



AGENDA
MOLALLA CITY COUNCIL MEETING

January 24, 2018
7:10 PM
Molalla Adult Center
315 Kennel Ave., Molalla, OR 97038

Mayor Jimmy Thompson

Council President Elizabeth Klein
Councilor Leota Childress
Councilor DeLise Palumbo

Councilor Glen Boreth
Councilor Cindy Dragowsky
Councilor Keith Swigart

1. CALL TO ORDER

- A. Convene Regular Meeting and Roll Call
- B. Pledge of Allegiance

2. PUBLIC COMMENT/COMMUNICATIONS AND PRESENTATIONS

- A. NA

(Citizens are allowed up to 3 minutes to present information relevant to the City but not listed as an item on the agenda. Prior to speaking, citizens shall complete a comment form and deliver it to the City Recorder. The City Council does not generically engage in dialog with those making comments, but may refer the issue to the City Manager. Complaints shall first be addressed at the department level prior to addressing the City Council.)

3. ADOPTION OF AGENDA

4. CONSENT AGENDA

- A. City Council Minutes – January 10, 2017
- B. Correspondence – NA

5. PUBLIC HEARING

- A. Discussion and/or Action on Supplemental Budget

6. ORDINANCES, RESOLUTIONS, PROCLAMATIONS

- A. Resolution 2018-04 A Resolution Adopting a Supplemental Budget for Fiscal Year 2017-2018 and Appropriating Funds.

7. NEW BUSINESS

- A. Discussion and/or Action on Councilor Dragowsky Rescinded Letter of Resignation.

8. OLD BUSINESS

- A. Discussion and/or Action

9. REPORTS AND ANNOUNCEMENTS

- A. City Manager and Staff
- B. City Councilors
- C. Mayor

10. EXECUTIVE SESSION

Held pursuant to Oregon Public Record Law, ORS 192.660(2):

- (a) To consider the employment of a public officer, employee, staff member or individual agent.
- (b) To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.
- (c) To consider matters pertaining to the function of the medical staff of a public hospital licensed pursuant to ORS 441.015 to 441.063 and 441.196 including, but not limited to, all clinical committees, executive, credentials, utilization review, peer review committees and all other matters relating to medical competency in the hospital.
- (d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.
- (e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.
- (f) To consider information or records that are exempt by law from public inspection.
- (g) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.
- (h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.
- (i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

11. ADJOURN

Agenda posted at City Hall, Senior Center, Library and the City Website at <http://www.cityofmolalla.com/meetings>
This meeting location is wheelchair accessible. Disabled individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-829-6855

**Minutes of the Molalla City Council Regular Meeting
Molalla Adult Center
315 Kennel Ave., Molalla, OR 97038
Wednesday, January 10, 2018**

- 1. CALL TO ORDER OF THE MOLALLA CITY COUNCIL MEETING;** the regular meeting of January 10, 2018 was called to order by Mayor Jimmy Thompson at 7:02 P.M.

ATTENDANCE:

Mayor Jimmy Thompson - Present
Councilor Elizabeth Klein - Present
Councilor Leota Childress – Present
Councilor DeLise Palumbo - Absent
Councilor Glen Boreth – Present
Councilor Cindy Dragowsky - Absent
Councilor Keith Swigart – Present

STAFF IN ATTENDANCE:

Dan Huff, City Manager - Present
Gerald Fisher, Public Works Director - Present
Chaunee Seifried, Finance Director - Present
Rod Lucich, Police Chief - Present
Kelly Richardson, City Recorder – Present
Diana Hadley, Library Director - Absent
Chad Jacobs, City Attorney – Absent

2. COMMUNICATIONS, PRESENTATIONS, and PUBLIC COMMENT

- a) Tom Derry, (Native Fish Society) Molalla, OR. Mr. Derry addressed Council regarding his concerns on past treatment plant lawsuit and his understanding of violations. CM Huff explained to Mr. Derry that he misunderstood the correct processes/procedures regarding these issues. Mayor Thompson assures Mr. Derry the City has made changes and is working closely with Department of Environmental Quality (DEQ) to correct issues.
- b) Ceremonies – Mayor Thompson presents two awards to citizens for their outstanding accomplishments in the community.
- **Santa Avila**, Tremendous help bridging the gap in the Hispanic community.
 - **Lynn Blatter**, In the Drive to Zero event thirty one car seats were given out and an additional seven were inspected.
- Council thanked volunteers for their service in the community.
- c) Swearing in of new hire Police Officer Jarred Brenner. Police Chief Rod Lucich made statements regarding the sanctity of the position of Police Officer. Mayor Thompson administered the oath of office.
- d) Appointment of Council President for 2018.

Councilor Boreth moved to nominate current Council President Klein, second by Councilor Childress. Motion carries 4-0 ayes (Mayor Thompson abstains). Councilor Klein accepts the nomination and appointment as Council President for 2018.

**Minutes of the Molalla City Council Regular Meeting
Molalla Adult Center
315 Kennel Ave., Molalla, OR 97038
Wednesday, January 10, 2018**

3. ADOPTION OF THE AGENDA

Councilor Boreth made the motion to approve the presented agenda of January 10, 2018 seconded by Councilor Swigart. Motion carries (5-0), all ayes.

4. CONSENT AGENDA

- a) City Council Minutes – October 11, 2017, October 25, 2017, Council Retreat November 4, 2017, November 8, 2017 and December 13, 2017.
- b) Correspondence – 2017 Legislative Review

Motion is made by Councilor Boreth to approve the Consent Agenda second by Councilor Swigart. Motion carries 5-0. All ayes.

5. PUBLIC HEARING

- a) Discussion and/or Action on Ordinance 2018-0 *An Ordinance Vacating A Portion Of A Public Right Of Way Located Within The City Limits And Being A Portion Of Dixon Avenue In The City Of Molalla, Oregon In The County Of Clackamas.*

Motion is made by Councilor Boreth to Open the Public Hearing at 7:26 PM second by Councilor Swigart. Motion Carries 5-0 all ayes.

Mayor Thompson, hearing no discussion/comments calls for a motion to close the Public Hearing for deliberation.

Motion is made by Councilor Boreth to close the Public Hearing at 7:27 PM second by Councilor Swigart. Motion Carries 5-0 all ayes.

CM Huff explained to Council that passing the ordinance is a house keeping issue, as the original ordinance had not been recorded back in the 70's.

6. ORDINANCES, RESOLUTION AND PROCLAMATIONS

- a) Discussion and/or Action on Ordinance 2018-01. *An Ordinance Vacating A Portion Of A Public Right Of Way Located Within The City Limits And Being A Portion Of Dixon Avenue In The City Of Molalla, Oregon In The County Of Clackamas.*

A motion is made by Councilor Swigart to approve the first reading of Ordinance 2018-01 as presented second by Councilor Boreth. Motion carries 5-0 all ayes.

As per code, a majority vote of more than four. Council moves onto the second reading of Ordinance 2018-01.

Minutes of the Molalla City Council Regular Meeting
Molalla Adult Center
315 Kennel Ave., Molalla, OR 97038
Wednesday, January 10, 2018

A motion is made by Councilor Boreth to approve the second reading of Ordinance 2018-01 as presented second by Councilor Swigart. Motion carries 5-0 all ayes.

A motion is made by Councilor Boreth to approve the adoption of Ordinance 2018-01 as presented second by Councilor Swigart. Motion carries 5-0 all ayes.

- b) Discussion and/or Action on Ordinance Number 2018-02. *An Ordinance Of The City Of Molalla Creating The Molalla Municipal Code Chapter 12.22., Street Management System.*

PWD Fisher discussed history and direction that was given by Council to create this code amendment in order to create a fee. Councilors wanted to verify certain items as follows;

- Town Hall meetings were held and suggestions considered
- Notifications to citizens will be sent out prior to billing
- EDU's were not compiled by trip generation and that it was done by each EDU

A motion is made by Councilor Boreth to approve the first reading of Ordinance 2018-02 as presented second by Councilor Childress. Motion carries 5-0 all ayes.

A motion is made by Councilor Swigart to approve the second reading of Ordinance 2018-02 as presented second by Councilor Boreth. Motion carries 5-0 all ayes.

A motion is made by Councilor Swigart to approve the adoption of Ordinance 2018-02 as presented second by Councilor Boreth. Motion carries 5-0 all ayes.

- c) Discussion and/or Action on Resolution Number 2018-01. *A Resolution of the City of Molalla, Oregon Establishing a Street Utility Maintenance Fee.* Councilor Boreth stated for the record that upon the completion of the Town Hall meetings the majority of the public comments were to make the fee \$11.00.

A motion is made by Councilor Childress to approve Resolution 2018-01 to establish a Street Utility Fee second by Councilor Boreth. Motion carries 5-0 all ayes.

- d) Discussion and/or Action on Resolution Number 2018-02. *A Resolution of the City of Molalla, Oregon Appointing A Budget Officer for the 2018/2019 Fiscal Year.*

**Minutes of the Molalla City Council Regular Meeting
Molalla Adult Center
315 Kennel Ave., Molalla, OR 97038
Wednesday, January 10, 2018**

Motion to approve Resolutions 2018-02 as presented is made by Councilor Boreth second by Councilor Swigart. Motion carries 5-0 all ayes.

- e) Discussion and/or Action on Resolution 2018-03 *An Amendment to Deferred Compensation/Retirement Plan*. For the record Councilor Boreth verifies this amendment will not cost the city additional money, it is a small clarification change. FD Seifried confirms that it will not cost the city more than what was originally budgeted for.

Motion to approve Resolutions 2018-03 as presented is made by Councilor Boreth second by Councilor Swigart. Motion carries 5-0 all ayes.

7. NEW BUSINESS

- a) Discussion and/or Action on Appointing a Budget Officer for 2018/2019 FY. No discussion.
- b) Discussion and/or Action on 2018/2019 Budget Calendar. No discussion other than to agree on the dates given. It is the consensus of the Council to approve/accept the proposed 2018/2019 Budget Calendar.
- c) Discussion and/or Action on Resolution 2018-01 Street Maintenance Fee, no discussion.
- d) Discussion and/or Action C4 Bylaws for Clackamas County Coordinating Committee. Mayor Thompson gives a brief overview of the functions of the C4 Bylaws for Clackamas County Coordinating Committee as follows;
- Enhance coordination and cooperation between jurisdictions
 - Establish unified positions on land use and transportation plans
 - Provide a forum for issues of mutual benefit and interest
 - Promote unified positions in discussion at the state and regional levels
 - Mayor is in favor of continuing our efforts with this committee

8. OLD BUSINESS

- a) NA

9. REPORTS AND ANNOUNCEMENTS

- a) **City Manager**, updates various items;
- Upcoming Chamber dinner
 - Library Master Order Amendments
 - Native American Art Walk is on track and moving forward.
 - Contemplating bringing back the City Newsletter
- b) **Staff**, FD Seifried informs Council of the following;

Minutes of the Molalla City Council Regular Meeting
Molalla Adult Center
315 Kennel Ave., Molalla, OR 97038
Wednesday, January 10, 2018

- Approximately 745 final shut-off letters went out in red envelopes to encourage citizens to update the information City has requested.
 - Prior to shut off there will also be two separate automated calls to customers that will take place.
 - City will need to reconvene the Budget Committee for a supplemental budget based on the water and sewer rate increases the revenue increased is over the 10% threshold.
- ❖ PWD Fisher informs Council of three different items as follows;
- Lowe Road and Ona Way IGA
 - Highway 211 project and right of way update
 - Water leak on Storey Drive, crews responded very quickly to repair the break.
 - Exploring the possibility of what it will take to take ownership of Highway 211 from the State.
- c) **City Councilors**, Councilor Boreth informed everyone that in 2018 he will be passing the role of making motions onto some of the other members.
- ❖ Councilor Childress is happy to hear the Native American Art Walk is moving forward.
 - ❖ Councilor Klein informs Council that volunteers are in the final stretch of the visioning outreach. Next steps include looking into funding options and a facilitator. The surveys are due on January 31, 2018. After which the visioning committee will evaluate if there is enough information to move forward. At this point, over 500 hundred surveys have been returned the goal is 2,000.
 - ❖ Councilor Swigart had nothing at this time.
- d) **Mayor**, Informs Council that he received a resignation letter from Councilor Dragowsky which Council can look at next steps at the January 24 meeting.

10. EXECUTIVE SESSION

- a) N/A

**Minutes of the Molalla City Council Regular Meeting
Molalla Adult Center
315 Kennel Ave., Molalla, OR 97038
Wednesday, January 10, 2018**

11. ADJOURN

Motion to adjourn made by Councilor Swigart second by Councilor Childress. Motion carried (5-0), all ayes at 8:16 pm.

Mayor, Jimmy Thompson

Date

ATTEST:

Kelly Richardson, CMC
City Recorder

**RESOLUTION 2018-04
CITY OF MOLALLA**

A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR FISCAL YEAR 2017-2018 AND APPROPRIATING FUNDS.

WHEREAS, the City adopted a budget and appropriated funds for fiscal year 2017-2018 by Resolution 2017-08; and,

WHEREAS, unanticipated revenues and expenditures are expected to exceed the original adopted budget in some of the City's funds and budgetary changes are necessary within these funds to provide increased appropriation levels to expend the unforeseen revenues; and,

WHEREAS, ORS 294.480 provides that a city may amend the current year adopted budget through the supplemental budget process; and,

NOW THEREFORE, THE CITY OF MOLALLA RESOLVES AS FOLLOWS:

The City amends the budget for the fiscal year beginning July 1, 2017 and ending June 30, 2018 to include increases in revenues and appropriations within the following funds:

	Reso 2017-08 Current <u>Appropriations</u>	Reso 2018-04 Change in <u>Appropriations</u>	<u>Amended Appropriations</u>
General Fund			
Office of Governance & Management	989,540	20,000	1,009,540
Police Services	2,621,341	50,000	2,671,341
Parks Department	191,127	46,000	237,127
Transfers	1,000	50,000	51,000
Total Appropriated to Gen Fund	4,224,203	166,000	4,390,203
Police Restricted Fund			
PD Restricted	32,850	50,000	82,850
Total Appropriated to PD Restricted F	32,850	50,000	82,850
Sewer Fund			
Sewer Maintenance	679,919	80,000	759,919
Transfers	626,435	272,500	898,935
Contingency	215,240	(102,500)	112,740
Total Appropriated to Sewer Fund	2,513,021	250,000	2,763,021
Water Fund			
Water	627,094	(41,652)	585,442
Water Maintenance	398,600	19,000	417,600
Transfers	774,800	58,000	832,800
Contingency	365,499	(26,348)	339,151
Total Appropriated to Water Fund	2,334,043	9,000	2,343,043
Storm Water Fund			
Storm Water	168,467	71,161	239,628
Transfers	0	55,929	55,929
Contingency	5,165	7,370	12,535

Total Appropriated to Storm Water	173,632	134,460	308,092
			0
Sewer SDC Fund			0
Sewer SDC	155,000	(150,000)	5,000
Transfers	415,467	(39,000)	376,467
Total Appropriated to Sewer SDC Fun	570,467	(189,000)	381,467
Water SDC Fund			
Transfers	855,200	45,000	900,200
Total Appropriated to Water SDC Fun	860,200	45,000	905,200
Transportation SDC Fund			
Transfers	330,000	233,000	563,000
Total Appropriated to Water SDC Fun	335,000	233,000	568,000
Storm Water SDC Fund			
Transfers	15,000	36,000	51,000
Total Appropriated to Water SDC Fun	15,000	36,000	51,000
Capital Projects Fund			
Capital Projects	3,521,000	793,429	4,314,429
Total Appropriated to Capital Projects	3,521,000	793,429	4,314,429
TOTAL ALL REQUIREMENTS	14,579,416	1,527,889	16,107,305

This resolution shall become effective immediately upon its passage by Council.

Adopted by the City Council of the City of Molalla at a regular meeting thereof this 24th day of January, 2018 by the following vote:

AYES: ___ **NAYS:** ___

APPROVED BY THE MAYOR this 24th day of January, 2018.

Jimmy Thompson, Mayor

ATTESTED BY:

Kelly Richardson, CMC City Recorder

