



Dallas City Council Agenda

Monday, February 7, 2011, 7:00 p.m.
 Mayor Brian Dalton, Presiding
 Dallas City Hall
 187 SE Court Street
 Dallas, Oregon 97338

City Council

Mayor
 Brian Dalton

Council President
 West Scroggin

Councilor
 Jim Fairchild

Councilor
 Beth Jones

Councilor
 Jackie Lawson

Councilor
 Mark McDonald

Councilor
 Kevin Marshall

Councilor
 David Voves

Councilor
 LaVonne Wilson

Councilor
 Ken Woods

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.

<u>ITEM</u>	<u>RECOMMENDED ACTION</u>
1. ROLL CALL	
2. PLEDGE OF ALLEGIANCE	
3. QUESTIONS OR COMMENTS FROM THE AUDIENCE	
4. PUBLIC HEARINGS NONE	
5. 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 January 18, 2011 City Council Minutes	p. 3
b. Report of Jan 24 Administrative Committee Meeting. (action items addressed later on agenda)	p. 6
c. Report of Jan 24 Building and Grounds Committee Meeting (action items addressed later on agenda)	p. 13
d. Sweeney's Pub and Lotto Liquor License	p. 19
e. Acknowledge Department Quarterly Reports	p. 23
f. Park and Recreation Board Agenda	p. 31
6. ITEMS REMOVED FROM CONSENT AGENDA	
7. REPORTS OR COMMENTS FROM THE COUNCIL MEMBERS	
8. REPORTS FROM CITY MANAGER AND STAFF	

Dallas City Council Agenda

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Our Vision

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

Our Mission

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

Our Motto

*Commitment to the Community.
People Serving People.*

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

a. Action items from January 24, 2011 Administrative and Building and Grounds Committees:

1. Appointment of Citizens Committee Biomass Members [p. 37](#) Motion
2. Proposal of Sale of City Property [p. 42](#) Motion
3. Council Vacancy Procedure Update [p. 44](#) Motion
4. Oath of Office Ordinance [p. 45](#) Motion

b. Aquatic Center Rate Review [p. 49](#) Motion

c. Safety Inspection of Mercer Reservoir [p. 54](#) Report

d. Resignation of Councilor David Voves [p. 56](#)

e. Other

9. RESOLUTIONS Roll call vote

10. FIRST READING OF ORDINANCE

- a. Ordinance No. 1733: An Ordinance amending provisions of the Dallas Development Code; and repealing conflicting provisions. [p. 57](#) First Reading

11. SECOND READING OF ORDINANCE

12. OTHER BUSINESS

13. ADJOURNMENT

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The Dallas City Council met in regular session on Tuesday, January 18, 2011 at 7:01 p.m. in the Council Chambers of City Hall with Mayor Brian Dalton presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

Council members present: Councilor Jim Fairchild, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Mark McDonald, Councilor David Voves, Councilor LaVonne Wilson and Councilor Ken Woods Jr. Excused: Council President Wes Scroggin.

Also present were: Student Body Liaison Courtney Pope, City Manager Jerry Wyatt, Attorney Teresa Ozias, Assistant City Manager Kim Marr, and Recording Secretary Joanne Ballweber.

Mayor Brian Dalton led the Pledge of Allegiance.

QUESTIONS OR COMMENTS FROM THE AUDIENCE

Mayor Dalton explained that those speaking would need to limit their comments to five minutes. He added if there were any comments on agenda items to please make them now.

Chelsea Pope, Executive Director of the Dallas Area Chamber of Commerce, on behalf of the Chamber and Board, invited everyone to the Community Awards Ceremony this Friday. She advised the recipients have been selected. She noted on Monday the Chamber would hold their monthly luncheon. Ms. Pope announced that Mr. Wyatt would be the speaker and would give a presentation on the City of Dallas looking back at 2010 and looking forward to 2011. She added the Council would be invited as well.

PUBLIC HEARINGS

Dallas Development Code Amendments

Mayor Dalton declared the public hearing on proposed amendments to the Dallas Development Code open at 7:06 p.m. He explained the procedure for the hearing.

Mr. Locke stated approximately one year ago the new development code became effective and at that time indicated if there were any issues they would be brought before the Council. He advised the amendments to the development code would be in the Staff report packet. Mr. Locke briefly explained each of the corrected amendments and said most would be text amendments. He indicated there was an issue in the code for driveway approaches. Mr. Locke reported the Planning Commission and Staff would propose that the width of a driveway cut would be based on lot frontage. Mr. Locke stated the property line adjustment code would be clarified to indicate no additional parcel or lot would be created with an adjustment.

Mayor Dalton declared the public hearing closed at 7:11 p.m.

It was moved by Councilor Marshall and seconded by Councilor Wilson to direct Staff to prepare an ordinance to adopt the Dallas Development Code Amendments. The motion CARRIED UNANIMOUSLY.

CONSENT AGENDA

APPROVE JANUARY 3, 2011 CITY COUNCIL MINUTES

Councilor Wilson commented on the minutes of January 3, 2011. She advised the word *nominate* on Page 22 line 27 should be changed to *appoint*, as that was the procedure the Council was under at that time.

Councilor Wilson moved to adopt the consent agenda as amended with the one word change. Councilor Marshall seconded the motion. The motion CARRIED UNANIMOUSLY.

1 Items approved by the Consent Agenda were: a) approval of January 3, 2011, City Council
2 Minutes as amended; b) endorsement of OLCC annual license renewals; and c) acknowledge
3 report on the January Planning Commission meeting.

4 **ITEMS REMOVED FROM CONSENT AGENDA**

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6 **REPORTS OR COMMENTS FROM COUNCIL**

7 Councilor Lawson reported she attended the Ford Family Leadership Institute along with
8 Courtney Pope and Beth Jones. She said the group would be moving forward and would put
9 together a new community project in the Dallas and Falls City area. Councilor Lawson extended
10 an invitation to a wine and cheese fund raiser scheduled for April 26, 2011. She added that Penny
11 Cox would donate the Event Center for the location. Councilor Lawson indicated they would
12 need community support as Ford Family has an expectation there would be a certain amount of
13 funds to match. She indicated they would be building a Pocket Park in Dallas as well as one in
14 Falls City. Councilor Lawson shared there would be a Ford family leadership group page on
15 facebook that would keep people advised of updates.

16 Councilor Fairchild said he participated in a conference call with the League of Oregon Cities
17 Regional Legislative Team. He reported the League of Oregon Cities divided the state into
18 regions, and teams would represent each region. He advised the valley team would represent Polk
19 and Marion County. He commented the team would work with the lobbyists to remain informed.
20 Councilor Fairchild mentioned that the valley team would be meeting every second Thursday at
21 3:00 p.m. by conference call. Councilor Fairchild briefly explained what the subjects were on the
22 last conference call. He announced that each year all Councilors are invited for City Hall Day,
23 this year it would be held on April 20 and at that time the Councilors would be able to talk with
24 the Legislators.

25 Courtney Pope, Student Body Liaison, indicated snalleyball would be held on January 27th from
26 7:00 p.m. to 9:00 p.m. She advised the cost is \$3.00 and all the funds would go to James II Soup
27 Kitchen. Ms. Pope indicated on January 28 from 1:00 p.m. to 3:00 p.m. a dodge ball tournament
28 would be held. She added on the January 29 the dance team would go to State.

29 **REPORTS FROM CITY MANAGER AND STAFF**

30 **EMPLOYEE/VOLUNTEER RECOGNITION AWARDS**

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32 Mr. Wyatt presented Dennis Schlegel with a certificate for employee of the fourth quarter for
33 2010. Mr. Wyatt noted Mr. Schlegel's accomplishments with the Water Department. Mr. Wyatt
34 presented volunteer of the fourth quarter to Helen Drakeley. He mentioned the City's
35 appreciation for all the hours she has donated to the Library since 1997.

36 **FIRE SERVICE APPRECIATION DAY PROCLAMATION**

37 Mayor Dalton read the Fire Service Appreciation Proclamation. He announced January 27, 2011
38 was Fire Service Appreciation Day.

39 **DALLAS SUPER MARKET LIQUOR LICENSE**

40 Mr. Wyatt presented the OLCC request for Dallas Super Market.
41 A motion was made by Councilor Marshall and seconded by Councilor Fairchild that the OLCC
42 license be granted. The motion CARRIED UNANIMOUSLY.

43 **DALLAS 2030 PROJECT**

44 Mr. Wyatt said the Community Development Department would be the lead department to go
45 through the addressed items under the 2030 project. He added there would be a cost range and it
46 was not a budgeted item for this fiscal year. Mr. Wyatt commented project 2030 would bring
47 together the Chamber, schools, City, as well as other agencies. Mr. Wyatt declared this would be
48 a long term process.

49 Mr. Locke explained the 2030 project. He stated the comprehensive plan was fairly outdated.

1 He reported, based on issues that have surfaced and public meetings that have been held, it would
2 be important to look at the range of issues. Mr. Locke referred the Council to page 42 in the
3 agenda packet for the broad categories listed. He commented that this process would get the
4 views of 90 percent of the citizens the City has never heard from. He added generally a
5 consultant would be hired to accomplish the process. Councilor Jones asked if the \$75,000 to
6 \$100,000 cost was to hire a consultant. Mr. Locke answered yes. Mr. Locke believed that the
7 primary consultant would partner with people of different expertise. Mr. Locke stated the
8 Council would need to clearly define what information they wanted out of the process. He also
9 stated there have been studies done already, that are actually pretty good, but have not been
10 incorporated into the plan or policies. He suggested an inventory of these documents would be
11 needed. Mr. Locke advised the Councilors would need to look to the future to know where the
12 City should be.

13 OTHER

14 **RESOLUTIONS**

15 **FIRST READING OF ORDINANCE**

16 **SECOND READING OF ORDINANCE**

17 **OTHER BUSINESS**

18 There being no further business, the meeting adjourned at 8:00 p.m.

19 Read and approved this _____ day of _____ 2011.

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Mayor

ATTEST:

City Manager

Members Present: Chair LaVonne Wilson, Beth Jones, and Jackie Lawson. Excused: Wes Scroggin

Also Present: City Manager Jerry Wyatt, Mayor Brian Dalton, City Attorney Lane Shetterly, and Recording Secretary Joanne Ballweber.

Visitors: Joe Koubek, David Shein, and Ken Woods Jr.

Chair Wilson called the meeting to order at 4:34 p.m.

Council Vacancy Procedures

Mr. Wyatt discussed the procedures used by other cities to fill appointments for council vacancies. He advised that Monmouth has had a couple of vacancies and their Council interviews the applicants. Mr. Shetterly explained that if the Dallas Councilors used that process, the appointment would be based on a majority vote of the Council. The Committee members discussed why they wanted an application and what type of questions they would include. Mr. Wyatt advised the Committee that Mr. Shetterly and he would develop an application and questions and present them to the Council in February.

Oath of Office

Mr. Wyatt reviewed the current oath of office used by the City. Mr. Shetterly advised the Committee an ordinance would have to be adopted if they wanted to change the wording of the oath. He added if they wanted the oath changed before the next vacancy appointment, a new ordinance would need to be adopted first. In answer to a question, Mr. Shetterly said people can affirm instead of swear to an oath.

It was moved by Councilor Lawson and seconded by Councilor Jones to recommend to the full Council to have an ordinance drafted to adopt the oath of office. The motion carried unanimously.

Enterprise Zone

Mr. Locke reviewed the enterprise zone incentives, which offer property tax abatement to qualifying industries. He added the City would be forgoing property tax revenue for up to five years based on capital investment and job creation. Mr. Locke discussed the existing additional City fee waivers and the effect those would have. He mentioned staff would recommend keeping total fee waivers on permits for sign, demolition, driveway, and sidewalk, as well as water and sewer service connections, and cost of over sizing public works infrastructure. He reported a fee waiver of 25 to 50 percent would be proposed for building, plumbing, and mechanical permit fees. Mr. Locke said there would also be a 25 to 50 percent waiver on systems development charges, provided that the business firm or property would continue to qualify for property tax abatement. In addition he said a waiver of more than 25 percent would have to be approved by the Council.

After further discussion Mr. Locke indicated he would provide more information at the next meeting.

Steering Committee Emergency Services

1 Mr. Wyatt reviewed the progress of the Regional Services Approach and Fire and Emergency Medical
2 Services. He recommended setting up a steering committee to bring names back to the City Council for
3 approval.

4 **Citizens Committee on Biomass Facility**

5 Mr. Wyatt handed out a list of names of citizens interested in the Biomass Committee. He explained that
6 these people had submitted an interest form or verbally expressed an interest. He also said the list in-
7 cluded citizens that lived outside the City who had expressed an interest to be involved. Mr. Wyatt com-
8 mented that anyone could attend the meetings. Mr. Wyatt advised that the Chamber and School District
9 would be involved and would ask for a representative on the Committee.

10 It was moved by Councilor Jones and seconded by Councilor Lawson to bring the names of the Biomass
11 Citizens Committee to the Council for approval. The motion carried unanimously.

12 **Sale of Property**

13 Mr. Wyatt discussed the timing on the sale of City owned property. He referred to the handout that indi-
14 cated lot 401 and lot 202 located on LaCreole and Barberrry was zoned Park Open Space and owned by the
15 City. Mr. Wyatt stated the City would retain access for the Rickreall Creek Trail. He advised the City
16 would have to receive an appraisal to move forward with the sale of tax lot 401. There was discussion re-
17 garding a lot line adjustment on the two lots. Mr. Wyatt said a personal services contract would be needed
18 for a realtor and the City would follow the rules for the sale of public property. He added the personal
19 services contract would need to be brought before the Council.

20 It was moved by Councilor Lawson and seconded by Councilor Jones to recommend to the Council to
21 consider the sale of lot 401 and to use a personal services contract for the realtor. The motion carried un-
22 animously.

23 **Finance Director's Report**

24 Mr. Wyatt stated Cecilia was not in attendance as she was involved with the audit. He said there was a
25 gap between assets and listed City infrastructure dating back five years ago. Mr. Wyatt advised the gaps
26 were in the streets, sewer, water, and storm valuation.

27 Mr. Wyatt indicated there would be a budget impact due to workers comp claims for Police and Ambul-
28 ance employees. He added that the PERS decision regarding Aquatic Center part time and temporary em-
29 ployees would also have an impact on the budget. Kim Marr shared that CIS would be here to discuss the
30 process of workers comp claims with the department heads. Mr. Wyatt announced there have not been
31 any reports of back strain from police officers since the two wheel drive Tahoe has been in use by them.

32 **City Manager's Report**

33 Mr. Wyatt advised the seismic rehabilitation project was being engineered and designed and with seismic
34 upgrade ADA compliance is required. He added for compliance it would cost the City up to \$200,000
35 which would be spent on an elevator for access to the second floor, barrier removal, and restroom
36 modifications. Mr. Wyatt reported the grant was \$880,000 and the original city match was zero. The
37 dollar amount the City has to pay is required to meet building code and ADA code.

- 1 **Other**
- 2 There was no other business and the meeting was adjourned at 5:40 p.m.

MEETING AGENDA

ADMINISTRATIVE COMMITTEE

Monday, January 24, 2011

4:00 p.m.

LaVonne Wilson, Chair

Beth Jones

Jackie Lawson

Wes Scroggin

1. Council Vacancy Procedures
2. Oath of Office
3. Steering Committee Emergency Services
4. Citizens Committee on Biomass facility
5. Sale of Property
6. Finance Director's Report
7. City Manager's Report
8. Other
9. Adjourn



Community Development Department

Memo

To: Admin Subcommittee
From: Jason Locke, Community Development Director 
Date: January 19, 2011
Re: Enterprise Zone Incentives

The City of Dallas is a member of the Dallas/Monmouth/Independence Enterprise Zone, which offers property tax abatement to qualifying industries for a period of up to 5 years based on capital investment and job creation. In addition, the city also provides the following incentives on top of the property tax abatement.

Staff is proposing the following changes

9.850 Development Fee Waivers.

(1) The city manager shall grant the following development fee relief to those business firms and property within the Dallas Enterprise Zone that the city manager determines meet the requirements of ORS 284.110 et. seq. and the administrative rules promulgated under state law, ***and have filed the required Enterprise Zone paperwork and been approved for tax abatement.***

(2) Fees and charges totally waived are:

- (a) Sign permit fees.
- (b) Demolition permit fees.

(c) Driveway permit fees.

(d) Sidewalk permit fees.

~~(e) Land use permit fees.~~

(e) Water and sewer service connection charges above actual cost of materials used.

(f) Cost of oversizing public works infrastructures, including, but not limited to, costs for water lines larger than six inches, sewer lines larger than eight inches, storm sewer lines larger than 18 inches, and streets wider than 34 feet.

(3) Fees to receive a waiver of ~~50 to 100~~ **25 to 50 percent are:**

(a) Building permit fees.

(b) Plumbing permit fees.

(c) Heating **Mechanical** permit fees.

(d) Systems Development Charges, provided that the business firm or property continues to qualify for property tax abatement. If the business firm or property ceases to qualify before the expiration of five years from the date of waiver, the city manager shall notify the business firm or owner of the property of the disqualification in writing, and the previously waived system development charges shall be immediately due and shall become a lien against the real property on which the business firm is located or upon the real property subject to the disqualification, and the balance shall bear interest from the date of the notice at the rate set by the city.

(e) A waiver of more than ~~50~~ 25 percent must be approved by the council, and be based on the impact of the foregone revenue to applicable city funds, the impact of the business firm on the local economy, job creation, and other criteria the council determines is relevant.

~~(4) Systems development charges shall be initially assessed, with 20 percent of the charges being eliminated for each full year from the date the charges are assessed that the business firm or property continues to qualify until the assessment is totally eliminated. No payments on the assessment shall be required nor shall interest accrue on the assessment so long as the business firm or property continues to qualify. If the business firm or property ceases to qualify before the expiration of five years from the date of assessment, the city manager shall notify the business firm or owner of the property of the disqualification, and the balance of the assessment owing on the date of the notice shall be immediately due and shall become a lien against the real property on which the business firm is located or upon the real property subject to the disqualification, and the balance shall bear interest from the date of the notice at the rate then applicable to other system development charges.~~

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Members Present: Chair Jackie Lawson, Beth Jones, and LaVonne Wilson. Excused: Wes Scroggin

Also Present: City Manager Jerry Wyatt, Mayor Brian Dalton, City Attorney Lane Shetterly, Community Development Director Jason Locke, Assistant City Manager Kim Marr, and Recording Secretary Joanne Ballweber.

Visitors: Joe Koubek, David Shein, and Ken Woods Jr.

Chair Lawson called the meeting to order at 4:02 p.m.

Aquatic Center Rates

Mr. Locke reviewed the Dallas Aquatic Center rates. He advised that the daily admission rate has not changed since opening ten years ago and there has been a steady decline in admission revenue. Mr. Locke reported on average the annual pass membership revenue has held steady the last three years. Mr. Locke recommended increasing the admission fee .50 cents, equalizing youth and senior rates, and increasing the family rate by \$1.00 per person. He stated those increases would generate an additional \$30,000 a year based on 2010 attendance levels. He further recommended an increase in annual memberships by \$25.00 and family memberships by \$50.00. Mr. Lock said increases in those categories would generate about \$20,000 in revenue, which would bring the Aquatic Center revenue to 2008 levels.

Mr. Locke indicated due to the overall economy, he has considered price sensitivity. He noted without knowing what level the price sensitivity would be, there could be a risk with declining attendance and members by raising rates. Mr. Locke stated that expenditures have been reduced significantly so the revenue/expenditure ratio has remained consistent. Mr. Locke also stated in three years the money borrowed from the systems development fund would be paid, which would reduce expenditures by \$50,000 yearly. Mr. Locke said he would propose the increase be effective July 2011. Mr. Locke requested the Committee move forward with increases for daily admission and annual rates.

Mr. Locke discussed the concessions and pro shop at the Aquatic Center. He stated that he tried to adjust prices to what the market would bear. He added he also looked at comparables to set prices on a regular basis. Mr. Locke said the menu has changed based on cost and sales. He also said the vendors would advise about what products are selling and which are not.

It was moved by Councilor Wilson and seconded by Councilor Jones to recommend to the Council to impose the rate increases as proposed by Mr. Locke. The motion carried unanimously.

Community Development Director's Report

Mr. Locke reported there was an increase in activity in the building department. He said there were pending subdivision applications and master plan applications. Mr. Locke shared that there was definite interest in commercial industry for Dallas. He advised that the Library would be unveiling some different programs.

Other

There was no other business and the meeting was adjourned at 4:33 p.m.

MEETING AGENDA

BUILDING AND GROUNDS COMMITTEE

Monday, January 24, 2011

4:00 p.m.

Jackie Lawson, Chair

LaVonne Wilson

Beth Jones

Wes Scroggin

1. Dallas Aquatic Center Rates
2. Community Development Director's Report
3. Other
4. Adjourn



Community Development Department

Memo

To: Buildings and Grounds Subcommittee
From: Jason Locke, Community Development Director
Date: January 19, 2011
Re: Aquatic Center Rates

In June of 2010, staff stated that a review of rates for the Dallas Aquatic Center was being undertaken. Of particular concern are rates set by Resolution of the City Council, most notably the daily admission and annual membership rates, which generate 60-75% of total revenue. Staff has done an analysis of the revenue generated by these rates.

	2007	2008	2009	2010
Admission	\$173,280	\$178,061	\$166,002	\$113,836
Annual	\$63,822	\$105,806	\$124,633	\$117,691
Total	\$237,102	\$283,867	\$290,635	\$231,527

We see a steady decline in admission revenue and a leveling off of annual membership revenue. Keep in mind that annual membership rates were reduced in mid-2008, and we saw a significant increase in annual membership. Between 2009 and 2010, there is a decline in both categories, but a larger decline in admission revenue. This is, in all likelihood, due to the economy. We do not believe it is a result of the reduced annual pass rate.

As a place to start, if we increased daily admission by \$.50, and equalize youth and senior rates, and increasing the family rate by \$1.00/person, we would generate an

additional \$30,000/year at 2010 attendance levels. Keep in mind that the rates are the same as when the facility opened 10 years ago. Similarly, increasing the annual membership by \$25.00 (\$50.00 for the family category) would generate \$20,000/year at current membership levels. These increases would bring us to 2008 revenue levels in these categories.

However, there is a risk to raising one or both of the rates, namely we don't know what the level of price sensitivity is. If we raised the daily admission as proposed, would that deter enough people to offset the increased rate? Similarly, by raising the annual pass rate, would we find ourselves with fewer members?

The bottom line is that revenue has declined across the board, including pro shop and concession sales, birthday parties, and admissions. Fortunately, expenditures have been reduced significantly and so it is almost a complete offset, as the Revenue/Expenditure ratio has remained consistent, and has even gotten a little better.

I am attaching a proposed rate sheet and the December DAC monthly report to illustrate the points made above.

Proposed 2011
DALLAS AQUATIC CENTER RATES

1) **General Admission Day Use Pass**

	<u>Resident</u>		<u>Non-Resident</u>	
Adult (18-59)	\$4.50	\$5.00	\$6.00	\$6.50
Youth (under 18)	\$3.00	\$4.00	\$4.00	\$5.00
Senior (60 & over)	\$3.50	\$4.00	\$5.00	\$5.00
Family*	\$10.00	\$14.00	\$15.00	\$18.00

2) **Youth summer only Pass (June-August)**

	<u>Resident</u>		<u>Non-Resident</u>	
Youth (18 & under)	\$75.00	\$100.00	\$100.00	\$125.00

3) **3-month Water Aerobics Pass (unlimited use)**

	<u>Resident</u>	<u>Non-Resident</u>
All ages	\$75.00	\$100.00

4) **Annual Membership**

(Includes all lap swims, recreation swims, and unlimited water aerobics, as well as a 20% discount all classes/lessons, 10 % discount on room/facility rentals and swimsuits, 5 free passes per year for friends and family, and discounts on special events)

	<u>Resident</u>		<u>Non-Resident</u>	
Adult (18-59)	\$225.00	\$250	\$300.00	\$325
Youth (under 18)	\$175.00	\$200	\$240.00	\$275
Senior (60 & over)	\$175.00	\$200	\$240.00	\$275
Two-person	\$350.00	\$375	\$425.00	\$450
Family*	\$400.00	\$450	\$550.00	\$600

5) **20 coupons (non-expiring)**

	<u>Resident</u>	<u>Non-Resident</u>
Adult (18-59)	\$81.00	\$108.00
Youth (under 18)	\$54.00	\$72.00
Senior (60 & over)	\$63.00	\$90.00

6) Facility rental rates

Small room \$30.00/hour
Large Room \$60.00/hour

Entire facility (includes both rooms, all pools, lifeguards, and one lead lifeguard for one hour)

<u># of Guests</u>	<u>Rate*</u>
1-40	\$200.00
41-80	\$250.00
81-120	\$300.00
121-160	\$350.00
161-200	\$400.00
201-240	\$450.00

*Add \$75.00 for each additional hour.

*'Family' means up to four persons related by blood or marriage who reside together in the same household. In the case of an annual pass, ad \$60.00 for additional family member.

DALLAS AQUATIC CENTER



Director - Jason Locke
 Supervisor - Tina Paul

DECEMBER 2010 MONTHLY REPORT

REVENUE		Month	Fiscal YTD
	Dec-10	\$32,558	\$186,619
	Dec-09	\$43,640	\$213,233

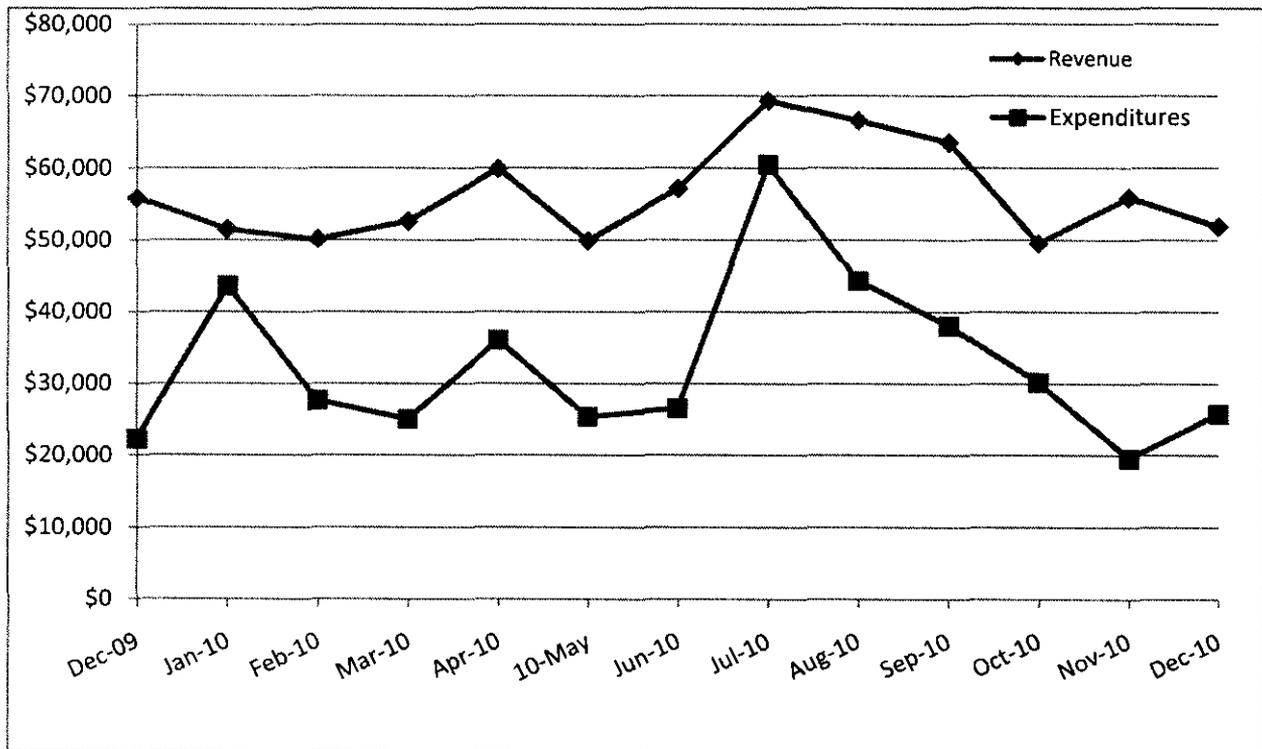
Current Members:	
Annual	849
3-month Water Aerobics	11

EXPENDITURES		Month	Fiscal YTD
	Dec-10	\$52,295	\$350,370
	Dec-09	\$51,515	\$378,704

Monthly Attendance:	
Dec-10	8,173
YTD	51,906

Utility Costs:		Dec-10	Fiscal YTD
Natural Gas		\$7,575	\$31,858
Electricity		\$5,336	\$31,332

R/E Ratio = 53.2%
 (Revenue/Expenditure)



DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8 a	Topic: OLCC Liquor License Application for New Outlet
Prepared By: Joanne Ballweber	Meeting Date: February 7, 2011	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Motion that the Council would recommend to the OLCC that the license be granted.

BACKGROUND:

The City received an OLCC application for a new outlet at 117 E. Ellendale Avenue for Sweeny's Pub and Lotto.

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

FISCAL IMPACT:

None

ATTACHMENTS:

OLCC License Application for Sweeny's Pub and Lotto



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 _____

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: OLCC Pending

Date: 1/7/2011 SD

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 Sweeney's Pub, LLC ③ _____

② _____ ④ _____

2. Trade Name (dba): Sweeney's Pub and Lotto

3. Business Location: 117 E Ellendale 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: 503 371 7444 503 371 7444
(phone) (fax)

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

7. If yes to whom: _____ Type of License: _____

8. Former Business Name: _____

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

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

11. Contact person for this application: Tom Kuhlman 503 371 7444
(name) (phone number(s))

PO Box 4349 Salem OR 97302 503 371 7775 allstarpainting@comcast.net
(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 [Signature] Date 12-23-10 ③ _____ Date _____

② _____ Date _____ ④ _____ Date _____



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.): Sweeney's Pub & Lotts City: DALLAS

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

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

3. Residence Address: 2772 Kuebler Rd Salem OR 97302
(number and street) (city) (state) (ZIP code)

4. Home Phone: _____ Business Phone: (903) 371 7444

5. *SSN: _____ Place of Birth: _____ DOB: _____ Sex: M F
(State/Country)

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: 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? Currently DALLAS OF TONY'S

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

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

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: Thomas K. Kuhlmann Date: 12-23-10

***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: Tom K. Kuhlmann Date: OSR/DANO

Search Completed



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

JAN 06 2011

INITIALS: JK Page 21 of 63 (rev. 12/07)



OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION

Please Print or Type

Applicant Name: ~~XXXXXX~~ ^{F/K} Sweeney's Pub, LLC Phone: 503 371 7444

Trade Name (dba): Sweeney's Pub & Lotto

Business Location Address: 117 E Ellen Dale

City: DALLAS ZIP Code: 97338

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday	9am	to	11 PM
Monday		to	
Tuesday		to	
Wednesday		to	
Thursday		to	
Friday		to	
Saturday		to	

Outdoor Area Hours:

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

The outdoor area is used for:

- Service Hours: _____ to _____
- Alcohol Service Hours: _____ to _____
- Enclosed, _____
- The exterior area is separately viewed and/or supervised by Service Personnel.
- _____
(Investigator's Initials)

Seasonal Variations: Yes No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

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

DAYS & HOURS OF LIVE OR DJ MUSIC

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

SEATING COUNT

Restaurant: 30 Outdoor: _____
 Lounge: _____ Other (explain): 6 Lottery
 Banquet: _____ Total Seating: 36

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: [Signature] Date: 12-23-10

DALLAS AQUATIC CENTER



Director - Jason Locke
 Supervisor - Tina Paul

DECEMBER 2010 MONTHLY REPORT

REVENUE	Month	Fiscal YTD
	Dec-10	\$32,558
	Dec-09	\$43,640
		\$213,233

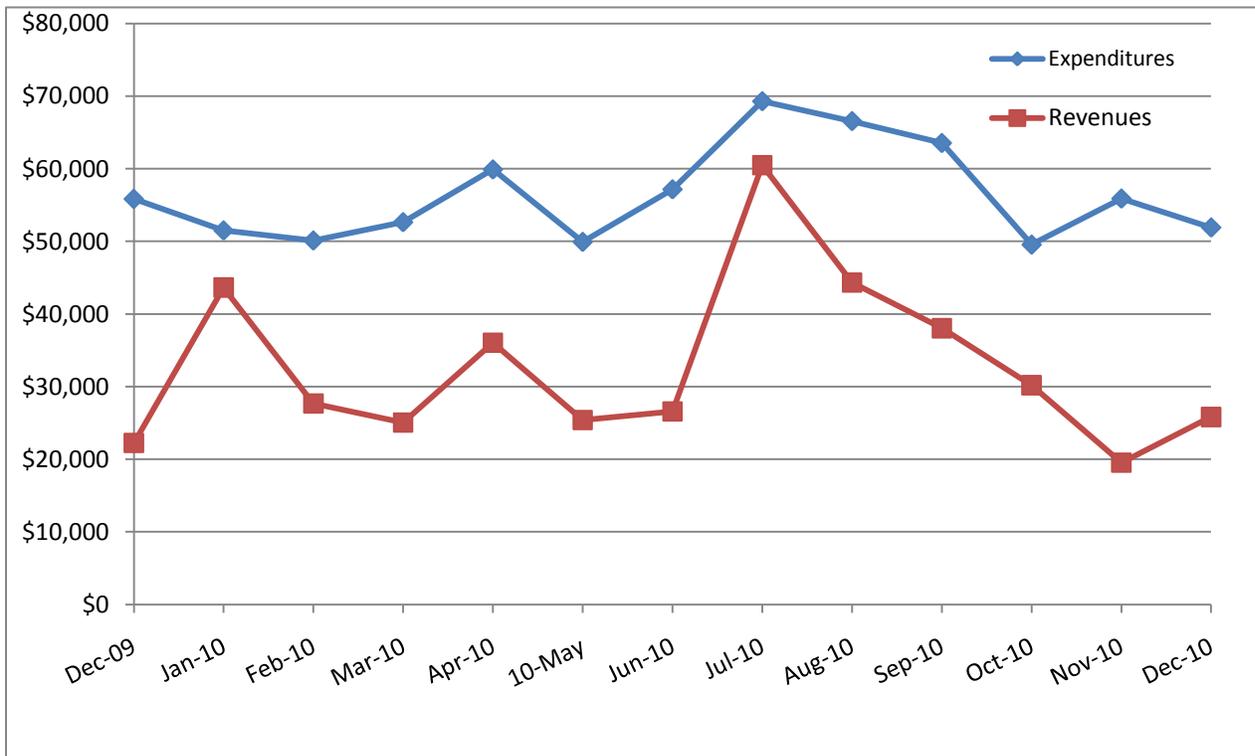
Current Members:	
Annual	849
3-month Water Aerobics	11

EXPENDITURES	Month	Fiscal YTD
	Dec-10	\$52,295
	Dec-09	\$51,515
		\$378,704

Monthly Attendance:	
Dec-10	8,173
YTD	51,906

Utility Costs:	Dec-10	Fiscal YTD
Natural Gas	\$7,575	\$31,858
Electricity	\$5,336	\$31,332

R/E Ratio = 53.2%
 (Revenue/Expenditure)



DALLAS AQUATIC CENTER



Director - Jason Locke
 Supervisor - Tina Paul

NOVEMBER 2010 MONTHLY REPORT

REVENUE	Month	Fiscal YTD
	Nov-10	\$25,812
	Nov-09	\$22,229
		\$154,060
		\$169,593

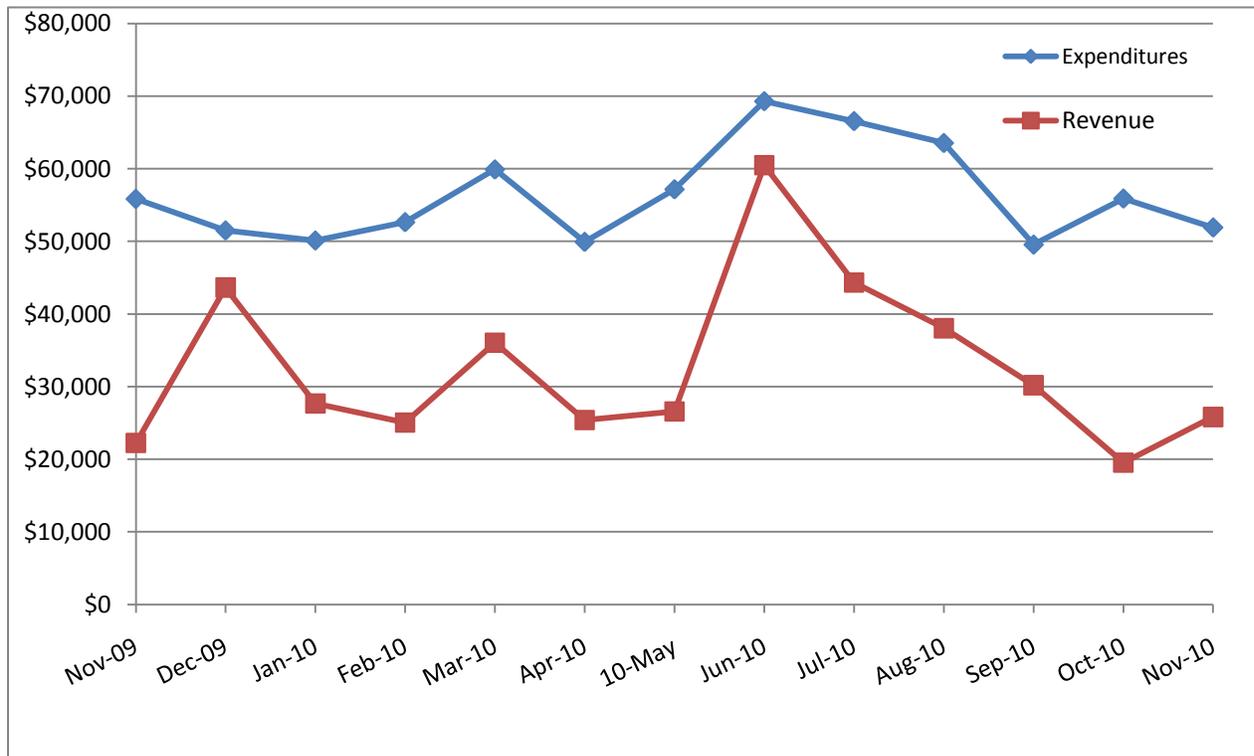
Current Members:	
Annual	831
3-month Water Aerobics	18

EXPENDITURES	Month	Fiscal YTD
	Nov-10	\$51,923
	Nov-09	\$55,854
		\$297,570
		\$327,188

Monthly Attendance:	
Nov-10	7,602
YTD	41,906

Utility Costs:	Nov-10	Fiscal YTD
Natural Gas	\$8,357	\$24,283
Electricity	\$4,859	\$25,996

R/E Ratio = 51.7%
 (Revenue/Expenditure)



DALLAS AQUATIC CENTER



Director - Jason Locke
 Supervisor - Tina Paul

OCTOBER 2010 MONTHLY REPORT

REVENUE	Month	Fiscal YTD
	Oct-10	\$19,536
	Oct-09	\$23,409

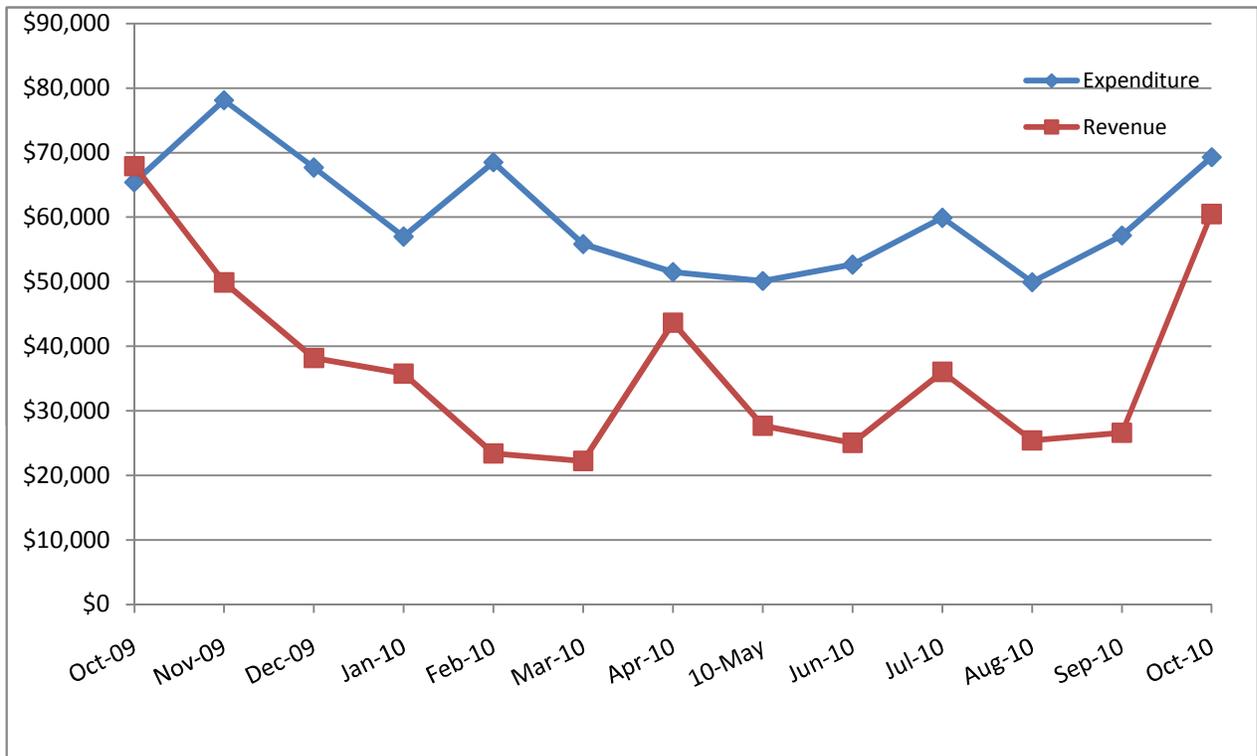
Current Members:	
Annual	821
3-month Water Aerobics	22

EXPENDITURES	Month	Fiscal YTD
	Oct-10	\$55,902
	Oct-09	\$68,510

Monthly Attendance:	
Oct-10	6,050
YTD	34,406

Utility Costs:	Oct-10	Fiscal YTD
Natural Gas	\$5,124	\$15,926
Electricity	\$5,126	\$21,136

R/E Ratio = 52.2%
 (Revenue/Expenditure)



COMMUNITY DEVELOPMENT

City Manager	Jerry Wyatt	Building Official	Ted Cuno
Director	Jason Locke	Building Inspector	Troy Skinner
Assistant	Kris Pierce	Planner	John Swanson
Building & Grounds	Ken Stoller	Code Enforcement	Ed Totten

Oct. - Dec. 2010 Quarterly Report - Planning, Building, Code Enforcement

REVENUES	Month	Fiscal YTD
Planning	4TH QTR '10 \$ 24,614	\$ 28,916
Building	4TH QTR '10 \$ 26,331	\$ 58,098

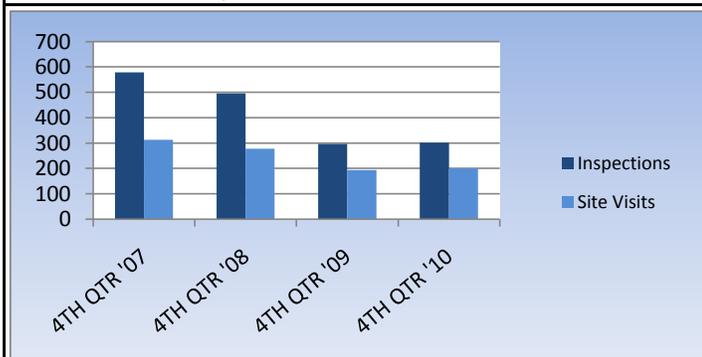
LAND USE APPLICATIONS

	Sign	Home Occupation	Conditional Use	Variance	Partition / Replat	Subdivision	Type II	Misc.	Zone Change
4TH QTR '10	4	5	0	0	0	0	0	0	0
YTD 2010	9	8	4	0	3	1	1	10	1
4TH QTR '09	0	2	1	0	0	0	0	0	0
YTD 2009	8	7	1	0	0	1	0	1	0

INSPECTIONS AND SITE VISITS

4TH Quarter: Inspections - 301 Site Visits - 200

Year to Date: Inspections - 1570 Site Visits - 959



CODE ENFORCEMENT

Current Open Cases: 87

New Cases processed in in November

6.505 Abandoned Vehicles	13
6.32 Vehicles Stored on Street	38
5.584 Vehicles Stored on Prop	17
5.582 Junk	3
5.556 Scattering Rubbish	31
6.125 Obstructions	5
5.588 Graffiti	25
Other Ordinances	6
Code Citations	0
Towed Vehicles	1

Number of Followups 300

BUILDING PERMIT SUMMARY

Permit Use	4TH QTR '10	4TH QTR '09	YTD Total 2010	Annual Total 2009	YTD Valuation 2010	Annual Valuation 2009
New Single Family	5	2	23	11	4,862,655	\$2,229,061
New Duplexes	0	0	0	0	0	0
New Multifamily	0	0	1	1	800,000	3,759,944
Residential Remodel	16	9	56	47	1,074,556	1,044,311
Residential Accessory Building	0	3	7	10	101,777	179,621
New Commercial	0	0	3	4	54,000	35,880
Commercial Remodel	9	6	69	39	3,267,328	1,332,242
New Industrial	0	0	0	1	0	46,530
Industrial Remodel	1	0	1	0	12,160	0
Public Building	0	0	0	4	0	73,853
Mobile Home Accessory	0	0	0	0	0	0
Misc./No Fee Permits	0	0	0	0	0	0
Total All Categories	31	20	160	117	10,172,476	\$8,701,442

Month	Inspections	Site Visits	YTD	Inspections	Site Visits
4TH QTR '07	578	312	2007	3694	1842
4TH QTR '08	496	277	2008	2471	1348
4TH QTR '09	296	193	2009	1561	881
4TH QTR '10	301	200	2010	1570	959

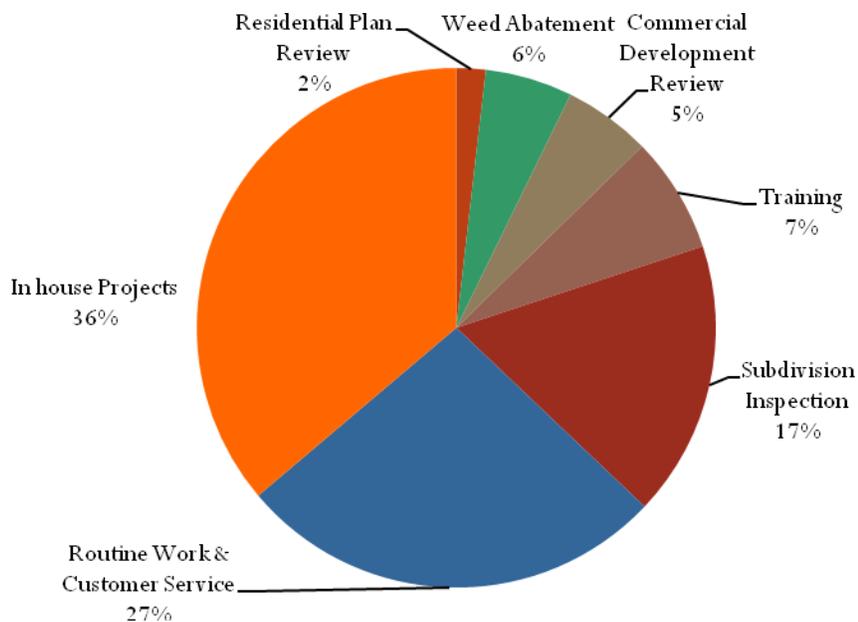
Public Works Report

Fourth Quarter 2010

Fred Braun, Public Works Director
Kenn Carter, Assistant Public Works Director

Engineering

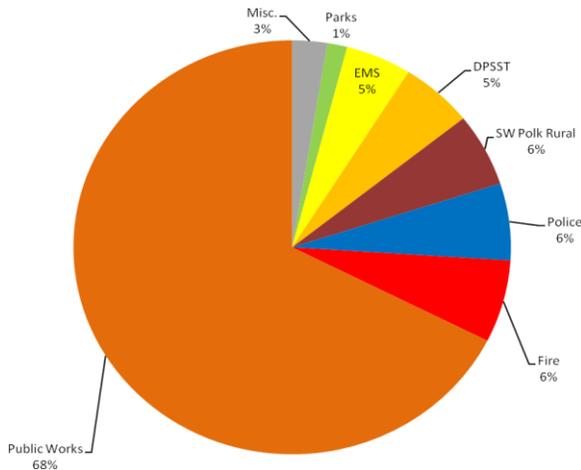
In the fourth quarter of 2010, the Engineering Department spent their days as follows: In-house Projects 10; Routine Work and Customer Service 8; Subdivision Inspections 8; Training 4; Commercial Development Review 3; Weed Abatement 2; and Residential Plan Review 1.



Fleet Management

Tom Dick, Supervisor

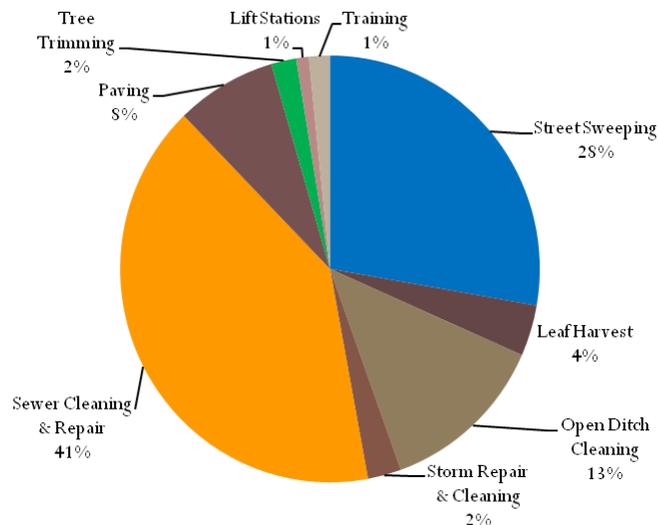
In the fourth quarter of 2010, man hours were used as follows: Parks 15; EMS 50; DPSST 55; SW Polk Rural 58.5; Police 61.5; Fire 66; and Miscellaneous [Includes City Hall (2), Community Development (4), Falls City Fire (4.5), Independence Police (4.5), and Aquatic Center (5)] 26.5.



Streets/Sewer Division

Steve Faxon, Supervisor

In the fourth quarter of 2010, man hours were used as follows: Sewer Cleaning & Repair 454; Street Sweeping 433; Leaf Harvest 421; Open Ditch Cleaning 133; Storm Repair & Cleaning 80; Paving 64; Tree Trimming 60; Lift Stations 52; Training 31; Miscellaneous [Alleys (28), Snow Removal/Sanding (21), Street Painting (20), Main Street Storm Pipe (20), Misc. Clean-up (16), Mill Street Storm (16), Sand Bags (16), Bridge Plaque (8), Park Water (8), Signs (6)] 159.



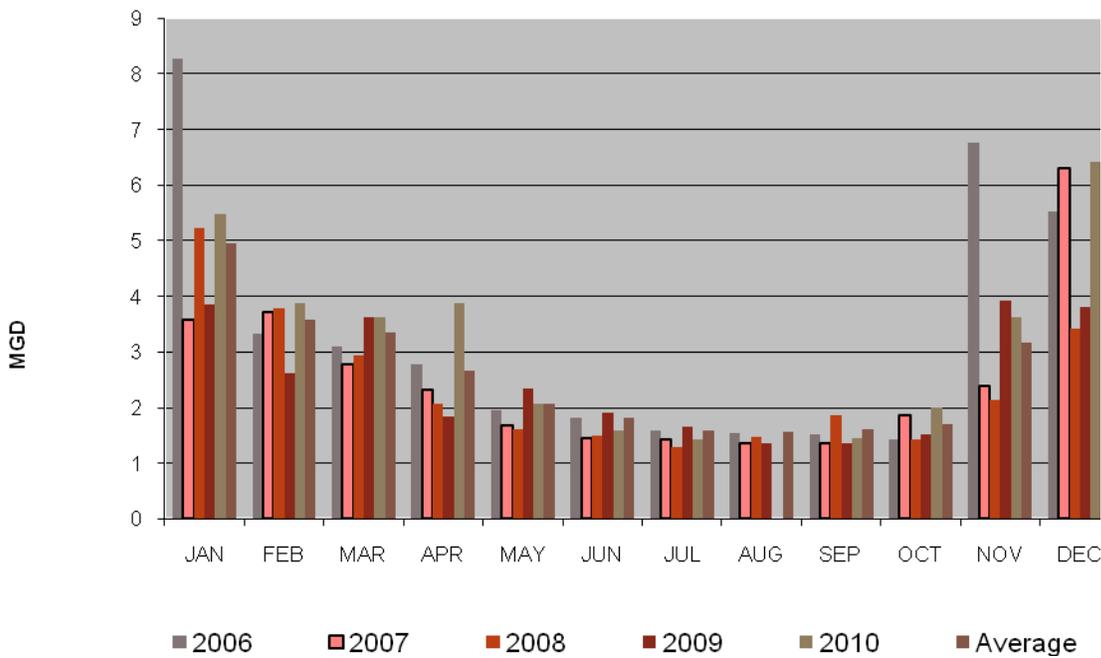
Wastewater Treatment

Managed by OMI
Lori Smith, Supervisor

In the fourth Quarter the plant met all permit parameters and is operating well. General plant maintenance and preventative maintenance was conducted; a full load test of the emergency generator and systems was completed with no problems found; all fire extinguishers at the plant were inspected; replacement of a UV intensity sensor and a broken impeller on the small influent pump was done; and grounds maintenance has continued.

	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>
Monthly Total Effluent Flow	62.08 MG	108.52 MG	199.06 MG
Peak Day Flow	4.48 MGD	8.23 MGD	15.71 MGD
Daily Average Discharge	2.00 MGD	3.62 MGD	6.42 MGD
Daily cBOD Average	39 lbs.	103 lbs.	176 lbs.

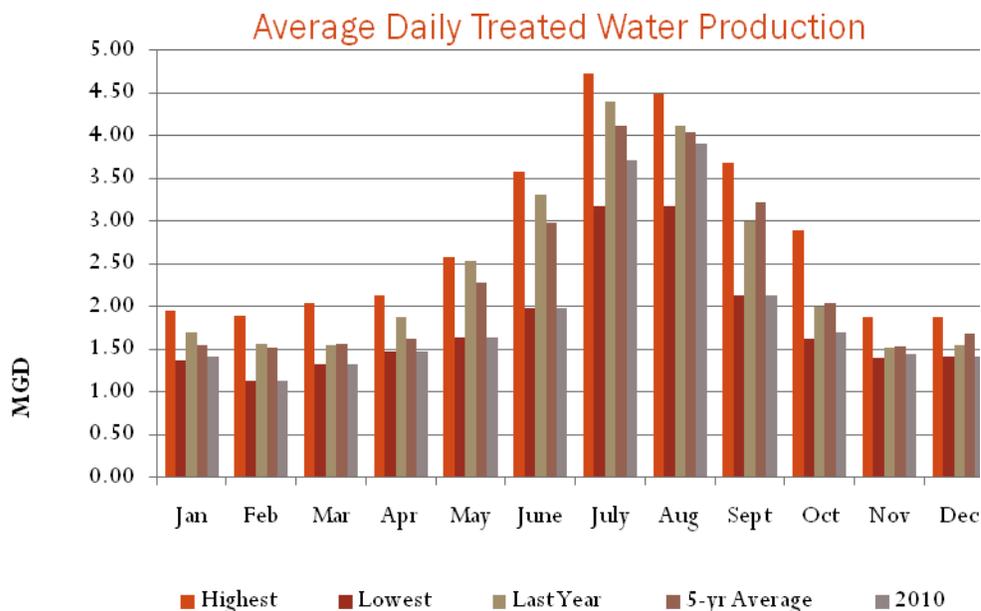
Effluent - Average Daily Discharge by Month



Water Treatment

Kenn Carter, Supervisor

	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>
Total Discharge to Town	52.76 MG	43.27 MG	43.79 MG
Total Water Raw	56.64 MG	46.79 MG	52.35 MG
Peak Day	2.23 MG	1.99 MG	2.19 MG
Daily Average-Raw	1.83 MGD	1.56 MGD	1.69 MGD
Daily Average-City	1.70 MGD	1.44 MGD	1.41 MGD
Backwash Water	3.52 MG	3.19 MG	4.17 MG
Filter to Waste	.36 MG	.33 MG	.63 MG
Flushing	0 MG	0 MG	.10 MG
Discharge	0 MG	0 MG	0 MG
ASR Injected	0 MG	0 MG	3.75 MG
Average High Temp	65 ° F	52 ° F	49 ° F
Average Low Temp	44 ° F	39 ° F	39 ° F
Total Precipitation	5.22 Inches	6.44 Inches	9.95 Inches





Dallas Park & Recreation Board Agenda

Dallas City Hall
187 SE Court Street
City Manager's Conference Room
January 25, 2011
7:00 p.m.

Parks & Recreation Mission Statement

To enrich the lives of our residents by providing leisure facilities, programs, and services in a clean and safe environment for all ages.

Parks & Recreation Duties as outlined in the City Code

The board shall make regular inspections of city park facilities, review the recreational, cultural and leisure needs of the city and make recommendations to the council and mayor on issues dealing with development, improvement, extension, and promotion of park, recreation and leisure programs and facilities.

1. CALL TO ORDER

2. APPROVAL OF MINUTES

- October 27, 2010

3. ELECTION OF OFFICERS

- Chair Person
- Vice Chair Person
- Recording Secretary

4. ACTION ITEMS

- Kingsborough Park Improvements – detention pond
- Kingsborough Park neighborhood meeting this spring
- Park host
- No Smoking policy review

5. PARK UPDATES

- Rotary Park playground equipment
- Playground Equipment Delivery
- Newly adopted park hours

6. SPORTS PROGRAM UPDATES

- Dave Brautigam reporting on youth programs

7. QUESTIONS OR COMMENTS FROM THE PUBLIC OR BOARD

8. OTHER BUSINESS

- Letter from Kids, Inc.
- Update board member contact list
- Park Reservations

9. ADJOURN

NOTE: Next Meeting Scheduled for February 22, 2011 at 7:00 p.m.

1 **CITY OF DALLAS PARK AND RECREATION BOARD**

2 October 27, 2010 Meeting Minutes

3 Members present were Chair Rich Slack, Mayor Jim Fairchild, Richard Hoffman, Judy Boustead, Jackie
4 Lawson, Christopher Castelli, Carol Mannen, and Sue Rohde. Also present was Bonnie Drier of the Dallas
5 Area Chamber of Commerce and Visitor's Center.

6 Staff members present were: City Manager Jerry Wyatt, Assistant City Manager Kim Marr, Park
7 Supervisor Ron Lines, and Recording Secretary Patti Senger.

8 Excused were: Barbara Chaney, Tim Larson, Todd Nelson, Mellisa Spivey, and June Krause.

9 Dick Hoffman called the meeting to order at 7:00 p.m.

10 Mayor Fairchild made a motion to approve the minutes from the June 22, 2010 meeting. It was
11 seconded by Sue Rhode, and they were accepted as presented. Sue Rhode made a motion to accept the
12 minutes from the August 24, 2010 meeting. It was seconded by Judy Boustead, and they were accepted
13 as presented.

14 **ACTION ITEMS**

15 **Park Host**

16 Ron Lines reported that a suggestion was made to use a Park Host in the Allgood and Brandvold sections
17 of the Dallas City Park. He explained that in exchange for allowing the Park Host to park an RV at the
18 Park during the summer months they would be responsible for policing the park, restroom operation,
19 garbage patrol, and generally be an "eye" for the City when staff couldn't be there. He stated another
20 agency that did this advertised in an RV Magazine and had 18 applications for one spot, adding that a
21 background check would be required. Jerry Wyatt mentioned that the City would model the program
22 after State Parks and school districts where a teacher or custodian stays on campus noting it has shown
23 to decrease vandalism. Mr. Hoffman asked about an RV hook-up in the Park and Mr. Lines answered
24 that if the City Council were to approve the Park Host program we could look at avenues to
25 accommodate an RV. Chris Castelli asked if there would be additional compensation for the Park Host
26 and where the RV pad would be located. Mr. Lines explained that the compensation would be a place to
27 live and an RV pad would most likely be placed near the restroom facilities. Carol Mannen made a
28 motion to recommend to City Council to approve the Park Host concept allowing the Park and
29 Recreation Board to implement the program. Sue Rhode seconded the motion. The motion carried
30 unanimously. Ms. Mannen informed the Board that local Dallas citizens, Jan and Verne Waldner, have
31 done something of this sort before and suggested talking with them during implementation of the
32 program.

33 **Adopt- a-Park**

34 Patti Senger informed the Board that the City had been contacted by the Fire Fighters Association and
35 Faith Free Church youth group about the Adopt-a-Park program; the Fire Fighters want to adopt a
36 portion of the Rickreall Creek Trail and the youth group the Disc Golf Course. Mr. Wyatt added that the
37 City is using an outreach with different churches and summarized that having just started a couple of

38 months ago this was a good response. Dick Hoffman asked about signage and Mr. Wyatt responded
39 there would be professional looking signs that would be inexpensive to replace when new groups took
40 over an adopted area. Mr. Hoffman mentioned adding an emergency phone number to these signs. Mr.
41 Lines would provide a list of responsibilities and expectations for each area giving assignments and
42 ownership of these areas to the groups who adopted them. Mr. Castelli indicated they could add
43 cement tee-pads to the disc golf course. Jackie Lawson asked if there were fees for adopting an area of
44 the Park. Mayor Fairchild stated that an end of season barbeque to thank them would be appropriate.
45 There was discussion about what the City would supply and that when a hypodermic needle was found
46 there was a program in place.

47 **Uniform Park Hours**

48 Mr. Lines explained that not all of the parks had the same hours posted: Gala and Birch, from dawn to
49 dusk; Rotary, Kingsborough, and Central Bark, not posted at all; the City Park, 5:30 a.m. to 10:30 p.m.
50 He expressed that the Board needs to discuss implementing uniform hours for all of the parks to be
51 enforceable by the police, advising that most problems occur from twilight through dark. Mr. Castelli
52 commented that he walks his dog in Rotary Park after 5:30 p.m. when it could be past dusk. Mr. Lines
53 explained that the police would not aggressively enforce these hours with dog walkers adding that the
54 intent would be to alleviate criminal mischief after dark. Ms. Mannen informed the Board that the
55 Police Chief (John Teague) was at an Arboretum meeting and was supportive of dawn until dusk hours.
56 She added that they discussed the carousing that took place along the creek last summer and hoped
57 with the addition of a policeman on a bicycle the the increased visibility would cause the kids to
58 relocate. They would also send a letter out to the residences along the creek asking them to contact the
59 police department when they observed these activities taking place. Ms. Lawson asked if these hours
60 had been presented to the City Council previously and Mr. Wyatt reminded the Board that it had not
61 passed because the Council was opposed to gating the park when it was closed and that it was tied with
62 the smoking ban. Rich Slack suggested that dawn and dusk could be arguable. Mayor Fairchild replied
63 that the Police Department accepts dawn to dusk and he believes the Council would accept this as well.
64 Carol Mannen made a motion to recommend to the council that all Dallas City Parks hours be changed
65 to open from "dawn until dusk". Bonnie Drier seconded the motion and it was carried unanimously by
66 the Board.

67 **PARK UPDATES**

68 **New Playground Equipment**

69 Mr. Lines announced that new playground equipment has been ordered under a grant from Sitelines.
70 The grant allowed the City to purchase equipment for Kingsborough Park and the Brandvold section of
71 the City Park and it would be delivered before the end of the year. Installation would take place as time
72 allows and that fall protection and boarders would need to be put in as well. Ms. Lawson asked about
73 the timing and if it was tied to the replacement at Rotary Park. Mr. Lines responded that when the City
74 went through the bid process for Rotary Park he became aware that this grant was available. The Board
75 congratulated Mr. Lines on the purchase with the grant. Mr. Slack asked if the detention pond at

76 Kingsborough Park would be permanent and Mr. Castelli asked about drainage. Mr. Wyatt responded
77 that the engineering of the detention pond was underway, that it would be permanent, and that it
78 would drain into the existing ditch.

79 **Kingsborough Park Neighborhood Meeting**

80 Ms. Senger reported that with the improvements coming to Kingsborough Park the City wanted the
81 neighborhood to be involved. A draft of a flyer explaining the upgrades was presented, which would be
82 mailed to the neighborhood prior to removal of the play equipment and basketball court. She also
83 announced that a neighborhood meeting in the Park was scheduled for next spring where plans of the
84 improvements would be shown and residents could give input and ask questions. Mr. Lines explained
85 that plans showing the new play structure, off-street parking, the detention pond, and soccer fields
86 would be presented at that meeting.

87 **Rotary Park**

88 Mr. Lines reported that the equipment to replace what was burned in the August 23 fire at Rotary Park
89 was purchased with the grant from Sitalines allowing \$48,000 of equipment to be purchased for only
90 \$22,000. It would be installed before the new equipment at Kingsborough and the City Park, sometime
91 after the beginning of the year. The new equipment was designed to replace the original structure and
92 with what was salvaged it allowed for a second extension of equipment making it bigger than the
93 original. Ms. Marr stated that the City should get money from CIS Insurance, although it had not been
94 received yet. Mr. Hoffman asked if anything would be needed after this and Mr. Lines responded that
95 every park in the City now would have new equipment. Mr. Wyatt pointed out that was a goal of this
96 Board. Pictures of new playground equipment would be available for viewing at the Public Works
97 Reception desk at City Hall during business hours. Mr. Lines discussed the new shelter at Rotary Park
98 put in by Kelby Schmidt, an Eagle Scout, who coordinated the project. Mr. Hoffman stated that the
99 Rotary Club helped and Mayor Fairchild added there were 50-60 people who helped in total. Mr. Lines
100 suggested adding more projects like this, as it was nearly a \$2,000 project that cost the City only \$200.
101 Ms. Lawson suggested contacting the Itemizer Observer to do a story.

102 **QUESTIONS OR COMMENTS FROM THE PUBLIC OR BOARD**

103 Ms. Senger explained that during the design process of a logo for the Rickreall Creek Trail System it was
104 determined that a logo for the City Parks should be done as well. She presented the board with a draft
105 of a logo that would be used for the City Parks and mentioned that it would be used on literature,
106 brochures, signs, and letterhead.

107 Mr. Hoffman remarked that root maintenance to improve trails in the City Park needed to be done. Mr.
108 Slack added that the trails need to be wider and the roots need to be ground down so people don't trip
109 on them and to make them better suited for pushing a stroller. Mr. Hoffman observed that some areas
110 could not be widened and Mr. Wyatt noted that the trails were over 40 years old. There was further
111 discussion about the trails including the funding of maintenance, ADA requirements, possible creek
112 contamination, and removal of the trails inside the City Park. No decision was made.

113 Mr. Castelli asked about the Japanese Garden. Mayor Fairchild reported that he is in the process of
114 putting the pieces in order before moving forward. He discussed the maintenance requirements for the
115 garden and how he would like to see an organization adopt the garden and send them to the Portland
116 Japanese Garden for training. He would like to have this in place and prepare a "full package" prior to
117 the meeting with Kurisu International, Inc.

118 Mr. Hoffman mentioned the need for a sidewalk along the edge of the Brandvold Section of the park
119 exit heading toward Westwood. Mr. Slack expressed his concern for the safety of children in areas
120 where there are no sidewalks, especially along River Drive. Mr. Wyatt explained that the neighborhoods
121 could come together and form a local improvement district to add sidewalks if there was a desire.
122 Mayor Fairchild suggested this discussion take place outside of a Park and Recreation Board meeting
123 due to the fact that sidewalk improvements do not fall under the influence of this committee.

124 Judy Boustead asked about educating middle school kids and creating ownership of the parks where
125 expected behaviors, disc golf rules, and park hours could be conveyed and consequences of breaking
126 those rules explained. Ms. Lawson asked about doing that through the leadership class in the schools
127 and doing a clean-up day. Mr. Lines added that giving the kids ownership would help them to respect
128 the parks.

129 **OTHER BUSINESS**

130 Mr. Lines reported that he was researching the idea of a "graffiti wall" and wanted feedback from the
131 Board. He suggested that rather than fighting the graffiti, a wall could be placed where the focus could
132 be productive not destructive, stating that the wall could be placed in a number of areas or they could
133 even paint the Skate Park. He added that it may open a can of worms, that anything vulgar would be
134 removed immediately, and asked the Board to give consideration to it and bring up any negatives.

135 **ADJOURN**

136 Dick Hoffman adjourned the meeting at 8:01 p.m.

About Detention Ponds

A detention pond is a basin that lies in a low area near a river or stream and is designed to protect areas from flooding.

Dry detention ponds are generally used to hold over-flow water temporarily until it drains into another location. Dry detention basins are the most common type of detention pond. These dry ponds can help control flood waters, prevent downstream channel scouring and may help reduce pollutants. Dry detention ponds also tend to require less maintenance and cost less than other detention pond alternatives.



Wet detention ponds manage storm water by maintaining a permanent pond of water in a basin that removes pollutants and only drains partial amounts of storm water. Wet detention ponds may cost more to build and maintain than dry ponds, but they tend to be more aesthetically pleasing, conducive to wildlife habitation, and in some cases, they may be more effective.



Wet Detention Pond at Alton Park in Eugene

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8 b-1	Topic: Biomass Committee Bi-Laws
Prepared By: Joanne Ballweber	Meeting Date: February 7, 2011	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Motion to appoint the people included on the attached list to the Biomass Citizens Committee. Attached is a list of names recommended by Administrative Committee for consideration to serve on the Biomass Citizens Committee.

BACKGROUND:

The City has announced the formation of a Biomass Citizens Committee and those on the list have filled out a citizen interest form or expressed interest to serve on the Biomass Committee. It is anticipated that the first meeting will be held towards the end of February.

FISCAL IMPACT:

NONE

ATTACHMENTS:

List of names that meet the Citizen Committee requirements.

City of Dallas Committee By-Laws

ARTICLE I - NAME

Section 1: The name of the Committee shall be the Biomass Facility Citizens' Advisory Committee.

ARTICLE II - MISSION STATEMENT

Section 1: Citizens Committees enhance and offer opportunities for citizen participation with city government by providing an organized public forum to discuss, deliberate, debate, report, and make recommendations to the Dallas City Council, in matters of importance to residents, business interests, and volunteer groups, thereby enhancing communication, with the intent of providing a more informed city government decision-making process.

Section 2: The Biomass Facility Citizens' Advisory Committee is established to review and make recommendations to the Dallas City Council regarding the development of a Biomass facility within the City of Dallas.

Section 3: The Citizens Committee is a non-partisan organization and welcomes all viewpoints.

ARTICLE III - MEMBERSHIP

Section 1: All residents of the City of Dallas, and representatives of businesses and stakeholders located within the City of Dallas, are eligible for membership.

Section 2: The Biomass Facility Citizens' Advisory Committee shall have not less than five nor more than 15 members, each of whom shall be appointed by the City Council.

Section 3: A member who has three unexcused absences from the meetings of the committee or who ceases to be a resident of the City of Dallas or a representative of a business or stakeholder located in the City of Dallas shall be disqualified from the committee and the member's position shall be deemed vacant. In that case, the City Council may appoint another member to fill the vacancy.

Section 4: The Mayor and members of the City Council will be ex officio members non-voting members of the committee.

ARTICLE IV – QUORUM AND VOTING

Section 1: A quorum shall consist of a majority of the voting members of the committee with either the chair or vice chair present.

Section 2: When a quorum is present, a vote of a majority of the voting members present shall constitute a decision or act of the committee.

ARTICLE V - OFFICERS

Section 1: Officers shall consist of a Chair, Vice-Chair and a Secretary. These officers and their replacements, if any, shall be elected by the voting members of the committee.

Section 2: In the event of a vacancy in the office of the Chair, the Vice-Chair shall succeed to the office of Chair, in which case the office of Vice-Chair shall be filled by the voting members of the committee. The Chair shall appoint a replacement to fill a vacancy in the office of Secretary; this appointment shall be confirmed upon an affirmative vote of the committee.

ARTICLE VI - DUTIES OF OFFICERS

Section 1: The Chair shall preside over all meetings. The Chair shall set the agenda of each meeting, in consultation with the Mayor and City Manger or their designees.

Section 2: The Vice-chair's primary duty shall be that of building and maintaining the membership of the committee. The Vice-chair shall also be responsible to carry out the duties of the Chair in the Chair's absence. The Vice-chair shall also perform such other duties as requested by the Chair.

Section 3: The Secretary shall maintain the official record of proceedings of all meetings, and shall be responsible for all correspondence, documents, and records.

ARTICLE VII - MEETINGS

Section 1: The meetings of the committee shall be subject to the Oregon Public Meetings Law.

Section 2: Regular meetings of the committee shall be held as determined by the committee.

Section 3: Special meetings may be called by the Chair or at the request of at least three members of the committee.

Section 4: Meetings shall be conducted in accordance with the latest edition of Roberts Rules of Order.

ARTICLE VIII RECORDS AND COMMUNICATIONS

Section 1: Committee minutes, correspondence, and other records shall be maintained by the City of Dallas and shall be subject to the Oregon Public Records Law.

Section 2: Meeting agendas shall be provided on the City of Dallas website and distributed to all members.

Section 3: Draft meeting minutes shall be sent to all members for their review and proposed correction.

ARTICLE IX - MISCELLANEOUS

Section 1: Members of the committee shall be subject to the Oregon Government Ethics laws and administrative rules, as they may apply to the committee and the members of the committee.

Section 2: The presiding officer may call to order any person, whether committee member or not, who is disrupting a meeting. Such disruption includes but is not limited to speaking out of turn, disorderly behavior, failing to be germane, speaking longer than the allotted time, attacking individuals, speaking vulgarities, exhibiting illegal conduct, or exhibiting dangerous conduct. If any person is repeatedly disruptive or does not cease disruptive behavior, the chair may call for a vote of those present and have the person ejected from the meeting with concurrence of three-fifths of those then voting. Any such ejected person may not return to any meeting without a consenting vote of three-fifths of those then voting. Any member ejected from a committee meeting under this section may be removed from the committee by the Dallas City Council.

Section 3: The term of the committee shall be indefinite, and the committee may be terminated at any time by the Dallas City Council.

Section 4: The City of Dallas may assign staff to assist the committee in carrying out any of its functions or responsibilities. Staff members so assigned shall not be voting members of the committee.

Biomass Citizens Committee Interest List

Dale Derouin
Glen Scatterday
Kevin Montague
Ray Olmstead
Joe Koubek
Miguel Ascarrunz
Ron Hannagan
Alan Mahan
Jim Williams
Jim Krehmke
Larry Irion
School Representative
Chamber Representative

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8 b-2	Topic: Property For Sale
Prepared By: Joanne Ballweber	Meeting Date: February 7, 2011	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Motion to direct the City Manager to dispose of City property and present offers to purchase the property to the Council for final decision.

BACKGROUND:

Included in the budget was the sale of City Property. This property is located across from the Aquatic Center and was planned to be a parking lot. The property is zoned Park Open Space and is located in a residential area.

FISCAL IMPACT:

The City will have a minimum bid. Over \$200,000 revenue to the General Fund.

ATTACHMENTS:

Map of Property

7.5.34BC

City Limits
DALLAS

Roads

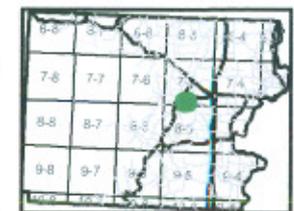
Taxlot10

Taxlot Arrows10

Taxlot Boundary6

taxlot10

Updates



This map was produced using the Polk County GIS data. The GIS data is maintained by the county to support its governmental activities. The county is not responsible for map errors, omissions, misuse or misinterpretation.

1in = 359 ft.



2/1/2011



DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8 b-3	Topic: Council Vacancy Procedure
Prepared By: Joanne Ballweber	Meeting Date: February 7, 2011	Attachments: Yes <input type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Motion to direct the City Manager to advertise Council seat vacancy.

BACKGROUND:

The City Manager has contacted several cities on the process to fill a vacant Council seat. Based on the information the City Manager reviewed, he recommends we advertise for the position, prepare an application form that is similar to the form that is filled out when a person is running for Council, interview before full Council, and full Council votes to appoint by majority decision.

FISCAL IMPACT:

None

ATTACHMENTS:

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8 b-4	Topic: Oath of Office
Prepared By: Joanne Ballweber	Meeting Date: February 7, 2011	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Motion to adopt the Oath of Office ordinance. Attached is the recommended Oath of Office, from the Administrative Committee, with a draft ordinance from the City Attorney for the Mayor, Councilors, Planning Commissioners, City Manager, and Municipal Judge.

BACKGROUND:

FISCAL IMPACT:

NONE

ATTACHMENTS:

Draft Ordinance

ORDINANCE NO. _____

An Ordinance adopting an oath of office for elected officials and certain appointed officers of the City of Dallas.

WHEREAS, Section 30 of the Dallas Charter of 1964 provides that “[b]efore entering the duties of his [sic] office, each officer shall take an oath or shall affirm that he [sic] will support the constitution and laws of the United States and of Oregon and that he [sic] will faithfully perform the duties of his [sic] office;” and

WHEREAS, Section 12 of the Dallas Charter of 1964 provides that “[t]he council shall be final judge of the qualifications * * * of its own members;” and

WHEREAS, the oath of office of the Mayor and members of the City Council has historically included an oath to support the charter and ordinances of the city, in addition to the constitution and laws of the United States and of Oregon; and

WHEREAS, the City Council finds that the provisions for the oath of office found in Section 30 of the Dallas Charter of 1964 establish the minimum elements required for the oath of office, but do not limit the authority of the City Council to establish other reasonable elements that are not in conflict with the charter; and

WHEREAS, the City Council finds and declares that support of the charter and ordinances of the city is an important and reasonable qualification for persons elected to serve the City of Dallas as Mayor and as members of the City Council, and is not inconsistent with the oath of office provisions found in Section 30 of the Dallas Charter of 1964; and

WHEREAS, the City Council recognizes that an oath to support the charter and ordinances of the city does not disqualify the Mayor or a member of the council from seeking to amend such charter or ordinances through such person’s service as Mayor or on the City Council; and

WHEREAS, the City Council further finds that each appointed member of the Dallas Planning Commission, the City Manager appointed pursuant to Section 21 of the Dallas Charter and the Municipal Judge appointed pursuant to Section 22 of the Dallas Charter should likewise be required to take such oath upon initial appointment to such office; NOW, THEREFORE,

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Each person elected or appointed as Mayor and city councilor, upon the commencement of each term of office, and before entering upon the duties of such office, shall take the oath or affirmation set forth in Section 3.

Section 2. Each person appointed to the Dallas Planning Commission and each person appointed as City Manager and Municipal Judge of the City of Dallas shall, upon initial appointment, and upon re-appointment after any break in service, and before entering upon the duties of such office, shall take the oath or affirmation set forth in Section 3.

Section 3. The oath or affirmation required under Section 1 or Section 2 shall be made and taken substantially in the following form:

State of Oregon)
County of Polk) ss
City of Dallas)

I, [name], do solemnly [swear or affirm] that I will support the constitution and laws of the United States and the State of Oregon, and the charter and ordinances of the City of Dallas, and that I will, to the best of my ability, faithfully discharge my duties as [Mayor, City Council member, Planning Commission member, City Manager, Municipal Judge] during my continuance therein [so help me God].

[Signature]

Subscribed and sworn before me this [date] day of [month], [year].

[Attestation by City Manager, City Recorder, or other person authorized to take oaths under the laws of the State of Oregon]

Section 4. No person shall attest his or her own oath of office.

Section 5. This ordinance shall apply to all persons elected or appointed to the offices described in Sections 1 and 2 after the effective date of this ordinance.

Section 6. No person serving in any of the offices described in Sections 1 or 2 as of the effective date of this ordinance who has not taken an oath of office

substantially in the form set forth in Section 3 shall be required to take the oath set forth in Section 3 as a condition of continuing in such office until such person has been re-elected or re-appointed to such office.

Read for the first time:
Read for the second time:
Passed by the City Council:
Approved by the Mayor:

BRIAN W. DALTON, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

DALLAS CITY COUNCIL

REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8 c	Topic: Resolution No. 3215 Aquatic Center rates
Prepared By: Jason Locke, Community Development Director	Meeting Date: February 7, 2011	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED ACTION: Adopt Resolution No. 3215

BACKGROUND: This is an item being forwarded by the Buildings and Grounds Committee. In June of 2010, a review of rates for the Dallas Aquatic Center was undertaken. Of particular concern are rates set by Resolution of the City Council, most notably the daily admission and annual membership rates, which generate 50-65% of total revenue depending on the year. Staff has done an analysis of the revenue generated by these rates.

	2007	2008	2009	2010
Admission	\$173,280	\$178,061	\$166,002	\$113,836
Annual	\$63,822	\$105,806	\$124,633	\$117,691
Total	\$237,102	\$283,867	\$290,635	\$231,527

We have seen a steady decline in admission revenue and a leveling off of annual membership revenue. Keep in mind that annual membership rates were reduced in mid-2008, and we saw a significant increase in annual membership (Currently there are 852 members). Between 2009 and 2010, there was a decline in both categories, but a larger decline in admission revenue. This is, in all likelihood, due to the economy as well as the relatively poor summer weather. We do not believe it is a result of the reduced annual pass rate.

By increasing daily admission by \$.50, equalizing youth and senior rates, and increasing the family rate by \$1.00/person, we would generate an additional \$30,000/year at 2010 attendance levels. Keep in mind that the rates are the same as when the facility opened 10 years ago. Similarly, increasing the annual membership by \$25.00 (\$50.00 for the family category) would generate \$20,000/year at current membership levels. These increases would bring us to 2008 revenue levels in these categories.

However, there is a risk to raising one or both of the rates, namely we don't know what the level of price sensitivity is. If we raised the daily admission as proposed, would that deter enough people to offset the increased rate? Similarly, by raising the annual pass rate, would we find ourselves with fewer members?

The bottom line is that revenue has declined across the board, including pro shop and concession sales, birthday parties, and admissions. Fortunately, expenditures have been reduced significantly and so it is almost a complete offset, as the Revenue/Expenditure ratio has remained consistent, and has even gotten a little better. This results in less general fund subsidy. The Buildings and Grounds Committee recommended the increases become effective July 1, 2011 based on the staff recommendation. **Considering the revenue situation, staff is now recommending the new rates become effective May 1, 2011.**

FISCAL IMPACT:

Approximately \$50,000/year based on current attendance and membership levels

ATTACHMENTS:

- 1) Resolution No. 3215

RESOLUTION NO. 3215

A Resolution establishing a schedule of rates and fees to be paid by persons using the Dallas Aquatic Center, and repealing Resolution No. 3152.

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

Section 1. The fees and rates charged for persons using the Dallas Aquatic Center are hereby adopted as set forth in Exhibit A, attached hereto and by reference incorporated herein.

Section 2. All other rates, fees and prices not expressly set forth in Exhibit A may be set by the City Manager.

Section 3. Upon the effective date of this resolution, Resolution No. 3152 is hereby repealed.

Section 4. This resolution shall take effect May 1, 2011.

Adopted: February 7, 2011
Approved: February 7, 2011

BRIAN W. DALTON, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

EXHIBIT A

2011 DALLAS AQUATIC CENTER RATES

1) General Admission Day Use Pass

	<u>Resident</u>	<u>Non-Resident</u>
Adult (18-59)	\$5.00	\$6.50
Youth (under 18)	\$4.00	\$5.00
Senior (60 & over)	\$4.00	\$5.00
Family ¹	\$14.00	\$18.00

***Infants 3 and under wading pool use \$1.00*

2) Youth summer only Pass (June-August)

	<u>Resident</u>	<u>Non-Resident</u>
Youth (18 & under)	\$100.00	\$125.00

3) 3-month Water Aerobics Pass (unlimited use)

	<u>Resident</u>	<u>Non-Resident</u>
All ages	\$75.00	\$100.00

4) Annual Membership

(Includes all lap swims, recreation swims, and unlimited water aerobics, as well as a 20% discount all classes/lessons, 10 % discount on room/facility rentals and swimsuits, 5 free passes per year for friends and family, and discounts on special events)

	<u>Resident</u>	<u>Non-Resident</u>
Adult (18-59)	\$250	\$325
Youth (under 18)	\$200	\$275
Senior (60 & over)	\$200	\$275
Two-person	\$375	\$450
Family ¹	\$450	\$600

5) 20 coupons (non-expiring)

	<u>Resident</u>	<u>Non-Resident</u>
Adult (18-59)	\$81.00	\$108.00
Youth (under 18)	\$54.00	\$72.00
Senior (60 & over)	\$63.00	\$90.00

¹ "Family" means up to four persons related by blood, marriage or civil union who reside together in the same household. In the case of an annual pass, add \$60.00 for each additional family member.

6) Facility rental rates

Small room \$30.00/hour
Large Room \$60.00/hour

Entire facility (includes both rooms, all pools, lifeguards, and one lead lifeguard for one hour)

<u># of Guests</u>	<u>Rate*</u>
1-40	\$200.00
41-80	\$250.00
81-120	\$300.00
121-160	\$350.00
161-200	\$400.00
201-240	\$450.00

*Add \$75.00 for each additional hour.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

January 13, 2011

Public Works Assistant Director
Attn: Kenn Carter, PE
187 SE Court Street
Dallas, OR 97338

RE: Mercer Reservoir (Dallas Dam); File D-35

Dear Mr. Carter:

Thank you for accompanying us on January 12, 2011, as we conducted a routine safety inspection of Mercer Reservoir (Dallas Dam). We appreciate you keeping us apprised of future projects and improvements to the dam. Please notify the Department's Dam Safety Coordinator if you obtain funding to make the fish passage improvements at the spillway.

Mercer Reservoir has been classified as a "high hazard dam." We typically perform routine visual inspections of high hazard dams annually. These inspections are intended to look for maintenance or other problems with the dam to ensure its safety and stability. We look forward to continued mutual cooperation to ensure the safety and stability of the dam.

Overall, the dam looks great; I appreciate all the hard work you've done to keep it in good condition. The only recommendations I have are:

- Please continue your efforts removing small trees, brush, briars, and other woody types of vegetation off of the abutments, slopes and toe of the dam. The amount of this type of vegetation is much less than when I was at the dam two years ago.
- There was minor debris on the spillway that should be removed at some point but the buildup is currently not of great concern.

The next regular inspection is scheduled for 2012. Please do not hesitate to contact me at (503) 986-0889 if you should have any questions or concerns.

Sincerely,

Mike McCord
District 16 Watermaster

cc: Barry Norris -- State Engineer OWRD
OWRD Dam Safety File
Watermaster District #16 file

01-24-11A09:57 RCVD



State of Oregon
 Water Resources Department
 225 Summer Street NE, Suite A
 Salem, Oregon 97301-1271
 (503) 986-0900

Dam Safety Inspection Form

Name of Dam or Reservoir: Dallas Dam; Mercer Reservoir Date: 01/12/11
 Permit/Certificate: R 5755 District: 16 NID #: OR00524 File #: D-35
 Height: 81 Storage: 1550 Photos: 12 Hazard (Check): Low Significant High
 Inspector(s): M. McCord, J. Unger Weather: Rainy
 Prior Inspection Date: 20 Next Inspection Date 2012 Special Issues Req. Expedited Inspection: N/A

*Rating Criteria: Observed Structural or Mechanical Condition or state of maintenance (see separate instructions on how to rate).
 5-Very Good/Praiseworthy; 4-Acceptable; 3-Unacceptable, should be addressed; 2-Serious issue; 1- Repair or replace, may cause dam failure*

Component	Observation and Remarks	Rating
I. Primary Dam	Check Dam Type: <input type="checkbox"/> Earthen <input type="checkbox"/> Rock Zoned <input type="checkbox"/> Concrete <input type="checkbox"/> Other Specify: _____	
Upstream Slope	Grass ok	5
Crest	Gravel Road	5
Downstream Slope	Grass ok	5
Right Abutment	ok	4
Left Abutment	ok	4
Toe	Grass ok	5
Auxiliary dam/dike?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, include on separate inspection form or use slashes	—

II. Reservoir	Pool Level/elevation:	Point of Reference:	
Floating Debris/Trash	Some wood debris		4
Landslides/Erosion	none observed		5
Log Boom	log booms present but did not observe		—

III. Instrumentation	Flow Rate	Water Level	Description/Condition	
Toe Drains			Not Inspected	—
Weirs/Flumes				—
Monitoring wells				—
Other				—

01-24-11A09:57 RCVD

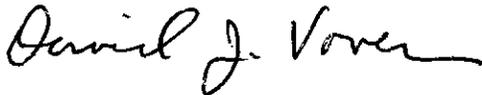
February 1, 2011

Jerry Wyatt, City Manager
Brian Dalton, Mayor
Wes Scroggin, City Council Chair
Members of the City Council

It is with regrets that I must resign my seat on the City Council effective March 1, 2011 . My future plans call for me to be out of the state or out of the country for four to five months per year. My absence will not allow me to continue to serve in the capacity that the citizens of Dallas deserve.

I thank you for the opportunity to be a part of a thoughtful and caring City Council. I have enjoyed working with you and with a very competent and dedicated city staff. Together you have made Dallas a community our family is proud to call home.

Sincerely,

A handwritten signature in black ink that reads "David J. Voves". The signature is written in a cursive style with a long horizontal flourish at the end.

David J. Voves

ORDINANCE NO. 1733

An Ordinance amending provisions of the Dallas Development Code; and repealing conflicting provisions.

WHEREAS, the Dallas City Council has determined that it is timely and appropriate to make certain technical and editorial amendments to the Dallas Development Code adopted by Ordinance No. 1710, on December 21, 2009, and effective January 22, 2010; and

WHEREAS, the City duly notified the Oregon Department of Land Conservation and Development of the proposed Development Code amendment not less than 45 days prior to the first evidentiary hearing and the Department did not object to the changes;

WHEREAS, after required public involvement, notices and public hearings before the Dallas Planning Commission and Dallas City Council, the City Council, on January 17, 2011, preliminarily approved the proposed amendments to the Dallas Development Code; and

WHEREAS, the City Council found and hereby finds that the proposed Dallas Development Code amendments conform to the Dallas Comprehensive Plan, as amended, and applicable Statewide Planning Goals, and it is in the public interest to adopt them; NOW, THEREFORE,

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Those amendments to Sections 1.2.070, 2.2.090(F)(3), 2.2.100(C)(1), and 4.3.140, and Tables 2.2.020, 2.3.020(B), 2.3.020, and 2.4.020, of the Dallas Development Code, as set forth on Exhibit A, attached hereto and by reference incorporated herein, are hereby adopted and approved.

Section 2. The findings and conclusions of the staff report recommending the adoption of the foregoing amendments, attached hereto as Exhibit B, and by reference incorporated herein, are hereby adopted and approved as the findings and conclusions of the City Council.

Section 3. All conflicting provisions of Ordinance No. 1710, establishing and adopting the Dallas Development Code, are hereby repealed upon the effective date of this ordinance.

Read for the first time: February 1, 2011
Read for the second time: February 22, 2011

Passed by the City Council: February 22, 2011
Approved by the Mayor: February 22, 2011

BRIAN W. DALTON, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

Ordinance - Page 2

EXHIBIT A

Amendments to Dallas Development Code. (New matter appears underlined and in italics; matter to be deleted appears lined-out.)

1.2.070 Pre-Existing Approvals

A. Legality of Pre-existing Approvals. Developments and uses for which approvals were granted prior to January 22, 2010 may occur pursuant to such approvals, except that modifications to those approvals shall comply with Chapter 4.6. Modifications to Approved Plans and Conditions of Approval, as applicable.

B. Subsequent Development Applications. All developments and uses commencing on or after January 22, 2010 shall conform to the provisions of the Code applicable and effective at that time.

Table 2.2.020

Utility Corridors (e.g., regional gas pipelines, electrical transmission lines, etc.), except those existing prior to <u>January 22, 2010</u> , are permitted.	CU	CU	CU
--	----	----	----

Non-Conforming Uses. Uses and structures lawfully established prior to January 22, 2010 may continue pursuant to Chapter 5.2 Non-Conforming Situations. The City may require upon annexation rezoning that uses conform to the current code requirements for the zone in which they are located.

2.2.090 (F)(3)

a. *Certified Green Buildings/Green Developments.* Green building certification supports sustainability through objective, third party review of building designs. Project proposals that meet the certification criteria (any level) under an ANSI-approved green building rating system (e.g., LEED-Homes, LEED-New Construction, LEED-Neighborhood Development; or National Green Building Standard for single family homes *or Earth Advantage certified*) for at least twenty percent (20%) of the dwellings in the development shall receive two (2) density bonus points in addition to points awarded under subsections b-q, below. While the applicant shall provide evidence that the project substantially conforms to the criteria for green certification through Site Design Review, however, certification is not required.

2.2.100 (C)(1)

d. *Garage Openings.* Garage openings shall not exceed fifty percent (50%) of

the width of the front building elevation, except where at least one of the following criteria is met: (1) The garage is side-loaded and does not have any openings facing a street (e.g., garage oriented to a driveway or parking court); such side-loaded garages shall have windows on at least a portion of the street-facing elevation; or (2) The garage opening(s) are recessed or offset at least three (3) feet behind the front elevation of dwelling as viewed from the street. Projections may include arbors, porticos and/or similar architectural feature extending for the width of all garage openings. See also, requirements for three-car and wider garages under subsection 2.2.100.C.1.h.

e. Driveway Approaches. ~~Driveways shall not exceed twenty (20) feet in width where they are located within ten (10) feet of any sidewalk or street right-of-way; the following widths (not including wings):~~

<u>Lot frontage</u>	<u>Driveway width</u>
<55'	20'
56'-70'	24'
>70'	28'

~~Driveways may taper-expand to a width greater than the maximum width where they are located more than ten (10) feet from a sidewalk (or street right-of-way if no sidewalk is present). An additional four (4) foot width (14 feet maximum) is allowed for where driveway aprons connect to a street and for driveways that are shared by more than one dwelling.~~

f. Recreational Vehicles and Outdoor Vehicle Storage. All RVs, boats, trailers, and similar vehicles and equipment shall be setback from the street property line by at least twenty (20) feet and/or screened behind a fence (e.g., wood, chain-link with slats, or similar screening).

Table 2.3.020(B)

Dwelling lawfully existing in its current location as of *January 22, 2010* (may be rebuilt in the event of involuntary damage or destruction due to fire or other event beyond owner's control)

Table 2.3.030 – Development Standards for Mixed Use Commercial Districts (pgs 66 and 67)

Table 2.4.020

<p>Residential Uses (Household Living and Group Living) allowed, if:</p> <ul style="list-style-type: none"> - Lawfully existing as of <u>January 22, 2010</u> - New dwelling - Caretaker dwelling 	<p>P CU P</p>	<p>New dwellings may be permitted without CU with a Master Planned Development. Only one caretaker dwelling per site is allowed and must be accessory to a primary permitted use.</p>
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4.3.140 Property Line Adjustments

A Property Line Adjustment is the modification of lot boundaries where no additional parcel or lot is created, and includes lot consolidations ~~or removed~~. The application submission and approval process is as follows:

- C. **Approval Criteria.** The City Planning Official shall approve or deny a request for a property line adjustment in writing based on all of the following criteria:
1. Parcel Creation. No additional parcel or lot is created ~~or removed~~ by the lot line adjustment;

DALLAS CITY COUNCIL EXHIBIT B
REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 4a	Topic: ZTA10-01 Development Code Amendments
Prepared By: Jason Locke, Community Development Director	Meeting Date: January 18, 2011	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED ACTION: Direct staff to prepare an Ordinance adopting the proposed Dallas Development Code amendments.

BACKGROUND: In December of 2009, the City Council adopted the new Dallas Development Code. It became effective on January 22, 2010. At the time of adoption, staff explained that the document would be reviewed and, if there were issues, amendments would be proposed. After a year of administering the Development Code, there were some issues that came up, both substantive and typographical. In general, the new Development Code has provided clearer standards and processes, and has been well received by the public who have utilized it. The Planning Commission held a public hearing on this matter on December 14, 2010. The staff report to the Planning Commission is attached, and includes the proposed amended Development Code pages. **Proposed amendments are in underlined italic.**

FISCAL IMPACT:
None.

- ATTACHMENTS:**
- 1) Staff report and proposed Development Code amendments
 - 2) Planning Commission minutes from December 14, 2010
 - 3) Hearing Notice

To: The Planning Commission
From: Jason Locke, Community Development Director

December 9, 2010

Staff Report on the Dallas Development Code – Proposed Amendments
Public Hearing Date: December 14, 2010

Article 2

Section 2.2.100 C. *Standards. 1d. Garage Orientation and Design:* Minor typo. Garage openings shall not exceed 50% of the width of the front building elevation. The percent sign (%) is left out.

Section 2.2.100 C *Standards. 1e. Driveway Approaches.* This section should be rewritten for clarity. There has been some confusion regarding the “may taper to a width greater than 20’ where they are located more than 10’ from a sidewalk or right of way.” We have since interpreted that to be 10’ from behind the sidewalk regardless of where the right of way / property line is located. Additional confusion and a typo at “An additional 4’ width (14’ – should read 24’) is allowed for where driveway aprons connect to a street and for driveways that are shared by more than one dwelling. Also, there has been discussion of the actual width requirement. Builders have brought to our attention that 20’ of width is not enough in some circumstances. The proposed amendment allows for additional driveway width based on lot width contained in a clear formula.

Section 2.2.090F3a Add Earth Advantage to the list of approved green building certification systems.

Section 2.3.030: Commercial zone table headers: Change to Commercial from Mixed Use

Article 4

Section 4.3.130- Property Line Adjustment/Lot Consolidation: Amend to allow lot consolidation in accordance with ORS 92. “Property line adjustment” means 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.

Recommendation: Discuss the amendments, make any changes deemed necessary, and forward to the City Council.

Attachments: Code pages with proposed revisions.