



**Minutes of the Molalla City Council Meeting
Molalla Adult Center
315 Kennel Ave., Molalla, OR 97038
Wednesday, September 26, 2018**

CALL TO ORDER OF THE MOLALLA CITY COUNCIL MEETING; the regular meeting of September 26, 2018 was called to order by Mayor Jimmy Thompson at 7:03 P.M.

COUNCIL ATTENDANCE:

Mayor Jimmy Thompson – Present
Councilor Elizabeth Klein – Present
Councilor Leota Childress – Absent
Councilor DeLise Palumbo – Present
Councilor Glen Boreth – Present
Councilor Jody Newland – Present
Councilor Keith Swigart – Present

STAFF IN ATTENDANCE

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

Pledge of Allegiance

PUBLIC COMMENT/COMMUNICATIONS AND PRESENTATIONS

Mike Grant 14534 Warrant Grant Rd OR City 97045. Campaigning for County Assessor.

(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.)

ADOPTION OF AGENDA

Motion made by Councilor Boreth to adopt agenda as presented, Seconded by Councilor Swigart.

Voting Yea: Mayor Thompson, Councilor Klein, Councilor Boreth, Councilor Palumbo, Councilor Swigart, Councilor Newland.

CONSENT AGENDA

Motion made by Councilor Swigart to approve the Consent Agenda as presented. Seconded by Councilor Newland. Voting Yea: Mayor Thompson, Councilor Klein, Councilor Boreth, Councilor Palumbo, Councilor Swigart, Councilor Newland.

1. City Council Minutes September 12, 2018
2. Information Only Regarding Road Funding by County



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PUBLIC HEARING

Motion made by Councilor Boreth to Open the Public Hearing at 7:08pm, Seconded by Councilor Swigart.

Voting Yea: Mayor Thompson, Councilor Klein, Councilor Boreth, Councilor Palumbo, Councilor Swigart, Councilor Newland.

3. Transportation System Plan Update

PWD Fisher informed Council that in his September 18, 2018 letter there was a copy paste error in the findings of fact section A. At the bottom of the page it says dollars for collection and treatment system. It is supposed to say transportation projects. That was the only error.

Matt Bell, Kittelson & Associates, 851 SW 6th Avenue, presented 2018 Transportation System Master Plan draft document. The edits were based on comments from Oregon Department of Transportation (ODOT) and Molalla Planning Commission prior to and during the September 5, 2018 meeting.

pg. 12: Minor text edits to remove references to the financially constrained plan.

pg. 12: Added a footnote that indicates that the TSP does not include a financially constrained plan. The footnote also indicates that the priorities in the TSP will be used to guide the city's efforts to pursue funding opportunities.

pg. 28: Minor text edits to only reference schools located within the City boundary.

pg. 29: Added an "s" to "Stower"

pg. 90: Minor text edits to remove references to the financially constrained plan.

pg. 91: Added a new paragraph following Table 26 that indicates how the City will fund projects included in the TSP.

pg. 91: Added the footnote from page 12 that indicates that the TSP does not include a financially constrained plan. The footnote also indicates that the priorities in the TSP will be used to guide the city's efforts to pursue funding opportunities.

pg. 91-96: Added a list of potential federal, state, and local revenue sources to fund the TSP.

Bell explained the history behind the updated 2018 TSP and the processes that were followed leading up to the draft document presented here tonight.

Proposed Amendments to Title 17 Zoning and Development:

- Traffic Impact Analysis Requirements and Procedures – revised thresholds and requirements: additional freight impacts.

- Bicycle Parking Requirements (17.3.5.040.A) – added requirements for transit facilities.

- Street Connectivity and Formation of Blocks – addresses TPR standards.

- Pedestrian Access and Circulation (17.3.3.040) – require access to transit facilities.

- Automobile Parking Requirements (17.3.5.030) – allowed reductions for sites adjacent to transit facilities.

- Vanpool and Carpool Parking – added requirements for larger developments.

Following the presented draft, Councilors asked a few questions of Bell.

Councilor Boreth stated between the previous document and this document he down played the financial constraints and he appreciated the list of priorities. Bell explained that this came from a combination of comments through ODOT and in the end we moved away from the financial constraint plan to more of a priority type plan.



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Councilor Boreth confirmed with PWD Fisher he was pleased with the plan and the priorities set. Fisher stated he and Planning Commission were fine with the modifications from ODOT. Everyone involved felt it met the needs of the City.

Councilor Newland asked Bell and PWD Fisher the likelihood of the high priority projects to be completed or funded. Bell stated that most likely these would be funded by private development and City match along with grants. PWD Fisher stated another funding source is system development charges however those can only be used for capacity increasing portions of projects. Fisher agreed that many of these projects, especially along the highway, would be privately funded by property improvements. If the project were at an intersection and a signal was required, it would then be a shared with the City. Because this type of project is capacity increasing, the use of SDC charges could be used.

PWD Fisher presented his staff report which outlined background of the project. The previous TSP was adopted in 2001. These policies and plans were based on the conditions at that time. To begin the process of updating the TSP under a Transportation Growth Management (TGM) grant, the Oregon Department of Transportation and the City of Molalla contracted with Kittelson and Associates to prepare a comprehensive Transportation System Plan. Included in this plan are the primary objectives of the TSP:

- Develop a balanced and connected multimodal transportation system;
- Increase convenient and safe bicycle and pedestrian access to key destinations;
- Preserve and enhance state highways, county roadways, and City streets;
- Reduce emissions through reduced automobile vehicle miles traveled;
- Analyze Molalla Forest Road compared to original plan designation; and
- Provide planning level cost estimates.

The Master Plan evaluated population, development densities, land use, and other factors that affect the transportation system. Data on the existing system was obtained from a combination of record drawings, site visits, and staff input. The plan then makes recommendations for improvements to the Transportation System.

Relevant Statewide Planning Goals are:

Goal 1 Citizen Participation

The goal of the Citizen Involvement element of the Comprehensive Plan is to "ensure that the citizens of Molalla and those residents in the planning area have an opportunity to be involved with all phases of planning process. This was achieved through the Project Advisory Committee that included citizens and members of City Council. In addition, news release in the local newspaper, project fliers distributed during a monthly utility billing cycle, and hosting a public stakeholders' meeting. Lastly, holding public hearings before the Planning Commission and City Council. Statewide Planning Goal Findings are included in this Staff Report under Statewide Planning Goal Findings and discussed in the context of their implementation in the adopted Molalla Comprehensive Plan.



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Goal 2: Land Use Planning

The goal of Land Use Planning is to “establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.” Phase 2 of the Comprehensive Plan identified revisions to the Molalla Development Code (completed in 2017) and the Molalla Transportation System Plan. This was accomplished by revising the master plan in coordination with the Oregon Department of Transportation.

Goal 6: Air, Water, and Land Resources Quality

The goal of Air, Water, and Land Resources Quality is to “cities and counties to maintain and improve the quality of air, water, and land resources.” This was accomplished with evaluation of the current system to create a master plan to meet the goal and the requirements by alleviating congestion and providing transportation mode alternatives to motor vehicles.

Goal 8: Recreational Needs

The goal of Recreational Needs is to provide for recreation areas, facilities, and opportunities. This was accomplished by providing multimodal connections between parks/open spaces and other land uses.

Goal 11: Public Facilities and Services

The goal of the Public Facilities and Services element of the Comprehensive Plan is to “Ensure livable and complete neighborhoods – with adequate sanitary sewer, water, storm drainage, transportation, park and school facilities.” One of the objectives of this element is to prepare and periodically update its Transportation System Plan. The plan shall be designed to accommodate the growth anticipated in undeveloped portions of the Molalla Planning Area.” The purpose of the TSP is to:

1. Provide the City of Molalla with a comprehensive transportation document.
2. Summarize existing system deficiencies and propose improvements to enhance system serviceability.
3. Recommend improvements needed to service future growth.
4. Develop a capital improvement plan and an appropriate system implementation strategy.

Goal 12: Transportation:

The goal of the Transportation element of the Comprehensive Plan is to reduce congestion, provide for a safe and convenient system, conserve energy, minimize vehicular impact, provide adequate roadway network, identify and prioritize transportation improvement needs, identify funding sources, promote alternative modes of transportation, and provide adequate roadway network related to function, capacity, level of service, and safety. This was done by recommending improvements that provide



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transportation alternatives while balancing connectivity and level of service for motor vehicle and freight needs.

Goal 13: Energy Conservation:

The goal of Energy Conservation is to conserve energy in existing and proposed community development. This was accomplished by development of bicycle/pedestrian paths and enhancement of the transit system.

Goal 14: Urbanization

The goal of the Urbanization element of the Comprehensive Plan is to "Protect agricultural and forest land outside Molalla Urban Growth Boundary until needed for development consistent with Statewide Planning Goal 14 (Urbanization)." This was done by recommending improvements to the transportation system needed accommodate the future of growth of the City of Molalla in the 20-year scope.

1. The proposal must be consistent with the Comprehensive Plan (the Comprehensive Plan may be amended concurrently with proposed changes in zoning);

Findings:

Molalla Comprehensive Plan Goals 1, 2, 6, 8, 11, 12, 13 and 14 are discussed under Statewide Planning Goal Findings.

2. The City Council must find the proposal to be in the public interest with regard to community conditions; the proposal either responds to changes in the community, or it corrects a mistake or inconsistency in the subject plan or code;

Findings of Fact:

The current TSP element of the Comprehensive Plan was adopted in 2001. City of Molalla has experienced a significant amount of growth since 2001. The proposed master plan is much more detailed than the existing Public Facilities and Services element and is more up to date. Data on the existing system was obtained from a combination of record drawings, site visits, traffic counts, and staff comments. The amendment will improve the Comprehensive Plan by providing an up to date inventory and framework for transportation system improvements.

3. The amendment must conform to Section 17-4.6.050 Transportation Planning Rule Compliance. (Ord. 2017-08 §1)



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Findings of Fact:

The document complies with the Oregon Transportation Plan (OTP), state's Transportation Planning Rule (TPR), the Oregon Highway Plan (OHP) and presents the investments and priorities for the pedestrian, bicycle, transit, motor vehicle, and other transportation systems. The plan has also been reviewed and approved by the Oregon Department of Transportation as complying with the OAR 660-012-0060 (TPR).

A. Recommendations:

City Staff recommends the City Council review the Transportation System Master Plan at a public hearing and adopt the Ordinance to approve the Comprehensive Plan amendment or approve the Comprehensive Plan amendment with modifications.

Following PWD Fisher's report, Mayor Thompson opened the floor for public comments hearing none Thompson called for a motion to close the public hearing.

Motion made by Councilor Boreth to close the public hearing at 7:25pm, Seconded by Councilor Palumbo.

Voting Yea: Mayor Thompson, Councilor Klein, Councilor Boreth, Councilor Palumbo, Councilor Swigart, Councilor Newland.

Mayor Thompson called for a motion which was made and seconded. Then Mayor Thompson made a statement regarding his concerns with the TSP.

- Molalla Forest Road is still in the plan. Thompson stated that he would not support the TSP with the Molalla Forest Road as part of the plan. Thompson suggested the removal of the MFR from the TSP in the following areas M18 equates to 12.5 million M31- 2.5 million of a 91-million-dollar plan. This portion just compiles the deficit. Thompson stated in his opinion the MFR will probably not see development anytime soon. Councilor Boreth asked the page reference. Thompson stated pg. 78 of the document and pg. 96 in the packet. Thompson explained further that the MFR past discussion was to use it as a truck alternative however the plan identifies it as a major collector.
- Councilor Boreth stated he remembers many of the conversations and understands and in theory he agreed. Boreth pointed out the MFR had been moved to the low priority list. Given that this is on the low priority list, and that the funding is scarce, it's unlikely it would be developed. Because of the state of the Federal funding, until a drastic change is made, it would likely not happen. If for some reason funding resources changed, the MFR would be in there just in case. Boreth asked PWD Fisher if Council were to remove the MFR would that create a problem.

PWD Fisher stated If Council removed the MFR, ODOT would pull back their letter and ask us how we planned to circulate the traffic that would have been on the MFR over the 22-year period and to adjust the TSP. If MFR is not the collector as identified, they would require us to identify an alternative. The traffic would then circulate on highway 211 if one cannot be identified. Highway 211 would go from a three lane to a five lane



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roadway to accommodate all the traffic. To recap, if we pull out MFR, ODOT will pull their letter of approval and tell us to go back and start over and comply with the state standards.

Councilor Newland asked if all the projects related to MFR were on the low priority list. Mayor Thompson stated the M31 and M18 are, however there is one in the pedestrian mixed use that is medium.

Councilor Swigart asked if ODOT had approved the TSP and Fisher replied yes.

Thompson gave his final thought if we remove the MFR and it creates an issue, Molalla would then need to go back and start over and address this issue. We already know with relative certainty that this wouldn't be funded then Thompson felt it could be a hinderance as to a real solution in the future. Councilor Swigart asked Thompson if he is prepared to go back to the beginning after a year and Thompson replied he didn't believe that would be required. Klein stated she did not agree that leaving MFR in the plan would be a hindrance. In fact, it could be a place holder for future discussions. These types of projects are speculative, and, in the future, it could be an option. Both Councilors Klein and Swigart did not want to start over. Boreth stated he didn't see a truck route stipulation. PWD Fisher stated it would be on Molalla Avenue and created a special section for that roadway on pg. 71. This would also move bicycle and pedestrians to accommodate safety. PWD Fisher informed Councilor Boreth that the only way MFR would move up in priority is if development in the corridor were to increase or change. Then this plan would speak to that and the changes needed would predominately be funded by development. Boreth reiterated that staff would probably look at high priority items and if conditions changed then investigate funding mechanisms for the medium to low priority items. PWD Fisher agreed.

Councilor Newland clarified that the reason for this discussion is because MFR at the end of the 20 years could be inside City limits because it was her understanding currently it was not even in City limits. PWD Fisher answered this is because of the need to distribute the east – west traffic and currently Molalla has Toliver Road, Shirley Street, Highway 211, and Molalla Forest Road. If you're looking at today, these roadways are adequate but if you're looking into the future, then you must provide another connection. Provided you finish the high priority items, it will be time to revisit this document and make changes accordingly. This plan is not designed to go the entire 20 years. You recalculate as you make updates. If you do it that way, then you will keep up.

Following all discussion Mayor Thompson asked for the vote.

Motion made by Councilor Boreth to adopt the 2018 Transportation System Management Plan, Seconded by Councilor Klein.

Voting Yea: Councilor Klein, Councilor Boreth, Councilor Palumbo, Councilor Swigart, Councilor Newland. Voting Nay: Mayor Thompson



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ORDINANCES, RESOLUTIONS, PROCLAMATIONS

4. Ordinance 2018-13 Marijuana Processing and Retail

Motion made by Councilor Swigart first reading and read by title only Ordinance 2018-13, Seconded by Councilor Boreth.

Voting Yea: Mayor Thompson, Councilor Klein, Councilor Boreth, Councilor Palumbo, Councilor Swigart, Councilor Newland.

Motion made by Councilor Boreth to by second reading and read by title only Ordinance 2018-13, Seconded by Councilor Swigart.

Voting Yea: Mayor Thompson, Councilor Klein, Councilor Boreth, Councilor Palumbo, Councilor Swigart, Newland.

Motion made by Councilor Swigart to adopt Ordinance 2018-13, Seconded by Councilor Boreth.

Voting Yea: Mayor Thompson, Councilor Klein, Councilor Boreth, Councilor Palumbo, Councilor Swigart, Councilor Newland.

5. Ordinance 2018-14 Transportation System Master Plan

Motion made by Councilor Boreth first reading by title only Ordinance 2018-14, Seconded by Councilor Swigart.

Voting Yea: Mayor Thompson, Councilor Klein, Councilor Boreth, Councilor Palumbo, Councilor Swigart, Councilor Newland.

Motion made by Councilor Swigart second reading by title only Ordinance 2018-14, Seconded by Councilor Boreth.

Voting Yea: Mayor Thompson, Councilor Klein, Councilor Boreth, Councilor Palumbo, Councilor Swigart, Councilor Newland.

Motion made by Councilor Newland to adopt Ordinance 2018-14, Seconded by Councilor Swigart.

Voting Yea: Mayor Thompson, Councilor Klein, Councilor Boreth, Councilor Palumbo, Councilor Swigart, Councilor Newland.

Following the adoption of Ordinance 2018-14, Mayor Thompson asked if staff could provide a report that would cover the funding solutions to fund the high priority items in the TSP. PWD Fisher informed Council he has already begun the Capitol Improvement plan that would cover this. City Manager Huff explained that when the former TSP was adopted in those days you threw in everything. One thing Council needs to remember is to ask staff why they're not following the plan, if that were to occur. CM Huff guessed that the previous legislative body didn't ask those questions. The expectation is to have development comply with the current TSP and the document is always in use and changing as necessary.

PWD Fisher stated moving forward the items that will be coming soon are:

- 20-year CIP list
- 5-year CIP list



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- Ordinance to update code with the changes.
 - SDC update to reflect the changes necessary for trip generation.
 - Working toward the October 10th meeting.

NEW BUSINESS

6. IGA Amendment Library District

CM Huff presented the addendum to the IGA with Clackamas County Library District to Council, following confirmation that it doesn't affect City of Molalla. Council instructed Huff to move forward.

Motion made by Councilor Klein to approve City Manager Huff to sign the Library IGA, Seconded by Councilor Boreth. Voting Yea: Mayor Thompson, Councilor Klein, Councilor Boreth, Councilor Palumbo, Councilor Swigart, Councilor Newland.

Future Topics

Councilor Klein would like to see something on the November 14 agenda to thank and recognize all the volunteers both in visioning and the Celebrate Molalla group. Council would like to invite every in to thank everyone.

Councilor Boreth asked about an update on the students who brought forth the possible plastic bag ban. Is there more education coming? What is happening with that?

Mayor Thompson stated that Council agreed to place it on the November ballot and so that needs to be on the ballot. Thompson did not have any more information regarding the education piece other than they were at the Celebrate Molalla day with a booth. Mayor Thompson stated he would investigate it and get more information. Klein wanted to know if they had been educating retailers.

Councilor Swigart would like all the stake holders to meet and put together a plan for economic development. Mayor Thompson explained that there were some things in the works that need to get worked through first. Swigart was not really concerned about the misconceptions or concerns, he just really wanted to get moving forward on an economic development plan. Terry Shankle with Molalla Chamber stated that the Chamber needed to get a better understanding of the code to know who and how to target for growth. Thompson suggested to bring about understanding by the end of the year and at the beginning of the new year start the actual process of a plan.

OLD BUSINESS

N/A

REPORTS AND ANNOUNCEMENTS

Terry Shankle with Molalla Chamber reported on the upcoming events for the holiday season.

- Halloween trick or treat and music. New this year, the Chamber asked outside businesses to participate.
- Christmas tree lighting

PWD Fisher reported on the Toliver Road and Highway 213 projects. A group made up of ODOT staff and other agency staff performed a safety audit. They brought in people that had no vested interest and they watched what



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was happening and put together a list of safety concerns that were observed. It coincided with our staff list of concerns. These will all be presented by Oct 26th. At the next Council meeting, ODOT will be coming to identify problems that were identified. At the December 12th meeting, the final recommendation report will be presented. Fenton Avenue is finally moving forward again and PWD Fisher thanked everyone for there patience.

CR Richardson updated Council on the candidates who are running for the upcoming election.

CM Huff Informed Council that he had been attending a civil suit filed on City of Molalla and a former contractor who worked on the project that was completed in May of 2015. There were 12 people on the jury and they found for the defendants (City of Molalla and the contractor). Huff stated that people working here have pride in their work and quality of their work. Huff went on to explain he had Fisher and Chief Lucich and all the staff to thank for that. Staff has community needs in mind.

Councilor Newland thanked everyone for helping with the Celebrate Molalla. It was certainly a lot of fun.

Councilor Palumbo agreed it was a great Celebrate Molalla and Apple Festival.

Councilor Swigart explained that a good friend of his compared our first annual Celebrate Molalla to City of Donald days and our event much was much nicer. However, if all the cars would have attended, Swigart stated there would not have been enough spots. Swigart asked for more spots next year.

Councilor Boreth thanked everyone involved with the TSP update along with everyone who helped with Celebrate Molalla day.

Councilor Klein echoed appreciation for both the efforts on the TSP and Celebrate Molalla. Also thanked Bill Flood who aided in the visioning process. It's exciting to be in this next stage of the process. Hopefully there will be a few more events to engage citizens and get their feedback. Klein informed Council, on the map at the Celebrate Molalla event people were marking where they were from. Which included Washington, Tigard, Eastern Oregon. Klein stated she will be attending the League of Oregon Cities Conference as well.

CM Huff explained that in about 2-3 weeks everyone involved in the Celebrate Molalla will have a debrief meeting.

Mayor Thompson thought it was an absolute amazing experience and a very proud moment to see the community come together and celebrate and enjoy all that there was to offer. He looks forward to seeing what happens next. Thompson also thanked everyone involved with the TSP.

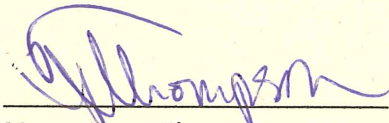


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ADJOURN

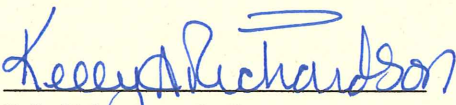
Motion made by Councilor Boreth to adjourn the September 26, 2018 Council meeting at 8:29pm, Seconded by Councilor Swigart.

Voting Yea: Mayor Thompson, Councilor Klein, Councilor Boreth, Councilor Palumbo, Councilor Swigart, Councilor Newland.



Mayor, Jimmy Thompson

Date October 10, 2018

ATTEST: 

Kelly Richardson, CMC
City Recorder