

City of Mt. Angel

City Council Packet

January 4, 2016

MT. ANGEL CITY COUNCIL MEETING AGENDA

290 East Charles Street – Community Meeting Room

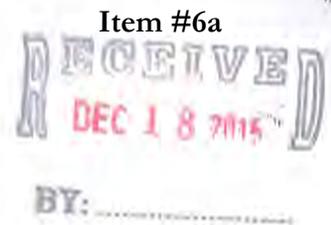
Monday, January 4, 2016

7:00 p.m. REGULAR MEETING

- 1. Call to Order**
- 2. Flag Salute**
- 3. Roll Call**
- 4. Presentations, Guests, and Announcements**
- 5. Appearance of Interested Citizens** - *please limit comments to three (3) minutes.*
- 6. Review Correspondence**
- 7. Review Written Staff Reports**
- 8. Review Accounts Payable**
- 9. Consent Agenda**
 - a. Approve City Council Meeting Minutes for December 7, 2015
 - b. Approve City Council Workshop Minutes for December 14, 2015
- 10. Unfinished Business**
- 11. New Business**
 - a. Ordinance Annexing 20 Acres into the City Limits
AN ORDINANCE DECLARING TERRITORY ANNEXED TO THE CITY OF MT. ANGEL AND AMENDING THE MT. ANGEL ZONING MAP (1st Reading)
 - b. Ordinance Regarding Recreational Vehicle Parking
AN ORDINANCE AMENDING THE MT. ANGEL MUNICIPAL CODE CHAPTER 70 “TRAFFIC AND PARKING REGULATIONS,” ADOPTING A DEFINITION OF RECREATIONAL VEHICLE; ADOPTING A RECREATIONAL VEHICLE PARKING RESTRICTION, AND AUTHORIZING THE COUNCIL THE DISCRETION TO ADOPT A TEMPORARY EXCEPTION (1st Reading)
- 12. City Manager’s Report**
- 13. Councilor/Committee Reports**
- 14. Mayor’s Report**
- 15. Adjournment**

Mt. Angel Community Meeting Room is handicapped accessible. If special accommodations are required please contact City Hall at least one business day in advance at 503-845-9291. Hearing Impaired may call TTY (800) 648—3458. Interpretive services may be available with sufficient prior notice of need.

Linda A. Bentz
670 West Church St
Mt Angel, OR 97362



December 18, 2015

Mayor Andrew Ott
Mt Angel City Council
City of Mt. Angel
P. O. Box 960
Mt Angel, OR 97362

Re: Recent Annexation

Mayor Ott and City Council Members:

I am most concerned that the annexation was sent to be voted on when the property does not conform to the Mt Angel Development Code, Section 19.3 which states that the subject property must be within the Urban Growth boundaries and contiguous to the city. Of this property only a few hundred feet is contiguous to the city, the Code does not say that the property must be contiguous *in part*, it says contiguous. It also disturbs me that the council is not familiar with the development code.

As owner of property located on West Church Street I have some concerns about the development of the recently annexed acreage, located between West Church St and Mt Angel Gervais Hwy. My property is the city limits on the south side of West Church St where the speed drops to 25 and conversely increases to 55. I have lived there for 40 years and during this time I have learned by listening and watching the traffic to tell when a vehicle is speeding or abiding by the speed limit.

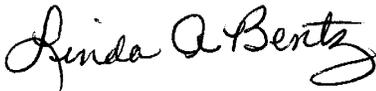
My concerns are:

- There is constant speeding on West Church at the present time; I regret to mention the speeding is even done by the school bus and the police car when they head out to check the golf course.
- The police seldom patrol this street because of the current low volume of traffic and the difficulty of catching the speeders.
- With the development of this property there will be an increase in traffic and the possibility of a serious accident will be greater.
- At the present time there are few children living on the street but with additional housing the volume of children using the street would increase.

- It is my understanding that St Mary Elementary school is currently at capacity and was not built originally to facilitate the addition of more classrooms.
- Are the current wells able to sustain a higher level of usage with the water table dropping as it has been doing?
- In addition, what is the capacity of the sewage treatment plant? Is it able to handle the increased usage?
- I learned recently that the Hayes Addition still has lots that have not been developed yet, shouldn't these take priority?
- The square footage of the building lots has been given as 8,000 square feet and this seems quite small and would increase the density of the development. A lot size of 10,000 square feet would be more reasonable.
- Is it true that there is another development in the planning stages on the east side of Mt Angel? Has this development been taken into consideration along with this proposed development when looking at the water, sewage, schools, and other related items?
- Will the developer use a local construction business that in turn would be employing local residents to the benefit of the whole town?

Please carefully consider the above concerns that I have listed before deciding to approve the development of this property.

Respectfully:



Linda A. Bentz
670 W Church St
Mt Angel, OR 97362
Home: 503-845-6237
Cell: 503-269-7030

December 28, 2015

TO: Mt. Angel Mayor and City Councilors

FROM: Jim Kosel

SUBJECT: Annexation ANX 2015-01

With reference to the minutes of the July 6, 2015 Council meeting, and the hearing for ANX 2015-01, there was discussion on applicability of Mt. Angel Development Code (MADC) sections 19.3 and 19.4. But, there is no mention/discussion of MADDC 19.2(a) and its referral to Oregon Revised Statutes (ORS) 222.111 through 222.183.

ORS 222.111(1) states, in part, "...the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water."

ANX 2015-01 would create three (3) island properties, appearing to violate the "contiguous to" part of aforementioned ORS 222.111(1).

Measure 24-387, Summary, in part, states "Property to be annexed **must touch** existing city limits...". Neither MADDC 19.3 nor ORS 222.111(1) include the term "...must touch..." or similar terminology.

While ORS 222 doesn't include a definition section, as some ORS/OAR do, Oregon Administrative Rules (OAR) 660-033-0020(3), Agricultural Land (agricultural lands as defined by Goal 3 for farm use), does define the word contiguous: "Contiguous" means connected in such a manner as to form a single block of land". Applying this definition, ANX 2015-01 does not form a single block of land.

From ORS 221.034(2)(a), Organization and Government of Cities, "The area proposed to be incorporated must also be located **entirely** within a designated rural unincorporated community and **contiguous** lands...". This appears to be similar to the single block of land concept from OAR 660-033-0020(3).

The planar also did not mention/discuss other ORS/OAR, some being a part of ORS 222, which the Council may want to review for the short/long term impact on existing City procedures/fees:

1. ORS 222.750, allows the City to annex islanded properties (the three island properties if ANX 2015-01 is approved).
2. ORS 222.855 and 222.860, through the Oregon Health Authority, allows the City to annex properties in which a danger to public health exists. If ANX 2015-01 is approved how many properties might this potentially apply to?

ANX 2015-01, page 2

3. OAR 340-071-0160(4)(A)(I), through the Department of Environmental Quality, a failed onsite wastewater treatment system must connect to the nearest sewerage connection point within 300'. The OAR does not define whether the 300' is "as the crow flies" or street feet. If ANX 2015-01 is approved how many properties might this potentially apply to?

House Bill 2725 would require consent to annexation before providing extraterritorial services. It did not have a hearing during the last session. Perhaps Representative Clem should be contacted to see if he plans on reintroducing the bill during the next session. Currently, per *Bear Creek Valley Sanitary Authority v. City of Medford*, the Oregon Court of Appeals made a ruling that appears to limit city authority on obtaining consents to annexation in exchange for extraterritorial services.

19.2% (290/1509) of the registered voters voted for the annexation, 17.4% (262/1509) opposed the annexation. The low number of votes cast may be because the Explanatory Statement did not include a financial impact to the general fund. Salem, for example (see enclosed Measure 24-377), does include a financial impact to its general fund.

From the 2010 American Farmland Trust Cost of Community Services (COCS) Studies, which did not include schools, for every \$1.00 paid in residential property taxes there is a cost of \$1.16 for COCS. In Mt. Angel, with all the exempt properties, I suspect that dollar figure for COCS is somewhat higher. The financial impact to the general fund, if this annexation is to be approved, should be evaluated prior to a Council vote.

Options include, but are not limited to:

1. Vote NO because the eastern property line is not totally contiguous to Mt. Angel (ORS 222.111(1)). Legal advice and/or case law may clarify the intent/application of ORS 222.111(1).
2. Defer Council vote until data is available for the aforementioned ORS/OAR issues, and, once data is available, provide an opportunity for additional citizen input.

Respectfully submitted,



Jim Kosel

ENC: Salem Measure 24-377

Measure No. 24-377
City of Salem

Referred to the People by the City Council

Measure Proposing Annexation of 1.08 Acres of Territory into Salem

Question: Should the Territory located at 4911 and 4922 Swegle Road NE be annexed?

Summary: Approval of this measure would annex 1.08 acres of Territory located at 4911 and 4922 Swegle Road NE to the City of Salem. The Territory is within the Urban Growth Boundary. If approved by the voters, City of Salem Multiple Family Residential 1 (RM1) zoning designation would be applied to the Territory, and the Territory would be withdrawn from the Marion County Fire District #1.

Explanatory Statement:

If approved, this measure would result in annexation of approximately 1.08 acres of territory (Territory) to the City of Salem.

The Territory is located at 4911 and 4922 Swegle Road NE, designated in the Salem Area Comprehensive Plan as Multi-Family Residential and Single-Family Residential, and currently zoned Marion County RM (Multiple Family Residential). If annexed, the Territory would be designated Multi-Family Residential in the Salem Area Comprehensive Plan and zoned City of Salem RM1 (Multiple Family Residential 1).

The Multiple Family Residential 1 zone allows residential uses, apartment houses and duplexes, bed and breakfast establishments, residential care facilities (except homeless shelters), playgrounds and parks, public buildings, community or neighborhood club buildings, and child/adult care homes. Additional uses are allowed through conditional use and special use approval. This zoning district allows a maximum density of 14 dwelling units per acre, assuming an allowance for public utilities and infrastructure. A complete list of allowable uses and development standards for the RM1 zone is available in Salem Revised Code (SRC) Chapter 513.

Annexation of the Territory is conditioned upon development of the Territory being in substantial conformance with the conceptual plan approved by the City Council and on file at the City of Salem.

Measure No. 24-377
City of Salem

If annexed, the Territory would be withdrawn from the Marion County Fire District #1 and would receive services through the City of Salem.

If **annexed**, the Territory is estimated to have an overall fiscal impact of creating an annual deficit to the City's General Fund (in year 2013-14 dollars) of \$2,404 based on the proposed zoning and current level of service for park, library and fire facilities.

Adequate public facilities exist to serve the Territory in accordance with the City's adopted budget, master plans, Capital Improvement Plan, and urban growth management process as set forth in SRC Chapter 66.

Additional information regarding the proposed annexation and zoning is available for public review at the Salem City Hall, Department of Community Development, 555 Liberty Street SE, Room 305, Salem, Oregon, and on the City's web site www.cityofsalem.net.

Submitted by: Anna M. Peterson
 Mayor, City of Salem



No arguments were submitted in support or in opposition to measure 24-377

CITY OF MT. ANGEL

January 2016

Department Reports

Eileen Stein
 City Manager
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 503-845-9291

ADMINISTRATION

FY 2015-16 Goals

1. Assess future staffing needs to promote community livability (walkability, beautiful parks, library, and police protection) and evaluate new General Fund revenue sources to achieve this.

In progress. We have collected information on potential new revenue sources for the General Fund and are preparing information for a discussion for the goal setting session on January 9th.

2. Create a citizen's task force to analyze costs and revenue sources for maintaining city, and possibly county infrastructure inside city limits.

In progress. Third meeting held on December 21st and next one in mid-January. The task force would like to see scenarios for water and sewer rate increases, so we've been working on those. The January meeting will focus on streets, sidewalks and stormwater. After that, parks and facilities.

3. Update the Mt. Angel Development Code.

In progress. Final presentation on code assessment was December 14th with Planning Commission. Next step is to move into the process of developing new code language.

4. Re-explore creating an urban renewal district for the downtown area.

UR 101 presentation given on October 19th. COG forwarded copies of past feasibility studies, will refine cost estimate after finishing Dayton's feasibility study. Needs to be considered in relation to Goal #1.

5. Initiate planning and community outreach for a new City Hall.

Roof/ceiling leaks appeared again in December. Continues to be a priority in relation to Goal #1.

City Hall Roof Leak

Once again City Hall has consumed a great deal of attention. We have a good idea of the source of the roof leaks and are awaiting an estimate for roof and ceiling repair (and then a break in the weather to fix the roof.) CIS informs us that insurance will cover interior repairs, but exterior repairs will be the City's responsibility. Also, Westech is securing an estimate for a general structural assessment of the building.

Marijuana Referral

Following the decision to refer a prohibition of marijuana activities to the voters, we are now on OLCC's list of cities and counties doing so (i.e. the moratorium is in effect) and we will publish the notice of ballot title in the paper and proceed to do the other things necessary to get this measure onto the November 2016 ballot.

Justin Hogue
Assistant to the City Manager
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COMMUNITY DEVELOPMENT

Development Code Update

During the discussion about next steps, at the joint workshop meeting with the Planning Commission and City Council, it was suggested that the final round of revisions/review and additional City Council meeting identified in Task 4 of the scope may not be necessary. Planning Commission and City Council members indicated that they did not feel it necessary to see another “final” version of the Action Plan and would prefer to get started on the next phase of actual Code amendments. Serah Breakstone of Angelo Planning Group will discuss this proposal with the contract manager, Gary Fish with the Oregon Department of Transportation (ODOT) to see what options are available.

Planning Activity

Staff met with David Karr, engineer for the Grandview project, in a pre-design meeting at Westech’s office to discuss utilities and access for the development site.

Permits

Received a building permit application for a single-family home on Lincoln St. Four building permits were reviewed and approved by the City and Marion County. Three of these permits are for single-family homes in the Maryhill subdivision and the remaining one is for a single-family home on Towers Lane.

Façade Improvement Program

A letter from the Mayor along with an application for participating in the Façade Improvement Program has been provided to local businesses in the downtown core. The deadline to apply for grant consideration is January 29, 2016 at 5:00 p.m.

Annexation

The ordinance annexing 20 acres into the Mt. Angel city limits will be brought before the Council for consideration at the January 4, 2016 Council meeting.

Chaunee Seifried
Finance Director
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503-845-9291

FINANCE

Utility Billing

\$1774 is 90 days past due.

61 shut off notices were mailed out.

6 customers had water shut off and 5 were turned back on.

Court

Court fine revenues for the month were \$2,592 Out of that, a check in the amount of \$408 was sent to Oregon Department of Revenue and a check in the amount of \$140 was sent to Marion County Treasurer. A check was received in the amount \$317 This amounts represent citations that were written outside of the city limits that were either prosecuted in Justice Court or Circuit court for traffic and criminal matters. Last court was held Nov. 18th. The next court session is Wednesday, Jan. 13th, 2015 at 6:00 pm.

Budget

We are currently preparing for our internal Budget Kick-Off Meeting on February 2nd. We will be handing out budget worksheets for each department to start their projections.

Carrie Alexandria Caster
 Library Director
 ccaster@ci.mt-angel.or.us
 503-845-9291

LIBRARY

St. Nicholas' Children's Corner at Hazelnut Fest

Our first year hosting the St. Nicholas' Children's Corner at Hazelnut Fest was a wonderful success! We really enjoyed this opportunity to do outreach to our community and beyond, giving a taste of some of the wonderful programs we offer. Lego Club was a huge hit, as were the handmade hazelnut squirrels we made and gave out to visitors. The collaborative community art project was also popular and produced a very nice yarn art tree which has been on display in the library throughout December. We have been approached to present a small program at the upcoming Wurstfest and look forward to being involved in that through presenting a children's activity on the Friday, February 5th. We are delighted that many new patrons have started coming in the library after learning about our activities at Hazelnut Fest, and outreach and community involvement and visibility will continue to be a priority.

Toddler Totes

New early literacy backpacks called Toddler Totes (purchased with Ready to Read grant funding) will be debuting this month in the children's area. These fun child-sized themed backpacks for check out contain books, media (DVD or music) and a related small toy. We will be adding 4 Toddler Totes in English and 2 in Spanish. The themes are Fairy Tales, Transportation, Cats, Monsters, The Three Little Pigs, and Bedtime. We expect these to be very popular with children once they are catalogued and placed in circulation.

Santa Claus at the Library!

We hosted a very successful Christmas party at the Library at which Santa Claus himself made a visit, arriving in a fire engine from Mt. Angel Fire District! Free photos of children visiting with Santa Claus in the library were taken and emailed to families (22 different groups of children posed for photos). Our ornament making activity was also very popular with families! Many thanks are due to Ray Eder and Andy Otte for their invaluable help in making this event such a success! Some photos have been shared on our Facebook page and will be on display in the library. December was a very full month of fun programs and we will continue to offer creative and fun activities in January.

TAB and Other Projects Starts in January

A long-term goal for the library has been to add programming for teens, something we currently lack. To further this goal, we are starting the process of forming a Teen Advisory Board (TAB) in January 2016. A panel of teens will be recruited to provide input and feedback about teen activities and resources. The teens will also volunteer at the library to help with assorted tasks as part of this project and will gain experience planning projects, assisting with events, advocating for youth interests, creating library displays and more. This is also a great way for us to foster greater connection with the local schools and support the youth in our community.

Winter Movie Matinee series

We have hosted a series of family movie matinees each Wednesday in December, which have been fun and popular. We are looking to add a film series for adults in the new year, now that the laptop and cable are up and working so well. Thanks again to the Police Department for donating the laptop to us which makes this possible.

Circulation Stats

Last month marked one year with our new integrated library software Sirsi Dynix Symphony. Due to the challenges of the software conversion, circulation stats from December 2014, January 2015, and February 2015 are not available. Circulation stats from December 2015 are not yet available at the time of this report, but will be reported next month.

Patron visits to the library in November 2015: 880 visits

Patron visits to library since March 2015: 9827

Early Literacy Station Computer Debuts in the Children's Area!

We are delighted to be achieving a vitally important goal for the library this month with the addition of a wonderful new educational computer designed specifically for children! We have used existing computer replacement grant funding which have been held in reserve for several years to purchase a discounted bilingual Early Literacy Station from AWE Computers. This is an impressive complete educational computer which offers more than 70 educational software programs spanning all subject areas--math, reading, creative arts, science, and more! This computer does not allow children to access internet content, so parents can be assured that young children are gaining valuable digital and computer literacy skills, as well as a wealth of education content, without encountering unwanted internet sites. Until now, we've had no digital tools to support and engage children's love of learning through the digital tools which are essential in today's world. The computer features a keyboard and a touch screen for multiple learning styles. These early literacy computers are the public library standard for children's digital literacy and learning, and we are excited to begin to offer this vital service to the children of Mount Angel. We are in the process of creating a space for this new computer in the children's area and hope to have it up and accessible to children by the first week in January! More information about these computers can be found at <https://awelearning.com/early-literacy-station/>.

Michael D. Healy
Chief of Police
mhealy@ci.mt-angel.or.us
503-845-9294

POLICE

Officer Recruitment Process

We have extended a Conditional Offer of Employment to an applicant. He now has to undergo a physician's physical examination to ensure he is physically capable and a psychological screening to make sure his personality is a match for law enforcement. We should have the results of those exams sometime in early January. If he passes those steps we will set a start date.

I am currently conducting a background check on another candidate. If this applicant works out we will have filled both vacant positions. We will be in the training mode for quite some time, but both of these applicants have recently attended the 16 week academy so we won't have to repeat that.

Holiday Patrol Coverage

The holidays in general have gone well so far. It's been a fairly quiet holiday season for us. There have been reports that residents have been receiving a variety of "scam" phone solicitations. So far nobody has been victimized as they recognized they were probably being scammed.

Fraud Case

Sgt. Charpilloz has been investigating a detailed and complex fraud case for a few weeks. It's even more complicated for us trying to figure out the appropriate jurisdiction to handle the case. As this one has turned out, so far, we have shipped it over to the Independence, Oregon police department for further investigation.

Dan Bernt
Public Works Superintendent
dbernt@ci.mt-angel.or.us
503-845-6260

PUBLIC WORKS

Water:

- The crew did routine bi-monthly water meter reading, as well as many special meter reads, starts, and stops.
- Did 6 delinquency water shut offs.
- We are working on the Fire Districts Insurance Service Office report in regards to the water system.
- Installed and/or replaced several water meters.
- We had the CLA Valve at well #7 serviced.
- Collected routine water samples.
- We also did numerous utility locates.

Sewer Department:

- We are now discharging treated effluent to the river. After an early hiccup everything is going well.
- We had a new chemical injection system installed. All the components have been serviced and all is properly operating.
- We have been closely monitoring the wastewater collection system during the heavy rains. There is a significant increase in sanitary sewer flow rates during heavy rains.

Parks Department:

- Continued with leaf and debris pick up in the parks.
- Began bush and tree trimming in several parks.

Streets Department:

- The street sweeper was out 4 times in December.
- Spent quite a bit of time managing the drainage systems to keep the heavy rains flowing out of town.
- Did a considerable amount of tree debris pick up and hauling due to a couple of high wind events.
- Did some sign/sign post replacement/resets.
- Continued with leaf pick up and basin clearing.
- Put up the pole mount holiday decorations.
- Set out and retrieved barricades on S. Main St. on the 21st due to a portion of a tree coming down onto power lines.
- John is working on the City's 5 year storm water Total Maximum Daily Load (TMDL) report to the Department of Environmental Quality (DEQ) that is due in January along with our annual report.
- Did some gravel street maintenance.

Other:

- Attended utility task force meetings.
- Assisted with building maintenance issues at City Hall, the Senior Center, and the Library.
- Our new Maintenance Worker, Colby Kemp, started work on the 21st.

Report Criteria:

- Invoices with totals above \$0 included.
- Only paid invoices included.
- Invoice Detail.Description = {<>} "1099 adjustment"

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
GENERAL FUND							
6510	Laborers' Local 483	36	PW union dues,monthly/emp.paid	12/10/2015	342.38	342.38	12/15/2015
Total :					342.38	342.38	
ADMINISTRATION DEPARTMENT							
2090	Bochsler Hardware	DEC2015	Dish soap and air spray	11/30/2015	8.78	8.78	12/15/2015
11810	US Bancorp Service Center	DEC2015	Fred Meyer: staff retreat refreshments	11/25/2015	2.85	2.85	12/15/2015
11810	US Bancorp Service Center	DEC2015	Office depot:tape, copy paper, bathroom supplies	11/25/2015	57.69	57.69	12/15/2015
11810	US Bancorp Service Center	DEC2015	Office depot: letter tray	11/25/2015	2.99	2.99	12/15/2015
11810	US Bancorp Service Center	DEC2015	Vista Print: business cards	11/25/2015	12.32	12.32	12/15/2015
11810	US Bancorp Service Center	DEC2015	Office depot: Paper towels for stock	11/25/2015	49.46	49.46	12/15/2015
11810	US Bancorp Service Center	DEC2015	Office depot: magnets for outdoor bulletin board	11/25/2015	5.79	5.79	12/15/2015
12763	Petty Cash-Tara Von Flue	DEC2015	Camera battery	12/10/2015	5.99	5.99	12/15/2015
12763	Petty Cash-Tara Von Flue	DEC2015	Second interview coffee w/3 candidates	12/10/2015	24.75	24.75	12/15/2015
12763	Petty Cash-Tara Von Flue	DEC2015	Stock disposable utensils	12/10/2015	27.45	27.45	12/15/2015
12948	ENVIROSHRED NW	20176718	Admin regular service	12/04/2015	18.02	18.02	12/15/2015
7820	Mt Angel Telephone Company	380	City Hall Fax	12/05/2015	48.07	48.07	12/15/2015
7820	Mt Angel Telephone Company	383	City Hall, 2 lines	12/05/2015	107.69	107.69	12/15/2015
12583	CENTURY LINK	144	lines,9291,9292,6261	12/05/2015	6.50	6.50	12/15/2015
12763	Petty Cash-Tara Von Flue	DEC2015	Admin postage due	12/10/2015	1.12	1.12	12/15/2015
12763	Petty Cash-Tara Von Flue	DEC2015	Admin postage due	12/10/2015	.52	.52	12/15/2015
12763	Petty Cash-Tara Von Flue	DEC2015	Admin postage due	12/10/2015	.08	.08	12/15/2015
7590	Moonlight Maintenance, Inc.	125	City Hall cleaning	12/05/2015	156.00	156.00	12/15/2015
12763	Petty Cash-Tara Von Flue	DEC2015	Exit signs for City hall area	12/10/2015	2.70	2.70	12/15/2015
10795	SPEER HOYT, LLC	33495-97 & 98	Marijuana ordinance correspondence	11/30/2015	1,085.60	1,085.60	12/15/2015
7440	Mid-Willamette Council of Gov	DEC2015	Registration Annuall meeting/dinner(J & E)	11/25/2015	68.00	68.00	12/15/2015
12848	HOGUE, JUSTIN	DEC2015	Reimbursemnt for Infrastructure task force meeting	12/08/2015	49.80	49.80	12/15/2015
12763	Petty Cash-Tara Von Flue	DEC2015	Retreat breakfast @ Shalom Prayer center	12/10/2015	50.00	50.00	12/15/2015
12953	SHALOM PRAYER CENTER	DEC 2015	Staff meeting for City hall	11/25/2015	30.00	30.00	12/15/2015
8210	Northwest Natural Gas Co.	79	City Hall bldg,split w/pdept	12/05/2015	126.66	126.66	12/15/2015
10440	Secretary of State, Business Ser.	DEC2015	FY 14-15 audit filing fee	12/03/2015	250.00	250.00	12/15/2015
Total ADMINISTRATION DEPARTMENT:					2,198.83	2,198.83	
POLICE DEPARTMENT							
1570	ASSURANT Employee Benefits	4005790-0326	Police assurant insurance/annual	11/25/2015	2.32	2.32	11/25/2015
10190	SALEM TROPHY CO.	18241	Service appreciation plaque/Adams	11/25/2015	50.00	50.00	12/15/2015
11810	US Bancorp Service Center	DEC2015	Office depot: bathroom supplies	11/25/2015	14.33	14.33	12/15/2015

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11810	US Bancorp Service Center	DEC2015	Office depot: Paper towels for stock	11/25/2015	49.46	49.46	12/15/2015
11810	US Bancorp Service Center	DEC2015	Office depot: office supplies	11/25/2015	142.05	142.05	12/15/2015
12948	ENVIROSHRED NW	20176718	Police dept regular service	12/04/2015	18.03	18.03	12/15/2015
7820	Mt Angel Telephone Company	384	Police Dept lines	12/05/2015	155.01	155.01	12/15/2015
12583	CENTURY LINK	144	40009294,9848, Pdept long dist	12/05/2015	10.10	10.10	12/15/2015
12763	Petty Cash-Tara Von Flue	DEC2015	Police dept postage due	12/10/2015	1.20	1.20	12/15/2015
12763	Petty Cash-Tara Von Flue	DEC2015	Police dept postage due	12/10/2015	2.74	2.74	12/15/2015
7590	Moonlight Maintenance, Inc.	126	Police Dept. cleaning/monthly	12/05/2015	196.00	196.00	12/15/2015
11810	US Bancorp Service Center	DEC2015	Uline: building maintenance	11/25/2015	83.47	83.47	12/15/2015
11810	US Bancorp Service Center	DEC2015	Uline: building maintenance	11/25/2015	79.97	79.97	12/15/2015
10795	SPEER HOYT, LLC	33495-97 & 98	Police bargaining	11/30/2015	2,048.73	2,048.73	12/15/2015
2960	City of Silverton	54	PD dispatch services	12/05/2015	23.12	23.12	12/15/2015
7820	Mt Angel Telephone Company	382	Pdept 911 line	12/10/2015	33.29	33.29	12/15/2015
1580	AT&T	33	modems/police vehicles	12/05/2015	167.36	167.36	12/15/2015
11810	US Bancorp Service Center	DEC2015	OACP:training for chief H.	11/25/2015	180.00	180.00	12/15/2015
5195	GREG'S AUTOMOTIVE	11231	#51 oil change	11/19/2015	34.38	34.38	12/15/2015
12898	MT ANGEL AUTO BODY	DEC2015	2014 ford explorer repair/deductible	11/24/2015	100.00	100.00	12/15/2015
12595	SIRCHIE	0231356-IN	Evidence tape	11/18/2015	37.40	37.40	12/15/2015
1063	911 Supply	36121	Ear phone	11/23/2015	53.72	53.72	12/15/2015
12635	FERGUS, LEVI	DEC2015	Duty belt/uniform reimbursement	11/26/2015	33.95	33.95	12/15/2015
8210	Northwest Natural Gas Co.	79	City Hall bldg.split w/pdept	12/05/2015	126.65	126.65	12/15/2015
12947	BRETTAUER OIL COMPANY	CL24153	Police Dept fuel	11/30/2015	641.90	641.90	12/15/2015
Total POLICE DEPARTMENT:					4,285.18	4,285.18	
COURT DEPARTMENT							
12763	Petty Cash-Tara Von Flue	DEC2015	Surface pro anti glare screen protector	12/10/2015	10.99	10.99	12/15/2015
7050	Marion County Treasurer	DEC2015	JAIL ASSESSMENT/Nov.2015	12/04/2015	140.20	140.20	12/15/2015
8610	Oregon Department of Revenue	DEC2015	State Assessments/Nov 2015	12/02/2015	407.80	407.80	12/15/2015
Total COURT DEPARTMENT:					558.99	558.99	
COMMUNITY DEVELOPMENT							
11810	US Bancorp Service Center	DEC2015	Vista Print: business cards	11/25/2015	12.32	12.32	12/15/2015
10795	SPEER HOYT, LLC	33495-97 & 98	Annexation questions	11/30/2015	938.40	938.40	12/15/2015
7440	Mid-Willamette Council of Gov	DEC2015	P2014-03 billed to applicant	11/25/2015	57.75	57.75	12/15/2015
7440	Mid-Willamette Council of Gov	DEC2015	SDR2015-03/04	11/25/2015	19.25	19.25	12/15/2015
7440	Mid-Willamette Council of Gov	DEC2015	Reg. planning services(Oct)DARP,admin	11/25/2015	385.00	385.00	12/15/2015
12260	Westech Engineering, Inc.	20757	DARP 2014-02	10/31/2015	63.00	63.00	12/15/2015
12260	Westech Engineering, Inc.	20757	P2014-03/billed to applicant	10/31/2015	409.50	409.50	12/15/2015
12260	Westech Engineering, Inc.	20757	P2014-01(billed to applicant)	10/31/2015	520.00	520.00	12/15/2015
12260	Westech Engineering, Inc.	20757	Reg. services/PWDS update, pre-app, infrastructure task force	10/31/2015	1,151.50	1,151.50	12/15/2015
12260	Westech Engineering, Inc.	20814	DARP 2014-02	12/02/2015	94.50	94.50	12/15/2015
12260	Westech Engineering, Inc.	20814	CUP 2015-02/SDR 2015-02(billed to applicant)	12/02/2015	976.50	976.50	12/15/2015
12260	Westech Engineering, Inc.	20814	P2014-03/billed to applicant	12/02/2015	252.00	252.00	12/15/2015

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
12260	Westech Engineering, Inc.	20814	PWB 2015-01/billed to applicant	12/02/2015	126.00	126.00	12/15/2015
12260	Westech Engineering, Inc.	20814	P2014-01(billed to applicant)	12/02/2015	134.00	134.00	12/15/2015
12260	Westech Engineering, Inc.	20814	Regular planning services/infrastructure task force(230 College).	12/02/2015	694.00	694.00	12/15/2015
6970	Marion County Building Inspect	12012015MA	BUILDING PERMIT FEES/Nov. 2015	12/07/2015	582.71	582.71	12/15/2015
Total COMMUNITY DEVELOPMENT:					6,416.43	6,416.43	
LIBRARY DEPARTMENT							
3710	DEMCO	5745769	Calendar, book spine labels, supplies, bookmarks	11/23/2015	46.57	46.57	12/15/2015
11810	US Bancorp Service Center	DEC2015	Office depot: bathroom supplies	11/25/2015	14.33	14.33	12/15/2015
11810	US Bancorp Service Center	DEC2015	Vista Print: business cards	11/25/2015	12.32	12.32	12/15/2015
11810	US Bancorp Service Center	DEC2015	Office depot:paper towels for stock	11/25/2015	49.46	49.46	12/15/2015
11810	US Bancorp Service Center	DEC2015	Target: Holiday copy paper for bookmarks	11/25/2015	10.98	10.98	12/15/2015
11810	US Bancorp Service Center	DEC2015	Amazon: cable for projector	11/25/2015	13.98	13.98	12/15/2015
11810	US Bancorp Service Center	DEC2015	Vistaprint:Magnets for patrons	11/25/2015	54.23	54.23	12/15/2015
7820	Mt Angel Telephone Company	381	Library phone	12/05/2015	41.85	41.85	12/15/2015
12583	CENTURY LINK	144	845-6401/library long dist.	12/05/2015	1.26	1.26	12/15/2015
7590	Moonlight Maintenance, Inc.	127	Library cleaning/monthly	12/10/2015	144.00	144.00	12/15/2015
9425	Russell Postma	1332	Library grounds irrigation maintenance	11/25/2015	75.00	75.00	12/15/2015
1710	Baker & Taylor Books	4011409822	Books	11/11/2015	199.76	199.76	12/15/2015
1710	Baker & Taylor Books	4011425159	Books	11/24/2015	87.61	87.61	12/15/2015
1710	Baker & Taylor Books	4011425634	Books	11/24/2015	369.99	369.99	12/15/2015
1710	Baker & Taylor Books	T24605800	DVD's for collection	10/31/2015	22.78	22.78	12/15/2015
12950	ARCHAEOLOGY	DEC2015	Subscription	11/24/2015	14.97	14.97	12/15/2015
12952	HORN BOOK	DEC2015	Magazine subscription	12/01/2015	36.00	36.00	12/15/2015
11810	US Bancorp Service Center	DEC2015	Target: children's program/books & DVD's	11/25/2015	47.24	47.24	12/15/2015
11810	US Bancorp Service Center	DEC2015	Amazon:Indoor playtime toys	11/25/2015	91.26	91.26	12/15/2015
11810	US Bancorp Service Center	DEC2015	Amazon:Indoor playtime toys & equipment	11/25/2015	95.97	95.97	12/15/2015
1710	Baker & Taylor Books	4011412903	Books	11/13/2015	112.86	112.86	12/15/2015
11810	US Bancorp Service Center	DEC2015	Lakeshore:Backpacks for toddler totes	11/25/2015	44.73	44.73	12/15/2015
11810	US Bancorp Service Center	DEC2015	Amazon:Toddler totes books	11/25/2015	55.95	55.95	12/15/2015
11810	US Bancorp Service Center	DEC2015	Amazon:Toddler totes books	11/25/2015	6.99	6.99	12/15/2015
11810	US Bancorp Service Center	DEC2015	Scholastic: Toddler totes DVD's	11/25/2015	33.95	33.95	12/15/2015
11810	US Bancorp Service Center	DEC2015	Amazon: Toddler totes books & toys	11/25/2015	69.52	69.52	12/15/2015
11810	US Bancorp Service Center	DEC2015	Amazon:Toddler totes CD	11/25/2015	10.99	10.99	12/15/2015
11810	US Bancorp Service Center	DEC2015	Amazon: Toddler totes books & toys	11/25/2015	40.65	40.65	12/15/2015
12763	Petty Cash-Tara Von Flue	DEC2015	Summer reading progra, snacks	12/10/2015	21.33	21.33	12/15/2015
12763	Petty Cash-Tara Von Flue	DEC2015	Summer reading program final party expenses	12/10/2015	17.65	17.65	12/15/2015
8210	Northwest Natural Gas Co.	80	Library building	12/10/2015	45.52	45.52	12/15/2015
Total LIBRARY DEPARTMENT:					1,889.70	1,889.70	
PARKS DEPARTMENT							
11560	Traffic Safety Supply Co.	105845	Safety fencing	11/17/2015	31.50	31.50	12/15/2015
11810	US Bancorp Service Center	DEC2015	County home products:replacement parts for D.R. debris collector	11/25/2015	49.98	49.98	12/15/2015

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
12649	CERTIFIED LABORATORIES	2279460	Insect spray	11/13/2015	90.00	90.00	12/15/2015
4610	FARMERS TOILET CO.	40	Portable toilets/Parks	12/05/2015	166.00	166.00	12/15/2015
9220	PGE	734	700 Spruce/Ebner Park	12/25/2015	43.47	43.47	12/15/2015
12947	BRETTTHAUER OIL COMPANY	CL24153	Public works fuel by dept.	11/30/2015	47.07	47.07	12/15/2015
Total PARKS DEPARTMENT:					428.02	428.02	
Total GENERAL FUND:					16,119.53	16,119.53	
STREETS FUND							
7820	Mt Angel Telephone Company	379	PWShops 2 lines+internet/split	12/05/2015	23.30	23.30	12/15/2015
2090	Bochsler Hardware	DEC2015	Bulbs, adapter, anchor bolts	11/30/2015	28.49	28.49	12/15/2015
3070	Cliff's Engine Center	24993	Oil mix for small engine gas	11/10/2015	25.95	25.95	12/15/2015
7665	MOUNTAIN VIEW PAVING, INC.	17353	Cold mix for pot hole patching	12/04/2015	500.00	500.00	12/15/2015
7750	CATHOLIC COMMUNITY SERVI	44	Public restrooms/monthly	12/05/2015	210.00	210.00	12/15/2015
12649	CERTIFIED LABORATORIES	2279460	Insect spray	11/13/2015	99.67	99.67	12/15/2015
12944	CANYON CONTRACTING, LLC	8213	Water/sewer patch projects	11/20/2015	1,732.04	1,732.04	12/15/2015
9220	PGE	721	905 W. Marquam/PW shops, split	12/25/2015	30.40	30.40	12/15/2015
12947	BRETTTHAUER OIL COMPANY	CL24153	Public works fuel by dept.	11/30/2015	211.17	211.17	12/15/2015
9220	PGE	740	Street Lights Contract	12/25/2015	1,717.35	1,717.35	12/15/2015
Total :					4,578.37	4,578.37	
Total STREETS FUND:					4,578.37	4,578.37	
CAPITAL IMPROVEMENT FUND							
TECHNOLOGY REPLACEMENT							
11810	US Bancorp Service Center	DEC2015	Vistaprint: Mousepads for computers	11/25/2015	85.00	85.00	12/15/2015
12951	AWE ACQUISITION, INC	MTANG15002-	Early literary computer for children	11/25/2015	2,843.00	2,843.00	12/15/2015
Total TECHNOLOGY REPLACEMENT:					2,928.00	2,928.00	
Total CAPITAL IMPROVEMENT FUND:					2,928.00	2,928.00	
WATER UTILITY FUND							
12873	G. CAM LTD	DEC2015	Refund/utility accountS(955 Spruce, 965 Grant)	12/01/2015	50.00	50.00	12/15/2015
12949	ALDER STREET DEVELOPEME	DEC2015	Refund/utility construction account	11/24/2015	25.00	25.00	12/15/2015
12949	ALDER STREET DEVELOPEME	DEC2015	Refund/utility construction account	11/24/2015	44.60	44.60	12/15/2015
Total :					119.60	119.60	
11810	US Bancorp Service Center	DEC2015	Office depot: speed memos	11/25/2015	13.99	13.99	12/15/2015

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
7820	Mt Angel Telephone Company	378	City Well	12/05/2015	59.07	59.07	12/15/2015
7820	Mt Angel Telephone Company	379	PWShops 2 lines+internet/split	12/05/2015	93.21	93.21	12/15/2015
12583	CENTURY LINK	144	845-6260,2852,PWorks	12/05/2015	1.92	1.92	12/15/2015
9420	Postmaster	DEC2015	Postage due account/prepaid utility bill postage	12/01/2015	750.00	750.00	12/15/2015
12763	Petty Cash-Tara Von Flue	DEC2015	PWworks postage due	12/10/2015	.22	.22	12/15/2015
2090	Bochsler Hardware	DEC2015	Locator batteries	11/30/2015	21.95	21.95	12/15/2015
7910	NAPA Auto Parts	DEC2015	Sawblade	11/25/2015	13.36	13.36	12/15/2015
12310	Wilco Farmers	598092-3	Stock PVC water fittings & glue	11/12/2015	25.42	25.42	12/15/2015
12667	FERGUSON WATERWORKS	0492633	4" water valve replacement parts	11/16/2015	57.69	57.69	12/15/2015
12150	Waterlab Corporation	38	Routine testing/monthly	12/05/2015	120.00	120.00	12/15/2015
1310	Republic Services #456	44	Garbage services/monthly	12/05/2015	92.20	92.20	12/15/2015
9220	PGE	721	905 W. Marquam/PW shops, split	12/25/2015	60.81	60.81	12/15/2015
9220	PGE	738	Well #6	12/25/2015	1,782.39	1,782.39	12/15/2015
7910	NAPA Auto Parts	DEC2015	antifreeze	11/25/2015	23.38	23.38	12/15/2015
12947	BRETTTHAUER OIL COMPANY	CL24153	Public works fuel by dept.	11/30/2015	96.98	96.98	12/15/2015
Total :					3,212.59	3,212.59	
Total WATER UTILITY FUND:					3,332.19	3,332.19	
SEWER UTILITY FUND							
12873	G. CAM LTD	DEC2015	Refund/utility accountS(955 Spruce, 965 Grant)	12/01/2015	3.36	3.36	12/15/2015
12949	ALDER STREET DEVELOPEME	DEC2015	Refund/utility construction account	11/24/2015	50.00	50.00	12/15/2015
12949	ALDER STREET DEVELOPEME	DEC2015	Refund/utility construction account	11/24/2015	146.66	146.66	12/15/2015
Total :					200.02	200.02	
11810	US Bancorp Service Center	DEC2015	Office depot: speed memos	11/25/2015	13.99	13.99	12/15/2015
7820	Mt Angel Telephone Company	377	WWTP 2 lines+internet	12/05/2015	123.02	123.02	12/15/2015
12583	CENTURY LINK	144	503-845-2720/WWTP long dis.	12/05/2015	.00	.00	12/15/2015
9420	Postmaster	DEC2015	Postage due account/prepaid utility bill postage	12/01/2015	750.00	750.00	12/15/2015
1131	ACWA	7109	2016 membership/Assoc. of clean water agencies	12/08/2015	177.00	177.00	12/15/2015
1545	Aspen Wildlife Services, LLC	37	Wildlife mgmt program/monthly	12/05/2015	375.00	375.00	12/15/2015
2090	Bochsler Hardware	DEC2015	Distilled water, anchors, bits, screws	11/30/2015	52.00	52.00	12/15/2015
4410	ENGINEERED CONTROL PROD	63053	Annual service for chlorine & sulfur dioxide injection system @ WWTP	11/23/2015	1,904.42	1,904.42	12/15/2015
4410	ENGINEERED CONTROL PROD	63059	ANNUAL MAINTENANCE/Vacuum regulator	12/01/2015	426.83	426.83	12/15/2015
8460	One Call Concepts, Inc	5110427	Utility locating notification fees/monthly	11/30/2015	17.16	17.16	12/15/2015
10680	Silverton Sand and Gravel	55708	Rock for berm maintenance and repair @ WWTP	11/30/2015	410.00	410.00	12/15/2015
9220	PGE	721	905 W. Marquam/PW shops, split	12/25/2015	60.81	60.81	12/15/2015
9220	PGE	732	12334 Mt.Angel-Gervais/WWTP	12/25/2015	848.81	848.81	12/15/2015
9220	PGE	739	10991 Saratoga/res. telemetry	12/25/2015	33.45	33.45	12/15/2015
12947	BRETTTHAUER OIL COMPANY	CL24153	Public works fuel by dept.	11/30/2015	130.25	130.25	12/15/2015
12260	Westech Engineering, Inc.	20757	Sewer lateral inquiry	10/31/2015	487.50	487.50	12/15/2015

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
4410	ENGINEERED CONTROL PROD	63003.2	Final installation task for new SO2 system	11/23/2015	960.00	960.00	12/15/2015
Total :					6,770.24	6,770.24	
Total SEWER UTILITY FUND:					6,970.26	6,970.26	
WATER UTILITY RESERVE FUND EXPENDITURES							
12944	CANYON CONTRACTING, LLC	2015 FINAL	Final pmt for N. Cleveland waterline replacement	12/03/2015	8,600.00	8,600.00	12/15/2015
Total EXPENDITURES:					8,600.00	8,600.00	
Total WATER UTILITY RESERVE FUND:					8,600.00	8,600.00	
WATER UTILITY SDC FUND EXPENDITURES							
12260	Westech Engineering, Inc.	20815	Cleveland St Waterline bid/const.	11/30/2015	703.50	703.50	12/15/2015
12944	CANYON CONTRACTING, LLC	2015 FINAL	Final pmt for N. Cleveland waterline replacement	12/03/2015	8,540.82	8,540.82	12/15/2015
Total EXPENDITURES:					9,244.32	9,244.32	
Total WATER UTILITY SDC FUND:					9,244.32	9,244.32	
Grand Totals:					51,772.67	51,772.67	

Dated: _____

Report Criteria:
 Invoices with totals above \$0 included.
 Only paid invoices included.
 Invoice Detail.Description = {<>} "1099 adjustment"

City of Mt. Angel
City Council Meeting Minutes

CITY COUNCIL

December 7, 2015

7:00 PM

The Mt. Angel City Council met in a regular session in the Community Meeting Room, 290 E. Charles Street, Mt. Angel, Oregon.

- 1. **CALL TO ORDER:** The regular session of the City Council was called to order at 7:01 p.m. by Mayor Otte.
- 2. **FLAG SALUTE:** Mayor Otte led the salute to the flag.
- 3. **ROLL CALL:**

COUNCIL

Andrew Otte, Mayor
 Kelly Grassman, Council President
 Darren Beyer, Councilor
 Karl Bischoff, Councilor
 Ray Eder, Councilor
 Pete Wall, Councilor
 Don Fleck, Councilor

STAFF

Eileen Stein, City Manager
 Justin Hogue, Assistant to the City Manager
 Mike Healy, Police Chief
 Daniel Shafer, PW Lead Worker
 Carrie Alexandria Caster, Library Director

- 4. **PRESENTATIONS, GUESTS, AND ANNOUNCEMENTS:** No presentations this evening.
- 5. **APPEARANCE OF INTERESTED CITIZENS:**
 Jim Kosel was present to address the Council but asked to be able to testify during discussion of the Chicken Ordinance. Mayor Otte agreed to the request.
- 6. **REVIEW CORRESPONDENCE:** No correspondence was addressed to the Council.

REVIEW WRITTEN STAFF REPORTS:

City Manager Stein mentioned a new section in the administrative staff report highlighting the Council Goals. She will utilize this in the future to report on how Council Goals are being implemented and to report on progress toward achieving them. She reminded the Council of the joint meeting with the Planning Commission to be held next Monday night at 6:30 pm; it will include an update on the Development Code Project and separately, the annual report from the auditors. She also mentioned there were employment recruitment status reports included in the departmental staff reports for both the Police Department and Public Works Department.

Councilor Grassman said she is very happy with the new copier/printer for the library. She recently used it and was impressed with the capabilities. She also shared that she is hearing good reports about the library, and people are pleased with the new Children’s Librarian. From the compliments she is

hearing, the public seems to be happy with the services being provided, especially given that Mt. Angel Library is a small community library.

Councilor Fleck complimented the police and public works for their good work in keeping streets clear and safe during the storm today.

8. REVIEW ACCOUNTS PAYABLE:

Councilor Beyer asked about the \$506 charge in accounts payable for the outside lights around the Police Department, he was inquiring if the cost was to replace one light fixture or to replace all of them. Chief Healy said there was some repair to all three fixtures but he was not able to get the details today when he inquired about it, he would find out more information.

Councilor Beyer also asked about the entry to Speer Hoyt for payment on a sewer lateral records request; he wanted to know if that was for the Anderson property. City Manager Stein explained that it was; the City was requesting advice on how to approach the issue. The complaint is resolved and there should be no further expenditures.

Councilor Bischoff had a question about the payment to METCOM 911 for O’Fest Dispatch Equipment. He wanted to know if the equipment was purchased or rented and if the City was billing Oktoberfest for this equipment or if it was a City cost. Chief Healy said that it was purchased and confirmed that Oktoberfest was being billed for it.

9. CONSENT AGENDA:

- a. Approve Regular Meeting Minutes for November 2, 2015
- b. Approve Council Workshop Minutes for November 16, 2015
- c. Certify November 3, 2015 Election results.

Councilor Eder noted a correction to the minutes on page 24 of 47. He was incorrectly identified as the mayor.

Councilor Beyer moved to approve the Consent Agenda as amended; Councilor Wall seconded.

Beyer:	AYE	Grassman:	AYE
Bischoff:	AYE	Otte:	AYE
Eder:	AYE	Wall:	AYE
Fleck:	AYE		

The motion passed unanimously.

10. UNFINISHED BUSINESS

- a. **An Ordinance Referring Marijuana Prohibition to the Mt. Angel Electorate**
City Manager Stein explained that this is the second reading of this ordinance. She explained that this agenda also included the resolution calling for the election. She noted the language in the resolution that was intended to be kept or removed depending on whether the Oregon Liquor Control Commission (OLCC) or Oregon Health Authority (OHA) had actually received any

applications for recreational marijuana dispensaries leading up to tonight’s meeting. Staff was unsuccessful in reaching OLCC today and OHA said they would not release that information. She recommends, given that information, that the language should be retained in the resolution for the sake of the ballot measure. She also said that in keeping with the Council’s wishes, all six types of marijuana activities are being referred to the voters, more details are provided in the staff report.

Councilor Beyer moved to conduct a second reading and approve AN ORDINANCE OF THE CITY OF MT. ANGEL DECLARING A BAN ON MEDICAL MARIJUANA PROCESSING SITES, MEDICAL MARIJUANA DISPENSARIES, RECREATIONAL MARIJUANA PRODUCERS, RECREATIONAL MARIJUANA PROCESSORS, RECREATIONAL MARIJUANA WHOLESALERS, AND/OR RECREATIONAL MARIJUANA RETAILERS; REFERRING ORDINANCE; AND DECLARING AN EMERGENCY; Councilor Bischoff seconded the motion.

Beyer:	AYE	Otte:	AYE
Bischoff:	AYE	Grassman:	AYE
Eder:	AYE	Wall:	AYE
Fleck:	AYE		

The motion passed.

Councilor Grassman moved to approve A RESOLUTION CALLING AN ELECTION ON NOVEMBER 8, 2016, TO REFER TO THE VOTERS OF THE CITY OF MT. ANGEL, OREGON, A BAN ON MEDICAL MARIJUANA PROCESSING SITES, MEDICAL MARIJUANA DISPENSARIES, RECREATIONAL MARIJUANA PRODUCERS, RECREATIONAL MARIJUANA PROCESSORS, RECREATIONAL MARIJUANA WHOLESALERS AND RECREATIONAL MARIJUANA RETAILERS WITHIN THE CITY; AND ADOPTING A BALLOT TITLE AND EXPLANATORY STATEMENT. Councilor Eder seconded the motion.

Beyer:	AYE	Otte:	AYE
Bischoff:	AYE	Grassman:	AYE
Eder:	AYE	Wall:	AYE
Fleck:	AYE		

The motion passed.

b. An Ordinance Allowing and Regulating Domestic Chickens in City Limits

Mayor Otte invited Jim Kosel to address the Council. He is concerned about the rodents that chickens that may draw into town. In reference to the ordinance, he questioned the 20 foot setback from other buildings and wondered if people that currently own chickens would be required to comply. He also wondered if current chicken owners would be required to register also, as it is not specified in the ordinance.

Mayor Otte said he recalled that the Council talked about it, but did not recollect the outcome of the discussion. Councilor Grassman said she thought that they would address the situation on a

complaint driven basis. City Manager Stein stated that staff would follow up with those who had initially testified to the council as well as the community in general. There would be a registration form developed so that the City knows where chickens are kept and further create the opportunity to discuss the enclosure requirements to help mitigate pests and setback requirements. Councilor Wall commented that those already keeping chickens cannot be excluded from enforcement or ‘grandfathered’ because they were illegal to begin with, so the law would need to be applied equally to all citizens. Councilor Grassman asked if information could be posted on the website. Councilor Beyer mentioned that most people in town probably did not realize this ordinance was being considered.

Manager Stein took the opportunity to introduce the new Silverton Appeal reporter assigned to cover Mt. Angel city government, Christina Brooks. She would be reporting on the actions the Council took tonight and hopefully this would also inform the public of the new regulations.

Councilor Wall stated that he is going to vote in support of this ordinance, however he is against chickens in the city. He realizes there is community interest in owning chickens and believes that having some regulation is in the best interest of the city.

Councilor Bischoff asked what was the purpose of the registration. Manager Stein explained that it was in the interest of the City to know where chickens were located and also to use the registration as a tool in helping educate the citizens of the new requirements regarding the keeping of chickens.

Councilor Bischoff moved to conduct a second reading and approve AN ORDINANCE AMENDING SECTION § 97.04 OF THE MT. ANGEL MUNICIPAL CODE AS IT RELATES TO POULTRY, ALLOWING DOMESTIC CHICKENS IN THE CITY LIMITS UNDER CERTAIN CONDITIONS as amended. Councilor Beyer seconded the motion.

Beyer:	AYE	Otte:	AYE
Bischoff:	AYE	Grassman:	AYE
Eder:	AYE	Wall:	AYE
Fleck:	AYE		

The motion passed.

c. An Ordinance Requiring the Registration of Alarm Systems

Chief Healy fielded questions from the Council regarding the ordinance and if he felt these new laws would be effective. He said this would give the Police Department a tool to address the problem.

Councilor Wall asked if the Fire District had a similar ordinance. Mayor Otte said that the Fire District is working on one.

Councilor Bischoff asked for the definition of excessive alarms. Chief Healy stated that the third alarm will be charged, but a bit of discretion is given to the responding officer because there are incidents that are beyond the business owner’s control, such as alarms that activate in stormy weather. It will help the Police Department address the issue when negligence by the owner causes an undue number of alarms.

Councilor Fleck moved to conduct a second reading and approve AN ORDINANCE REPLACING TITLE IX, CHAPTER 90 OF THE MT. ANGEL MUNICIPAL CODE (ORDINANCE NO. 689) IN ITS ENTIRETY, REQUIRING THE REGISTRATION OF ALARM SYSTEMS AND AUTHORIZING A SURCHARGE FEE FOR FALSE ALARMS. Councilor Beyer seconded the motion.

Beyer:	AYE	Otte:	AYE
Bischoff:	AYE	Grassman:	AYE
Eder:	AYE	Wall:	AYE
Fleck:	AYE		

The motion passed.

11. **NEW BUSINESS:** There was no new business.

12. **CITY MANAGER’S REPORT:**

City Manager Stein said the executive session was cancelled for this evening. No significant changes have been suggested in the contracts, but there is minor wording in the contract to refine. She expected to be able to present the new contract to the Council in January.

She distributed pictures of the new leaks in City Hall with the stormy conditions today. Councilor Beyer asked if the City Hall roof is regularly inspected for leaks. PW lead Shafer said they did an inspection and repairs this summer. Even though they did significant repairs, with the flat roof in significant storms, there will be leaks. Councilor Bischoff asked if there is any tar or sealant on the roof to try to reinforce the roof. PW Lead Shafer said that they did put black jack on but it is only effective for a short period of time. They try to keep on top of it, but it is an ongoing maintenance issue.

City Manager Stein reported that letters to the business community about the new Façade Improvement Project were being prepared. She requested the Council give feedback and also let local businesses know. The plan is to present and discuss proposals at the February workshop.

She said that it is time to start thinking about the goal setting session. She is hoping to focus on budget strategy as a priority of the goal setting sessions.

13. **COUNCILOR/COMMITTEE REPORTS:**

Councilor Wall said that the Hazelnut Festival was a success this past weekend. He thanked Librarian Caster for running the children’s activities. He also reported that the Infrastructure Committee continues to meet. Councilor Wall commented that he has been impressed with the information prepared by staff and that it has been extremely helpful.

Councilor Eder asked about the recent annexation. He said that he heard the Council will now have no more say on the land use and that there are plans to put in low-income housing. City Manager Stein said that anyone that develops this property will have to go through the normal land use process. Councilor Beyer asked about the vote for the annexation, he had a person tell him that the vote did not count and that the Council had the final decision. City Manager Stein explained that the election

was advisory and that now that the vote is in, the Council will be making the final decision on the annexation itself.

Councilor Bischoff asked if they would be voting on the lots or just the annexation. City Manager Stein answered that the Council would be voting on the annexation only. The use of the property after the annexation is up to the land owner. She reminded the Council that they may serve in an appellate role for the land use, she cautioned the Council about their discussions to make sure they are not compromising themselves in their conversations with interested parties.

Councilor Beyer said that he was concerned about annexing a property that is right next to an established farming operations. He is concerned about the complaints that may arise. Councilor Wall said there are several laws that protect the right of the farmers to conduct their activities on their land, so he did not feel complaints would actually impact the nearby farmers.

Councilor Grassman complimented Public Works on the Cleveland Street project. She felt they did an amazing job with the contractors and advocating for what the City needed in that project. She was out at the work site and was very pleased with the work that was performed. She was also grateful for the explanations that were provided by the staff to help her and a neighbor understand the details of the work that was being performed.

Councilor Fleck thanked staff and Public Works and their preparation for the Infrastructure Committee.

14. MAYOR’S REPORT:

Mayor Otte reminded the Council that the regional small cities meeting is on December 17, 2015 at 11:00 am here in Mt. Angel. Councilors Wall, Grassman, and Eder plan to attend.

15. ADJOURNMENT:

Mayor Otte adjourned the meeting at 8:00 p.m.

Respectfully submitted by: _____
Justin Hogue, Assistant to the City Manager

Attested by: _____
Andrew Otte, Mayor

City of Mt. Angel
City Council Meeting Minutes

CITY COUNCIL**December 14, 2015****6:30 PM**

The Mt. Angel City Council met in a workshop meeting with the Planning Commission in the Community Meeting Room, 290 E. Charles Street, Mt. Angel, Oregon.

1. **CALL TO ORDER:** The joint session of the City Council and Planning Commission workshop was called to order at 6:35 p.m. by Mayor Andrew Otte.

ROLL CALL:**COUNCIL**

Andrew Otte, Mayor
Kelly Grassman, Council President
Don Fleck, Councilor
Ray Eder, Councilor
Pete Wall, Councilor
Karl Bischoff, Councilor
Darren Beyer, Councilor

STAFF

Eileen Stein, City Manager
Justin Hogue, Assistant to the City Manager
Mike Healy, Police Chief
Chaunee Seifried, Finance Director
Carrie Alexandria Caster, Library Director

PLANNING COMMISSION:

Ryan Kleinschmidt, Planning Commissioner
Jeffrey Wall, Planning Commissioner
Gordon Bochsler, Planning Commissioner

ABSENT:

Craig Emch, Planning Commissioner
Greg Savage, Planning Commissioner

2. **MT. ANGEL DEVELOPMENT CODE UPDATE**

Serah Breakstone from Angelo Planning Group (APG) presented a report before the City Council and Planning Commission on the status of the Mt. Angel Development Code update. She and her group have been meeting with stakeholders, the Planning Commission, and City staff. Tonight she is presenting the Draft Action Plan based on those meetings. As they are looking at the Development Code, they are focusing on two directions, first they are looking at how to make Mt. Angel more livable in terms of transportation and pedestrian traffic. Secondly, they are looking at the code standards; particularly the single family dwelling building requirements. She then reviewed the draft action plan as presented in the packet. She said the goal was to come up with a development code that will be clear and easy to implement.

Councilor Grassman said she liked the idea of the Code being simple and easy.

Councilor Wall asked how the downtown development design standards for first floor frontage compliments the Bavarian Theme in the design standards. Ms. Breakstone said she believes there is language in the Code about window trim and other embellishments that would meet the spirit of the Bavarian Theme. She explained that they would look at the Bavarian Theme, which they have not currently spent a lot of time considering, before adopting the plan and make sure they complement each other. Councilor Wall said that a lot of work had been put into the Bavarian Theme over time and he doesn't feel it would serve the City if the effort put into developing the theme was lost.

Manager Stein shared she didn't feel the updated code would necessarily conflict with the Bavarian theme, other communities with similar themes have successfully integrated their themes with the updated building requirements through various architectural embellishments. She shared some thoughts from Planning Commissioner Greg Savage, who was unable to attend, which also supported the idea that Bavarian Theme and other design standards set forth in current code, be carefully considered as part of the new development design code, but not too heavily pre-scripted to allow for some flexibility for the specific building or project. Ryan Kleinschmidt asked about the language that was presented about when a current building would be required to be brought up to the new design standards, as in the case of an older building being purchased by a new owner. He felt some clear criteria would be important. Ms. Breakstone said that they would consider that and offer options for the City to consider in the final version.

Ms. Breakstone said there would need to be language changes to the Comprehensive Plan to support the changes that will be made in the Development Code, especially in relation to the Downtown Core. Some additional language to support the new Development Code would assist the City in defining its goals for growth, such as being pedestrian friendly, etc. Manager Stein explained the relationship between the Comprehensive Plan and the Development Code. She explained that the Comprehensive Plan considered a bigger picture of the City than the Development Code and was the guide to all future City projects.

Ms. Breakstone discussed the Parking District and the Downtown Core overlay. They currently cover almost the same area. APG is recommending blending the two plans and applying the parking exemptions through the whole Downtown Core, essentially eliminating the Parking District. If a project were to come into that area that was a dense residential development or an employee intensive business, they are recommending some additional language that would also require the development of off-street parking for those projects.

Ms. Breakstone then discussed the Infill/Overlay zone. This is where a good deal of confusion about standards has occurred over the years. They are recommending creating a new section of code in the chapter called General Design Standards for single family design standards and multi-family design standards that would apply city wide. At this time, the standards really apply to the Infill/Overlay zone, which covers most of the city with the exception of those areas of town that came into the city after the zone was created. She wants to create a plan that is essentially a check off list for an owner/the City Planner to follow. She also likes the idea of creating some options for builders, so they can use an off-the-shelf plan or customize the home a little bit and still be within the guidelines. Planning Commissioner Kleinschmidt asked how the City can make sure that all improvements are made on any property, such as sidewalks and other frontage requirements. Manager Stein shared it is generally a part of the public works standards, but that if there is some reason a property owner is not able to comply at the time, there is the option of non-remonstrance agreements. While they would

delay the addition of those pieces of the project, it would assure that they eventually are added to the developed property. Planning Commissioner Kleinschmidt asked who makes that decision about whether a project can be complete, for example without a sidewalk in front of a house. Manager Stein said she feels that it is a policy decision and probably would be set by the City Council.

Ms. Breakstone then addressed pedestrian connectivity standards. She said the current code is a little vague. They are recommending some language updates. She gave examples of how this would impact downtown development.

Mayor Otte asked what rule takes priority the zone or the structure. He referenced the single family homes that are built in the General Commercial Zone, there are several in town, he wondered which part of the Development Code would take precedence in that case. Ms. Breakstone said that in the new code applicability of standards would be based on the type of project, not where it is located.

Ms. Breakstone addressed the language about the Design Review Board, there is not a clear definition of their role at this time. There is some confusion as to whether they are an advisory body or a decision making authority. She said that the language needs to be changed as some is vague and some language is not appropriate, like the requirement that they review all single family dwelling applications. It seems to be functioning as an advisory committee, which would simplify development language for the new code.

Mayor Otte asked Manager Stein if the Design Review Board was necessary. Manager Stein explained it is not necessary, but it is helpful. She said the current process, where the Board is working in an advisory role to administrative decisions, is working well in her view and the current Board is very helpful. She said she feels having a few people look at an application and decide collectively if a project is meeting the standards is a better review process, for both the City and the applicant, than having just a single person make those decisions. Councilor Wall suggested it might be helpful to consider what the Design Review Board is actually doing now in a supportive role and craft their function off of that, rather than to try and make them fit a list of more arbitrary functions. Some additional discussion took place clarifying what the inconsistencies currently are with the Design Review Board and what might work best in helping craft their role.

Ms. Breakstone then talked about the code clean up function they will be performing. They will be reviewing it once again to look for places that are inconsistent or inefficient and correct those. She prepared a table of those inconsistencies they have found so far and included it in the packet.

Ms. Breakstone stated that APG is almost at the end of this phase of this project, they will have one final major review and then another meeting to present the results of that review to the Council and Planning Commission and then they will be prepared to move to Phase II. She introduced Angela Lazarean, Mid-Willamette Valley Regional Representative with the Community Services Division of the Oregon Department of Land Conservation and Development. The grant used for the Development Code update was obtained and is managed through her agency. She explained the process for entering into the next phase. At this point, the state needs a letter of intent from the City stating its interest in continuing with the project, she stated. That letter should be submitted by late February in order to begin the next phase as soon as possible. Both Ms. Breakstone and Ms. Lazarean felt that once they begin in spring, it will take perhaps 6 months to complete the project. Ms.

Breakstone recognized that it might seem like a long process, but that the project is actually making good progress while being thorough enough to best update the Code.

Manager Stein responded that the City and the Council have waited a long time and are anxious to have the Code issues resolved. She suggested that Councilors and Commissioners might be ready to go ahead and move on into the next task without another meeting and was there a way to continue without another meeting reviewing the information. Ms. Lazarean said that they could perhaps step up the process, but that the task list needs to be checked off in order to comply with the terms of the grant. Ms. Breakstone said that she will work on some options. Mayor Otte said that he is anxious to move on and see the actual draft of the new code.

The Mayor dismissed the Planning Commission at 7:19 p.m. and called a recess. The meeting continued at 7:25 p.m.

3. **FISCAL YEAR 2014-2015 AUDIT PRESENTATION**

Finance Director Seifried introduced Kammy Austin from Marina and Company, the City's Auditor. Ms. Austin reviewed a letter she presented to the Council and the FY 2014-15 audit report. There were no qualifications on the audit, she reported. She noted that there were some new statewide accounting policies and they would see reported in their audit report. Generally, there were no problems in the audit of the accounts or compliance testing that the firm is required to complete.

Mayor Otte asked her to confirm that all was in order with the City's finances. Ms. Austin confirmed.

Councilor Wall asked if the firm made suggestions for improvements. Ms. Austin said that sometimes they do, most definitely if there are some material concerns. There might be small suggestions to make their job easier, but usually they don't report those to the Council. Manager Stein said in the past there has been some suggestions about internal controls that staff has implemented. The Council thanked Ms. Austin for her work and for coming to the Council meeting.

4. **DECEMBER 7TH COUNCIL MEETING FOLLOW-UP**

Manager Stein said that they are continuing to monitor the info from the Oregon Liquor Control Commission (OLCC) about the marijuana policies. Staff will also be in contact with the public about the ordinance allowing chickens.

5. **JANUARY 4TH COUNCIL MEETING PREVIEW**

At the next meeting, an executive session is scheduled to review the labor contracts. The ordinance to consider the annexation of the Wachter property will be on the agenda. There will also be an ordinance regarding recreational vehicle parking in the city. She added, in the future there is a need to repeal the local tax on marijuana approved by the Council last year. Mayor Otte asked if they needed to wait on that repeal until after the vote. Manager Stein mentioned that the current tax is higher than is permissible, so it will need to be repealed or corrected at some point. Mayor Otte would like to keep the marijuana issue off the table for January. Manager Stein also reviewed the agenda calendar into February.

6. **CITY MANAGER'S REPORT**

City Manager Stein said that they are contacting downtown businesses about the Façade Improvement Project and they are considering how to award the money. Councilor Bischoff said he believed the

Council had already suggested a method of awarding the money. Councilor Beyer asked if the money could only be used by the business community or if the City could apply for one of their projects. City Manager Stein said she would look into the rules concerning the grant and as it is a downtown façade improvement grant and may be possible.

Manager Stein said that she needs to set a date for the goal setting session. She asked councilors if there were dates in January they would be unavailable. After some discussion, the date was set for January 9, 2016 from 9:00 a.m. to 2:30 p.m.

Councilor Beyer asked about the annexation. He is unfamiliar with the rules surrounding annexation and needs to know more information. He has many people coming to him saying that they do not want low income housing. He wants to know if the Council has influence on that. Mayor Otte asked what the zoning was. Manager Stein said that the zone will be Single-Family Residential. There was some discussion about what decisions would belong to the City Council and what the development process was. Councilor Wall stated that once a developer decided on the development plan, they would need to go on through the Planning Commission to approve the plans for whatever kind of development they desired to put in.

Councilor Beyer said that many people coming to him, think that the City Council is approving the development that is planned there and not just the annexation of the property.

Councilor Wall asked about the exact language in the Code pertaining to annexation. He wanted to know exactly what the language was that guided their decision making process, because he wanted to make sure exactly what authority they had in this decision making process. Manager Stein read the sections governing the annexation vote from the Charter and then some sections from the Code. As the discussion progressed, the chapter on Annexation in the Development Code was read and dictates that the Council must accept the decision of the voters. Manager Stein said they would research this further to make sure the language in the various city documents agree and get back to the Council.

Manager Stein said that the City Hall Planning Committee has not met, yet, but she has invited Committee members to come to City Hall to look at the leaking. She stated she has asked Westech to give her an estimate on a structural assessment of City Hall. This will provide firm information about the building's condition and will shed further light on the options, whether it makes sense to repair the building or whether a full replacement is in fact needed. Mayor Otte asked if it is possible to retrofit the building and replace the roof. Manager Stein said that would be part of the assessment.

Mayor Otte and Manager Stein reminded the Council of the Regional Small City Meeting. There is also a staff holiday breakfast on Thursday morning that the Council is invited to attend.

7. **ADJOURNMENT:**

Mayor Otte adjourned the meeting at 8:16 p.m.

Respectfully submitted by:

Justin Hogue, Assistant to the City Manager

Attested by:

Andrew Otte, Mayor

CITY OF MT. ANGEL
REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: January 4, 2016			
Ordinance <input checked="" type="checkbox"/>	Resolution <input type="checkbox"/>	Motion <input type="checkbox"/>	Information <input type="checkbox"/>
Date Prepared: December 29, 2015		Dept.: Administration	
Subject: Ordinance on 20 Acre Annexation (ANX 2015-01)		Contact Person for this Item: Justin Hogue, Assistant to the City Manager, jhogue@ci.mt-angel.or.us, 503-845-9291	

RECOMMENDATION:

Conduct a first reading of an ordinance annexing 20 acres into the Mt. Angel city limits.

BACKGROUND:

On May 4, 2015, Frank Kirkbride, an approved agent of property owners Ronald Wachter, Jeanette Neuburger, and Mary Ann Fobert, submitted an application on their behalf to the City of Mt. Angel for the annexation of a 20 acre lot located on the west side of town between West Marquam Street and West Church Street.

The City Council held a public hearing on July 6, 2015 to consider the request of annexing 20 acres of land into the city limits. Chapter I Section 3 of the City of Mt. Angel Charter states that, "...annexation to the City of Mt. Angel may only be approved by a majority of those voting in a City election." At the conclusion of the public hearing, the City Council voted to refer the annexation request to the electorate during the next available state election. On November 3, 2015, the election was held and Measure 24-387 was approved by 52% of voters who participated in that election.

Annexation Questions

Following the election, a number of questions and concerns have arisen with regard to the annexation such as whether the Council can still refuse to annex the property, whether the property can be adequately served by city infrastructure, the impact on schools and what will develop on the site.

Can the Council still refuse to adopt the annexation ordinance? The primary role of the Council in the annexation process arises prior to referring the question to the voters. At that point in the process, the Council needs to determine that all applicable criteria is/can be addressed and discuss associated policy concerns/direction. The Council should forward the question to the voters only if: 1) the Council wishes to approve the annexation, if voter approved, as a matter of policy; AND the territory qualifies for annexation by meeting all applicable criteria. If approved by the voters, the only remaining role for the Council is to confirm compliance with the criteria and annexation process, and adopt the ordinance. The only situation where the Council wouldn't annex the parcel once the voters have approved the annexation likely would involve a sudden, unanticipated loss of public services – lack of water resources, catastrophic loss of treatment plant capacity or lines, etc. Staff has concluded that the subject parcel is capable of being served through an orderly, efficient and timely extension of urban facilities and services.

Can the property be adequately served by city infrastructure and is it contiguous to the city limits? The City Engineer provided comments stating the city has the capacity to provide adequate access, sewer, water, and storm drainage services for the future development of the site, and the extension and development of needed facilities and services as required by the Mt. Angel Development Code (MADC), Mt. Angel Subdivision Ordinance (MASO), and the Public Works Design Standards (PWDS) at the time land is divided or developed.

As indicated in the staff report presented at the annexation public hearing, notice of the pending annexation was provided to private utility companies, including NW Natural Gas, PGE, Mt. Angel Phone, Wave Broadband, City Police and Fire Protection Services and Marion County Public Works, as well as the Mt. Angel School District. The City did not receive any comments denoting an inability to serve the development of the 20 acre parcel.

Additional criteria that is to be addressed for annexation is contiguity of the subject property with city limits. The following headnotes summarize LUBA case law regarding annexation of “contiguous” territory.

1. **39.3 Boundary Changes – Annexation.** A city decision to annex a Y-shaped parcel is not an impermissible “cherry stem” annexation, because the property (1) is contiguous to city limits in two places; (2) is located within the city urban growth boundary, and (3) is developed with an urban street interchange that serves the city and its environs. *West Side Rural F.P.D v. City of Hood River*, 43 Or LUBA 546 (2003).
2. **39.3 Boundary Changes – Annexation.** Findings that address a city requirement that a proposed annexation must be a “natural extension” of city limits are adequate, where the findings explain that the area to be annexed will provide contiguity between existing city boundaries and commercially zoned property located outside city limits that will require annexation and the extension of urban services when they are developed. *West Side Rural F.P.D v. City of Hood River*, 46 Or LUBA 451 (2004).
3. **39.3 Boundary Changes – Annexation.** Under ORS 222.111(1) a city may annex territory that is (1) contiguous to the city or (2) separated from the city only by a public right of way or body of water. Where the city annexes both territory and a public right of way that connects the city and the territory, that annexation territory as a whole is “contiguous” to the city and therefore the city need not rely on the “separated by a public right of way” element of ORS 222.111. *Link v. City of Florence*, 58 Or LUBA 348 (2009).

Will the annex over-burden Mt. Angel schools? Staff has reached out to the School District to obtain data on enrollment activity. Mt. Angel School District enrollment trends (Attachment A) provided by Mt. Angel School District Superintendent Troy Stoops, indicates that peak enrollment occurred during the same period of time G Cam LTD. Annexed the property that is now the Maryhill Park subdivision. The graph indicates that enrollment has decreased since the G Cam LTD. annexation occurred and has remained low since. Superintendent Stoops also provided data indicating that only 85% of total School District facilities are being utilized.

What will develop on the site? Will it be low income housing? The property is designated Low-Density Residential on the Mt. Angel Comprehensive Plan Map. Table 19-1 in the MADDC states that the equivalent Mt. Angel Zone District for the Low-Density Residential Designation on the Comprehensive Plan Map is Residential Single-Family (RS). Upon annexation of the property, the County zoning designation of Urban Transition – 20 Acre Density (UT-20) will be removed automatically and the City zoning designation of RS will be applied.

A zone change requires a Type III review process. To change the zoning, the Planning Commission is required to hold a public hearing and forward its decision, including the findings of fact indicating how the criteria, as listed in the Development Code has been satisfied, to the City Council. The City Council will then hold a public hearing on the zone change. The final action required for a zone change is the adoption of an ordinance by the City Council approving the rezoning. In other words, to change the zoning from Residential Single-Family to another zoning classification will require approval by the City Council.

Under the Development Code multi-family structures are not allowed outright within the RS zone. However, manufactured home parks and planned unit developments are allowed as a conditional use and must obtain approval from the Planning Commission. Lots must meet the square footage requirements, which is 7,000 square feet for interior lots and 8,000 square feet for corner lots. The conceptual drawing submitted with the annexation application indicated that lots would be 8,000 square feet in size, which is comparable to the lot sizes in Maryhill Park. If the applicant submits a subdivision application the applicant will go through a Type II process, which includes a public hearing and approval by the Planning Commission. The developer, at their expense, must meet or exceed street and public utility improvements as outlined in Ordinance No. 462, Subdivision Ordinance, Section 52. Please note, how the property will develop is not a criteria on which annexation approval is based, but other requirements will come into play at that point, including the Development Code and Public Works Design Standards.

Finally, market forces will dictate what type of housing product develops on the site. Presumably, the property will be subdivided upon annexation, meaning public improvements (sewer, water, streets, stormwater) will be required as part of the subdivision approval. As individual lots are sold and developed, system development charges will be imposed to provide the system capacity to serve the new development. These costs will be added to lot and/or home prices. Typically, housing products that absorb these costs end up being priced at levels above which serve median income or higher, so that the developer's costs are recouped and/or a profit is made. The decision to build housing that serves low income populations is typically made deliberately through decisions such as increasing density, waiving system development charges or other infrastructure costs, all of which are discretionary decisions by the City Council. In other words, the City Council will be well aware and involved in, any decision that would involve the development of low income housing on the property.

PROPOSED MOTIONS:

“I move to conduct a first reading to approve: AN ORDINANCE DECLARING TERRITORY ANNEXED TO THE CITY OF MT. ANGEL AND AMENDING THE MT. ANGEL ZONING MAP.”

ATTACHMENTS **A:** Mt. Angel School District Enrollment
 B: Ordinance

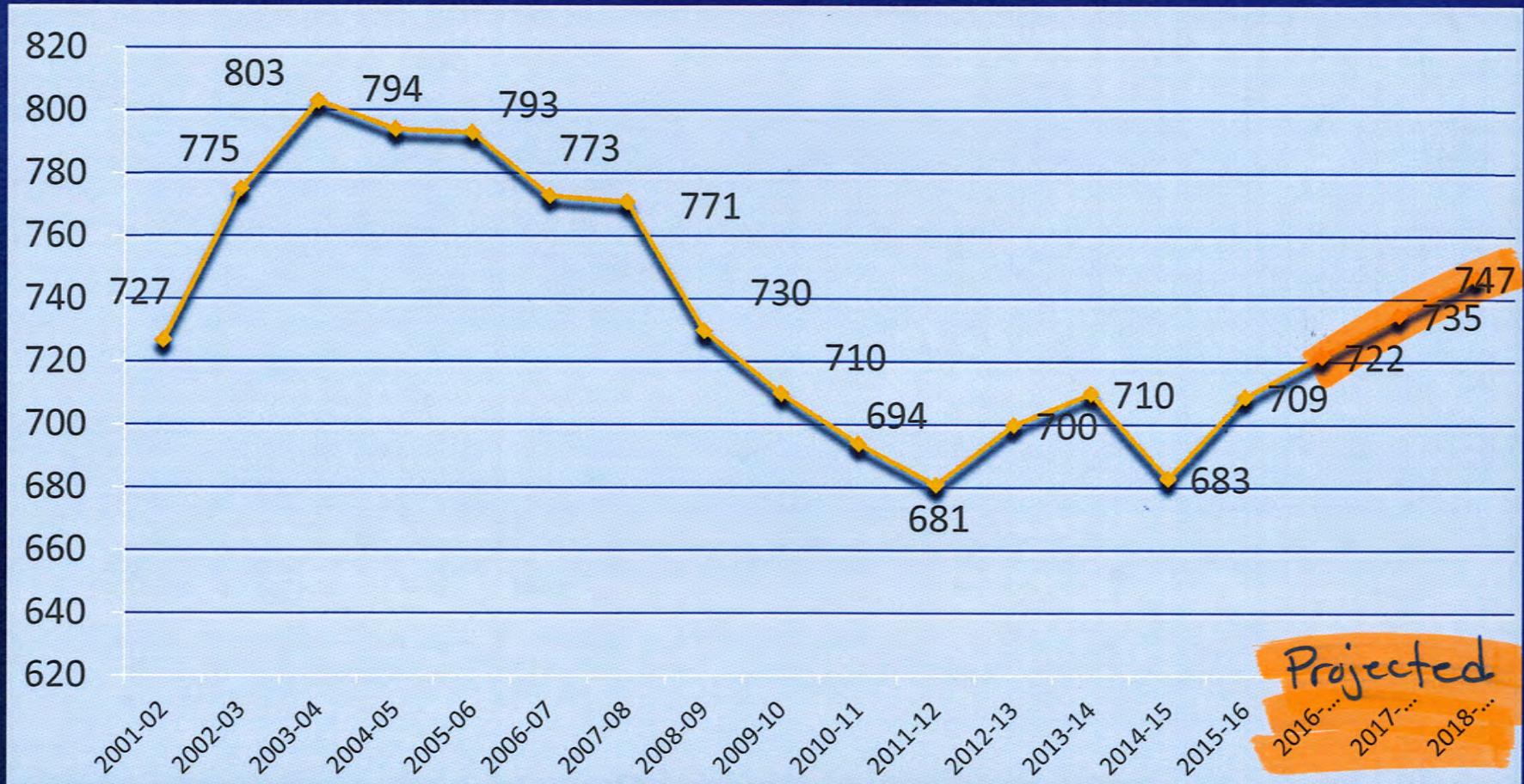


Mt. Angel School District



Educating capable, caring and responsible citizens.

District Enrollment Trends



ORDINANCE NO. ____

AN ORDINANCE DECLARING TERRITORY ANNEXED TO THE CITY OF MT. ANGEL, AND AMENDING THE MT. ANGEL ZONING MAP.

WHEREAS, the City of Mt. Angel received a request to annex, and rezone a 20 acre property, identified as Tax Lot 600 on Marion County Tax Map 061W09AA, as more specifically described on the attached Exhibit A (Property); and

WHEREAS, as part of applicant's application, City received written consent from all property owners of record to the annexation of said territory and area, which is on file with the City of Mt Angel; and

WHEREAS, the subject Property is: (1) located within the Mt. Angel Urban Growth Boundary; (2) located within the Mt. Angel fire and school districts; (3) designated as Low Density Residential on the Mt. Angel Comprehensive Plan Map; and (4) zoned Urban Transition – 20 Acre Density (UT-20) by Marion County; and

WHEREAS, the request is to: (1) annex the Property into the City of Mt. Angel; (2) not withdraw the Property from the Mt. Angel fire and school districts; (3) retain the City Low Density Residential designation; and (4) change the zoning for the Property to Single-Family Residential; and

WHEREAS, the Property is contiguous to the City of Mt. Angel; and

WHEREAS, the City Council conducted a properly noticed public hearing to consider the requests on July 6, 2015, at which time the public was given full opportunity to be present and heard on the matter; and

WHEREAS, at the close of the public hearing, the City Council determined that the evidence and argument presented in the public hearing and on the record showed that the application request was in compliance with applicable criteria and adopted a resolution calling to submit the question of annexing Property into the City limits to the electors of the City; and

WHEREAS, the annexation request was approved by a majority of city voters at an election held on November 3, 2015;

NOW, THEREFORE, THE CITY OF MT. ANGEL ORDAINS AS FOLLOWS:

SECTION 1. Annexation. The territory described on Exhibit A, attached hereto and incorporated herein by this reference, is hereby declared annexed to the City of Mt. Angel.

SECTION 2. Zoning. Ordinance 722, adopting the City of Mt. Angel Zoning Map, is hereby amended to change the annexed Property from the County zoning of Urban Transition – 20 Acre Density (UT-20) to Mt. Angel zoning of Single-Family Residential (RS).

SECTION 3. Findings. The Findings attached as Exhibit B showing compliance with all annexation criteria as set forth in Mt. Angel Development Regulations Section 19.3 are hereby adopted in support of the annexation, zoning and redesignation effected by this Ordinance.

SECTION 4. Recordation. The Recorder of the City of Mt. Angel is hereby authorized and directed to: 1) make and submit to the Secretary of State of Oregon, the Assessor of Marion County, the County Clerk of Marion County, and the Department of Revenue, State of Oregon, a certified copy of this Ordinance; and 2) provide notice of the final adoption of this annexation Ordinance to the subject parcel property owners, resident electors, anyone who participated in the public hearings, and anyone who requested notice of this decision, in the form attached as Exhibit C.

SECTION 5. The Ordinance shall take effect 30 days after second reading and final passage; second reading to occur only after the applicant has paid the full cost of annexation and associated election to the City.

1st Reading: Conducted and approved by the City Council this 4th day of January, 2016.

2nd Reading: Conducted and approved by the City Council this ___ day of _____, 2016, by the following vote:

AYES:

NAYS:

APPROVED BY THE MAYOR this _____ day of _____, 2016.

Andrew Otte, Mayor

ATTESTED BY:

Eileen Stein, City Manager

Filed in the office of the City Recorder this _____ day of _____, 2016.

EXHIBIT A

COMMENCING AT A POINT EAST 10.505 CHAINS FROM THE NORTHWEST CORNER OF THE DONATION LAND CLAIM OF BENJAMIN CLEAVER AND WIFE, SAID COMMENCING POINT BEING IN THE CENTER OF THE COUNTY ROAD AND ON THE LINE BETWEEN SECTIONS 4 AND 9 IN TOWNSHIP 6 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN MARION COUNTY, OREGON; THENCE EAST 10.195 CHAINS TO THE NORTHWEST CORNER OF THE JOSEPH SCHULTZ TRACT; THENCE SOUTH 19.617 CHAINS TO THE CENTER OF THE COUNTY ROAD; THENCE WEST 10.195 CHAINS TO THE PLACE OF BEGINNING, SITUATED IN THE NORTHEAST QUARTER OF SECTION 9 IN TOWNSHIP 6 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, MARION COUNTY, OREGON.

CITY OF MT. ANGEL
REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: January 4, 2016			
Ordinance <input checked="" type="checkbox"/>	Resolution <input type="checkbox"/>	Motion <input type="checkbox"/>	Information <input type="checkbox"/>
Date Prepared: December 29, 2015		Department: Police	
SUBJECT: Recreational Vehicle Parking		Contact Person for this Item: Mike Healy, Chief of Police, mhealy@ci.mt-angel.or.us, (503) 845-9294	

RECOMMENDATION: Conduct a first reading to approve an ordinance amending Title VII, Chapter 70 of the Mt. Angel Municipal Code, defining recreational vehicles and restricting the parking of recreational vehicles on public streets.

BACKGROUND: With these amendments to this ordinance and its implementation it is hoped that it will eliminate the occurrence of long-term parking of recreational vehicles on public streets. The amendments also provide the Council with the ability to temporarily waive the restrictions for short periods of time through a Council resolution when it may be desirable to allow recreational vehicles to park on public streets for a longer period of time.

SUGGESTED MOTION: *“I move to conduct a first reading to approve: AN ORDINANCE AMENDING THE MT. ANGEL MUNICIPAL CODE CHAPTER 70 “TRAFFIC AND PARKING REGULATIONS,” ADOPTING A DEFINITION OF RECREATIONAL VEHICLE; ADOPTING A RECREATIONAL VEHICLE PARKING RESTRICTION, AND AUTHORIZING THE COUNCIL THE DISCRETION TO ADOPT A TEMPORARY EXCEPTION.”*

ATTACHMENT A: Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE MT. ANGEL MUNICIPAL CODE CHAPTER 70 “TRAFFIC AND PARKING REGULATIONS,” ADOPTING A DEFINITION OF RECREATIONAL VEHICLE; ADOPTING A RECREATIONAL VEHICLE PARKING RESTRICTION, AND AUTHORIZING THE COUNCIL THE DISCRETION TO ADOPT A TEMPORARY EXCEPTION

WHEREAS, the Mt. Angel City Council wishes to promote public safety and neighborhood aesthetic standards and to improve and maintain street infrastructure; and

WHEREAS, pursuant to Oregon statues, the Oregon Constitution and Mt. Angel Municipal Code (MAMC) 70.03(B)(5), the Council is authorized to regulate and restrict the use of city streets by any class or kind of vehicle;

NOW, THEREFORE, THE CITY OF MT. ANGEL ORDAINS AS FOLLOWS:

SECTION 1. Definitions.

MAMC 70.02 is amended to add the following definition:

RECREATIONAL VEHICLE means a motor vehicle or vehicle, with or without motive power, which is designed for human occupancy and to be used temporarily for recreational, seasonal or emergency purposes.

SECTION 2. Parking or Standing.

MAMC 70.56 is amended to add the below underlined language:

In addition to the state motor vehicle laws prohibiting parking, no person shall park or stand:

- (A) A vehicle in any alley other than for the expeditious loading or unloading of persons or materials, and in no case for a period in excess of 30 consecutive minutes; or
- (B) A motor truck as defined by O.R.S. 801.355, on a street between the hours of 9:00 p.m. and 7:00 a.m. of the following day in front of or adjacent to a residence, motel, apartment house, hotel, or other sleeping accommodation; or
- (C) A recreational vehicle in any street for a period of more than seventy two (72) consecutive hours. The City Council may by resolution adopt a temporary exemption to the parking prohibition provided in this subsection (C). Such exemption shall provide the effective dates and times of the exemption, as well as designate the exact location where the exemption shall be effective.

SECTION 3. This Ordinance shall take effect 30 days after second reading and final passage.

1st Reading: Conducted and approved by the City Council this 4th day of January, 2016.

2nd Reading: Conducted and approved by the City Council this ____ day of _____, 2016, by the following vote:

AYES:

NAYS:

APPROVED BY THE MAYOR this ____ day of _____, 2016.

Andrew Otte, Mayor

ATTESTED BY:

Eileen Stein, City Manager

Filed in the office of the City Recorder this ____ day of _____, 2016.