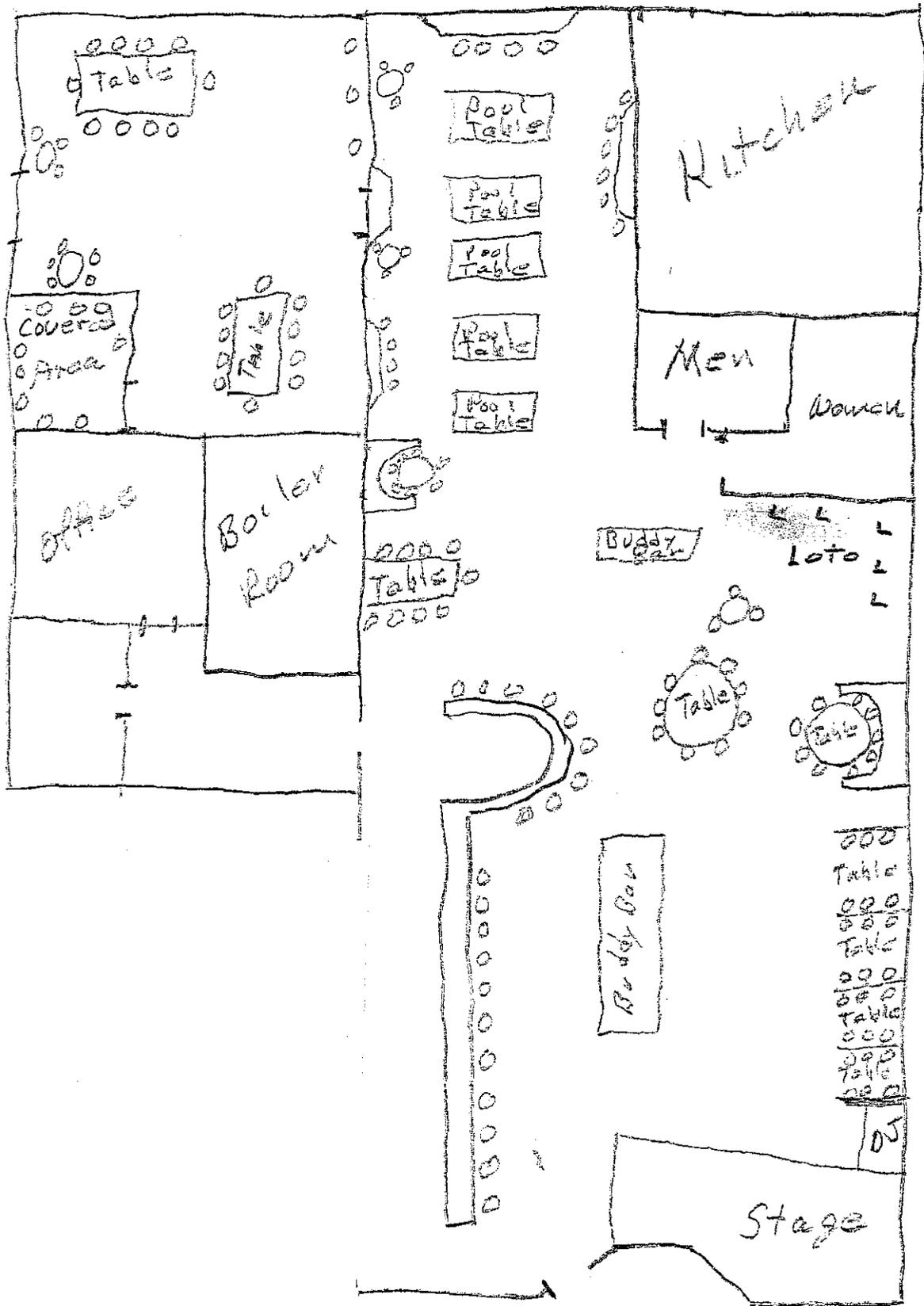
Investigator Verified Seating: ___(Y)___(N)

Investigator Initials: _____

Date: _____

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: Alvin Bedwell Date: 8-15-10



BLONDIE'S FOOD MENU

Served 7 am to 2 am

Hamburger or Hotdog (sauce only)	\$1.00
Chicken Strip Basket	\$6.00
Shrimp Basket	\$4.00
Tots or Fries	\$3.00
Onion Rings	\$5.00
Mottz Sticks or Poppers	\$5.00
Soft Taco's w/ the works	\$1.00
Blazing Hot Drumsticks	3 for \$5.00
Toquitos	\$.50
Chicken Skewers	\$1.00
Burrito w/chili, cheese, onions	\$1.50
Chili dogs w/cheese, onions	\$1.50
Frito Chili Packs	\$1.50
Soup of the Day w/crackers	\$3.00
Bags of chips	\$.75
Sour cream/ salsa	\$.25

Memo

TO: JERRY WYATT

FROM: CHIEF JOHN TEAGUE 

RE: OLCC APPLICATION: *Wellvend LLC dba Blondie's*
Owner: Arlin Bidwell

DATE: AUGUST 13, 2009

An OLCC application was received by our department on September 13, 2010 for a Change of Ownership & Full On-Premises Sales on the above establishment. The Police Department is encouraged that the new owner, Mr Bidwell, recognizes past problems and advised he is actively working to alleviate them. Its noteworthy that Mr Bidwell came to the police department to advise of his actions and intentions to improve the reputation and character of the establishment.

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 5 c	Topic: OLCC Liquor License Application for Change of Ownership
Prepared By: Emily Gagner	Meeting Date: October 4, 2010	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

With approval of the Consent Agenda, the Council would recommend to the OLCC that the license be granted for a change of ownership.

BACKGROUND:

The City received an OLCC application for a change of ownership at 127 SW Court Street for Thomas Kuhlman LLC dba Tony's Place.

The Police Chief has reviewed the application and found no items of concern.

FISCAL IMPACT:

None

ATTACHMENTS:

OLCC License Application for Thomas Kuhlman LLC dba Tony's Place.



OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

Application is being made for:

LICENSE TYPES

- Full On-Premises Sales (\$402.60/yr)
 - Commercial Establishment
 - Caterer
 - Passenger Carrier
 - Other Public Location
 - Private Club
- Limited On-Premises Sales (\$202.60/yr)
- Off-Premises Sales (\$100/yr)
 - with Fuel Pumps
- Brewery Public House (\$252.60)
- Winery (\$250/yr)
- Other: _____

ACTIONS

- Change Ownership
- New Outlet
- Greater Privilege
- Additional Privilege
- Other _____

90-DAY AUTHORITY

Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:

- Limited Partnership
- Corporation
- Limited Liability Company
- Individuals

CITY AND COUNTY USE ONLY

Date application received: _____

The City Council or County Commission:

(name of city or county)

recommends that this license be:

- Granted
- Denied

By: _____ (signature) _____ (date)

Name: _____

Title: _____

OLCC USE ONLY

Application Rec'd by: LLB

Date: 8/14/10

90-day authority: Yes No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① Thomas R. Kuhlman LLC ③

② _____ ④ _____

2. Trade Name (dba): Tony's Place

3. Business Location: 127 SW Court Dallas Polk, OR 97338
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: PO Box 4349 Salem, OR 97302
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 503-623-6248
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? Yes No

7. If yes to whom: Virginia Fettman Type of License: LOP

8. Former Business Name: same

9. Will you have a manager? Yes No Name: Tom Kuhlman
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? Dallas Polk
(name of city or county)

11. Contact person for this application: Tom Kuhlman 503-881-5033
(name) (phone)

(address) (tax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① Tom R. Kuhlman, member Date 8/30/10 ③ _____ Date _____

② _____ Date _____ ④ _____

SALEM REGIONAL OFFICE

AUG 30 2010

RECEIVED



OREGON LIQUOR CONTROL COMMISSION INDIVIDUAL HISTORY

PLEASE PRINT OR TYPE

YOU MUST ANSWER ALL QUESTIONS ON THIS FORM. IF THE QUESTION DOES NOT APPLY, WRITE N/A IN THE SPACE.
ATTACH ADDITIONAL SHEETS IF NECESSARY.

Trade Name (d.b.a.): Tony's Place City: Dallas

1. Name: Kuhlman Thomas Robert
(last) (first) (middle)

2. Other names used (maiden, other):

3. Residence Address: [REDACTED]
(number and street) (city) (state) (ZIP code)

4. Home Phone: [REDACTED] Business Phone: (503) 371-7444

5. *SSN: [REDACTED] Place of Birth: [REDACTED] DOB: [REDACTED] Sex: M F
(State/Country) (mm) (dd) (yyyy)

6. Driver License or State ID #: [REDACTED] State: OR Spouse's name: [REDACTED]

7. List all states, other than Oregon, where you have lived during the past ten years:
N/A

8. Do you currently hold, or have you ever held a liquor license in this or any other state? Yes No
If yes, when, where and name of premises?

9. In the past twelve years, have you been convicted of **any** violation, misdemeanor or felony? Yes No
If yes, what, when and where?

10. Have you ever entered into a diversion agreement? Yes No
If yes, when and where? APPROX 1984 - Marion County

11. Do you have any arrests or citations that have not been resolved? Yes No
If yes, arrested/cited for: _____ Date: _____ County/City/State/ _____

12. If you are applying for a retail liquor license:
a. Do you have any financial interest, direct or indirect, in any manufacturer or distributor of alcohol? Yes No If yes, what and where:
b. Does any person having a financial or ownership interest in a manufacturer or distributor have an interest in, or potential claim upon your business or premises, for instance through investment, a loan, lease or contract? Yes No If yes, who?

13. Have you ever had a warning, violation, suspension, fine, cancellation or refusal as a licensee or service permittee, in Oregon or any other state? Yes No If yes, when: _____ where: _____

I UNDERSTAND THE OLCC WILL USE THE ABOVE INFORMATION TO CHECK FOR CRIMINAL RECORDS. I UNDERSTAND IF MY ANSWERS ARE NOT TRUE AND COMPLETE, THE OLCC MAY DENY MY LICENSE APPLICATION.

Applicant Signature: [Signature] Date: 8-25-10

***SOCIAL SECURITY NUMBER DISCLOSURE** As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). The OLCC will refuse a license to any applicant or licensee who fails to provide his/her SSN. Your SSN will be used only for child support enforcement purposes unless you sign below.
Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a)). If you consent to these uses, please sign here:
Applicant Signature: [Signature] Date: 8-25-10



1-800-452-OLCC (6522)
www.oregon.gov/olcc

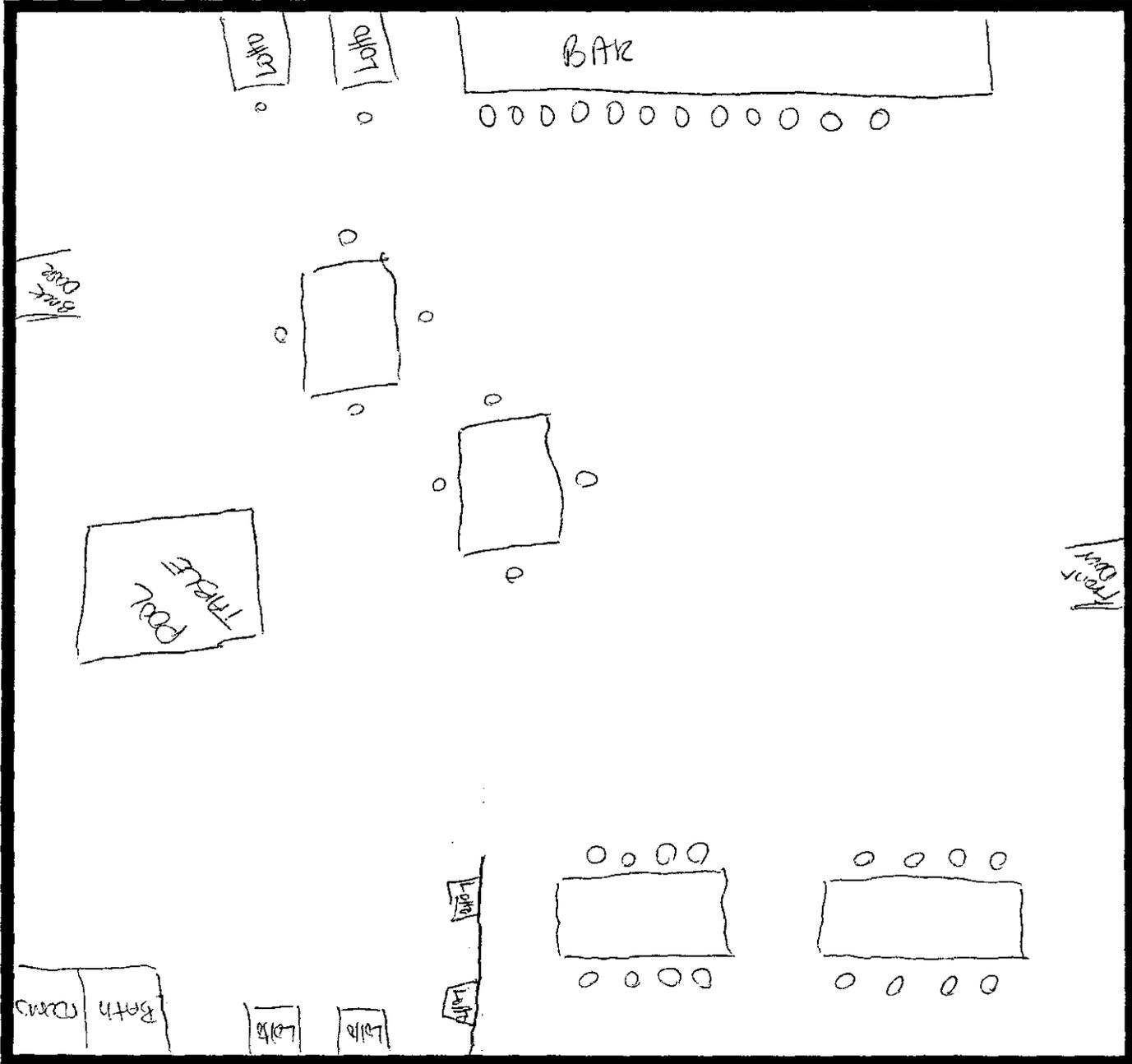
OSP/DMV
Search Completed
(rev. 12/07)
SEP 03 2010

INITIALS: J Page 16 of 57



OREGON LIQUOR CONTROL COMMISSION FLOOR PLAN

- Your floor plan must be submitted on this form.
- Use a separate Floor Plan Form for each level or floor of the building.
- Applicants must provide a sketch that shows the specific area of the premises (e.g. dining area, bar, lounge, kitchen and restrooms). Full On-Premises (commercial establishments) applicants must also show dining tables. See example on back.



Thomas R Kuhlman
Applicant Name

Thomas R Kuhlman LLC
Trade Name (dba):

Dallas OR 97338
City and ZIP Code

.....OLCC USE ONLY.....
MINOR POSTING ASSIGNMENT(S)

Date: _____ Initials: _____

1-800-452-OLCC (6522)
www.oregon.gov/olcc

(rev. 12/07)



OREGON LIQUOR CONTROL COMMISSION
LIMITED LIABILITY COMPANY QUESTIONNAIRE

● See section 2 of Guide for help with this form

Please Print or Type

LLC Name: Thomas R. Kuhlman, LLC Year Filed: 2010
 Trade Name (dba): Tony's Place
 Business Location Address: 127 SW Court St.
 City: Dallas ZIP Code: 97338

List Members of LLC:

Percentage of Membership Interest:

1. <u>Thomas R. Kuhlman</u> (managing member)	<u>100%</u>
2. _____ (members)	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____

(Note: If any LLC member is another legal entity, that entity must also complete an LLC, Limited Partnership or Corporation Questionnaire. If the LLC has officers, please list them on a separate sheet of paper with their titles.)

Server Education Designee: Tom Kuhlman DOB: 9-16-1964

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Signature: Thomas R. Kuhlman member Date: 8-30-10
 (name) (title)



OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION

Please Print or Type

Applicant Name: Thomas R. Kuhlman LLC Phone: 503-623-6248

Trade Name (dba): Tony's Place

Business Location Address: 127 SW Court St.

City: Dallas ZIP Code: 97338

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday 2:00 to 2:30
Monday
Tuesday
Wednesday
Thursday
Friday
Saturday

Outdoor Area Hours:

Sunday to
Monday to
Tuesday to
Wednesday to
Thursday to
Friday to
Saturday to

The outdoor area is used for:

Food service Hours: to
Alcohol service Hours: to
Enclosed, how
The exterior area is adequately viewed and/or supervised by Service Permittees.
(Investigator's Initials)

Seasonal Variations: Yes No If yes, explain:

ENTERTAINMENT

Check all that apply:

- Live Music (TK)
Recorded Music
DJ Music (TK)
Dancing
Nude Entertainers
Karaoke
Coin-operated Games
Video Lottery Machines
Social Gaming
Pool Tables
Other:

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday to
Monday to
Tuesday to
Wednesday to
Thursday to
Friday to
Saturday to

SEATING COUNT

Restaurant: Outdoor:
Lounge: 38 Other (explain): 6 lottery
Banquet: Total Seating: 44

OLCC USE ONLY
Investigator Verified Seating: (Y) (N)
Investigator Initials:
Date:

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: Thomas R. Kuhlman member Date: 8-30-10

1-800-452-OLCC (6522)
www.oregon.gov/olcc

(rev. 12/07)

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Members Present: Chair Ken Woods, Jr., Kevin Marshall, David Shein, and Dave Voves.

Also Present: City Manager Jerry Wyatt, Mayor Jim Fairchild, City Attorney Lane Shetterly, and Recording Secretary Emily Gagner.

Chair Woods called the meeting to order at 4:09 p.m.

Municipal Judge Evaluation

Mr. Wyatt reviewed the staff report. He indicated the Council wouldn't have to spend a lot of time evaluating the judge, adding he would do most of the work. He did note it would be good for each Councilor to sit in on a court session at least once to see how the judge interacts with those in his courtroom. There was some discussion about the Councilors not having background on some items on the evaluation form. Mr. Shetterly stated the Councilors may have to rate a "6" for not rated/no experience to evaluate on some items. Councilor Woods stated the Council couldn't tell the judge what to do because of state laws and such. Mr. Shetterly indicated the judge was an employee, essentially a department head, and there are things the Council could tell him to do, such as stop waiving bail for everyone if he was doing that. He explained municipal judges are not a separate branch of government. Councilor Marshall asked if the Council could request the judge give them a report once a year. After further discussion, it was decided that the judge would provide an annual report and the other department heads would give the Council quarterly reports with more useful information and eliminate the monthly reports in the Council agendas. Mr. Shetterly noted it would still be good for the Councilors to stop in and observe the judge at least once per year.

After further discussion, it was decided to eliminate item c under City Council Relationships and item e under Court Administration, and to change or eliminate some of the wording on several other items. The Committee directed the City Manager to make the changes to the evaluation form, review it with Mr. Feitelson, and provide a final copy of the form to the Council with the judge's comments.

Garage Sale Code Update

Mr. Wyatt indicated the existing code needed updating. He stated the main concerns involved neighborhood or homeowners' association garage sales. Mr. Shetterly stated the Code can expressly authorize an organized group to file in the name of the group and, as suggested, once the sale is completed, a list of the names and addresses of all participants must be submitted to the City.

Mr. Wyatt stated the Code currently allows a second garage sale only with City Manager's approval. He indicated he would like to allow two garage sales per year with City Manager's approval for a third sale.

After discussion about DCC 7.515, it was determined to remove item #3 about upholstered furniture and bedding and keep the rest of that section. After discussion about item #4 of DCC 7.515, it was determined that the purpose of that was to stop people from using garage sales as an itinerant merchant-type business.

Ms. Ward stated the Finance Department gets a lot of requests for permits and signs from people right outside City limits. Mr. Shetterly advised it should be like any other permit – if you're in city limits you can get the permit and sign and if you're out, you can't.

1 There was discussion about the condition of the City garage sale signs. It was recommended the City
2 provide a blank spot on the signs for people to tape a house number, or a clip or clear sleeve to attach a
3 house number to the sign.

4 Councilor Voves stated he would like to raise the sign deposit to \$25. Mr. Shetterly advised that could be
5 set administratively, since the Code gives the authority to secure a deposit to cover the cost of replace-
6 ment.

7 Mr. Shetterly asked if the time limit was every twelve months, or if it was per calendar year. It was de-
8 cided that per calendar year was simpler for staff. Mr. Shetterly asked if the permit fee listed in DCC
9 7.530 was appropriate. Ms. Ward stated \$15 was appropriate.

10 **Finance Director's Report**

11 Ms. Ward reported the auditors were in last week and everything went well. She noted the new audit firm
12 will be really good for the City. She indicated the last phase of the new software system was completed
13 the previous week so now the time entry system was functioning as well.

14 **Assistant City Manager's Report**

15 Mr. Wyatt reported staff was currently advertising for two vacant positions, a Police Officer and an EMS
16 Paramedic Shift Lieutenant.

17 **Other**

18 Mr. Wyatt indicated the developer of Jasper Crossing had requested additional SDC credits to use for
19 business recruitment. He reported there was no way in the Code to do that. He stated the developer then
20 asked if the Council would consider offering half off SDC charges or waiving SDC fees for a period of
21 time. Mr. Wyatt indicated other cities who attempted something like that did not experience the growth
22 they expected. After further discussion, it was determined that SDC credits or discounts would not be a
23 good option at this time.

24 Mr. Wyatt indicated he and Mr. Shetterly were working on the solid waste franchise agreement with Al-
25 lied Waste. He noted he has been working with Charter and purchased a new transmitter and receiver to
26 replace the old Channel 17 equipment, which was barely working.

27 There was no other business and the meeting was adjourned at 4:57 p.m.

MEETING AGENDA

ADMINISTRATIVE COMMITTEE

Monday, September 27, 2010

4:00 p.m.

Ken Woods, Jr., Chair
Kevin Marshall
David Shein
Dave Voves

1. Municipal Judge evaluation
2. Garage Sale Code update
3. Finance Director's report
4. Assistant City Manager's report
5. Other
6. Adjourn

DALLAS CITY COUNCIL SUBCOMMITTEE REPORT

To: COUNCIL SUBCOMMITTEE

<i>City of Dallas</i>	Agenda Item No. 1	Topic: Municipal Judge Evaluation
Prepared By: Emily Gagner	Meeting Date: September 27, 2010	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Discussion only

BACKGROUND:

As discussed at our last Admin Committee meeting, our current municipal judge, Ira Feitelson, was appointed 10/1/2002. He is appointed for a two-year term as required by the Charter, and was last reappointed January 5, 2009. The judge has never been evaluated by the Council, something it is recommended the Council do from time to time. While the time to look at reappointment of the judge is several months off, we felt it was a good idea to discuss an evaluation now, to give the Councilors ample opportunity to schedule time to attend one or more court sessions. The following evaluation form was a recommendation only – staff asked for and received comments from the Councilors on improvements to the form. Those comments follow this staff report.

FISCAL IMPACT:

None

ATTACHMENTS:

Councilor comments to proposed evaluation form
Proposed evaluation form

MUNICIPAL JUDGE EVALUATION FORM COMMENTS:

David Shein: Looks good to me.

LaVonne Wilson: The form looks good to me and this is the first and can always be revised next year.

Kevin Marshall: I feel that the format and questions are acceptable and not in need of significant modification for our purposes (although I am uncertain what our purposes are for this one). My concern about this particular process is that we (the Council members) have virtually no contact with, goal development for or feedback from the judge. We did discuss this at the committee meeting but it remains a valid issue at this time. Perhaps this part of the evaluation process (how do we know what he's doing---and is he is doing a good job) needs more thought? Evaluations just for evaluations sake serve no real purpose. Is this position really any different than the departmental manager positions, relative to their need for evaluation by the Council? I basically think Jerry should do this evaluation since he has the most opportunity for input and contact.

Brian Dalton: When it first arrived I skimmed it and I recall that I thought is far too detailed and demanding of Councilor time to fill out properly. I don't know how to lick that problem if the work needs to be done in that particular fashion, but if it could be made much more simple that would be very appealing. If you need more from me, please advise. Sadly, I don't have the time just now to rewrite the form in a way that might be more acceptable, so I don't know what more I can contribute other than the thought that it is too complex a task.

Jackie Lawson: Seems feasible/good to me.

Municipal Judge Performance Evaluation

Here are some recommendations of sources that you can use to evaluate the performance of the Municipal Judge.

1. Visit court and observe proceedings.
2. Talk to department employee and City Manager.
3. Council should feel free to contact the Judge any time they have concerns and discuss those on a one-on-one basis. This would help the Judge and the Council maintain a working relationship.
4. Grade the court on the approved evaluation form using a numbered grading system.
5. Have staff expand the information supplied in the monthly report to include Police ticket statistics for speeding, DUI, un-insured motorist, etc. and have the Judge do the same thing with convictions, fines levied, and fines collected for each citation. This should be coordinated with the Chief and Judge and their input used.
6. Evaluations should be done annually at or about Budget time so the information is current.
7. The Judge's position is an at-will employee and no contract is required.
8. Salary can be reviewed by the Council and changes can be made when the Council reappoints the Judge every 2 years.

Municipal Court Judge Performance Evaluation

Instructions: Place a check mark on the line underneath the number you feel is appropriate for each item. The numerical rating (1 – 5) is an effort to quantify opinions and judgment about specific management responsibility. While subjective, it suggests a useful emphasis or relative degree of acceptability. Please use comment space to record specific comments on each point. Use the back of the form or a separate page if more space is needed.

A (6) rating is Not Rated/No Experience to Evaluate; (5) rating represents very satisfactory/excellent performance or behavior; (4) indicates performance or behavior that exceeds standards or is good; (3) is satisfactory; (2) represents an area that needs improvement; and (1) is indicative of performance or behavior that is not satisfactory.

<u>Professionalism</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>Comments</u>
a. Projects a professional and positive image							
b. Courteous to the public and staff at all times							
c. Controls emotions effectively in difficult situations							

<u>City Council Relationship</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>Comments</u>
a. Effectively handles City Council concerns							
b. Keeps City Council informed on issues concerning the court							
c. Effectively aids the City Council in establishing long-range goals							

<u>Communications</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>Comments</u>
a. Communicates effectively with Police Dept.							
b. Oral communications are clear, concise, and accurate							
c. Written communications are clear, concise, and accurate							

<u>Court Administration</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>Comments</u>
a. Creative in developing practical solutions to problems faced in the course of work							
b. Seeks to improve own skills and knowledge							
c. Controls uncollected fines							
d. Shows consistency in courtroom proceedings							
e. Proposes in a timely manner a balanced and well-prepared budget document							
f. Encourages training for professional staff							

Based on your overall evaluation of the Municipal Judge, what areas would you list as strong points?

Based upon your overall evaluation, what areas would you suggest the Municipal Judge work on to improve skills and be more effective? Please be as specific as possible.

Evaluator: _____

Date: _____

DALLAS CITY COUNCIL SUBCOMMITTEE REPORT

To: COUNCIL SUBCOMMITTEE

<i>City of Dallas</i>	Agenda Item No. 2	Topic: Garage Sale Code Update
Prepared By: Emily Gagner	Meeting Date: September 27, 2010	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Discussion only

BACKGROUND:

As discussed at a recent Council meeting, our current Garage Sale Code is outdated. The Council referred the subject to the Administrative Committee for discussion and updates. Staff asked for the Council's input into ways to improve the Code. Those comments follow this staff report.

FISCAL IMPACT:

None

ATTACHMENTS:

Councilor comments to Garage Sale Code
Copy of Garage Sale Code

GARAGE SALE CODE COMMENTS:

David Shein:

Well, there are some obvious typos such as
fra ternal, com pleted, indi vidual

I suggest two changes:

1) Add a precise definition of "upholstered furniture." There is wiggle room. For example, some folding chairs have hard metal seats and some have built-in pads. Does that constitute "upholstery"? If you have it clearly defined then you avoid the inevitable silly debates.

2) Broaden the language of 7.520 (5) to something like "may issue additional permit(s)" and eliminate the 12 month language. That leaves the decision in the city manager's hands (where it presently resides) and eliminates time wasting arguments about how often it should be. I have sat through at least three of those no-result circular discussions and I have no interest in sitting through another.

Kevin Marshall:

1) Top of page 2, #2---the word *owing*---I believe should be *owning*.

2) Page 2, second #5---are there any conditions? This wording seems unclear to me although it implies there are, and I assume it relates to 3 & 4. Why not just allow two permits per year for everyone?

(And *that* is my #3, I feel that 2 yard sales per year would not be excessive and, in these tight economic times, could really be helpful to some of our lower-income folks. I would vote to allow two per year.)

Brian Dalton:

In general I am not comfortable with the ordinance. Too complex (reporting bedding sales - what do we do with that information?) and restrictive. In these tough times, some people need these garage sales to get by (both buyers and sellers).

I am particularly disappointed that it does not have a section accommodating group neighborhood sales events such as our annual Bridlewood sale. Our homeowner's association manager has to struggle every year to work around the provisions of this straight-jacket ordinance and get special exemptions or whatever to make it work. This does not encourage neighborhood associations in the way that is good for our community.

How can we have a minimalist garage sale ordinance that keeps these things from becoming a public nuisance? I don't think this one answers the mail.

I think we need to see the draft of a better ordinance that we can work with before we move forward.

I apologize that my heavy schedule prevents me from getting into this in depth to suggest a better approach.

David Voves:

I'm OK with the language. However, I don't think we enforce 7.540 (3). I am always seeing the directional signs in the right-of-ways.

Jackie Lawson

I just had a sale and our current permit application as far as I remember didn't ask about #3, 4, or 5 in section 7.515 and doesn't seem like we need them anyway. #6 says calendar year I believe, not 12 months.

7.505- #1 is very confusing- not sure what it is exempting exactly- does this mean that someone selling a few items on craigslist or ebay at the same time violates this?

7.520 #2 is not necessary #3 is too restrictive if it includes "group of individuals"- I'd like to see that stricken.

I would like to see us offer a "second off premises sign" at a \$5 or \$10 fee if someone so chooses to use it with the same deposit per sign keeping in mind it is still only for the same amount of time usage. Time constraints all seem good. I do not want to charge a permit fee. If a second sign is offered, that could take up some of the revenue/ cost offsets.

LaVonne:

Community Sales

Form that would include all participates and not just one for each person.

Maybe special signs that indicates more than one home.

Holding sales more than once a year - two would probably be enough

Maybe signs that could be put in each yard that has a community sale - sign on a stick to put in ground

Finance Staff:

The city code needs to... specifically address the issue of signs allowed to be borrowed and used by county residents having a sale. It is standard procedure that city signs & permits are for residents only, but there have been issues raised by county residents that our code is not clear on that point.

Also recommend that code be updated concerning multiple sales by associations and mobile home parks to state that names of individuals participating must be submitted at the time the permit is filled out and that they must follow the same rules as individuals.

Bridlewood Neighborhood Assn Mgr:

In the case of neighborhoods which have a membership wide sale once a year, only one permit will be required and will be issued to the manager, or other designated contact person. One off premises sign will be allowed, along with one sign at the residence of each homeowner participating. When the City of Dallas Garage Sale sign is returned, the Manager/ designated contact person will turn in a list to the City, stating the names and addresses of all neighborhood members who held a sale during the specified days & hours covered by that permit.

GARAGE SALES

7.500 Definition.

For purposes of sections 7.500 to 7.545, "garage sale" means the public sale or offering for sale of new or used goods within the city by any individual or group of individuals from private or public property, including but not limited to garages, porches, carports and yards, when:

- (1) The individual or group of individuals is not regularly engaged in the business of selling such goods; or
- (2) When the property on which the sale is conducted is not regularly used for business purposes or is not in a zone permitting commercial use.

7.505 Exemption.

The following are exempt from the provisions of sections 7.500 to 7.545:

- (1) Offering for sale one item by public display with a sign indicating the item is for sale, and the sale of more than one individual item not offered for sale by public display or by signs concerning a sale or place of sale; and
- (2) Sales commonly referred to as "rummage sales," conducted by members of fraternal, civic, patriotic, religious, service, charitable, educational, or eleemosynary organizations with a chapter, lodge, post, congregation, or other unit existing within the city.

7.510 Permit Required.

No individual or group of individuals shall hold a garage sale without first obtaining a permit.

7.515 Application.

In addition to the provisions of sections 7.000 to 7.080, the application shall include:

- (1) A description of the place from which the sale is to be held.
- (2) The dates and hours of the day during which the sale is to be conducted.
- (3) Whether the person will be selling any upholstered furniture or bedding.
- (4) Whether the owner of such goods is to pay any commission for the sale.
- (5) Whether the owner or lessee in possession of the premises from which the sale is to be conducted is to receive any compensation for the use of the premises.
- (6) Whether the individual or group of individuals conducting the sale have conducted a sale within the past 12 months.
- (7) Whether other garage sales have been held upon the premises upon which the sale is to be held during the calendar year in which the proposed sale is to be held.

7.520 Permit Issuance.

The city manager shall issue a permit for the sale if he finds that:

- (1) The application is properly completed; and
- (2) No commission is paid by the individual or individuals owing the goods to be sold and that no compensation is received by the owner or lessee of the premises from which the sale is to be conducted; and
- (3) The individual or group of individuals conducting the sale have not conducted a like sale previously during the past 12 months; and

(4) No other such sale has been held upon the premises upon which the garage sale is to be held during that portion of the past 12 months in which the individual or individuals then occupying the premises have occupied the premises.

(5) Notwithstanding the provisions of this section, the city manager may issue a permit for a second sale within a 12-month period to the same person or to be held on the same premises.

7.525 Duration of Permit.

The permit issued by the city manager shall be valid for a period not to exceed three consecutive days and shall permit the sale only between the hours of 8 a.m. and 9 p.m.

7.530 Permit Fee.

No fee shall be required if the application is made prior to the commencement of the sale. If the application is made after the commencement of the sale, a fee of \$15 shall be charged.

[Section 7.530 amended by Ordinance No. 1561, passed August 3, 1998.]

7.535 Display of Permit.

No garage sale shall be held without a permit being prominently displayed so that it can be seen readily from the street.

7.540 Signs.

(1) Only one sign shall be posted upon the premises on which the garage sale is to be held.

(2) One off premises sign for the purpose of directing people to the garage sale shall also be permitted but only a sign issued by the city shall be allowed. The city shall have available a reasonable supply of garage sale signs for use by individuals at no cost. The city may secure a deposit to cover the cost of replacing the sign in the event it is damaged or lost.

(3) Signs shall not be placed in the public right-of-way and shall be placed upon private property only with the consent of the property owner. Signs shall not be placed earlier than one hour before the garage sale starts and shall be removed by no later than one hour after the conclusion of the garage sale.

[Section 7.540 added by Ordinance No. 1462, passed June 1, 1992.]

7.545 Penalty.

Violation of a provision of sections 7.500 to 7.540 is a civil infraction.

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Members Present: Chair David Shein, Kevin Marshall, Dave Voves, and Ken Woods, Jr.
Also Present: City Manager Jerry Wyatt, Mayor Jim Fairchild, City Attorney Lane Shetterly, Community Development Director Jason Locke, and Recording Secretary Emily Gagner.

Chair Shein called the meeting to order at 4:00 p.m.

Community Development Director’s Report

Mr. Locke reported window restoration and painting being completed on City Hall. He noted he also brought in a mason to look at the bricks, and the work needed there would most likely be broken into three phases, including brick and mortar repair, ledge replacement, and sealing.

Mr. Locke stated he expected the energy audit from the Fire Station and Library would be completed within the next two weeks.

Mr. Locke indicated residential building permits have increased, adding they are not for spec homes, but rather being built for people planning to reside in them.

Mr. Locke reported the Planning Commission was discussing some minor changes to the newly adopted Development Code, noting the Council would probably see them in January or February for adoption.

Mr. Locke mentioned the Dallas Aquatic Center was on their winter schedule. He noted that since the Western pool will be closed for six to seven months, he’s been talking with the Central School District about their high school team using our facility.

Other

There was no other business and the meeting was adjourned at 4:09 p.m.

MEETING AGENDA

BUILDING AND GROUNDS COMMITTEE

Monday, September 27, 2010

4:00 p.m.

David Shein, Chair
Kevin Marshall
Dave Voves
Ken Woods, Jr.

1. Community Development Director's report
2. Other
3. Adjourn



AGENDA
City of Dallas Planning Commission
TUESDAY, September 14, 2010 - 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
Kris Pierce
1. CALL TO ORDER
 2. ROLL CALL
 3. APPROVAL OF MINUTES - Regular meeting of June 8, 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 - None
 6. OTHER BUSINESS
 - a) Review of Development Code issues
 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



City of Dallas
Planning Commission
Council Chambers - City Hall
September 14, 2010 - 7:00 p.m.

MINUTES

CALL TO ORDER

President Chuck Lerwick called the meeting to order at 7:02 p.m.

ROLL CALL

Commissioners Present: Chuck Lerwick, Carol Kowash, Dave Pederson,
Doris Stefani, Murray Stewart, and Robert Wilson

Commissioners Absent: Carrie Mendell

Staff present: Teresa Ozias Partner to City Attorney Lane Shetterly, Community
Development Director Jason Locke, Planner John Swanson, and Recording
Secretary Kris Pierce.

APPROVAL OF MINUTES

Chuck Lerwick presented the minutes of the regular meeting of June 8, 2010. Doris Stefani made a motion to approve the minutes as presented. Carol Kowash seconded the motion, which passed unanimously.

PUBLIC COMMENT

None

PUBLIC HEARINGS

None

OTHER BUSINESS

A) Development Code Issue Discussion

Jason Locke presented to the Commission issues for discussion since adoption of the new Development Code by the Council that became effective January 22, 2010. He explained that if staff had issues, those would be brought to the Commission and that was the intent of the discussion tonight.

Jason Locke noted that both he and John Swanson had an opportunity to work with the recently adopted Development Code and apply it to a variety of situations. He offered Mr. Swanson a chance to talk about his experiences in working with the new Development Code.

Mr. Swanson explained that he had an opportunity to work with different people from the community (e.g., property owners, realtors, and commercial property owners) and could report that it has gone smoothly considering the new Code was very different in the way that it was laid out from what the City had before. Mr. Swanson further explained that one of the things staff heard from the stake holders was a need for a clearer path to approval. Staff is trying to streamline the process and make it a more thorough process than the previous code allowed. He noted it had given him an opportunity to relearn the code based on the “Model Code” that Scott Siegel, our consultant, provided, which explained what permitted uses and exceptions were and where to find them. This allows a person who is proposing development or thinking of development a clear picture of what they are getting into before they start spending time and money on it. It is the staff’s goal to lead the customers, property owner and citizens through the process.

Mr. Locke continued that overall he felt the change had gone fairly well, noting a couple of projects have been through the new code process. One project, a new building downtown, has preliminarily run through a pretty exhaustive set of standards for commercial development and staff discovered that the Code worked just like it was supposed to. He explained the new Code ensures the right type of building design instead of anomalous things being built that were not suitable for their locations, particularly in downtown. The entire Code focuses on building and ensuring quality neighborhoods.

Mr. Locke advised that there were a couple of issues that needed to be addressed in the new code and provided the Commission with a handout entitled Dallas Development Code – Issues for discussion since adoption of new Code Jan. 2010.

Issues:

Mr. Locke stated that the typos would be corrected for clarification.

Mr. Locke explained to the Commission that driveway approaches, as provided in the new Code, allowed only 20 feet of actual driveway access, which caused some issues. He reviewed the reasons the City originally adopted those standards: 1) ensure the City maintained access

control; 2) ensure adequate on-street parking; and 3) control lot coverage and impervious surface. Mr. Locke further explained these driveways are basically shedding all of their untreated water into the City storm drain system, which goes into the creek, a practice that is definitely on its way out given the new water quality standards. He noted the lot coverage standards have been working well since they offer more flexibility. Mr. Locke commented that the driveway width issue is part habitual and part “we want to do what we want” on the part of the builders, which doesn’t necessarily coincide with the City’s interest.

Mr. Locke explained what staff was trying to do, with the Commission’s approval, was to alleviate some of these issues while keeping the City’s interests intact. He stated staff would like to tie driveway width to a percentage of the lot frontage, which would give people some flexibility. Mr. Locke indicated staff did not want to base the Code on the worst case scenario.

Commissioner Dave Pederson requested clarification on what the City should be concerned with in the newly adopted Development Code regarding driveway approaches. Mr. Locke explained that the City wanted to accommodate 95% of things people wanted to do and thought the City could come to some kind of reasonable accommodation for everyone. He advised that staff needed to clean up the language in this section and clarify what would be allowed.

Mr. Locke explained another issue came up regarding density bonuses and/or meeting the standards for Smart Growth. He stated it was not specifically mentioned in the code language, but since it is used fairly extensively in the Pacific Northwest, staff wanted to ensure that it was clearly spelled out in that section of the Development Code.

Another issue Mr. Locke discussed was that Mixed-Use was used on the Commercial Zone table headers and should be changed to Commercial instead of Mixed-Use in the table headers. He indicated that correction would be made to the table.

Mr. Locke explained another issue that had recently come up had to do with property line adjustments. He stated the way it is currently laid out in the Development Code is that a property line adjustment cannot create another lot nor reduce the number of lots. He noted what should have been in there as required by ORS 92 was a statement that “property line adjustment” meant relocation or elimination of all or a portion of the common property line between abutting properties that does not create an additional lot or parcel. Mr. Locke explained that this came up when the City tried to clean up messy situations where landowners

have tried to use land consolidation. He noted the City does process Lot Consolidation and Property Line Adjustment the same way, but the overriding issue is that it is not going to create an additional parcel or lot. Commissioner Lerwick asked staff if the City provided property line adjustments to create another lot. Mr. Locke responded that an applicant would have to partition the lot in order to create another lot.

Mr. Locke indicated that he and Mr. Swanson would continue to further go through the Development Code and prepare some actual Amendments to the Development Code to look at by the next meeting. If those were suitable, staff would schedule the Public Hearing process by the Planning Commission and subsequently by the Council. He noted the changes should be wrapped up and adopted by January 2011.

Mr. Locke advised that staff still had not had an opportunity to test some of the Development Code but in the next month or so would have a large subdivision coming up. He noted this would allow a “test” of the subdivision requirements such as lot size averaging, mix of lot size, and mix of house size, among other things that were built into the City Development Code. He stated staff had explained the expectations to the Developers and would see how they address them.

Commissioner Lerwick asked staff if this would be another subdivision that just sits. Mr. Locke stated that the new subdivision was one of the previously approved subdivisions (Faith Farms Subdivision) that was adjacent to the mobile home park on Oregon Trail. He noted the City had to expire four previously approved subdivisions, adding they all had the opportunity to ask for a 1 year extension which the old code did not provide for, and no one acted. He indicated those are now null and void.

Commissioner Lerwick asked if the Subdivision would butt up against the creek. Mr. Locke confirmed that the subdivision would abut the north side of Rickreall Creek and the developer had started putting in some improvements already. He noted the developer also put in their part of the Rickreall Creek Trail System.

Commissioner Pederson asked why the City would care if someone had a circular driveway. Mr. Locke explained that the City only allowed one access per lot.

Commissioner Pederson requested a report on the Rickreall Creek Trail System (RCTS). Mr. Locke reported the Rickreall Creek Trail System had been in the City’s comprehensive plan and

transportation plan for over 40 years. There was one section that was developed between Levens and Main, which is a multi-use path ranging from 10-12 feet wide. He stated the City recently received a grant through the State Parks Department for about \$250,000 to build a section of the trail starting on Barberry just west of Hawthorne running eastward to the terminus at the Gleann Craig subdivision. He added the trail would be on publicly owned property that was dedicated as part of a subdivision. He noted a number of people opposed the building of the trail in “their backyard” and the City held an Open House because of inaccurate information being disseminated. He added the City has been planning to move forward with the trail. President Chuck Lerwick indicated that the comment was “spending their taxpayer money on a useless road that didn’t need to be put in.” He noted they did not realize it was being funded through a grant or that the City was going to build the trail system along the creek to enjoy the beauty of the creek. President Lerwick added the Open House was well done.

COMMISSIONER COMMENTS

None

STAFF COMMENTS

Mr. Locke is going to look at the code to see if we are going to need to elect a new President next meeting.

The Meeting was adjourned at 8:05 p.m.

APPROVED:

President

Date



AGENDA
Dallas Economic Development Commission

THURSDAY, September 16, 2010 - 12:00 noon
Dallas Civic Center
945 SE Jefferson Street

Chair Nancy Adams, Presiding

1. Approval of Minutes from the May 20, 2010 meeting
2. Reports
 - a. Commercial Development Report – John Swanson/Chelsea Pope
 - b. Urban Renewal District Activities – Brian Dalton
 - c. Industrial Development Update – Jason Locke
4. Member Roundtable
5. Presentation: Matt Bergeron, Clear Lake Capital, Praegitzer Trust, on potential biomass energy project
6. Other Business
7. Adjourn

NOTE: The next meeting is scheduled for November 11, 2010.



CITY OF DALLAS
Economic Development Commission
Dallas Civic Center, 945 SE Jefferson St.
Thursday, September 16, 2010 – 12:00 p.m.

MINUTES

Members Present: Chair Nancy Adams, Brian Dalton, Ron Dodge, Dennis Engle, Warren Lamb, Jackie Lawson, Peggy Mehl, Jim Fowler, and Ken Woods Jr.

Members Absent: Mayor Jim Fairchild, Reine Thomas, Bob Ottaway, Ken Jacroux, Doris Johnston, Cory Oace, and Bob Ottaway

Others Present: Chelsea Pope-Chamber of Commerce, Nick Harville-SEDCOR, Ray Teasley-MWVCOG, Suzanne Dufner-MWVCOG, Greg Wallace-Presenter for Clear Lake Capital, Matt Bergeron-Presenter for Clear Lake Capital, and Glenn Farris-Presenter for BioMass Energy Holdings LLC

Staff present: City Manager Jerry Wyatt, Community Development Director Jason Locke, Assistant City Manager Kim Marr, and Recording Secretary Kris Pierce.

CALL TO ORDER

Chair Nancy Adams called the meeting to order at 12:05 p.m.

APPROVAL OF MINUTES

The minutes of the May 20, 2010, meeting were presented and approved.

REPORTS

Commercial Development Report

None

Urban Renewal District Activities

Brian Dalton reported that the new street signs were up, noting there were a few negative comments that the money was a waste but overall the comments have been positive.

Industrial Development Update

Jason Locke reported that the TTM facility changed hands and was now under a professional management company working with SEDCOR.

MEMBER ROUNDTABLE

Chamber Report

Chelsea Pope reviewed the hand out she distributed. She gave the Chamber Report saying that commercial development was good and there had been a lot of activity in the last couple of months. She also reminded people of the upcoming Trick-n-Treat and Dallas Winterfest events coming in the next few months to finish up the year.

She stated that the Timber County Sports commercial business did not close due to lack of business but rather a family illness that forced the closure, noting the Chamber is looking at ways to help the family.

Polk County

Ron Dodge reported that the farmer's market was successful this year and the Courthouse lawn was undamaged by the market.

Chemeketa Community College (CCC)

Nancy Adams reported for Reine Thomas that CCC was in the middle of registration and enrollment was up.

Dallas Cleanup Crew

None

Pacific Power

None

Dallas School District

Dennis Engle presented an update on the school bond and passed out handouts. He reported all of the school boilers were being started up this week.

SEDCOR

Nick Harville reported that the Dallas High School had teamed up with SEDCOR to allow a few students to be taught building techniques and have built several benches for the Oregon School for the Blind which are now in use. He thanked to the Dallas School District for allowing this project to happen.

MWVCOG

Ray Teasley introduced his invitee, Suzanne Dufner, and reported that they were refining the Board's focus on regional studies. He stated Ms. Dufner would be working on the Salem/Keizer EOA Project, a study on employment and land need for the next 20-30 years.

ACTION ITEM

Economic Development Strategy Update

Presentation: Matt Bergeron, Clear Lake Capital, Praegitzer Trust, on potential biomass energy project

Matt Bergeron and Glenn Farris along with Greg Wallace presented to the EDC their preliminary proposed Biomass Energy facility. The name of the facility would be the Willamette Valley Renewable Energy Center (WVREC). The project would include a biomass gasifier closely coupled to a boiler to produce steam for a steam turbine generator that would be developed, owned and operated by Clear Lake Renewable to transmit power to the power grid.

The project provided for using traditional forest waste along with agricultural waste to process it into renewable energy. The project would potentially provide up to 200 jobs during construction, 25 permanent, high-paying jobs once it was running, and an additional 60 jobs in the biomass supply chain. Mr. Bergeron reported the project was still in the preliminary stages, and Clear Lake Capital would make the decision about whether to move forward with it within the next 30-60 days.

Clear Lake Capital reported that the potential benefits to the City of Dallas and the surrounding community would be:

- 1) WVREC represents state of the art biomass energy;
- 2) It would have a substantial economic impact on the immediate vicinity with regard to new jobs and capital infusion to the community;
- 3) Job creation – 3 times more clean jobs per MW-hr than wind, solar or fossil energy;
- 4) Clean affordable electricity;
- 5) WVREC utilizes renewable fuel with very low emissions impact;
- 6) WVREC is based upon well understood and proven technology that has multiple applications presently at work in the market place; and
- 7) It combines traditional forest waste biomass with agricultural waste.

Clear Lake Capital asked that if any citizens interested in the project had inquiries, they direct those questions to Jason Locke or City Manager Jerry Wyatt so that they may be forwarded and/or answered to insure that clear and correct information about the project was given.

OTHER BUSINESS

Mr. Locke indicated the date of the next meeting would be decided at a later date and that information would then be e-mailed to members.

ADJOURNMENT

The meeting was adjourned at 1:15 p.m.

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8 a	Topic: Update on Code Enforcement Activity
Prepared By: Jason Locke, Com Dev Director	Meeting Date: October 4, 2010	Attachments: Yes <input type="checkbox"/> No
Approved By: Jerry Wyatt		

RECOMMENDED ACTION:

None. For information only.

FISCAL IMPACT:

The cost of the Code Enforcement program at its current level, including weed abatement, is approximately \$35,000 /year

ATTACHMENTS:

Code Enforcement Update

Code Enforcement Report
January 1, thru September 20, 2010
Ed Totten & Esteban Campos

In 2010, Code Enforcement has handled 472 cases, to data. Over 33% have been improperly stored vehicles on Dallas City streets or park strips. Another 20% were for inoperable vehicles stored on private property and 20% more were for scattering rubbish on private or public property. Abandoned vehicles make up about 13% of the total. Objects obstructing streets and sidewalks make up about 6% of code enforcement work load. 3% of the time was used to correct graffiti and another 3% spent on junk stored on private property. Illegal camping on private or public properties is near 1.5% of the total.

This spring, Officer Totten spent a large amount of time bring the annexed properties South of Dallas into compliance with Dallas City Codes.

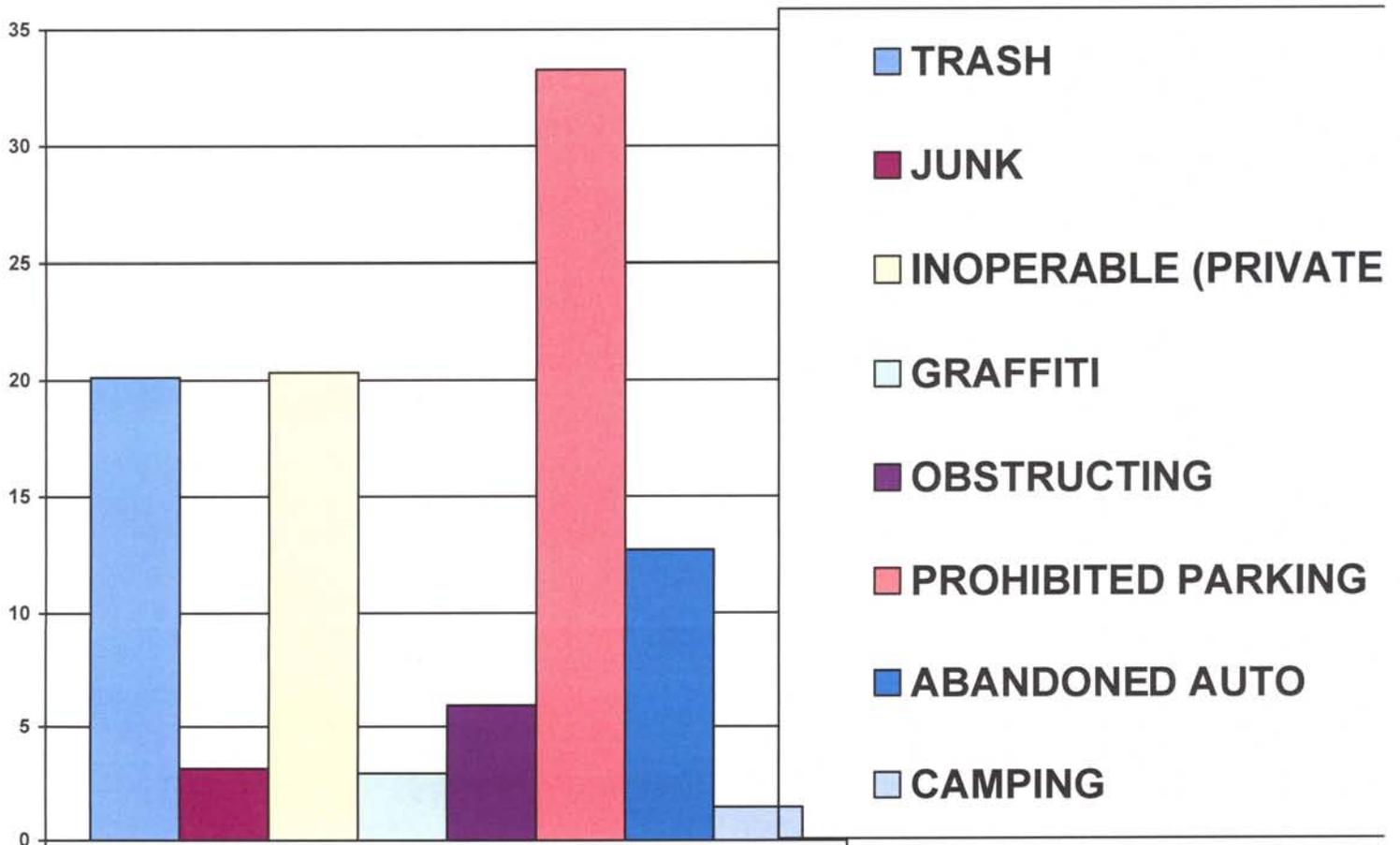
Other Code Enforcement duties:

1. Garage sale permits and their signs.
2. Explains Dallas City codes to the public.
3. Working with others in the City to enforce tall grass and weed, illegally placed signs, basketball hoop, ramps and other code issues.

Weed Abatement

The Public Works Dept. is responsible for weed abatement this year. Public works sent out a total of 369 letters to property owners, 61 certified letters were sent as a second contact. In all, the City actually performed weed abatement on 19 lots and billed the property owners.

CATEGORY	NUMBER OF FILES	% OF TOTAL
Department : Community Development		
5.556 Trash	95	20.12
5.582 Junk	15	3.17
5.584 Inoperable Vehicles on private property	96	20.33
5.588 Graffiti	14	2.96
6.125 Obstructing	28	5.93
6.320 Prohibited Parking	157	33.26
6.505 Abandoned Vehicles	60	12.71
6.605 Camping	7	1.48
TOTAL:		472













DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8 b	Topic: Municipal Judge Evaluation
Prepared By: Emily Gagner	Meeting Date: October 4, 2010	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Motion to adopt the proposed Municipal Judge evaluation form as presented

BACKGROUND:

As discussed at our last two Admin Committee meetings, our current municipal judge, Ira Feitelson, was appointed 10/1/2002. He is appointed for a two-year term as required by the Charter, and was last reappointed January 5, 2009. The judge has never been evaluated by the Council, something it is recommended the Council do from time to time. While the time to look at reappointment of the judge is several months off, we felt it was a good idea to discuss an evaluation now, to give the Councilors ample opportunity to schedule time to attend one or more court sessions. Jerry has reviewed the form with Judge Feitelson, and he had no areas of concern. The following evaluation form includes recommendations from the Committee.

FISCAL IMPACT:

None

ATTACHMENTS:

Proposed Municipal Judge Evaluation Form

Municipal Judge Performance Evaluation

Here are some recommendations of sources that you can use to evaluate the performance of the Municipal Judge.

1. Visit court and observe proceedings.
2. Talk to department employee and City Manager.
3. Council should feel free to contact the Judge any time they have concerns and discuss those on a one-on-one basis. This would help the Judge and the Council maintain a working relationship.
4. Grade the court on the approved evaluation form using a numbered grading system.
5. Have staff expand the information supplied in the monthly report to include Police ticket statistics for speeding, DUI, un-insured motorist, etc. and have the Judge do the same thing with convictions, fines levied, and fines collected for each citation. This should be coordinated with the Chief and Judge and their input used.
6. Evaluations should be done annually at or about Budget time so the information is current.
7. The Judge's position is an at-will employee and no contract is required.
8. Salary can be reviewed by the Council and changes can be made when the Council reappoints the Judge every 2 years.

Municipal Court Judge Performance Evaluation

Instructions: Place a check mark on the line underneath the number you feel is appropriate for each item. The numerical rating (1 – 5) is an effort to quantify opinions and judgment about specific management responsibility. While subjective, it suggests a useful emphasis or relative degree of acceptability. Please use comment space to record specific comments on each point. Use the back of the form or a separate page if more space is needed.

A (6) rating is Not Rated/No Experience to Evaluate; (5) rating represents very satisfactory/excellent performance or behavior; (4) indicates performance or behavior that exceeds standards or is good; (3) is satisfactory; (2) represents an area that needs improvement; and (1) is indicative of performance or behavior that is not satisfactory.

<u>Professionalism</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>Comments</u>
a. Projects a professional and positive image							
b. Courteous to the public and staff							
c. Controls emotions effectively							

<u>City Council Relationship</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>Comments</u>
a. Effectively satisfies City Council goals and objectives							
b. Keeps City Council informed on issues concerning the court							
c. Provides an annual report to the Council							

<u>Communications</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>Comments</u>
a. Communicates effectively with Police Dept.							
b. Oral communications are clear, concise, and accurate							
c. Written communications are clear, concise, and accurate							

<u>Court Administration</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>Comments</u>
a. Creative in developing practical solutions to problems faced in the course of work							
b. Seeks to improve own skills and knowledge							
c. Controls uncollected fines							
d. Shows consistency in courtroom proceedings							
e. Encourages training for professional staff							

Based on your overall evaluation of the Municipal Judge, what areas would you list as strong points?

Based upon your overall evaluation, what areas would you suggest the Municipal Judge work on to improve skills and be more effective? Please be as specific as possible.

Evaluator: _____

Date: _____

DALLAS CITY COUNCIL REPORT

TO: MAYOR JIM FAIRCHILD AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8 c	Topic: Aaron Mercer Dam Coho Salmon Trap & Haul Program
Prepared By: Kenn Carter	Meeting Date: October 4, 2010	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Motion to approve continuation of the fish trap and haul program at Mercer Dam.

BACKGROUND:

During the October 19, 2009 City Council meeting, the City Council authorized the Rickreall Watershed Council (RWC) to conduct a fish trap and haul program at Mercer Reservoir & Dam. The program was staffed with volunteers from the RWC and consisted of placement of a fish trap in Rickreall Creek below the Dam. The purpose of the program was to catch Coho Salmon and transport them above the dam to extend their habitat.

The program was very successful in 2009, with 27 Coho salmon trapped and transported above the reservoir. Based on early fish counts at the Oregon City Falls, the fish numbers are expected to be substantially higher this year. There were no negative impacts resulting from the program last year.

The RWC is requesting that the City approve continuation of the program for 2010.

FISCAL IMPACT:

None

ATTACHMENTS:

None