

**DALLAS CITY COUNCIL**  
**Monday, June 3, 2013**  
**Council Chambers**

The Dallas City Council met in regular session on Monday, June 3, 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 Fairchild, Councilor Kelly Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, and Councilor Murray Stewart, and Councilor Ken Woods, Jr. Excused: Councilor Jim Brown

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, Student Liaison Lacey McKelvie, City Recorder Emily Gagner, and Recording Secretary Jeremy Teal.

Councilor Lawson arrived at 7:01 p.m.

Mayor Dalton led the Pledge of Allegiance.

**COMMENTS FROM THE AUDIENCE**

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

Joe Koubek, 565 SE Mifflin, Dallas, Oregon, stated the Utility Rate Advisory Committee encouraged the Resolutions 3272 and 3273 move forward as written.

David Shein, 1680 SE Bridlewood, Dallas, Oregon, stated that a meeting concerning the 800/900 block of Main Street took place with the Polk County Commissioners. He noted that the commissioners had legitimate concerns about the project, but that the meeting was very productive and the project was on track.

**PUBLIC HEARINGS**

**PUBLIC HEARING REGARDING THE 2013-2014 CITY OF DALLAS BUDGET AND THE USE OF STATE REVENUE SHARING FUNDS**

Mayor Dalton opened the public hearing at 7:05 p.m.

Mr. Foggin stated the budget was ready for final approval. He commented that there had been no negative reports and nothing had been changed or altered.

Mayor Dalton asked for comments from the public. There were none. Mayor Dalton closed the public hearing at 7:06 p.m.

It was moved by Councilor Gabliks *to approve the 2013-2014 City of Dallas budget and the use of state revenue sharing funds as approved by the Budget Committee and to direct staff to prepare a resolution to adopt the budget and to authorize the use of state revenue sharing funds at the June 17, 2013, Council meeting.* The motion was duly seconded and carried unanimously.

**CONSENT AGENDA**

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

Items approved by the Consent Agenda: a) the May 20, 2013, City Council meeting minutes; b) OLCC application for Temporary Use of an Annual License for a special event at Ixtapa Family Restaurant; and c) award contract for Rickreall Creek Tail, Phase 4 to CG Contractors, LLC.

**ITEMS REMOVED FROM THE CONSENT AGENDA**

There were none.

**REPORTS OR COMMENTS FROM THE MAYOR AND COUNCIL MEMBERS**

Mayor Dalton introduced Lacey McKelvie the new student liaison from Dallas High School. She stated that graduation was the pervious weekend and with summer ahead there were no immediate plans to report.

Councilor Jones invited everyone to Dallas Family Night Out on Thursday, June 13, 2013, at the Dallas United Methodist Church.

Council President Wilson reported that the watershed tour in Corvallis was wet and muddy, but a very informative tour. She commented that she appreciated the opportunity to see their facility. Councilor Woods agreed and found it interesting that Corvallis got two-thirds of its water from the Willamette River and had two water treatment plants.

Mayor Dalton advised that the May, 20, 2013 minutes made it seem like he was advocating for the street fee and clarified that he was only endorsing the Committee recommendation.

#### REPORT OF THE MAY 28, 2013, ADMINISTRATIVE COMMITTEE MEETING

Councilor Fairchild read a statement regarding the Administrative Committee, a copy of which is attached to these minutes and incorporated herein.

#### REPORT OF THE MAY 28, 2013, BUILDING & GROUNDS COMMITTEE MEETING

Councilor Fairchild read a statement regarding the Building & Grounds Committee, a copy of which is attached to these minutes and incorporated herein.

#### **REPORTS FROM CITY MANAGER AND STAFF**

Mr. Foggin reported that bids for the Rickreall Trail Phase 4 construction came in lower than expected and left a balance of about \$40,000. He indicated that staff contacted the state and asked if the remainder of the money could be used at the other end of the trail. He noted that it was a federal grant and the City was not allowed to work outside of the parameters of the initial grant. He advised the Polk Soil and Water Conservation District had awarded a grant to the City for the replanting of vegetation along the trail.

#### DEPOSIT AND LATE FEES FOR UTILITY ACCOUNTS

Mr. Foggin advised part of the work the Utility Rate Advisory Committee and the consultants from Donovan & Associates included recommendations of better policies and procedures concerning late water payments and lower accounts receivable. He noted staff was proposing deposits for new accounts and a seven day late fee. He stated the goal was to firm up collection fees and the disconnect policy. He commented all the changes were at the recommendation of the Committee.

Councilor Lawson asked when the water bills were mailed out every month. Ms. Ward stated there were two billing cycles on the tenth and the twenty-fifth of each month. She noted utility bills received on the twenty-fifth would be due on the tenth.

Councilor Lawson stated she was concerned about the short amount of time to pay the bill. She noted that a month was the usual amount of time someone was given to pay a bill and this proposed that even with the seven day grace period it would be only three weeks. Councilor Gabliks stated she thought that three weeks was enough time to pay the bill. Councilor Woods noted that he thought along the same lines, as long as customers had ten days to pay the utility bill. Councilor Fairchild advised that if the person had two weeks plus the grace period to pay the bill that it would be enough time. Mr. Foggin stated that even if they received the bill two days before it was due, there would still be another week to pay it.

Council President Wilson asked if the stipulation for working days could be added to the resolution. Mr. Shetterly advised that it was written that if a due date fell on weekend or holiday the next working day would be acceptable.

Councilor Lawson stated that she didn't feel that seven days was enough time. She commented that there were a lot of low income residents in Dallas.

#### UPCOMING MEETING DISCUSSION

Mr. Foggin stated that the first Council meeting in July was on July 1. He noted that in the past that meeting had been cancelled due to the holiday and vacations.

#### WORKSHOP SCHEDULING

Mr. Foggin stated that he polled the Council about moving the workshops to 5:30 p.m. before the first council meeting of each month. He commented that it was the consensus of the Council to move the workshops to 5:30 p.m. before the first scheduled council meeting of each month.

It was moved by Councilor Fairchild *to cancel the July 1, council meeting*. It was duly seconded and carried unanimously.

Mr. Foggin noted that the first workshop would be held on July 15, 2013, at 5:30 p.m. and dinner would be served.

#### OTHER

Councilor Jones asked if lighting could be installed on the Rickreall Creek Trail with the additional grant funds. Mr. Foggin stated he didn't think that was a possibility. Councilor Lawson asked if solar powered lights could be used. Mr. Shetterly stated that park hours stated that all City parks close at dusk, so no one should be using the trails at night.

#### RESOLUTIONS

**Resolution No. 3272** – A resolution establishing a schedule of rates for water service and related water account fees; and repealing all prior conflicting resolutions.

Mayor Dalton outlined that there were two different versions of this resolution. The original took effect in June and the alternate began in July.

Mr. Shetterly advised that the fees would begin July 1, 2013, and the rate changes would be reflected on the July billing.

It was moved by Councilor Woods *to use the Alternate Resolution No. 3272*. The motion was duly seconded and carried unanimously.

A roll call vote was taken and Mayor Dalton declared Alternate Resolution No. 3272 to have PASSED BY A UNANIMOUS VOTE with Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Council President LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

**Resolution No. 3273** – A resolution defining customer classes, establishing a schedule of rates for sewer service and repealing Resolution No. 3147.

Mayor Dalton stated this was the accompanying resolution to the water rate resolution.

Councilor Lawson asked the difference between this resolution and the previous. Mr. Shetterly stated that it was substantially rewritten based on the consultant's recommendations. Mr. Shein explained that this resolution was a restructuring, not just a rate change. Mr. Braun advised that the residential rates would not change and the commercial rates would be lower. He noted that commercial was heavily subsidizing residential. He commented that if there was a business that used a significant amount of water they would see a lower bill.

Councilor Lawson asked if there was a cap on the rate changes. Mr. Shetterly stated that the water and sewer rate were tied to the CPI and had a 3% annual cap.

A roll call vote was taken and Mayor Dalton declared Alternate Resolution No. 3273 to have PASSED BY A UNANIMOUS VOTE with Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Council President LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

**Resolution No. 3274** – A resolution establishing a schedule of rates and fees to be paid by persons using the Dallas Aquatic Center, and repealing Resolution No. 3242.

A roll call vote was taken and Mayor Dalton declared Resolution No. 3274 to have PASSED BY A UNANIMOUS VOTE with Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Council President LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

#### FIRST READING OF ORDINANCE

**SECOND READING OF ORDINANCE**

**OTHER BUSINESS**

There being no further business, the meeting adjourned at 7:41 p.m.

Read and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
Mayor

ATTEST:

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