

DALLAS CITY COUNCIL
Monday, May 6, 2013
Council Chambers

The Dallas City Council met in regular session on Monday, May 6, 2013, at 7:00 p.m. in the Council Chambers of City Hall with Mayor Brian Dalton presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

Council members present: Council President LaVonne Wilson, Councilor Jim Brown, Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, and Councilor Ken Woods, Jr.

Also present were: City Manager Ron Foggin, City Attorney Lane Shetterly, Chief of Police John Teague, Fire Chief Bill Hahn, Community Development/Operations Director Jason Locke, Engineering and Environmental Services Director Fred Braun, Finance Director Cecilia Ward, City Recorder Emily Gagner, and Recording Secretary Jeremy Teal.

Mayor Dalton led the Pledge of Allegiance.

COMMENTS FROM THE AUDIENCE

Mayor Dalton asked the audience members to limit their speeches to three minutes.

Mayor Dalton read a statement concerning the garage sale permit fee. He noted that earlier in the process it was unclear what the program was costing the City. He advised that the City Manager had looked at the program in detail and had provided the Council with specific numbers factoring in the four main components, staff time, enforcement, sign replacement, and sign maintenance. He stated that this added up to an estimated cost per permit of \$16.35. He explained that applying that number to the 676 permits that were issued last year yielded an annual cost of the program to \$11,052.

Jerry Piering, 2477 SW Maplewood Drive, Dallas, Oregon, noted that he was concerned with charging \$8 for a garage sale permit. He suggested the City having to take down a few signs would be considerably less than charging for a permit and paying for a code enforcement officer.

Suzanne Reingans, 1120 E Ellendale Ave, Dallas, Oregon, announced the Corvallis Watershed tour on May 29, 2013. She suggested the Council come and see what a really good watershed looked like and how they were managing their forest. She commented that this was the watershed that Dallas needed by 2030.

Debbie McBeth, 15365 Strong Road, Dallas, Oregon, announced the 2013 Relay for Life at the Dallas High School on May 18 and 19, 2013. She commented that the committee would be painting the town purple the following week and working with local businesses to prepare for the event.

John Schafer, 385 NW Robert St., Dallas, Oregon, stated that he supported the utility rate recommendations. He noted that the consultant had good knowledge and the proposed recommendations were prudent and should be supported.

PUBLIC HEARINGS

There were none.

CONSENT AGENDA

It was moved by Councilor Marshall *to approve the Consent Agenda as presented*. The motion was duly seconded and carried unanimously.

ITEMS REMOVED FROM THE CONSENT AGENDA

There were none.

REPORTS OR COMMENTS FROM THE MAYOR AND COUNCIL MEMBERS

OTHER

Councilor Jones announced she was working on a Dallas 4th of July celebration. She noted that the planning was underway with a BBQ throw down and many fun, affordable activities for families. She stated the first committee meeting for the event would be Wednesday, May 8, 2013, at 6:00 p.m. at Ugo's.

Mayor Dalton noted that the Police Department was presenting an active shooter training event on May 14, 2013, at 6:30 p.m. at Bollman Auditorium to help inform the public of any possible threats.

REPORT OF THE APRIL 22, 2013, PUBLIC WORKS COMMITTEE MEETING

Councilor Woods outlined the Committee discussion on water and sewer connection fees. He noted that the City was charging \$1,500 for connecting a lateral where a contractor would charge \$3,500. Many citizens were hiring the City to do this and it was costing the City too much money. He reported the Committee recommended a resolution to adjust the existing fees. He commented that the water study was complete and the recommendations would be made to the Council.

REPORT OF THE APRIL 22, 2013, PUBLIC SAFETY COMMITTEE MEETING

Councilor Jones outlined the Committee discussion on the proposed false fire alarm ordinance. She noted that Chief Teague gave the analysis of the citizen survey concerning public safety.

REPORTS FROM CITY MANAGER AND STAFF

UTILITY RATE STUDY & URAC RECOMMENDATIONS

Mr. Koubek reviewed the PowerPoint outlining the recommendations by the Utility Rate Advisory Committee.

Councilor Lawson asked about the reimbursement fees versus the new customer paying SDC fees. Mr. Piggot, from Donovan Enterprises, stated that state mandated SDCs could have two elements. He noted the first was a reimbursement fee which was a buy in to the existing infrastructure and the second was an improvement fee which was an allocation for growth and future projects. He reported that Dallas didn't charge for SDC buy in for the reimbursement, only an improvement fee. He commented that there was no charge for what was in the ground, only for planned future improvements. Councilor Lawson clarified that it was reimbursement to the City for what was laid in the past.

Mr. Piggot advised there would be a work session to go into more detail.

Councilor Woods asked for a hard copy of the PowerPoint presentation.

PARK USE BY AMATEUR RADIO GROUP

Mr. Foggin stated that the amateur radio group had gotten insurance in place and everything was good to go.

OLCC APPLICATION FOR TEMPORARY USE OF AN ANNUAL LICENSE APPROVAL AND REQUEST FOR STREET CLOSURE

Councilor Lawson declared a potential conflict of interest as she owned the building that the applicant resides in.

Councilor Woods declared an actual conflict of interest as he was the insurance agent for the applicant.

Mr. Foggin stated that the street closure was reviewed by the City staff and recommended that the Council approve the request.

Councilor Jones asked if the dance studio was addressed.

Mr. Stratton stated he was the owner of Tony's Place and this year's kick off of Bike Night would be Monday, May 20, 2013. He noted that there would be live music, a BBQ, and a few vendor booths. He advised that a barrier would be built from the dance studio down the sidewalk and the doorman would escort minors away from the event.

Councilor Brown asked if all the neighbors had been notified of the event and the time it would run. Mr. Stratton confirmed that everyone had been notified.

Councilor Brown asked if it would be a repeat event. Mr. Stratton stated that it would happen at the beginning and possibly the end of the summer.

It was moved by Councilor Marshall *to recommend approval of the OLCC application for temporary use of an annual license and approval for the street closure provided the applicant provides proof of insurance.* The motion was duly seconded and passed by a unanimous vote with Councilor Woods abstaining.

OTHER

Mr. Foggin stated there was a request to track speeding on SW Maple Street and the Police Department had added that street to their patrol. He commented that he had a citizen speak with

him about Academy Street as well. He noted that he was working with engineering staff to setup the machine to track the number of cars that pass by there and their average speed.

Mr. Foggin stated he met with Councilor Lawson concerning the vacant building issue. He noted that she wanted to create an historic downtown program that would encourage building owners to get on board for a national historic district.

Councilor Lawson indicated there were many benefits to getting that designation and recommended the Council support exploring it further.

Mr. Foggin stated the staff would begin work on that staff report and bring it to the sub-committee.

FIRST READING OF ORDINANCE

SECOND READING OF ORDINANCE

Ordinance No. 1756 – An ordinance amending Dallas City Code Section 7.530, relating to garage sales.

It was moved by Councilor Brown *to table Ordinance 1756*. The motion was duly seconded passed by a majority with Councilor Gabliks, Councilor Stewart, and Councilor Woods voting NO and Councilor Brown, Councilor Fairchild, Councilor Jones, Councilor Lawson, Councilor Marshall, and Council President Wilson voting YES.

RESOLUTIONS

Resolution No. 3267 – A resolution establishing the fee for a garage sale permit pursuant to Dallas City Code Section 7.530, and repealing Resolution No. 3212.

This Resolution became void with the tabling of Ordinance No. 1756.

Resolution No. 3268 – A resolution authorizing the transfer of budgetary funds.

Mr. Foggin stated the personnel portion of the ambulance fund needed adjustments to stay within budget.

A roll call vote was taken and Mayor Dalton declared Resolution No. 3268 to have PASSED BY A UNANIMOUS VOTE with Councilor Jim Brown, Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Marshall, Council President LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

Resolution No. 3269 – A resolution establishing a schedule of fees to be paid for certain Public Works Department services and permits; and for sanitary sewer and water connection; and repealing Resolution No. 3171.

Mr. Shetterly stated that fees were eliminated from section one, but sections two and three have the new numbers.

Mr. Foggin stated that part of the process would be to eliminate the City from being in the business of installing connections. He noted we should be inspecting those connections, not installing them. Councilor Brown stated he was worried about the impact on the infrastructure and asked how the City would guarantee the work. Mr. Foggin advised that the City would rely on good inspections. Councilor Brown asked if the City sub-contracted the jobs or if we did them ourselves. Mr. Foggin stated that the City did them in house. Mr. Foggin noted that the City would rather be on the inspection side rather than installation side. Councilor Lawson stated she liked the fact that the City would be putting business back into contractors' hands.

A roll call vote was taken and Mayor Dalton declared Resolution No. 3269 to have PASSED BY A UNANIMOUS VOTE with Councilor Jim Brown, Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Marshall, Council President LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

Resolution No. 3270 – A resolution amending fees for false fire and police alarm responses; and repealing Resolution No. 2634.

Councilor Gabliks stated Dallas was unique in that our fire fighters were mostly volunteers and it was ridiculous to force firefighters to respond to an early morning false fire alarm. She commented that she strongly encourage support of this.

A roll call vote was taken and Mayor Dalton declared Resolution No. 3270 to have PASSED BY A UNANIMOUS VOTE with Councilor Jim Brown, Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Marshall, Council President

LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

OTHER BUSINESS

Mayor Dalton recessed the meeting at 7:54 p.m.

EXECUTIVE SESSION

Called to order at 9:26 pm

Mayor Dalton adjourned the Executive Session at 9:35 pm.

Mayor Dalton reconvened the Council meeting at 9:35 pm

There being no further business, the meeting adjourned at 9:35 p.m.

Read and approved this _____ day of _____ 2013.

Mayor

ATTEST:

City Manager