



City Council

Mayor
Brian Dalton

Council President
Wes Scroggin

Councilor
Jim Fairchild

Councilor
Beth Jones

Councilor
Jackie Lawson

Councilor
Mark McDonald

Councilor
Kevin Marshall

Councilor
Murray Stewart

Councilor
LaVonne Wilson

Councilor
Ken Woods, Jr.

Staff

City Manager
Jerry Wyatt

City Attorney
Lane Shetterly

Admin Svc Mgr
Robert Spivey

Community Development
Director
Jason Locke

Finance Director
Cecilia Ward

Fire Chief
Bill Hahn

Police Chief
John Teague

Public Works Director
Fred Braun

City Recorder
Emily Gagner

Dallas City Council Agenda

Monday, August 15, 2011, 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. QUESTIONS OR COMMENTS FROM THE AUDIENCE <i>This time is provided for citizens to address the Council or introduce items for Council consideration on any matters.</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. Approval of July 18, 2011 City Council Minutes p. 3	
b. Acknowledge report of the July 25 Administrative Committee Meeting p. 5	
c. Acknowledge report of the July 25 Building & Grounds Committee Meeting p. 11	
6. ITEMS REMOVED FROM CONSENT AGENDA	
7. REPORTS OR COMMENTS FROM THE COUNCIL MEMBERS	
8. REPORTS FROM CITY MANAGER AND STAFF	
a. NLC Prescription Discount Card Program p. 13	Motion
b. Update on Kingsborough Park Project p. 17	Information
c. 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

10. FIRST READING OF ORDINANCE

- a. Ordinance No. 1740 – An Ordinance amending Dallas City Code Section 2.200 relating to Department Heads. **p. 18** First Reading
-

11. SECOND READING OF ORDINANCE

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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The Dallas City Council met in regular session on Monday, July 18, 2011, 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 Wes Scroggin, Councilor Jim Fairchild, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Mark McDonald, Councilor Kevin Marshall, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. Excused: Councilor Murray Stewart

Also present were: City Manager Jerry Wyatt, City Attorney Lane Shetterly, Administrative Services Manager Robert Spivey, and Recording Secretary Emily Gagner.

Mayor Brian Dalton led the Pledge of Allegiance.

QUESTIONS OR COMMENTS FROM THE AUDIENCE

Ron Lines, Parks Supervisor, reviewed several park projects and provided updates to the project cards the Councilors had received at a previous meeting.

Joe Koubek thanked the Council for passing the smoking ordinance prohibiting smoking in the parks.

PUBLIC HEARINGS

There were none.

CONSENT AGENDA

Councilor Lawson asked if the misspelling on the OLCC license (page 12 of the packet) was a concern. Mr. Shetterly stated it was irrelevant to the application.

It was moved by Councilor Lawson and seconded by Councilor Scroggin to approve the Consent Agenda as presented. The motion carried unanimously with Council President Wes Scroggin, Councilor Jim Fairchild, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Mark McDonald, Councilor Kevin Marshall, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

Items approved by the Consent Agenda: a) June 20, 2011, City Council minutes; b) OLCC application for Change of Ownership for Diamonds Garden Restaurant; and c) report of the June 27, 2011, Public Safety and Public Works Committee meetings.

ITEMS REMOVED FROM CONSENT AGENDA

There were none.

REPORTS OR COMMENTS FROM COUNCIL

Councilor Wilson reported she walked the park trail along SW Barberry Avenue and SW Hawthorne Avenue again and encouraged everyone to walk it.

Councilor Lawson commented that the newly painted curbs throughout the downtown area looked very nice and commended the Public Works staff for their work.

REPORTS FROM CITY MANAGER AND STAFF

RECOGNITION OF JONATHAN MINTON

Mr. Wyatt presented a certificate to Jonathan Minton for his outstanding performance at the Regional Special Olympics and Summer State Games. Mr. Minton thanked the Council.

LEGISLATIVE UPDATE

Mr. Wyatt reviewed the staff report.

1 OTHER

2 Mr. Wyatt stated the updates to the fire station were underway, adding the project was moving
3 well and proceeding on schedule.

4 Mr. Wyatt reported that the City was moving from the Novell Groupwise email system to Google.
5 He stated the City's new domain would be dallasor.gov.

6 Mr. Wyatt indicated there were no agenda items for August 1 Council meeting and requested the
7 Council cancel that meeting. It was moved by Councilor Fairchild and seconded by Councilor
8 Marshall to cancel the August 1, 2011, Council meeting. Councilor Wilson clarified that the
9 meeting could be called if something came up. The motion carried unanimously with Council
10 President Wes Scroggin, Councilor Jim Fairchild, Councilor Beth Jones, Councilor Jackie
11 Lawson, Councilor Mark McDonald, Councilor Kevin Marshall, Councilor LaVonne Wilson, and
12 Councilor Ken Woods, Jr. voting YES.

13 **RESOLUTIONS**

14 **FIRST READING OF ORDINANCE**

15 **SECOND READING OF ORDINANCE**

16 **OTHER BUSINESS**

17 Mayor Dalton discussed the hospitality suite hosted by the Council each year at the League of
18 Oregon Cities conference.

19 Mayor Dalton stated the Summerfest kickoff had been held earlier that day and noted the City
20 received several certificates of appreciation.

21 Councilor Scroggin reported that the previous Saturday was the Good Vibrations motorcycle
22 event and stated there was a really good group of people in attendance.

23 There being no further business, the meeting adjourned at 7:23 p.m.

24 Read and approved this _____ day of _____ 2011.

25
26 _____
27 Mayor

28 ATTEST:
29 _____
30 City Manager

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3 Members Present: Chair LaVonne Wilson, Beth Jones, Jackie Lawson, Wes Scroggin. Excused: Murray
4 Stewart.

5 Also Present: City Manager Jerry Wyatt, Mayor Brian Dalton, Councilor Jim Fairchild, Administrative
6 Services Manager Robert Spivey, Finance Director Cecilia Ward, Community Development/Operations
7 Director Jason Locke, and Recording Secretary Emily Gagner.

8 Chair Wilson called the meeting to order at 4:23 p.m.

9 **Bees within City limits**

10 Mr. Locke indicated this was an informational item, and noted it was legal in Dallas to keep a stand or
11 hive of bees within city limits. He reported there was currently a bee expert keeping a hive in town next
12 door to a daycare and he received a letter from the daycare provider expressing concern about the bees.
13 He stated there had been no issues or complaints before this and there had been no incidents with bee
14 stings. After some discussion, the consensus of the Committee was to leave the code as it was. Chair
15 Wilson asked staff to send a letter to the complainant.

16 **Department Head Code update**

17 Mr. Wyatt reviewed the staff report. It was moved by Councilor Lawson and seconded by Councilor
18 Scroggin to recommend the full council adopt the proposed ordinance to update the Department Head
19 Code.

20 **Administrative Services Manager's Report**

21 Robert Spivey reported that twelve employees left the City in June and July, several because of retire-
22 ment. He noted they were preparing to advertise the open position at the Library. He noted the Water
23 Treatment Plant Operator and Assistant Public Works Director positions that were vacant due to retire-
24 ments would not be filled, so those duties would be absorbed by current staff. Mr. Spivey stated the Ac-
25 counting/Payroll Specialist position had been filled, and the City had also hired a full-time EMT and some
26 temporary seasonal help.

27 Mr. Spivey advised Fleet Services was completing a preliminary feasibility study to convert to natural gas
28 vehicles. He acknowledged natural gas vehicles lost 10% of the efficiency, but the cost was half what di-
29 esel was. He noted staff was also looking to install a natural gas substation which we could also sell to
30 the school bus company and other municipalities. Mr. Spivey reported the Fleet Services staff was doing
31 a needs assessment of the fleet facilities, adding they couldn't currently complete all their work in the cur-
32 rent facility due to size restrictions.

33 Mr. Spivey discussed some pending physical improvements to the Library, including interior paint. He
34 added they were looking into what the right size should be for our library.

35 Mr. Spivey announced that the grant for the Kingsborough Park Improvements was approved and staff
36 would be sending that project out to bid soon. He noted further park trail improvements would be com-
37 pleted from the entry into the City Park on Levens Street to the new trail near the Japanese Garden.

38 Mr. Spivey reported that the email conversion from Groupwise to Google was going fairly smoothly. He
39 noted he was looking at social networking and the legal issues involved. Mr. Shetterly explained there

1 were issues of document retention of public records with social networking sites. He stated anything gen-
2 erated by the City, including things such as Facebook posts, was a public record and fell within retention
3 statutes. Councilor Wilson stated if there were concerns, the City may not want to do it.

4 Mr. Spivey stated he recently got bids to increase electrical capacity at the Senior Center and install inter-
5 net access there.

6 Councilor Lawson noted with the Borders stores closing, it points out that we are a country moving to-
7 ward computers and the internet, which meant less books. She expressed her concern about investing too
8 much more into the Dallas Library given that. Mr. Spivey replied that libraries were not in the business of
9 putting print in people's hands, but rather they served as a social anchor for the community, adding they
10 also provided internet access to residents. In response to a comment, Mr. Spivey stated he wasn't talking
11 about adding space to the Library, just cleaning it up. He did note the Library could eventually provide
12 meeting rooms for community use or a separate children's section. Councilor Wilson commented that the
13 Library was an essential thing and provided things to people in the community who didn't have a lot.

14 Councilor Scroggin advised that the School District got caught up with the idea of converting the school
15 buses to natural gas a few years ago and it cost a lot and didn't pan out. Councilor Lawson commented
16 that if it would be open for business and generate a revenue stream it would be worth looking at.

17 **Finance Director's Report**

18 Ms. Ward reported the auditors had been in the first part of July to perform their interim work and they
19 will be back in September to complete the audit for the final numbers. She added the audit report should
20 be received in October.

21 **Other**

22 Mr. Wyatt reminded the Committee that National Night Out would be celebrated on August 2 at 4 or 5
23 neighborhood events. He urged the Councilors to attend those events.

24 There was no other business and the meeting was adjourned at 4:47 p.m.

MEETING AGENDA

ADMINISTRATIVE COMMITTEE

Monday, July 25, 2011

4:00 p.m.

LaVonne Wilson, Chair

Beth Jones

Jackie Lawson

Wes Scroggin

Murray Stewart

1. Bees within City limits
2. Department Head Code Update
3. Administrative Services Manager's report
4. Finance Director's report
5. Other
6. Adjourn



Community Development Department

Memo

To: Admin Subcommittee
From: Jason Locke, Community Development/Operations Director
Date: July 25, 2011
Re: Bees within the City Limits

The City of Dallas City Code Section 5.522(1)(b) states that no person shall keep a stand or hive of bees on any property within 20 feet of the boundary line of the premises. By implication, this means that the keeping of bees is allowed as long as they are 20 feet from the property line.

We recently received a complaint from the operator of a daycare facility whose property backs up to a property where a stand of bees is kept. The complainant was concerned about the safety of her daycare children, although no one has been stung. It is also staff's understanding that the beekeeper is a professional, and has done this for many years without incident.

Question: Should staff take any further action regarding this issue??

DALLAS CITY COUNCIL SUBCOMMITTEE REPORT

TO: COUNCIL ADMINISTRATIVE SUBCOMMITTEE

<i>City of Dallas</i>	Agenda Item No. 2	Topic: Department Head Code Update
Prepared By: Emily Gagner	Meeting Date: July 25, 2011	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Motion to recommend the Council adopt the ordinance to update the Department Head section of the City Code.

BACKGROUND:

With the beginning of the 2011-12 fiscal year, there was some reorganization of our departments. Our current Code section about department heads does not match that reorganization, so staff has proposed passing an Ordinance to bring our Code in line with the city's current organizational structure.

FISCAL IMPACT:

None

ATTACHMENTS:

Proposed ordinance to update DCC Section 2.200

ORDINANCE NO.

An Ordinance amending Dallas City Code Section 2.200 relating to Department Heads.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. Dallas City Code Section 2.200 is hereby amended to read as follows:

2.200 Department Heads.

Titles of city department heads are as follows:

- (1) The head of the police department shall be known as the "police chief."
- (2) The head of the fire department shall be known as the "fire chief."
- (3) The head of the engineering department shall be known as the "director of engineering."
- (4) The head of the community development and operations department shall be known as the "director of community development and operations."
- (5) The head of the finance department shall be known as the "director of finance."
- (6) The head of the administrative services department shall be known as the "director of administrative services."

Read for the first time:

Read for the second time:

Passed by the City Council:

Approved by the Mayor:

BRIAN W. DALTON, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

Ordinance -- Page 1

Building and Grounds Committee
Monday, July 25, 2011

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Members Present: Chair Jackie Lawson, Beth Jones, Wes Scroggin, and LaVonne Wilson. Excused: Murray Stewart

Also Present: City Manager Jerry Wyatt, Mayor Brian Dalton, Administrative Services Manager Robert Spivey, Finance Director Cecilia Ward, Community Development/Operations Director Jason Locke, City Attorney Lane Shetterly, and Recording Secretary Emily Gagner.

Chair Lawson called the meeting to order at 4:00 p.m.

Sale or Lease of Farm Property

Mr. Wyatt reported on the farm property east of town that was owned by the City, noting the current lease was up soon. He indicated a neighboring farmer was interested in purchasing or leasing the property for more than market value. There was discussion by the Committee about the advisability of selling the property. The consensus of the committee was to develop a plan for the property to determine if it may be needed in the future and continue leasing the property for the time being.

Community Development Director's Report

Mr. Locke reported that there was a lot of commercial construction going on, including the seismic rehabilitation of the Fire Station, Polk County's upgrades to the Academy Building, the doctors' offices on Jefferson Street, and the Taco Bell restaurant. He advised staff received bids for the Court Street project in the Urban Renewal District, adding the contract should be awarded in the next two weeks with a total cost of \$79,000.

Other

Councilor Wilson reported she had walked the trail that passes under the bridge by the Aquatic Center again and advised staff should monitor the area for graffiti. She expressed her concern for the dangers posed by the rock area down to the creek and suggested the City put some kind of barrier up to prevent someone from falling down the bank. It was agreed staff would look into that.

There was no other business and the meeting was adjourned at 4:23 p.m.

MEETING AGENDA

BUILDING AND GROUNDS COMMITTEE

Monday, July 25, 2011

4:00 p.m.

Jackie Lawson, Chair

Beth Jones

Wes Scroggin

Murray Stewart

LaVonne Wilson

1. Sale or lease of farm property
2. Community Development Director's report
3. Other
4. Adjourn

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8 a	Topic: NLC Prescription Discount Card Program
Prepared By: Emily Gagner	Meeting Date: August 15, 2011	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

Motion to direct staff to enroll in the NLC Prescription Discount Card Program

BACKGROUND:

At the May 23, 2011, Administrative Committee meeting, Councilor Fairchild provided information on a prescription discount card program offered through the National League of Cities. The program is available to NLC member cities and helps city residents save money on prescription costs at NO COST to the city. One question that came up in the initial discussion was what pharmacies in Dallas would be covered. A search of the program site shows that Rite Aid, Safeway, Walmart, The Medicine Shoppe, and Dallas Pill Box are all covered. City Attorney Shetterly has reviewed the program and found no concerns.

I have been in contact with Cottage Grove, a current participant in the program and they have had great success with it. The City Recorder there also told me that once the program is set up, there is no staff time involved except to put cards out for residents.

FISCAL IMPACT:

None

ATTACHMENTS:

Information from NLC about the program

NLC PRESCRIPTION DISCOUNT CARD PROGRAM

Meeting the Needs of Your Residents

NLC PRESCRIPTION DISCOUNT CARD PROGRAM

MEETING THE NEEDS OF YOUR RESIDENTS

PRESCRIPTION COST SOLUTION

The NLC Prescription Discount Card Program, administered by CVS Caremark, helps city residents save money on the high cost of prescriptions at NO COST to the city. Your city must be an NLC member to participate.

FREE Prescription Discount Card

Your City
Name Here

RxBIN: RxGRP:
RxPCN: ISSUER: (80840)
ID:

Brought to you in collaboration with the National League of Cities.

This is NOT insurance.



PRESCRIPTION SAVINGS

Residents who have prescriptions or lifestyle medications that are not covered by insurance, now have an opportunity to obtain them at a discount. The NLC Prescription Discount Card Program provides an average savings of 20% off the retail price of prescription medications.



This program is operated by CVS Caremark. This is NOT insurance. Discounts are only available at participating pharmacies.

BENEFITS

- NO COST to your city
- NO COST to your residents
- Average savings of 20%
- 9 out of 10 pharmacies participate in the program, more than 60,000 nationwide
- No enrollment or membership fees
- No limit on how many times the card can be used
- No age requirements
- No income requirements
- ALL family members covered
- Pet medications used to treat human conditions covered

IMPLEMENTATION

The city works with a CVS Caremark representative to launch the program, which takes approximately eight weeks. The city will be provided with approved marketing materials and tools to promote and launch the NLC Prescription Discount Card Program. Printed ID cards and display materials (customized with your city's name and logo) will be provided to give city residents easy program access. Residents can also print an ID card online and access program tools by visiting www.caremark.com/nlc.

MORE INFORMATION

To learn more about this program, visit NLC's website at www.nlc.org/enterpriseprograms or contact Marc Shapiro, Program Director, at shapiro@nlc.org or (202) 626-3019. For NLC membership information, contact NLC Member Services at memberservices@nlc.org or (202) 626-3100.

The NLC Prescription Discount Card Program

SAVE

your residents an average of **20% off the retail price** of prescription medication **at no cost to the city...**

Be a member of the National League of Cities

Sign up for the **FREE** NLC prescription discount card program

Your residents present the discount card at a local participating pharmacy

Frequently Asked Questions



How much will residents save by using the discount card?

While savings on each prescription may vary, the NLC Prescription Discount Card Program saves an average of 20 percent off of the pharmacy's regular retail prices. The savings are validated monthly and annually.

What if a pharmacy's price on particular prescription drugs is lower than the discount card price?

The program uses a "lower-of" pricing schedule so that residents are never disadvantaged by using the discount card. On occasion, a participating pharmacy may have a lower price on particular prescription drugs. If that occurs, residents will always pay the lowest price.

Who pays the cost of the discount?

Pharmacies in the national discount network agree to absorb the cost of the discount. The benefit to the pharmacy of participating in the program is that it creates customer loyalty and increases store traffic.

Does NLC or CVS Caremark share the personal information of residents using the discount card?

CVS Caremark does not give or share personally identifiable health information to manufacturers or direct marketers. CVS Caremark is fully compliant with all federal and state privacy and security regulations pertaining to the protection of protected health information and has a robust compliance program which monitors and enforces policy compliance. NLC neither receives nor shares personal information of residents.

Does NLC or any participating city receive revenue from the program?

Neither NLC nor any participating city receives revenue for sponsoring the discount card program.

Does the program provide a competitive advantage to CVS Pharmacies?

All major pharmacy chains and most local independent pharmacies, nearly 60,000 pharmacies nationwide, participate in the discount card network. Residents are not encouraged or incentivized to use CVS pharmacies over any other chain or independent pharmacy.

Can the discount card be used with other prescription insurance benefits?

The program is not insurance; it is a prescription discount program. The card cannot be used to supplement insurance benefits. The card can be used for prescriptions not covered by an insurance plan.



National League of Cities

Program operated by CVS Caremark.

This is NOT insurance. Discounts are only available at any participating pharmacy.

106-9003NL10 10.09

DALLAS CITY COUNCIL

REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8 b	Topic: Update on Kingsborough Park Project
Prepared By: Emily Gagner	Meeting Date: August 15, 2011	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED MOTION:

None

BACKGROUND:

On March 7, 2011, the Council passed Resolution No. 3218, authorizing a grant application under the Oregon Parks and Recreation Department Local Government Grant Program for park improvements at Kingsborough Park. That grant application was submitted and staff made a presentation to the Local Government Grants Advisory Committee in Sunriver in June. We were notified on August 4, 2011, that our application was successful. The amount of the grant is \$73,000. The City's match for the grant was \$48,756, which includes the playground equipment already purchased (with the help of a GameTime grant), and staff labor, which can be done without further impact to the Budget.

The project has been advertised for bid, with the bid opening scheduled for August 18. Work is scheduled to be completed by October 31, 2011. In response to comments from neighboring property owners, the original plans have been modified slightly, with the restrooms now located along the street further to the north.

ATTACHMENTS:

None

ORDINANCE NO. 1740

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- (4) The head of the community development and operations department shall be known as the "Director of Community Development and Operations."
- (5) The head of the finance department shall be known as the "Director of Finance."
- (6) The head of the administrative services department shall be known as the "Director of Administrative Services."

Read for the first time: August 15, 2011
Read for the second time: September 6, 2011
Passed by the City Council: September 6, 2011
Approved by the Mayor: September 6, 2011

BRIAN W. DALTON, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER

Ordinance -- Page 1