



**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

**TUESDAY**, January 17, 2012, 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 January 3, 2012, City Council Minutes <b>p. 3</b> b. Endorsement of OLCC Annual License Renewals <b>p. 5</b>	
6. ITEMS REMOVED FROM CONSENT AGENDA	
7. REPORTS OR COMMENTS FROM THE COUNCIL MEMBERS	
8. REPORTS FROM CITY MANAGER AND STAFF a. Proclamation in honor of Eldon Bevens <b>p. 8</b> b. Fire Service Appreciation Day Proclamation <b>p. 9</b> c. Wastewater Treatment Facility Operational Update d. Other	Proclamation Proclamation Information
9. RESOLUTIONS	

# Dallas City Council Agenda

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### Our Vision

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

### Our Mission

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

### Our Motto

*Commitment to the Community.  
People Serving People.*

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

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10. FIRST READING OF ORDINANCE

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11. SECOND READING OF ORDINANCE

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12. OTHER BUSINESS

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13. ADJOURNMENT

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4 The Dallas City Council met in regular session on Tuesday, January 3, 2012, at 7:00 p.m. in the  
5 Council Chambers of City Hall with Mayor Brian Dalton presiding.

6 **ROLL CALL AND PLEDGE OF ALLEGIANCE**

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

11 Also present were: City Manager Jerry Wyatt, City Attorney Teresa Ozias, Finance Director  
12 Cecilia Ward, Administrative Services Director Robert Spivey, and Recording Secretary Emily  
13 Gagner.

14 Mayor Brian Dalton led the Pledge of Allegiance.

15 **QUESTIONS OR COMMENTS FROM THE AUDIENCE**

16 Chelsea Pope, Executive Director of the Dallas Area Chamber of Commerce and Visitor Center,  
17 discussed some upcoming events. She reminded the Council of the Weekly Wednesday  
18 networking events, which are from 5:30 to 7:00 p.m. every Wednesday. She encouraged the  
19 Councilors to check the Chamber website for the locations. Ms. Pope indicated she was  
20 continuing the ribbon cuttings on the first and third Friday of each month, noting they were  
21 already scheduling into March. Ms. Pope reported the Community Awards ceremony that was  
22 typically held in mid to late January would be delayed until late February. She explained it was  
23 difficult for people to get nominations in over the busy holidays, so she hoped the later date  
24 would result in more nominations. Ms. Pope invited the Councilors to the monthly Chamber  
25 Luncheon which was usually held on the third Monday of each month.

26 **PUBLIC HEARING**

27 **CONSENT AGENDA**

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

30 Items approved by the Consent Agenda: a) approve the December 19, 2011, City Council  
31 minutes; and b) approve committee appointments to the Planning Commission and Park Board.

32 **ITEMS REMOVED FROM CONSENT AGENDA**

33 There were none.

34 **REPORTS OR COMMENTS FROM COUNCIL**

35 **MAYOR'S APPOINTMENT OF COUNCIL STANDING COMMITTEES**

36 Mayor Dalton reviewed the staff report.

37 Councilor Lawson offered major kudos to the City staff for their annual Christmas Dinner for  
38 members of the community. She noted the organization was fabulous, adding there were more  
39 volunteers there than were needed.

40 Mayor Dalton commented that Christmas Cheer went very well.

41 **REPORTS FROM CITY MANAGER AND STAFF**

42 **AUDITOR'S PRESENTATION FOR FY 2010-11**

43 Mr. Wyatt introduced Kammy Austin from Merina and Company, LLP, the audit firm for the  
44 City.

45 Ms. Austin presented the results of the financial audit for the year ending June 30, 2011. She  
46 reviewed the executive summary.

47 She indicated the report contained a "clean opinion," which was the highest level of assurance the  
48 City could receive on their financial statements.

1 Council President Scroggin asked what Ms. Austin felt the cash carry-over and contingency  
2 amount should be. Ms. Austin stated that was a decision to be made by the governing body,  
3 noting most cities had an adopted policy that indicated what that amount was.  
4 Councilor Fairchild noted there were a few items identified in the last audit that needed to be  
5 adjusted. He asked if any procedures needed adjusting this year. Ms. Austin stated both of the  
6 items that were identified in the previous audit had been addressed. She noted if the audit team  
7 found anything that would be considered significant, they would be required to communicate that  
8 to the Council.

9 OTHER

10 **RESOLUTIONS**

11 **FIRST READING OF ORDINANCE**

12 **SECOND READING OF ORDINANCE**

13 **OTHER BUSINESS**

14 There being no further business, the meeting adjourned at 7:15 p.m.

15 Read and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2012.

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ATTEST:

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

\_\_\_\_\_  
Mayor

DRAFT

# 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> OLCC License Renewals
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> January 17, 2012	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Jerry Wyatt		

RECOMMENDED MOTION:

By approving the consent agenda, you are recommending to the OLCC to renewal all the licenses on the list. If there are any establishments you would like to discuss, you may make a motion to remove this item from the consent agenda for further discussion.

BACKGROUND:

Each year, the Oregon Liquor Control Commission presents the City a list of current OLCC Licensees for renewal. The Police Department has completed an incident query and they have no items of concern.

FISCAL IMPACT:

None

ATTACHMENTS:

OLCC list of liquor licenses in Dallas that are eligible for license renewal.

## OLCC LICENSE RENEWALS

City of Dallas, City Manager  
DALLAS  
187 SE COURT STREET  
Dallas OR 97338

Attached is the list of OLCC liquor licenses in DALLAS that are eligible for license renewal. These licenses will expire on 3/31/2012.

Oregon Revised Statute (ORS) 471.166 establishes the process for local governments to make recommendations to the OLCC. It also requires the OLCC to notify licensees of the license renewal application or processing fees charged by their local governments. According to our records, you charge:

License Renewal Fee: 35.00

Off Premises Fee: 35.00

We will direct renewal applicants to mail the renewal fees to the address on this letter. Please notify us immediately if the fees or address are incorrect.

Approximately 40 days after the licenses expire, the OLCC will send you a list of the licensees who filed a renewal application. You can use this list to verify that applicants have paid your fees.

Recommendation Process:

**You have until 2/25/2012 to exercise one or more of the following options:**

1. Provide a written renewal recommendation to the OLCC for any or all of the licenses on this list.
2. Make a written request for additional time to investigate a specific renewal or renewals. The request must set forth the reason additional time is needed, state that the local government is considering making an unfavorable recommendation, and state the specific grounds being considered toward an unfavorable recommendation.
3. Take no action. After 2/25/2012, the OLCC will process the renewal application as if you made a favorable recommendation.

Please send any correspondence to OLCC License Renewals, P.O. Box 22297, Portland OR 97269 2297. You can also contact our license renewal section at 1 (800) 452.6522 or at (503) 872.5121 or (503) 872.5122 in Portland.

Dist. #	License #	Tradename	Participant	License	Premises Address
<b>Local Government: DALLAS</b>					
2	151004	7 HEAVENS FOOD STORE	7 HEAVENS INC	O	129 E ELLENDALE, DALLAS, OR
	151408	ABBY'S LEGENDARY PIZZA	ABBY'S INC	L	174 W ELLENDALE AVE, DALLAS, OR
	161770	ACES UP POKER CLUB	ACES UP POKER CLUB INC	L	147 SW COURT ST, DALLAS, OR
	150396	CAPONE'S MAIN ST PUB & GRILL	HERRERA, NANCY	F-COM	957 MAIN ST, DALLAS, OR
	151488	CENTER MARKET #14	KAUR, NAVNEET SINGH, JAGMOHAN KAUR, PARVINDER	O	1283 FAIRVIEW AVE, DALLAS, OR
	150336	CENTER MARKET #2	CENTER MARKET INC	O	216 SW WASHINGTON, DALLAS, OR
	150331	CHEN'S FAMILY DISH RESTAURANT	CHEN'S FAMILY DISH RESTAURANT INC	L	184 SE WASHINGTON ST, DALLAS, OR
	151467	DALLAS FUEL & FOODMART	JOHAR INTERNATIONAL INC	O	430 MAIN ST, DALLAS, OR
	149287	DALLAS SUPER MARKET	BVSJ LLC	O	121 SW OAK ST, DALLAS, OR
	158152	DIAMONDS GARDEN RESTAURANT	JIAN & HUI INC	L	413 MAIN ST, DALLAS, OR
	151101	HONG KONG RESTAURANT	TING INC	F-COM	325 MAIN ST, DALLAS, OR
	151269	IXTAPA DALLAS	IXTAPA DALLAS INC	F-COM	1320 FAIRVIEW SW, DALLAS, OR
	153423	LATTITUDE POINT ONE	LATTITUDE ENTERPRISES LLC	F-COM	904 MAIN ST, DALLAS, OR
	161308	LATTITUDE POINT ONE	LATTITUDE ENTERPRISES LLC	O	904 MAIN ST, DALLAS, OR
	151604	MIRA MAR	MIRA MAR INC	F-COM	119 E ELLENDALE, DALLAS, OR
	150640	MURPHY'S GRILL	MURPHY'S GRILL LLC	F-COM	288 E ELLENDALE, DALLAS, OR
	149937	NORTH DALLAS BAR & GRILL	NORTH DALLAS BAR & GRILL INC	O	170 E ELLENDALE, DALLAS, OR
	150713	NORTH DALLAS BAR & GRILL	NORTH DALLAS BAR & GRILL INC	F-COM	170 E ELLENDALE, DALLAS, OR
	152295	RABBIT'S HOLE	WELLVEND LLC	F-COM	186 SW COURT ST, DALLAS, OR
	151130	RITE AID #5368	THRIFTY PAYLESS INC	O	178 W ELLENDALE AVE, DALLAS, OR
	150978	SAFEWAY STORE #4404	SAFEWAY INC	O	138 W ELLENDALE AVE, DALLAS, OR
	150175	SAN ANTONIO RESTAURANT	CEJA, MOISES	F-COM	365 E ELLENDALE AVE, DALLAS, OR
	151014	STARLITE LANES	STARLITE LANES INC	L	394 MAIN ST, DALLAS, OR
	149685	SWEENY'S PUB	THOMAS R KUHLMAN LLC	F-COM	117 E ELLENDALE AVE, DALLAS, OR
	150067	THE ROUNDUP PUB	CARPENTER, BOBBY S CARPENTER, CLIFFORD D	F-COM	962 MAIN ST, DALLAS, OR
	152314	THRIFTY MARKET	SAMMY ENTERPRISE INC	O	105 SW RAINBOW AVE, DALLAS, OR
	152741	TONY'S PLACE	THOMAS R KUHLMAN LLC	F-COM	127 SW COURT, DALLAS, OR
	150115	UGO'S PIZZA PARLOR	GAGZNOS FAMCORP	L	967 MAIN ST, DALLAS, OR
	145789	US MARKET #225	US MARKET #225 LLC	O	210 W ELLENDALE AVE #103, DALLAS, OR
	151183	WAL-MART STORE #2315	WAL-MART STORES INC	O	321 NE KINGS VALLEY HWY, DALLAS, OR
	151423	WASHINGTON ST STEAKHOUSE & PUB	EMR CORP	F-COM	141 SW WASHINGTON ST, DALLAS, OR

CITY OF DALLAS

PROCLAMATION

OFFICE OF THE MAYOR

**WHEREAS:** Eldon E. Bevens was a great contributor to our community and his nation, decorated B-1 gunner over Germany in WWII, volunteer fireman, City Councilman for 36 years – 18 years as Council President, town historian, First Citizen, and had many other accomplishments, it is right and proper that we honor our colleague and friend today; and

**WHEREAS:** Eldon always felt proud that he was born on Levens Street, grew up on Levens Street, went away to war and came back to Levens Street, and lived the remainder of his life on Levens Street. He always wanted to die on Levens Street in his beloved town of Dallas; and

**WHEREAS:** sadly, though Eldon passed away at the end of Levens Street at the Dallas Retirement Village, the address of the Village is Northwest Jasper Street; and

**WHEREAS:** the Dallas City Council, in honor of our Past President, does hereby declare, in honorarium, that for the full 24 hours of December 16, 2011, Northwest Jasper Street in Dallas, Oregon is hereby retroactively renamed Northwest Levens Street, Dallas, Oregon.

**NOW,  
THEREFORE  
BE IT  
RESOLVED:** Northwest Jasper Street was for one day on December 16, 2011, renamed Northwest Levens Street, be it forever known to all that Eldon Earl Bevens, was born, lived and died on Levens Street, Dallas, Oregon, USA.

*Signed this 17th day of January, in the year 2012*

\_\_\_\_\_  
*Mayor Brian W. Dalton*

**ATTEST:**

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

*City of Dallas, Polk County, Oregon*

**PROCLAMATION**

*Fire Service Appreciation Day, January 27, 2012*

*WHEREAS, all Dallas residents benefit from the selfless service of our highly trained firefighters, and each of us has a greater sense of security knowing they are well prepared to combat fires and the destruction that fires can bring; and*

*WHEREAS, firefighters face immeasurable risk every time they answer the alarm and speed off to fight a fire, an emergency medical call, or a vehicle accident where the risks can never be adequately known; and*

*WHEREAS, the proud men and women who become Dallas firefighters perform an immensely important public service in saving lives, protecting property, and promoting community values, including the hours of extra time they provide helping with the Christmas and Summerfest events; and*

*WHEREAS, firefighters in Dallas, whether paid or volunteer, exemplify the highest level of public service, both by their selfless bravery and also their commitment to professionalism through frequent training and re-training; and*

*WHEREAS, not only do they train together with other nearby fire departments, but also with the Ambulance and Police Departments to ensure safety and coordination when on scene together; and*

*WHEREAS, this occasion provides our elected leaders an opportunity to celebrate the day-to-day heroism of all firefighters serving Dallas, as all Dallas residents join to express gratitude to the remarkable people who wear the firefighters' uniform;*

*NOW, THEREFORE, BE IT RESOLVED that the Dallas City Council hereby PROCLAIMS January 27, 2012, to be:*

***“Fire Service Appreciation Day”***

*Signed this 17th day of January, in the year 2012*

**ATTEST:**

\_\_\_\_\_  
*Mayor Brian W. Dalton*

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*Jerry Wyatt, City Manager*

