



Molalla City Council – Regular Meeting Agenda

Meeting located at: Molalla Adult Center

315 Kennel , Molalla, OR 97038

August 27, 2014

NO WORKSESSION

Business meeting will begin at 7:00PM. The Council has adopted Public Participation Rules. Public comment cards are available at the entry desk. Request to speak must be turned into to the Mayor prior to the start of the regular Council meeting.

Executive Session Immediately Following the Regular Session

1. **CALL TO ORDER – 1,042nd Regular Meeting**
 - A. Call the meeting to order
 - B. Flag Salute and Roll Call

2. **COMMUNICATIONS AND PUBLIC COMMENT**
 - A. Minutes: August 13, 2014 - Motion to Approve
 - B. Boards and Commission Reports – Informational only

3. **AWARDS, RECOGNITIONS & PRESENTATIONS**
4. **PROCLAMATIONS**
5. **PUBLIC HEARINGS**

6. **NEW BUSINESS**
 - A. Repeal of \$4.25 Park and Recreation Fee Discussion - Councilor Clark

7. **CONTINUING BUSINESS**
 - A. Report on System Development Charges Discussion on 08/13/14 – Dan Huff

8. **RESOLUTIONS**

9. **ORDINANCES**
 - A. 2014- 09: An Ordinance Amending Ordinance 1993-4 of the Abandon Vehicle Code Title 10 (Second Reading, with possible adoption)

10. **REPORTS AND ANNOUNCEMENTS**
 - A. City Manager/Staff Reports – Dan Huff
 - Preditory Towing Code Amendment/Addition – September
 - Comp Plan – September
 - Urban Renewal RE: Bonding – September (DTD)

11. **EXECUTIVE SESSION**

ORS 192.660(2)(f) to consider information or records that are exempt from disclosure by law.

12. **ADJOURNMENT**

Minutes of the Molalla City Council Regular Meeting
Molalla Adult Center
315 Kennel Ave., Molalla, OR 97038
Wednesday August 13, 2014

ATTENDANCE: Mayor Rogge, Present; Councilor Pottle, Present; Councilor Clark, Present; Councilor Thompson, Present; Councilor Griswold, Present; Councilor Boreth, Present; Councilor Cook, Absent.

STAFF IN ATTENDANCE: City Manager Dan Huff, Present; City Recorder Sadie Cramer, Present; Finance Director Heather Penni, Present; PW Director Jennifer Cline, Present

COMMUNICATIONS AND PUBLIC COMMENT:

A. Minutes – July 23, 2014

Councilor Pottle made a motion to accept the minutes from July 23, 2014. Councilor Griswold seconded. Motion approved (6-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye.

B. Minutes – Library Board Information only

AWARDS, RECOGNITION & PRESENTATIONS

Chief Lucich introduced Robert Call as the City's new Police Officer. Mayor Rogge swore him in and welcomed him to the City.

A. Clackamas Community College Public Engagement Presentation

Joanne Trusdale, President of Clackamas Community College. She shared some information regarding the upcoming bond proposal for the college. She shared statistics on Molalla residents that attend CCC.

Rae Bash, 624 Wedgewood – She spoke on behalf of the Skate Park. She stated that there has been a decrease in bad activities at the park and also less litter. When closing the gate it started to fall down, she asked if the City could offer a solution.

CM Huff stated that the City has a bid for a permanent fence. The other option is to take the temporary fence down since criminal activity has lessened. The third option is in conjunction with MCC to put cameras around the Skate Park.

Councilor Pottle stated that he would make the repair on the fence.

Councilor Clark asked if SDC money could be used for the permanent fence. He was advised that the City could not use SDC funds, but there is money in the park fund. He stated that he supports putting up a permanent fence.

Councilor Thompson stated that he would like to hear what the Skate Park committee members' recommendations are.

Mayor Rogge stated that she is in favor of a permanent fence.

Mayor Rogge asked if there were any council members against the permanent fence, there were none.

Lucy Allison-Pursley, 701 N. Molalla Ave. – She spoke on behalf of the Friends of the Pool. She stated that the Friends of the Pool would like to be involved in the negotiations with the City and the School District. She stated that the Friends of the Pool are exploring the tax district and have also talking with the YMCA.

NEW BUSINESS

A. Bio Solids – Transport of Materials

PW Director Cline stated that the low bid to transport bio solids from the WW Treatment Plant is \$30,000.00. The Bio Solids would be transported to Herd Farms, which is an approved disposal site.

Councilor Boreth asked if enough of the bio solids will be removed. He was advised that by removed 750 gallons it will make a significant difference and if it is done over the next 3-4 years, it will make the pond completely functional.

CM Huff stated that this is a project that needs to be done every year.

Councilor Clark made a motion the contract with Herd Farms for \$30,000.

Councilor Boreth seconded. Motion approved (6-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye.

CONTINUING BUSINESS

A. System Development Charges Discussion

Philip Small, 732 Garden Ct. – He has built 2 townhomes in Ruth’s Garden. He stated that the SDC increase is hurting this development. He is asking for a 6 unit deferment of SDC *increases* until the property’s sell.

Councilor Thompson stated that he is opposed to this, would like to stand firm on the increases.

Mr. Small stated that he started the project last year and was going to start the other 6 with the understanding that he work with deferred SDC’s.

Councilor Boreth asked if these were low income housing. He was advised that they are not. He asked if the estimates were done before or after the SDC increase. He was advised after the increase.

Councilor Clark asked for clarification that a builder could not increase the cost of the homes being built to offset the increase of the SDC’s. He was advised that banks will not loan more than the properties are appraised at.

Mr. Small stated that he is building a common area at the end of the block. He is also paying for the street to be paved.

CM Huff stated that Mr. Small was in to see CM Huff last September, when he initially started his project.

Councilor Thompson asked how much he is paying to complete the common area. He was advised that he would have to get that number from his landscaper.

Councilor Pottle made a motion for a one time waiver of the increase of SDC’s for the remaining 6 homes to be built in Ruth’s Garden by Mr. Small. Councilor Thompson seconded. Motion failed (1-5) Mayor Rogge, Nay; Councilor Pottle, Aye; Councilor Thompson, Nay; Councilor Clark, Nay; Councilor Griswold, Nay; Councilor Boreth, Nay.

Councilor Clark stated that he applauds Mr. Small for continuing a project that was abandoned by someone else.

Councilor Thompson made a motion to allow CM Huff and Mr. Small to discuss credits and/or reductions by looking at the SDC methodology. Councilor Boreth seconded. Motion approved (5-1) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Nay; Councilor Boreth, Aye.

RESOLUTIONS

A. Resolution 2014-09 – A Resolution Amending Resolution 2014-08 & Making Transfers Within the General Ledger for the City of Molalla

Finance Director Penni stated that there was an error on 2014-08 and Resolution 2014-09 corrects that error. Councilor Thompson asked how the revenue projections are for the Aquatic Center. FD Penni stated that the transfer from the general fund to the aquatic center is being made now because of the added summer staff. Councilor Thompson asked if the revenues kept up with the increased cost to operate the pool for the additional hours. He was advised that they have not.

Councilor Clark asked if there has been a loss of revenue due to reduced swim lessons. He was advised that there was not qualified staff to man the swim lessons and until they hired qualified instructors they could not have swim lessons.

Councilor Thompson made a motion to approve Resolution 2014-09. Councilor Griswold seconded. Motion approved (6-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye.

B. 2014-10 – A Resolution Declaring City Property as Surplus

Councilor Pottle made a motion to approve Resolution 2014-10 with an amendment to add a water tanker. Councilor Clark seconded. Motion approved (6-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye.

FD Penni stated that there was an additional item that needs to be added to the list. There was a water tanker that was purchased and was stored off site.

ORDINANCES

A. Ordinance 2014-09 – An Ordinance Amending Ordinance 1993-4 of the Abandon Vehicle Code Title 10

PWD Cline explained that the current ordinance allows vehicles to remain for 10 days after being tagged. Ordinance 2014-09 changes that to be 48 hours.

Councilor Thompson made a motion for the first reading by title only of Ordinance 2014-09. Councilor Boreth seconded. Motion approved (6-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye.

Councilor Thompson made a motion for the second reading by title only of Ordinance 2014-09. Councilor Boreth seconded. Motion approved (5-1) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Nay; Councilor Griswold, Aye; Councilor Boreth, Aye.

REPORTS & ANNOUNCEMENT

CM Huff stated that there are 4 subdivision that are showing damage due to not having a second lift of asphalt. He prepared a plan to repair these streets.

Councilor Thompson made a motion to approve the repairs of the 4 subdivision streets. Councilor Boreth seconded. Motion approved (6-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye.

CM Huff stated that the Planning Commission has finished work on the Comprehensive Plan and will bring it to council for approval sometime in September.

CM Huff stated that the Splash Pad is open.

CM Huff advised that the Department of Revenue approved all of the annexations.

City Recorder Cramer stated that she made a presentation to Clackamas County and secured a tourism grant for \$20,000.

Councilor Boreth stated that C4 was considering having a retreat but the council took it out of the budget this year.

Councilor Boreth mentioned that the area commission on transportation that plays a key advisory role to STP funding and region 1, which includes Molalla, does not have someone on the commission.

Councilor Griswold stated that he has been getting good feedback on the Splash Pad.

Councilor Clark stated that he attended the Planning Commission meeting and is happy to see the Comp Plan passed.

Mayor Rogge read the executive meeting disclaimer to the public.

Councilor Clark made a motion exit regular session and enter into executive session. Councilor Boreth seconded. Motion approved (6-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye.

Council enter executive session under ORS 192.660(2)(f) to consider information or records that are exempt from disclosure by law. After discussion Councilor Pottle motioned to exit out of executive session back into regular session. Griswold seconded. Motion passed 6-0.

ADJOURNMENT

Council enter the public meeting area. Councilor Thompson made a motion to adjourn. Clark seconded. Motion passed 6-0. 8:44pm

Sadie Cramer, City Recorder

Mayor Debbie Rogge

August 2014 Director's Report

- The last summer reading program will be (was) held on Thursday, August 21. It was a tie dye program specifically for teens. Overall, both the teen and children's summer reading programs were successful.
- A new PC was installed in the staff work area. It had already been purchased. The other two, purchased PCs should be installed by the end of September.
- Michelle and I are trying out the acquisitions module of the staff side of our automated system. This will make it easier to track spending, see what money has been encumbered, already spent, and the free balance. Soon, it will be linked to our Ingram account and records will automatically download into the system. This will allow patrons to put holds on titles on order as well as streamline our cataloging process.
- Adam Carlson is no longer working here. We are in the process of recruiting an Adult/Young Adult librarian to work 40 hours per week – Tuesday through Saturday. The closing date for this is August 22. The position is in the current budget as a full-time, benefitted one, so the money is there to do this.
- Starting in September, there will be three people working on Sundays. The patron demand was getting overwhelming for the two, consistent staff members who have been working that day. The money is in the budget to do so.
- The bookmark survey has been done and I am in the process of tallying the results. Overall, the materials purchased seem to be meeting the needs and desires of the patrons. Some patrons took time to suggest titles or other subject areas. Overall, the comments are that the staff is outstanding, friendly, and helpful.
- We borrowed the Network's VHS cleaner and will be cleaning ours over the course of the next few months. While many titles have been weeded out of the collection, the VHS tapes continue to be very popular. Cleaning them will give some added shelf life.
- The YA fiction collection and paperbacks have been consolidated into one section. This will prevent people, especially teens, from having to search several different places when looking for a title. Eventually, the Adult fiction and paperbacks will be consolidated as well.
- After talking with staff and City Hall, I have decided to close early on the Wednesday before Thanksgiving and New Year's Eve in addition to closing altogether on Christmas Eve. Few, if any people come into the library after 4:00 pm on the Wednesday before Thanksgiving and several families hold their Christmas celebrations on Christmas Eve. Closing early on New Year's Eve is a safety precaution for those working until after 8:00 pm in addition to the lack of patron use. I will publicize these closures well in advance in a variety of media outlets.
- There are still two unfilled Library Board positions.

Respectfully submitted,

Diana Hadley



City Of Molalla

City Council Meeting

Agenda Category: Ordinance

Subject: Public Works, Code Enforcement - Change to Ord. 1993-4 §1 "Notice of Vehicle Tow" Request

Recommendation: Council Approval

Date of Meeting to be Presented: August 27, 2014

Fiscal Impact: Estimated Expense of \$0.00

Background: Attached are the amendments to Ord. 1993-4 §1. The ordinance currently allows at least 10 days prior to a tow once a warning notice has been posted on a vehicle parked in public right-of-way. The amendment proposes to reduce the 10 days to 24 hours.

The current code enforcement protocol is to mark with chalk and after 14 days, a 10 day notice to tow is affixed and allowing the vehicle to be parked on public right-of-way for up to 24 days. The proposed amendment will reduce this time to at least 16 days.

The amendment also removes the requirement to mail a notice to the registered owner once the vehicle is tagged to be towed. It is unlikely a mailed letter would reach the owner within the 24 hour period.

First reading took place on 08/13/14 with a vote of 5 to 1.

SUBMITTED BY: Jennifer Cline, Public Works Director
APPROVED BY: Dan Huff, City Manager

City of Molalla

ORDINANCE 2014-09

AN ORDINANCE AMENDING THE MOLALLA MUNICIPAL CODE
SECTION 10.70.050 RELATING TO NOTICE OF VEHICLE TOW

WHEREAS, Section 10.70.050 of the Molalla Municipal Code (“MMC”) defines when a notice is required before towing a vehicle; and

WHEREAS, Section 10.70.050 was adopted in 1993 by Ordinance 1993-4 and has not been updated since then;

WHEREAS, Section 10.70.050 does not meet the current expectations of the community in comparison to other local jurisdictions since the sections were adopted 1993; and

WHEREAS, the City’s experience in enforcing Section 10.70.050 has led to a number of recommendations for amendments to the section to improve the efficiency of administering the sections;

NOW, THEREFORE, the City Council of The City of Molalla Ordains As Follows:

- Section 1. The City of Molalla Municipal Code is amended as provided in Exhibit A to this Ordinance.
- Section 2. All remaining provisions of Title 13 of the Molalla Municipal Code remain unaffected by this amendment and are affirmed in their entirety. The section headings in Title 13 of the Molalla Municipal Code are not part of the code but are included as a benefit to the reader and are not affected by this amendment.
- Section 3. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this ordinance takes effect on its passage.

Approved this 13th day of August, 2014.

Mayor

ATTEST:

City Recorder