



## Minutes of the Molalla City Council Regular Meeting

City Hall Conference Room – Virtual Meeting

117 N. Molalla Ave., Molalla, OR 97038

May 13, 2020

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### 1. CALL TO ORDER AND FLAG SALUTE

*The Molalla City Council Regular Meeting was called to order by Mayor Keith Swigart at 7:03pm.*

### 2. ROLL CALL

#### COUNCIL ATTENDANCE:

Mayor Keith Swigart – Present  
Councilor Elizabeth Klein – Present  
Councilor Leota Childress – Present  
Councilor DeLise Palumbo – Present  
Councilor Terry Shankle – Present  
Councilor Jody Newland - Present  
Councilor Crystal Robles - Present

#### STAFF IN ATTENDANCE

Dan Huff, City Manager - Present  
Christie DeSantis, City Recorder - Present  
Gerald Fisher, Public Works Director - Present  
Darlene Bishop, Executive Admin. Asst. - Present  
Steve Major, Dyer Partnership - Present

### 3. PRESENTATIONS, PROCLAMATIONS, CEREMONIES

#### A. Proclamation of Molalla Public Library – 120<sup>th</sup> Birthday

Mayor Swigart read Proclamation 2020-01, in honor of Molalla Public Library's 120<sup>th</sup> Birthday. Mayor, Council and Staff recognized Library Director, Diana Hadley and her staff for a job well done.

### 4. PUBLIC COMMENT

*(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 generally 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.)*

**Scott Keyser**, citizen of Molalla – Late fee concerns. (see exhibit A included these meeting minutes.)

### 5. APPROVAL OF THE AGENDA

Mayor Swigart informed Council members that Item 8C was removed from the agenda. This Planning Fee Resolution will be brought forth at a future meeting.

As there were no suggested changes, Mayor Swigart approved the agenda.

### 6. CONSENT AGENDA

- A. Meeting Minutes – March 11, 2020 Regular Council Meeting
- B. Meeting Minutes – April 22, 2020 Work Session
- C. Meeting Minutes – April 27, 2020 Emergency Meeting
- D. Re-Appointment of Planning Commissioner Chair Botsford

CONSENT AGENDA (continued)

***A motion was made by Councilor Newland to approve the Consent Agenda, seconded by Councilor Klein. Vote passed 7-0.***

**7. GENERAL BUSINESS**

A. Contract Award – WWTP Upgrade to Dyer Partnership (Fisher)

Mr. Fisher reminded Council that on July 11, 2018, City Council awarded the On-call Professional Engineering Services contract to Dyer Partnership for all City infrastructure projects. Due to the size of this modification to the original contract, staff has provided a copy of the scope of work for design and construction administration services through completion of the WWTP upgrade. Steve Major, PE, Principal of the Dyer Partnership is available to answer any questions the City Council may have regarding the design, construction, and DEQ approval process for the project.

Steve Major addressed Council, informing them that this contract is a time and materials to maximum and that Dyer Partnership has come in lower than projected on last two projects. If Dyer does not spend the time needed, they will not charge the City.

***A motion was made by Council President Childress, to authorize the City Manager to execute a Contract Modification for the WWTP Upgrade project and any change orders within the approved budget. Seconded by Councilor Robles. Vote passed 7-0.***

**8. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS**

- A. Ordinance No. 2020-06: An Ordinance to Repeal Chapter 21.02 Driveway Width, Chapter 21.04 Sidewalks, and Chapter 21.06 Foundations (Fisher)
- B. Resolution 2020-08: DEQ CWSRF (Department of Environmental Quality/Clean Water State Revolving Fund) Loan Authorization (Fisher)
- C. ~~Resolution 2020-09: Repealing Resolution 2013-17 and Establishing Appropriate Administrative Planning Department Changes (Cannon)~~

This items is a public hearing, Mayor Swigart opened the public hearing on Ordinance 2020-06. Seeing there are no public comments, the public hearing was closed at 7:23pm.

Mayor Swigart called for a motion of the First Reading.

***A motion was made by Council President Childress to adopt Ordinance 2020-06, read by Title only. Councilor Robles seconded. Vote passed unanimously with all Councilors voting Yes.***

Mayor Swigart called for a Second Reading and adoption of Ordinance 2020-06.

***The second reading of the Ordinance was presented by Council President Childress, with a motion to adopt. Seconded by Councilor Robles. Vote passed unanimously with all Councilors voting Yes.***

Mr. Fisher presented Resolution 2020-08. As part of the Department of Environmental Quality (DEQ) application for a Clean Water State Revolving Fund (CWSRF) loan for the Wastewater Treatment Plant Upgrade project (#19-10), the City of Molalla is required to submit a Resolution of the City Council for the City Manager to negotiate and enter into the agreement. Once staff receives notification from DEQ that the application has been accepted, the Resolution and other necessary financial documentation will be submitted to DEQ to complete the loan application process.

***A motion was made by Councilor Robles to adopt Resolution 2020-08, authorizing the City Manager to negotiate and enter into the agreement, Councilor Shankle seconded. Vote passed 7-0.***

## **9. REPORTS**

### **A. City Manager and Staff**

Mr. Huff responded to a question from earlier in the day about businesses opening. He stated that no city in Oregon, nor the City of Molalla has the right to make that decision. These decisions are being made at the State and County levels. There are 36 counties in the State of Oregon, with 33 counties applying to reopen in Phase I. We cannot open Molalla without the consent of Clackamas County.

Ms. DeSantis had nothing to report.

Mr. Fishers reported the following items:

- Biosolids removal has begun.
- WTP is moving along, hoping to have the new filter running soon. It will make 4 million gallons of drinking water per day.
- The City Shops facility is complete
- Water Master Plan is sliding a bit due to lack of public meetings. (Covid rules)
- Molalla Forest Road and Patrol Street projects will be underway in the next couple of months.

### **B. Mayor**

Mayor Swigart requested that the public visit the City website for what the Governor has allowed to open. He referenced day care, and summer camps, along with a few other items.

Mayor Swigart explained that he, along with five other Mayors, have requested that Governor Brown allow them to reopen their cities and not be mandated by the County. Molalla is one of four rural cities in Clackamas County, including Sandy, Canby, and Estacada. Our cities cannot reopen until Clackamas County has approval. The issue is that we are considered part of Metro. The Mayors will continue to represent the rural areas in the best way possible, in hopes of reopening our towns before the July 6<sup>th</sup> projected date.

### **C. City Councilors**

Councilor Klein had nothing to report.

Councilor Newland had nothing to report.

Councilor Palumbo had nothing to report.

Councilor Shankle informed everyone that Free Lunches are being provided by Molalla River School District to any child up to the age of 18. She encouraged community members to visit the District Website to locate where lunches are being provided around our area.

Councilor Robles had nothing to report.

Council President Childress reported that traditionally this time of year Molalla Sanitary hosts a Spring Clean-Up program that assists the community in collecting large quantities of curbside trash. (Mattresses, etc.) Due to COVID-19, the Spring Clean-Up has been cancelled. Councilor Childress contacted Molalla Sanitary and they have agreed to place two large drop boxes at Bohlander Field. This is a volunteer-based program, that will require community members to sign-up to supervise and work the event. This event is being held Friday, May 22<sup>nd</sup> from 8am-6pm.

Councilor Childress has signed Molalla Hope up for a Bottle & Can Return through the non-profit organization. The funds created will go to Molalla Hope, to pay for the shower trailer that is coming to the Warming Center once a week during the pandemic.

**10. ADJOURN**

  
Keith Swigart, Mayor

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Date May 27, 2020

ATTEST:   
Christie DeSantis, City Recorder