DALLAS CITY COUNCIL
Monday, September 17, 2007
Council Chambers

The Dallas City Council met in regular session on Monday, September 17, 2007, at 7:30 p.m. in the Council Chambers of City Hall with Mayor Jim Fairchild presiding.

ROLL CALL

Council members present were: Council President Ken Woods, Councilor Brian Dalton, Councilor Warren Lamb, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor David Voves, and Councilor LaVonne Wilson.

Also present were: City Manager Roger Jordan, City Attorney Lane Shetterly, Fire Chief Bill Hahn, Police Chief Jim Harper, Community Development Director Jerry Wyatt, Public Works Director Fred Braun, Finance Director Marcia Baragary, Library Director Donna Zehner, Assistant City Manager Kim Marr, and Recording Secretary Marsha Heeter.

APPROVAL OF MINUTES

After hearing no corrections or additions, Mayor Fairchild declared the minutes of the September 4, 2007, Council meeting approved as printed.

REPORTS OR COMMENTS FROM COUNCIL MEMBERS

SWEARING IN OF NEW COUNCILOR

City Manager Roger Jordan swore in new Councilor, David Voves.

Mayor Fairchild indicated that he needed to talk to the Councilors who are going to the League of Oregon Cities Conference later this month after the meeting.

He asked the Council to save December 2, a Sunday afternoon, for a retirement reception for City Manager Roger Jordan.

Councilor LaVonne Wilson thanked the staff for the tour of Public Works facilities last week. She indicated that it was very informative.

Councilor Warren Lamb introduced Donna Black, who was part of the Community Garden. Ms. Black brought up two buckets of produce. She reported that the garden was planted in May and they picked 24 pounds of produce in July, 151 pounds in August, and 168 pounds so far in September. She reported that they have tomatoes, cucumbers and yellow-neck squash. She thanked the Council for providing the location for the garden. Councilor Lamb thanked Ms. Black for her efforts.

SETTING A WORKSHOP TO DISCUSS CITY ATTORNEY'S MEMO ON VOTING

Councilor David Shein advised that he sent a memo, included in the agenda packet, indicating that he thinks the best way to streamline procedures would be to formalize some of the policies. He suggested having a workshop to discuss it further. Councilor Wes Scroggin remarked that he thinks the issue was a manner of timing, with a resignation right after the death of the City Attorney. He said he doesn't see a need to discuss it at this time, but they could discuss it after there is a new city manager. He added that the City has a very competent City Attorney and, if necessary, could go to the State Attorney General for advice. Councilor Wilson agreed that any discussion should wait until we have a new city manager. Councilor Brian Dalton said he thinks we do need to delve into it a little more, at some point. Mayor Fairchild agreed that we need to formalize some procedures and he has looked at what some other cities do. He said he would rather do it after we get a new city manager on board. No one wanted to proceed at this time.

REPORTS OF SPECIAL COMMITTEES AND CITY OFFICERS

LENGTH OF SERVICE AWARD

Mr. Jordan presented an award to Deputy Police Chief Tom Simpson for over 20 years of service to the City of Dallas. Mayor Fairchild commented that one of the things that keeps our City functioning so well is the longevity of employees as well as of Councilors.

SENIOR CENTER ADVISORY COMMITTEE REPORT

Mr. Jordan reviewed the recommendation from the Senior Center Advisory Committee to build a new senior center on the old swimming pool site at Levens Street and Brandvold Drive. He pointed out that the agenda packet included minutes of the last meeting and the budget. He indicated that Architect Carl Sherwood would go over the conceptual design. Mr. Jordan added that the Staff would have to prepare a funding packet for the project. He recommended that the City would build the facility and then lease it to the non-profit group, as it has done with S.A.B.L.E. House and the Carnegie Building for Kids Inc. Mr. Sherwood reported that there would need to be only about a foot to a foot and half of fill to bring the building site above the flood plain area. He reviewed the conceptual plans and budget, explaining that he gave a range of $170 to $200 per square foot because it is a conceptual design. He indicated that he added in some contingencies including an amount for inflation, and the final cost would range from $2.2 million to $2.6 million. Councilor Scroggin asked how capacity was determined. Mr. Sherwood answered that he laid out the chairs and tables to determine the amount of space needed with adequate aisles and exits. Councilor Scroggin pointed out that schools can be noisy, especially at recess time, and the playground is just above the site. Mr. Sherwood answered that was not discussed. Council President Ken Woods asked about expansion. Mr. Sherwood indicated that it could be expanded to the west. Councilor Dalton asked if the sketch was based on the low range. Mr. Sherwood answered that it was probably the mid-range. He added that they could upgrade the finishes or they could build cheaper. Jim Brown expressed concern about foot traffic across Ellendale from the Retirement Center. Mr. Jordan agreed that the City needs to look at improvements to that intersection in the future. Mr. Sherwood indicated that when the Committee was doing the site evaluations, they did look at pedestrian access and the senior citizens on the Committee didn't feel it was that critical. Mr. Jordan pointed out that the Center would tie in with the trail system from Main Street to Levens Street, which would cross Levens Street at Walnut Street. Councilor Wilson remarked that she and Councilor Dalton served on that Committee, and she hoped the other Councilors read the minutes of the Committee's past meeting. She added that there were a lot of good questions and discussion that led to this recommendation. Sharon Remple of Dallas pointed out that there are lots of younger seniors coming up and they really need a new center.

Council President Woods moved to authorize the City Manager to move ahead with preparing alternative funding packages. The motion was duly seconded. Councilor Jackie Lawson clarified that they are not going ahead with project at this time, they are just putting together a packet for review. Mr. Jordan said yes. Councilor Dalton encouraged them to consider the esthetics of the building and the longevity of it. The motion CARRIED UNANIMOUSLY with Council President Ken Woods, Councilor Brian Dalton, Councilor Warren Lamb, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor David Voves, and Councilor LaVonne Wilson voting YES. Mayor Fairchild thanked the seniors who have been involved and Mr. Sherwood.

FIRE STATION AND TRAINING SITE IMPROVEMENTS REPORT

Mr. Jordan reported that the staff has been reviewing information for a proposed bond election for fire station and training site improvements. He recommended that the Council authorize the staff to work with Architect Carl Sherwood on an update of the plans done in 2004 looking at the fire station and training site improvements. He indicated that the bond proposal would include two ambulances. He indicated that former Fire Chief John Stein helped prepare a white paper on this. Mr. Jordan explained that we need to upgrade our training facilities in order to train and keep volunteers. He noted that he has been negotiating with Weyerhaeuser for additional property in the training site area. He said the next step would be to develop conceptual plans and cost estimates and after that, the Council could decide whether to move ahead with seeking a bond measure. He pointed out that the Legislature is putting before the voters a change to remove the double majority requirements for bond elections in May and November. He advised that if it passes, he would recommend a bond election in May. Councilor Scroggin expressed concern about seeking a bond with so much in it. He said that voters might be in favor of facilities but not ambulances. Mr. Jordan noted that the City has purchased ambulances from bond funds in the past, but we structured the bond payments so the ambulance portion was paid off in 7-9 years, so it did not exceed the life of the equipment. Councilor Lamb confirmed that the Fire Hall renovation would basically leave just a shell. Mr. Jordan agreed. Mayor Fairchild said the Council definitely needs facts and figures before it can make a decision.

Councilor Wilson moved to authorize the staff to work with Carl Sherwood on an updated conceptual plan. The motion was duly seconded. Councilor Lamb asked if there was any consideration of working with Salem or Chemeketa on this. Mr. Jordan answered that Chemeketa is acquiring the Brooks

training site and moving out there. He noted that with a volunteer department, we really need to have local training facilities. Councilor Scroggin asked if there would be pump testing in this facility. Fire Chief Bill Hahn answered that pump testing is included. The motion CARRIED UNANIMOUSLY with Council President Ken Woods, Councilor Brian Dalton, Councilor Warren Lamb, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor David Voves, and Councilor LaVonne Wilson voting YES.

In light of the time, Mayor Fairchild moved to the scheduled public hearing.

PUBLIC HEARINGS

ANNEXATION AND WITHDRAWAL OF PROPERTY FROM SWPCRFPD

Mayor Fairchild declared open at 8:23 p.m. a public hearing on a request for annexation and withdrawal of property from the Southwestern Polk County Rural Fire Protection District. He asked for the staff report. Community Development Director Jerry Wyatt reported that the Planning Commission held a hearing and recommended approval of the annexation of four tax lots, two of which are very small, in the vicinity of SW Barberry and Academy, and which are part of the Barberry mixed use node area. He said the total is 32.52 acres. He added that the property is in the Urban Growth Boundary, is contiguous with the city limits, and could be provided with City services.

Testimony: On behalf of Applicant, Fife Group, Paul Trahan spoke. He noted that this property includes a key intersection and the Fife Group will be giving the City the right of way for Barberry and Academy and the property needs to be inside the City in order for them to do that.

There was no further testimony. Mayor Fairchild closed the hearing at 8:27 p.m. Councilor Lamb asked about any plans for parks there. Mr. Jordan answered that there will be a linear park down by Rickreall Creek. Mr. Wyatt indicated that there will be pocket parks included in the Planned Unit Development (PUD). Councilor Scroggin asked if the School District had any property in there for a school. Mr. Jordan answered that there is a school shown in this area in the Comprehensive Plan, but the School District does not own any property in there now. He added that he knows they have a committee that looked at locations and they are aware of development in this area. He said that the staff has discussed this with the School District.

Councilor Kevin Marshall moved to have City Attorney Lane Shetterly prepare an ordinance annexing the property and withdrawing it from the Southwestern Polk County Rural Fire Protection District. The motion was duly seconded and CARRIED UNANIMOUSLY with Council President Ken Woods, Councilor Brian Dalton, Councilor Warren Lamb, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor David Voves, and Councilor LaVonne Wilson voting YES.

CITY MANAGER'S REPORT, CONTINUED

S.A.B.L.E. HOUSE LEASE EXTENSION

Mr. Jordan explained that the City has a 75-year lease for the property where S.A.B.L.E. House is, and used Community Development Block Grant funds to build the house that is sub-leased to S.A.B.L.E. House. He indicated that it was a 10-year lease with one-year extensions, and they are asking to have a 5-year extension so they don't have to apply for a tax exemption from Polk County every year.

Councilor Dalton moved to authorize a five-year extension of the sub-lease with S.A.B.L.E. House. The motion was duly seconded. Councilor Lamb asked to have requests like this brought to the Council sooner, instead of allowing only 10 days, and he would like a report on how S.A.B.L.E. House is doing. The motion CARRIED UNANIMOUSLY with Council President Ken Woods, Councilor Brian Dalton, Councilor Warren Lamb, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor David Voves, and Councilor LaVonne Wilson voting YES.

STATUS OF COUNCIL GOALS

Mr. Jordan provided a status report on the Council goals. Councilor Dalton asked if he anticipated not being able to complete any of them. Mr. Jordan answered that the staff hopes to complete all of them or make meaningful progress on them by next March when they prepare the goals for the next year. Councilor Wilson noted that there is nothing in there about a signal on Fir Villa at Ellendale. Mr. Jordan an-

swered that it is not on the Council's goal list, but it is on the State list and could be on next year's Council goals list.

MONMOUTH CUTOFF STREET AND STORM SEWER IMPROVEMENT PROJECT

Mr. Jordan recommended having the staff file an application for a grant to do a Monmouth Cutoff street and storm sewer improvement project from Godsey to Uglow. He explained that with the closure of TTM, the City is eligible for a grant to help market the facility. Councilor Lamb asked if this would take care of the storm flow project. Public Works Director Fred Braun answered that it would be one of the last projects to take care of the problem. Councilor Scroggin wondered about whether now is the time to do this in view of possibly different ingress and egress needs of a new industry in that location. Mr. Jordan answered that most of the project is the storm sewer and the City needs to proceed when it has the opportunity. He added that he doesn't think a new industry would change the access to the property that much. Councilor Scroggin asked if all the funding would be from outside sources, or if some would be from the property owner. Mr. Jordan answered that the funding is federal funds and City sewer funds. He said the City could assess for street improvements, but he wouldn't recommend doing that at this time.

Councilor Lawson moved to go ahead and apply for the grant. The motion was duly seconded and CARRIED UNANIMOUSLY with Council President Ken Woods, Councilor Brian Dalton, Councilor Warren Lamb, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor David Voves, and Councilor LaVonne Wilson voting YES.

Councilor Scroggin asked when the Godsey improvements would be done. Mr. Jordan answered that the City has done some improvements on the north side, and has filed an application with the Economic Development Agency. He noted this area is not contiguous with the existing business, but it is the 52 acres on the State certified site list.

CAPITAL APPROPRIATION FOR TRAIL PROPERTY PURCHASE

Mr. Jordan said he wanted to clarify something regarding the park trail property purchase. He indicated that the Budget has funds from the sale of the property on Walnut Street and part of that was put in the Capital Improvement Fund. He said that since the project wasn't finished last year, the Council needs to pass a motion say the park trail system improvement on Walnut Street has an account with $75,000 which would reduce the water system account by $75,000. He noted that the money is there, it is just how it is appropriated. He said he would need a motion to ratify the City Manager's decision to create an account.

Councilor Scroggin moved to ratify the City Manager's decision to create an account for the park trail system improvement. The motion was duly seconded and CARRIED UNANIMOUSLY with Council President Ken Woods, Councilor Brian Dalton, Councilor Warren Lamb, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor David Voves, and Councilor LaVonne Wilson voting YES.

REPORT ON PARK TRAIL SYSTEM OPEN HOUSE

Mr. Jordan reminded the Council that the City had an open house on the park trail system. He said they invited people with property contiguous with the trail system. He noted that since the open house, we have cut a possible trail site from Barberry east. He indicated that the next step is for the staff to come up with a proposal for the trail system, to acquire the necessary easements for portions of it and to work with the developer on other portions. He said this would take the trail system from LaCreole almost to Fir Villa. He added that the Council should have a hearing on this before seeking bids. He advised that in the past, the City has used 12-foot wide concrete for the park trail in urban sections and asphalt in the other sections. He noted that if they want to combine bike and pedestrian needs, the trail has to have a 12-foot wide paved surface. He said this would also give access for the Police and Fire Department to those areas. He pointed out that in some areas we have use bollards to limit vehicle access, but there are other options. He said they also need to look at funding mechanisms. In response to a question, Mr. Braun said that if it is a bike path only, it would have to be eight feet wide. He said that if they add pedestrians, the path has to be 12 feet wide. Councilor Marshall asked the cost. Mr. Jordan answered that's what the report would include. Mayor Fairchild commented that there are a number of funding sources if they are multi use trails. Councilor Dalton reported that he talked to someone who lived in the Barberry area and the neighbors are pleased with where the trail is going.

He added that he walked the area between Levens and Main and noted that the creek isn't visible in some areas. Mr. Jordan responded that the City would clean out the area so people could see the creek. In response to a comment, he indicated that there are no wetlands along there, so we should be able to open up the area. Councilor Dalton noted there is one section that is rather steep. Mr. Braun said that if they move the trail to the north between two large trees they could get a gentler slope. He noted that there is a large culvert as you approach the bridge area, which will be spanned with a small bridge. Mr. Jordan explained that he hoped the City would be able to use the contractor who is doing the bridge to do some work in this area as an extension of the bridge contract. In response to a question, Mr. Jordan noted that the Main-Levens section is urban and would be 12 foot wide concrete. Councilor Dalton remarked that people who jog prefer asphalt to concrete.

SEPTEMBER PLANNING COMMISSION REPORT

Mr. Jordan reported on the September 14, 2007 Planning Commission meeting at which they handled two action items.

AUGUST BILLS

Mr. Jordan asked if there were any questions about the bills for August. There were none.

APPOINTMENT OF INTERIM CITY MANAGER

Mr. Jordan reminded the Council of his retirement plans. He explained that he will be going on vacation, and won't be at the October 1 Council meeting. He said the Council would need to appoint a Pro Tem manager and he recommends appointing Mr. Wyatt, and the staff supports that. Mr. Shetterly indicated that they could do the appointment now and make it effective October 1, or do it as the first item of business at that meeting. Mayor Fairchild recommended doing it tonight.

Council President Woods moved to appoint Jerry Wyatt Pro tem City Manager effective October 1, 2007 at 5:01 p.m. The motion was duly seconded. Councilor Scroggin commented that Mr. Wyatt has a full plate now, and he wondered if his duties would change. Mr. Jordan answered that Mr. Wyatt will work with the management team. The motion CARRIED UNANIMOUSLY with Council President Ken Woods, Councilor Brian Dalton, Councilor Warren Lamb, Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Wes Scroggin, Councilor David Shein, Councilor David Voves, and Councilor LaVonne Wilson voting YES.

COMMUNICATIONS AND PETITIONS

CORRESPONDENCE REGARDING NEW PLAYGROUND EQUIPMENT

Mr. Jordan forwarded correspondence regarding the new playground equipment, including one distributed before the meeting. He indicated that the equipment is getting a lot of use.

RESOLUTIONS

Resolution No. 3127

A Resolution establishing areas on the west side of SE Fir Villa Road where the parking of motor vehicles is prohibited.

A Roll Call vote was taken and Mayor Fairchild declared Resolution No. 3127 to have PASSED by a UNANIMOUS VOTE with Council President Woods, Councilor Dalton, Councilor Lamb, Councilor Lawson, Councilor Marshall, Councilor Scroggin, Councilor Shein, Councilor Voves, and Councilor Wilson voting YES.

Resolution No. 3128

A Resolution establishing a fee for filing an application for demolition or substantial alteration of a designated historic site or structure under DCC 3.10.10.

A Roll Call vote was taken and Mayor Fairchild declared Resolution No. 3128 to have PASSED by a UNANIMOUS VOTE with Council President Woods, Councilor Dalton, Councilor Lamb, Councilor

Lawson, Councilor Marshall, Councilor Scroggin, Councilor Shein, Councilor Voves, and Councilor Wilson voting YES.

OTHER BUSINESS

Mr. Jordan reminded the Council that the Public Safety and Administrative Committee is on September 24. He added that the Council will have a meeting on the city manager selection from 11:00 a.m. to 2:00 p.m. on October 24. He added that it will need to be announced that the meeting is an executive session.

Council President Woods asked about the Levens Street Bridge. Mr. Jordan answered that it is progressing on schedule. Mr. Braun reported that they are pouring the deck and approach slabs this week, and will be doing the curbs and gutters next week. Mr. Jordan added that if everything goes right, they should be finishing the bridge about 10 days early and they will finish the landscaping by November.

There being no further business, the meeting adjourned at 9:07 p.m.

Read and approved this _____ day of _____ 2007.

_____
Mayor

ATTEST:

_____
City Manager

DRAFT