

**Minutes of the
Molalla City Council Meeting
Wednesday, July 25, 2007**

ATTENDANCE:

Mayor Tom Foster, Councilors Boreth, Jacober, Leighton, Mackie, Needham and Clark.

STAFF ATTENDANCE

City Manager John Atkins Jr., Acting Asst. to City Manager/City Recorder Sadie Cramer and Planning Director Shane Potter.

MINUTES

- A. Mayor Foster motioned to approve the minutes from June 27, 2007 and July 11, 2007 with the recommended changes. Councilor Jacober seconded the motion. Voting all in favor: Mayor Foster, Councilors Boreth, Jacober, Leighton, Mackie, Needham and Clark. None opposed.

COMMUNICATIONS

None.

WRITTEN

None.

VERBAL

First Speaker

Dave Vanasen 205 W. Heintz Street. He wanted to follow up from the special Hyponex meeting held on July 17, 2007. Mr. Vanasen asked for the minutes from that meeting. City Manager Atkins informed him that there are no transcribed minutes but the meeting is available on CD. DEQ will be doing detailed testing and the City Attorney will be working on updating the Nuisance Abatement Ordinance. Mr. Vanasen asked what the time frame would be for these actions. City Manager Atkins stated six to eight weeks.

Mr. Vanasen asked about a letter that he dropped off to Mayor Foster on July 13, 2007. Mr. Vanasen asked Mayor Foster if he had any response tonight to his

submitted letter. Mayor Foster responded that the letter was referred to the city manager for response. Mr. Vanasen asked when he could expect a reply. Mr. Atkins stated, "A reply would be forth coming In due course." Mr. Vanasen stated that he intends to go ahead in making the questions in the letter to Mayor Foster public. Mr. Atkins stated that he had no objections.

Mr. Vanasen thanked the city for efforts to date, acknowledging that enforcement responsibility lies primarily with the state. Mayor Foster stated that at the special meeting on July 17, 2007, that there was a mutual understanding that the involved parties want to work together to resolve this issue.

AWARDS & RECOGNITIONS

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None.

PUBLIC HEARINGS

A. Helen Doyle File CA 2007-5 Annexation and Zoning Change

Councilor Leighton Motioned to open public hearing. Councilor Jacober seconded. Voting all in favor: Mayor Foster, Councilors Boreth, Jacober, Leighton, Mackie, Needham and Clark. None opposed.

B. Planning Director Shane Potter gave a staff report. There were no questions or public testimony. The hearing was closed. Motion to approve annexation and zone change by Councilor Jacober, seconded by Councilor Mackie. Voting all in favor: Mayor Foster, Councilors Boreth, Jacober, Leighton, Mackie, Needham and Clark. None opposed.

CONTINUING BUSINESS

A. Proposed Council Rules

City Manager Atkins stated that he's receiving suggestions from councilors on the key issues and staff is compiling them and researching rules from other cities. He said a work session would be likely set sometime in September 2007.

Councilor Needham asked for clarification, if there were council rules prior to last year. Mayor Foster stated he believes that there are prior council rules in the bylaws. City Manager Atkins stated that he is instructing the Acting City Recorder to locate those rules and distribute them to the council members. Councilor Leighton for the record stated the variation of the council rules that were given to us were given to the councilors by the mayor and were not part of the existing council rules. A consensus needs to be researched as to the form or template the council wants to use. Councilor Mackie asked that she receive a copy of the council rules.

NEW BUSINESS

A. Park District Pre-Annexation Agreement

City Manager Atkins stated that the City and County Staff have been exploring the benefits of have the Molalla River School District annex into the North

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Clackamas Park and Recreation District. Voter approval of such a measure would allow for continued operation of the Molalla Aquatic Center and generate extra revenue for park and recreational improvements in the city and the school district. The city and county would work together to develop a proposal that will be placed on the May 2008 ballot. The cost is approximately \$112,000.00. The county has committed \$51,000.00 to the project. The remaining \$61,500.00 would come from the city, to be charged to the Park SDC Fund. The financial impact on the citizens would be about fifty-four cents per thousand, average if the annexation were approved by the voters. This would generate an estimated \$620,000.00 per year. After several questions and discussion by the City Council, Councilor Needham moved to approve the Park District Pre-Annexation Agreement, Councilor Jacober seconded the motion. Voting all in favor: Mayor Foster, Councilors Boreth, Jacober, Leighton, Mackie, Needham and Clark. None opposed.

B. Resolution 2007-06 Reclaimed Water Agreement and Easement between the City and Mandan.

This matter was set over for Public Hearing until August 8, 2007 at the council's request.

ORDINANCES & RESOLUTIONS

A. Ordinance 2007-4 for Annexation and Zone Change First Reading

Planning Director Shane Potter asked if there were any questions. City Manager Atkins asked if council was ready for a reading. There was some confusion in regards to the correct ordinance number, Mr. Potter explained the land use file number is CA2007-5 and the actual ordinance is 2007-4. Mr. Atkins read by title only Ordinance 2007-4 for Annexation and Zone Change. Councilor Jacober moved to accept Ordinance 2007-4 for Annexation and Zone Change, Councilor Mackie seconded. Voting all in favor: Mayor Foster, Councilors Boreth, Jacober, Leighton, Mackie, Needham and Clark. None opposed.

Mr. Potter asked if the council would be willing to accept a second reading of the land use ordinance, Mr. Atkins stated he had no documentation from the City Municipal Code that a second reading could be done, but if council approves and knows it is customary to do a second reading then they can proceed. Mr. Potter stated if the council does not do a second reading, then the city would be in violation of the 120-day time limit. Mr. Atkins recommended that we ask the property owners to waive the 120-day rule.

Second reading of this ordinance will take place at the August 8, 2007 regular meeting.

B. Ordinance Amending Library Bylaws

City Manager Atkins stated this is Ordinance 2007-06, City of Molalla Oregon first reading by title only: An ordinance amending Molalla Municipal Code Section 2.08.010 regarding composition, terms and function of the Library Board.

C. Councilor Leighton motioned to accept the first reading of Ordinance 2007-06 by title only. Councilor Clark seconded Voting all in favor: Mayor

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Foster, Councilors Boreth, Jacober, Leighton, Mackie, Needham and Clark.
None opposed.

PROCLAMATIONS

A. None.

AUTHORIZATION OF EXPENDITURES OVER \$500

A. None.

PAY THE BILLS

D. A. Councilor Leighton moved to pay the bills, Councilor Boreth seconded.
Voting all in favor: Mayor Foster, Councilors Boreth, Jacober, Leighton,
Mackie, Needham and Clark. None opposed.

REPORTS AND ANNOUNCEMENTS

City Manager John Atkins stated that the search and rescue efforts for Ruby Larson have been concluded. All city resources have been exhausted. The City had great cooperation from other law enforcement agencies, media and citizen efforts.

Acting City Recorder Sadie Cramer stated that there were issues with uploading the wastewater reports to the city website. Hard copies are available if the public would like a copy. The Parks have had an influx of use from small birthdays to reunions because of the parks being well kept.

City Planner Shane Potter stated there will be a meeting in a couple of weeks with Winterbrook Planning Consultants regarding the Urban Growth Boundary Study. The Planning meeting is on August 14, 2007 6:00PM at Molalla City Hall.

Councilor Clark stated that he was really pleased to see the response and efforts to find Ruby Larson.

Councilor Leighton stated it is a sad situation, and appreciates the efforts made.

Councilor Needham said he is very pleased with the community pulling together to look for her. Second the Montessori School is having its 100th anniversary. There will be a celebration on August 4, 2007.

Councilor Boreth stated the cooperative efforts were wonderful. He announced a Clackamas County Task Force is in place to inform citizens of the proposed

restructuring of county government and communicate with the county commissioners.

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Councilor Jacober stated she appreciates all of the hard work from all agencies involved and that Sadie Cramer is doing a wonderful job.

Councilor Mackie stated that she hopes for a safe return for Ruby Larson. A ribbon cutting ceremony at The New Harvest Store was well attended by Molalla customers.

Mayor Foster stated he was impressed with the community efforts to find Ruby Larson and the Clackamas County phone system that notified thousands of people to help. There will be a National Night Out at Fox Park from 5-8pm on August 7, 2007. Our city parks are a big highlight for the city. He commended Sadie Cramer for filling in the City Recorder position.

ADJOURNMENT

- E. Councilor Boreth moved to adjourn, Councilor Mackie seconded. Voting all in favor: Mayor Foster, Councilors Boreth, Jacober, Leighton, Mackie, Needham and Clark. None opposed. Meeting adjourned at 8:05PM.

Acting City Recorder Sadie Cramer

Mayor Tom Foster