



City Council

Mayor
Brian Dalton

Council President
Wes Scroggin

Councilor
Jim Brown

Councilor
Jim Fairchild

Councilor
Beth Jones

Councilor
Jackie Lawson

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, June 4, 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. COMMENTS FROM THE AUDIENCE <i>This time is provided for citizens to address the Council on any matters other than public hearings.</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> Public hearing on the 2012-2013 City of Dallas Budget and use of state revenue sharing funds. p. 3	
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. Approve minutes of May 21, 2012, City Council meeting p. 7	
6. ITEMS REMOVED FROM CONSENT AGENDA	
7. REPORTS OR COMMENTS FROM THE COUNCIL MEMBERS	
8. REPORTS FROM CITY MANAGER AND STAFF a. BMX group presentation	Presentation
b. ODOT presentation regarding Salem River Crossing	Presentation
c. Transient Lodging Tax Agreement renewal p. 11	Motion
d. Sanitary sewer maintenance responsibility p. 14	Information

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.

e. Automated meter reading (AMR) program	p. 17	Information
f. Pretreatment Program fees	p. 19	Motion
g. Other		
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9. RESOLUTIONS		
a. <u>Resolution No. 3246</u> – A Resolution adopting the 2012 Dallas Capital Improvement Plan.	p. 22	Roll Call Vote
a. <u>Resolution No. 3247</u> – A Resolution authorizing the transfer of budgetary funds.	p. 40	Roll Call Vote
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10. FIRST READING OF ORDINANCE		
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11. SECOND READING OF ORDINANCE		
a. <u>Ordinance No. 1745</u> – An Ordinance establishing a special exception to the prohibition against the motorized boats on Mercer Lake; and declaring an emergency.	p. 42	Roll Call Vote
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12. OTHER BUSINESS		
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13. ADJOURNMENT		

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

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 4	Topic: 2012-2013 Budget Hearing
Prepared By: Emily Gagner	Meeting Date: June 4, 2012	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

The purpose of this Public Hearing is to allow the public a chance to provide input on the 2012-2013 Budget and the use of State Revenue Sharing funds. The amount of State Revenue Sharing funds included in this year's budget is \$110,000.

A motion should be made to approve the 2012-2013 City of Dallas Budget and the use of State Revenue Sharing funds as approved by the Budget Committee. Staff should be directed to prepare the resolution to adopt the budget and to authorize use of state revenue sharing funds for the June 18, 2012, Council meeting.

BACKGROUND:

The property tax rate to be imposed is the permanent rate of \$4.1954 per \$1,000 of assessed value. The levy to be imposed for debt service on General Obligation bonds is \$735,353.

FISCAL IMPACT:

Adoption of the budget allows for expenditures in the 2012-2013 fiscal year.

ATTACHMENTS:

Minutes from Budget Committee meeting on May 7, 2012

Chair Gabliks called the meeting of the Budget Committee to order at 7:58 p.m.

Budget Committee members present: William Brite, Darand Davies, Kelly Gabliks, Tim Grimes, Lynn Hurt, Paul Trahan, and Rich Wolcott. Absent: Chris Bellamy and Pete Christensen.

Councilors present: Jim Brown, Jim Fairchild, Beth Jones, Jackie Lawson, Kevin Marshall, Murray Stewart, LaVonne Wilson, and Ken Woods, Jr. Absent: Wes Scroggin.

Also present: Mayor Brian Dalton, City Manager Jerry Wyatt, City Attorney Lane Shetterly, Director of Administrative Services Robert Spivey, Fire Chief Bill Hahn, Community Development/Operations Director Jason Locke, Finance Director Cecilia Ward, Police Chief John Teague, Engineering/Environmental Services Director Fred Braun, and Recording Secretary Emily Gagner.

APPROVAL OF MINUTES OF APRIL 16, 2012, BUDGET COMMITTEE MEETING:

It was moved by Mr. Wolcott to approve the minutes of the April 16, 2012, Budget Committee meeting as presented. The motion was duly seconded and carried unanimously.

Mr. Wyatt reviewed highlights from the subcommittee meetings. He passed out a list of streets in Dallas with their PCI or pavement condition index number. He noted the list only contained about half of the streets that were maintained by the City. Mr. Wyatt explained a new street had a PCI of 100 and streets with a PCI of 50 or less would require complete reconstruction. Mr. Grimes asked if the list was just a fraction of the streets that needed to be addressed. Mr. Wyatt indicated only those streets with a PCI of 74 or less were on the list he had handed out. In response to a question, Mr. Locke stated there was approximately 50,000 linear feet of streets in need of reconstruction at a cost of about \$400 per linear foot.

Mr. Wyatt explained the Sewer Fund had a large beginning balance because when the DEQ loan was refinanced, it freed up over \$1 million of reserves.

Mr. Wyatt commented that there was a recent LOC article that stated cities' lost revenues had increased by 44% due to compression, which hits everyone. He explained there were limitations in the budget because the City couldn't just raise taxes, adding staff would love to do more and fund more, but that was difficult given the limitations to revenue.

REPORTS FROM SUBCOMMITTEES:

Administrative Committee: LaVonne Wilson, Chair:

Councilor Wilson reviewed the minutes of the Administrative Committee meeting. She stated everyone asked good questions and staff was well-prepared. She complimented staff on their work on the budget. Councilor Wilson reported that the committee made no changes or amendments to the document.

Building and Grounds Committee: LaVonne Wilson, Acting Chair:

1 Councilor Wilson reviewed the minutes of the subcommittee meeting. She advised there were no
2 changes or amendments.

3 Public Safety Committee: Ken Woods, Jr., Chair:

4 Councilor Woods reviewed the minutes. He explained most of the discussion centered on Fleet
5 Management and the replacement of vehicles, noting larger fire trucks would most likely be paid
6 through voter-approved bonds while smaller trucks such as duty rigs would be purchased through
7 the Fleet Management Fund. Councilor Woods advised there were no changes or amendments
8 made to the Public Safety budget pages. He noted there were excellent reports provided by the
9 staff.

10 Public Works Committee: Jim Fairchild, Chair:

11 Councilor Fairchild reviewed the minutes from the subcommittee meeting, noting there was a
12 lengthy discussion about Fleet Management. He added the vehicle replacement program seemed to
13 be working well. Councilor Fairchild stated there were not changes made to any of the Public
14 Works funds.

15 Chair Gabliks asked the committee members if they had questions.

16 Councilor Brown commented that the beginning balance was well beyond the 10% goal that the
17 Council adopted in their fiscal policy. Mr. Wyatt advised it was closer to 15%.

18 Mr. Grimes mentioned that in all the budget discussions the budget was accepted as proposed with
19 no changes or amendments. He commented that staff was apparently perfect at this. Councilor
20 Lawson stated she assumed discussions were held, noting there had always been discussions about
21 dollar amounts in past years. She asked for confirmation that nothing was glossed over. Mr. Wyatt
22 stated he thought the committee asked very good questions. Councilor Fairchild confirmed that
23 there was discussion and nothing was glossed over.

24 Councilor Lawson complimented the staff on the presentation of the budget, noting it was one of
25 the best she'd seen over the years. Chair Gabliks added that as a citizen member of the Budget
26 Committee it was very easy to follow and if she had questions, it was easy to find where the answer
27 was. She advised that to the extent governments looked for transparency, this budget succeeded.
28 She added the feedback the Committee provided each year was implemented.

29 Councilor Brown indicated it was reported the City had 50,000 linear feet of streets needing recon-
30 struction at a cost of \$400 per linear foot for a total cost of \$20 million. He noted that couldn't pos-
31 sibly be done with bonds so the reality was some of those would go to gravel. He asked if he was
32 misinterpreting that. Mr. Wyatt stated he was not misinterpreting that, noting that was why the
33 Mayor was forming a committee to review the condition of the streets and to look at funding op-
34 tions. Councilor Marshall asked if some of the badly deteriorated streets were shared with the state
35 and county. Mr. Wyatt explained only arterials were shared roads and those were the streets that
36 were maintained.

37 PUBLIC HEARINGS:

1 Public Hearing to solicit comments on the proposed budget and use of State Revenue Sharing Funds
2 for fiscal year 2012-2013

3 Chair Gabliks opened the public hearing to solicit comments on the proposed budget and use of State
4 Revenue Sharing Funds for fiscal year 2012-2013 at 8:26 p.m.

5 Korena Lund commented that balancing a budget was not an easy task and she hoped the City would
6 continue to prioritize funding emergency services. She thanked the committee for ensuring the parks
7 were funded. She noted with the recent hard economic times, people had to be creative to find inex-
8 pensive entertainment, adding the City offered the parks, library, and Dallas Aquatic Center. She
9 indicated she used the library three to five times per week and was spoiled to have great children's
10 programs throughout the year for the whole family to enjoy. She reviewed the other services availa-
11 ble at the library that she and others she knew used. Ms. Lund concluded by saying the library was
12 very important to people of all ages. She thanked the City for funding the library and encouraged the
13 Budget committee to continue to properly fund it for the 2012-2013 fiscal year.

14 Carol Christ stated she had lived in Dallas since 1979. She commented that she lived outside the city
15 limits and happily paid the \$60 fee to have library cards. She reviewed her support of the Dallas Pub-
16 lic Library as a place of recreation, information, and a community hub. She indicated circulation, in-
17 terlibrary loans, and computer usage was up despite the fact that the library cut back its hours from 50
18 to 41 hours per week in 2008. Ms. Christ commented that because of computers, she and other pa-
19 trons had access to the online card catalog even when the library was closed. She pointed out that the
20 library was severely understaffed and reviewed recommended staff to patron standards for Oregon
21 libraries. Ms. Christ closed with several quotes about libraries that she found on the internet.

22 There were no further comments, so Chair Gabliks closed the public hearing at 8:39 p.m.

23 ADOPTION OF CITY OF DALLAS 2012-2013 BUDGET AND RECOMMENDATION TO THE
24 CITY COUNCIL

25 It was moved by Mr. Hurt and seconded by Councilor Wilson to adopt the 2012-2013 budget as
26 presented to the Budget Committee and recommend it to the City Council. The motion carried
27 unanimously.

28 It was moved by Mr. Grimes and seconded by Mr. Hurt to recommend to the City Council to ap-
29 prove the property tax rate of \$4.1954 per \$1,000 of assessed value and the levy to be imposed for
30 debt service on General Obligation Bonds of \$735,353. The motion carried unanimously.

31 Other Business

32 Mr. Wolcott moved to adjourn. The motion was duly seconded and carried unanimously.

33 Chair Gabliks stated the Committee had good discussions and she thanked everyone for their partic-
34 ipation.

35 There being no further business, the meeting was adjourned at 8:41 p.m.

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4 The Dallas City Council met in regular session on Monday, May 21, 2012, at 7:00 p.m. in the
5 Civic Center with Mayor Brian Dalton presiding.

6 **ROLL CALL AND PLEDGE OF ALLEGIANCE**

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

10 Also present were: City Manager Jerry Wyatt, City Attorney Lane Shetterly, Community
11 Development/Operations Jason Locke, Fire Chief Bill Hahn, Finance Director Cecilia Ward,
12 Engineering/Environmental Services Director Fred Braun, Student Body Liaison Heather Enderle,
13 and Recording Secretary Emily Gagner.

14 Mayor Brian Dalton led the Pledge of Allegiance.

15 **COMMENTS FROM THE AUDIENCE**

16 Joe Koubek stated that with all talk of deteriorating city streets, he felt it was time to take a stand
17 on studded tires. He indicated studies showed studded tires caused a minimum of \$75 million in
18 damage to Oregon's roads every year. He encouraged the Council to let our state legislators
19 know that studded tires were contributing to the rapid deterioration of our streets when we could
20 least afford it. He indicated there had been efforts to restrict or eliminate the use of studded tires
21 on Oregon roads for many years and asked the Council to help the legislators make a decision by
22 taking a stand on studded tires.

23 **PUBLIC HEARING**

24 **CONSENT AGENDA**

25 It was moved by Councilor Marshall and seconded by Councilor Brown to approve the Consent
26 Agenda as presented. The motion CARRIED UNANIMOUSLY.

27 Items approved by the Consent Agenda: a) the May 7, 2012, City Council minutes; and b) forms
28 for 2012 City Council elections.

29 **ITEMS REMOVED FROM CONSENT AGENDA**

30 There were no items removed from the Consent Agenda.

31 **REPORTS OR COMMENTS FROM COUNCIL**

32 Council President Scroggin thanked everyone for their calls and cards, adding it was good to be
33 back. Mayor Dalton stated he was glad to have him back.

34 **NATIONAL PUBLIC WORKS WEEK 2012 PROCLAMATION**

35 Mayor Dalton reviewed the proclamation for National Public Works Week 2012. He stated the
36 folks in Public Works did a magnificent job.

37 **REPORTS FROM CITY MANAGER AND STAFF**

38 **ADOPTION OF CAPITAL IMPROVEMENT PLAN (CIP)**

39 Mr. Locke indicated the CIP included in the agenda packet was staff's proposal for adoption. He
40 noted this was a more realistic CIP than the previous one. Mr. Locke explained the CIP guided
41 budgeting and identified funding sources.

42 Mr. Locke reported that the Dallas Aquatic Center had completed significant capital
43 improvements over the past few years to raise efficiencies so there was only one large ticket item
44 planned in 2013-14, which was to resurface the lap pool.

45 Mr. Locke indicated for EMS, there were many projects back loaded for five or more years out.
46 He reviewed the projects and noted the funding source was the General Fund for most items.

47 In Facilities, Mr. Locke explained the largest item was the Senior Center, noting the seismic
48 upgrades of City Hall and possibly the Library were also included. He stated most of the funding
49 for these items came from revolving loan funds or grants.

50 Mr. Locke advised that the bulk of the Fire projects were five or more years out, noting the

1 primary big-ticket items would likely be funded through General Obligation bonds. Councilor
2 Brown asked about the possibility of leasing fire trucks like many small towns did. Mr. Locke
3 explained the City had always outright purchased the equipment because that was the best deal for
4 the larger equipment. He noted smaller towns may be able to lease smaller equipment for less.

5 In response to a question, Mr. Locke explained the CIP may identify a grant or CDBG for
6 funding, noting staff anticipated being able to secure a grant for those listed items. He noted by
7 keeping a project on the CIP, it gave the City a better opportunity to obtain grant funds.

8 Councilor Lawson asked if the City didn't get a CDBG grant for the Senior Center if that would
9 put us in a position of having to fund it ourselves. Mr. Locke explained the CIP identified a
10 CDBG as the sole funding source for the Senior Center, adding a project's inclusion in the CIP
11 didn't guarantee its completion.

12 Mr. Locke reviewed the project list for Fleet, noting there was nothing exorbitant.

13 Mr. Locke indicated the Library projects were fairly modest. In response to a question, Mr.
14 Locke explained the threshold for capital improvements was a value of \$5,000 or more.

15 For Parks, Mr. Locke explained the total over the planning horizon was \$2.2 million, adding a
16 large portion of that included construction of Phases 5 through 8 of the Rickreall Creek Trail
17 System. He noted staff was working to obtain grants for most of the construction of that so there
18 would be minimal out-of-pocket expenditures. Councilor Stewart asked about the Skate
19 Park/BMX item. Mr. Locke indicated it was pretty nebulous at this point, but was a need in the
20 future so it was included in the CIP.

21 Mr. Locke stated for Police, the primary project would remodel the current Civic Center for
22 offices, noting the current office configuration posed issues. He explained that project would be
23 dependent on grants and availability of General Fund monies.

24 Mr. Locke reviewed the Sewer projects, noting the rate study consultants included these projects
25 in their study.

26 Mr. Locke indicated the sidewalk repair and infill projects included ongoing infill and
27 replacement project at a cost of \$20,000 each year. He explained the large project was for
28 improvements to Godsey Road, noting with potential development in the area that project may
29 occur sooner than five years out.

30 Mr. Locke stated the storm project identified as Monmouth Cutoff Highway would deal with
31 flooding issues that occurred during heavy rains along that road.

32 Regarding the Street projects, Mr. Locke reported that the pavement maintenance item was a
33 consistent amount because that was what staff anticipated getting yearly from the state.

34 Mr. Locke reviewed the water projects included in the CIP, noting the largest projects were
35 completion of the automated water meter (AMR) project and the transmission line from the Water
36 Treatment Plant to Clay Street. Councilor Fairchild asked where the watershed control fell,
37 noting it wasn't included in the CIP. Mr. Wyatt explained once the watershed group provided a
38 report, the Council could modify the CIP. Mr. Locke noted the CIP was not a static document.
39 There was some discussion about the cost and value of the AMR project.

40 Councilor Lawson asked if when sewer replacements were done in residential areas where streets
41 needed to be fixed if the street repairs could be done under the sewer repair costs. Mr. Locke
42 explained that street paving costs were apportioned as part of the sewer replacement project, but it
43 was generally just patching, not a full pave job. Mr. Wyatt added sewer money could not be used
44 to replace streets.

45 Councilor Brown commented regarding the sidewalk improvements on Godsey Road that the
46 usage did not seem that great and asked if that was a priority because of the potential development
47 which would result in money coming in. Mr. Locke stated he might be surprised at the amount of
48 usage, noting many school children used that road going to and from school with no place to
49 walk. He added the potential development on Godsey would also increase the traffic. Councilor
50 Brown indicated Polk Station Road between Kings Valley Highway and Ellendale Avenue was
51 dangerous and asked why it was not a priority. Mr. Locke indicated that might be more of an
52 infill issue. Mr. Wyatt stated there were no curbs or gutters on Kings Valley Highway which
53 would make it very expensive to add sidewalk improvements so it was a funding issue.

54 Mr. Locke indicated staff would bring the CIP back for review next year before the budget was
55 presented.

1 It was moved by Councilor Scroggin and seconded by Councilor Lawson to direct staff to draft a
2 resolution adopting the Capital Improvement Plan and include a provision that the Plan be
3 reviewed annually. The motion CARRIED UNANIMOUSLY.

4 AWARD CONTRACT FOR 2012 STREET RESURFACING PROJECT

5 Mr. Wyatt reviewed the staff report. He explained the reason the section of SE Academy Street
6 was chosen for an additional project was because it was a collector street, it was close to the other
7 work, the linear footage allowed the work under the current budget, and the PCI rating was low –
8 only a 46. He indicated there would be a budget amendment to account for the money coming
9 from ODOT for their portion of the overlay work.

10 Councilor Lawson declared a potential conflict of interest because she owned property along two
11 of the streets being improved.

12 It was moved by Councilor Stewart and seconded by Councilor Marshall to award the contract for
13 the 2012 Street Resurfacing Project to North Santiam Paving, Inc. in the amount of \$153,688 and
14 authorize a total budget of \$195,000, including state highway work and extra work to repave SE
15 Academy Street. The motion CARRIED UNANIMOUSLY with Councilor Lawson not voting
16 due to her potential conflict of interest.

17 FISHING DERBY REQUEST

18 Mr. Wyatt introduced Trent Schwartz, the Dallas High School Boys Basketball Coach and
19 reviewed his request to hold a fishing derby fundraiser on Aaron Mercer Reservoir. He explained
20 Mr. Schwartz had gotten permission from Forest Capital for access. Mr. Wyatt noted Dallas City
21 Code did not allow motors, even electric ones, on the reservoir, but Mr. Schwartz had requested
22 electric motors be allowed this one day. Councilor Lawson commented she thought it was a good
23 idea. Councilor Fairchild asked if the Council would be opening themselves up to others who
24 would want access for motors in the reservoir if they set a precedent with this. Council President
25 Scroggin asked if there would be a size limit for the boats. Mr. Schwartz stated if they were
26 limited to using electric motors that should limit the size of the boats. In response to a question,
27 Mr. Shetterly explained he kept the ordinance intentionally general because the City was not a
28 sponsor and he didn't want to get too far into the details of the event. He noted the School
29 District would also have additional liability requirements naming the City as an additional insured
30 and indemnifying the City. There was more discussion about requirements on the part of the
31 school. Mr. Shetterly indicated those would fall under the staff directives.

32 CANDIDATE FORUM

33 Mr. Wyatt reviewed the staff report. He explained he had heard comments in the past that people
34 don't understand what these positions entail and felt an informational meeting would be helpful.
35 He noted attendance wouldn't be a requirement to run for office. Councilor Wilson commented it
36 was a good idea and advised that staff explain many decisions made by the Council were based on
37 mandates from the state and federal governments.

38 ADMINISTRATIVE AND BUILDING & GROUNDS MEETING DATE

39 Mr. Wyatt explained that due to the Memorial Day holiday, the Administrative and Building and
40 Grounds Committee meetings would need to be rescheduled or cancelled.

41 It was moved by Councilor Lawson and seconded by Councilor Wilson to cancel the
42 Administrative and Building and Grounds Committee meetings scheduled on May 28. The
43 motion carried unanimously.

44 OTHER

45 Mr. Wyatt reported the Park Host had left, adding staff would look for someone else.

46 Ms. Enderle stated the coming week would bring the last big activities for the school year,
47 including the softball and baseball playoff games in Dallas as well as Senior Awards and finally
48 graduation on June 2.

49 RESOLUTIONS

50 **Resolution No. 3245** – A Resolution establishing stop signs on NW Jasper Street at the

1 intersection with NW Fairhaven Lane.

2 A roll call vote was taken and Mayor Dalton declared Resolution No. 3245 to have PASSED BY
3 A UNANIMOUS VOTE with Council President Wes Scroggin, Councilor Jim Brown, Councilor
4 Jim Fairchild, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall,
5 Councilor Murray Stewart, and Councilor LaVonne Wilson voting YES.

6 **FIRST READING OF ORDINANCE**

7 **Ordinance No. 1745** – An Ordinance establishing a special exception to the prohibition against
8 motorized boats on Mercer Lake; and declaring an emergency.

9 Mr. Wyatt and Mr. Shetterly indicated they would bring back a draft agreement with the School
10 District for the next meeting addressing the issues raised in the earlier discussion.

11 Mayor Dalton declared Ordinance No. 1745 to have passed its first reading.

12 **SECOND READING OF ORDINANCE**

13 **OTHER BUSINESS**

14 There being no further business, the meeting adjourned at 8:07 p.m.

15 Read and approved this _____ day of _____ 2012.

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Mayor

ATTEST:

City Manager

DRAFT

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8 c	Topic: Transient Lodging Tax Agreement Renewal
Prepared By: Emily Gagner	Meeting Date: June 4, 22012	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED ACTION/MOTION:

Direct staff to draft a Resolution for the June 18, 2012, Council meeting renewing the Transient Lodging Tax Agreement with the Dallas Area Visitors Center, Inc. for a term of two years.

BACKGROUND:

In 2008, Dallas enacted a Transient Lodging Tax. By resolution in 2008 and 2010, the City has directed seventy percent (70%) of all transient lodging taxes received to the Dallas Area Visitors Center. The City has used thirty percent (30%) of the money to fund various tourism-related activities, including our summer outdoor movie nights, disc golf, travel advertisements, signage, and the Mid-Valley Wine Trail.

The Visitors Center uses their funds to offset the costs of operating the Visitors Center, including staffing, and on their many events, including the Bounty Market, Christmas lighting, flags, and relocation and visitor packets.

Looking forward, the Visitors Center and City will need to look at replacing the banners that hang downtown and at the entrance to Dallas along Ellendale Avenue. We are hoping to establish a program through which businesses can sponsor a banner, but realize this will be a costly, though much-needed, project.

FISCAL IMPACT:

None

ATTACHMENTS:

Proposed Agreement with Visitor’s Center

TRANSIENT TAX DISTRIBUTION AGREEMENT (2012-14)

This agreement is made and entered into this ___ day of June, 2012, by and between the City of Dallas, an Oregon municipal corporation (Dallas), and Dallas Area Visitor's Center, Inc., an Oregon nonprofit corporation (Center).

RECITALS

A. Dallas is an Oregon municipal corporation.

B. Center is an Oregon nonprofit corporation, organized as a tourism promotion agency within the meaning of ORS 320.300(8) in the City of Dallas, with its principal place of business at 119 SW Court Street, Dallas, Polk County, Oregon. Center is also an organization exempt from income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended. A copy of Center's Determination Letter from the Internal Revenue Service, confirming Center's tax-exempt status, is on file with Dallas and is still in full force and effect.

C. Dallas has enacted a Transient Lodging Tax, pursuant to ORS 320.350. The City Council of Dallas has, by resolution, authorized distribution of seventy percent (70%) of all transient lodging taxes received during the period beginning July 1, 2012 and ending June 30, 2014, on a periodic basis, not less frequently than quarter-annually, to Center.

D. Center is qualified to receive transient lodging tax revenue pursuant to the resolution and Oregon law.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and obligations set forth herein, it is hereby agreed as follows:

1. City will distribute to Center seventy percent (70%) of all transient lodging taxes received by City for the period beginning July 1, 2012, and ending June 30, 2014. Such distributions shall be paid quarter-annually, within 30 days after the end of each calendar quarter, beginning with the first payment by October 30, 2012 (for the quarter ending September 30, 2012), and ending with the last payment on July 30, 2014 (for the quarter ending June 30, 2014).

2. Center shall use the funds distributed under this agreement for tourism promotion, as defined in ORS 320.300(7) or tourism-related facilities as defined in ORS 320.300(9), and for no other purpose.

3. During the term of this agreement, City shall have the right to designate one voting member of Center's board of directors as a City representative.

4. Center shall submit a report of its activities, including a financial report, to City annually, by not later than January 31 each year during the term of this agreement, and shall permit City to inspect and copy its books and records, from time to time, as City may reasonably require to ensure compliance with the terms of this agreement.

5. This agreement may be terminated by City before the end of the term provided herein in the event of any of the following:

(A) If Center ceases to be a nonprofit corporation on the records of the Oregon Secretary of State, Corporation Division;

(B) If Center becomes insolvent, or ceases to do business or to qualify as a tourism promotion agency within the meaning of ORS 320.300(8);

(C) If Center's status as an entity exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, is revoked;

(D) If Center otherwise fails to perform any obligation provided in this agreement.

6. Center agrees at all times to conduct its business and activities in compliance with all applicable local, state and federal laws, rules, ordinances and regulations, and shall not use or apply the transient lodging tax revenues distributed to it under this agreement in any manner not permitted for the use of such funds.

City of Dallas, Oregon

Dallas Area Visitor's Center Inc.

By: _____
Jerry Wyatt, City Manager

By: _____
Title: _____

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8 d	Topic: Sanitary Sewer Maintenance Responsibility
Prepared By: Jason Locke, Community Development/ Operations Director	Meeting Date: June 4, 2012	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED ACTION:

None, for information only.

BACKGROUND:

As with most Code sections dealing with maintenance issues, administrative policies or standard operating procedures are needed to further clarify the Code section. There have been some questions regarding the responsibility of the City to fix and/or repair private sewer laterals. The sanitary sewer collection system has 2 distinct components:

- 1) ***Sewer lateral:*** This is the pipe that runs from the home or business, usually across private property, and connects to the sewer main located in a street, alley, or easement. It is the property owner's responsibility to install and maintain this pipe. In other words, it is privately maintained.
- 2) ***Sewer main (collection system):*** This is the public pipe system located in a street, alley, or easement, which conveys sewage to the interceptor line and then to the Wastewater Treatment Plant.

The policy regarding private maintenance of sewer laterals (see attached) was adopted to clarify responsibility (it is also contained in the Public Works Standard Operating Guidelines Manual). For instance, when someone calls City Hall to complain about an overflowing toilet or slow drain, we will check the sewer main to ensure it is not blocked. We would then inform the owner to call a plumber. In addition, we generally do not go onto private property or perform activities that only a licensed plumber should. The City does not employ a plumber nor do we have the equipment or tools to diagnose problems or find the exact location of a blockage within private sewer laterals, as our cameras will not fit in a lateral.

If the Council wishes to change the City Code and this policy, there would be significant costs, time, and liability involved if we start maintain private sewer laterals.

4.102 Sanitary Sewer Installation and Connection.

(1) No person shall make a connection to a public sanitary sewer without first obtaining a permit from the director on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the director.

(2) All costs and expenses incident to the installation and connection of the building sanitary sewer shall be borne by the owner.

(3) The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sanitary sewer.

FISCAL IMPACT:

None as it currently stands, other than ordinary operation expenses.

ATTACHMENTS:

Adopted Sewer Lateral policy

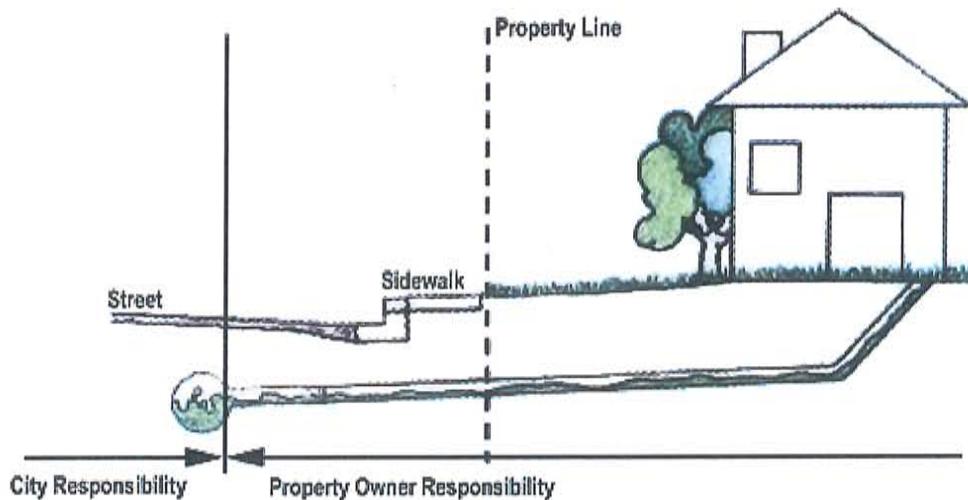


Policy regarding private sewer lateral maintenance

The property owner is fully responsible for maintaining adequate sewage flow to and through the sewer lateral, from the property structure to the City's sewer main.

When failure or stoppage of a sewer lateral occurs, City crews will respond only to check the City's sewer main to verify that the sewer main is open and sewage is flowing. If the sewer main is found to be clear, it is the responsibility of the property owner to call a licensed plumber or drain cleaning service to correct the problem.

Verbal assistance and answers to questions can be received by calling the Public Works Department at (503) 831-3562.



Approved


City Manager

11/22/11
Date

DALLAS CITY COUNCIL

REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8 e	Topic: Automated Meter Reading (AMR) Program
Prepared By: Fred Braun	Meeting Date: June 4, 2012	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Information only

BACKGROUND:

Most of the City has dial-type reading meters that are more than 20 years old. The typical life expectancy of a meter is 20 years. As meters get older, the dials slow down and eventually stop. This results in increasing unaccounted for water use as well as a loss of revenue. Approximately 70 % of the City’s meters are 20 or more years old.

Replacement of standard read meters with Automated Meter Read (AMR) technology is cost effective and becoming commonplace for water utilities in order to improve efficiency and decrease operating costs. In 2008, the City advertised and requested proposals from various suppliers of AMRs to provide a pilot test project demonstrating the effectiveness of this technology. The Elster AMR system was chosen as the most cost-effective system available that complied with the City’s specifications.

The West Ellendale outside water service area was selected as the City test project. This area is the most difficult and unproductive for manual reading of meters, due to the topography and spacing between lots. Approximately 50 AMRs were installed in 2009 in the test project area. The pilot program demonstrated that the technology was appropriate and functional.

Since 2009, the City has installed over 500 AMRs that are currently functional. Another 205 have been installed, but not yet turned on due to their locations. There are a total of more than 5,000 meters in the water system.

The meter reading effort by the City requires approximately 0.80 FTE, based upon the man-hours needed for reading meters and the re-read requests that normally occur. A FTE at the maintenance worker, or technician level costs the City approximately \$65,000 per year, including benefits. Conversion to 100% AMRs for meter reading will save the City approximately 0.75 FTE per year, or \$49,000 per year.

The typical cost of replacing a meter and upgrading to AMR technology is summarized below:

- 1) New meter cost: \$ 180.00 (parts) + \$ 220.00 (labor) = \$400.00
- 2) AMR Upgrade: \$ 80.60 (parts – no added labor as the unit is built into the meter)
- 3) Total: \$ 480.60

The total payback period for conversion of the City's manual read with AMR technology is less than 7 years. Other advantages of utilizing an AMR system include increased reading accuracy, the ability to turn-on or shut-off services from the office and detailed consumption reports for each address.

Recently, the AMR supplier has made some enhancements to their system. These enhancements will improve the reliability of the units and improve the communication between the units and billing system. The enhancements also increase the transmission power of the units, allowing each unit to transmit up to 2 miles (the old units could only transmit up to .25 mile). The battery life of the new units is still warrantied for 20 years and the supplier has committed to selling the new units at the same price as the old units (\$80.60 each). These changes will require replacement of each of the AMR's, the 3 Collector Units and the interface software. The supplier will complete the replacement of the 700+- AMR's, 3 collectors, and software at their cost. This work will be completed within the next 60 days. Once the enhanced system is operational, and testing has been completed, the City can resume with the scheduled meter replacements (and upgrade to AMR technology).

FISCAL IMPACT:

The total cost of the AMR and meter replacement program is:

Meter Replacements	\$ 1,650,000
Upgrade to AMR	\$ 350,000
Total	\$ 2,000,000

ATTACHMENTS:

None

DALLAS CITY COUNCIL

REPORT

TO: MAYOR AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8 f	Topic: Pretreatment Program Fees
Prepared By: Fred Braun	Meeting Date: June 4, 2012	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Direct staff to prepare a fee schedule resolution for the City Pretreatment Program.

PURPOSE:

The purpose of the proposed fee schedule is to recover costs associated with the administration and statutory reporting for the City Pretreatment Program. The pretreatment program does not address the utility rate structure or fees. Utility rates and fees are currently being evaluated by a consultant, and will be reviewed by a citizen advisory committee before returning to the City Council for consideration.

BACKGROUND:

Dallas City Code, Section 4.150, establishes a pretreatment program in order to monitor and control wastes discharged into the sanitary sewer system. Uncontrolled discharges can, and have, resulted in sanitary sewer overflows and upsets at the wastewater treatment plant. The City is subject to regulatory fines and compliance orders for plant upsets and system overflows.

The City has a DEQ-approved pretreatment program. The program has been in place since 1994, and was most recently updated in 2008. Residential users, offices and most retail businesses are not subject to the pretreatment program. The following users are subject to the program:

- 1) Significant Industrial Users (SIUs) (e.g. TYCO/TTM)
- 2) Industrial Users not classified as a SIU (LIUs) (e.g. Kinzie Machine & Equipment)
- 3) Food Handling Establishments (FHEs) (e.g. Restaurants, large Grocery Stores, Institutional Uses)
- 4) Septage Hauling Companies (SHCs) (e.g. Kings Pumping)

The City is responsible for conducting an annual pretreatment survey and report to the State. The costs of administering the Pretreatment Program, including annual reporting to DEQ, have ranged from \$4,000 to over \$30,000 per year. The higher costs are associated with the period when the City had a SIU. There are currently no SIUs in the City.

Dallas City Code, Section 4.296, allows the City to establish pretreatment charges and fees in order to offset the cost of the program. To date, the City has not adopted a Resolution establishing pretreatment program charges and fees.

Based upon the cost of service (i.e. cost recovery), staff recommends establishing the following fees for the listed user classes:

Pretreatment Program Schedule of Fees and Charges

	SIUs	LIUs	SHCs	FHEs (cat. 1)	FHE's (cat. 2)
Annual Permit Fee	\$1,500	\$50 (1)	\$50	\$ 50	\$ 250
Annual Monitoring & Inspection Fee	\$2,500	\$100 (2)	N/A	\$250 (3)	\$800
Accidental Discharge/Overflow Response Fee	\$ 500 / hr. min 1 hour	N/A	N/A	N/A	\$ 400/ hr. min ½ hour
Sample Collection & Analysis Charge	Actual Cost + 5%	Actual Cost + 5%	Actual Cost + 5%	N/A	\$200 per sample – minimum 1 sample/month
Appeal Fee	\$250	\$75	\$75	\$75	\$75

SIUs – Significant Industrial Users as defined in DCC Section 4.154

LIUs – All other industrial users not classified as a SIU, SHC or FHE, unless specifically exempted below.

SHCs – Domestic Septage Hauling and Portable Toilet Companies.

FHEs- Food Handling Establishments -all commercial, retail or Institutional businesses that process and sell, or cook & serve food products containing fats, oils or grease (FOG).

(cat. 1) – FHEs in compliance with the City of Dallas FOG program with required Interceptor Devices and grease traps installed and properly maintained.

(cat. 2) – FHEs not in compliance with the City of Dallas FOG program.

(1) The following LIU's are exempted from annual permit and monitoring/inspection fees: Offices, banks, retail, and churches, except those that are also considered as FHE's.

(2) Fee waived for LIU's implementing Best Management Practices supplied by City.

(3) Fee waived for FHEs (cat. 1) using preferred pumper program for Interceptor Device (ID) maintenance or FHEs not needing an ID per the City of Dallas FOG program.

Residential users are not subject to the pretreatment program. Most of the non-residential users are exempted from the pretreatment program fees. The proposed fee structure is the minimum necessary to recover the regulatory costs of the program.

The following is an estimated summary of the number of affected businesses in each category:

SIU's 0
 LIU's 16 (not categorically exempted from \$50 annual permit fee)
 SHC's 2
 FHE's 52 (48 cat. 1; 2 cat. 2; 2 undetermined)

FISCAL IMPACT:

Approximately \$4,000 in revenues to offset the cost of the City Pretreatment Program

ATTACHMENTS:

None

RESOLUTION NO. 3246

A Resolution adopting the 2012 Dallas Capital Improvement Plan.

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

Section 1. The 2012 Dallas Capital Improvement Plan, attached hereto as Exhibit 1 and by reference made a part hereof, is hereby approved and adopted as an official plan of the City of Dallas.

Section 2. The City Council shall review and, as appropriate, amend and update the 2012 Capital Improvement Plan annually.

Section 3. All prior City Capital Improvement Plans are repealed.

Section 4. This resolution shall be effective upon its passage.

Adopted: June 4, 2012

Approved: June 4, 2012

BRIAN W. DALTON, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

CIP

Capital Improvement Plan

City of Dallas 2012



INTRODUCTION

Generally, a Capital Improvements Plan (CIP) identifies capital projects (and some major equipment purchases) during a five year period, providing a planning schedule and identifying opportunities for financing the projects in the plan. Capital Improvements Plans coordinate community planning, financial capacity, and physical development.

A CIP typically includes:

- List of capital improvements (projects or major equipment) to be made;
- Projects ranked by priority;
- Project cost estimates;
- Plan for financing the projects;
- Schedule for construction or completion of the projects.

There are a number of benefits that are realized from the Capital Improvements Plan process including:

- Coordination between capital needs and operating budgets;
- Enhancement of the community's credit rating, control of its tax rate, and stability in debt service obligations;
- Identification of the most economical means of financing capital projects;
- Coordination of public capital investments with other public and private development initiatives

The City of Dallas Capital Improvement Plan (CIP) lists capital improvements and funding sources for all city departments for the next five years. The CIP has been significantly pared down based on the resources available as well as the evaluation of the priority of the projects.

In streets, stormwater, water, and sewer, many of the projects identified in the master plans are not contained in the CIP because they are funded by developers as part of actual development. Other large purchases or projects can be funded by general obligation bonds, system development charges, grants, general fund money, enterprise funds, urban renewal funds, and loans. Keep in mind that these other funds are limited, particularly general fund money, and that the projects in the CIP reflect that limitation.

City of Dallas - All Departments - 2011 to 2015

Capital Improvement Projects

	Cost Estimate	FY 11-12	FY 12-13	FY 13-14	FY 14-15	5+ Years
Aquatic Center	\$ 35,000	\$ -	\$ -	\$ 35,000	\$ -	\$ -
EMS	\$ 540,000	\$ 60,000	\$ -	\$ -	\$ -	\$ 480,000
Facilities	\$ 2,575,000	\$ -	\$ 535,000	\$ 1,010,000	\$ 30,000	\$ 1,000,000
Fire	\$ 5,013,000	\$ 900,000	\$ 130,000	\$ 33,000	\$ 80,000	\$ 3,870,000
Fleet Management	\$ 824,000	\$ 8,000	\$ 74,000	\$ 182,000	\$ 60,000	\$ 500,000
Library	\$ 190,000	\$ -	\$ -	\$ 10,000	\$ 20,000	\$ 160,000
Parks	\$ 2,230,000	\$ 135,000	\$ 55,000	\$ 20,000	\$ 20,000	\$ 2,000,000
Police	\$ 585,000	\$ 65,000	\$ 25,000	\$ 215,000	\$ 215,000	\$ 65,000
Sewer	\$ 5,850,000	\$ -	\$ 400,000	\$ 750,000	\$ 950,000	\$ 3,750,000
Sidewalk Repair	\$ 1,100,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 1,020,000
Storm	\$ 1,650,000	\$ 30,000	\$ 20,000	\$ -	\$ 100,000	\$ 1,500,000
Street	\$ 2,975,000	\$ 200,000	\$ 300,000	\$ 950,000	\$ 275,000	\$ 1,250,000
Water	\$ 4,525,000	\$ 50,000	\$ 125,000	\$ 2,600,000	\$ 1,050,000	\$ 700,000
Total:	\$ 28,092,000	\$ 1,468,000	\$ 1,684,000	\$ 5,825,000	\$ 2,820,000	\$ 16,295,000

Aquatic Center - Summary

Capital Improvement Projects

Project	Cost Estimate	FY 11-12	FY 12-13	FY 13-14	FY 14-15	5+ Years	Funding Source
Resurface Lap Pool	\$ 35,000			\$ 35,000			AC Trust
Total:	\$ 35,000	\$ -	\$ -	\$ 35,000	\$ -	\$ -	

EMS - Summary

Capital Improvement Projects

Project	Cost Estimate	FY 11-12	FY 12-13	FY 13-14	FY 14-15	5+ Years	Funding Source
MDT/Computer Charting	\$ 30,000	\$ 30,000					EMS Operations
Monitor/Difb. - 3 Units (leases)	\$ 90,000					\$ 90,000	EMS Operations
Land Purchase for Substation (50% EMS - 50% Fire)	\$ 75,000					\$ 75,000	EMS Operations, Fire Operations, Developer
New Medic Unit 3 (Refurbish)	\$ 75,000					\$ 75,000	EMS Operations
Vehicles:							
Leased Medic Units	\$ 270,000	\$ 30,000	\$ -	\$ -	\$ -	\$ 240,000	Ems Operations
Total:	\$ 540,000	\$ 60,000	\$ -	\$ -	\$ -	\$ 480,000	

Facilities - Summary

Capital Improvement Projects

Project	Cost Estimate	FY 11-12	FY 12-13	FY 13-14	FY 14-15	5+ Years	Funding Source
Two (2) HVAC roof units	\$ 20,000				\$ 20,000		General Fund, Public Facilities
Senior Center	\$ 1,500,000		\$ 500,000	\$ 1,000,000			CDBG
City Hall Mortaring/Sealing	\$ 20,000			\$ 10,000	\$ 10,000		General Fund
Seismic Upgrading – City Hall, Library	\$ 1,000,000					\$ 1,000,000	Revolving Loan/Grant
Filing System - Finance Vault	\$ 10,000		\$ 10,000				Finance & Municipal Court
HVAC System for Carnegie Building	\$ 25,000		\$ 25,000				General Fund
Total:	\$ 2,575,000	\$ -	\$ 535,000	\$ 1,010,000	\$ 30,000	\$ 1,000,000	\$2,575,000

Fire - Summary

Capital Improvement Projects

Project	Cost Estimate	FY 11-12	FY 12-13	FY 13-14	FY 14-15	5+ Years	Funding Source
SCBA Filling Station	\$ 60,000		\$ 60,000				Grant
Seismic Station Upgrade	\$ 900,000	\$ 900,000					Grant
Engine (Custom Cab) #101 & #102	\$ 1,000,000					\$ 1,000,000	Bond
Rescue #101 Replacement	\$ 750,000					\$ 750,000	Bond
Training Facility Upgrade	\$ 2,000,000					\$ 2,000,000	Bond
Hose Replacement	\$ 75,000			\$ 25,000	\$ 25,000	\$ 25,000	Fire Operations
Rescue Tools/Hydraulic Pump	\$ 13,000			\$ 8,000	\$ 5,000		Fire Operations
Rescue Tools/Cutter Spreader	\$ 20,000					\$ 20,000	Fire Operations
Land Purchase for Substation (50% Fire - 50% EMS)	\$ 75,000					\$ 75,000	Fire Operations, EMS Operations, Developer
Vehicles:							
Replace Fire Chief Staff Car FD	\$ 50,000				\$ 50,000		Fire Operations
Staff vehicle Replacement FD	\$ 35,000		\$ 35,000				Fire Operations
Staff vehicle Replacement FD	\$ 35,000		\$ 35,000				Fire Operations
Total:	\$ 5,013,000	\$ 900,000	\$ 130,000	\$ 33,000	\$ 80,000	\$ 3,870,000	

Fleet Services: Public Works, Parks, and Community Development Equipment and Vehicles

Capital Improvement Projects

Project	Cost Estimate	FY 11-12	FY 12-13	FY 13-14	FY 14-15	5+ Years	Funding Source
Buildings:							
Buildings B,C,&D Roofs	\$ 30,000			\$ 30,000			Fleet, Sewer, Street, Water Fund
Re-Side Shop Building/Windows/HVAC Installation/Roof	\$ 50,000	\$ 8,000	\$ 10,000	\$ 32,000			Fleet, Sewer, Street, Water Fund
New Mechanic Shop Facility with Drive-thru, Pit, 24' Ceiling	\$ 500,000					\$ 500,000	Fleet Fund
Public Works Equipment:							
Sanding Box - Slide in Unit	\$ 13,000		\$ 13,000				Street Fund Street Fund
Vehicles:							
Hotbox Slide-in	\$ 35,000				\$35,000		Sewer, Street, Water Fund
Pickup (To Replace #70 - 1989 Chevy C2500) FM	\$ 25,000				\$ 25,000		Fleet
Dump Truck with Plow PW	\$ 100,000			\$ 100,000			Sewer, Street, Water Fund
Pickup (To Replace #94 - 1996 1/2 S-10) PW	\$ 25,000		\$ 25,000				Sewer and Street Fund
Replace Taurus (10-71) CD	\$ 16,000		\$ 16,000				General Planning Fund
Replace Pick-up S-10 (10-74) CD	\$ 20,000			\$ 20,000			General Building Fund
Parks Maintenance Vehicle (Gator)	\$ 10,000		\$ 10,000				General Fund
Total:	\$ 824,000	\$ 8,000	\$ 74,000	\$ 182,000	\$ 60,000	\$ 500,000	

Library- Summary

Capital Improvement Projects

Project	Cost Estimate	FY 11-12	FY 12-13	FY 13-14	FY 14-15	5+ Years	Funding Source
Replace Lighting	\$ 10,000					\$ 10,000	General Fund
New Paint	\$ 10,000				\$ 10,000		General Fund
New Furniture - Office	\$ 10,000				\$ 10,000		General Fund
New Furniture - Patron	\$ 10,000			\$ 10,000			General Fund
Expansion into Senior Center	\$ 150,000					\$ 150,000	Grants
Total:	\$ 190,000	\$ -	\$ -	\$ 10,000	\$ 20,000	\$ 160,000	

Parks - Summary

Capital Improvement Projects

Project	Cost Estimate	FY 11-12	FY 12-13	FY 13-14	FY 14-15	5+ Years	Funding Source
RCTS: Phase 4	\$ 50,000		\$ 50,000				Grants, SDC
RCTS: Phases 5 - 8	\$ 1,500,000					\$ 1,500,000	Grants, Developer, Park SDC
Remodel/Replace Bathrooms in Dallas City Park	\$ 50,000					\$ 50,000	Grants, Park Trust
Kingsborough Park Completion of Improvements	\$ 85,000	\$ 85,000					Grants, Park SDC
Walnut Park Improvements	\$ 5,000		\$ 5,000				Grants, Operations
Future Water Activity Park	\$ 50,000					\$ 50,000	Grants, Park SDC
Dallas City Park Play Equipment Upgrades (New Side)	\$ 50,000	\$ 50,000					Grants
Wyatt Node Park Improvements	\$ 100,000					\$ 100,000	Developer, Park SDC
Repave parking lots in Dallas City Park	\$ 150,000					\$ 150,000	Grants, Street Fund
RJ Community Park Improvements	\$ 150,000					\$ 150,000	Grants, Park SDC,
Skate Park/BMX Improvements	\$ 40,000			\$ 20,000	\$ 20,000		Grants, Donations
Total:	\$ 2,230,000	\$ 135,000	\$ 55,000	\$ 20,000	\$ 20,000	\$ 2,000,000	

Police - Summary

Capital Improvement Projects

Project	Cost Estimate	FY 11-12	FY 12-13	FY 13-14	FY 14-15	5+ Years	Funding Source
Firing Range Repairs & Improvement	\$ 65,000					\$ 65,000	Police/Grants
Evidence Storage Facility @ Shops	\$ 25,000		\$ 25,000				General Fund
Remodel Civic Center for Police Offices	\$ 300,000			\$ 150,000	\$ 150,000		General Fund, Loan, Grants
Vehicles:							
Vehicle Replacement	\$ 195,000	\$ 65,000		\$ 65,000	\$ 65,000		Police General Fund
Total:	\$ 585,000	\$ 65,000	\$ 25,000	\$ 215,000	\$ 215,000	\$ 65,000	

Sewer Projects - Summary

Capital Improvement Projects

Project	Cost Estimate	FY 11-12	FY 12-13	FY 13-14	FY 14-15	5+ Years	Funding Source
Reclaimed Wastewater (Purple Pipe) Project	\$ 2,700,000				\$ 200,000	\$ 2,500,000	Loans, Eco Dev Grants, SDC, Sewer
Sanitary Siphon Replacement - Trail connecting Aquatic Center to Central Bark Park	\$ 300,000		\$ 300,000				Sewer SDC
CMOM Program (Includes I & I and FOG Removal)	\$ 250,000		\$ 100,000	\$ 50,000	\$ 50,000	\$ 50,000	Loans, Eco Dev Grants, SDC, Sewer
River Drive Pump Station Bypass/Sanitary Line through City Park	\$ 500,000					\$ 500,000	SDC, Sewer Fund
Rickreall Creek Interceptor and Ash Creek Interceptor, Manhole Sealing, and Pipe Insituform	\$ 1,400,000			\$ 700,000	\$ 700,000		SDC, Sewer Fund, Loans, Grants
Trunkline Insituform	\$ 700,000					\$ 700,000	Sewer Fund, SDC
Total:	\$ 5,850,000	\$ -	\$ 400,000	\$ 750,000	\$ 950,000	\$ 3,750,000	

Sidewalk Repair and Infill - Summary

Capital Improvement Projects

Project	Cost Estimate	FY 11-12	FY 12-13	FY 13-14	FY 14-15	5+ Years	Funding Source
Various sidewalk infill and replacement projects	\$ 100,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	Urban Renewal Funds
Godsey Road improvements with curb and sidewalk from Miller Avenue to Monmouth Cut-off	\$ 1,000,000					\$ 1,000,000	Property Owner, Developer, Grant ODOT Bicycle and Pedestrian Program, SDC
Total:	\$ 1,100,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 1,020,000	

Storm Projects - Summary

Capital Improvement Projects

Project	Cost Estimate	FY 11-12	FY 12-13	FY 13-14	FY 14-15	5+ Years	Funding Source
Kingsborough Park Storm Detention/Waterquality Pond	\$ 30,000	\$ 30,000					Grant, Sewer Fund
Monmouth Cutoff Highway (Ash Creek)	\$ 1,600,000				\$ 100,000	\$ 1,500,000	Developer, SDC, Sewer Fund, grants
Kings Valley Highway (NE Quad)	\$ 20,000		\$ 20,000				Developer, SDC, Sewer Fund
Total:	\$ 1,650,000	\$ 30,000	\$ 20,000	\$ -	\$ 100,000	\$ 1,500,000	

Street Projects - Summary

Capital Improvement Projects

Project	Cost Estimate	FY 11-12	FY 12-13	FY 13-14	FY 14-15	5+ Years	Funding Source
Pavement Maintenance and Overlay Program (Collectors and Arterials only)	\$ 1,100,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 300,000	Street Fund, ISTEAs
Add eastbound and westbound through lanes to Highway 223 and Polk Station Road	\$ 100,000		\$ 100,000				Streets, SDC
Develop Roundabout at W Ellendale Avenue/Levens Street	\$ 75,000				\$ 75,000		Highway Trust Fund, OTIA, SDC, Streets
Signalize and add eastbound and westbound through lanes to Dallas Rickreall Highway and Fir Villa	\$ 750,000					\$ 750,000	SDC, Developer, State Modernization, Grant State Transportation Improvement Program
Develop Roundabout at Miller Avenue/LaCreole Drive	\$ 100,000					\$ 100,000	SDC
Improve Monmouth Cut-off/Uglow intersection	\$ 100,000					\$ 100,000	Developer, SDC, Street
Main Street 800/900 Block Streetscape Project	\$ 750,000			\$ 750,000			Urban Renewal
Total:	\$ 2,975,000	\$ 200,000	\$ 300,000	\$ 950,000	\$ 275,000	\$ 1,250,000	

Water Projects - Summary

Capital Improvement Projects

Project	Cost Estimate	FY 11-12	FY 12-13	FY 13-14	FY 14-15	5+ Years	Funding Source
Small Diameter Pipe Replacements	\$ 200,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000		Water Fund
Outlet Pipe Modifications at Mercer Reservoir	\$ 150,000					\$ 150,000	Water Fund
Transmission Water Line: Treatment Plant to Clay	\$ 1,500,000			\$ 1,500,000			Safe Drinking
Upper Douglas High Pressure Water Feed Line	\$ 150,000					\$ 150,000	Water Fund
Water Treatment Upgrade, New Influent Pump	\$ 75,000		\$ 75,000				Water Fund
Contact Basin Weirs	\$ 50,000			\$ 50,000			Water Fund
On-site Generation of Chlorine	\$ 400,000					\$ 400,000	Water Fund
AMR Project	\$ 2,000,000			\$ 1,000,000	\$ 1,000,000		Water Fund, Loans
Total:	\$ 4,525,000	\$ 50,000	\$ 125,000	\$ 2,600,000	\$ 1,050,000	\$ 700,000	

City of Dallas - All Departments - 2009
Capital Improvement Projects

	Cost Estimate	FY 11-12	FY 12-13	FY 13-14	FY 14-15	5+ Years
Aquatic Center	\$ 300,000	\$ 175,000	\$ 125,000	\$ -	\$ -	\$ -
EMS	\$ 510,000	\$ -	\$ 130,000	\$ 80,000	\$ -	\$ 300,000
Facilities	\$ 1,310,000	\$ 310,000	\$ -	\$ -	\$ -	\$ 1,000,000
Fire	\$ 1,547,150	\$ 161,650	\$ 120,500	\$ 65,000	\$ -	\$ 1,200,000
Fleet Management	\$ 357,000	\$ 217,000	\$ 75,000	\$ -	\$ -	\$ 65,000
Library	\$ 245,000	\$ 35,000	\$ 210,000	\$ -	\$ -	\$ -
Parks	\$ 1,055,000	\$ 380,000	\$ 250,000	\$ 110,000	\$ -	\$ 315,000
Police	\$ 4,780,000	\$ 125,000	\$ 120,000	\$ 135,000	\$ -	\$ 4,400,000
Sewer	\$ 3,300,000	\$ 450,000	\$ 600,000	\$ 600,000	\$ -	\$ 1,650,000
Sidewalk Repair (Included in Streets)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Storm	\$ 6,370,000	\$ 1,550,000	\$ 490,000	\$ 50,000	\$ -	\$ 4,280,000
Street	\$ 36,272,700	\$ 7,143,700	\$ 9,140,000	\$ 1,879,000	\$ -	\$ 18,110,000
Water	\$ 4,456,000	\$ 1,700,000	\$ 2,126,000	\$ -	\$ -	\$ 630,000
Total 2009*:	\$ 60,502,850	\$ 12,247,350	\$ 13,386,500	\$ 2,919,000	\$ -	\$ 31,950,000
Total 2012:	\$ 28,092,000	\$ 1,468,000	\$ 1,684,000	\$ 5,825,000	\$ 2,820,000	\$ 16,295,000
Difference	-32,410,850	-10,779,350	-11,702,500	2,906,000	2,820,000	-15,655,000

*Moved 10+ years to 5+ years
and removed 20+ years completely

RESOLUTION NO. 3247

A Resolution authorizing the transfer of budgetary funds.

WHEREAS, it is necessary to transfer the appropriation authority of \$50,000 from the General Fund, Operating Contingency, to the General Fund, Ambulance Department, for unanticipated workers compensations claims and personnel changes; and

WHEREAS, it is necessary to transfer the appropriation authority of \$60,000 from the General Fund, Operating Contingency, to the General Fund, Police Department, for unanticipated workers compensations claims; and

WHEREAS, it is necessary to transfer the appropriation authority of \$40,000 from the Grant Fund, CDBG Grant (Revenue), to the Street Fund, State Highway Appropriations, for unanticipated ODOT match for street improvements; and

WHEREAS, it is necessary to transfer the appropriation authority of \$40,000 from the Grant Fund, CDBG Grant (Expenditure), to the Street Fund, Contractual Overlays, for unanticipated ODOT match for street improvements; and

WHEREAS, it is necessary to transfer the appropriation authority of \$30,000 from the Sewer Fund, Operating Contingency, to the Sewer Fund, Personal Services, for unanticipated employee retirement and personnel changes; and

WHEREAS, it is necessary to transfer the appropriation authority of \$40,000 from the Sewer Fund, Operating Contingency, to the Sewer Fund, Professional Services, for unanticipated emergency pump station repair; and

WHEREAS, it is necessary to transfer the appropriation authority of \$25,000 from the Water Fund, Operating Contingency, to the Water Fund, Professional Services, for unanticipated emergency water line repair; and

WHEREAS, it is necessary to transfer the appropriation authority of \$15,000 from the Trust Fund, Aquatic Center Trust Expenditure, to the Trust Fund, Improvement Trust Expenditure, for unanticipated refund of bond deposit; and

WHEREAS, it is necessary to transfer the appropriation authority of \$2,000 from the Trust Fund, Aquatic Center Trust Expenditure, to the Trust Fund, File of Life Expenditure, for Ambulance File of Life Program;

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 \$50,000 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 \$60,000 from the General Fund, Operating Contingency, to the General Fund, Police Department.

Section 3. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$40,000 from the Grant Fund, CDBG Grant (Revenue), to the Street Fund, State Highway Appropriations.

Section 4. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$40,000 from the Grant Fund, CDBG Grant (Expenditure), to the Street Fund, Contractual Overlays.

Section 5. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$30,000 from the Sewer Fund, Operating Contingency, to the Sewer Fund, Personal Services.

Section 6. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$40,000 from the Sewer Fund, Operating Contingency, to the Sewer Fund, Professional Services.

Section 7. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$25,000 from the Water Fund, Operating Contingency, to the Water Fund, Professional Services.

Section 8. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$15,000 from the Trust Fund, Aquatic Center Trust Expenditure, to the Trust Fund, Improvement Trust Expenditure.

Section 9. That the City Manager be, and he hereby is, authorized and directed to transfer the appropriation authority of \$2,000 from the Trust Fund, Aquatic Center Trust Expenditure, to the Trust Fund, File of Life Expenditure.

Section 10. This Resolution shall be effective upon its passage.

Adopted: June 4, 2012
Approved: June 4, 2012

BRIAN W. DALTON, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 11 a	Topic: Ord. No. 1745
Prepared By: Emily Gagner	Meeting Date: June 4, 2012	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Approve Ordinance No. 1745

BACKGROUND:

At the last Council meeting, Trent Schwartz, the DHS basketball coach, requested the use of Mercer Reservoir to hold a fishing derby fundraiser. He also requested the Council allow electric trolling motors during this one-time event, something the Code currently prohibits.

The attached agreement addresses the concerns brought up by the Councilors at the last meeting and staff feels confident the agreement protects the City’s watershed adequately. The City does not own the road up to the reservoir. Forest Capital owns that road and has already given their permission to use it.

Staff has been in contact with staff from the Oregon Safe Drinking Water Program regarding any concerns they may have. As long as only electric motors are used, portable toilet facilities are provided, and boats are inspected for invasive species, they are comfortable with this event taking place on our water source. Rick Boatner, the ODFW Invasive Species Wildlife Integrity Coordinator, has agreed to do boat inspections for the event. In addition, Polk County Marine Patrol will be present to ensure compliance with all safety regulations.

Our Insurance Agent of Record will work with the School District’s Agent of Record to ensure the District satisfactory proof of liability insurance naming the City as an additional insured.

FISCAL IMPACT:

None

ATTACHMENTS:

Agreement
Ordinance No. 1745

AGREEMENT FOR USE OF MERCER LAKE

FISHING DERBY - JUNE 9, 2012

This agreement is made and entered into by and between the City of Dallas, Oregon, an Oregon municipal corporation (City), and Dallas School District, a political subdivision of the State of Oregon (District).

RECITALS

A. City owns and operates Mercer Lake, located on Rickreall Creek, as the source for City's municipal water supply, and controls the watershed in the immediate vicinity thereof, for the protection of the water supply.

B. Dallas City Code Section 5.430(1) prohibits the operation of boats powered by motors, including electric motors, on Mercer Lake.

C. District desires to conduct a fishing derby as a fundraising activity for the benefit of the Dallas High School basketball program on Mercer Lake on June 9, 2012, from 9:00 a.m. to 1:00 p.m., and to permit boats powered by electric trolling motors to participate in the fishing derby.

D. City, through its City Council, is considering adoption of Special Ordinance No. 1745 that, if adopted, would permit the use of electric trolling motors on Mercer Lake for the express and limited purpose of District's proposed fishing derby. Among other things, the ordinance provides that District would comply with all orders and directives of the City for the protection of Mercer Lake; would be solely responsible for the repair or restoration of any damage to the lake, or damage to or destruction of Mercer Dam and any other property or vegetation of the City; and the District will indemnify City from all claims arising from or relating to the conduct of the fishing derby and provide a policy or binder of general liability insurance in a form and amount satisfactory to City.

E. The parties desire by this agreement to fulfill the foregoing requirements for the use of Mercer Lake by District for the conduct of its fishing derby.

AGREEMENT

Now, therefore, in consideration of the foregoing and the mutual covenants and obligations set forth herein, it is hereby agreed as follows:

1. City authorizes District to conduct a fishing derby as a fundraising activity for the Dallas High School basketball program at and upon Mercer Lake on June 9, 2012, from 9:00 a.m. to 1:00 p.m., and to allow the operation of boats

powered by electric trolling motors on the lake, subject to the terms and conditions of this agreement. District will have access to Mercer Lake for a reasonable time before the fishing derby for set-up activities and for a reasonable time after the fishing derby for clean-up.

2. The fishing derby will be subject to the following limitations:
 - (a) Participants: Not more than 200 people.
 - (b) Boats: Not more than 12.
 - (c) Boat size: Not more than 15 feet.
 - (d) Vehicles at Mercer Lake: Not more than 25.
 - (e) Motorized boats will be limited to boats powered by electric trolling motors. No other form of boat motor will be permitted.
 - (f) No boat on the lake will be permitted any closer than 500 feet from Mercer Dam.

3. District acknowledges that Mercer Lake and the watershed thereof is the source of City's municipal water supply and, as such, a valuable resource to City and its residents. In addition to the specific terms and conditions of this agreement, District will conduct its activities in general under this agreement with all due care and take all such precautions as may be necessary or appropriate to protect the lake and watershed from damage. City will designate a representative to be present during the conduct of the fishing derby, including set-up and clean-up, who will have authority to issue orders and directives on behalf of City to protect Mercer Lake and the watershed. District agrees to comply with all such orders and directives, and any failure to do so will be deemed a violation of District's obligations under this agreement.

4. District will provide qualified personnel to inspect all boats, including the motors of any motorized boats, prior to launch, to ensure that they are in good condition, and free of invasive species and pollutants and hazardous substances that could damage the watershed or impair the water quality of Mercer Lake.

5. District will provide adequate vehicle parking away from Mercer Lake for all vehicles in excess of the 25-vehicle limit permitted at the lake, and a shuttle service between the parking site and Mercer Lake before, during and after and the fishing derby. It will be District's obligation to obtain permission from any private property owner(s) for the siting of such parking and use of the private roadway leading to Mercer Lake.

6. District will provide trash receptacles and portable toilets adequate for the number of people who attend and participate in the fishing derby. District will collect all trash and remove all portable toilets, and all other property and equipment of District and all persons attending the fishing derby by not later than 6:00 p.m, on June 9, and will leave Mercer Lake and the property around it clean and in as good condition as the lake and property were in at the commencement of the fishing derby.

7. To the extent allowed by Oregon law, District agrees to release and to defend, indemnify and hold City, its officers, employees and agents, harmless from and against any and all claims, liabilities, demands, damages or actions, of whatever form or nature, for property damage, personal injury or death, including attorney fees incurred in defense thereof, arising out of or in any way relating to District’s conduct of the fishing derby and use of Mercer Lake under this agreement.

8. District will be responsible for any loss or damage to Mercer Lake, and for the repair and restoration of any damage to or destruction of Mercer Dam and any property or vegetation of City, including the Mercer Lake watershed, arising out of or in any way relating to the conduct of the fishing derby.

9. District shall obtain and at all times maintain a policy or policies of general liability insurance, insuring its activities in the conduct of the fishing derby and use of Mercer Lake, in an amount not less than \$1,000,000 per occurrence, and shall name City as an additional insured thereon. District shall provide City with a certificate of insurance as proof of such coverage, which shall provide that coverage may not be terminated or amended without the giving of 10 days’ notice to City.

10. This agreement is subject to and contingent on the final adoption and approval of Ordinance No. 1745 by the Dallas City Council prior to June 9, 2012. If Ordinance No. 1745 has not been adopted and is not in effect as of June 9, 2012, then this agreement will be null and void.

Dated May ___, 2012.

Dated May ___, 2012.

CITY OF DALLAS, OREGON

DALLAS SCHOOL DISTRICT

By: _____

By: _____

Title: City Manager

Title: _____

SPECIAL ORDINANCE NO. 1745

An Ordinance establishing a special exception to the prohibition against motorized boats on Mercer Lake; and declaring an emergency.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Notwithstanding Dallas City Code Section 5.430(1), which prohibits motorized boats on Mercer Lake, boats powered by electric motors, only, shall be permitted for the purpose of a fishing tournament sponsored and operated by Dallas School District, to be held on Mercer Lake on June 9, 2012, from the hours of 9:00 a.m. to 1:00 p.m., subject to the following conditions:

(1) Dallas School District will comply with all orders and directives of the City of Dallas for the protection of Mercer Lake, and shall be solely responsible for the repair or restoration of any damage to the lake, or damage to or destruction of Mercer Dam and any property or vegetation of the City arising out of or in any way relating to the conduct of such fishing tournament;

(2) Dallas School District will agree to defend, indemnify and hold the City of Dallas, its officers, agents and employees, harmless from and against all claims, liabilities, demands, damages or actions, of whatever form or nature, arising from or in any way relating to the conduct of such fishing tournament, including costs and attorney fees incurred in defense thereof; and

(3) Dallas School District will obtain a policy or binder of general liability insurance in a form and amount satisfactory to the City of Dallas that names the City of Dallas, its officers, agents and employees as additional insureds thereon, and shall provide the City with a certificate of insurance as proof thereof in a form satisfactory to the City.

Section 2. This ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist and this ordinance shall take effect on its passage.

Read for the first time: May 21, 2012
Read for the second time: June 4, 2012
Passed by the City Council: June 4, 2012
Approved by the Mayor: June 4, 2012

BRIAN W. DALTON, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER