



**City of Dallas  
Planning Commission  
Council Chambers - City Hall  
December 13, 2011 - 7:00 p.m.**

## **MINUTES**

### **CALL TO ORDER**

President Chuck Lerwick called the meeting to order at 7:01 p.m.

### **ROLL CALL**

Commissioners Present: Chuck Lerwick, Dave Pederson, Bob Wilson, Carol Kowash, and David Shein.

Commissioners Absent: Paul Holstege.

Staff present: City Attorney Lane Shetterly, Community Development Director Jason Locke, and Recording Secretary Patti Senger.

### **APPROVAL OF MINUTES**

President Lerwick presented the minutes of the regular meeting of November 8, 2011. Commissioner Carol Kowash made a motion to approve the minutes as presented. Commissioner Bob Wilson seconded the motion. The motion passed unanimously.

### **PUBLIC COMMENT**

Susan Wagoner, 489 Westwood Drive, Dallas, Oregon, noted the City has built a lot of housing behind SE River Drive and stated that it flooded a few years ago for the first time in the history of Dallas. She asked what had been done to alleviate the problem and suggested that further paving would cause more flooding problems. She commented that Dallas was known for not having enough water. She questioned a statement on her water bill indicating it stated that the aquifer that supplied water had gone to the saline stage because it was drying up and that the City would punch a hole in it and draw water from the Willamette River. She continued her questions and asked which City ordinance allowed people to not give testimony at the hearing in which she came to speak. President Lerwick explained that this meeting was for deliberation only and that comments were taken at the public hearing that was held last month. Ms. Wagoner asked for a copy of the minutes. She noted that the City did nothing about the flooding but did enforce code issues. She indicated if building continued, taxes and fees would be raised. Mr. Locke stated he would get back to her to answer her questions.

Ethan Weld, 527 Dogwood Court, Dallas, Oregon, requested the minutes from the last meeting. He stated he was there, although he was, ill to voice his opposition to Walmart. President Lerwick interrupted him, stating that the record had been closed and his testimony could not be taken.

Lane Shetterly announced that the minutes were available to the public on the City website. Kathleen Shrum, 667 SW Levens, Dallas, Oregon, stated she understood a significant amount of radiation from the Fukushima nuclear catastrophe in Japan on March 11, 2011, hit the United States and

contaminated our water. She asked if the water had been tested for levels of radiation that may have been harmful to public health.

## **PUBLIC HEARINGS**

President Lerwick announced this was the deliberation portion of the public hearing for the site plan review for the expansion of the existing Walmart store #2315-04, located at 321 NE Kings Valley Highway in Dallas, Oregon.

Mr. Shetterly reported that the Planning Commission received a letter from Mr. Hathaway, the attorney for the applicant, requesting the record be reopened to submit additional evidence and testimony in response to the supplemental staff report. He stated that after his review he recommended that the commission grant the request. This would allow anybody who wanted to present written testimony into the record be granted seven days to do so. There would be an additional seven days for rebuttal by the applicant after the initial seven days. The deliberation would continue at the January 10, 2012, regular meeting of the Planning Commission.

Commissioner Shein moved to re-open the record for written testimony until December 21, 2011, at 5:00 p.m., allow rebuttal testimony until December 28, 2011, at 5:00 p.m. Commissioner Wilson seconded the motion and it passed unanimously.

## **OTHER BUSINESS**

Mr. Locke indicated to the audience that anyone who had written testimony and wished to add it to the record could do so now or prior to the 5:00 p.m. deadline on Wednesday, December 21, 2011.

Ms. Wagoner asked if there was an ordinance that this meeting was being guided under. Mr. Locke stated he would meet with her after the meeting to discuss her questions.

Commissioner Pederson asked about the issues that were raised during the meeting. Mr. Locke indicated he would respond either by mail or telephone. Mr. Shetterly suggested that some of the questions needed to be directed to Public Works.

## **COMMISSIONER COMMENTS**

Commissioner Shein asked for clarification about when the deliberations would take place. Mr. Shetterly responded that they would continue at the next regularly scheduled meeting and would include everything that was submitted into the record. Mr. Shetterly reminded the commission that this matter remained before them so they should keep in mind ex parte contact. He asked the public to respect that as well to avoid inappropriate contact so communication was not received outside of the record.

Commissioner Peterson declared that he received contact via email from Ed Brant and Mr. Shetterly suggested he submit it to the record.

Commissioner Peterson asked about the newly installed digital sign that was placed at the Academy building and noted that the graphics appeared to be moving. Mr. Locke indicated it was a test after installation and the graphics were no longer in motion.

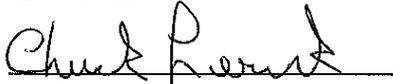
## **STAFF COMMENTS**

There were no staff comments.

**ADJOURN**

The Meeting was adjourned at 7:12 p.m.

**APPROVED:**

  
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President

\_\_\_\_\_  
Date