



# Molalla City Council – Regular Meeting Agenda

Meeting located at: Molalla Adult Center

315 Kennel , Molalla, OR 97038

**August 13, 2014**

**Work Session 6:30PM– The Council will hold a work session**

**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

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**1. CALL TO ORDER – 1,041st Regular Meeting**

- A. Call the meeting to order
- B. Flag Salute and Roll Call

**2. COMMUNICATIONS AND PUBLIC COMMENT**

- A. Minutes: July 23, 2014 - Motion to Approve
- B. Minutes: Library Board– Info Only

**3. AWARDS, RECOGNITIONS & PRESENTATIONS**

- A. Clackamas Community College Public Engagement Presentation

**4. PROCLAMATIONS**

**5. PUBLIC HEARINGS**

**6. NEW BUSINESS**

- A. Bio Solids – Transport of Materials – Jennifer Cline

**7. CONTINUING BUSINESS**

- A. System Development Charges Discussion – Council President Pottle

**8. RESOLUTIONS**

- B. 2014-09: A Resolution Amending Resolution 2014-08 & Making Transfers Within The General Ledger for the City of Molalla.
- C. 2014-10: A Resolution Declaring City Property as Surplus

**9. ORDINANCES**

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

**10. REPORTS AND ANNOUNCEMENTS**

- A. City Manager/Staff Reports – Dan Huff
  - Preditory Towing Code Amendment/Addition – August 27<sup>th</sup>
  - Set Back Criteria and Code (Taylor Court) – September (DTD)
  - 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 July 23, 2014

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

**STAFF IN ATTENDANCE:** City Manager Dan Huff, Present; City Recorder Sadie Cramer, Present; Finance Director Heather Penni, Present.

**COMMUNICATIONS AND PUBLIC COMMENT:**

**A. Minutes – July 9, 2014**

Councilor Pottle made a motion to accept the minutes from July 9, 2014. Councilor Boreth seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye

Lucy Allison-Pursley, 701 N. Molalla Ave., Molalla – She stated that on August 1 & 2 there will be a community yard sale with all proceeds going to the Friends of the Molalla Pool. She stated that they are planning an event with Grow Healthy Kids to help promote the pool.

Councilor Boreth recommended that the Friends of the Pool remain focused and stay positive in their efforts.

Councilor Griswold mentioned that he has seen the new Pool signs and stated that they are very nice.

James “Jim” Kelly, 1976 S. Township Rd., Canby, owner of Action Towing. He came to defend private property towing in Molalla.

**RESOLUTIONS**

**A. Resolution 2014-08 – Making transfers within the general ledger**

Councilor Griswold made a motion to approve Resolution 2014-08. Councilor Boreth seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye

**ORDINANCES**

**A. Ordinance 2014-06 – 2014-25: Annexing Island Territory Into The City of Molalla, Withdrawing The Territory From Special Districts, Amending the Comprehensive Plan and Rezoning Property**

Councilor Thompson made a motion approve the first reading of Ordinance 2014-06 – 2014-25 by title only. Councilor Boreth seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye.

Councilor Thompson made a motion approve the second reading of Ordinance 2014-06 – 2014-25. Councilor Boreth seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye.

Councilor Thompson made a motion approve Ordinance 2014-06 – 2014-25. Councilor Boreth seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye

**NEW BUSINESS**

**A. Quarterly Financial Report for April thru June, 2014**

Information only

**B. Council Consideration for Removal of a Planning Commission Member**

Councilor Clark stated that a developer attended a planning meeting and because a planning commission member did not attend the meeting, there was not a quorum which delayed the business.

Councilor Griswold stated that he feels that this commissioner is doing a good job and his tenure ends in December, 2014 and would like to see him finish is term.

Mayor Rogge stated that she is not in favor of the commission member speaking at the next council meeting. She stated that she will make a phone call to the commission member and handle it that way.

Councilor Clark stated that he would be in favor of the Mayor meeting with the commission member.

Councilor Pottle made a motion to table this issue until the next meeting to allow the commission member an opportunity to speak to council. Councilor Thompson seconded. Motion approved

(6-1) Mayor Rogge, Nay; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye

**REPORTS & ANNOUNCEMENT**

Abandon vehicle code amendment will be coming before council on August 13, 2014.

Predatory towing code amendment/addition – Mayor Rogge asked to see the State Statute for discussion at a later council meeting.

Public Works surplus items will be coming before council on August 13, 2014.

Set back criteria – Councilor Boreth asked that the City look at the code for set back and possible revision of them.

Councilor Pottle made a motion exit regular session and enter into executive session. Councilor Griswold seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Clark, Aye; Councilor Griswold, Aye; Councilor Boreth, Aye; Councilor Cook, Aye

**ADJOURNMENT**

\_\_\_\_\_  
Sadie Cramer, City Recorder

\_\_\_\_\_  
Mayor Debbie Rogge

Molalla Library Advisory Board

Meeting Date: 6/26/2014

Meeting brought to order by Paula Beck at 6:30 P.M.

Members Present: Mary Gilson, Kelly Andrews, Paula Beck, Angela Patton

Staff Present: Diana Hadley, Glenda Triebwasser

The minutes from the May meeting were approved as read.

- Old Business:
  - a) Sandy and Kelly met with Heather Penni and Dan Huff. They asked what we as a Library Board wanted or needed.
  - b) Sandy brought up what she referred to as “assumicide”. She explained that she assumed that Kelly would train Paula in her new Chairperson role, e.g., sending out Board reminders and agendas, acting appropriately as a Board member. We discussed that we need to speak up giving each other reminders and pointers when we feel it would be helpful. So we probably do not need job descriptions if we remember to offer helpful advice.
  - c) As a Board member attending a City Council meeting or other city function when we introduce ourselves, we must make it clear that we are speaking on our own behalf, not as a representative of the Library Board. We could even state: “I was not asked to come here to speak to you by the Library Advisory Board.”
  - d) Generally as a Board we write up our expectations for ourselves, like the Attendance Policy, when we feel there is a need. So Sandy will rewrite the Hennepin County Library “Roles and Responsibilities” policy and we can discuss that.
- New Business:
  - a) We discussed the unusual situation with the Canby Public Library due to the city’s shortage of funds. There will be no permanent Library Director, but an interim Director or Library Manager. However, every city is supposed to have a Library Director. The County serves in an advisory capacity only and cannot tell cities what to do.
- Staff Report: (Ask Diana for a copy of the “Staff Report” if you didn’t receive one.)
  - a) Our Board is short by two members.

The next meeting will be on July 17th at the Public Library in Molalla.

The meeting was adjourned at 7:30 P.M.

Submitted by Mary Gilson, Secretary.



# City Of Molalla

## City Council Meeting

### Agenda Category: New Business

**Subject:** Public Works Bio-solids Haul Request

**Recommendation:** Council Approval

**Date of Meeting to be Presented:** August 13, 2014

**Fiscal Impact:** Estimated Expense of \$30,000.00

**Background:** Attached is the bid letter to haul and apply 750,000 gals of bio-solids by Heard Farms to an approved disposal site. The haul and application of the bio-solids is quoted at \$0.04 per gallon, totaling \$30,000.00.

Two other bids were solicited over the phone by Jon Patrick. The bids were quoted as follows:

1. City of Salem quoted \$0.10 per gallon for haul and transfer to a permitted site for a total of \$75,000. Dredging to be done by the City of Molalla.
2. Parker Agg quoted a 5-year contract price for \$200,000.00 per year dredge, haul and dispose of bio-solids.

With the initial additional expense to the city to for set up, equipment and dredging at approximately \$8,500.00, the Heard Farm quote will have an approximate first year savings of \$36,500.00 to \$161,500.00 and a projected annual savings \$45,000.00 to \$170,000.00 to follow.

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

# Heard Farms, Inc.

578 Rogers Road  
Roseburg, OR 97471

(541) 459-7529 phone  
(541) 459-7538 fax  
WPCF Permit #102449  
WQ Douglas File #109363

July 30, 2014

City of Molalla  
PO Box 248  
Molalla, OR 97038

City of Molalla:

Our price to haul and land apply bio-solids for the City of Molalla is .04 cents per gallon. This quote is for the city to load our tankers which are about 5,000 to 6,000 gallons each. Heard Farms would expect the trucks to be loaded within approximately 15 minutes after arriving at the facility. The field that we are applying to needs to be reasonably smooth. This quoted price is for the field that I looked at with City staff.

This price is figured on a total volume of at least 750,000 gallons.

Thank you for the opportunity to bid your project.

Sincerely,

Heard Farms, Inc.



Richard Heard  
President

## RESOLUTION 2014-09

### RESOLUTION AMENDING RESOLUTION 2014-08 AND MAKING TRANSFERS WITHIN THE GENERAL LEDGER FOR THE CITY OF MOLALLA

**WHEREAS**, Errors exist in Resolution 2014-08 Exhibit A categorizing transfers and general ledger numbers need to be listed; and

**WHEREAS**, transfers within the 2014/2015 budget need to be made in order to balance certain budget line items; and

**WHEREAS**, necessary transfers are set forth in Exhibit A (below) and these transfers are standard accounting practice transfer discussed during the budgeting process;

Now, therefore, BE IT RESOLVED by the City Council of the City of Molalla, Oregon, that;

1. The Finance Director is directed to execute transfers set forth in Exhibit A (attached) totaling \$669,914.00 without delay.
2. This resolution shall take effect upon adoption.

Passed and adopted by the Molalla City Council on this 13th day of August, 2014 by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Deborah Rogge, Mayor

Attest this 13th day of August, 2014:

\_\_\_\_\_  
Sadie Cramer, City Recorder

#### EXHIBIT A for Resolution 2014-09 - Adopted transfers for budget year 2014/2015

General Fund (101-102-560-9500)	\$ 62,500.00	
Molalla Aquatic Center (109-901-360-1000)		\$ 62,500.00
Sewer SDC's (540-541-560-1300)	\$152,676.00	
Sewer Proprietary (105-501-560-5700)	\$ 30,738.00	
CWSRF from Sewer SDC (520-521-390-4700)		\$152,676.00
CWSRF from Sewer Proprietary (520-521-390-4800)		\$ 30,738.00
Sewer Proprietary Fund (105-501-560-5600)	\$174,000.00	
Sewer Debt Retirement (420-421-390-4200)		\$174,000.00
Water Proprietary Fund (106-601-560-5300)	\$250,000.00	
Water Debt Retirement (430-431-390-4300)		\$250,000.00
Total	\$669,914.00	\$669,914.00



**RESOLUTION 2014- 10**  
**A RESOLUTION OF THE MOLALLA CITY COUNCIL DECLARING**  
**SURPLUS PROPERTY.**

WHEREAS, the City of Molalla owns the disclosed property and equipment listed in attached Exhibit A and;

WHEREAS, the City has determined that no public purpose would be furthered by retaining ownership of the above said property, and that the property should be sold, donated to a charity organization or discarded;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Molalla that the attached said property be advertised for sale to the highest bidder, donated to a charity organization or discarded.

Passed and effective this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Debbie Rogge, Mayor

ATTEST:

\_\_\_\_\_  
Sadie Cramer, City Recorder





# City Of Molalla

## City Council Meeting

### Agenda Category: New Business

**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 13, 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.

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 13<sup>th</sup> day of August, 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Recorder

# EXHIBIT A

## 10.70.050 Notice of vehicle tow.

A. When notice is required before towing a vehicle, notice shall be provided by:

1. Affixing a tow warning to the vehicle at least ~~10 days~~ 48 hours prior to the tow; ~~and~~.

~~2. Mailing a notice to the registered owner(s) and any other person(s) who reasonably appear to have an interest in the vehicle within 48 hours, Saturdays, Sundays, and holidays excluded, after the tow warning is affixed to the vehicle.~~

~~—~~B. The tow warning ~~and the mailed notice~~ will state:

1. The vehicle is parked in violation of City code or state law;

2. The City intends to tow and remove the vehicle if the violation is not corrected; and

3. A hearing is available to contest the validity of the intended tow, and state the method of requesting a hearing, including the date by which a hearing may be requested.

C. If a timely request for hearing is received pursuant to Section 10.70.090, the vehicle will not be towed until the Tow Hearings Officer makes a determination. (Ord. 1993-4 §1)



**Administration – City Manager’s Office**

117 N Molalla Avenue, PO Box 248, Molalla, Oregon 97038

Phone: (503) 829-6855 Fax: (503) 829-3676

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DATE: August 13, 2014

TO: Mayor and Council

FROM: City Manager

SUBJECT: 2<sup>nd</sup> Lift Project – Existing Subdivisions

We have discussed the 2<sup>nd</sup> Lift Project with Council previously and are in need now of formalizing our ability to move forward. Council may recall that Molalla has four (4) existing subdivisions that were constructed approximately six to eight years ago that currently only have one lift of asphalt on their street sections. These subdivision are as follows:

- Finney’s Landing/Last Stand (Patrol Street and Finney’s Avenue)
- Ruth’s Garden (Garden Terrace)
- Alyssa Meadows (South Stowers)
- Taylor Court

Unfortunately, bonds were not required prior to proceeding with the final plat process and the original developers are no longer present. The current status of these streets has created safety issues and maintenance issues with regard to manholes and valves exposed 2 inches above the asphalt surface. We are also noticing failures in the asphalt sections where only one lift exists.

Because we had no alternative to go after the original developer Staff proposed a project that divided the cost of the 2<sup>nd</sup> lift between vacant lot owners and the City. Existing home owners have been excluded from this proposal mainly because they all paid for a completed subdivision when they bought their house. The breakdown for each street is as follows:

	<u>City</u>	<u>Vacant Lots</u>
Finney’s Landing	\$21,117.23	\$18,632.85
Ruth’s Garden	\$3,400.00	\$14,450.00
Taylor Court	\$7,625.00	\$17,075.00

We have not included Alyssa Meadows because bids have yet to be received. Funding is available through Street Capital for the projects.

Dan Huff  
City Manager  
City of Molalla



# 2" Asphalt Lift Project

## Site Map

### Specs

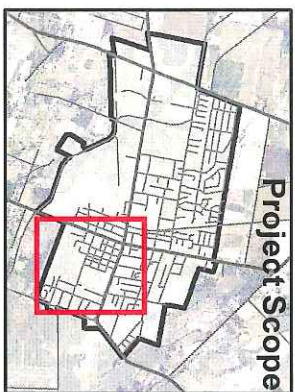
Linear: 2873'

Width: 36'

Cul-de-sacs: 5, 85' - 100' diameter

Total Sqft: 134090 sqft

Cubic Yards Needed: 2483 cu ya



### Parcel Key

 Project Site Parcels

 Outside Project Scope

Scale: 1:7,500

