



**City Council**

Mayor  
Brian Dalton

Council President  
Wes Scroggin

Councilor  
Jim Fairchild

Councilor  
Beth Jones

Councilor  
Jackie Lawson

Councilor  
Mark McDonald

Councilor  
Kevin Marshall

Councilor  
Murray Stewart

Councilor  
LaVonne Wilson

Councilor  
Ken Woods, Jr.

**Staff**

City Manager  
Jerry Wyatt

City Attorney  
Lane Shetterly

Admin Svc Mgr  
Robert Spivey

Community Development  
Director  
Jason Locke

Finance Director  
Cecilia Ward

Fire Chief  
Bill Hahn

Police Chief  
John Teague

Public Works Director  
Fred Braun

City Recorder  
Emily Gagner

# Dallas City Council Agenda

Monday, June 20, 2011, 7:00 p.m.

Mayor Brian Dalton, Presiding

Dallas City Hall  
187 SE Court Street  
Dallas, Oregon 97338

*All persons addressing the Council will please use the table at the front of the Council. All testimony is electronically recorded. If you wish to speak on any agenda item, please sign in on the provided card.*

<u>ITEM</u>	<u>RECOMMENDED ACTION</u>
1. ROLL CALL	
2. PLEDGE OF ALLEGIANCE	
3. QUESTIONS OR COMMENTS FROM THE AUDIENCE <i>This time is provided for citizens to address the Council or introduce items for Council consideration on any matters.</i>	
4. PUBLIC HEARINGS <i>Public comment will be allowed on items appearing on this portion of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.</i>	
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 June 6, 2011, City Council Minutes <b>p. 3</b>	
b. Confirm reappointments to Library Board and Economic Development Commission <b>p. 7</b>	
6. ITEMS REMOVED FROM CONSENT AGENDA	
7. REPORTS OR COMMENTS FROM THE COUNCIL MEMBERS	
8. REPORTS FROM CITY MANAGER AND STAFF	
a. 2011-2012 General Liability, Property & Automobile Insurance Renewal <b>p. 8</b>	Motion
b. 2011-2012 Workers Compensation Insurance Renewal <b>p. 13</b>	Motion
c. Update on Dallas Aquatic Center promotional rate <b>p. 17</b>	Information
d. Event parking request <b>p. 19</b>	Motion
e. Good Vibrations request from Visitor Center <b>p. 22</b>	Motion
f. Summerfest request from Chamber of Commerce <b>p. 23</b>	Motion

# Dallas City Council Agenda

## Page 2

### Our Vision

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

### Our Mission

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

### Our Motto

*Commitment to the Community.  
People Serving People.*

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

- g. Project cards Information
- h. Other

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## 9. RESOLUTIONS

- a. Resolution No. 3227 – A Resolution establishing a schedule of rates and fees to be paid by persons using the Dallas Aquatic Center, and repealing Resolution No. 3152. **p. 26** Roll Call Vote
- b. Resolution No. 3228 – A Resolution establishing permit fees for the Oregon Mechanical Specialty Building Code and repealing prior conflicting Resolutions. **p. 29** Roll Call Vote
- c. Resolution No. 3229 – A Resolution establishing permit fees for the Oregon Plumbing Specialty Code and repealing prior conflicting Resolutions. **p. 31** Roll Call Vote
- d. Resolution No. 3230 – A Resolution establishing permit fees for the Oregon Structural Specialty Building Code and repealing prior conflicting Resolutions. **p. 33** Roll Call Vote
- e. Resolution No. 3231 – A Resolution authorizing the transfer of budgetary funds. **p. 35** Roll Call Vote
- f. Resolution No. 3232 – A Resolution adopting the budget of the City of Dallas, Oregon for the fiscal period beginning July 1, 2011, and ending June 30, 2012, making budgeted appropriations and levying taxes for said fiscal period. **p. 36** Roll Call Vote
- g. Resolution No. 3233 – A Resolution declaring the City of Dallas' election to receive State Revenues. **p. 39** Roll Call Vote

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## 10. FIRST READING OF ORDINANCE

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## 11. SECOND READING OF ORDINANCE

- a. Ordinance No. 1737 – An Ordinance amending provisions of the Dallas City Code Section 5.210, relating to smoking. **p. 40** Roll Call Vote
- b. Ordinance No. 1739 – An Ordinance amending Dallas Development Code Section 2.2.120.L., relating to agricultural uses permitted in the RL district. **p. 42** Roll Call Vote

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## 12. OTHER BUSINESS

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## 13. ADJOURNMENT

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**Note: Following the Council meeting, there will be a meeting of the Urban Renewal District Board of Directors.**

**DALLAS CITY COUNCIL**  
**Monday, June 6, 2011**  
**Council Chambers**

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The Dallas City Council met in regular session on Monday, June 6, 2011, at 7:00 p.m. in the Council Chambers of City Hall with Mayor Brian Dalton presiding.

**ROLL CALL AND PLEDGE OF ALLEGIANCE**

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

Also present were: City Manager Jerry Wyatt, City Attorney Lane Shetterly, Assistant City Manager Kim Marr, Police Chief John Teague, Deputy Police Chief Tom Simpson, Community Development Director Jason Locke, Administrative Services Manager Robert Spivey, Fire Chief Bill Hahn, Finance Director Cecilia Ward, Public Works Director Fred Braun, and Recording Secretary Emily Gagner.

Mayor Brian Dalton led the Pledge of Allegiance.

**INTRODUCTION OF NEW EMPLOYEES**

Chief Teague introduced Paul Callaway, Police Officer. Ms. Marr introduced Robert Spivey, Administrative Services Manager.

**QUESTIONS OR COMMENTS FROM THE AUDIENCE**

Chelsea Pope, Executive Director of the Dallas Area Chamber of Commerce and Visitor Center, showed ribbon cutting photos from several recent events. She thanked the Councilors for their continued support of the local businesses.

Tanya Silva, a Registered Nurse for Polk County Public Health Department, advised that she was the coordinator for the Tobacco Prevention Program. She said she had lived with second hand smoke as a child and as a result of exposure to second-hand smoke, was born at a low birth weight, had small lung capacity, and experienced chronic bronchitis. She explained numerous studies proved the ill effects of second hand smoke and the Surgeon General had said there was no safe level of second hand smoke exposure. She stated if a person smelled smoke, they were breathing in carcinogens. She said when she thought of parks, she thought of kids playing, family picnics, and fresh air, adding smoking was not fresh air. She explained a large majority of people in Polk County did not smoke, adding she would be happy to provide resources to help people stop smoking.

Abner Grady stated that to enforce the smoking ban in the parks, the City would have to provide officers on both sides of the park 24 hours per day, adding unless there was an officer in every part of the park, they couldn't enforce the rule.

**PUBLIC HEARINGS**

**PUBLIC HEARING ON THE 2011-2012 CITY OF DALLAS BUDGET AND USE OF STATE REVENUE SHARING FUNDS**

Mayor Dalton opened the public hearing at 7:12 p.m. Mr. Wyatt reviewed the staff report. There were no comments, so Mayor Dalton closed the public hearing at 7:14 p.m.

Councilor McDonald stated he understood the property tax rate was permanent and asked if the amount stated in the staff report was an increase. Mr. Wyatt explained there was no increase, which was dictated by state law. Councilor McDonald asked what the state revenue sharing funds would be used for. Mr. Wyatt explained those went to the General Fund and were used for daily operational items. Councilor McDonald asked when the General Obligation bonds were created and when they would be paid off. Mr. Wyatt stated there were multiple bonds and one would be paid in 2018 and one in 2019. Mayor Dalton explained that all the bonds were for capital improvements.

It was moved by Councilor Marshall and seconded by Councilor Wilson to approve the 2011-2012 City of Dallas Budget and the use of State Revenue Sharing Funds as approved by the

1 Budget Committee and direct the City Attorney to prepare the resolution to adopt the budget and  
2 authorize use of state revenue sharing funds for the June 20, 2011, Council meeting. The motion  
3 carried unanimously with Council President Wes Scroggin, Councilor Jim Fairchild, Councilor  
4 Beth Jones, Councilor Jackie Lawson, Councilor Mark McDonald, Councilor Kevin Marshall,  
5 Councilor Murray Stewart, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting  
6 YES.

#### 7 **CONSENT AGENDA**

8 It was moved by Councilor Fairchild and seconded by Council President Scroggin to approve the  
9 Consent Agenda as presented. The motion carried unanimously with Council President Wes  
10 Scroggin, Councilor Jim Fairchild, Councilor Beth Jones, Councilor Jackie Lawson, Councilor  
11 Mark McDonald, Councilor Kevin Marshall, Councilor Murray Stewart, Councilor LaVonne  
12 Wilson, and Councilor Ken Woods, Jr. voting YES.

13 Items approved by the Consent Agenda: a) May 16, 2011, City Council minutes; b) acknowledge  
14 report of the May 23, 2011, Administrative Committee meeting; and c) acknowledge report of  
15 the May 23, 2011, Building and Grounds Committee meeting.

#### 16 **ITEMS REMOVED FROM CONSENT AGENDA**

17 There were none.

#### 18 **REPORTS OR COMMENTS FROM COUNCIL**

19 Councilor Wilson explained the Film Ordinance was tabled at the request of the Oregon Film  
20 office, which would like to review our proposal.

#### 21 **SMOKING POLICY FOR CITY PARKS**

22 Councilor Wilson reviewed the discussion from the Administrative Committee. She explained  
23 the recommendation was to wait until June 20 to read the Ordinance for the second time to allow  
24 time for the Councilors and public to review it.

25 It was moved by Councilor Lawson and seconded by Councilor Wilson to direct staff to place the  
26 smoking in the park ordinance for second reading/roll call vote at the June 20, 2011, Council  
27 meeting. The motion carried by a majority with Council President Wes Scroggin, Councilor Jim  
28 Fairchild, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart,  
29 Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES and Councilor Jones and  
30 Councilor McDonald voting NO.

#### 31 **GASB 54 FUND BALANCE POLICY**

32 Mr. Wyatt stated this policy was required to be adopted and was based on a recommendation from  
33 the auditor.

34 It was moved by Councilor Wilson and seconded by Councilor Stewart to adopt the Fund Balance  
35 Policy as presented. The motion carried unanimously with Council President Wes Scroggin,  
36 Councilor Jim Fairchild, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Mark  
37 McDonald, Councilor Kevin Marshall, Councilor Murray Stewart, Councilor LaVonne Wilson,  
38 and Councilor Ken Woods, Jr. voting YES.

#### 39 **COUNCIL RULES OF PROCEDURE**

40 Councilor Wilson stated it was her personal belief that it was important to bring this forward since  
41 there were three new Councilors, adding it would be good review for everyone.

42 Mayor Dalton said the Council had the choice of addressing this at a noon meeting or a retreat.  
43 Councilor Wilson thought it would be good to have a retreat to give the Council an opportunity to  
44 look at the procedures and goals. Councilor Fairchild stated he didn't like the word "retreat." He  
45 noted it would be wise to have an evening meeting so the Council wasn't limited to an hour  
46 meeting. Councilor McDonald stated he didn't see a need for a retreat and the extra expense of  
47 going to another location. Councilor Lawson stated they weren't suggesting spending money, but  
48 wanted a more casual setting. The consensus was to have staff set up a meeting to go over  
49 procedures and goals.

50 Councilor McDonald thanked Dallas EMS Director Todd Brumfield and his staff for assistance  
51 they provided his mother the previous month. He stated they were there right away and were very  
52 gracious and assisted his mother greatly. He also thanked the staff for distributing a report by the

1 National Commission on Fiscal Responsibility and Reform, a bipartisan report that pointed out  
2 philosophical changes in how Washington was thinking. He added he felt these changes would  
3 trickle down and affect the local level.

4 Councilor Fairchild reported that he had recently attended a National League of Cities Economic  
5 and Community Development Committee meeting in California, adding his attendance was at no  
6 cost to the City. He stated as soon as the good ideas discussed were in a more presentable format,  
7 he would bring it to the Council.

8 Councilor Jones thanked the VFW for putting on a neat ceremony at the Dallas Cemetery on  
9 Memorial Day, noting she loved the support for the military in our community.

## 10 **REPORTS FROM CITY MANAGER AND STAFF**

### 11 **BUILDING PERMIT FEE SCHEDULES**

12 Mr. Locke reviewed his staff report, pointing out it was slightly revised from the Building and  
13 Grounds Committee report he had previously submitted. He explained the change was because  
14 the Homebuilders Association had some issues with some of the proposed rates for single family  
15 dwellings. He stated the proposal reflected a base rate increase for plumbing, mechanical, and  
16 structural permits and revised the categories for the upper end of the structural permit fees. He  
17 advised that coupled with the building permit fee proposal would be a six month "sale" on SDC  
18 charges for structural permits for all but single family residential and duplexes. Mr. Locke  
19 explained that what staff found was the cost of administering the structural specialty code, which  
20 were essentially commercial projects, was running two to four times what they were actually  
21 collecting in plan review fees. Mr. Locke advised that none of the permit fee increases except the  
22 plumbing and mechanical base rates would affect single family residences.

23 Councilor McDonald stated he was concerned because the Homebuilders Association had issues  
24 with the rates and asked if there was documentation about the department in charge of permitting  
25 that showed where they were losing money. Mr. Locke stated the evidence was the actual time  
26 the inspectors were dealing with primarily larger projects. Councilor McDonald stated he would  
27 like to see the justification for a fee increase especially if the Homebuilders Association had an  
28 issue. Mr. Locke explained the Homebuilders Association had no issue with the three resolutions  
29 included in the packet. Their concern was with residential one and two family dwellings and Mr.  
30 Locke stated those fee changes were not included in the current proposal. Councilor McDonald  
31 asked if the \$35,000 to 45,000 that would be generated was necessary to keep the department  
32 going forward. Mr. Locke indicated it was necessary to reduce the gap between revenues and  
33 expenditures. Councilor Fairchild stated he saw the proposed rates as being reasonable because  
34 people couldn't expect the City to subsidize private building situations. Councilor McDonald  
35 indicated the City would ultimately benefit from any structure built because the City would get  
36 the taxes levied, so it would be counterintuitive to increase the fees if we wanted more building  
37 activity. Council President Scroggin asked when the new fees would take effect. Mr. Locke  
38 explained as proposed, they would take effect July 1. Council President Scroggin asked if, since  
39 the current rates were adopted, there had been more mandates from the State for training or more  
40 work because of new regulations. Mr. Locke stated there had been more mandates and  
41 commented that the new building codes didn't get less complicated. He noted as codes get  
42 changed, staff must spend time educating contractors about the changes. Mr. Wyatt reminded the  
43 Council that the Building Department is dedicated funding according to state law, so they need to  
44 be self-sustaining. Mr. Locke reported that there were a number of jurisdictions going for not  
45 only a building permit rate increase but also plan review fees of 100% of the permit cost. Dallas  
46 is only proposing a plan review fee of 85% of the permit fee. He explained many developers will  
47 gladly pay more to have a system in place that facilitates plan reviews.

48 It was moved by Council President Scroggin and seconded by Councilor Marshall to direct staff  
49 to prepare resolutions amending permit fees for plumbing, mechanical, and structural permits (not  
50 residential 1 and 2 family), and prepare a resolution authorizing a temporary (6-month) 10%  
51 reduction for SDC's not to exceed \$10,000 associated with the issuance of structural permits. The  
52 motion carried unanimously with Council President Wes Scroggin, Councilor Jim Fairchild,  
53 Councilor Beth Jones, Councilor Jackie Lawson, Councilor Mark McDonald, Councilor Kevin  
54 Marshall, Councilor Murray Stewart, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr.  
55 voting YES.



# DALLAS CITY COUNCIL REPORT

**TO: MAYOR BRIAN DALTON AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No. 5 b</b>	<b>Topic:</b> Committee Appointments
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> June 20, 2011	<b>Attachments:</b> Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

Staff recommends approving these reappointments to the Library Board and Economic Development Commission by approving the Consent Agenda.

BACKGROUND:

Darla Newton's term on the Library Board expires June 30, 2011. Ms. Newton has indicated an interest in continuing to serve on the Library Board.

Ken Jacroux, Doris Johnston, and Cory Oace's terms on the Economic Development Commission expire on June 30, 2011. All three have indicated a desire to continue to serve on the EDC.

We have advertised these openings but have received no additional Citizen Committee Interest Forms for any of the positions.

Staff supports these reappointments.

FISCAL IMPACT:

None

ATTACHMENTS:

None

# **CRAVEN-WOODS INSURANCE**

398 E. Ellendale Avenue  
PO Box 1130  
Dallas OR 97338-1047  
503-623-8143  
fax: 503-623-9020  
email: ken.woods@cravenwoodsins.com

June 17, 2011

Jerry A. Wyatt, City Manager  
City of Dallas  
187 SE Court Street  
Dallas OR 97338

Re: General Liability, Property, & Automobile Insurance  
Renewal Quote: 2011-2012

Dear Jerry,

Please find enclosed the renewal quote with City/County Insurance Services (CIS). In the past several years, Dallas has chosen the Annual Aggregate Deductible program with CIS. With this program, Dallas would elect to assume the first \$35,000 in liability losses and loss adjusting expenses for the policy year. In exchange, you'll see your initial contribution for the year reduced by \$26,250. Once into the program, the City would continue to submit claims just as though there was no deductible, claims work would be done, as always, through CIS Claims Department. As handling of a claim progressed, the City would be billed for indemnity payments made and claim expenses incurred, outside those of CIS's claims administrator, until the annual deductible amount was met.

Included is a copy of the City's claims overview and comparison for Auto Liability, Auto Physical Damage, General Liability, and Property.

Repeating a pattern seen in previous insurance market cycles, commercial insurance companies continue to withdraw from the Oregon market place relating to public entity insurance. Unable or unwilling to match pricing for the combination of coverage and risk management services offered by CIS, the scarcity of liability and property insurers leaves CIS as the clear alternative for entities seeking insurance coverage.

Please don't hesitate to call me if there are any questions.

Sincerely,



Kenneth L. Woods, Jr.  
Insurance Agent of Record, City of Dallas  
KLW:ekb

enclosures

**CITY OF DALLAS  
INSURANCE RENEWAL  
2011-2012**

	LIMIT	PREMIUM	DISTRIBUTION CREDIT	NET PREMIUM
General Liability	\$5,000,000.00	\$76,669.00	-\$13,313.00	\$63,356.00
Auto Liability		\$16,270.00	included	\$16,270.00
Liability Aggregate Cr	\$35,000 ded	-\$26,250.00		<u>-\$26,250.00</u>
Liability Total				\$53,376.00
Auto Physical Damage		\$12,144.00	-\$12,144.00	\$0.00
Property	\$72,000,000.00	\$41,384.00	-\$16,518.00	\$24,866.00
Boiler/Machinery (includes Equipment Breakdown/Electical Injury \$2,500 ded)		included		
Excess Crime		\$1,158.00		\$1,158.00
Multi-Line Credit		<u>-\$9,016.00</u>		<u>-\$9,016.00</u>
Total Premium		\$112,359.00	-\$41,975.00	<u><u>\$70,384.00</u></u>

**DISTRIBUTION CREDITS**

2010-11 Carry Over	
Auto Physical Damage	\$29,186.00

2011-12	
General/Auto Liability	\$13,313.00
Property	\$16,518.00
Auto Physical Damage	\$11,756.00

**CITY OF DALLAS  
HISTORICAL COMPARISON**

	2009-2010	2010-2011	2011-2012
General Liability	\$90,842.00	\$86,752.00	\$76,669.00
Auto Liability	\$15,832.00	\$14,437.00	\$16,270.00
Liability Aggregate Cr	-\$26,250.00	-\$26,250.00	-\$26,250.00
Auto Physical Damage	\$12,165.00	\$11,591.00	\$12,144.00
Property	\$37,250.00	\$35,094.00	\$41,384.00
Boiler/Machinery	included	included	included
Excess Crine	\$1,041.00	\$1,158.00	\$1,158.00
Mult-Line Credit	<u>-\$2,597.00</u>	<u>-\$9,197.00</u>	<u>-\$9,016.00</u>
Sub-Total Premium	\$128,283.00	\$113,585.00	\$112,359.00
Distribution Credit	<u>\$0.00</u>	<u>-\$67,334.00</u>	<u>-\$41,975.00</u>
Total Premium	<u><u>\$128,283.00</u></u>	<u><u>\$46,251.00</u></u>	<u><u>\$70,384.00</u></u>

**CITY OF DALLAS**  
**Claims History**  
**As of May 31, 2010**

<b>General Liability</b>				<b>Property</b>		
Year	Cost of Claim	Closed Claims	Open Claims	Cost of Claim	Closed Claims	Open Claims
1983-84	\$651.00	2	0	\$0.00	0	0
1984-85	\$3,586.00	1	0	\$0.00	0	0
1985-86	\$7,762.00	8	0	\$0.00	0	0
1986-87	\$8,239.00	7	0	\$0.00	0	0
1987-88	\$0.00	5	0	\$0.00	0	0
1988-89	\$1,341.00	7	0	\$0.00	0	0
1989-90	\$10,617.00	5	0	\$0.00	0	0
1990-91	\$3,626.00	4	0	\$0.00	0	0
1991-92	\$8,583.00	7	0	\$0.00	0	0
1992-93	\$1,825.00	8	0	\$0.00	0	0
1993-94	\$132,263.00	10	0	\$0.00	0	0
1994-95	\$44,923.00	8	0	\$0.00	0	0
1995-96	\$29,180.00	9	0	\$0.00	0	0
1996-97	\$5,042.00	10	0	\$0.00	0	0
1997-98	\$104,428.00	3	0	\$0.00	0	0
1998-99	\$104,379.00	4	1	\$0.00	0	0
1999-00	\$5,185.00	10	0	\$0.00	0	0
2000-01	\$16,263.00	5	0	\$450.00	1	0
2001-02	\$275.00	2	0	\$0.00	0	0
2002-03	\$257,286.00	4	0	\$0.00	1	0
2003-04	\$4,345.00	8	0	\$0.00	0	0
2004-05	\$70.00	2	0	\$0.00	0	0
2005-06	\$0.00	4	0	\$0.00	0	0
2006-07	\$0.00	2	0	\$0.00	0	0
2007-08	\$36,309.00	16	0	\$0.00	0	0
2008-09	\$0.00	3	0	\$0.00	0	0
2009-10	\$75.00	3	0	\$2,904.00	1	0
2010-11	\$20,000.00	1	1	\$40,000.00	1	1
	\$806,253.00	158	2	\$43,354.00	4	1
Average	\$28,795.00			\$1,548.00		

**CITY OF DALLAS**  
**Claims History**  
**As of May 31, 2011**

**Auto Liability****Auto Physical Damage**

Year	Cost of Claim	Closed Claims	Open Claims	Cost of Claim	Closed Claims	Open Claims
1983-84	\$330.00	1	0	\$0.00	0	0
1984-85	\$0.00	0	0	\$0.00	0	0
1985-86	\$0.00	0	0	\$0.00	1	0
1986-87	\$0.00	0	0	\$0.00	0	0
1987-88	\$450.00	1	0	\$0.00	0	0
1988-89	\$350.00	1	0	\$0.00	0	0
1989-90	\$0.00	0	0	\$0.00	0	0
1990-91	\$1,944.00	1	0	\$0.00	1	0
1991-92	\$0.00	0	0	\$0.00	2	0
1992-93	\$0.00	1	0	\$0.00	1	0
1993-94	\$0.00	0	0	\$0.00	0	0
1994-95	\$0.00	0	0	\$0.00	0	0
1995-96	\$121.00	2	0	\$0.00	1	0
1996-97	\$545.00	1	0	\$2,528.00	3	0
1997-98	\$715.00	2	0	\$0.00	1	0
1998-99	\$101,477.00	3	0	\$5,373.00	3	0
1999-00	\$0.00	0	0	\$0.00	0	0
2000-01	\$5,610.00	2	0	\$0.00	0	0
2001-02	\$266.00	1	0	\$0.00	1	0
2002-03	\$0.00	0	0	\$0.00	1	0
2003-04	\$74,576.00	5	0	\$2,814.00	1	0
2004-05	\$0.00	1	0	\$0.00	0	0
2005-06	\$0.00	1	0	\$0.00	1	0
2006-07	\$9,124.00	4	0	\$1,151.00	2	0
2007-08	\$0.00	0	0	\$0.00	0	0
2008-09	\$2,950.00	2	0	\$2,867.00	3	0
2009-10	\$30,938.00	3	0	\$25,186.00	1	0
2010-11	\$0.00	0	0	\$158.00	1	0
	\$229,396.00	32	0	\$40,077.00	24	0
Average	\$8,193.00			\$1,431.00		

# **CRAVEN-WOODS INSURANCE**

398 E. Ellendale Avenue  
PO Box 1130  
Dallas OR 97338-1047  
503-623-8143  
fax: 503-623-9020  
email: ken.woods@cravenwoodsins.com

June 17, 2011

Jerry A. Wyatt, City Manager  
City of Dallas  
187 SE Court Street  
Dallas OR 97338

Re: Workers Compensation Insurance  
Renewal Quote: 2011-2012

Dear Jerry,

The CIS renewal quote this year for the City of Dallas' workers compensation policy is the Paid Loss Retrospective Plan (Retro) for \$37,285, an increase of \$5,552 from last year. The City has been on the Retro Plan for years and it has been very successful for the City. This increase from last year is influenced by the following factors:

- Estimated payrolls decreased from \$6,403,611 in 2010 to \$6,288,011 in 2011.
- Experience modification increased from .95 in 2010 to 1.06 in 2011.
- The prime discount (for experience mod of 1.00 or lower) went away.
- Overall rates have increased from 2010 to 2011.
- State Workers Compensation taxes have increased in 2011.

Experience mod factors are figured on the current three-year experience period. For this renewal period, the experience period is from 2008-09 through 2010-11 (see attached Primary Actual Loss Summary).

Over the past 24 years, the City's Workers Compensation Claims have averaged below \$30,000 per year with only one year where the claims totaled more than \$65,000. Losses will need to exceed \$107,975 in 2011-12 to meet the total estimated cost of the Guaranteed Cost Plan. Enclosed is a Worker's Compensation overview and comparison.

Sincerely,



Kenneth L. Woods, Jr.  
Insurance Agent of Record, City of Dallas  
KLW:ekb

enclosures

**City of Dallas  
Workers Compensation Proposal  
2011-12**

Estimated Manual Contribution		\$158,234.00	
Increased Limits Factor	x	1.03	
Ex Mod Rating Factor	x	1.06	
Estimated Standard Contribution			\$172,760.00
Transition Adjustment	x	1.00	
Estimated Adjusted Contribution			\$172,760.00
Initial Contribution Factor	x	0.25	
			\$43,190.00
State Assessment (8.60%)			\$11,402.00
Multi-Line Credit			<u>-\$12,957.00</u>
Estimated Annual Contribution			\$41,635.00
Distribution Credit			<u>-\$4,350.00</u>
Estimated Total Annual Contribution			<u><u>\$37,285.00</u></u>

Limits of Liability

Workers Compensation Per Occurrence - Statutory (Coverage A)  
Employer's Liability Per Occurrence - \$3,000,000 (Coverage B)

**Primary Actual Loss Summary**

2008 - 2009		2009 - 2010		2010 - 2011		2011 - 2012	
2004-05	\$10,514.00	2005-06	\$9,902.00	2006-07	\$22,066.00	2007-08	\$10,260.00
2005-06	\$9,439.00	2006-07	\$22,066.00	2007-08	\$9,459.00	2008-09	\$26,008.00
2006-07	<u>\$21,692.00</u>	2007-08	<u>\$10,239.00</u>	2008-09	<u>\$19,276.00</u>	2009-10	<u>\$24,933.00</u>
	<u>\$41,645.00</u>		<u>\$42,207.00</u>		<u>\$50,801.00</u>		<u>\$61,201.00</u>
EXP MOD	0.88		0.89		0.95		1.06



# DALLAS CITY COUNCIL REPORT

**TO: MAYOR BRIAN DALTON AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No. 8 c</b>	<b>Topic:</b> Aquatic Center promotional rates final report
<b>Prepared By:</b> Jason Locke, Com Dev Director	<b>Meeting Date:</b> June 20, 2011	<b>Attachments:</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

**RECOMMENDED ACTION:** Based on the results of the promotional rates, staff is recommending adopting the single rate (See Resolution No. 3227 contained later in the agenda). This would be necessary so that the rates would be in place by July 1.

**BACKGROUND:** The promotional rates adopted by the City Council were implemented on April 1, 2011. They are slated to run through June 30, 2011. These promotional rates included a single rate for day use passes, coupon books, and annual memberships regardless of residency (city residents receive a 10% discount on annual memberships). The purpose was to determine whether the single rate would produce more attendance, and therefore increase revenue in order to close the gap between revenue and expenditures at the facility. Staff believes that there is now evidence relating to the positive impact of the single rate.

**February (pre-promo rates)**

2010 \$25,038  
2011 \$24,603 Almost exactly the same

**March (pre-promo rates)**

2010 \$36,030  
2011 \$36,209 Almost exactly the same

**April (promo rates in effect)**

2010 \$25,408  
2011 \$32,037 **+\$6629**

**May**

2010 \$26,592  
2011 \$40,011 **+\$13,419**

**June 1-12**

2010 \$21,407  
2011 \$18,845 **-\$2562**

Revenue is up across all categories. In fact, the total revenue for the 2.5 month period is **\$17,486** higher than the same period in 2010. Given economic conditions not significantly different from

2010, the new rates are a success. The numbers above demonstrate a significant increase over the same time periods the previous year. In addition, we have signed up 50 new annual members who are not city residents.

**FISCAL IMPACT: An increase in revenue of approximately \$50,000/year**

**ATTACHMENTS:**

None

# DALLAS CITY COUNCIL

## REPORT

**TO: MAYOR BRIAN DALTON AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item 8 d</b>	<b>Topic:</b> Event Parking Request
<b>Prepared By:</b> John Swanson	<b>Meeting Date:</b> June 20, 2011	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

**RECOMMENDED ACTION:**

Motion to authorize 20 parking spaces be reserved for a car club visit on the south side of Mill Street between Main and Church Streets

**BACKGROUND:**

Staff was recently contacted by the owners of three downtown antique retailers informing us that the McMinnville Auto Club will be visiting Dallas on the morning of June 25<sup>th</sup>. Club members will “Cruise” to Dallas for breakfast at a local restaurant, shop at downtown retail stores and tour the downtown.

Like most car and motorcycle enthusiasts, the club members would like to all park together to enjoy each other’s cars and for public viewing. The parking on the south side of Mill Street between Main and Church is ideal because they are diagonal spaces and they are within 1 block or less from the three antique stores that are central to the visit.

Mike Berkess, owner of Some Things Antiques at 857 Main Street will be the primary contact and be responsible to block off the spaces and return the spaces to general use after car club visit is over.

Please find attached a letter of request from Mike Berkess of Some Things Antiques and a letter of endorsement from the Dallas Area Visitors Center.

**FISCAL IMPACT:**

None

Somethings  
Old-New-in between  
857 Main St.  
Dallas, OR 97338

City of Dallas  
187 Court St.  
Dallas, OR 97338

RE: special parking request

Dear Mr. President and council members,

Recently I was contacted by the McMinnville Auto club about their plans to make Dallas a destination point for a Saturday classic car cruise by approximately 20 classic cars and 40 members.

They plan to leave McMinnville at 9:00 A.M. Saturday June 25<sup>th</sup>, 2011 with the first stop Murphy's Restaurant in Dallas for breakfast. The club will then proceed downtown to shop antiques at Fosters Furniture, Dallas Antique Mall and Somethings, Old-New- and in between. Finishing up with a healthy snack at the Dallas health and vitality center, 184 Oak St.

The president of the club asked about the best parking suggestion for their cars so he can convey this information to the members. The merchants would like to see these cars parked nearby so members feel their cars are in a safe visible place, helping create a welcoming environment and peace of mind for the members, making the shopping experience the best it can be. By placing the cars together it will increase safety of participants, cars themselves and reduce the possibility of distracted drivers passing by these collector cars.

Because these businesses are all clustered in the proximity of Mill and Main Streets, we are making a formal request to reserve a minimum of 20 parking spaces on the south side of Mill St., between Main and Church the morning of June 25<sup>th</sup>, 2011 until noon.

Your cooperation and permission would be greatly appreciated.

I truly feel this is an opportunity for Dallas to show the surrounding area our brand of hospitably and believe it will have a lasting effect on positive word of mouth, resulting in future visits for our community.

Sincerely,



Michael Berkes  
Dallas Merchant

June 16, 2011

Jerry Wyatt, City Manager  
City of Dallas  
187 SE Court Street  
Dallas, OR 97338

Dear Mr. Wyatt,

I would like to support the request of the McMinnville Auto Club 'cruz' coming to Dallas on Saturday, June 25<sup>th</sup>.

Mike Berkes, owner of SomeThings, has been facilitating the conversation and planning efforts. He has been working with several downtown businesses to encourage them to have sales, specials and snacks to welcome these folks into our area.

I understand that they are hoping to close parking stalls for participants, and I am 100% supportive of this. It helps keep the club together and the visual impact of the cars parked together makes people passing by aware that something is going on. This also helps welcome the visitors to our community – showing them that we are happy to go the extra mile for them.

Please let me know if you have any questions or would like further information. Thank you for your consideration.

Sincerely,



Chelsea Pope  
Executive Director

cc: Board of Directors:

Nancy Adams, Steve Segal, Dani Mouser, Bonnie Beck,  
Shellie Friesen-Berry, Susan Morrill, LaVonne Wilson

June 16, 2011

City of Dallas  
187 SE Court Street  
Dallas, OR 97338

Dear Mr. Wyatt, Mayor Dalton and Council Members,

As you may be aware, the Good Vibrations Motorcycle Rally is coming back to Marion & Polk Counties this summer. I am proud to say that we again secured the Saturday lunch stop for Saturday, July 16<sup>th</sup> from Noon-4PM.

Last year we saw over 1,200 visitors come through our community! This year we are being told to expect twice that, along with a much larger plan to attract locals to enjoy the event!

We will be an official 'Poker Run Rally Stop' as well as having live music, vendors (food & retail), raffle items, a car showing and encouraging the participation of downtown businesses.

I would like to request permission to work with the City Manager in preparing for these riders and spectators by; utilizing the Academy Grounds / Rotary Stage as the venue, closing Academy Street for the car showing and overflow bikes, providing safe/defined routes for visitors to travel, picnic tables for them to rest and eat while they are here, as well as working with the Police Department, Fire Department & EMS.

Please let me know if you have any questions or would like further information. Thank you for your continued support.

Sincerely,



Chelsea Pope  
Executive Director

cc: Dallas Area Visitor Board of Directors:

Nancy Adams, Steve Segal, Dani Mouser, Bonnie Beck,  
Shellie Friesen-Berry, Susan Morrill, LaVonne Wilson

June 16, 2011

Jerry Wyatt, City Manager  
City of Dallas  
187 SE Court Street  
Dallas, OR 97338

Dear Mr. Wyatt,

Thank you, the City Council and all of the City of Dallas staff for your continued support of the annual Summerfest activities, hosted by the Dallas Area Chamber of Commerce.

We have previously received date approval from the City Council of Thursday, July 28th thru Sunday, July 31st, recognizing that all downtown activities are Thursday thru Saturday then the focus shifts to the City Park for activities planned by the Dallas Rotary, Dallas Arts Association and the Delbert Hunter Arboretum.

As has happened in the past, we are making the following detailed requests:

**Street Closures:** *For all day Thursday, Friday & Saturday*

- Court Street from Main to Shelton
  - Trailer vendors will be positioned along the northwest side of Court Street.
  - The Fire Department will host 'Hydro Cart Races' on Friday and the 'Vehicle Rescue Competition' on Saturday along Court Street from Shelton to Jefferson.
- Mill Street from Main to Jefferson
  - We will be parking the Pirate Ship there and we are working with a vendor that will be bringing a game trailer, inflatable slide and bouncy house.
- This year we would like to host the Bounty Market on Thursday only. Because the Courthouse Lawn will be full of 3-day Summerfest Vendors, we will need to close an additional street or block. We would like to work with City staff in identifying the best street as there are several construction projects in the works.

**Closures for the Parade:** *For Saturday only, July 30th from 8:00AM-2:00PM*

We anticipate the parade completing at 12:30PM and will need approximately an hour to clean up and allow the majority of the crowds to disperse. Crowds are becoming a growing concern on Main Street, particularly immediately following the parade. I would



like to work with the Police Department and City Staff in making this transition as safe as possible for all in attendance.

The parade route officially starts at Washington & Jefferson, completing the one-way loop, ending at Main & Washington {parade entries will be directed to Clay for dispersal}.

- Main and Jefferson Streets, between Walnut and Clay.
  - No traffic should be allowed on Main and Jefferson Streets from 9:30AM-2:00PM due to the presence of parade performers and the large number of children.
    - The potential change of the beginning time will depend on the planning and participation of the Fun Run.
  - Please allow all Parade & Summerfest Personnel access! All will be identified with badges and some will be operating golf cart-type vehicles in the area.
- Thru traffic on Washington Street from Uglow to Jefferson from 8:00AM-1:00PM

#### **Parking:**

- Barricade parking stalls along the Courthouse Lawn; Main, Mill and Court Streets from 4:00PM on Wednesday, July 27<sup>th</sup> to 9:00PM on Saturday, July 30<sup>th</sup>.
  - Informational signs to be posted on Tuesday afternoon to alert folks of the Wednesday deadline, to prevent from having to locate or tow a downtown patron.
- Vendors & Entertainers will again have 'Parking Passes' - as it's proven helpful to the Police Department for the last several years. NOTE: This does not allow them to break posted laws.
- We would also like to set aside handicap accessible parking close to downtown and will need assistance in identifying those locations to the public.

#### **Additional:**

- Official Proclamation of Summerfest 2011. We will not be hosting the Kick Off Party as we have in years past. I will work with the Mayor in selecting an appropriate time for this.
- Permission to hold live music on the Courthouse Lawn during Thursday, Friday & Saturday.
- Strong police security surveillance during the duration of Summerfest in the downtown area, beginning at 5:00PM on Wednesday to 9:00PM on Saturday.
- The use of the parking lot at the City Shops for horse trailer parking the morning of the Parade, Saturday July 30<sup>th</sup> from 6:00AM to 2:00PM



- Police Unit Escort at the start of the Parade to lead the route at 11:00AM and to end the Parade at approximately 12:30PM.
- Street cleaning immediately after the Parade along the Parade route on Saturday.
- We will host the Teen Dance in the Bank of America Parking Lot on Saturday evening and would appreciate assistance from the police department.
- The last several years, the City laid fresh beauty bark, re-painted lines for the streets and parking stalls and cleaned the streets with the street sweeper and flusher – we'd love to see it again this year!

The Dallas Area Chamber of Commerce continues to list the City of Dallas as an additional insured on our liability policy. A copy of this will be filed with the City.

Please let me know if you have any questions, concerns or recommendations.  
Thank you for your continued support!

Sincerely,

A handwritten signature in black ink that reads "Chelsea".

Chelsea Pope  
Executive Director

cc: Chamber Board of Directors:  
Jim Fowler, Jerry Wyatt, Tina Evans, Christy Perry, Tony Teal,  
Brent DeMoe, Robert Brannigan

RESOLUTION NO. 3227

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. This Resolution shall be effective July 1, 2011.

Section 4. Upon the effective date of this resolution, all prior and conflicting Resolutions are hereby repealed.

Adopted: June 20, 2011  
Approved: June 20, 2011

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BRIAN W. DALTON, MAYOR

ATTEST:

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JERRY WYATT, CITY MANAGER

## EXHIBIT A

### DALLAS AQUATIC CENTER RATES

1) General Admission Day Use Pass

Adult (18-59)	\$5.00
Youth (under 18)	\$4.00
Senior (60 & over)	\$4.00
Family <sup>1</sup>	\$12.00

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

2) Youth summer only Pass (June-August)

Youth (18 & under)	\$100.00
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3) 3-month Water Aerobics Pass (unlimited use)

All ages	\$75.00
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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)

**(Residents receive 10% discount on annual pass)**

Adult (18-59)	\$250
Youth (under 18)	\$200
Senior (60 & over)	\$200
Two-person	\$375
Family <sup>1</sup>	\$450

5) 20 coupons (non-expiring)

Adult (18-59)	\$85.00
Youth (under 18)	\$60.00

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<sup>1</sup> "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.

Senior (60 & over) \$60.00

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.

RESOLUTION NO. 3228

A Resolution establishing permit fees for the Oregon Mechanical Specialty Building Code and repealing prior conflicting Resolutions.

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

Section 1. The following are hereby adopted as the permit fees for the Oregon Mechanical Specialty Building Code under Dallas City Code 8.105:

FEE SCHEDULE			
Residential	#	Cost ea.	Total cost
<b>Furnace/burner including ducts and vents</b>			
Up to 100k BTU/hr.		\$51.66	\$
Over 100k BTU/hr.		\$54.03	\$
<b>Heaters/stoves/vents</b>			
Unit heater		\$51.66	\$
Wood/pellet/gas stove/flue		\$49.30	\$
Repair/alter/add to heating appliance/ refrigeration unit or cooling system/ absorption system		\$51.66	\$
Evaporated cooler		\$49.30	\$
Vent fan with one duct/appliance vent		\$4.74	\$
Hood with exhaust and duct		\$7.12	\$
Floor furnace including vent		\$51.66	\$
<b>Gas piping</b>			
One to four outlets		\$3.16	\$
Additional outlets (each)		\$1.06	\$
<b>Air-handling units, including ducts</b>			
Up to 10,000 CFM		\$51.66	\$
Over 10,000 CFM		\$54.03	\$
<b>Compressor/absorption system/heat pump</b>			
Up to 3 hp/100k BTU		\$51.66	\$
Up to 15 hp/500k BTU		\$54.03	\$
Up to 30 hp/1,000 BTU		\$54.03	\$
Up to 50 hp/1,750 BTU		\$54.03	\$
Over 50 hp/1,750 BTU		\$54.03	\$
<b>Incinerators</b>			
Domestic incinerator		\$51.66	\$
<b>Commercial</b>			
Enter total valuation of mechanical system and installation costs \$ _____			
Enter fee based on valuation of mechanical system, etc. \$ _____			
<b>Miscellaneous fees</b>	<b>Items</b>	<b>Cost</b>	<b>Total</b>

	ea.	cost
Re-inspection	\$75.00	\$
Specially requested inspections (per hr.)	\$75.00	\$
Regulated equipment (un-classed)	\$75.00	\$
APPLICANT USE		
(A) Enter subtotal of above fees (or enter set minimum fee of \$ <b>75.00</b> )		\$
(B) Investigative fee (equal to [A])		\$
(C) Enter 12% surcharge (.12 x [A+B])	<b>*040</b>	\$
(D) Seismic fee, 1% (.01 x [A])		\$
(E) Plan review ( <b>25%</b> of [A])		\$
<b>TOTAL fees and surcharges (A through E):</b>		\$

Section 2. The above fees shall automatically be adjusted each July 1, beginning July 1, 2012, based on the percentage of change in the Portland, Oregon Consumer Price Index (CPI-W) second half report, published in the preceding February of each year.

Section 3. This resolution shall take effect on July 1, 2011 and upon its effective date, all conflicting prior Resolutions are repealed.

Adopted: June 20, 2011  
Approved: June 20, 2011

\_\_\_\_\_  
BRIAN W. DALTON, MAYOR

ATTEST:

\_\_\_\_\_  
JERRY WYATT, CITY MANAGER

RESOLUTION NO. 3229

A Resolution establishing permit fees for the Oregon Plumbing Specialty Code and repealing prior conflicting Resolutions.

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

Section 1. The following are hereby adopted as the permit fees for the Oregon Plumbing Specialty Code under Dallas City Code 8.105:

FEE SCHEDULE			
Description	#	Cost ea.	Total cost
<b>New residential (one – or – two – family)</b>			
1 bathroom/1 kitchen ( <i>includes: first 100 feet of water/sewer lines, hose bibs, ice maker, under-floor low-point drains and rain-drain packages</i> )		\$229.68	\$
2 bathrooms/1 kitchen		\$302.43	\$
3 bathrooms/1 kitchen		\$375.18	\$
Each additional bathroom (over 3)		\$72.74	\$
Each additional kitchen (over 1)		\$18.18	\$
Remodel/alteration (minimum fee)		\$75.00	\$
Each fixture, appurtenance, and piping		\$18.18	\$
Storm water retention/detention facility		\$63.26	\$
Irrigation systems		\$50.60	\$
Piping or private storm drainage systems exceeding the first 100 feet		\$27.84	\$
<b>Residential (one – or - two family) fire sprinklers</b>			
0 to 2,000 square feet		\$75.00	\$
2,001 to 3,600 square feet		\$75.00	\$
3,601 to 7,200 square feet		\$75.00	\$
7,201 square feet and greater		\$75.00	\$
<b>Manufactured dwelling or pre-fab</b>			
Connections to building sewer and water supply		\$50.60	\$
<b>RV and manufactured dwelling parks</b>			
First 10 or fewer spaces		\$430.44	\$
Each additional 10 spaces		\$279.92	\$
<b>Commercial, industrial, and dwellings other than one- or two-family</b>			
Minimum fee		\$75.00	\$
Each fixture		\$18.97	\$
Piping (based on number of feet)		\$0.50	\$

<b>Miscellaneous fees</b>			
Specialty fixtures		<b>\$50.60</b>	\$
Re-inspection (no. of hrs. x fee per hr.)		<b>\$75.00</b>	\$
Special requested inspections (no. of hrs. x fee per hr.)		<b>\$75.00</b>	\$
<b>Medical gas piping</b>	Minimum fee		<b>\$240.39</b>
Enter value of installation and equipment \$ _____.			
Enter fee based on installation and equipment value.			\$
<b>APPLICANT USE</b>			
(A) Enter subtotal of above fees			\$
(B) Investigative fee (equal to [A])			\$
© Enter 12% surcharge (.12 x [A+B])			\$
(D) Plan review (30% of [A])			\$
<b>TOTAL fees and surcharges (A through D):</b>			\$

Section 2. The above fees shall automatically be adjusted each July 1, beginning July 1,2012, based on the percentage of change in the Portland, Oregon Consumer Price Index (CPI-W) second half report, published in the preceding February of each year.

Section 3. This resolution shall take effect on July 1, 2011 and upon its effective date, all conflicting prior Resolutions are repealed.

Adopted June 20, 2011  
Approved June 20, 2011

\_\_\_\_\_  
BRIAN W. DALTON, MAYOR

ATTEST:

\_\_\_\_\_  
JERRY WYATT, CITY MANAGER

RESOLUTION NO. 3230

A Resolution establishing permit fees for the Oregon Structural Specialty Code and repealing prior conflicting Resolutions.

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

Section 1. The following are hereby adopted as the permit fees for the Oregon Structural Specialty Code under Dallas City Code 8.105:

<u>Valuation</u>	<u>Permit Fee</u>
\$1.00 to \$4000	\$75.00
\$4,001 to \$25,000	\$75.00 for the first \$4000 plus \$9.00 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$264.00 for the first \$25,000 plus \$8.00 for each additional \$1,000 or fraction thereof, to and including \$50,000 or fraction thereof
\$50,001 to \$150,000	\$464.00 for the first \$50,000 plus \$7.00 for each additional \$1,000 or fraction thereof, to and including \$150,000 or fraction thereof
\$150,001 and up	\$1164.00 for the first \$150,000 plus \$6.00 for each additional \$1,000 or fraction thereof

**Other Inspections and Fees:**

1. Inspections outside of normal business hours.....\$75.00 per hour
2. Re-inspection fees..... \$75.00 each
3. Inspections for which no fee is specifically indicated.....\$75.00 per hour
4. Additional plan review required by changes, Additions or revisions to approved plans.....\$75.00 per hour

Section 2. The structural plan review fee shall be 85% of the structural permit fee.

Section 3. The Fire Life Safety plan review fee shall be 60% of the structural permit fee.

Section 4. The above fees shall automatically be adjusted each July 1, beginning July 1, 2012, based on the percentage of change in the Portland, Oregon Consumer Price Index (CPI-W) second half report, published in the preceding February of each year.

Section 5. This resolution shall take effect on July 1, 2011 and upon its effective date, all conflicting prior Resolutions are repealed.

Adopted: June 20, 2011  
Approved: June 20, 2011

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BRIAN W. DALTON, MAYOR

ATTEST:

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JERRY WYATT, CITY MANAGER

RESOLUTION NO. 3231

A Resolution authorizing the transfer of budgetary funds.

WHEREAS, it is necessary to transfer the appropriation authority of \$45,000 from the General Fund, Operating Contingency, to the General Fund, Ambulance Department, for unanticipated workers compensation claims and billing services; and

WHEREAS, it is necessary to transfer the appropriation authority of \$37,000 from the General Fund, Operating Contingency, to the General Fund, Library Department, for unanticipated employee retirement; and

WHEREAS, it is necessary to transfer the appropriation authority of \$23,000 from the Water Fund, Operating Contingency, to the Water Fund, Personal Services-Salaries and Fringe Benefits, for unanticipated employee retirement and personnel changes; and

WHEREAS, it is necessary to transfer the appropriation authority of \$9,713 from the Water Fund, Capital Outlay-Trench Restoration Contract, to the Water Fund, Capital Outlay-Water Line Replacement Project, for an unanticipated easement for project; and

WHEREAS, it is necessary to transfer the appropriation authority of \$23,000 from the Fleet Management Fund, Materials and Services-Fuel & Oil, to the Fleet Management Fund, Capital Outlay-Equipment, for an unanticipated replacement of mower;

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

Section 1. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$45,000 from the General Fund, Operating Contingency, to the General Fund, Ambulance Department.

Section 2. That the City Manager be, and he hereby is, authorized and to transfer the appropriation authority of \$37,000 from the General Fund, Operating Contingency, to the General Fund, Library Department.

Section 3. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$23,000 from the Water Fund, Operating Contingency, to the Water Fund, Personal Services-Salaries and Fringe Benefits.

Section 4. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$9,713 from the Water Fund, Capital Outlay-Trench Restoration Contract, to the Water Fund, Capital Outlay-Water Line Replacement Project.

Section 5. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$23,000 from the Fleet Management Fund, Materials and Services-Fuel & Oil, to the Fleet Management Fund, Capital Outlay-Equipment.

Section 6. This Resolution shall be effective upon its passage.

Adopted: June 20, 2011  
Approved: June 20, 2011

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BRIAN W. DALTON, MAYOR

ATTEST:

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JERRY WYATT, CITY MANAGER

RESOLUTION NO. 3232

A Resolution adopting the budget of the City of Dallas, Oregon for the fiscal period beginning July 1, 2011 and ending June 30, 2012, making budgeted appropriations and levying taxes for said fiscal period.

WHEREAS, at a meeting of the City Council of the City of Dallas, Oregon, duly held on the 6<sup>th</sup> day of June, 2011, a budget for the City for the fiscal year beginning July 1, 2011 and ending June 30, 2012, heretofore submitted by the Budget Committee to the people of the City after due notice and public hearing, was submitted to the City Council for adoption for and on behalf of the City; and

WHEREAS, the appropriations for said period as shown by said budget are in the respective sums and for the purposes following:

<u>Budgeted Fund and Account</u>		<u>Appropriated Amount</u>
<b>1. GENERAL FUND</b>		
a) Administration		
Total Appropriation	\$	504,100
b) Municipal Court		
Total Appropriation	\$	198,650
c) Parks		
Total Appropriation	\$	271,700
d) Finance		
Total Appropriation	\$	529,000
e) Fire		
Total Appropriation	\$	783,010
f) Ambulance		
Total Appropriation	\$	1,183,000
g) Police		
Total Appropriation	\$	2,926,900
h) Library		
Total Appropriation	\$	373,100
i) Aquatic Center		
Total Appropriation	\$	753,400
j) Planning		
Total Appropriation	\$	203,100
k) Inspections/Building		
Total Appropriation	\$	258,900
l) Facilities Maintenance		
Total Appropriation	\$	167,800
m) Non-Departmental		
Operating Contingencies	\$	250,000
Unappropriated Fund Balance		<u>961,340</u>
Total Appropriation	\$	9,364,000
<b>TOTAL – ALL REQUIREMENTS – GENERAL FUND</b>	<b>\$</b>	<b><u>9,364,000</u></b>
<b>2. STREET FUND</b>		
Personal Services	\$	338,750
Materials & Services		339,000
Capital Outlay		155,000
Contingency		<u>327,277</u>
Total Appropriation	\$	<u>1,160,027</u>
<b>3. SEWER FUND</b>		
Personal Services	\$	593,000
Materials & Services		1,415,500
Capital Outlay		135,000

Debt Service		973,734
Contingency		1,008,216
Reserve		<u>1,120,000</u>
Total Appropriation	\$	<u>5,245,450</u>
<b>4. <u>WATER FUND</u></b>		
Personal Services	\$	427,875
Materials & Services		1,164,000
Capital Outlay		0
Debt Service		555,112
Contingency		<u>858,738</u>
Total Appropriation	\$	<u>3,005,725</u>
<b>5. <u>DEBT SERVICE FUND</u></b>		
Debt Service (Water & Sewer)	\$	<u>1,708,846</u>
Total Appropriation	\$	<u>1,708,846</u>
<b>6. <u>FLEET MANAGEMENT FUND</u></b>		
Personal Services	\$	221,000
Materials & Services		221,500
Capital Outlay		20,000
Contingency		<u>335,000</u>
Total Appropriation	\$	<u>797,500</u>
<b>7. <u>REVENUE SHARING</u></b>		
Transfer to General Fund	\$	<u>110,000</u>
Total Appropriation	\$	<u>110,000</u>
<b>8. <u>SYSTEM DEVELOPMENT FUND</u></b>		
Capital Outlay		<u>3,567,000</u>
Total Appropriation	\$	<u>3,567,000</u>
<b>9. <u>GENERAL OBLIGATION FUND</u></b>		
Debt Service	\$	684,743
Unappropriated Fund Balance		<u>253,257</u>
Total Appropriation	\$	<u>938,000</u>
<b>10. <u>TRUST FUND</u></b>		
Park	\$	10,200
Skate Park		4,020
Fire-Harpy Bovard Scholarship		26,040
Fire-Extrication Team		52,500
Fire-Other		483
Ambulance Equipment		560
Aquatic Center		87,200
Library		23,500
Improvement		9,430
Street Improvement		64,500
Police		10,500
Police Reserves		800
Firing Range Improvements		3,000
Civic Center Deposits		810
Economic Development		65,000
Community Dinner		2,818
Transient Lodging		<u>77,000</u>
Total Appropriation	\$	<u>438,361</u>
<b>11. <u>GRANT FUND</u></b>		
Total Appropriation	\$	<u>3,357,177</u>

<b>12. GENERAL LONG TERM DEBT FUND</b>		
Debt Service	\$	<u>97,110</u>
Total Appropriation	\$	<u>97,110</u>

Total Appropriations - All Funds .....	\$	29,789,196
Less Estimated Receipts .....	\$	25,739,310
Amount Necessary to Balance Budget .....	\$	4,049,886
Plus Estimated Taxes Not Received .....	\$	303,741
Total Tax Levy Needed for 2010-11 (Est.) .....	\$	4,353,627

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

Section 1. The budget for the City of Dallas for the fiscal year beginning July 1, 2011 and ending June 30, 2012, heretofore submitted to the City Council by the Budget Committee of said City after due notice and public hearing, and as set forth above, is hereby adopted as the budget for said City for said period.

Section 2. The City Council of the City of Dallas hereby levies the taxes provided for in the adopted budget at the rate of \$4.1954 per \$1,000 of assessed value for operations and in the amount of \$739,463 for bonds and these taxes are levied upon all taxable property within the City as of 1:00 a.m. July 1, 2011. These taxes are hereby imposed and categorized for tax year 2011-12 upon the assessed value of all taxable property within the City:

	Subject to the General Government Limitation	Excluded from Limitation
General Fund	\$ 4.1954/\$1,000	\$ 0
Bonded Debt Fund	<u>0</u>	<u>\$ 739,463</u>
Category Total	\$ 4.1954/\$1,000	\$ 739,463
	Total Levy	\$4,353,627

Section 3. The amounts of money herein above and in said budget specified are hereby appropriated to the several funds for the purposes specified, respectively.

Section 4. That the City Manager shall, not later than the 15<sup>th</sup> day of July, 2011, notify the Assessor and Clerk of Polk County, Oregon, respectively, in writing, of the tax levy made by said City, stating the amount of money to be raised for the fiscal period beginning July 1, 2011 and ending June 30, 2012, and the method by which said levy is to be apportioned to the real and personal property subject to assessment.

Section 5. This Resolution shall be effective upon its passage.

Adopted: June 20, 2011  
Approved: June 20, 2011

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Brian Dalton, Mayor

ATTEST:

\_\_\_\_\_  
Jerry Wyatt, City Manager

RESOLUTION NO. 3233

A Resolution declaring the City of Dallas' election to receive State Revenues.

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

Section 1. Pursuant to ORS 221.770, the City of Dallas hereby elects to receive State Revenues for fiscal year 2011-12.

Section 2. This Resolution shall be effective on its passage.

Adopted June 20, 2011  
Approved June 20, 2011

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Brian W. Dalton, Mayor

ATTEST:

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Jerry Wyatt, City Manager

I certify that a public hearing before the Budget Committee was held on May 16, 2011, and a public hearing before the City Council was held on June 6, 2011, giving citizens an opportunity to comment on use of State Revenue Sharing.

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Emily Gagner, Recording Secretary

ORDINANCE NO. 1737

An Ordinance amending provisions of the Dallas City Code Section 5.210, relating to smoking.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Dallas City Code Section 5.210 is hereby amended to read as follows:

**5.210 No Smoking.**

Smoking is prohibited and no person shall smoke:

- (1) In any place of employment within the city, as defined in ORS 433.835(3), or any enclosed area open to the public.
- (2) Within 10 feet of the external boundaries of the entrances(s) to and exit(s) from all places of employment, as defined in ORS 433.835(3), and all enclosed areas open to the public within the city, windows on such places that open, and ventilation intakes that serve an enclosed area within any place of employment.
- (3) On or within 25 feet of the external boundaries of the following:
  - (a) All city and school district sport playing fields, including, but not limited to, baseball fields, soccer fields, and football fields, during a group activity, including, but not limited to, spectator areas and bleachers.
  - (b) Public tennis courts, public basketball courts, the city aquatic center, and the city skateboard park, including, but not limited to, spectator areas and bleachers.
  - (c) The Dallas Rotary amphitheater stage, on the grass on the sides and/or in front of the stage, to and including the concrete bleachers adjacent thereto, during and within one hour before a concert or entertainment event.
  - (d) Any bus shelter structure.
- (4) In all city parks, including the Rickreall Creek Trail, and all parking lots adjacent to such parks and trail, except that the City Manager shall designate one smoking area within the Dallas City Park where smoking will be permitted.

(5) The restrictions of subsections (1), (2) and (3) of this section shall not apply to persons traveling in a motor vehicle that is not a place of employment under ORS 433.835, nor to persons walking on sidewalks, parking lots, or other pedestrian pathways so long as they continue to move.

(6) Smoking shall mean and include inhaling, exhaling, burning, or carrying any lighted cigarette, cigar, pipe, or other smoke equipment used for tobacco or any other weed or plant.

(7) "No Smoking" signs, which identify the area where smoking is prohibited, shall be posted at the entrance(s) to all city buildings and city parks, and at reasonable places and intervals at all other locations where smoking is prohibited; provided, however, that the absence of a "no smoking" sign shall not justify a violation of nor preclude enforcement of this section. The area designated for smoking within the Dallas City Park pursuant to subsection (4) shall be identified by signs and markings as a smoking area.

(8) Violation of this section is punishable by a fine not to exceed \$100. A person who violates this section while in a city park shall also be subject to exclusion from city parks pursuant to section [5.428](#).

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

Read for the first time: April 18, 2011  
Read for the second time: June 20, 2011  
Adopted by the City Council: June 20, 2011  
Approved by the Mayor: June 20, 2011

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BRIAN W. DALTON, MAYOR

ATTEST:

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JERRY WYATT, CITY MANAGER

ORDINANCE NO. 1739

An Ordinance amending Dallas Development Code Section 2.2.120.L., relating to agricultural uses permitted in the RL district.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Dallas Development Code Section 2.2.120.L. is hereby amended as follows:

**2.2.120.L. Agricultural Uses in RL District**

1. The following agricultural uses are permitted in the RL District:
  - a. Gardens, accessory to residential use.
  - b. Community Gardens.
  - c. Raising of not more than five (5) chickens – hens only – for personal, family or household use only, provided area is fenced and chicken coop is setback at least ten (10) feet from property line; no roosters allowed.
  - d. Raising of rabbits and similar small animals, excluding swine.
  - e. Raising of cattle, lamas, sheep, and similar livestock within a fenced area, with a minimum lot size of one (1) acre for the first animal and provided one-half acre for every additional head of livestock.
2. The following agricultural uses are not allowed:
  - a. Raising of livestock or other animals for commercial purposes.
  - b. Veterinary clinics, animal boarding, kennels and similar uses.
  - c. Animal cemeteries, crematoria, and similar uses.
3. Agricultural uses may be subject to state and federal requirements. Property owners are responsible for complying with applicable regulations, including nuisance laws.

Read for the first time: June 6, 2011  
Read for the second time: June 20, 2011  
Passed by the City Council: June 20, 2011  
Approved by the Mayor: June 20, 2011

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BRIAN W. DALTON, MAYOR

ATTEST:

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JERRY WYATT, CITY MANAGER