



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 Director
Robert Spivey

Community Development/
Operations Director
Jason Locke

Finance Director
Cecilia Ward

Fire Chief
Bill Hahn

Chief of Police
John Teague

Engineering Director
Fred Braun

City Recorder
Emily Gagner

Dallas City Council Agenda

Monday, December 19, 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 December 5, 2011, City Council Minutes p. 3 | |
| b. Approve Committee Appointments/Reappointments p. 7 | |
| c. Recommend the OLCC approve the change of ownership application for Tiga Sushi Bar and Japanese Restaurant at 957 Main Street p. 8 | |
| 6. ITEMS REMOVED FROM CONSENT AGENDA | |
| 7. REPORTS OR COMMENTS FROM THE COUNCIL MEMBERS | |
| 8. REPORTS FROM CITY MANAGER AND STAFF | |
| a. 2012 Meeting Schedule p. 16 | Information |
| b. Other | |
| 9. RESOLUTIONS | |

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.

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| a. <u>Resolution No. 3238</u> – A Resolution adopting and appropriating a Supplemental Budget for Fiscal Year 2011-2012. p. 17 | Roll Call Vote |
| b. <u>Resolution No. 3239</u> - A Resolution authorizing the transfer of budgetary funds. p. 18 | Roll Call Vote |
| c. <u>Resolution No. 3240</u> - A Resolution authorizing an interfund loan. p. 20 | Roll Call Vote |
| 10. FIRST READING OF ORDINANCE | |
| 11. SECOND READING OF ORDINANCE | |
| a. <u>Ordinance No. 1743</u> - An Ordinance amending provisions of the Dallas City Code Section 2.005, relating to council meetings. p. 21 | Roll Call Vote |
| 12. OTHER BUSINESS | |
| 13. ADJOURNMENT | |

Notes:

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

Following the Council meeting, there will be an Executive Session to evaluate the City Manager as authorized in ORS 192.660(2)(i).

The first Council meeting in January will be held on TUESDAY, January 3 at 7:00 PM.

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The Dallas City Council met in regular session on Monday, December 5, 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 Mark McDonald, Councilor Kevin Marshall, Councilor Murray Stewart, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. Excused: Councilor Jackie Lawson

Also present were: City Manager Jerry Wyatt, City Attorney Lane Shetterly, Community Development/Operations Director Jason Locke, Administrative Services Director Robert Spivey, Chief of Police John Teague, and Recording Secretary Emily Gagner.

Mayor Brian Dalton led the Pledge of Allegiance.

QUESTIONS OR COMMENTS FROM THE AUDIENCE

There were no questions or comments from the audience.

PUBLIC HEARING

CONSENT AGENDA

It was moved by Councilor Wilson and seconded by Council President Scroggin to approve the Consent Agenda as presented. The motion carried unanimously.

Items approved by the Consent Agenda: a) approve the November 7, 2011, City Council minutes; b) acknowledge report of the November 28, 2011, Administrative Committee meeting; and c) acknowledge report of the November 28, 2011, Building and Grounds Committee meeting.

ITEMS REMOVED FROM CONSENT AGENDA

There were none.

REPORTS OR COMMENTS FROM COUNCIL

Mayor Dalton reminded the Councilors that if they had a complicated question to ask of city staff, it was best if they contacted the staff prior to the meeting. He noted this provided the staff time to research the question and better answer the question at the meeting.

Councilor McDonald expressed his appreciation to the Dallas EMS for their professionalism while helping his mother recently. He added he considered the EMS, Fire and Police to be everyday heroes.

Councilor Wilson recognized the ambulance department for something she saw recently. She explained she pulled up to the stoplight near Safeway and the ambulance was pulled up opposite her. She noticed a mother with several small children with her walking across the street and as the children walked by and waved at the ambulance drivers, they took the time to wave to each child.

Councilor Woods reported that as the Chair of the Mid-Willamette Valley Area Commission on Transportation, he attended a workshop hosted by ODOT in November. He explained ODOT came with a message to share that was nothing but doom and gloom, noting they indicated there was not sufficient long-term funding sources to preserve the state highway system. He explained improved fuel efficiency in vehicles resulted in decreased revenue through lower fuel taxes received. He indicated currently most of the system was at the tipping point of failure.

Councilor Fairchild reported he recently attended the LOC Board of Directors meeting and noted the governor is trying to look at budgeting on a 10-year plan rather than a 2-year plan to get more consistency.

Councilor Stewart stated he attended the first workshop of the task force looking at options for area fire and EMS departments. He noted they kicked around ideas on different ways to service the area and would continue to hold workshops to look at those ideas in more detail.

1 Councilor Jones indicated she had attended Winterfest and it was fun. Mayor Dalton noted there
2 were 1,000 or more people in attendance.

3 Council President Scroggin stated the Oregon Board of Parole recently celebrated their 100th
4 anniversary, noting it was a nice ceremony. He also encouraged people to visit the capitol during
5 the holiday season, which was decorated with beautiful Christmas trees.

6 **REPORTS FROM CITY MANAGER AND STAFF**

7 **POLK CERT OVERVIEW**

8 Chief of Police Teague stated he was also the City's emergency manager and noted the City was
9 very fortunate to have a city manager who supported and understood emergency management.
10 He then introduced Kimber Townsend, the Polk County Community Emergency Response Teams
11 (CERT) Coordinator, indicating she was very knowledgeable and he appreciated that she was
12 very energetic and commanding.

13 Ms. Townsend indicated CERT was a FEMA-mandated program that was intended to provide a
14 community-based, well-trained force to help bolster the public safety responders. She reported
15 the CERT team in Polk County was 100 members strong and they covered the whole county. She
16 noted residents probably see the CERT members in the community as they helped with the
17 National Night Out event and Summerfest this year. She added CERT members also helped the
18 Dallas Retirement Village meet state mandates for emergency planning. Ms. Townsend stated
19 Polk County CERT enjoyed support from the cities of Dallas, Monmouth, and Independence.

20 In response to a question, Ms. Townsend stated in order to become a CERT member, individuals
21 needed to pass the basic CERT program which trained them in 8 main areas. She directed people
22 to their website at www.polkcountycert.org for more information. She noted all members were
23 required to pass a full background check.

24 Mayor Dalton told Ms. Townsend CERT's service was greatly appreciated and they did a very
25 good job.

26 **PUBLIC RECORDS REQUEST UPDATE**

27 Mr. Wyatt reviewed the staff report. He noted staff did take these requests very seriously.

28 **COUNCIL RULES OF PROCEDURE**

29 Mr. Wyatt reviewed the staff report.

30 Councilor McDonald stated he had noticed in part of the rules it stated within 30 days of taking
31 office, each Councilor would sign that they had reviewed and received a copy of the rules. He
32 indicated the signature page also stated the Councilor agreed to comply with the rules, which was
33 different language under the authority. He indicated the Councilors were elected to represent the
34 people and if they agreed to comply to the rules it was as if they were subordinate to some other
35 authority. He indicated the Councilors were subordinate to the authority of the Charter and this
36 was not part of the Charter. He noted it was an agreement amongst the Councilors to abide by the
37 rules. He added someone who was elected to office wouldn't have read the document and it
38 wasn't right to expect them to sign that they agreed to abide by the rules after they had been
39 elected. Councilor McDonald stated he didn't have a problem saying he had received and
40 reviewed the rules.

41 Mr. Shetterly stated this was a set of rules the Council adopted, noting this Council couldn't bind
42 the next Council. He added the next Council could decide they were not going to comply with the
43 rules and indicated there was no enforcement authority. Mr. Shetterly explained if someone said
44 they didn't agree to comply with the rules, there was no legal authority that said they had to. He
45 commented that if the Council adopted the rules, it would be worth looking at a different form for
46 incoming Councilors or perhaps look at readopting the rules every time there was a new Council.
47 He added the acknowledgement form included in the proposed rules was appropriate for this
48 Council at this time. Councilor McDonald responded that every time he walked in the Council
49 Chambers, he was reminded of his oath to the people and that was his primary focus. He
50 indicated his appreciation for the need for procedure, but as the executives who help guide the
51 City, he felt their oath should be the primary focus; to protect the rights of those they were elected
52 to serve. Councilor McDonald stated he agreed to comply with the rules, but there may come a
53 point when he didn't wish to comply, adding the rules may change as other Councils come

1 forward.

2 Councilor Fairchild agreed the Councilors' first duty was to represent the people in the best
3 manner they could. He indicated he liked the proposed rules because it provided some guidelines
4 to make nine separate people work together in the most effective manner to accomplish that one
5 main goal. He stated they could change the sentence to say "I agree to do my best to comply..."
6 which would provide some wiggle room.

7 Mr. Shetterly reported that Council rules were contemplated in the Charter and there was special
8 basis for authority. He read part of Section 13 of the Charter of 1964 which stated "[The Council]
9 shall adopt rules for the government of its members and proceedings."

10 Councilor Woods commented there was no penalty provision in the rules and asked how other
11 Councils could sanction members as he'd heard them do. Mr. Shetterly stated that could come up
12 in cases of interference with Council business, noting the Dallas Charter limited the
13 circumstances under which the Council could remove someone from the Council. In response to
14 a question, Mr. Shetterly indicated a Councilor could be ejected from the Council Chambers for
15 disruption of a meeting, but that would not remove them from office.

16 Councilor Wilson stated she felt they were simplistic rules that outlined courtesy to one another.
17 She commented that it needed to be adopted so the Council had them in place.

18 Councilor Jones asked if anyone was opposed to saying they would do their best to comply with
19 the rules. Councilor McDonald reiterated the inconsistency between Section 2 of the rules and
20 what they were being asked to sign. He discussed signing that after being elected and making an
21 oath to the Constitution of the United States. He stated the extra language did not make sense
22 from a legal standpoint.

23 Mr. Shetterly stated if the Council adopted the rules, they would be bound by them even if they
24 did not sign the acknowledgement form stating they agreed to abide by them.

25 It was moved by Councilor Wilson and seconded by Councilor Scroggin to adopt the Council
26 Rules of Procedure.

27 It was moved by Councilor Jones and seconded by Councilor McDonald to amend the original
28 motion to strike the words "I agree to comply with the provisions of the City Council Rules of
29 Procedure." from the acknowledgement form. The motion to amend carried by a majority with
30 Councilor Jim Fairchild, Councilor Beth Jones, Councilor Mark McDonald, Councilor Kevin
31 Marshall, and Councilor Ken Woods voting YES and Council President Wes Scroggin, Councilor
32 Murray Stewart, and Councilor LaVonne Wilson voting NO.

33 The amended motion to adopt the Council Rules of Procedure with the last line of the
34 acknowledgement form removed carried unanimously.

35 **OTHER**

36 Mr. Wyatt reported staff had begun preparations for the fourth annual Christmas Dinner in Dallas,
37 which would be held on December 22, from 4:30 to 6:30 p.m. at LaCreole Middle School. He
38 explained staff held this annual event to provide a holiday meal to those less fortunate.

39 Mr. Wyatt explained the Public Works and Public Safety Committee meetings were scheduled for
40 December 26, but City Hall was closed that day for the holiday. He advised those meetings
41 would be canceled.

42 **RESOLUTIONS**

43 **FIRST READING OF ORDINANCE**

44 **Ordinance No. 1743:** An Ordinance amending provisions of the Dallas City Code Section 2.005,
45 relating to Council meetings.

46 Mayor Dalton declared Ordinance No. 1743 to have passed its first reading.

47 **SECOND READING OF ORDINANCE**

48 **Ordinance No. 1742:** An Ordinance declaring 66 acres, more or less, of territory located in the

1 Comprehensive Plan-designated Barberry Node adjacent to and south of East Ellendale Avenue in
2 the Northeast quadrant of the City of Dallas annexed to the City of Dallas and withdrawn from
3 Southwestern Polk County Rural Fire Protection District.

4 Councilor McDonald stated he had thought long and hard about the annexation, noting he was a
5 firm property rights advocate. He indicated if Mr. Fowler wished to bring his property into the
6 City and the City could support the increased infrastructure, nothing should be done to prevent
7 him from doing so. He noted that no one he had spoken to was against having the property
8 annexed, but what came to light was that there was a certain bit of misrepresentation going on that
9 may not have been intentional. He indicated the lack of transparency in the process alarmed some
10 people. Councilor McDonald advised he was concerned that instead of a list of names of those
11 who owned the property, those held by limited liability corporations did not list the agents. He
12 indicated that one fact is a lack of transparency that should have been addressed during the
13 application process. He commented there was a procedural process in the annexation that should
14 be addressed in the future. Councilor McDonald also expressed his concern that some of the
15 testimony at the public hearing was not pertinent to the development. Mr. Wyatt explained an
16 annexation was a land use process and the application met all legal requirements. Councilor
17 McDonald asked how the legal requirements could be changed. Mr. Shetterly explained a limited
18 liability corporation (LLC) was a business entity expressly authorized by the state to own
19 property. He stated an LLC may have members, but while the members owned the LLC, the LLC
20 owned the property, noting one could not inquire into an LLC. Mr. Wyatt noted that when people
21 testify at a public hearing, they were allowed to say whatever they wanted and the Council had to
22 allow them to do that. He stated there were rumors that staff had asked the Windermere
23 representatives to testify, which was not true.

24 Councilor McDonald acknowledged the Council and staff must comply with State law. He noted
25 when a property is owned by Fife Group, for instance, a lot of people felt there were things going
26 on they didn't understand and the City wasn't shedding enough light on it, which was a concern
27 of his. He expressed his concern that the Council's reputation not be tarnished and that they live
28 up to the highest standards. He indicated he wasn't saying there was anything improper done, just
29 a lot of concerns raised by his constituents, something he takes very seriously.

30 Mayor Dalton declared Ordinance No. 1742 to have passed its second reading. A roll call vote
31 was taken and Mayor Dalton declared Ordinance No. 1742 to have PASSED BY A
32 UNANIMOUS VOTE with Council President Wes Scroggin, Councilor Jim Fairchild, Councilor
33 Beth Jones, Councilor Mark McDonald, Councilor Kevin Marshall, Councilor Murray Stewart,
34 Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

35 **OTHER BUSINESS**

36 Mr. Wyatt explained Councilor Lawson's term was up on the Park Board and asked anyone who
37 was interested in serving on that Board to let him know.

38 Mayor Dalton stated Eldon Bevens had served on the Council for many years and was not in good
39 health. He said his hopes and prayers were with Mr. Bevens.

40 Mayor Dalton reported that one of his duties was to appoint committees each year and expressed
41 his intent to continue with the same committees next year to provide stability and expertise. He
42 noted he would also keep the seating the same for the following year unless someone talked to
43 him about it.

44 There being no further business, the meeting adjourned at 7:54 p.m.

45 Read and approved this _____ day of _____ 2011.

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ATTEST:

City Manager

Mayor

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

| | | |
|----------------------------------|-------------------------------------------|-----------------------------------------------------------------------------------------|
| <i>City of Dallas</i> | Agenda Item No. 5 b | Topic: Committee Appointments / Reappointments |
| Prepared By: Emily Gagner | Meeting Date: December 19, 2011 | Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Approved By: Jerry Wyatt | | |

RECOMMENDED ACTION:

Approval of the Consent Agenda would appoint members to the Planning Commission, Park Board, and Budget Committee as listed below.

BACKGROUND:

A certain number of members' terms on the Planning Commission, Park and Rec Board, and Budget Committee expire each year at the end of December. There were prominent articles in both the Itemizer Observer and Statesman Journal letting people know about the openings on these committees. In addition, I advertised the openings on the City website. We had a good response and staff reviewed all the applications. We believe the applicants listed below have the skills and background necessary for them to serve the Council well on these committees.

Planning Commission Planning Commissioners are appointed to 4 year terms. Besides the three members whose term expired at the end of 2010, we have had a vacancy due to the resignation of Carrie Mendell. Therefore, we require the appointment of 4 Planning Commissioners.

Interested in reappointment: Chuck Lerwick, Dave Peterson, Bob Wilson

New Appointment: Fill vacant seat with Denise Jones

Park Board Park Board members are appointed to three year terms. There are two members whose term expired. In addition, the Council is required to appoint one Councilor to the Board. Jackie Lawson is currently the Council representative and has indicated an interest in continuing to serve on the Board. No other Councilors have indicated an interest.

Interested in reappointment: Carol Mannen, Councilor Jackie Lawson

New Appointment: Replace June Krause with Wendy Sparks

Budget Committee The Budget Committee is required by state law and consists of 9 resident members as well as the Councilors. There were three members whose terms expired at the end of 2011 and one vacancy created by a resignation.

Interested in reappointment: Pete Christensen, Kelly Gabliks

New appointments: Replace Sam Collins with Paul Trahan
Replace Jim Brown with William Brite

FISCAL IMPACT:

None

ATTACHMENTS:

None

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

| | | |
|----------------------------------|-------------------------------------------|-----------------------------------------------------------------------------------------|
| <i>City of Dallas</i> | Agenda Item No. 5 c | Topic: OLCC Liquor License Application for Change of Ownership |
| Prepared By: Emily Gagner | Meeting Date: December 19, 2011 | Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| Approved By: Jerry Wyatt | | |

RECOMMENDED MOTION:

With approval of the Consent Agenda, the Council would recommend to the OLCC that the license for change of ownership at 957 Main Street be granted.

BACKGROUND:

The City received an OLCC application for a change of ownership at 957 Main Street Street for Tiga Sushi Bar and Japanese Restaurant (formerly Capones Pub & Grill). The Police Department has reviewed the application and found no items of concern.

FISCAL IMPACT:

None

ATTACHMENTS:

OLCC License Application for Tiga Sushi Bar and Japanese Restaurant



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 Change

Trade Name
lesser priv.

CITY AND COUNTY USE ONLY

Date application received: 12/13/11

The City Council or County Commission:

(name of city or county)

recommends that this license be:

- Granted
- Denied

By: _____ (signature) _____ (date)

Name: _____

Title: _____

OLCC USE ONLY

Application Rec'd by: LVS

Date: 12/1/11

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 Erwin Gunarsa Pieroni ③ _____

② _____ ④ _____

2. Trade Name (dba): Tiga Sushi Bar & Japanese Restaurant

3. Business Location: 957 Main Street, Dallas, Polk, OR 97338
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: Same
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 503-751-1370
(phone) (fax)

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

7. If yes to whom: Nancy J Herrera Type of License: Full on Premise

8. Former Business Name: Capones Pub & Grill

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

11. Contact person for this application: Erwin Gunarsa Pieroni (name of city or county)
627 W Harbeck Rd, Grants Pass, OR 97527 (address) 541-951-0173 (phone number(s))
(name) (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 _____ ③ _____

② _____ Date _____ ④ _____

RECEIVED
OREGON LIQUOR CONTROL COMMISSION

NOV 30 2011 Date

Date



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY

1. Trade Name Tiga Sushi Bar & Japanese Restaurant 2. City Dallas

3. Name Gunarsa Pieroni Erwin
(Last) (First) (Middle)

4. Other names used (maiden, other) _____

5. *SSN [REDACTED] 6. Place of Birth [REDACTED] 7. DOB [REDACTED] 8. Sex M F

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

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

Applicant Signature: [Signature] INITIALS: [Initials]

9. Driver License or State ID # [REDACTED] 10. State OR

11. Residence Address [REDACTED]
(number and street) (city) (state) (zip code)

12. Mailing Address (if different) [REDACTED] Grants Pass, OR 97527
(number and street) (city) (state) (zip code)

13. Contact Phone 541-951-0173 14. E-Mail address (optional) _____

15. Do you have a spouse or domestic partner? No Yes
If yes, list his/her full name: _____
Will this person work at or be involved in the operation or management of the business? No Yes

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

17. In the past 12 years, have you been convicted ("convicted" includes paying a fine) in Oregon or any other state of driving a car with a suspended driver's license or driving a car with no insurance?
 No Yes Unsure If yes, list the date(s), or approximate dates, and type(s) of convictions.
If unsure, explain. You may include the information on a separate sheet.

18. In the past 12 years, have you been convicted ("convicted" includes paying a fine) in Oregon or any other state of a misdemeanor or a felony? No Yes Unsure
If yes, list the date(s), or approximate dates, and type(s) of convictions. If unsure, explain. You may include the information on a separate sheet.

19. Trade Name Tiga Sushi Bar & Japanese Restaurant 20. City Dallas

21. Do you have any arrests or citations that have not been resolved? No Yes Unsure
If yes or unsure, explain here or include the information on a separate sheet.

22. Have you ever been in a drug or alcohol diversion program in Oregon or any other state? (A diversion program is where you are required, usually by the court or another government agency, to complete certain requirements in place of being convicted of a drug or alcohol-related offense.) No Yes Unsure
If yes, list the date(s), or approximate dates. If unsure, explain. You may include the information on a separate sheet.

23. Do you, or any legal entity that you are a part of, currently hold or have previously held a liquor license in Oregon or another US state? (Note: a service permit is not a liquor license.) No Yes Unsure
If yes, list the name(s) of the business, the city (or cities) and state (or states) where located, and the date(s) of the license(s). If unsure, explain. You may include the information on a separate sheet.

24. Have you, or any legal entity that you are a part of, ever had an application for a license, permit, or certificate denied or cancelled by the OLCC or any other governmental agency in the US?
 No Yes Unsure If yes, list the date(s), or approximate dates. If unsure, explain. You may include the information on a separate sheet.

Questions 25 and 26 apply if you, or any legal entity that you are part of, are applying for a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license. If you are not applying for one of those licenses, mark "N/A" on Questions 25 and 26.

25. Do you have any ownership interest in any other business that makes, wholesales, or distributes alcohol? N/A No Yes Unsure If yes, list the date(s), or approximate dates. If unsure, explain. You may include the information on a separate sheet.

26. Does, or will, a maker, wholesaler, or distributor of alcohol have any ownership interest in your business?
 N/A No Yes Unsure If yes or unsure, explain:

Question 27 applies if you, or any legal entity that you are part of, are applying for a Brewery, Brewery-Public House, Distillery, Grower Sales Privilege, Warehouse, Wholesale Malt Beverage & Wine, or Winery license. If you are not applying for one of those licenses, mark "N/A" on Question 27.

27. Do you, or any legal entity that you are part of, have any ownership interest in any other business that sells alcohol at retail in Oregon? N/A No Yes Unsure If yes or unsure, explain:

You must sign your own form (you can't have your attorney or a person with power of attorney sign your form). I affirm that my answers are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to, criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature]

OLCC DMV
Search Completed
Date: 11/29/11
DEC 01 2011

INITIALS: [Signature] Page 11 of 21



OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: Erwin Gunarsa Pieroni Phone: 541-951-0173

Trade Name (dba): Tiga Sushi Bar & Japanese Restaurant

Business Location Address: 957 Main Street

City: Dallas ZIP Code: 97338

DAYS AND HOURS OF OPERATION

Business Hours:

| | | | |
|-----------|--------------|----|--------------|
| Sunday | <u>Close</u> | to | _____ |
| Monday | <u>11 AM</u> | to | <u>10 PM</u> |
| Tuesday | <u>11 AM</u> | to | <u>10 PM</u> |
| Wednesday | <u>11 AM</u> | to | <u>10 PM</u> |
| Thursday | <u>11 AM</u> | to | <u>10 PM</u> |
| Friday | <u>11 AM</u> | to | <u>10 PM</u> |
| Saturday | <u>11 AM</u> | to | <u>10 PM</u> |

Outdoor Area Hours:

| | | | |
|-----------|------------|----|-------|
| Sunday | _____ | to | _____ |
| Monday | _____ | to | _____ |
| Tuesday | _____ | to | _____ |
| Wednesday | <u>N/A</u> | to | _____ |
| Thursday | <u>N/A</u> | to | _____ |
| Friday | _____ | to | _____ |
| Saturday | _____ | to | _____ |

The outdoor area is used for:

- Food service Hours: _____ to _____
- Alcohol service Hours: N/A to _____
- Enclosed, how _____

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

_____ (Investigator's Initials)

Seasonal Variations: Yes No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

- Live Music
- 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

| | | | |
|-----------|-------------|----|-------|
| Sunday | _____ | to | _____ |
| Monday | _____ | to | _____ |
| Tuesday | <u>none</u> | to | _____ |
| Wednesday | <u>none</u> | to | _____ |
| Thursday | _____ | to | _____ |
| Friday | _____ | to | _____ |
| Saturday | _____ | to | _____ |

SEATING COUNT

Restaurant: 50 Outdoor: _____

Lounge: _____ Other (explain): _____

Banquet: _____ Total Seating: 50

OLCC USE ONLY

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

Investigator Initials: _____

Date: _____

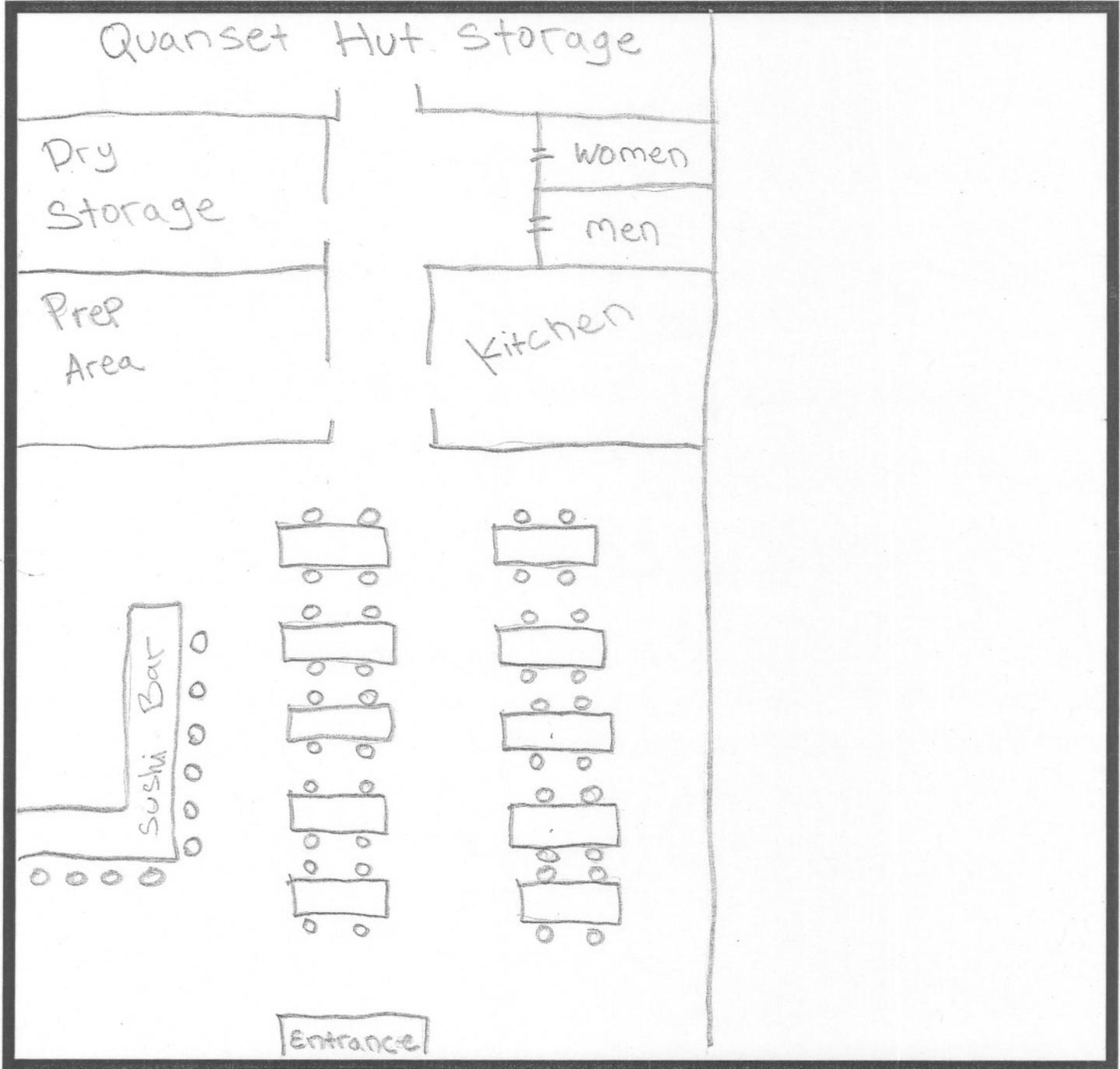
I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature] Date: _____



OREGON LIQUOR CONTROL COMMISSION FLOOR PLAN

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



Erwin Gunarsa Pieroni
Applicant Name

Tiga Sushi Bar & Japanese Restaurant
Trade Name (dba):

Dallas 97338
City and ZIP Code

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

Date: _____ Initials: _____

Tiga Sushi Bar & Japanese Restaurant

*Tiga Sushi Bar
&
Japanese Restaurant*

独立

*957 Main Street
Dallas, OR 97338*

**Tiga Sushi Bar & Japanese Restaurant
957 Main Street
Dallas, OR 97338**

- Sake (salmon).....\$4
1. Hamachi (yellowtail).....\$4
 2. Maguro (tuna).....\$4
 3. Tai (red snapper).....\$4
 4. Ika (squid).....\$4
 5. Ikura (salmon roe).....\$4
 6. Saba (mackerel).....\$4
 7. Hotate (scallop).....\$4
 8. Tobiko (flying fish roe).....\$4
 9. White Tuna.....\$4
 10. Tobiko with Quill Egg.....\$5
 11. Creamy Scallop.....\$5
 12. Spicy Crab.....\$5
 13. Shrimp Boat (shrimp, quill egg, tobiko, green onion).....\$6
 14. Amaebi (sweet shrimp).....\$6
- Nigiri Cooked (2 pieces)
1. Tamago.....\$3
 2. Smoked Salmon.....\$4
 3. Unagi.....\$4
 4. Ebi (shrimp).....\$4
 5. Inari (tofu pockets).....\$4
 6. Tako (octopus).....\$4
 7. HokkiGai (surf clam).....\$4
 8. Seared Tuna.....\$5
 9. Seared Salmon.....\$5
 10. 8 Pieces Combo.....\$15
- Sashimi (slice of raw fish)
1. Sake (salmon 6 pieces).....\$11
 2. Maguro (tuna 6 pieces).....\$11

Tiga Sushi Bar & Japanese Restaurant

Appetizers

1. Asian Spring Rolls (3)\$6.00
Bamboo shoot & pork wrapped in a roll, deep fried
2. Baked Green Mussels.....\$6.00
Green Mussels baked in tasty spicy mayonnaise sauce
3. Deep Fried Calamari.....\$6.00
4. Edamame\$3.50
Lightly salted boiled green soy beans
5. Gyoza (pot stickers) (5).....\$5.50
Pork and vegetable dumplings
6. Hamachi Kama.....\$7.50
Yellowtail collar bone
7. Shrimp Tempura (5)\$6.00
8. Shrimp & Vegetable Tempura\$8.00
2 pieces of shrimp & vegetable deep fried
9. Shumai (10).....\$6.00
Steamed shrimp dumplings
10. Soft Shell Crab.....\$5.50
Large soft shell crab dipped in light batter & deepfried
11. Vegetable Tempura\$6.50
Broccoli, zucchini, onion ring, sweet potato & mushroom dipped in egg batter

Salads

12. Calamari Salad\$4.00
A variety of squid and calamari
13. Cucumber Salad (plain).....\$2.50
14. House Salad\$2.00
With choice of ranch, thousand island or Italian dressing
15. Seaweed Salad\$3.50
A variety of seaweed
16. Sunomono Salad\$2.50
Cucumber salad marinated in Japanese vinegar
17. Sunomono Salad w/ Tako (octopus)..\$4.50
18. Sunomono Salad w/ Ebi (shrimp)\$4.50

Entrees

Served w/ miso soup/ house salad & steamed rice

19. Chicken Teriyaki.....\$8.50
20. Beef Teriyaki.....\$9.50
21. Salmon Teriyaki \$10.00
22. Chicken Katsu\$8.50
23. Unagi-Don..... \$11.00
Eel over rice

Noodles

24. Chicken Udon.....\$7.50
25. Beef Udon.....\$7.50
26. Tempura Udon.....\$8.50

Combination Plates

27. 4 Pieces of California Roll + Miso Soup/ House Salad + Chicken Teriyaki \$10.00
28. 4 Pieces of California Roll + Miso Soup/ House Salad + Beef Teriyaki \$11.00
29. Vegetables & Shrimp Tempura + Miso Soup/ House Salad + Chicken Teriyaki/ Chicken Katsu..... \$12.00
30. Vegetables & Shrimp Tempura + Miso Soup/ House Salad + Beef Teriyaki..... \$13.00
31. 4 Pieces of California Roll + Vegetables & Shrimp Tempura + Miso Soup/ House Salad+ Chicken Teriyaki \$14.00

32. 4 Pieces of California Roll + Vegetables & Shrimp Tempura + Miso Soup/ House Salad+ Beef Teriyaki \$15.00

33. 4 Pieces of California Roll + Vegetables & Shrimp Tempura + Miso Soup/ House Salad+ Chicken/ Beef Teriyaki + Fruit Salad....
..... \$17.00

Desserts

34. Fruit Salads.....\$3.50
A variety of fruits mixed in condensed milk
35. Mochi Ice Cream (2)\$4.00
Flavored ice cream wrapped in sticky rice
36. Cheese Cake.....\$4.00
37. Tempura Ice Cream.....\$5.00

Side Dishes

38. Miso Soup Small/Large.....\$2.00/\$5.00
Tofu, green onions, wakame seaweed
39. Steamed Rice.....\$2.00

Beverages

40. Soft Drinks.....\$1.50
41. Iced Tea.....\$1.50
42. Bubble Tea (boba).....\$3.50
(Honeydew, mango, strawberry, taro, w/ tapioca pearl & jello)

Tiga Sushi Bar & Japanese Restaurant
957 Main Street
Dallas, OR 97338

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

| | | |
|----------------------------------|-------------------------------------------|-----------------------------------------------------------------------------------------|
| <i>City of Dallas</i> | Agenda Item No. 8 a | Topic: 2012 Meeting Schedule |
| Prepared By: Emily Gagner | Meeting Date: December 19, 2012 | Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Approved By: Jerry Wyatt | | |

INFORMATION:

City Council Meetings

January 3
January 17
February 6
February 21
March 5
March 19
April 2
April 16
May 7
May 21
June 4
June 18
July 2
July 16
August 6
August 20
September 4
September 17
October 1
October 15
November 5
November 19
December 3
December 17

Council Workshops

January 11
February 8
March 14
April 11
May 9
June 13
July 11
August 8
September 12
October 10
November 14
December 12

Admin/Building & Grounds Committees

January 23
March 26
May 29
July 23
September 24
November 26

Public Safety/Public Works Committees

February 27
April 23
June 25
August 27
October 22
December 26* (this is a Wednesday due to the Christmas holiday)

RESOLUTION NO. 3238

A Resolution adopting and appropriating a Supplemental Budget for Fiscal Year 2011-2012.

WHEREAS, Oregon Local Budget Law, under ORS 294.480, provides that certain occurrences or conditions that were not known at the time the budget was prepared may require a change in the adopted budget and that a supplemental budget is required to pay the additional expenses and spend the extra revenue; NOW, THEREFORE:

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

Section 1. That the City Council of the City of Dallas hereby adopts the supplemental budget for the fiscal year beginning July 1, 2011, and that the amounts shown below are hereby appropriated for the purposes indicated within the Fund listed:

| <u>Fund</u> | <u>2011-12 Budget Resources</u> | <u>2011-12 Budget Requirements</u> |
|--------------------------------------------|---------------------------------|------------------------------------|
| <i>General:</i> | | |
| Transfer from Sewer SDC- Interfund Loan | \$75,000 | |
| Fire Department-Capital Outlay | | \$75,000 |

Section 2. This resolution shall be effective upon its passage.

Adopted: December 19, 2011
Approved: December 19, 2011

BRIAN W. DALTON, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

RESOLUTION NO. 3239

A Resolution authorizing the transfer of budgetary funds.

WHEREAS, it is necessary to transfer the appropriation authority of \$6,000 from the General Fund, Operating Contingency, to the General Fund, Ambulance Department, for unanticipated replacement of i.v. pumps; and

WHEREAS, it is necessary to transfer the appropriation authority of \$10,000 from the General Fund, Operating Contingency, to the General Fund, Fire Department, for AFG FEMA Grant match to purchase SCBA equipment; and

WHEREAS, it is necessary to transfer the appropriation authority of \$65,000 from the Sewer Fund, Operating Contingency, to the Sewer Fund, Capital Outlay-Pump Replacement, for unanticipated pump replacement at wastewater treatment plant; and

WHEREAS, it is necessary to transfer the appropriation authority of \$7,500 from the Sewer Fund, Operating Contingency, to the Sewer Fund, Capital Outlay-WWTF Capital Improvements, for unanticipated traveling screen replacement at wastewater treatment plant; and

WHEREAS, it is necessary to transfer the appropriation authority of \$67,000 from the Sewer Fund, Operating Contingency, to the Sewer Fund, Professional Services, for unanticipated sewer bond refinancing charges; and

WHEREAS, it is necessary to transfer the appropriation authority of \$15,000 from the Fleet Management Fund, Capital Outlay-Equipment, to the Fleet Management Fund, Capital Outlay-Vehicles, for replacement of police vehicle; and

WHEREAS, it is necessary to transfer the appropriation authority of \$45,000 from the Fleet Management Fund, Operating Contingency, to the Fleet Management Fund, Capital Outlay-Vehicles, for replacement of police vehicle; and

WHEREAS, it is necessary to transfer the appropriation authority of \$75,000 from the System Development Fund, Sewer Projects, to the System Development Fund, Transfer to General Fund-Interfund Loan, for interfund loan to Fire Department for ADA upgrades;

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 \$6,000 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 \$10,000 from the General Fund, Operating Contingency, to the General Fund, Fire Department.

Section 3. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$65,000 from the Sewer Fund, Operating Contingency, to the Sewer Fund, Capital Outlay-Pump Replacement.

Section 4. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$7,500 from the Sewer Fund, Operating Contingency, to the Sewer Fund, Capital Outlay-WWTF Capital Improvements.

Section 5. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$67,000 from the Sewer Fund, Operating Contingency, to the Sewer Fund, Professional Services.

Section 6. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$15,000 from the Fleet Management Fund, Capital Outlay-Equipment, to the Fleet Management Fund, Capital Outlay-Vehicles.

Section 7. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$45,000 from the Fleet Management Fund, Operating Contingency, to the Fleet Management Fund, Capital Outlay-Vehicles, for replacement of police vehicle.

Section 8. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$75,000 from the System Development Fund, Sewer Projects, to the System Development Fund, Transfer to General Fund-Interfund Loan

Section 9. This Resolution shall be effective upon its passage.

Adopted: December 19, 2011
Approved: December 19, 2011

BRIAN W. DALTON, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

RESOLUTION NO. 3240

A Resolution authorizing an interfund loan.

WHEREAS, it is necessary to establish and authorize an interfund loan from the Sewer System Development Fund to the General Fund-Fire Department for approved ADA upgrades to the fire station; and

WHEREAS, the principal amount of the interfund loan is not to exceed \$75,000, with 0% interest; and

WHEREAS, payment of the loan shall be made as follows:

Annual payments from the General Fund-Fire Department budget shall be made in the amount approved by the city council. Full loan repayment is anticipated and shall occur in no more than 10 years as authorized by Oregon budget law ORS 294.460. 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 \$75,000 from the Sewer System Development Fund to the General Fund-Fire Department and establish an interfund loan on the terms and conditions set forth above.

Section 2. This resolution shall be effective upon its passage.

Adopted: December 19, 2011
Approved: December 19, 2011

BRIAN W. DALTON, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

ORDINANCE NO. 1743

An Ordinance amending provisions of the Dallas City Code Section 2.005, relating to council meetings.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Dallas City Code Section 2.005 is hereby amended to read as follows:

2.005 Council Meetings.

(1) Except as provided in subsection (2), regular meetings of the council shall be held on the first and third Mondays of each month at 7:00 p.m., or at such other hour as the council may prescribe, in the council chambers in city hall. If a regularly scheduled meeting falls on a legal holiday, the council shall meet on the following day at 7:00 p.m., or at such other hour as the council may prescribe. The business of the council shall be in the order prescribed by the mayor.

(2) The council may, by motion, cancel a regular meeting, provided that the council shall meet at least once each month.

(3) Subject to subsection (4), the mayor may, on the mayor's own motion or at the request of three council members, call a special meeting of the council for a time not less than three or more than 48, hours after notice of the special meeting is given. Special meetings may also be called by consent of all the council members.

(4) A special meeting may be held on less than 24 hours' notice only in case of an actual emergency, in which case notice shall be given as is appropriate to the circumstances, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice.

Section 2. All prior and conflicting ordinance provisions are hereby repealed.

Read for the first time: December 7, 2011
Read for the second time: December 19, 2011
Passed by the City Council: December 19, 2011
Approved by the Mayor: December 19, 2011

BRIAN W. DALTON, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER