

**Minutes of the
Molalla City Council Meeting
Wednesday, September 12, 2007**

ATTENDANCE:

Mayor Tom Foster, present; Councilor Boreth, present; Councilor Jacober, present; Councilor Leighton, present; Councilor Mackie, present; Councilor Needham, present; Councilor Clark, present.

STAFF ATTENDANCE

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

MINUTES

Councilor Mackie moved to approve the August 8, 2007 minutes with recommended changes. Councilor Clark seconded. Motion carried (7-0). (Mayor Foster, aye; Councilor Boreth, aye; Councilor Jacober, aye; Councilor Leighton, aye; Councilor Mackie, aye; Councilor Needham, aye; Councilor Clark, aye)

COMMUNICATIONS

None.

WRITTEN

None.

VERBAL

First Speaker

John Conway 13921 S Holcomb Blvd. Oregon City, Oregon 97045 is a general contractor for a pole barn that was being built. This required that 118 feet of sidewalk be installed at Heintz and Indian Oak. At the time the permit was applied for no specifications for the sidewalk were given. Mr. Conway then received his first inspection, which was signed of by a City Inspector. Mr. Conway had the concrete poured based on that sign off. When the sidewalk had it's final inspection, he was told that it had to be torn out and re-done. He is requesting that the City of Molalla pay for the errors.

City Manager Atkins stated that there is dual liability that includes both Mr. Conway and the City. It is the obligation of the contractor to know ADA rules

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before or after the concrete was poured. Mr. Atkins offered to share the expense by having the section of sidewalk removed at the city's expense.

Second Speaker

Gary Melby 8380 SW Pine St. Tigard, Oregon 97223 stated that it would cost approximately \$700.00 for concrete. He has offered his contracting services free to Mr. Conway, with the exception of the concrete cost.

Third Speaker

Leota Childress 150 Indian Oak Ct. Molalla, Oregon had questions in regards to the supplemental budget and the proposed Parks and Recreation Fee. City Manager Atkins stated that those issues would be covered in the following agenda items.

Fourth Speaker

Four students from Molalla High School addressed the council about renaming the basketball court at Fox Park after Logan Hines. City Manager Atkins informed the students that the council will be drafting a letter of support for the court to be named after Mr. Hines, however it is school property and the requests must be presented to the school board.

The students were commended by the council for their attendance and expressing their wishes pertaining to renaming the basketball court.

AWARDS & RECOGNITIONS

Commendations were given to each Molalla Fire District Responder for their exceptional efforts under extremely difficult and perilous conditions in safely rescuing two seriously injured young men. The victims were trapped in the a vehicle that plummeted off the Molalla Forest Road the night of May 31, 2007.

PUBLIC HEARINGS

None

CONTINUING BUSINESS

None.

NEW BUSINESS

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**RENEWAL OF RECYCLING PROMOTIONAL SERVICES WITH
CLACKAMAS COUNTY**

Recycling services are provided with Molalla's "Letter of Understanding" with Clackamas County, which is renewable on an annual basis. Molalla's allotment from Metro is \$2,971. The agreement certifies that the City of Molalla intends to continue its partnership with Clackamas County. The agreement also and authorizes Metro to distribute Molalla's annual waste reduction allocation to Clackamas County. Councilor Leighton moved to approve the contact renewal. Councilor Mackie seconded. Motion carried (7-0). (Mayor Foster, aye; Councilor Boreth, aye; Councilor Jacober, aye; Councilor Leighton, aye; Councilor Mackie, aye; Councilor Needham, aye; Councilor Clark, aye)

PLANNING COMMISSION APPOINTMENTS

The Mayor announced the appointment of Jamie Johnk and Joe Greenman to the Planning Commission Board.

Mrs. Johnk and Mr. Greenwood briefed the council regarding their backgrounds and experience with planning issues. The council welcomed them as a whole.

ORDINANCES

- A. Ordinance 2007-06 Introducing a license fee on sewer utilities.
- B. Ordinance 2007-07 Introducing a license fee on water utilities.
- C. Ordinance 2007-08 Introducing a license fee on storm water utilities.
- D. Ordinance 2007-09 Imposing a Park and Recreation Fee.

Finance Director Peggy Johnson explained the process and impact of ordinances 2007-06, 2007-07 and 2007-08 for the City of Molalla and its citizens. The impact for the citizens with this utility would be zero, because five percent of the monthly amount paid in for these gross revenues for those utilities will be assessed and put into the new Park and Recreation Fund to help support the pool. There is no impact on rates.

Ordinance 2007-09 would be added to the utility billing as a "Parks and Recreation" fee. This fee would be a \$5.00 monthly fee paid by Molalla's customers. These funds would go towards supporting the pool. City Manager Atkins recommended to council they consider adding a "Lifeline Utility Rate" in

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the future that would allow a discount to those who are on a limited income. Councilor Jacober motioned to approve the reading of Ordinance 2007-06 by title only. Councilor Boreth seconded. Motion carried (7-0). (Mayor Foster, aye; Councilor Boreth, aye; Councilor Jacober, aye; Councilor Leighton, aye; Councilor Mackie, aye; Councilor Needham, aye; Councilor Clark, aye)

Councilor Jacober moved to approve the seconded reading of Ordinance 2007-06 by title only and adopt the Ordinance. Councilor Needham seconded. Motion carried (7-0). (Mayor Foster, aye; Councilor Boreth, aye; Councilor Jacober, aye; Councilor Leighton, aye; Councilor Mackie, aye; Councilor Needham, aye; Councilor Clark, aye)

Councilor Mackie motioned to approve the reading of ordinance 2007-07 by title only. Councilor Boreth seconded. Motion carried (7-0). (Mayor Foster, aye; Councilor Boreth, aye; Councilor Jacober, aye; Councilor Leighton, aye; Councilor Mackie, aye; Councilor Needham, aye; Councilor Clark, aye)

Councilor Jacober moved to approve ordinance 2007-07 by seconded reading title only and adopt the Ordinance. Councilor Needham seconded. Motion carried (7-0). (Mayor Foster, aye; Councilor Boreth, aye; Councilor Jacober, aye; Councilor Leighton, aye; Councilor Mackie, aye; Councilor Needham, aye; Councilor Clark, aye)

Councilor Mackie moved to approve the reading of ordinance 2007-08 by title only. Councilor Boreth seconded. Motion carried (7-0). (Mayor Foster, aye; Councilor Boreth, aye; Councilor Jacober, aye; Councilor Leighton, aye; Councilor Mackie, aye; Councilor Needham, aye; Councilor Clark, aye)

Councilor Jacober motioned to accept the seconded reading of ordinance 2007-08 by title only and adopt the Ordinance. Councilor Clark seconded. Motion carried (7-0). (Mayor Foster, aye; Councilor Boreth, aye; Councilor Jacober, aye; Councilor Leighton, aye; Councilor Mackie, aye; Councilor Needham, aye; Councilor Clark, aye)

Councilor Jacober moved to accept the reading of ordinance 2007-09 by title only. Councilor Clark seconded. Motion carried (6-1). (Mayor Foster, aye; Councilor Boreth, aye; Councilor Jacober, aye; Councilor Leighton, nay; Councilor Mackie, aye; Councilor Needham, aye; Councilor Clark, aye)

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Ordinances 2007-09 will be carried over to the next scheduled council meeting on September 26, 2007.

RESOLUTIONS

Resolution 2007-07 Adopting the Supplemental Budget for the fiscal year of 2007-2008 and making appropriations. Councilor Mackie motioned to adopt resolution 2007-07. Councilor Needham seconded. Motion carried (7-0). (Mayor Foster, aye; Councilor Boreth, aye; Councilor Jacober, aye; Councilor Leighton, aye; Councilor Mackie, aye; Councilor Needham, aye; Councilor Clark, aye)

PROCLAMATIONS

None.

AUTHORIZATION OF EXPENDITURES OVER \$500

PLOTTER/SCANNER PURCHASE REQUEST

Staff asked for approval to purchase a plotter/Scanner purchase to be used by Planning and Public Works. The cost of the scanner/plotter is \$18, 995.00 plus a \$50.00 per month fee that will include paper, ink, toner, and all parts and labor. Councilor Leighton motion to approve the purchase. Councilor Boreth seconded. Motion carried (7-0). (Mayor Foster, aye; Councilor Boreth, aye; Councilor Jacober, aye; Councilor Leighton, aye; Councilor Mackie, aye; Councilor Needham, aye; Councilor Clark, aye)

**CONTRACT FOR COGAN AND OWENS TO FINISH THE WORK ON THE
PARKS AND RECREATION MASTER PLAN BY CREATING A CAPITOL
IMPROVEMENTS PLAN.**

The contract would finish the work on the Parks and Recreation Master plan by creating a Capital Improvements Plan. The cost of this contract is \$3,500.00. The Capital Improvements Plan will provide an estimate of cost to identify funding sources. Councilor Leighton moved to approve the contract price. Councilor Needham seconded. Motion carried (7-0). (Mayor Foster, aye; Councilor Boreth, aye; Councilor Jacober, aye; Councilor Leighton, aye; Councilor Mackie, aye; Councilor Needham, aye; Councilor Clark, aye)

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WINTER BROOK CONTRACT

The cost of this contract will not exceed \$10,000.00. The Planning Department is still in need of a complete wetlands analysis. The project will identify which areas within the Urban Reserve Area are suitable for inclusion. The contract will also include buildable lands mapping. Councilor Mackie moved to approve the contract. Councilor Leighton seconded. Motion carried (7-0). (Mayor Foster, aye; Councilor Boreth, aye; Councilor Jacober, aye; Councilor Leighton, aye; Councilor Mackie, aye; Councilor Needham, aye; Councilor Clark, aye)

PURCHASE OF ADDITIONAL BIKE AND SKATEBOARD HELMETS

The Molalla Police Department requests to purchase 214 helmets for their program. The cost would be \$993.30. Planning Director Shane Potter stated that he is donating a \$1,000.00 from the planning budget to support this program. Councilor Needham motioned to approve the purchase. Councilor Mackie seconded. Motion carried (7-0). (Mayor Foster, aye; Councilor Boreth, aye; Councilor Jacober, aye; Councilor Leighton, aye; Councilor Mackie, aye; Councilor Needham, aye; Councilor Clark, aye)

PAY THE BILLS

Councilor Boreth moved to pay the bills, Councilor Needham seconded. Motion carried (7-0). (Mayor Foster, aye; Councilor Boreth, aye; Councilor Jacober, aye; Councilor Leighton, aye; Councilor Mackie, aye; Councilor Needham, aye; Councilor Clark, aye)

REPORTS AND ANNOUNCEMENTS

Acting City Recorder Sadie Cramer expressed her condolences to the Logan Hines family. Thank you and appreciation to Officer Scott and Reserve Officer Redden for doing professionalism during this tragedy. She further advised that the annual Christmas Tree Lighting will be held on December 6, 2007.

Finance Director Peggy Johnson thanked the Fire Department for their work in the community. She also welcomed Jamie Johnk and Joe Greenman to the Planning Commission.

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City Manager John Atkins read a letter submitted by Sergeant Barnhart, Molalla Police Department. The commendation letter addressed Officer Scott and Reserve Officer Redden for their outstanding efforts and compassion with the Logan Hines incident.

Councilor Clark thanked the Fire Department for everything they do in the community.

Councilor Leighton gave her condolences to the Logan Hines family and also commended the four Molalla High School students for speaking tonight. She expressed her support to having a memorial at Fox Park for Logan Hines and hopes the school district will support it as well. She commended Officers Scott, Officer Redden and the Molalla Police Department for everything they do. She welcomed new Planning Commission Board Members John Greenman and Jaime Johnk.

Councilor Needham commended Officer Scott and Officer Redden for their efforts. He also commended the emergency services for what they do daily.

Councilor Boreth stated that the Communities That Care is looking for new members for their board. If you are interested please contact Kirsten Ingersoll at 503-829-5920. He further advised that Clackamas County Commissioner Peterson will be at the Canby Methodist Church addressing the new 5 member commissioner issue on the November 2007 Ballot. He also welcomed the new Planning Commission Members.

Councilor Jacober expressed her condolences to the Logan Hines family. She gave best wishes to Charlene Stutz on her retirement from the Molalla Adult Center; she will be missed. She also thanked Finance Director Johnson for her hard work on the supplemental budget. She too welcomed Jamie Johnk and Joe Greenman to the Planning Commission. She explained that fall sports are underway and reminded everyone to come and support our home team. She also thanked her husband for his continued support for her commitment to city council.

Councilor Mackie thanked the staff for the preparation of tonight's long agenda. She gave her condolences to the family of Logan Hines and that she would like to see a letter of support be drafted by city council.

Mayor Foster commended the staff of the City of Molalla, Molalla Fire Department and the Molalla Police Department for outstanding service to the

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community. He thanked John Atkins for the Commendations to the Fire Department.

ADJOURNMENT

Councilor Boreth moved to adjourn, Councilor Needham seconded. Motion carried (7-0). (Mayor Foster, aye; Councilor Boreth, aye; Councilor Jacober, aye; Councilor Leighton, aye; Councilor Mackie, aye; Councilor Needham, aye; Councilor Clark, aye)

Meeting adjourned at 8:57 p.m.

Acting City Recorder Sadie Cramer

Mayor Tom Foster