



**City Council**

Mayor  
Brian Dalton

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

Councilor  
Ken Woods, Jr.

**Staff**

City Manager  
Ron Foggin

City Attorney  
Lane Shetterly

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

Recording Secretary  
Jeremy Teal

# Dallas City Council Agenda

Monday, August 5, 2013, 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 comment on municipal issues and any agenda items other than public hearings. The Mayor may place time restrictions on comments. Please supply 14 copies of the material brought to the meeting for distribution.</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 July 15, 2013, City Council meeting	PG . 3
7. ITEMS REMOVED FROM CONSENT AGENDA	
8. REPORTS OR COMMENTS FROM MAYOR and COUNCIL MEMBERS	
a. General comments from the Council	
b. Report of the July 22, 2013, Administrative Committee Meeting (Councilor Jim Fairchild)	PG . 7
c. Report of the July 22, 2013, Building and Grounds Committee Meeting (Councilor Murray Stewart)	PG . 9
9. 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.

10. RESOLUTIONS	
11. FIRST READING OF ORDINANCE	
12. SECOND READING OF ORDINANCE	
a. <u>Ordinance No. 1757</u> : An ordinance repealing Dallas City Code Sections 3.700 to 3.710, relating to loan program for sidewalk repairs.	Roll Call Vote PG. 12
13. OTHER BUSINESS	
14. ADJOURNMENT	

Note: There will be a Council Workshop prior to the Council meeting at 5:30 p.m. This will be a joint meeting with the Dallas School Board and will be held in the Civic Center.

There will also be a meeting of the Dallas Development Commission, Urban Renewal Agency following the Council meeting.

1 The Dallas City Council met in regular session on Monday, July 15, 2013, at 7:00 p.m. in the  
2 Council Chambers of City Hall with Mayor Brian Dalton presiding.

3 **ROLL CALL AND PLEDGE OF ALLEGIANCE**

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

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

12 Mayor Dalton led the Pledge of Allegiance.

13 **COMMENTS FROM THE AUDIENCE**

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

15 Stephen Pickering, 895 S. Church Street, Dallas, Oregon, Secretary for the ROADS club of Dallas  
16 reported his HAM radio event in the Dallas City Park was an absolute success.

17 Chelsea Pope, Executive Director, Dallas Area Chamber of Commerce, 119 SW Court St., Dallas,  
18 Oregon, proclaimed that Summerfest was coming next week. She noted that the kickoff luncheon  
19 was a success and all food was donated by local businesses. She stated Summerfest would open  
20 next Thursday at 11:00 a.m.

21 Joe Koubek, 565 SE Mifflin, Dallas, Oregon, read a statement regarding FireMed, a copy of  
22 which is attached to these minutes and incorporated herein.

23 **PUBLIC HEARINGS**

24 **PUBLIC HEARING REGARDING THE SALE OF REAL PROPERTY LOCATED AT 11235**  
25 **ORRS CORNER ROAD, RICKREALL, OREGON**

26 Mayor Dalton opened the public hearing at 7:11 p.m.

27 Mr. Locke reported that the previous sale fell through due to insufficient funding on the buyer's  
28 end. He advised that the property was relisted, a new offer was accepted, and staff was  
29 recommending the sale of the property.

30 Mayor Dalton asked for comments from the public. There were none. Mayor Dalton closed the  
31 public hearing at 7:13 p.m.

32 It was moved by Councilor Stewart *to approve the sale of real property located at 11235 Orrs*  
33 *Corner Road, Rickreall, Oregon.* The motion was duly seconded and carried unanimously.

34 **CONSENT AGENDA**

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

37 Councilor Lawson declared a potential conflict of interest due to ownership of downtown  
38 property.

39 Items approved by the Consent Agenda: a) the June 17, 2013, City Council meeting minutes; b)  
40 OLCC Application for Temporary Use of an License for a special event at Tony's.

41 **ITEMS REMOVED FROM THE CONSENT AGENDA**

42 There were none.

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

2 Council President Wilson reported the Summerfest Kickoff had a great turn out and was a huge  
3 success.

4 **REPORT OF THE JUNE 24, 2013, PUBLIC WORKS COMMITTEE MEETING**

5 Councilor Jones reported the Committee discussed the sidewalk program, the prohibition of water  
6 wells, the elimination of 15 minute parking spaces, and weed abatement fees. She noted the  
7 demolition began on SE Jefferson Street sidewalk, and the City had 42 million gallons of water in  
8 the reservoir.

9 **REPORT OF THE JUNE 24, 2013, PUBLIC SAFETY COMMITTEE MEETING**

10 Councilor Jones reported the Committee discussed the new FireMed agreement, and the  
11 longboarding issues in Dallas. She noted Chief Teague stated the department needed a POINT  
12 team member and a trailer was purchased for the incident response vehicle in case of a major  
13 crime. She commented that the Ambulance Department lost four paramedics to other agencies.

14 Councilor Lawson stated the longboarders and citizens had a healthy discussion following the  
15 meeting and progress was being made to comply with the rules.

16 **REPORTS FROM CITY MANAGER AND STAFF**

17 **DALLAS 2030 UPDATE**

18 Doug Zenn of Zenn Associates, reported the City was in the fifth month of workshops and that  
19 each workshop covered a different topic. He noted the process was very subjective and would  
20 produce a lot of useful information to help shape the final proposal for the City's future. He  
21 commented that the website was up and running and a group of high school students had been  
22 working with the public to gather feedback. He advised a drafting committee would look at the  
23 themes and a draft vision would be presented at Summerfest. He indicated that score cards would  
24 be at the booth and would help with the vision process and get people to look and think about the  
25 possibilities.

26 Councilor Marshall asked where the vineyard and winery industry fit into the vision. Mr. Zenn  
27 stated that it had been brought up by the drafting committee and would be added into one of the  
28 categories. He asked the Council to take advantage of networking opportunities to pass along  
29 information to others about Dallas 2030, adding more feedback would make the project the best it  
30 could be.

31 **JUNE FINANCIALS**

32 Mr. Foggin stated that all the numbers were in line with the budget. He noted that all departments  
33 were within budget for the year and the City had begun the new fiscal year.

34 **INTERGOVERNMENTAL AGREEMENT WITH THE DALLAS URBAN RENEWAL  
35 AGENCY**

36 Mr. Locke indicated in the staff report there were three items that needed to be considered for the  
37 800/900 Block of Main Street project. He outlined that included the intergovernmental agreement  
38 between the City and the Agency, a resolution allowing a principal amount of \$750,000, and a  
39 resolution through the Agency to transfer the debt to the City. He noted that the Agency would  
40 cover the cost but the City would carry the debt.

41 Councilor Lawson declared a potential conflict of interest due to ownership of downtown  
42 property.

43 It was moved by Councilor Fairchild *to allow the City Manager and the Finance Director to*  
44 *execute the intergovernmental agreement between the Urban Renewal Agency and the City of*  
45 *Dallas*. The motion was duly seconded and carried unanimously.

46 **OTHER**

47 Mr. Foggin reported that a quarterly meeting with the Council and the School Board would take  
48 place to discuss issues between the City and the School District. He noted that facility use fees  
49 and an attendance report would be the topic for the August 5, 2013, workshop at 5:30 p.m.

50 **RESOLUTIONS**

51 **Resolution No. 3277** – A resolution declaring real property located at 11235 Orrs Corner Road,  
52 Rickreall, Polk County, Oregon not needed from public use and authoring the sale thereof.

1 A roll call vote was taken and Mayor Dalton declared Resolution No. 3277 to have PASSED BY  
2 A UNANIMOUS VOTE with Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth  
3 Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, and  
4 Council President LaVonne Wilson voting YES.

5 **Resolution No. 3278** – A resolution amending the terms of agreement for Dallas FireMed.

6 Mr. Shetterly advised that the lined exhibit was the current Dallas Agreement, not the Springfield  
7 agreement. He stated that the Springfield agreement was never adopted by Dallas. Councilor  
8 Fairchild asked how the new Dallas agreement compared to the Springfield agreement. Mr.  
9 Shetterly stated the scope of the agreement was very similar. Mr. Foggin indicated the only major  
10 difference was the idea that the City would require people to specify legal residency at age 18 or  
11 older.

12 Councilor Jones asked to amend the agreement to match what the Committee recommended. She  
13 indicated the Committee did not want to require proof of residence for minor children. Mr.  
14 Shetterly indicated the sentence would be changed to read, “The Primary Member must provide  
15 satisfactory proof of residence for all persons in the family unit living in the household, other than  
16 the Primary Member’s spouse, domestic partner, or minor children of the Primary Member or  
17 Primary Member’s spouse or domestic partner.” Mr. Foggin asked if the word minor should be  
18 dependent. Mr. Shetterly stated dependent had other meanings. He noted dependent was an  
19 income tax term and the Committee did not want to require showing income tax returns. Mr.  
20 Brumfield advised a wounded war veteran could be living with parents and covered by FireMed  
21 but not considered a dependent.

22 A roll call vote was taken and Mayor Dalton declared Resolution No. 3278 to have PASSED BY  
23 A UNANIMOUS VOTE with Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth  
24 Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, and  
25 Council President LaVonne Wilson voting YES.

26 **Resolution No. 3279** – A resolution repealing sections 1, 2, and 3 of Resolution No. 2528,  
27 relating to parking; and establishing handicap parking.

28 A roll call vote was taken and Mayor Dalton declared Resolution No. 3279 to have PASSED BY  
29 A UNANIMOUS VOTE with Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth  
30 Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, and  
31 Council President LaVonne Wilson voting YES.

32 **Resolution No. 3280** – A resolution establishing charges for abatement of obnoxious vegetation;  
33 and repealing Resolution No. 2653.

34 A roll call vote was taken and Mayor Dalton declared Resolution No. 3280 to have PASSED BY  
35 A UNANIMOUS VOTE with Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth  
36 Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, and  
37 Council President LaVonne Wilson voting YES.

38 **Resolution No. 3281** – A resolution authoring the execution and delivery of a full faith and credit  
39 agreement in a principal amount not to exceed \$750,000; designating an authorized representative  
40 and special counsel; authorizing an intergovernmental agreement with the Dallas Development  
41 Commission, Urban Renewal Agency; and related matters.

42 Councilor Lawson declared a potential conflict of interest due to ownership of downtown  
43 property.

44 A roll call vote was taken and Mayor Dalton declared Resolution No. 3281 to have PASSED BY  
45 A UNANIMOUS VOTE with Councilor Jim Fairchild, Councilor Kelly Gabliks, Councilor Beth  
46 Jones, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, and  
47 Council President LaVonne Wilson voting YES.

48 **FIRST READING OF ORDINANCE**

49 **Ordinance No. 1757** – An ordinance repealing Dallas City Code Sections 3.700 to 3.710, relating  
50 to loan program for sidewalk repairs.

51 Councilor Fairchild asked how long it had been since the program had been used. Mr. Locke  
52 stated it had been a number of years since the program was used, but the matching grant for

1 sidewalk repairs program was easier to administer. He noted that the City wouldn't charge interest  
2 but use it as an incentive program.

3 **SECOND READING OF ORDINANCE**

4 **OTHER BUSINESS**

5 There being no further business, the meeting adjourned at 7:46 p.m.

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

\_\_\_\_\_  
Mayor

ATTEST:

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

DRAFT

**Administrative Committee**  
**Monday, July 22, 2013**

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Members Present: Jim Fairchild, Chair; Jim Brown, Kelly Gabliks, and Kevin Marshall. Excused: Murray Stewart.

Also Present: City Manager Ron Foggin, Mayor Brian Dalton, City Attorney Lane Shetterly, Council President LaVonne Wilson, Community Development/Operations Director Jason Locke, City Recorder Emily Gagner, and Recording Secretary Jeremy Teal.

Chair Fairchild called the meeting to order at 5:00 p.m.

Councilor Marshall arrived at 5:07 p.m.

**CHARTER REVIEW COMMITTEE UPDATE**

Mayor Dalton stated that Mitch Ratzlaff could not serve on the Charter Review Committee and would be replaced by Ryan Friesner. He noted the first meeting would be September 9, 2013, at 5:30 p.m.

**OTHER**

Chair Fairchild stated Councilor Lawson had proposed to move the Council subcommittee meetings to 5:30 p.m. on the third Monday of each month and to have the full Council in attendance at all the subcommittee meetings. Chair Fairchild commented that it would add a meeting to everyone's schedule every other month. Councilor Brown asked if it would be redundant if the entire Council met and referred issues to the Council. Mr. Foggin advised that the Mayor was responsible for the committees and their members. He noted that he and the Mayor would draft a letter to Councilor Lawson and tell her to direct her questions to the Mayor not the Council members. He reported the City Code stated there must be committees and the Mayor would decide what time the committees would meet.

Mr. Shetterly advised the City Code could be amended to eliminate the committees. He commented that Monmouth held a full workshop at the end of their business agenda to discuss things that were being prepared for the next council meeting.

**ADJOURNMENT**

There was no other business and the meeting was adjourned at 5:11 p.m.



# Administrative Committee

## AGENDA

**Monday,  
July 22, 2013**

**5:00 PM**

**Council  
Chambers,  
Dallas City Hall,  
187 SE Court St,  
Dallas, OR  
97338**

1. Call to Order
2. Charter Review Committee Update
3. Other
4. Adjournment

Chair Jim Fairchild  
Jim Brown  
Kelly Gabliks  
Kevin Marshall  
Murray Stewart

Members Present: Murray Stewart, Chair; Jim Brown, Jim Fairchild, Kelly Gabliks, and Kevin Marshall.

Also Present: City Manager Ron Foggin, Mayor Brian Dalton, City Attorney Lane Shetterly, Council President LaVonne Wilson, Community Development/Operations Director Jason Locke, City Recorder Emily Gagner, and Recording Secretary Jeremy Teal.

In the absence of Chair Stewart, and by consensus of the members present, Councilor Brown called the meeting to order at 5:12 p.m. Councilor Brown relinquished the chair to Chair Stewart when Chair Stewart arrived at 5:16 p.m.

### **FAST FARM LEASE DISCUSSION**

Mr. Foggin advised that the City was working with the Fasts on a new lease. He reported that the City purchased land from the Fast family and created a land use lease to allow the family the opportunity to continue to work the land. He stated the original lease included a manufactured dwelling on the property, owned by the Fasts, and the City allowed the home to stay while a pastor and his wife lived there. He noted that the pastor died and the wife moved away, and the City was unaware of any of this until a call was received from a potential renter after Mr. Fast put an ad in the paper trying to rent the dwelling. Mr. Foggin indicated that the current lease didn't allow the renting of the dwelling, so he met with the Fast family and they asked to sublease the home and the acreage. He advised that the City was interested in the residual income, but didn't want to be in the leasing business. He stated that Mr. Shetterly had drawn up a proposed amended lease that would allow the Fasts to sublease the manufactured dwelling for payment to the City of \$2,250 per year. Mr. Shetterly indicated that the amended lease contained the same escalator that has been used since 2009 as well as the increase of \$2,250 for the lease of the manufactured dwelling.

Councilor Brown asked if the prices were reasonable. Mr. Foggin reported that it was 330 acres of prime farming land. He noted that the Fast family had shown interest in purchasing the property back from the City.

Councilor Marshall asked why the City would want to continue to own the property. Mr. Foggin stated that the City wanted to hold on to it until the EPA had finalized their regulations on the outflow requirements from the sewer. He reported that part of this property may need to be used for a cooling area for outflow from the sewer treatment facility, because under EPA standards water must be a certain temperature before it can be put into the creek. Councilor Marshall asked if there was anticipation of that happening in the future. Mr. Foggin stated it was a possibility. He commented that the property wasn't to the point it was surplus.

Councilor Marshall asked what would trigger the land to become surplus. Mr. Shetterly noted that the Council would determine if the property was surplus. Mr. Locke stated there no need to divest the City from the property. He noted the Fast family farmed it every year and the City was receiving steady income from it annually. He indicated that if in the future we had sewer treatment requirements the City would have the acreage to comply with those.

Councilor Stewart asked what the parameters of the lease would be. Mr. Shetterly stated that the City would have the ability to terminate the lease each year.

1 **CARNEGIE BUILDING UPDATE**

2 Mr. Locke reported that Kids, Inc. had been in the Carnegie building for years only paying \$1 a year for  
3 rent and they performed no maintenance or upkeep. He indicated that when the boiler exploded and there  
4 was no heat so Kids, Inc. moved out. He noted that options were suggested based on the appraisal, but  
5 nothing moved forward. He commented that now it was a budget issue with the replacement of an HVAC  
6 system noting it was difficult to know what to replace it with without knowing who the end user may be.  
7 He stated the building was challenging, but the City needed to do something with it. He advised that the  
8 Chamber was interested in it for their offices. He noted that the property to the south of the building may be  
9 used for the construction of a new senior center and that could change the building capabilities.

10 Councilor Marshall asked if the building was on the National Historic Registry. Mr. Locke stated that it  
11 was not. Mr. Foggin noted that the building was limited on its uses. He commented that a City department  
12 in there would be difficult with the accessibility issues and the antiquated fixtures.

13 **COMMUNITY DEVELOPMENT/OPERATIONS DIRECTOR'S REPORT**

14 Mr. Locke reported that a lot of time had been devoted in preparing for Summerfest with painting,  
15 fixing, and sprucing. He advised that the wooden Welcome to Dallas sign on Ellendale would be replaced  
16 with a new metal sign to match the one on SE Monmouth Cutoff Road. He stated that building activity was  
17 good with residential permits staying steady and commercial down slightly. Mr. Locke noted that there had  
18 been 32 or 34 permits issued for single family dwellings; triple what it was 3 years ago.

19 Mr. Locke noted that the City had received the reduced scale plans for Walmart. He reported that there  
20 would be very little done with the outside of the building, with a few ADA parking upgrades and a store  
21 room addition in the back of the store. He advised that the rest would be interior reorganization adding  
22 more grocery and freshening up the building itself.

23 Councilor Stewart asked about the old Safeway building and the old Blue Garden building. Mr. Locke  
24 reported that the sidewalk on Mill Street had been replaced and the dry rot and structural interior of the old  
25 Safeway building were being worked on. He noted there was no definite use for the building, but  
26 occupancy would determine the permits needed. Mr. Locke reported that Mayor Dalton had met with the  
27 owner of the Blue Garden property and had encouraged her to take part in the 800/900 Main Street façade  
28 grant program.

29 **OTHER**

30 **ADJOURNMENT**

31 There was no other business and the meeting was adjourned at 5:41 p.m.

32 The committee adjourned and took a field trip to the Carnegie Building.



# Building & Grounds Committee

## *AMENDED AGENDA*

**Monday,  
July 22, 2013**

**5:00 PM**

**Council  
Chambers,  
Dallas City Hall,  
187 SE Court St,  
Dallas, OR  
97338**

1. Call to Order
2. Fast Farm Lease Discussion
3. Carnegie Building Update \*
4. Community Development/Operations  
Director's Report
5. Other
6. Adjournment

\*Following the Committee meeting, the Committee members will be taking a field trip to view the Carnegie building.

**Chair Murray Stewart  
Jim Brown  
Jim Fairchild  
Kelly Gabliks  
Kevin Marshall**

# DALLAS CITY COUNCIL REPORT

**TO: MAYOR BRIAN DALTON AND CITY COUNCIL**

<i>City of Dallas</i>	<b>Agenda Item No. 12 a</b>	<b>Topic:</b> Ordinance 1757 – relating to sidewalk loan code
<b>Prepared By:</b> Emily Gagner	<b>Meeting Date:</b> August 5, 2013	<b>Attachments:</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Approved By:</b> Ron Foggin		

RECOMMENDED MOTION:

Adopt Ordinance 1757

BACKGROUND:

At the June 24 Public Works Committee meeting, the Committee members discussed Dallas City Code Sections 3.700 through 3.710 which establish a sidewalk loan program. This program is not currently being used, as it is cumbersome for residents and staff, and has been replaced with a sidewalk grant program. This ordinance is to repeal Dallas City Code Sections 3.700 through 3.710 in order to make our Code follow in line with actual practice.

FISCAL IMPACT:

None

ATTACHMENTS:

Ordinance No. 1757

ORDINANCE NO. 1757

An Ordinance repealing Dallas City Code Sections 3.700 to 3.710, relating to loan program for sidewalk repairs.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Dallas City Code Sections 3.700, 3.702, 3.704, 3.706, 3.708 and 3.710 are hereby repealed.

Read for the first time: July 15, 2013  
Read for the second time: August 5, 2013  
Passed by the City Council: August 5, 2013  
Approved by the Mayor: August 5, 2013

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BRIAN W. DALTON, MAYOR

ATTEST:

APPROVED AS TO FORM:

---

RONALD L. FOGGIN,  
CITY MANAGER

---

LANE P. SHETTERLY,  
CITY ATTORNEY