



# Molalla City Council

Meeting located at:  
Molalla Adult Community Center  
315 Kennel Ave.  
Molalla, OR 97038

## October 13, 2010

### **Regular Meeting Agenda**

**Work session:** 6:30 p.m. The Council will review and discuss agenda items for the business meeting.

**Business meeting:** 7 p.m. The Council has adopted Public Participation Rules. Copies of these rules and public comment cards are available at the entry desk. Public comment cards must be turned into to the City Recorder prior to the start of the Council meeting.

The City will endeavor to provide a qualified bilingual interpreter, at no cost, if requested at least 48 hours prior to the meeting. To obtain services call the City Manager at 829-6855.

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### ***932<sup>nd</sup> Regular Meeting***

#### **1. CALL TO ORDER**

- A. Flag Salute.
- B. Roll Call.
- C. Approval of Minutes
  - 1) Minutes of Sept. 22, 2010

#### **2. COMMUNICATIONS**

- A. Oral.
- B. Written.

#### **3. AWARDS & RECOGNITIONS**

4. **PUBLIC HEARINGS**

5. **CONTINUING BUSINESS**

6. **NEW BUSINESS**

A. Municipal Code review process.

7. **ORDINANCES**

A. Ordinance No. 2010-11, an ordinance renewing the Molalla Economic Improvement District.

8. **RESOLUTIONS**

A. Resolution No. 2010-22, consenting to county jurisdiction for dog control services in the City of Molalla.

9. **PROCLAMATIONS**

10. **REPORTS AND ANNOUNCEMENTS**

11. **EXECUTIVE SESSION**

12. **ADJOURNMENT**

Minutes of the Molalla City Council Regular Meeting  
Molalla Adult Center  
315 Kennel Ave. Molalla Oregon 97038  
7 p.m. Wednesday, September 22, 2010

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**ATTENDANCE:** Mayor Mike Clarke, Present; Councilor Boreth, Present; Councilor Pottle, Present; Councilor Needham, Present; Councilor Thompson, Present; Councilor Mills, Present.

**STAFF IN ATTENDANCE:** City Manager John Atkins Jr., City Recorder Sadie Cramer; Planning Director Shane Potter

**GUEST SPEAKER:** Amy Koski, Main Street Manager

## **MINUTES**

Councilor Boreth moved to approve the minutes of the Sept. 8, 2010 Councilor Pottle seconded. Motion carried (6-0) (Mayor Clarke, Aye; Councilor Pottle, Aye; Councilor Mills, Aye; Councilor Boreth, Aye; Councilor Needham, Aye; Councilor Thompson, Aye)

## **NEW BUSINESS**

### **COUNCILOR APPOINTMENT**

Pursuant to MMC 2.02.120 relating to filling Council vacancies, Councilors will nominate applicants to fill the vacancy created by the resignation of Joe Greenman. Seconds to nominations are not required. After nominations are closed, the Council will vote on each candidate nominated. The vote will be recorded by the City Recorder. A majority is required to elect a nominee. If no applicant receives a majority vote on the first ballot, the council will continue to vote on the two applicants who receive the most votes until an applicant receives a majority of the councilors voting.

Councilor Needham asked all applicants if they had any problems with addressing questions or deliberations in public meeting and all three applicants stated “no.”

- Chris Cook nominated by Councilor Needham received 1 vote from Councilor Needham.
- Debbie Rogge nominated by Councilor Mills received 4 votes: Mayor Clarke, Councilor Mills, Thompson and Boreth.
- William Hall Jones nominated by Councilor Pottle received one 1 vote from Councilor Pottle.

A majority having voted for her, Debbie Rogge was appointed and sworn in by Mayor Clarke and joined the Council at 7:13pm.

**PUBLIC HEARING - LAND USE FILE CA 2010 –2 (ANNEXATION AND ZONE CHANGE)**

Councilor Boreth moved to enter into the public hearing. Councilor Mills seconded with no council opposition 7-0. Mayor Clarke read the rules and guidelines and opened the public hearing.

Planning Director Shane Potter provided council with the background pertaining to the annexation. The applicants are proposing annexing into the City of Molalla and changing the zoning from a county zone to a city zoning as required and shown in the Molalla Comprehensive Plan. This application would annex a parcel noted in a recent report from the Planning Department as a county “island” surrounded by city property and helps to implement Council Goal No. 4: “Annex ‘islands’ to clean up city boundaries.” The parcel has a shop and old home which is used as storage. The Planning Commission reviewed this request and voted 6-0 to recommend approval to the City Council. Planning Director Potter went through the application and exhibits in the public agenda. He stated that all approval criteria have been met.

Councilor Mills asked about the ODOT letter regarding a small machine shop and asked for verification of this being used as a business or personal use. PD Potter stated that the applicant might be able to provide additional information regarding why they are asking for annexation but at this time and as they develop the property they would need to comply with ODOT trip limits until further infrastructure in the area is developed.

Councilor Boreth asked if the applicant is aware of the buffering requirements and that there are residences next to them. Boreth also asked at what point is the property to be annexed classified as a business. PD Potter stated that the research that was done regarding the trip counts would not generate more than the 10 trips per day. When the trip counts do exceed the 10 then they will need to work with ODOT and the city regarding land use change issues. Potter stated that the landowners are aware of the residential landowners around them and development of the property for industrial use would only trigger the buffering requirement to the south of the property.

Councilor Needham asked about the requirements for a street networking plan and is that in the comprehensive plan? Planning Director Shane Potter stated that a street networking plan is not in the comprehensive plan at this time. The city has been working on a 4 Corners street design from the Molalla Forest Road to Hwy 213. ODOT wants to see the plan as we complete it so they can weigh in for future street connectivity.

Councilor Needham asked if there would be any impact on the application. PD Potter that the only options are listed in the ODOT letter and either the hearing would be postponed and have a traffic study done or the applicants can agree to limit the trip count to 10 per day, which they have agreed to do.

Councilor Needham asked if this is a quasi-judicial hearing. PD Potter stated that it was. Needham asked if there would be any conflicts that would cause the hearing to be invalidated. PD Potter said there were not.

## **APPLICANT TESTIMONY**

Ian Seeley, land use applicant, stated he wants to follow the guideline outlined in the packet and utilize the property as a business eventually.

Councilor Boreth asked for verification from Mr. Seeley's intent is to create a business and would the ODOT trip meter of 10 be exceeded. Mr. Seeley's said, "Yes".

Councilor Boreth asked Planning Director Shane Potter if option 2 would be chosen from the ODOT letter. Planning Director Potter stated "Yes". Boreth asked if the affected area home owners surrounding the property were notified and if so how? Planning Director Potter stated "Yes" and the notifications were mailed to all affected home owners within 500 feet.

Public testimony in favor – None

Public testimony in opposition – None

Councilor Boreth moved to close public hearing. Councilor Mills seconded. Mayor Clarke closed the public with no opposition from Council, 7-0.

## **PUBLIC HEARING REGARDING THE ECONOMIC INVESTMENT DISTRICT**

Councilor Boreth moved to enter into the EID public Hearing. Councilor Thompson seconded with no opposition from council, 7-0. Mayor Clarke read the rules and guidelines and opened the public hearing.

Mitch Magenheimer spoke on behalf of TEAM and presented PowerPoint slides regarding the basics structure of what an EID is, EID benefits and stated that if remonstrances from affected property owners exceed 33% of the total assessment, then the EID cannot be renewed.

Councilor Needham asked about how the assessments are arrived at, and whether assessments are prorated for only partial commercial use. Magenheimer stated there is documentation showing who is affected, how much each property owner will be charged depending upon the square footage of the property and type of use. Residential uses in a commercial zone are exempted outright or prorated if associated with a commercial use.

Councilor Boreth stated for clarification purposes that this is a self-imposed tax, the city is the fiscal agent but TEAM controls how the funds are disbursed. Is this correct? Mitch Magenheimer stated that was correct, as provided for in state law

## **PROponents OF THE EID**

Roger Peterson, speaking as a commercial property owner and as a TEAM member, spoke in favor of renewing the EID. He submitted a written statement entered into the record as EID Exhibit "A".

Councilor Needham asked about the 21 new businesses that opened in Molalla since September 2009 with net gain of 9 due to closures. Roger Peterson stated the closures were older business. Councilor Needham has stated that he has observed the efforts and TEAM has done an outstanding job but doesn't understand why are we losing business? Peterson stated that one critical component is having complementary businesses for people to take advantage of such as those who want to go to dinner and a movie. Molalla does not have a cinema. Needham asked if exit interview being done with closing business may provide insight as to what is making Molalla less inviting to business. Peterson stated he was not here 10 years ago and Needham stated that he would defer his question to another individual.

Councilor Pottle does TEAM has any programs to help established businesses from going out of business? Roger Peterson stated that TEAM and Main Street have sponsored meetings and training session that business owners have been invited to but they have not been well attended by the business owners. Mitch Magenheimer stated TEAM serves as an advocate group to gain business rights, publicity to assist in bringing businesses in and tries to bring business issues to light to the community as a whole.

Councilor Pottle asked if a business owner is losing their business and they have paid into the EID program is there something that this program can do to help an owner save their business. Mitch Magenheimer stated that TEAM does not go out and poll each business on their status. They are trying to meet the needs of the community and provide business owners with the information they need to remain competitive.

Amy Koski addressed Councilor Pottle's question with some points of clarification. A survey was hand delivered to all business within the city limits in conjunction with the city-wide consumer poll with a 40% response to help TEAM identify their needs as well.

#### OPPONENTS OF THE EID

Charlie Williams, 530 Molalla Ave., Molalla, stated that he opposed more taxes and is remonstrating against this EID because the citizens of Oregon voted "No more taxes" without their approval. The way the EID is structured by state statute, it will pass because 33% of the people will not attend this meeting to remonstrate against it. The system is faulty and provides an undue burden. The legislature is allowing this process to happen and it is not being applied. No one has asked why some have not paid this year's EID; perhaps it is because we would rather pay our mortgages instead of the EID to stay in business.

Councilor Needham asked Charlie Williams how his property was zoned. Williams stated it was R1 until the change of comprehensive plan to C1. They were zoned as single family but then after the rezoning to commercial the City prorate his property based on his commercial square footage. The City is being fair but it is the legislature that has created an unfair system and we will never be able to get rid of it.

Larry Smith, 20563 Beaver creek, Beaver creek, a commercial property owner, questioned the EID fee structure. Listed on the fee form it states Shopping Center, which is the Safeway center, assessed \$1,500.00. He has a 1,200 sq ft. house on commercial property and pays \$350.00. Feels

this is not fair and has seen no return on investment into the EID. He commends everyone for their hard work and passion but the fact is that \$75,000 a year is not going to get us anywhere over 5 years and would rather put that money into property improvements. He remonstrates against the renewal of the EID.

Ted Eurick, owner of Titanic Ice and Eurick's Supply in Molalla stated he remonstrates against the EID renewal. There is a limited amount of money that will go into this program. He questioned TEAM's efforts to recruit a steakhouse restaurant to the city as being unrealistic, and the same goes for Taco Bell or a movie theatre. He feels this should be done on a volunteer basis and asks each business owner if they want to contribute to it.

Kate Eurick, co-owner of Titanic Ice said she opposes the EID renewal. While she commends TEAM's efforts, her biggest complaint is that this program is focused on downtown business and her business is not located in downtown and is not seeing any benefits.

Jaime Johnk with the Clackamas County Business & Economic Development Department who is an expert on the structure, use and development of the EID stated that the EID statute was created 20 years ago to benefit downtown, commercial and limited industrial areas around the state.

Councilor Needham asked Jamie Johnk if this is considered a tax and if the fee is tax deductible? Jamie Johnk stated that by ORS it is stated as an assessment. It could be considered a fee, tax or special assessment and it should count as a business tax deduction.

Councilor Boreth moved to close the public hearing. Councilor Rogge seconded. Unanimously approved. Mayor Clarke closes the public hearing.

Amy Koski, Downtown Manager for TEAM and Main Street reported the percentage of remonstrations received that totaled 8.24%, which includes this evening's remonstrances. The matter now comes before council to instruct staff to move forward on the EID renewal process if the council so desires. Otherwise, the current EID expires on December 31, 2010.

Councilor Boreth made a motion to instruct staff to prepare an ordinance for the EID renewal. Councilor Rogge seconded. Motion carried (6-1) (Mayor Clarke, Aye; Councilor Pottle, Nay; Councilor Mills, Aye; Councilor Boreth, Aye; Councilor Needham, Aye; Councilor Thompson, Aye; Councilor Rogge, Aye)

### **MOTION TO WAIVE FEE FOR HOMECOMING PARADE**

Every year Molalla High School holds its Homecoming Parade. Proof of liability insurance has been provided to the City. MHS requests that the parade fee be waived, as has been done in the past. MHS is also requesting approval from ODOT and the Molalla Police Department. Staff recommends the fee waiver be granted and the parade approved upon receipt of approval from ODOT. The parade is scheduled for Friday, October 15, 2010.

Councilor Boreth moved to waive the parade fee for the Homecoming Parade on October 15, 2010. Councilor Needham seconded. Motion carried (7-0) (Mayor Clarke, Aye; Councilor Pottle,

Aye; Councilor Mills, Aye; Councilor Boreth, Aye; Councilor Needham, Aye; Councilor Thompson, Aye; Councilor Rogge, Aye)

## **ORDINANCES**

### **ORDINANCE 2010-10 Annexation and Zone Change**

The applicants are proposing annexing into the City of Molalla and changing the zoning from a county zone to a city zoning as required and shown in the Molalla Comprehensive Plan. This application annexes a parcel noted in a recent report from the Planning Department as a County “island” surrounded by city property and helps to implement Council Goal No. 4: “Annex ‘islands’ to clean up city boundaries.” The parcel has a shop and old home which is used as storage. The Planning Commission reviewed this request and voted 6-0 to recommend approval. The zoning designation of tax lot 03503 is changed from RRFF-5 (Rural Residential, Farm/Forest, 5-acre Minimum Lot Size) to M-2 (Heavy Industrial).

Councilor Needham moved to adopt Ordinance 2010-10 on first and second reading by title only to annex territory into the City of Molalla and approving the zone change. Councilor Rogge seconded. Motion carried (7-0) (Mayor Clarke, Aye; Councilor Pottle, Aye; Councilor Mills, Aye; Councilor Boreth, Aye; Councilor Needham, Aye; Councilor Thompson, Aye; Councilor Rogge, Aye) Mayor Clarke read the ordinance 2010-10 by title only twice.

Councilor Needham motioned to approve to adopt ordinance 2010-10. Councilor Boreth Seconded. Motion carried (7-0) (Mayor Clarke, Aye; Councilor Pottle, Aye; Councilor Mills, Aye; Councilor Boreth, Aye; Councilor Needham, Aye; Councilor Thompson, Aye; Councilor Rogge, Aye)

## **STAFF AND COUNCIL REPORTS**

Planning Director Potter announced that an Eagle Scout has volunteered his time to the city and will be building an open shelter in one of the city parks and will keep council apprised as the project progresses.

City Manager John Atkins stated that there are three new businesses in town:

1. Artsmith at Molalla Avenue and Main Street, specializing in art and office supplies.
2. Cashco in the old Curves building on North Molalla Avenue, second-hand merchandize bought and sold.
3. Cowboy Coffee on E. Main Street near the “Y.”

Councilor Mills welcomed Councilor Rogge to the Council.

Councilor Needham welcomed Councilor Rogge. He apologized for missing the last meeting and wanted to ask about the Sellwood Bridge resolution back in February 2010. It was tabled and would like to bring it back to the table for discussion. City Manager Atkins stated a motion to take the resolution from the table is in order with a majority vote required to pass. Councilor Needham moved to take the Sellwood Bridge resolution off the table from the Feb. 2010 Councilor Rogge seconded.



Discussion ensued between staff and council regarding the merits of opposing the vehicle registration fee and that it could cost Molalla the opportunity to join in a transportation improvement district in the future.

Discussion continued between Councilor Boreth, Needham and Mayor Clarke regarding a meeting held by the county on September 21, 2010 regarding a proposed vehicle registration fee. Councilor Rogge stated she moved to second Councilor Needham's motion for the purpose of educating the new city councilors who have been appointed to council on this issue.

Councilor Needham stated he heard nothing about such a meeting and that HB2001, the enabling legislation authorizing a county vehicle registration fee, says nothing about a transportation district. Councilor Boreth stated that in his personal opinion, he does not want the city to be left out of transportation district discussions, miss out on funds and not take advantage of an opportunity by taking the resolution off the table.

Mayor Clarke noted that the current motion made by Councilor Needham was still on the table and called for the question. Councilor Needham's motion failed (1-6) (Mayor Clarke, Nay; Councilor Pottle, Nay; Councilor Mills, Nay; Councilor Boreth, Nay; Councilor Needham, Aye; Councilor Thompson, Nay; Councilor Rogge, Nay)

City Manager John Atkins informed the council that a draft parks use policy has been completed and will be sent to the Park and Recreation Board for review before coming to the Council.

Councilor Pottle stated that there are big projects ahead for the Parks and Recreation Board and a timeline is critical and welcome to the council. He asked Planning Director Potter when the county hearing for the comp plan is. Planning Director Potter stated he has heard it will be in November 2010, but has not been informed of a specific date.

Councilor Boreth congratulated and thanked Chris Cooke and Bill Jones for applying to serve their community. Columbia Helicopters is looking for loggers and if you are a logger and looking for work the positions might be still open. Cowboy Coffee is wonderful and he encourages citizens to take advantage of their low prices. He addressed Charlie Williams, stating there are councilors like himself who are against the EID methodology and are lobbying the legislature to change it.

Mayor Clarke announced the following events:

1. Apple Festival October 9th.
2. Middle School Veterans Program on November 10<sup>th</sup>.
3. LOC conference Sept. 24-25 in Eugene will be attended by several council members.
4. Candidates Forum on October 20<sup>th</sup> here at the Molalla Adult Center at 7 p.m.

He reminded the council per his request that if there is any new business the councilors bring that forward to be address on an upcoming agenda or prior to reports and announcements.

ADJOURNMENT

Councilor Boreth motion to adjourn. Councilor Rogge seconded. Motion carried (7-0) (Mayor Clarke, Aye; Councilor Thompson, Aye; Councilor, Aye; Councilor Boreth, Aye; Councilor Needham, Aye; Councilor Pottle, Aye; Councilor Rogge, Aye; Councilor Mills, Aye)

Meeting adjourned at 9:06 pm.

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City Recorder, Sadie Cramer

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Mayor, Mike Clarke

## EID EXHIBIT "A"

September 22, 2010 City Council Meeting - Public Comment on EID Renewal  
By: Roger Peterson, PO Box 1166, Mulino, OR 97042

Less than a year ago, I started getting involved with Main Street Molalla's Economic Restructuring Committee of TEAM (Team for Economic Action in Molalla) as a volunteer. At that time, Molalla lacked a critical mass of complementary businesses, and was losing businesses at an unsustainable rate. This caused huge gaps in products and services resulting in more people going elsewhere to shop. To site an example of a huge gap, we didn't even have a lumber yard to complement our hardware store. When someone is doing a construction project that requires both hardware and lumber, they don't want to drive to two different towns to get what they need.

In March of this year, a *Retail Market Analysis* study was completed by Marketek, Inc. This study was initiated and supported with many hours of staff time working with the Marketek Consultants by TEAM's Molalla Main Street Program manager and volunteers on the Economic Restructuring Committee. The results of this study were both confirming and revealing, including the following:

- "Sales leakage is occurring in eight of ten store categories, totaling \$52.8 million (*annually*)
- "Almost half of respondents think that electronic goods (49.9%) and computer accessories (47.9%) are missing from Molalla."

TEAM acted quickly on the results of this *Retail Market Analysis* study.

TEAM has accomplished much since hiring a professional manager for TEAM's Main Street Molalla Program. This would not have been possible without EID funds! Following are just a few important accomplishments:

1. 21 new businesses have opened in Molalla since September of 2009, just one year ago! Of course we've lost a few of the old ones, but we've implemented an Exit Interview procedure to learn how we can better assist a struggling business.
2. In April of this year, Withers Lumber opened up for business here. The involvement of the City Manager, the Molalla Chamber of Commerce, and the Economic Restructuring Committee of TEAM's Main Street Molalla Program was important to this accomplishment.
3. Consistent with our *improve what we already have* strategy, in response to the need for electronic goods and computer accessories sited in the study, we wrote a letter to BI-Mart Corporate in Eugene sharing relevant results of the study and urging them to expand their small electronics department to fill the gap. They responded very positively and have already started bringing in new items with many more planned by the end of this year. In fact, I recently purchased a new Netbook for my wife, an external CD-DVD drive, and a wireless N Router, all at a great price.

In conclusion, these accomplishments, and others would have been difficult (if not impossible) to achieve without EID funds. As you can see just from this short report, we now have what I like to call "traction". In order to take advantage of this "traction", we need to renew the EID to "accelerate" progress. Therefore, I strongly recommend a renewal of the EID.

Thanks for listening. Do you have any questions?

# City Of Molalla

## City Council Meeting

### Agenda Category: New Business

**Subject:** Review of Municipal Code

**Recommendation:** Give direction to staff

**Date of Meeting to be Presented:** Oct. 13, 2010

**Fiscal Impact:** NA

**Background:**

A municipal code is a systematic compilation of ordinances (local laws) that have been adopted by the governing body of a city. From time to time, cities review their municipal codes in order to: 1) ensure continuing compliance with state or federal statutes or court rulings; 2) repeal provisions that have become irrelevant or obsolete; 3) correct errors; 4) ensure compliance with the city charter; 5) improve intent, applicability, clarity and readability.

The City of Molalla has contracted with a consultant (Quality Code Publishing) to carry out a review and recodification of the Molalla Municipal Code, which was last recodified in 2000. This project is an approved budget item. As part of this review, staff has compiled a list of proposed code changes to be submitted to the consultant for inclusion in the new code. Before staff submits the proposed revisions, the City Council is asked to review them and to provide direction to staff as to whether the proposed revisions, as presently drafted, are appropriate. This process is probably best accomplished during one or more Council work sessions with staff.

SUBMITTED BY: John Atkins, Jr., City Manager

ALL AGENDA ITEMS MUST BE SUBMITTED BY NOON  
THE THURSDAY BEFORE THE SCHEDULED COUNCIL MEETING.  
LATE ITEMS WILL BE SUBMITTED TO THE CITY MANAGER  
FOR CONSIDERATION.

**Agenda Item**

**6.A.**

City Recorder Use Only

# Molalla Municipal Code

Revisions and Deletions  
Recommended Action

Code Reference

Comment

Code Reference		Revisions and Deletions Recommended Action	Comment
1.01.010	Adoption.	There is adopted the "Molalla Municipal Code" as published by <del>Book Publishing Company, Seattle, Washington. (Ord. 1983-4-51, 1983)</del> Quality Code Publishing, [City, State. Ord. ____-__, ____],	Revise info as appropriate
1.01.040	Ordinances passed prior to adoption of the code.	The last ordinance included in the original code is ordinance <del>1982-3</del> , passed <del>September 20, 1982</del> . The following ordinance, passed subsequent to <del>Ordinance 1982-3</del> , but prior to the adoption of this code, is adopted and made a part of this code: <del>Ordinance 1983-1. (Ord. 1983-4-54, 1983) Molalla Municipal Code 30</del>	Revise info as appropriate
1.01.090	Effective date.	This code shall become effective on the date the ordinance adopting this code as the "Molalla Municipal Code" becomes effective. ( <del>Ord. 1983-4-99, 1983</del> )_____.	Revise info as appropriate
1.02.220 (1)	Boards and Commissions	Revise to read: <u>Appointments to Boards and Commissions shall be made as provided in the City Charter.</u>	Currently mayor appoints members of boards and commissions, as required by the charter. This text revision will remain valid whether or not the Charter is later amended to require Council approval of mayoral appointees.
1.02.240 (1)	Authorization of Expenditures	Revise to include Adult Center Director and Library Director	Gives Adult Center Director and Library Director same spending authority (budgeted expenditures up to \$1,000) as other department heads.

# Molalla Municipal Code

Revisions and Deletions  
Recommended Action

Code Reference

Comment

<p>Chapter 2.08: LIBRARY BOARD 2.08.010 A. Composition— Terms—Function.</p>	<p>Revise: The Molalla Public Library Board shall consist of seven (7) members appointed by the Mayor and confirmed by the City Council. <u>as provided in the City Charter.</u> One . . . .etc.</p>	<p>Currently in conflict with the City Charter. Text revision will remain valid whether or not Charter is amended to require Council approval of mayoral appointees.</p>
<p>2.08.030 Disbursement of monies.</p>	<p>Revise: All monies, both revenues, fines and gifts, shall be paid to the office of the <u>City Recorder, City Finance Director</u> and all disbursements shall be made <u>with the approval of the City Council as in other funds of the City, through the office of the City Recorder.</u> (Ord. 1971-1 §3) <u>in accordance with the adopted city budget, provisions of this code or state law, as applicable.</u></p>	<p>Finance Director, not recorder, is appropriate designee for receipt and safeguarding of funds.</p>
<p>2.08.050 Appointment of library personnel.</p>	<p>Repeal.</p>	<p>Conflicts with the Council-Manager form of government and the city manager's contract. Not currently being observed.</p>
<p>CHAPTER 2.10: MOLALLA ADULT COMMUNITY CENTER ADVISORY COUNCIL</p>	<p>Repeal</p>	<p>Obsolete. Not being observed. Conflicts the Council-Manager form of government with City Manager's contract and. This advisory function is being performed by Molalla Area Seniors Board, a nonprofit organization.</p>
<p>Chapter 2.16: BUCKEROO FACILITY ADVISORY BOARD</p>	<p>Repeal.</p>	<p>Obsolete. Not being observed. City no longer has fiduciary responsibility for the Buckeroo Association.</p>
<p>Title 3: REVENUE AND FINANCE</p>	<p>Revisions pending.</p>	<p>MMC is silent on budgeting and purchasing—key city functions which should be included in the code.</p>
<p>Chapter 3.12: WARRANTS</p>	<p>Repeal</p>	<p>Obsolete.</p>

# Molalla Municipal Code

Revisions and Deletions  
Recommended Action

Code Reference

Comment

Title 4: EMERGENCY MANAGEMENT	Retain Section 1, requiring EM Plan and CA review; Repeal Section 2, requiring council adoption as ordinance, and all after.	Emergency Management Plan is a dynamic document, subject to ongoing revision, and should be adopted by resolution, not by ordinance.
8.04.030 Gunpowder-Permit Required	Repeal	Superseded by state law
8.04.040 Violation-Penalty	Repeal	Superseded by state law
8.05 Nuisance Abatement	Staff review	
10.12.040 City Recorder— Establishment, removal or alteration of classes of traffic control.	Revise to substitute “City Manager or designee” for City Recorder, if state law allows; otherwise repeal.	Obsolete assignment of responsibility to City Recorder. (See 10.41.030 Signs and markings.)
10.12.040 City Recorder— Establishment, removal or alteration of classes of traffic control.	Revise to substitute “City Manager or designee” for City Recorder, if state law allows; otherwise repeal.	Obsolete assignment of responsibility to City Recorder. (See 10.41.030 Signs and markings.)
10.12.050 City Recorder— Experimental or emergency regulations.	Revise to substitute “City Manager or designee” for City Recorder, if state law allows; otherwise repeal.	Obsolete assignment of responsibility to City Recorder. (See 10.41.030 Signs and markings.)
10.12.060 City Recorder—Action contrary to state law prohibited.	Revise to substitute “City Manager or designee” for City Recorder, if state law allows; otherwise repeal.	Obsolete assignment of responsibility to City Recorder. (See 10.41.030 Signs and markings.)
10.41.020 Parking time limits	Thanksgiving, or Christmas, Veterans Day or Martin Luther King Day	Adding official holidays.
10.41.060 Boot installation	Repeal	City no longer uses parking boots.
10.41.070 Boot removal	Repeal	City no longer uses parking boots.
Chapter 10.52: CONTROLLED PARKING ZONES 10.52.010 Created.	Change Water Ave. to Kennel Ave.	Street section formerly known as Water Ave (between Main and Ross) is now Kennel Ave.

# Molalla Municipal Code

Revisions and Deletions  
Recommended Action

Code Reference

Comment

<p>10.64.040 Application for authorization to operate certain non-complying vehicles</p>	<p>Upon application, <del>the Molalla Police Department</del> <u>the Director of Public Works . . .</u></p>	<p>This is properly a public works issue.</p>
<p>10.64.040 Application for authorization to operate certain non-complying vehicles</p>	<p>Upon application, <del>the Molalla Police Department</del> <u>the Director of Public Works . . .</u></p>	<p>This is properly a public works issue.</p>
<p>Chapter 10.52: CONTROLLED PARKING ZONES 10.52.010 Created.</p>	<p>Change Water Ave. to Kennel Ave.</p>	<p>Street section formerly known as Water Ave (between Main and Ross) is now Kennel Ave.</p>
<p>10.64.040 Application for authorization to operate certain non-complying vehicles</p>	<p>Upon application, <del>the Molalla Police Department</del> <u>the Director of Public Works . . .</u></p>	<p>This is properly a public works issue.</p>
<p>Chapter 12.20: SIDEWALK MAINTENANCE AND REPAIR 12.20.020 Permit required.  12.20.030 Service of notice to repair.  12.20.050 Repair by City.</p>	<p>Before making any sidewalk repairs the landowner responsible therefore shall apply to the <del>City Recorder or Director of Public Works</del> <u>as the case may be</u> for a permit to make repairs.</p> <p>If any landowner responsible for repairing any sidewalk fails or refuses to apply for a sidewalk repair permit then it shall be the duty of the <del>City Recorder or Director of Public Works</del> <u>as the case may be</u> to deliver a notice to repair to such owner . . . to the last known address of such owner as may appear in the City's records. <del>of the Molalla City Recorder.</del></p> <p>. . . the Molalla City Council shall direct the <del>City Recorder or</del> <u>Director of Public Works</u> to make <u>or cause</u> such repairs to be made, <del>or the Council may, if it elects, let a contract for making such repairs.</del> After the costs of making such repairs have been determined, <del>the City Recorder or the</del> <u>Director of Public Works</u> shall report the same to the City Council, and the Council shall by resolution direct the City Recorder to enter the amount plus fifteen percent for administrative, legal and engineering</p>	<p>Obsolete assignment of responsibility to City Recorder.</p>



# Molalla Municipal Code

Revisions and Deletions  
*Recommended Action*

*Code Reference*

*Comment*

	expenses in the docket of the City lien ...	
13.04.110      Water service— Connection and meter required.	Add: <u>C. No water customer may furnish city-supplied water to a noncustomer by means of a hose, pipe or similar conveyance.</u>	Close a loophole in current code.
13.04.150      Service outside City.	Add: <u>City may at its discretion require annexation or a waiver of remonstrance to annexation as a condition of providing water service.</u>	Clarify City's authority.

# City Of Molalla

## City Council Meeting

### Agenda Category: Ordinance

**Subject:** An ordinance renewing the Molalla Economic Improvement District

**Recommendation:** Adopt ordinance

**Date of Meeting to be Presented:** Oct. 13, 2010

**Fiscal Impact:** NA

**Background:**

Molalla's Economic Improvement District (EID) expires on Dec. 31, 2010 unless renewed by the City Council by ordinance. Pursuant to Ordinance No. 2006-04 and ORS 223.112, the City has notified all affected property owners by mail informing them that the City is considering renewing the EID and soliciting their comments, for or against, during public hearings conducted by the Council on Aug. 11 and Sept. 22, 2010. There being insufficient remonstrances from property owners within the district to nullify renewal of the EID, the Council instructed staff to prepare an ordinance renewing the EID and levying assessments, effective Jan. 1, 2011. The attached ordinance has been reviewed, revised and approved by the City Attorney.

Attachment:  
Ordinance 2010-11

SUBMITTED BY: John Atkins, Jr., City Manager

ALL AGENDA ITEMS MUST BE SUBMITTED BY NOON  
THE THURSDAY BEFORE THE SCHEDULED COUNCIL MEETING.  
LATE ITEMS WILL BE SUBMITTED TO THE CITY MANAGER  
FOR CONSIDERATION.

**Agenda Item**

**7.A.**

City Recorder Use Only

City of Molalla

ORDINANCE NO. 2010-11

AN ORDINANCE RENEWING AN ECONOMIC IMPROVEMENT DISTRICT, MAKING ASSESSMENTS, AUTHORIZING THE COLLECTION OF SAID ASSESSMENTS, ASSESSING THE COSTS THEREOF AGAINST THE IDENTIFIED AND BENEFITED REAL PROPERTY, AND DIRECTING AN ENTRY OF SUCH ASSESSMENT IN THE DOCKET OF CITY LIENS.

WHEREAS, pursuant to Ordinance No. 2004 -06, the City Council conducted public hearings on Aug. 11 and Sept. 22, 2010 to receive public testimony concerning the renewal of an economic improvement district, and in accordance with said Ordinance, the City prepared and mailed to affected property owners a Notice of Public Hearing for each of the two public hearings, together with information pertaining to the areas to be assessed, the rates to be charged, and the proposed budget; and

WHEREAS, at the public hearings held on Aug. 11 and Sept. 22, 2010 written and oral testimony from proponents and opponents of the proposed economic improvement district was received; and

WHEREAS, in accordance with Ordinance No. 2004-06, the Council caused written objections to the economic improvement district received by the City at the second public hearing to be noted and recorded; and

WHEREAS, because the combined objections equal less than 33% of the total amount of assessments to be levied within the economic improvement district, the Council elects to proceed with the renewal of the economic improvement district.

NOW THEREFORE, the City of Molalla Ordains as Follows:

Section 1: Findings of Fact.

The City makes and enters the following findings of fact based upon the oral and written testimony received on August 11, 2010 and September 22, 2010:

- a) Written notice to the affected property owners was mailed thirty (30) days prior to the scheduled public hearings.
- b) The area within the proposed district is zoned for commercial and industrial use.
- c) No residential real property or any portion of a structure used for residential purposes is assessed under this Ordinance.
- d) Written objections to the proposed district that were received at the public hearings equal less than 33 percent of the total assessments to be levied.
- e) The rate to be assessed each benefited property is proportionate to the benefit it may derive from the district.
- f) The assessments authorized under this Ordinance will not exceed one percent of the real market value of all the real property located in the district.

Section 2. Creation of District.

The Council of the City of Molalla hereby approves the continuation of the “Molalla Economic Improvement District” established under Ordinance 2004-06 for the purpose of promoting within the district economic improvements by planning or management of development or improvement activities; revitalization and preservation activities; creation, landscaping, and maintenance of public areas; promotion of commercial activity or public events; activities in support of commercial and industrial recruitment, retention, expansion and development; and additional economic development related activities. The Molalla Economic Improvement District shall continue to operate under and be subject to the terms and provisions of Ordinance 2004-06 as if fully set forth herein.

Section 3. Duration.

The Molalla Economic Improvement District authorized by this Ordinance 2010-11 shall be in effect for five (5) consecutive years commencing January 1, 2011 and continuing and being renewed in the successive four (4) years.

Section 4. Assessment Rate.

A. The properties shall be assessed annually as follows:

District	Description	Min. Sq. Footage	Max. Sq. Footage	Annual Assessment
<b>District 1 – Central Commercial</b>				
1.1	Central Commercial - Small	0	4,999	\$100
1.2	Central Commercial - Large	5,000	999,999	\$350
<b>District 2 – General Commercial</b>				
2.1	General Commercial - Small	0	49,999	\$100
2.2	General Commercial – Large	50,000	199,999	\$500
<b>District 3 – Industrial</b>				
3.1	Industrial - Small	0	34,999	\$100
3.2	Industrial - Medium	35,000	299,999	\$500
3.3	Industrial - Large	300,000	999,999	\$750
<b>District 3 – Shopping Center</b>				
4.1	Shopping Center	200,000	999,999	\$1,500

B. A property owner who pays the annual assessment in full by January 30<sup>th</sup> of each year the Economic Improvement District is in effect shall receive a 10% discount.

Section 5. Total Assessment.

The total assessment each year of the five (5) year term is \$75,400.

Section 6. Reference Material and Docket of City Liens.

Attached hereto and incorporated herein by this reference is a map of the Molalla Economic Improvement District and a "List of Property Owners to be Assessed in the Molalla Economic Improvement District." The City Manager or designee is directed to enter the "List of Property Owners to be Assessed in the Molalla Economic Improvement District" in the Docket of City Liens.

Section 7. Collection of Funds.

The City Manager or designee is hereby directed to give notice that the above assessments are hereby declared to be due and payable within thirty (30) days from the mailing of notice of assessment, and in the event an assessment is not so paid, the same shall thereupon become delinquent and bear interest at the rate of nine percent (9%) per annum and thereafter the Council will proceed in the manner prescribed by the Charter of the City of Molalla for the collection of delinquent assessments.

Section 8. Disbursement of Funds.

The City Finance Director shall disburse funds to Team for Economic Action in Molalla (TEAM) quarterly commencing March 15, 2011 to accomplish the purpose set forth in Section 2. No funds shall be distributed if TEAM ceases to exist or the purposes set forth in its Bylaws, or if the Bylaws are amended so as to be in conflict with the enabling legislation contained in ORS Chapter 223 or in Section 2 herein.

Section 9. Expenditure of Funds.

Funds shall be allocated and expended by TEAM in accordance with the following condition: the filing with the City Finance Director materials showing compliance with Section 2 before any funds are released. A report will be prepared annually and provided to the City Manager by November 1<sup>st</sup> of each year that the Molalla Economic Improvement District is in effect. The annual report will include a current budget including an annual financial statement, scope of work, and a list of accomplishments of TEAM.

Section 10. Classification -Assessment & Fees -Notice.

The assessments authorized by this ordinance are not subject to the limits of Article XI, Section 11(b) of the Oregon Constitution.

Within fifteen (15) days of final adoption of this Ordinance, the City Recorder shall cause to be published in a newspaper of general circulation within the City a notice of adoption of this Ordinance classifying the property assessments as incurred charges and not subject to the limits

of Article XI, Section 11(b) of the Oregon Constitution referred to in this section. The notice shall:

- a) Appear in the general news section of the newspaper, not in the classified advertisements.
- b) Measure at least three (3) square inches.
- c) Be printed in a type size at least equal to 8-point type; and
- d) State that the City has adopted this Ordinance classifying the property assessment as a charge that is not subject to the limits of Article XI, Section 11(b) of the Oregon Constitution, that the reader may contact the designated City official, the City Recorder, to obtain a copy of the Ordinance, that judicial review of the classification may be sought within sixty (60) days of the date of the Ordinance was adopted, and if no such review is sought, no subsequent challenges to the classification are permitted.

READ by title only for the first time and approved by the City Council, City of Molalla, Oregon, at its meeting, on the 13th day of October, 2010.

READ for the second time by title only and adopted by the City Council, City of Molalla, Oregon, its meeting on the 13th day of October, 2010.

Approved:

\_\_\_\_\_  
Mike Clarke, Mayor

ATTEST this \_\_\_\_ day of \_\_\_\_\_ 2010.

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

MAPTAXLOT	Zone	ACRES	SQ FT	SQ FTVALUE	OWNER	SITUS	STATUS	ASSESSMENT
52E09CB00500	Central Commercial	1.33	57,935	57,935	150 GRANGE LLC	150 GRANGE AVE	Taxable	\$350
52E09CB05000	Central Commercial	0.14	6,098	6,098	ABBOTT GEORGE R & MARGUERITE ANN	213 N MOLALLA AVE	Taxable	\$350
52E09DC01001	General Commercial	0.99	43,124	43,124	ANDERSON BOBBIE DEAN & DENISE M	810 E MAIN ST	Taxable	\$100
52E09CC00100	Central Commercial	0.12	5,227	5,227	APPLETON HENDY J & ROBIN W	410 E MAIN ST	Taxable	\$350
52E08A 07800	Industrial	3.52	153,331	153,331	AVISON LUMBER CO	NO SITUS	Taxable	\$500
52E08A 09100	Industrial	6.58	286,625	286,625	AVISON LUMBER CO	NO SITUS	Taxable	\$500
52E08A 09200	Industrial	1.74	75,794	75,794	AVISON LUMBER CO	NO SITUS	Taxable	\$500
52E08A 09300	Industrial	2.02	87,991	87,991	AVISON LUMBER CO	525 W MAIN ST	Taxable	\$500
52E08A 07700	Industrial	5.38	234,353	234,353	AVISON LUMBER CO	NO SITUS	Taxable	\$500
52E08A 07600	Industrial	2.66	115,870	115,870	AVISON LUMBER CO	NO SITUS	Taxable	\$500
52E08DB00400	Industrial	8.54	372,002	372,002	AVISON LUMBER CO	201 W MAIN ST	Taxable	\$750
52E08DD10701	Industrial	0.08	3,485	3,485	AVISON LUMBER CO	NO SITUS	Taxable	\$100
52E16 02700	Industrial	7.81	340,204	340,204	AVISON LUMBER CO	NO SITUS	Taxable	\$750
52E16 02700	Industrial	7.82	340,639	340,639	AVISON LUMBER CO	NO SITUS	Exempt	\$0
52E16 02801	Industrial	17.98	783,209	783,209	AVISON LUMBER CO	NO SITUS	Taxable	\$750
52E16 02900	Industrial	18.70	814,572	814,572	AVISON LUMBER CO	NO SITUS	Exempt	\$0
52E16BB00100	Industrial	2.91	126,760	126,760	AVISON LUMBER CO	401 E 5TH ST	Taxable	\$500
52E09CB02800	Central Commercial	0.08	3,485	3,485	BAUMGARTNER PAUL M	124 E ROSS ST	Taxable	\$100
52E09CB02901	Central Commercial	0.08	3,485	3,485	BAUMGARTNER PAUL M	128 E ROSS ST	Taxable	\$100
52E09DC01200	General Commercial	0.35	15,246	15,246	BOOSTEDFORDS LLC	804 E MAIN ST	Taxable	\$100
52E07A 02000	General Commercial	3.19	138,956	138,956	BORROMEO ALFRED	1400 FOUNTAIN WAY	Taxable	\$500
52E07A 01900	General Commercial	2.20	95,832	95,832	BORROMEO ALFRED	1400 FOUNTAIN WAY	Taxable	\$500
52E07A 01901	General Commercial	0.98	42,689	42,689	BORROMEO ALFRED	1400 FOUNTAIN WAY	Taxable	\$100
52E07D 01400	Industrial	0.17	7,405	7,405	BORROMEO ALFRED & CHERYL	12798 S HWY 211	Taxable	\$100
52E07A 01800	Industrial	8.19	356,756	356,756	BRENTWOOD ACQUISITION CORP	453 INDUSTRIAL WAY	Taxable	\$750
52E07A 01803	Industrial	3.62	157,687	157,687	BRENTWOOD ACQUISITION CORP	NO SITUS	Taxable	\$500
52E08DB00300	Industrial	3.51	152,896	152,896	BROWN RICHARD K	NO SITUS	Taxable	\$500
52E08AC04200	General Commercial	1.03	44,867	44,867	BUNNELL ROBERT GENE CO-TRUSTEE	709 W MAIN ST	Taxable	\$100
52E09CC04900	Central Commercial	0.26	11,326	11,326	BUTTLER BRIAN B TRUSTEE	110 BERKLEY AVE	Taxable	\$350
52E09CC05000	Central Commercial		5,653	5,653	BUTTLER BRIAN B TRUSTEE	318 E MAIN ST	Taxable	\$350
52E09CC05100	Central Commercial		5,679	5,679	BUTTLER NANCY	310 E MAIN ST	Taxable	\$350
52E09CC12100	Central Commercial	0.28	12,197	12,197	CAMPOS EDWARD E & KATHLEEN A	210 ENGLE AVE	Taxable	\$350
52E07D 03504	Industrial	0.45	19,602	19,602	CAPIS JAMES A & CAROLYN L	31810 S HWY 213	Taxable	\$100
52E09CC09600	Central Commercial	0.41	17,860	17,860	CASCADE FUNERAL DIRECTORS INC	220 E MAIN ST	Taxable	\$350
52E09CB00304	Central Commercial	0.30	13,068	13,068	CHAN YIP & JIK	NO SITUS	Taxable	\$350
52E08A09500	Industrial		10,400	10,400	CLINKSCALES GARY F TRUSTEE	421 W MAIN ST	Taxable	\$100
52E08DD10100	Industrial		6,309	6,309	CLINKSCALES PORTABLE TOILETS LLC	102 SHAVER AVE	Taxable	\$100
52E08DD10200	Industrial	0.14	6,098	6,098	CLINKSCALES PORTABLE TOILETS LLC	NO SITUS	Taxable	\$100
52E09CB03902	Central Commercial	0.14	6,098	6,098	COLSON EDWARD E III TRUSTEE	112 ROBBINS ST	Taxable	\$350
52E07D 00702	Industrial	5.01	218,236	218,236	CORLESS MICHAEL J II	12900 S HWY 211	Taxable	\$500
52E07A 00708	Industrial	1.13	49,223	49,223	COX ROBERT W & TRACY	512 INDUSTRIAL WAY	Taxable	\$500
52E07A 00705	Industrial	0.96	41,818	41,818	COX ROBERT W & TRACY	506 INDUSTRIAL WAY	Taxable	\$500
52E09CB04101	Central Commercial		14,034	14,034	DANSKIN RODNEY & ROBIN	NO SITUS	Taxable	\$350
52E08DD04000	Central Commercial	0.40	17,424	17,424	DEARDORFF 3-D LLC	112 W MAIN ST	Taxable	\$350
52E09CB06100	Central Commercial	0.08	3,485	3,485	DEARDORFF 3-D LLC	101 N MOLALLA AVE	Taxable	\$100

52E09CB06000	Central Commercial	0.37	16,117	16,117	DEARDORFF 3-D LLC	103 E MAIN ST	Taxable	\$350
52E09CB05800	Central Commercial	0.11	4,792	4,792	DEARDORFF 3-D LLC	105 E MAIN ST	Taxable	\$100
52E09CB05700	Central Commercial	0.18	7,841	7,841	DEARDORFF 3-D LLC	115 E MAIN ST	Taxable	\$350
52E09CC10400	Central Commercial	0.28	12,197	12,197	DEARDORFF 3-D LLC	118 E MAIN ST	Taxable	\$350
52E09CC11200	Central Commercial	0.14	6,098	6,098	DEARDORFF 3-D LLC	109 S MOLALLA AVE	Taxable	\$350
52E09CC11300	Central Commercial	0.14	6,098	6,098	DEARDORFF 3-D LLC	113 S MOLALLA AVE	Taxable	\$350
52E09CC10100	Central Commercial	0.14	6,098	6,098	DEARDORFF 3-D LLC	122 ENGLE AVE	Taxable	\$350
52E09CC10000	Central Commercial	0.04	1,742	1,742	DEARDORFF 3-D LLC	107 E 2ND ST	Taxable	\$350
52E07A 02700	General Commercial	0.94	40,946	40,946	DEARDORFF ALAN C	31465 S HWY 213	Taxable	\$100
52E09CA05000	Central Commercial	0.34	14,810	14,810	DHADLI JATINDER S & EKATERINA	175 GRANGE AVE	Taxable	\$350
52E09CC11000	Central Commercial	0.03	1,307	1,307	DOUBLETREES LAND & TIMBER LLC	105 S MOLALLA AVE	Taxable	\$100
52E09CC09900	Central Commercial	0.41	17,860	17,860	DOUBLETREES LAND & TIMBER LLC	115 ENGLE AVE	Taxable	\$350
52E09CB05200	Central Commercial	0.12	5,227	5,227	DUEDE DENISE	123 N MOLALLA AVE	Taxable	\$350
52E09CB03800	Central Commercial	0.16	6,970	6,970	DULWICK RONALD & TORI	114 ROBBINS ST	Exempt	\$0
52E09CB01900	Central Commercial	0.09	3,920	3,920	EAGLE NEWSPAPERS INC	217 E MAIN ST	Taxable	\$100
52E09DC01100	General Commercial		18,862	18,862	EARLS JANICE	806 E MAIN ST	Taxable	\$100
52E09CB07200	Central Commercial	0.09	3,920	3,920	EJK ASSOCIATES LLC	123 W MAIN ST	Taxable	\$100
52E09CB02400	Central Commercial	0.15	6,534	6,534	EJK ASSOCIATES LLC	125 E MAIN ST	Taxable	\$350
52E09CC10900	Central Commercial	0.03	1,307	1,307	EJK ASSOCIATES LLC	102 E MAIN ST	Taxable	\$100
52E09CB06200	Central Commercial	0.39	16,988	16,988	EOK ASSOCIATS LLC	115 W MAIN ST	Taxable	\$350
52E09CB03103	Central Commercial	0.21	9,148	9,148	EPP PATRICK SHAWN	209 CENTER ST	Exempt	\$0
52E09BC04000	Central Commercial	1.51	65,776	65,776	ERICKSON BETTY J TRUSTEE	517 N MOLALLA AVE	Taxable	\$350
52E09BC03600	Central Commercial	0.40	17,424	17,424	ERICKSON GALE	519 N MOLALLA AVE	Taxable	\$350
52E07A 00709	Industrial	1.00	43,560	43,560	EURICK INVESTMENTS LLC	1320 TOLIVER RD	Taxable	\$500
52E07A 00600	Industrial	9.87	429,937	429,937	FAMMATRE CHARLES A	12786 S TOLIVER RD	Taxable	\$750
52E17A 06200	Industrial		76,000	76,000	FFP INC	NO SITUS	Taxable	\$500
52E17A 00200	Industrial		146,754	146,754	FFP INC	NO SITUS	Taxable	\$500
52E17A 00101	Industrial		255,291	255,291	FFP INC	NO SITUS	Taxable	\$500
52E17A 00102	Industrial		360,895	360,895	FFP INC	NO SITUS	Taxable	\$750
52E08 00100	Industrial	31.17	1,357,765	1,357,765	FFP INC	NO SITUS	Taxable	\$750
52E08DD10500	Industrial	3.06	133,294	133,294	FFP INC	NO SITUS	Taxable	\$500
52E17A 00200	Industrial	6.08	264,845	264,845	FFP INC	NO SITUS	Taxable	\$500
52E17A 05290	Industrial	16.50	718,740	718,740	FFP INC	NO SITUS	Taxable	\$750
52E17A 00100	Industrial	8.82	384,199	384,199	FFP INC	102 W 7TH ST	Taxable	\$750
52E17AA03400	Industrial	0.97	42,253	42,253	FFP INC	410 SECTION ST	Taxable	\$500
52E17AA03300	Industrial	0.78	33,977	33,977	FFP INC	NO SITUS	Taxable	\$100
52E09CB03001	Central Commercial	0.68	29,621	29,621	FIRST INTERSTATE BK	200 CENTER ST	Taxable	\$350
52E09CC11600	Central Commercial	0.14	6,098	6,098	FJD SANDQUIST LLC	117 S MOLALLA AVE	Taxable	\$350
52E09CC11700	Central Commercial	0.07	3,049	3,049	FJD SANDQUIST LLC	NO SITUS	Taxable	\$100
52E07D 01300	Industrial	0.44	19,166	19,166	FORRISTALL FAMILY INVESTMENTS LLC	NO SITUS	Taxable	\$100
52E07D 01700	Industrial	9.80	426,888	426,888	FORRISTALL FAMILY INVESTMENTS LLC	NO SITUS	Taxable	\$750
52E09CB01800	Central Commercial	0.21	9,148	9,148	FOURIER JAN JACOB	117 CENTER ST	Taxable	\$350
52E09CC12700	Central Commercial	0.14	6,098	6,098	FROLOV LARRY & SABRINA	207 S MOLALLA AVE	Taxable	\$350
52E09CB04900	Central Commercial	0.15	6,534	6,534	GAME PROPERTY INVESTMENTS LLC	217 N MOLALLA AVE	Taxable	\$350
52E09CC10001	Central Commercial	0.10	4,356	4,356	GARCIA OSCAR M & PAZ V	124 ENGLE AVE	Taxable	\$100
52E08DD00200	Central Commercial	0.25	10,890	10,890	GRAND LODGE OF OREGON I O O F	106 S MOLALLA AVE	Exempt	\$0



52E09CC05300	Central Commercial	0.11	4,792	4,792	GREENSTONE CORNER LLC	NO SITUS	Taxable	\$100
52E09CC05200	Central Commercial	0.13	5,663	5,663	GREENSTONE CORNER LLC	300 E MAIN ST	Taxable	\$350
52E09CC05400	Central Commercial	0.14	6,098	6,098	GREENSTONE CORNER LLC	111 SWIEGLE AVE	Taxable	\$350
52E07D 00700	Industrial	1.63	71,003	71,003	H3L LLC	221 COMMERCIAL PKWY	Taxable	\$500
52E08A 09700	Industrial	3.96	172,498	172,498	HELMIG SALLY A CUSTODIAN	405 W MAIN ST	Taxable	\$500
52E07A 02601	General Commercial	0.87	37,897	37,897	HERIGSTAD GORDON	31459 S HWY 213	Taxable	\$100
52E08A 08700	Industrial		20,172	20,172	HOBART LLOYD	126 DIXON AVE	Taxable	\$100
52E17 00300	Industrial	15.25	664,290	664,290	HOELTKE VIRGINIA M	13388 S MOLALLA FOREST RD	Taxable	\$750
52E09CA04101	Central Commercial	0.18	7,841	7,841	HOFFMAN DENNIS K & DEBBIE A	NO SITUS	Taxable	\$350
52E09CA04100	Central Commercial	0.26	11,326	11,326	HOFFMAN DENNIS K & DEBBIE A	523 E MAIN ST	Taxable	\$350
52E09CB01500	Central Commercial	0.24	10,454	10,454	HOLBROOK EXPRESS INC	201 CENTER ST	Taxable	\$350
52E08DD10300	Industrial	0.67	29,185	29,185	HOLECHEK TOM D & VICKI L	206 SHAVER AVE	Taxable	\$100
52E08C 00100	General Commercial	1.23	53,579	53,579	HOWARD FAM LTD PARTNERSHIP I 50%	NO SITUS	Taxable	\$500
52E09CB01901	Central Commercial	0.04	1,742	1,742	HOWE DARRYL	NO SITUS	Taxable	\$100
52E09CB02000	Central Commercial	0.02	871	871	HOWE DARRYL	219 E MAIN ST	Taxable	\$100
52E08A 10800	Industrial	3.30	143,748	143,748	HOZEN FRED & MARY	201 DIXON AVE	Taxable	\$500
52E09DC02500	General Commercial	0.16	6,970	6,970	HUFF EDWARD & STEPHANIE	704 E MAIN ST	Taxable	\$100
52E09CC10800	Central Commercial	0.03	1,307	1,307	IRELAND ELWIN J & BARBARA B	104 E MAIN ST	Taxable	\$100
52E09CC09901	Central Commercial	0.14	6,098	6,098	JOHNSON DEAN E & VERNITA A	123 ENGLE AVE	Taxable	\$350
52E07D 00703	Industrial	8.33	362,855	362,855	JORGENSEN MITCHELL J	13042 S HWY 211	Taxable	\$750
52E09CA03800	Central Commercial	1.05	45,738	45,738	JUNELL-HANSON ENTERPRISES INC	501 E MAIN ST	Taxable	\$350
52E08DD00701	Central Commercial	0.16	6,970	6,970	KANEASTER NANETTE	121 METZLER AVE	Taxable	\$350
52E08DD09000	General Commercial		5,886	5,886	KEITH BROWN BUILDING MATERIALS	NO SITUS	Taxable	\$100
52E08DD 8900	General Commercial		8,679	8,679	KEITH BROWN BUILDING MATERIALS	NO SITUS	Taxable	\$100
52E08DD 8800	General Commercial		6,204	6,204	KEITH BROWN BUILDING MATERIALS	NO SITUS	Taxable	\$100
52E08DD 8700	General Commercial		6,956	6,956	KEITH BROWN BUILDING MATERIALS	NO SITUS	Taxable	\$100
52E08DD 4701	General Commercial		1,128	1,128	KEITH BROWN BUILDING MATERIALS	NO SITUS	Taxable	\$100
52E08DD09200	General Commercial	0.23	10,019	10,019	KEITH BROWN BUILDING MATERIALS	220 W MAIN ST	Taxable	\$100
52E08DD04300	General Commercial	0.33	14,375	14,375	KEITH BROWN BUILDING MATERIALS	220 W MAIN ST	Taxable	\$100
52E08DD04400	General Commercial	0.18	7,841	7,841	KEITH BROWN BUILDING MATERIALS	220 W MAIN ST	Taxable	\$100
52E08DD09100	General Commercial	0.27	11,761	11,761	KEITH BROWN BUILDING MATERIALS	NO SITUS	Taxable	\$100
52E08DD04500	General Commercial	0.14	6,098	6,098	KEITH BROWN BUILDING MATERIALS	220 W MAIN ST	Taxable	\$100
52E08DD04600	General Commercial	0.13	5,663	5,663	KEITH BROWN BUILDING MATERIALS	220 W MAIN ST	Taxable	\$100
52E08DD03500	Central Commercial	0.15	6,534	6,534	KRAXBERGER LYNN L TRUSTEE	NO SITUS	Taxable	\$350
52E08DD03600	Central Commercial	0.02	871	871	KRAXBERGER LYNN L TRUSTEE	NO SITUS	Taxable	\$100
52E07A 00706	Industrial	1.00	43,560	43,560	KTE PROPERTY INVESTMENTS LLC	NO SITUS	Taxable	\$500
52E09CC12801	Central Commercial	0.09	3,920	3,920	LAM YEUK SHUN & CHOI HA	NO SITUS	Taxable	\$100
52E09CC12800	Central Commercial	0.05	2,178	2,178	LAM YEUK SHUN & CHOI HA	102 E 2ND ST	Taxable	\$100
52E07A 00702	Industrial	1.70	74,052	74,052	LEE LARSON PROPERTIES LLC	1400 TOLIVER RD	Taxable	\$500
52E09CB08100	Central Commercial	0.05	2,178	2,178	LEFEVER DAN	NO SITUS	Taxable	\$100
52E09CB07703	Central Commercial	0.14	6,098	6,098	LEFEVER DAN WINFIELD & KRISTIN JEAN	NO SITUS	Taxable	\$350
52E09CB08000	Central Commercial	0.07	3,049	3,049	LEFEVER DAN WINFIELD & KRISTIN JEAN	208 N MOLALLA AVE	Taxable	\$100
52E09CB07000	Central Commercial	0.21	9,148	9,148	LEFEVER LOU W & DOROTHY I	121 W ROSS ST	Taxable	\$350
52E07A 02500	Industrial	2.76	120,226	120,226	LES SCHWAB TIRE CTRS OF OR	31291 S HWY 213	Taxable	\$500
52E09CB06300	Central Commercial	0.18	7,841	7,841	LEWIS&BENTLEY FEED INC	110 N MOLALLA AVE	Taxable	\$350
52E07A 01801	Industrial	0.37	16,117	16,117	LMRK GROUP LLC	NO SITUS	Taxable	\$100

52E07AA02300	Industrial	3.65	158,994	158,994	LMRK GROUP LLC	1212 TOLIVER RD	Taxable	\$500
52E08DD10400	Industrial	0.29	12,632	12,632	LOS LI TYLER D	212 SHAVER AVE	Taxable	\$100
52E08C 00800	General Commercial	9.58	417,305	417,305	LRS ENTERPRISES LLC	31667 S HEZZIE LN	Taxable	\$500
52E09CB08700	Central Commercial	0.23	10,019	10,019	LUNCEFORD ROGER A & MARY F	416 N MOLALLA AVE	Taxable	\$350
52E09CB03901	Central Commercial	0.14	6,098	6,098	LYONS LAMBERT F	319 N MOLALLA AVE	Taxable	\$350
52E09CB07704	Central Commercial	0.27	11,761	11,761	MALOY N SCOTT & CAROL L	203 KENNEL AVE	Taxable	\$350
52E09CB02200	Central Commercial	0.06	2,614	2,614	MARINO TONY S	131 E MAIN ST	Taxable	\$100
52E09CB01600	Central Commercial	0.24	10,454	10,454	MCCULLOUGH DAVID A	119 CENTER ST	Taxable	\$350
52E07AA02400	Industrial	3.12	135,907	135,907	MCLEOD LOREN L & SANDRA D	1208 TOLIVER RD	Taxable	\$500
52E09CB01100	Central Commercial	2.59	112,820	112,820	MCPIKE RICHARD H	100 GRANGE AVE	Taxable	\$350
52E08DB00100	Industrial	0.58	25,265	25,265	MERCHANT & WHITE PARTNERS	524 W MAIN ST	Taxable	\$100
52E09CA04300	Central Commercial	0.29	12,632	12,632	MOLALLA GRANGE #310	127 GRANGE AVE	Exempt	\$0
52E07A 02200	SHOPPING CENTER	13.75	598,950	598,950	MOLALLA MARKET CENTER ASSOCIATES LLC	1515 W MAIN ST	Taxable	\$1,500
52E09CB04400	Central Commercial	0.11	4,792	4,792	MOLALLA MASONIC LODGE #178 AF&AM	NO SITUS	Exempt	\$0
52E09CB04500	Central Commercial	0.02	871	871	MOLALLA MASONIC LODGE #178 AF&AM	123 E ROSS ST	Taxable	\$100
52E08B 04300	General Commercial	4.56	198,634	198,634	MOLALLA MEDICAL OFFICES LLC	861 W MAIN ST	Taxable	\$500
52E09CB08200	Central Commercial	0.87	37,897	37,897	MOLALLA PROPERTIES LLC	220 N MOLALLA AVE	Taxable	\$350
52E09CB07700	Central Commercial	1.54	67,082	67,082	MOLALLA PROPERTIES LLC	NO SITUS	Taxable	\$350
52E09CB08201	Central Commercial	0.29	12,632	12,632	MOLALLA PROPERTIES LLC	214 N MOLALLA AVE	Taxable	\$350
52E09CB04300	Central Commercial	0.37	16,117	16,117	MOLALLA REALTY INC	225 N MOLALLA AVE	Taxable	\$350
52E07D 00101	Industrial	9.22	401,623	401,623	MOLALLA REDI-MIX&ROCK PRODUCTS INC	13050 S MOLALLA FOREST RD	Taxable	\$750
52E08DB00200	Industrial	1.39	60,548	60,548	MOLALLA SQUARE LLC	NO SITUS	Taxable	\$500
52E09CB03300	Central Commercial	1.89	82,328	82,328	MOLALLA TELEPHONE CO	305 CENTER ST	Taxable	\$350
52E09CB03100	Central Commercial	0.02	871	871	MORALES-HERRERA JUAN & J R SANTOS	211 CENTER ST	Exempt	\$0
52E07D 00705	Industrial	1.63	71,003	71,003	MSRE LLC	291 COMMERCIAL PKWY	Taxable	\$500
52E09CC09700	Central Commercial	0.28	12,197	12,197	NEW WEST INVESTMENTS LLC	204 E MAIN ST	Taxable	\$350
52E09DC00800	General Commercial	2.76	120,226	120,226	NIELSEN GARY L TRUSTEE	812 E MAIN ST	Taxable	\$500
52E07D 01701	Industrial	4.77	207,781	207,781	NORTH FORK LAND & DEVELOPMENT LLC	31670 S HWY 213	Taxable	\$500
52E08DD03201	Central Commercial		7,626	7,626	OBLACK JOHN	277 METZLER AVE	Taxable	\$350
52E09CB00100	SHOPPING CENTER	2.51	109,336	109,336	OLIVA STEVEN J & JANICE D 50%	111 ROBBINS ST	Taxable	\$1,500
52E08DD00401	Central Commercial	0.01	436	436	ONE TEN INC	NO SITUS	Taxable	\$100
52E08DD00300	Central Commercial	0.06	2,614	2,614	ONE TEN INC	110 S MOLALLA AVE	Taxable	\$100
52E08DD00400	Central Commercial	0.09	3,920	3,920	ONE TEN INC	112 S MOLALLA AVE	Taxable	\$100
52E08DD00500	Central Commercial	0.33	14,375	14,375	PACIFIC STAR PROPERTIES LLC	116 S MOLALLA AVE	Taxable	\$350
52E09CC10200	Central Commercial	0.14	6,098	6,098	PARMENTER GAIL J	118 ENGLE AVE	Taxable	\$100
52E09CB05100	Central Commercial	0.41	17,860	17,860	PARVAS ALI & KELLY S	203 N MOLALLA AVE	Taxable	\$350
52E09CB07900	Central Commercial	0.10	4,356	4,356	PARVAS ALI & KELLY S	206 N MOLALLA AVE	Taxable	\$100
52E09CB07800	Central Commercial	0.08	3,485	3,485	PARVAS ALI & KELLY S	202 N MOLALLA AVE	Taxable	\$100
52E09CB00301	Central Commercial	0.43	18,731	18,731	PATEL PRADIP & URVASHI	415 GRANGE AVE	Taxable	\$350
52E09CB03700	Central Commercial	0.22	9,583	9,583	PENCE DORIS E	118 ROBBINS ST	Taxable	\$350
52E09CB06700	Central Commercial	0.13	5,663	5,663	PETERKIN DOLORES M	NO SITUS	Taxable	\$350
52E09CB06600	Central Commercial	0.11	4,792	4,792	PETERKIN DOLORES M	122 N MOLALLA AVE	Taxable	\$100
52E09CB06500	Central Commercial	0.11	4,792	4,792	PETERKIN JOHN W JR	118 N MOLALLA AVE	Taxable	\$100
52E09D 01801	General Commercial	2.60	113,256	113,256	PHEASANT POINTE RETIRE&ASST LIV RES LLC	835 E MAIN ST	Taxable	\$500
52E09D 01800	General Commercial	0.50	21,780	21,780	PHEASANT POINTE RETIRE&ASST LIV RES LLC	835 E MAIN ST	Taxable	\$100
52E08AD02300	Central Commercial	0.23	10,019	10,019	POWELL DISTRIBUTING CO INC	301 W MAIN ST	Taxable	\$350

52E08AD01800	Central Commercial	0.40	17,424	17,424	POWELL DISTRIBUTING CO INC	305 W MAIN ST	Taxable	\$350
52E08AD02100	Central Commercial	0.11	4,792	4,792	PRICE AUTOMOTIVE REFINISHING LLC	NO SITUS	Taxable	\$100
52E08AD02200	Central Commercial	0.11	4,792	4,792	PRICE AUTOMOTIVE REFINISHING LLC	110 KENNEL AVE	Taxable	\$100
52E08AD01700	Central Commercial	0.31	13,504	13,504	PRICE AUTOMOTIVE REFINISHING LLC	NO SITUS	Taxable	\$350
52E09CC11900	Central Commercial	0.28	12,197	12,197	PUFFER FAMILY LLC	106 E 2ND ST	Taxable	\$350
52E08DD04200	General Commercial	0.24	10,454	10,454	REASONER RICHARD E & JUDY C	202 W MAIN ST	Taxable	\$100
52E09CB00202	Central Commercial	0.79	34,412	34,412	RICHERT VIRGINIA M	415 CENTER ST	Taxable	\$350
52E09CB00303	Central Commercial	0.34	14,810	14,810	RICHERT VIRGINIA M	211 ROBBINS ST	Taxable	\$350
52E09CB00302	Central Commercial	0.77	33,541	33,541	RICHERT VIRGINIA M	215 ROBBINS ST	Taxable	\$350
52E09D 01500	General Commercial	1.25	54,450	54,450	RIVERVALE CORPORATION	807 E MAIN ST	Taxable	\$500
52E09D 01600	General Commercial	1.25	54,450	54,450	RIVERVALE CORPORATION	NO SITUS	Taxable	\$500
52E09CB03900	Central Commercial	0.28	12,197	12,197	ROBINSON DALE W TRUSTEE	317 N MOLALLA AVE	Taxable	\$350
52E09D 01302	General Commercial	0.31	13,504	13,504	ROTH KENNETH W & MYRNA J	801 E MAIN ST	Taxable	\$100
52E09D 01300	General Commercial	1.56	67,954	67,954	ROTH KENNETH W & MYRNA J	NO SITUS	Taxable	\$500
52E09CB03600	Central Commercial	1.02	44,431	44,431	SANDGREN KYLLO ENTRPRS LLC	210 CENTER ST	Taxable	\$350
52E09CB04401	Central Commercial	0.26	11,326	11,326	SANDGREN KYLLO ENTRPRS LLC	209 MARSON CT	Taxable	\$350
52E09CB04200	Central Commercial	0.45	19,602	19,602	SMITH LARRY R & PATRICIA A	301 N MOLALLA AVE	Taxable	\$350
52E09CB02700	Central Commercial	0.43	18,731	18,731	SMUCKER RAY E DR	110 CENTER ST	Taxable	\$350
52E07D 03501	Industrial	5.92	257,875	257,875	STADELI STEVEN N	31846 S HWY 213	Taxable	\$500
52E08A 08400	Industrial		27,503	27,503	STAFFORD EDWARD	631 W MAIN ST	Taxable	\$100
52E08DD11000	Industrial	1.23	53,579	53,579	STEINER THOMAS P	NO SITUS	Taxable	\$500
52E08DD10900	Industrial	0.52	22,651	22,651	STEINER THOMAS P & RUTHANN	550 SHAVER AVE	Taxable	\$100
52E09CB01700	Central Commercial	0.28	12,197	12,197	STEWARDS LLC	NO SITUS	Taxable	\$350
52E07A 00701	Industrial	4.91	213,880	213,880	STUTZMAN LLC	410 INDUSTRIAL WAY	Taxable	\$500
52E07D 03502	Industrial	5.03	219,107	219,107	TAYLOR JAMES M & DENISE L	31816 S ONA WAY	Taxable	\$500
52E09CB06400	Central Commercial	0.18	7,841	7,841	TOLSTEAD LOUIS I & ROSE M	112 N MOLALLA AVE	Taxable	\$350
52E09CC10700	Central Commercial	0.12	5,227	5,227	URIBE RICHARD	106 E MAIN ST	Taxable	\$350
52E08B 04400	General Commercial	1.44	62,726	62,726	VALOV WILLIAM F	803 W MAIN ST	Taxable	\$500
52E07D 00500	Industrial	0.32	13,939	13,939	VALOV WILLIAM F	12930 S HWY 211	Taxable	\$100
52E09CB02500	Central Commercial	0.15	6,534	6,534	VANAUSDELL P DIXON TRSTE	121 E MAIN ST	Taxable	\$350
52E09CB07500	Central Commercial	0.97	42,253	42,253	VDI LLC	213 W MAIN ST	Taxable	\$350
52E09CB07600	Industrial		4,440	4,440	VEST PROPERTIES LLC	304 W MAIN ST	Taxable	\$100
52E08DD09300	Industrial	0.46	20,038	20,038	VEST PROPERTIES LLC	304 W MAIN ST	Taxable	\$100
52E08DD09400	Industrial	7.49	326,264	326,264	VEST TROY D & LIANE R	NO SITUS	Taxable	\$750
52E09CC12400	Central Commercial	0.28	12,197	12,197	WALDORF LAMONT R	221 S MOLALLA AVE	Taxable	\$350
52E09CC10300	Central Commercial	0.14	6,098	6,098	WALDORF LAMONT R 1/2	106 ENGLE AVE	Taxable	\$350
52E09CD02000	Central Commercial	0.13	5,663	5,663	WALKER J WALLACE	502 E MAIN ST	Taxable	\$350
52E08C 00200	General Commercial	1.04	45,302	45,302	WARREN/HOWARD LTD PRTRNSHP	704 W MAIN ST	Taxable	\$100
52E09CB03601	Central Commercial	0.27	11,761	11,761	WASHINGTON MUTUAL BANK	318 CENTER ST	Taxable	\$350
52E09CB02300	Central Commercial	0.10	4,356	4,356	WATSON JIMMIE H & SHIRLEY A	104 CENTER ST	Taxable	\$100
52E09CA04301	Central Commercial	0.20	8,712	8,712	WEST COAST BANK	401 E MAIN ST	Taxable	\$350
52E09CA04200	Central Commercial	0.44	19,166	19,166	WEST COAST BANK	401 E MAIN ST	Taxable	\$350
52E08DD10700	Industrial	0.14	6,098	6,098	WEST MAUREEN A	502 SHAVER AVE	Taxable	\$100
52E09BC02400	Central Commercial	0.46	20,038	20,038	WILLIAMS CHARLES J & SUSAN D	530 N MOLALLA AVE	Taxable	\$350
52E09CB02100	Central Commercial	0.31	13,504	13,504	WILSON ERIC M CO-TRUSTEE	201 E MAIN ST	Taxable	\$350
52E08DD04700	General Commercial	0.48	20,909	20,909	WISE GARY & KAE	120 METZLER AVE	Taxable	\$100

52E08DD03300	Central Commercial	0.33	14,375	14,375	WISE GARY G & KAE D	NO SITUS	Taxable	\$350
52E08DD00600	Central Commercial	0.33	14,375	14,375	WISE GARY G & KAE D	122 S MOLALLA AVE	Taxable	\$350
52E08DD09401	Industrial		63,652	63,652	WOODBURN FERTILIZER	NO SITUS	Taxable	\$500
52E09D 01902	General Commercial	0.28	12,197	12,197	WSCO PETROLEUM CORP	NO SITUS	Taxable	\$100
52E09D 01901	General Commercial	0.83	36,155	36,155	WSCO PETROLEUM CORP	901 E MAIN ST	Taxable	\$100
52E07A 00700	Industrial	9.11	396,832	396,832	YAW KATHLEEN & CRAIG	31176 S HWY 213	Taxable	\$750
			18,056,640	18,056,640				\$75,400



# City Of Molalla

## City Council Meeting

### Agenda Category: Resolution

**Subject:** A resolution consenting to county dog control jurisdiction within the City of Molalla.

**Recommendation:** Approve resolution

**Date of Meeting to be Presented:** Oct. 13, 2010

**Fiscal Impact:** NA

**Background:**

The Clackamas County Board of Commissioners recently adopted changes to the County's Animal Code to improve clarity, ensure conformance with state law, and make related minor revisions. Those changes are becoming effective and it is now necessary for those cities wishing the County to continue providing dog field services within their city limits to consent to the new Code so the County continues to be authorized to provide services. Cities that do not consent to the County's Animal Code will therefore be required to develop their own dog control measures. These changes relate only to field services and do not impact shelter services. Clackamas County has provided dog control services in Molalla under previous Council resolutions, and the city acts as a licensing agent for the county. This has been a cost-effective arrangement for the City of Molalla. Staff has reviewed the County's Animal Code changes, finds no basis for objections, and recommends approval of the resolution.

Attachments:

Memorandum

Resolution No. 2010-22

SUBMITTED BY: John Atkins, Jr., City Manager

ALL AGENDA ITEMS MUST BE SUBMITTED BY NOON  
THE THURSDAY BEFORE THE SCHEDULED COUNCIL MEETING.  
LATE ITEMS WILL BE SUBMITTED TO THE CITY MANAGER  
FOR CONSIDERATION.

**Agenda Item**

**8.A.**

City Recorder Use Only

# MEMORANDUM

September 30, 2010

To: City Managers of Clackamas County  
CC: Cam Gilmour, Diane Gissel & Diana Hallmark, Transportation & Development  
From: Steve Wheeler, Clackamas County Administrator  
RE: Dog Services code changes acceptance for service delivery

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As you may remember, the Board of County Commissioners recently adopted changes to the County's Animal Code; those changes are becoming effective and it is now necessary for those cities wishing the County to continue providing dog field services within their city limits to consent to the new Code so the County continues to be authorized to provide services. Be assured that we are continuing to provide services to ensure a smooth transition. However, if cities do not consent to the County's Animal Code, the Code cannot be applied within the city and the County will no longer have jurisdiction to operate dog field services inside the city limits. *This issue relates only to field services and does not impact shelter services.* If your city wishes to ensure field service continuation, we are requesting the following.

1. Since the new Code language is effective October 1, we ask that you, at your earliest convenience, respond to this memo with an email indicating that your city consents to the new Code and will pursue a resolution of your City Council consenting to the County's Animal Code; and
2. Send your city's signed resolution to Clackamas County Dog Services, once adopted, for our records. We have attached a sample resolution to simplify this process. Resolutions may be submitted via email or postal mail. The addresses for submitting resolutions are:

Department of Transportation & Development  
Attn: Diane Gissel, Administration  
150 Beaver Creek Road  
Oregon City 97045  
[dianeg@co.clackamas.or.us](mailto:dianeg@co.clackamas.or.us)

Those cities in Clackamas County that have their own dog control regulations or that have not consented to County Code in relation to dog services in the past – City of Lake Oswego, City of West Linn, City of Happy Valley, City of Damascus, and City of Tualatin – do not need to respond unless there is a desire to allow the County to provide services within their city limits. However, all cities that desire continued service should consent to the code in order to ensure the County retains jurisdictions and is able to continue to provide field services (dog control) in their city limits.

The Code changes are primarily housekeeping changes in nature and are not material to how the County responds to enforcement actions requested by cities or residents. City consent to the County's Code is also a housekeeping measure, but an important one to ensure that jurisdictions and authorities are properly recorded in the unlikely event of a complaint. An overview of the County-adopted Code changes is included at the end of this memo.

As you may also recall from a City/County Managers Meeting last July, dog control services are highly subsidized from the County's General Fund and are therefore provided as funds are available. In truth, the County can only afford three field officers to cover the County's entire

1893 square miles. Though service levels are lower than we prefer and are threatened (as are many services) by anticipated further budget reductions, we do strive to be very responsive. Required services of the County include issuing tags to inoculated dogs; impounding dogs known not to have received rabies vaccinations; impounding and microchipping dogs known to have bitten, killed or maimed livestock; and securing the availability of a facility for impounding dogs.

The County is giving serious thought to options to reduce reliance on the General Fund through either fundraising (which of course initially requires more funding) or offering enhanced services on a fee-for-service basis. If your city is interested in pursuing options further in partnership with the County, we would welcome that interest.

Thank you in advance to your prompt attention to this request for an email confirming Code acceptance and a resolution of your City Council. If you do not wish to receive dog services from the County, you need not respond. We are hoping to have all email confirmations by Friday, October 7, 2010 and all resolutions in by Friday, October 29, 2010.

*Attachment appended*





**Dog Services**  
13141 SE Hwy 212, Clackamas, OR 97015

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Title 5, Animals Code – Proposed Amendments.

- ✓ Remove Continuous Annoyance .
- ✓ Returns Canines involved with Livestock to Code.
- ✓ Alter Multiple Dog Licensing – remove Commercial and develop a single Multiple Dog License program that requires inspections.
- ✓ Returns keeping a dog in a manner that does not meet minimum care requirements as a violation of code.
- ✓ Add violation of failing to maintain current rabies vaccination.
- ✓ Add violation of failure to report a dog bite.
- ✓ Add violation of failure to follow condition of release.
- ✓ Add provision to permit dogs to be conditionally released to their owners on certain conditions.
- ✓ Clarify reclaim time lines for owners
- ✓ Alter stray holding periods to conform with State Statute.
- ✓ Minor housekeeping:
  - Provision of false information to a Dog Services Employee.
  - Remove numbers limit exemptions (except: litters of puppies under 6 months and continuously licensed since July 2004.)

The full text of the Dog Licensing & Services Code can be accessed online at  
[County Code Section 5.01](#)

City of Molalla  
RESOLUTION No. 2010-22

A RESOLUTION CONSENTING TO ADMINISTRATION AND MANAGEMENT OF DOG CONTROL MEASURES BY CLACKAMAS COUNTY IN THE CITY OF MOLALLA

WHEREAS, Oregon Revised Statute 203.040 provides that:

“Except by consent of the governing body or the electors of a city and except in cities not regularly operating as such through elected governmental officials, ordinances adopted under ORS 203.030 to 203.075 in exercise of the police power shall not apply inside an incorporated city,” and

WHEREAS, Oregon Revised Statute 609.015 (2) provides that:

“A county dog licensing and control program shall not apply within the limits of a city that has its own dog licensing and control program,” and

WHEREAS, the City of Molalla does not have a dog licensing and control program and relies upon Clackamas County to perform those services, and

WHEREAS, the City Council deems it advisable to consent officially to ongoing dog control authority in the City of Molalla by Clackamas County,

NOW, THEREFORE, the City Council of the City of Molalla resolves:

1. That the City of Molalla hereby consents to Clackamas County exercising authority over dog regulations in the City of Molalla, including administration and management of dog licensing and control measures.
2. That a true copy of this resolution be provided to Clackamas County.
3. That this resolution shall take effect upon adoption by the Council.

Adopted by the City Council of the City of Molalla, Clackamas County, Oregon this 13th day of October, 2010.

Attest:

City of Molalla

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

By \_\_\_\_\_  
Mike Clarke, Mayor

STATE OF OREGON    )  
                                  )    ss  
County of Clackamas    )

I certify that the foregoing is a true copy of the original resolution on file in the office of the City Recorder.

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