



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 18, 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>	
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 June 4, 2012, City Council meeting p. 3	
6. ITEMS REMOVED FROM CONSENT AGENDA	
7. REPORTS OR COMMENTS FROM THE COUNCIL MEMBERS	
8. REPORTS FROM CITY MANAGER AND STAFF a. Other	

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.

9. RESOLUTIONS

a. Resolution No. 3248 – A Resolution providing for the distribution of transient lodging taxes collected under Ordinance No. 1681 (Dallas City Code 7.870 through 7.922) for the period from July 1, 2012 through June 30, 2014; and repealing Resolution No. 3206. **p. 8**

Roll Call Vote

b. Resolution No. 3249 – A Resolution establishing fees for the Dallas Pretreatment Program. **p. 10**

Roll Call Vote

c. Resolution No. 3250 – A Resolution adopting the budget of the City of Dallas, Oregon for the fiscal period beginning July 1, 2012 and ending June 30, 2013, making budgeted appropriations and levying taxes for said fiscal period. **p. 12**

Roll Call Vote

d. Resolution No. 3251 – A Resolution declaring the City of Dallas's election to receive State Revenues. **p. 15**

Roll Call Vote

10. FIRST READING OF ORDINANCE

a. Ordinance No. 1746 – An Ordinance establishing a special exception to the prohibition against riding bicycles in the Dallas Skateboard Park; and declaring an emergency. **p. 16**

First Reading

11. SECOND READING OF ORDINANCE

a. Ordinance No. 1746 – An Ordinance establishing a special exception to the prohibition against riding bicycles in the Dallas Skateboard Park; and declaring an emergency.

Roll Call Vote

12. OTHER BUSINESS

13. ADJOURNMENT

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

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4 The Dallas City Council met in regular session on Monday, June 4, 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,
9 Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. Absent: Councilor Jim Brown

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

14 Mayor Brian Dalton led the Pledge of Allegiance.

15 **COMMENTS FROM THE AUDIENCE**

16 Chelsea Pope, Executive Director of the Dallas Area Chamber of Commerce, reported that since
17 she last spoke to the Council, the Chamber held two ribbon cuttings at Electric Peddler and the
18 Fire Station. She noted the Chamber also held their first Cash Mob event with thirteen people in
19 attendance.

20 Joe Koubek read a statement regarding a ban on backyard burning, a copy of which is attached to
21 these minutes and incorporated herein.

22 **PUBLIC HEARING**

23 PUBLIC HEARING ON THE 2012-2013 CITY OF DALLAS BUDGET AND USE OF STATE
24 REVENUE SHARING FUNDS

25 Mayor Dalton declared the public hearing open at 7:05 p.m.

26 Mr. Wyatt reported that the Budget Committee recommended adopting the Budget as presented
27 and recommended approving the tax of \$4.1954 per \$1,000 of assessed value and the levy to be
28 imposed for debt service on General Obligation bonds is \$735,353.

29 There were no comments from the audience.

30 Mayor Dalton closed the public hearing at 7:06 p.m.

31 It was moved by Councilor Marshall and seconded by Councilor Wilson to *approve the 2012-*
32 *2013 City of Dallas Budget and the use of State Revenue Sharing funds as approved by the*
33 *Budget Committee and to direct staff to prepare a resolution adopting the Budget and authorizing*
34 *the use of State Revenue Sharing Funds.* The motion CARRIED UNANIMOUSLY.

35 **CONSENT AGENDA**

36 It was moved by Councilor Lawson and seconded by Councilor Marshall to *approve the Consent*
37 *Agenda as presented.* The motion CARRIED UNANIMOUSLY.

38 Item approved by the Consent Agenda: a) the May 21, 2012, City Council minutes.

39 **ITEMS REMOVED FROM CONSENT AGENDA**

40 There were no items removed from the Consent Agenda.

41 **REPORTS OR COMMENTS FROM COUNCIL**

42 Mayor Dalton reported that Superintendent Christy Perry had sent him a note about the senior
43 graduating class. He explained there were 219 graduating seniors, 43 of which were National
44 Honor Society members and seven were Honor Thespian students. He noted the Class of 2012
45 was awarded over \$2.5 million in scholarships and there are 70 students attending Chemeketa
46 Community College through the extended program. He commented that he thought they were
47 doing a great job.

48 **REPORTS FROM CITY MANAGER AND STAFF**

1 BMX GROUP PRESENTATION

2 Mr. Wyatt stated that at the May 7 Council meeting, David Solvedt and Jamey Scott came to talk
3 about BMX bikes in the Dallas Skate Park, noting they had a presentation for the Council.

4 Jamey Scott and David Solvedt introduced themselves and explained they were there on behalf of
5 all the Dallas BMX riders. Mr. Scott stated they were requesting the Council approve a six-
6 month trial period to allow bikes in the skate park.

7 Mr. Solvedt indicated that over the years, the BMX riders struggled to find a suitable location to
8 ride, adding they currently had no location except the streets. He asked why the City didn't allow
9 bikes in the skate park. He indicated some said bikes damaged the skate park, but noted studies
10 by the Skate Parks Association of America showed no more damage was caused by bikes than by
11 skateboards. Mr. Solvedt reported some people were more worried about an increase in accidents
12 but a study by Portland Parks and Rec showed no increase in accidents since they allowed their
13 BMX riders into the park. He acknowledged a tragic fatality that occurred in the Dallas Skate
14 Park, but it was his understanding that the man was not local and was under the influence of drugs
15 or alcohol, which probably played a significant role in the accident. Mr. Solvedt explained BMX
16 riding and skateboarding had risks, but noted they also had benefits. Mr. Solvedt advised that
17 since the skate park was free and unsupervised, the City is protected from liability under
18 recreational immunity. Mr. Scott then reviewed the benefits of BMX riding.

19 Mr. Solvedt requested a six-month trial period to allow the Council to test the success of bikes in
20 the skate park. He asked for a chance to prove themselves and allow them to show their respect
21 and responsibility.

22 Council President Scroggin asked if there should be separate designated times for bikes and
23 skateboards or if having both at the same time would create no problems. Mr. Solvedt stated both
24 groups had been down there at the same time already and many skaters and bikers were friends
25 and got along well. He noted if there was overcrowding, some people would leave rather than use
26 the park unsafely.

27 Councilor Stewart asked if anyone had heard what the skateboarders thought of the proposal. Mr.
28 Scott stated that many of their friends were skateboarders and they supported it. Mr. Solvedt
29 indicated the skateboarders were interested in the trial period to see how it would work out.

30 Councilor Lawson expressed her concern with bikers and skaters using business lots and other
31 private property. Mr. Scott explained they rode there because they weren't allowed in the skate
32 park. In response to a question, Mr. Solvedt indicated he would be happy to let kids know they
33 should go ride in the park instead of on private property.

34 Council President Scroggin asked if the park was designed for just skateboards. Mr. Wyatt
35 indicated the park was not built well for skateboards or bikes but the structures were
36 interchangeable between bikes and skateboards. He noted the BMX group had been consistent
37 over the past two years, were pretty responsible about maintaining the facilities they were given,
38 and were respectful of the park crews. He added staff was pretty impressed with Mr. Scott and
39 Mr. Solvedt.

40 Councilor Fairchild indicated one reason bikes were not allowed was that the Council was told
41 bikes would chip the cement and cause problems with the facility. He commented that was
42 apparently not true any longer and he was leaning toward approving the request.

43 Council President Scroggin and Councilor Wilson commented that they would be more
44 comfortable giving the bikers four months for a trial period.

45 Mr. Shetterly advised there was a provision in DCC 5.420 (3) that expressly excluded bikes from
46 the skate park and suggested rather than amending the Code during the trial period, he could draft
47 a special ordinance that created an exception similar to what was used for the Mercer Reservoir
48 event. He noted the special ordinance would allow a temporary period for the operation of bikes
49 and include a delegation of authority to staff to implement rules.

50 There was some discussion about a six-month trial or a four-month trial period and the timing of
51 such a trial period.

52 In response to a question, Mr. Shetterly explained the soonest the ordinance could be done was at
53 the next meeting. He indicated the Charter allowed adoption of an ordinance with the first and
54 second reading in one meeting as long as it was adopted with a unanimous vote. He advised the
55 alternative would be to have the first reading at the June 18 meeting and the second reading with
56 an emergency clause at the July 2 meeting. He stated an emergency clause would make the
57 ordinance effective upon adoption.

1 Councilor Stewart stated he liked the idea of informing everyone of what the City was doing and
2 recommended having a kick-off meeting down at the skate park so everyone understood what was
3 happening. He requested a report midway through the trial period so the Council know how it
4 was going.

5 It was moved by Councilor Scroggin and seconded by Councilor Wilson to *direct staff to draft an*
6 *ordinance allowing bicycles in the skate park for a period beginning as soon as possible and*
7 *expiring on November 1, 2012.* The motion CARRIED UNANIMOUSLY.

8 Mr. Shetterly clarified that both readings of the ordinance with an emergency clause would occur
9 at the next Council meeting.

10 ODOT PRESENTATION REGARDING SALEM RIVER CROSSING

11 Mr. Wyatt introduced Dan Fricke, ODOT Project Manager. Mr. Wyatt encouraged the Council to
12 ask questions of Mr. Fricke at the conclusion of his presentation.

13 Mr. Fricke indicated this was the culmination of years of work. He explained the purpose of the
14 proposal was to reduce traffic congestion on the existing two bridges over the Willamette River.
15 He then gave a PowerPoint presentation.

16 Mr. Fricke reviewed the various options for location of a new river crossing.

17 Mr. Fricke noted that Options 4C-4E were major-build alternatives. He explained that early in the
18 process, they discovered the only way to meet the state mobility standards was by adding an
19 extended couplet to Highway 22 and these options all provided that connectivity to Highway 22.

20 Mr. Fricke discussed the mobility and cost comparisons of each option. He stated the more
21 congestion relief provided, the more expensive the project. He reviewed the displacement
22 comparisons for each option and then talked about the decision making structure. He indicated the
23 ultimate decision power was through the Federal Highway Administration and ODOT.

24 Mr. Fricke advised the comment period closed June 18 and comments could be submitted in
25 writing or through the website.

26 Councilor Lawson asked if Mr. Fricke had any idea where the funding would come from. Mr.
27 Fricke stated the short answer was "No." He indicated there was a funding report in the project
28 library which included any possible source, noting there were four potential sources that staff was
29 directed to focus on, including a fuel tax, property tax levy, vehicle registration surcharge, and
30 tolling. He added at this point, everything was on the table.

31 Councilor Woods commented that the idea was to get people from our area to I-5 without having
32 to go through downtown Salem. He advised he liked option 4C because it was the first that
33 showed an attempt to get people from the Parkway going west. He noted the other ones just
34 dumped into West Salem. He explained they had the capability of tolling locals less than those
35 from outside the area, adding tolling was all done electronically.

36 Councilor Jones indicated she liked 4C for the same reasons as Councilor Woods and noted she
37 would be happy to pay a toll on the new bridge but not the others.

38 Councilor Lawson declared her support for 4C, but said she hated the idea of a toll.

39 Councilor Fairchild stated he liked Option 4C because it provided a quick way to I-5 to help
40 attract industry to Polk County.

41 In response to a question, Mr. Fricke indicated the Council could send a letter on behalf of the
42 Council and individual Councilors could also comment. He recommended staff send a letter with
43 comments as well.

44 It was moved by Councilor Fairchild and seconded by Councilor Woods to *direct staff to draft a*
45 *letter to ODOT supporting Option 4C as being advantageous to our community.* The motion
46 carried unanimously.

47 TRANSIENT LODGING TAX AGREEMENT RENEWAL

48 Mr. Wyatt explained that Councilor Wilson was the Council representative on the Visitors Center

1 Board. Councilor Wilson commended Nancy Adams, Chair of the Visitors Center Board for her
2 work. She noted the motel tax had been a tremendous help and brought a lot of activity to the
3 downtown area.

4 Mr. Wyatt reviewed the staff report, adding staff recommended approval to move forward with a
5 new two-year agreement.

6 Ms. Pope explained with their 70% of the motel tax funds they had been able to accomplish many
7 things. She reviewed the activities they performed. Ms. Pope noted with the current economy,
8 they had seen a slow decrease in the number of people staying in hotels and that resulted in a slow
9 decrease of income from the tax. She indicated the Visitors Center would be working with the
10 motels to find ways to get people to stay in the community.

11 It was moved by Councilor Lawson and seconded by Councilor Scroggin to *direct staff to draft a*
12 *resolution renewing the Transient Lodging Tax Agreement with the Dallas Area Visitors Center,*
13 *Inc. for a term of two years.* The motion CARRIED UNANIMOUSLY.

14 SANITARY SEWER MAINTENANCE RESPONSIBILITY

15 Mr. Wyatt indicated with new Councilors, staff felt it was good to review some of the programs
16 that had been in place for some time.

17 Mr. Wyatt reviewed the staff report and clarified the responsibilities for private and public sewer
18 lines. He explained that in the City Code and in City policies, it was the City's responsibility to
19 maintain the main lines and private citizens were responsible for the private laterals that ran from
20 buildings to the main line.

21 AUTOMATED METER READING (AMR) PROGRAM

22 Mr. Wyatt explained this was a program that had been in place for a while and there were some
23 newer Councilors that had not been involved in those initial discussions so staff was providing an
24 update.

25 Mr. Braun reviewed his staff report, stating most meters in the City currently were a dial-type and
26 over 70% of those were more than twenty years old. He noted the typical life of a meter was 20
27 years, adding as they aged, they slowed down and eventually stopped, resulting in more and more
28 unaccounted water use and decreasing revenues. He explained many communities were replacing
29 old meters with meters incorporating newer technology and finding it to be very cost-effective.

30 In response to a question, Mr. Braun indicated the meters transmitted the readings from the field
31 right to City Hall, noting staff would also have the ability to shut meters off via a signal from City
32 Hall.

33 PRETREATMENT PROGRAM FEES

34 Mr. Braun reviewed his staff report, noting it was a statutory requirement to have a pretreatment
35 program if a community had a Significant Industrial User (SIU). He added a benefit of having a
36 state-approved pretreatment program in place was that it allowed the City to get a SIU without
37 delay.

38 Mr. Braun explained that a number of the Light Industrial Users (LIU) would not be subject to the
39 pretreatment program and fees at all if they were just a commercial or office type business that
40 did not handle food. Mr. Braun stated the annual cost to the City to conduct the Pretreatment
41 Survey and run the program ranged from \$4,000 to \$30,000, adding the higher costs were
42 associated with having a SIU.

43 Councilor Lawson asked if a business would be considered a Food Handling Establishment (FHE)
44 even if they only had one or two products such as an espresso bar. Mr. Braun stated it would
45 depend on if the business was producing the products that could end up in the drain as a fat, oil, or
46 grease. He indicated that would be a Category 1 FHE.

47 Council President Scroggin asked where schools and churches fit into the schedule. Mr. Braun
48 indicated they would most likely be a Category 1 FHE. He noted that where there was no history
49 of blockages or overflows, they would automatically be a Category 1 FHE.

1 It was moved by Councilor Scroggin and seconded by Councilor Fairchild to *direct staff to*
2 *prepare a fee schedule resolution for the City Pretreatment Program.* The motion CARRIED
3 UNANIMOUSLY.

4 OTHER

5 Mr. Wyatt asked the Council to cancel the June 13 Council workshop and they agreed.

6 **RESOLUTIONS**

7 **Resolution No. 3246** – A Resolution adopting the 2012 Dallas Capital Improvement Plan.

8 A roll call vote was taken and Mayor Dalton declared Resolution No. 3246 to have PASSED BY
9 A UNANIMOUS VOTE with Council President Wes Scroggin, Councilor Jim Fairchild,
10 Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray
11 Stewart, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

12 **Resolution No. 3247** – A Resolution authorizing the transfer of budgetary funds.

13 Mr. Wyatt reviewed each item included in the resolution.

14 A roll call vote was taken and Mayor Dalton declared Resolution No. 3247 to have PASSED BY
15 A UNANIMOUS VOTE with Council President Wes Scroggin, Councilor Jim Fairchild,
16 Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray
17 Stewart, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

18 **FIRST READING OF ORDINANCE**

19 **SECOND READING OF ORDINANCE**

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

22 Mr. Shetterly explained this was the same ordinance that was read at the previous meeting. He
23 pointed out the draft agreement with the School District incorporating elements of the discussion
24 from the last meeting.

25 Mayor Dalton declared Ordinance No. 1745 to have passed its second reading. A roll call vote
26 was taken and Mayor Dalton declared Ordinance No. 1745 to have PASSED BY A
27 UNANIMOUS VOTE with Council President Scroggin, Councilor Jim Fairchild, Councilor Beth
28 Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart,
29 Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES

30 **OTHER BUSINESS**

31 There being no further business, the meeting adjourned at 8:40 p.m.

32 Read and approved this _____ day of _____ 2012.

33
34 _____
35 Mayor

36 ATTEST:

37 _____
38 City Manager

RESOLUTION NO. 3248

A Resolution providing for the distribution of transient lodging taxes collected under Ordinance No. 1681 (Dallas City Code 7.870 through 7.922) for the period from July 1, 2012 through June 30, 2014; and repealing Resolution No. 3206.

WHEREAS, by Ordinance No. 1681 the Dallas City Council established a transient lodging tax pursuant to ORS 320.345 through 320.350; and

WHEREAS, ORS 320.350 authorizes the City to distribute seventy percent (70%) of funds collected by the transient lodging tax for tourism promotion or for tourism-related facilities; and

WHEREAS, Dallas Area Visitor's Center, Inc. is a tourism promotion agency within the meaning of ORS 320.300(8), is an Oregon nonprofit corporation exempt from income tax under section 501(c)(3), and is qualified to receive distribution of transient lodging tax revenue; and

WHEREAS, Dallas Area Visitor's Center, Inc. has been the recipient of transient lodging tax revenue for the two-year period ending June 30, 2010, and is willing and desires to continue to receive distribution of such revenue for the two-year period beginning July 1, 2012 and ending June 30, 2014, and the Dallas City Council finds that it is appropriate and in the best interest of the community of Dallas to continue to make such distributions to Dallas Area Visitor's Center, Inc. for tourism promotion; NOW , THEREFORE,

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

Section 1. This resolution shall establish the distribution of funds collected by the City as transient lodging taxes under Ordinance No. 1681 (Dallas City Code 7.870 through 9.924) for the period beginning July 1, 2012, and ending June 30, 2014.

Section 2. Funds collected as transient lodging taxes shall be deposited to the Trust Fund, in the Transient Lodging Account, to be held and distributed as provided in this Resolution.

Section 3. Seventy percent (70%) of all transient lodging taxes received during the period beginning July 1, 2012 and ending June 30, 2014, shall be distributed on a periodic basis, not less frequently than quarter-annually, to Dallas Area Visitor's Center, Inc. The City Manager is authorized and directed to enter into a contract or other agreement for the distribution of such taxes to the Dallas Visitors Center for the term provided in this section.

Section 4. Any funds not appropriated pursuant to Section 3 this resolution may be appropriated to fund city services as provided in ORS 320.350(5)(b) and Ordinance No. 1681.

Section 5. Resolution No. 3206 is hereby repealed.

Section 6. This resolution shall take effect on July 1, 2012.

Adopted: June 18, 2012

Approved: June 18, 2012

BRIAN W. DALTON, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

RESOLUTION NO. 3249

A Resolution establishing fees for the Dallas Pretreatment Program.

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

Section 1. The fees for operating the Dallas Pretreatment Program, as authorized by Dallas City Code section 4.296, including fees for appeals under Dallas City Code section 4.276, as shown on Exhibit 1, attached hereto and incorporated herein, are hereby adopted and approved.

Section 2. This resolution shall take effect upon adoption.

Adopted: June 18, 2012

Approved: June 18, 2012

BRIAN W. DALTON, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

Exhibit 1

Pretreatment Program Schedule of Fees and Charges

	SIUs	LIUs	SHCs	FHEs (cat. 1)	FHE's (cat. 2)
Annual Permit Fee	\$1500	\$50 (1)	\$50	\$ 50	\$ 250
Annual Monitoring & Inspection Fee	\$2500	\$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.

RESOLUTION NO. 3250

A Resolution adopting the budget of the City of Dallas, Oregon for the fiscal period beginning July 1, 2012 and ending June 30, 2013, making budgeted appropriations and levying taxes for said fiscal period.

WHEREAS, at a meeting of the City Council of the City of Dallas, Oregon, duly held on the 4th day of June, 2012, a budget for the City for the fiscal year beginning July 1, 2012 and ending June 30, 2013, heretofore submitted by the Budget Committee to the people of the City after due notice and public hearing, was submitted to the City Council for adoption for and on behalf of the City; and

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

<u>Budgeted Fund and Account</u>		<u>Appropriated Amount</u>
1. GENERAL FUND		
a) Administration		
Total Appropriation	\$	509,100
b) Municipal Court		
Total Appropriation	\$	193,000
c) Library		
Total Appropriation	\$	390,950
d) Parks		
Total Appropriation	\$	252,300
e) Finance		
Total Appropriation	\$	534,500
f) Fire		
Total Appropriation	\$	814,200
g) Ambulance		
Total Appropriation	\$	1,298,633
h) Police		
Total Appropriation	\$	2,955,975
i) Aquatic Center		
Total Appropriation	\$	736,600
j) Planning		
Total Appropriation	\$	182,300
k) Inspections/Building		
Total Appropriation	\$	261,800
l) Facilities Maintenance		
Total Appropriation	\$	187,750
m) Non-Departmental		
Operating Contingencies	\$	250,000
Unappropriated Fund Balance		<u>1,149,853</u>
Total Appropriation	\$	1,399,853
TOTAL – ALL REQUIREMENTS – GENERAL FUND	\$	<u>9,716,960</u>
2. STREET FUND		
Personal Services	\$	319,000
Materials & Services		250,500
Capital Outlay		170,000
Contingency		472,015
Transfers		<u>80,000</u>
Total Appropriation	\$	<u>1,291,515</u>
3. SEWER FUND		
Personal Services	\$	587,500
Materials & Services		953,500
Capital Outlay		380,000
Transfers		550,000

Debt Service		1,005,650
Contingency		<u>1,408,800</u>
Total Appropriation	\$	<u>4,885,450</u>
4. WATER FUND		
Personal Services	\$	407,000
Materials & Services		666,500
Capital Outlay		95,000
Transfers		425,000
Debt Service		523,193
Contingency		<u>510,032</u>
Total Appropriation	\$	<u>2,626,725</u>
5. DEBT SERVICE FUND		
Debt Service (Water & Sewer)	\$	<u>1,528,843</u>
Total Appropriation	\$	<u>1,528,843</u>
6. FLEET MANAGEMENT FUND		
Personal Services	\$	213,000
Materials & Services		178,000
Capital Outlay		147,000
Transfers		80,000
Contingency		<u>199,800</u>
Total Appropriation	\$	<u>817,800</u>
7. REVENUE SHARING		
Transfer to General Fund	\$	<u>110,000</u>
Total Appropriation	\$	<u>110,000</u>
8. SYSTEM DEVELOPMENT FUND		
Capital Outlay		<u>3,103,500</u>
Total Appropriation	\$	<u>3,103,500</u>
9. GENERAL OBLIGATION FUND		
Debt Service	\$	683,878
Unappropriated Fund Balance		<u>295,122</u>
Total Appropriation	\$	<u>979,000</u>
10. TRUST FUND		
Park	\$	8,435
Skate Park		2,000
Fire-Harpy Bovard Scholarship		23,290
Fire-Extrication Team		29,000
Fire-Other		483
Ambulance Equipment		560
Aquatic Center		67,200
Library		17,500
Improvement		6,000
Street Improvement		55,000
Police		22,000
Police Reserves		525
Firing Range Improvements		4,600
Civic Center Deposits		710
Economic Development		53,000
Ambulance File of Life		5,500
Community Dinner		2,905
Transient Lodging		<u>85,500</u>
Total Appropriation	\$	<u>384,208</u>
11. GRANT FUND		

Total Appropriation	\$	<u>2,551,020</u>
12. GENERAL LONG TERM DEBT FUND		
Debt Service	\$	<u>106,010</u>
Total Appropriation	\$	<u>106,010</u>

Total Appropriations - All Funds	\$	28,101,031
Less Estimated Receipts	\$	24,181,694
Amount Necessary to Balance Budget	\$	3,919,337
Plus Estimated Taxes Not Received.....	\$	257,994
Total Tax Levy Needed for 2012-13 (Est.)	\$	4,177,331

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

Section 1. The budget for the City of Dallas for the fiscal year beginning July 1, 2012 and ending June 30, 2013, heretofore submitted to the City Council by the Budget Committee of said City after due notice and public hearing, and as set forth above, is hereby adopted as the budget for said City for said period.

Section 2. The City Council of the City of Dallas hereby levies the taxes provided for in the adopted budget at the rate of \$4.1954 per \$1,000 of assessed value for operations and in the amount of \$739,463 for bonds and these taxes are levied upon all taxable property within the City as of 1:00 a.m. July 1, 2012. These taxes are hereby imposed and categorized for tax year 2012-13 upon the assessed value of all taxable property within the City:

	Subject to the General Government Limitation	Excluded from Limitation
General Fund	\$ 4.1954/\$1,000	\$ 0
Bonded Debt Fund	<u>0</u>	<u>\$ 735,353</u>
Category Total	\$ 4.1954/\$1,000	\$ 735,353
Total Levy		\$4,177,331

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

Section 4. That the City Manager shall, not later than the 15th day of July, 2012, notify the Assessor and Clerk of Polk County, Oregon, respectively, in writing, of the tax levy made by said City, stating the amount of money to be raised for the fiscal period beginning July 1, 2012 and ending June 30, 2013, and the method by which said levy is to be apportioned to the real and personal property subject to assessment.

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

Adopted: June 18, 2012
Approved: June 18, 2012

Brian W. Dalton, Mayor

ATTEST:

Jerry Wyatt, City Manager

RESOLUTION NO. 3251

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

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

Section 1. Pursuant to ORS 221.770, the City of Dallas hereby elects to receive State Revenues for fiscal year 2012-13.

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

Adopted June 18, 2012
Approved June 18, 2012

Brian W. Dalton, Mayor

ATTEST:

Jerry Wyatt, City Manager

I certify that a public hearing before the Budget Committee was held on May 7, 2012, and a public hearing before the City Council was held on June 4, 2012, giving citizens an opportunity to comment on use of State Revenue Sharing.

Emily Gagner, Recording Secretary

SPECIAL ORDINANCE NO. 1746

An Ordinance establishing a special exception to the prohibition against riding bicycles in the Dallas Skateboard Park; and declaring an emergency.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Notwithstanding Dallas City Code Section 5.420(3) which prohibits the riding of bicycles in the Dallas Skateboard Park, the riding of BMX bicycles shall be permitted in the Dallas Skateboard Park from June 19, 2012 to and including November 1, 2012, subject to the following terms and conditions:

(1) All persons operating a BMX bicycle at the Skateboard park shall comply with all applicable state laws governing bicycles and the operation of bicycles, including but not limited to ORS 814.470 (Failure to use a bicycle seat), ORS 814.485 (Failure to wear protective headgear), and ORS 814.486 (Endangering bicycle operator or passenger); and

(2) All persons operating a BMX bicycle at the Skateboard park shall do so in a safe and prudent manner, with due regard for the condition of the surface of the Skateboard Park, weather, and the safety of other occupants of the Skateboard Park.

Section 2. The City Manager shall adopt and post, at the Skateboard Park, rules governing the use of the Skateboard Park by BMX bicycles, and to amend such rules from time to time.

Section 3. A violation of this ordinance and any rules adopted by the City Manager, after such rules have been posted at the Skateboard Park, shall be punishable as a civil infraction; provided that a violation of any state statute governing the use and operation of bicycles shall be punishable as provided by state law for the violation of such statute. In addition, a person who violates this ordinance or any rules adopted by the City Manager, after such rules have been posted at the Skateboard Park, shall be subject to exclusion from the Skateboard Park as provided in Dallas City Code section 5.428.

Section 4. As used in this ordinance, "BMX bicycle" means a bicycle, within the meaning of Dallas City Code Section 6.700, having generally 20-inch (500-millimeter) wheels, large-cleat (knobbly) tires, upright but not high-rise

handlebars, and a seat positioned more towards the rear wheel than on a conventional bicycle, and that is designed for stunt riding and tricks on rough ground or over an obstacle course.

Section 5. 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: June 18, 2012
Read for the second time: June 18, 2012
Passed by the City Council: June 18, 2012
Approved by the Mayor: June 18, 2012

BRIAN W. DALTON, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER