

## Minutes of the Molalla City Council Meeting

## Molalla Civic Center 315 Kennel Ave., Molalla, OR 97038 March 22, 2023

#### **CALL TO ORDER**

The Molalla City Council Meeting of March 22, 2023 was called to order by Mayor Scott Keyser at 7:00pm.

#### **COUNCIL ATTENDANCE**

Present: Mayor Scott Keyser, Council President Jody Newland, Councilor Leota Childress, Councilor Crystal Robles, Councilor Eric Vermillion.

Absent: Councilor Terry Shankle, Councilor RaeLynn Botsford.

#### STAFF IN ATTENDANCE

Dan Huff, City Manager; Christie Teets, City Recorder; Mac Corthell, Community Development Director; Andy Peters, Public Works Division Manager.

#### APPROVAL OF THE AGENDA

The Agenda was approved as presented.

#### **CONSENT AGENDA**

A. Meeting Minutes - March 8, 2023

A motion was made by Councilor Robles to approve the Consent Agenda, seconded by Councilor Childress. Vote passed 5-0, with all Councilors voting Aye.

#### PRESENTATIONS, PROCLAMATIONS, CEREMONIES

A. Public Works Employee Recognition – Mitchell Jasper

Mitchel Japsers, Wastewater Treatment Plant employee, was nominated and selected as the OAWU's Rookie of the Year. He was presented witht this honor at the 45<sup>th</sup> OAWU Conference in Sun River on March 6, 2023. Public Works Director, Andy Peters, announced this award to Council and presented Mitchell with a letter of commendation.

B. Budget Committee Applicant - Darci Lightner

A motion was made by Councilor Robles to appoint Ms. Lightner to Budget Committee, seconded by Councilor Vermillion. Vote passed 5-0, with all Councilors voting Aye.

C. OLCC Permit Request

Molalla business owner, Mary Wilson approached Council requesting and OLCC Permit. She and her business partner are opening a restaurant/event space called Fair Winds & Flying Axes. They plan to serve beer, wine, and hard cider.

A motion was made Council President Newland to approve the OLCC Permit request, seconded by Councilor Vermillion. Vote passed 5-0, with all Councilors voting Aye.

#### PUBLIC COMMENT

Char Pennie, Molalla resident, read the following statement as public comment:

"When looking for a solution to our unhoused, I suggested to Councilor Leota Childress that using the property behind the warming center would be preferable to using City parks. And I quote "Molalla HOPE business is separate from City business and it is inappropriate for me to discuss Molalla HOPE business here." I disagree. Here are my reasons:

Meeting Minutes - Molalla City Council Regular Session - June 22, 2022

- 1) The City is financially supporting Molalla HOPE by providing them a space at negligible rent, which allows them to assist the unhoused
- 2) Molalla HOPE shows up when searching for County recognized shelters under the 211 look up. Reading the FB group Citizens Against Molalla Parks it appears that many people in Molalla are unaware that this is now a county recognized shelter facility.
- 3) Now that Molalla HOPE is registered as a Clackamas County shelter, they are now responsible for any unhoused that are sent to Molalla. As the responsible party for these unhoused I don't believe Councilor Childress should have any voting rights when the Council votes on homeless issues pursuant to Molalla Municipal Code 1.02.160 Paragraph A Bias & Disqualification. I believe she has a definite bias as to the disposition of the unhoused. The remainder of City Council and the population of Molalla at large may hold different opinions on how the unhoused are addressed.
- 4) There is also the matter of personal gain. As a Clackamas County Shelter Operator, Molalla HOPE can now receive monies directly from the county and is now required to follow their direction, likely to the detriment of the City of Molalla. The state and county are spending millions of dollars addressing the unhoused.
- 5) As a county financed agency, Molalla HOPE should no longer be eligible for financing by the City in the form of free rent."

### David Potts, Molalla resident, read the following statement as public comment:

"We met with Councilor Childress a few months ago to discuss her involvement with Molalla HOPE and how she was assisting the unhoused. She gave us a tour of the facility and introduced us to two young ladies that she works with. They are Brandi Johnson, Executive Director of Love One of Oregon City and Jennifer Morris, Executive Director of The Father's Heart also of Oregon City. Both are outreach workers whose offices are in Oregon City. Neither organization provides 24-hour shelter space or housing.

Based on this information provided, we understand that when they are unable to find overnight shelters in Oregon City for their clientele, they can send them to Molalla HOPE for overnight accommodations. We would be interested to know exactly how many of those sent from other cities return to that City once morning arrives. One of them made the comment "they don't always return." We also understand that now that Molalla HOPE is registered with the County, other cities are also able to send their unhoused to Molalla. This is detrimental to our family friendly community.

Coming from Portland and witnessing firsthand the demise of that City because of the multitude of services that they provide the unhoused has only created a homeless friendly environment serviced by an entrenched Homeless Industrial Complex which is NOT family friendly! In fact, it has led to make most of Portland inhospitable to all but the unhoused.

It is time to hold Molalla HOPE accountable for the environment that they are creating in our city. Not only should we be able to see a profit and loss statement but we should be able to get an accounting of where these people are coming from and why they are still in Molalla.

Molalla does not have the financial resources to house and provide wrap around services to these folks. Until we are able to provide services in that form we should not be taking on any more burden than we already had with our own home grown unhoused."

**Dale Glivinksi, Molalla resident,** voiced his concern regarding homeless individuals using Clark Park to camp. He lives close by and is concerned about small children, senior citizens, dogs, etc. coming in contact with drugs and drug paraphernalia that would be brought by the homeless.

Christina Sartain, Molalla resident, spoke to the draft public camping ordinance. She has viewed the draft ordinance and has suggested revisions for Council. Ms. Sartain agrees fully with the language that states "Camping, lying, or sleeping on a playground or sports field fundamentally undermines the public's ability to use that public property for its intended purpose". She requests Section 4B1, no public camping in parks within the Downtown District, to state "Parks within City limits that are specifically designed for minor children to access", which would include Long Park, Fox Park, Clark Park, and Strawberry Park.

She also proposed a change to Section 4D that states a camping time from 9pm to 7am, to 9pm to 6am. May children start their journey to school on foot between 6:30-7:00am, and Ms. Sartain feels its our duty as a community to make sure they arrive to their destination safely. She also acknowledged that HB 3115 may require a public restroom where homeless may camp and suggested that the Council and Parks CPC work together to determine a space that is safe that does not have a playground or sports field.

Jill Soli, Gladstone resident, shared her concerns with Council about fencing in homeless individuals. She feels that forcing individuals to camp in a fenced area is similar to an internment camp, and that it will make a bad situation worse.

Bruce Adlard, Molalla resident, lives near Clark Park. Mr. Adlard is concerned about the value of homes decreasing with increased homelessness. He feels that only individuals from Molalla should be allowed to publicly camp in Molalla. He wants to know what the punishment is for noncompliance. He would like to see more announcements that are not on Facebook or the internet.

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Josh Veley, Molalla resident, is concerned about the increase in homeless individuals in Molalla. He expressed his concern to Council to be very thoughtful when creating the public camping ordinance. He would like to as strict rules as possible.

**Stacie Berg, Molalla resident,** is a lifelong resident of Molalla. Spoke with Councilor Childress the night before and suggested that Council educate the community about the role of Molalla HOPE. She would like to see the homeless individuals and community members each get the help they need.

Cindy Glivinksi, Molalla resident, is a sixth generation Molallan and has many concerns about homeless individuals camping in Clark Park. Mrs. Glivinski is concerned about the detriment of children and seniors using the park and feels it is important to keep community members safe.

City Manager Huff stated that the camping ordinance is still in draft form, and that nothing has been approved. He shared his appreciation towards community comments that have been shared this evening and that have been emailed to him. She informed the audience that the Public Camping Ordinance and Molalla HOPE serving homeless are two separate items. The Public Camping Ordinance is dictated to cities by the State of Oregon, through House Bill 3115. He shared that local government does not like to be told what to do by the State, but cities are forced to follow the law.

Mayor Keyser, made an announcement for the Molalla Current, for those that do not use Facebook. He informed citizens that staff answers any questions placed on the Current.

#### **PUBLIC HEARINGS**

None.

#### ORDINANCES AND RESOLUTIONS

A. Resolution No. 2023-02: Updating Public Contracting Rules

Community Development Director Corthell presented the staff report for Resolution No. 2023-02. This Resolution will encure compleance with the parts of the model rules that apply to purchasing in Molalla.

A motion was made by Council President Newland to approve Resolution No. 2023-02 by title only, seconded by Councilor Robles. Vote passed 5-0, with all Councilors voting Aye.

#### **GENERAL BUSINESS**

A. City Manager Contract Renewal Announcement

Mayor Keyser announced that Exectuve Sessions wer heald on February 8<sup>th</sup>, February 22<sup>nd</sup>, and March 8<sup>th</sup> according to ORS 192.660, letter I, to review and evaluate the employment-rleated performance of the chief executve officer of any public body, a public officer, employee or staff member who does not request an open hearing.

Council met together and with City Manager Huff, to discuss a two-year contract renewal, for the years 2023 through 2025. It was agreed by both parties, Council and Mr. Huff, to continue employment with the City of Molalla.

A motion was made by Council President Newland to ratify City Manager Huff's contract for the years 2023-2025, seconded by Councilor Childress. Vote passed 5-0, with all Councilors voting Aye.

#### B. CPI Rate Increase Discussion

Community Development Director Corthell shared the staff report regarding the CPI Rate Increase. The goal is for rate increases to slow. Staff is working towards forgivable funding support through the Federal Government. Council President Newland thanked staff for the time and effort to keep costs as low as possible for community members.

#### C. Civic Center Surplus

Mr. Corthell explained that MMC 3.09.040 provides the disposal process for surplus property, and in pertinent part allows the City Council to "...donate to a non-profit organization or another government agency". The Civic Center acquired kitchen items from the Adult Center in the form of an oven, dishwasher, refrigerator, and freezer. Molalla Middle School is in great need of several of these items. Staff would like consensus from Council to approve the donation to Molalla River School District.

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Mayor Keyser stated that both Councilors Robles and Vermillion are employees of the School District and is concerned about bias. There was no concern about bias by Council or Staff.

Council agreed by unanimous consensus to donate the kitchen items to Molalla River School District.

#### STAFF COMMUNICATION

- City Manager Huff shared that staff is working hard on the Budget right now.
- City Recorder Teets had nothing to report.
- Community Development Director shared monthly updates with Council. The Housing Needs Analysis is close to being finalized, however a few other items need to be completed before it comes to Council. A Housing Production Strategy presentation will take place on April 18<sup>th</sup>, at the Community Open-House.
- PW Division Manager Peters reminded everyone that round-a-bout work is ramping up on Hwy. 213 and Toliver Rd. He also announced that Shirley Street, the intersection at Meadow and Harvest, and West Lane are all scheduled to be paved this summer.

#### **COUNCIL COMMUNICATION**

- Councilor Vermillion announced upcoming meetings for Molalla River School District. He encouraged folks to look at
  the webpage for other events taking place. Councilor Vermillion met with representatives from the Ant Farm last week,
  and is encouraged by all they have to offer to our community. He also offered his congratulations to Mitchell Jaspers
  on being honored by the OAWU.
- Councilor Childress informed the public that Councilors have rules about using their City email to respond to citizens. On a separate note, she apologized for the comment that she made at the March 8<sup>th</sup> meeting about "striking reference to the Warming Facility and that Mayor Keyser and some fellow Council members are in favor of closing down that facility". She apologized the Mayor Keyser and the remainder of the Council. Mayor Keyser thanked her for the apology. Councilor Childress announced the Spring Clean-Up will be held on April 28<sup>th</sup> & 29<sup>th</sup>. There will also be a city-wide Garage Sale the weekend prior.
- Council President Newland thanked community members for coming to the meeting to voice their concerns. She encouraged people to stay with them and stay involved.
- Councilor Robles thanked everyone for coming to the meeting and sharing their opinions. She feels it is very important for community members to get involved and to have correct information.
- Mayor Keyser thanked City staff for the work that they did for this meeting. He also encouraged citizens that if they see something to say something. Call the non-emergency line, or 911 if necessary.

For the good of the order: City Manager Huff announced the City of Molalla Police Department, non-emergency line: 503-655-8211. Councilor Robles reminded the community that Chief Long and the Police Department are using these reports to collect data on how to better serve the community.

For the complete video account of the City Council Meeting, please go to YouTube "Molalla City Council Meetings – March 22, 2023"

#### **ADJOURN**

Mayor Keyser adjourned the meeting at 8:21pm.

Scott Keyser, Mayor

Date

ATTEST:

Christie Teets, City Recorder

### **CHAR PENNIE - 3/22/23 CITY COUNCIL TESTIMONY**

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## **Community Development Department**

315 Kennel Avenue, PO Box 248, Molalla, Oregon 97038 Phone: (503) 759-0205

To: Honorable Mayor & City Council

From: Community Development Director, Mac Corthell

Date: March 22, 2023

Re: Monthly Community Development Report

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# LAND USE & PERMITTING

## **Planning and Land Use Application Statistics:**

#### New Apps 7/01/22 - 03/20/23

- Type I BP Apps 18
- Type I Other Apps 90
- Type II Apps 7
- Type III Apps New- 2
- Type IV Apps 3
- Final Plat 0
- Pre-App Requests 19

#### Approvals 7/01/22 - 3/20/23

- Type I BP Apps 17
  - o Residential Units 212
  - $\circ$  Com/Ind Sq Ft 0
- Type I Other Apps 81
- Type II Apps 2
- Type III Apps 6
- Type IV Apps 2
- Final Plat 0
- Pre-Apps Held 18

#### Open Apps 3/20/23

- Type I BP Apps 5
- Type I Other Apps 4
- Type II Apps 2
- Type III Apps − 2
- Type IV Apps 1
- Final Plat 4
- Pre-Apps Pending 1

# LONG-TERM PLANNING

## **Housing Needs Analysis and Production Strategy:**

- The Housing Needs Analysis has been reviewed and revised several times and is currently in it's final draft form awaiting DLCD's approval of the Sequential UGB process. At that point it will go to the City Council for adoption into the Comprehensive Plan!
- The Housing Production Strategy is in-work by our Consultant, Emerio Design. An HPS survey has been circulated and received nearly 400 responses. A town hall meeting is scheduled for 4/18/22 at 6:30pm which will be followed by a Technical Advisory Committee Meeting, a Planning Commission Public Hearing, a City Council Public Hearing, and finally will be considered for adoption into the Comprehensive Plan.
- All work on this project is required by HB 2003 and is being funded by a grant from DLCD, with \$5k match from the City.

## **Urban Growth Boundary**

- The City Council and Clackamas County Board of Commissioners have concurred on Molalla's use of the Sequential UGB process.
  - Molalla is the first in the state to use the sequential process.
  - The Sequential process mitigates risk by considering each portion of the UGB studies and expansion separately, thus limiting challenges to the task at hand without delegitimizing the entire process.

## **Upcoming Long-Term Planning Initiatives:**

- Parks Master Plan RFP in work
- Stormwater Master Plan Prebid meetings held, bid deadline is 4/27/23 at 2pm.
- Emergency Operations Plan Healthy Sustainable Communities has been hired as consultant, two Technical Committee Meetings have been held, and multiple individual meetings between the consultant and community stakeholders has occurred.

# **CODE ENFORCEMENT**

## **Code Support Officer recruitment:**

First review of applications on 3/31/23, interviews scheduled for the week of April 12!

#### **Code Case Statistics:**

7/1/22 – 3/20/23	7/1/22 – 3/20/23
<ul> <li>New Complaints - 57</li> <li>Current Open Cases – 57</li> <li>Open Cases Initial Letter - 42</li> </ul>	<ul> <li>Cases Closed – 33</li> <li>No Violation – 7</li> <li>Compliance – 10</li> <li>Referred - Other Agency – 16</li> </ul>

## **Neighborhood Livability Program:**

- The NLP has been focused on due diligence and foundation work for a potential Code Services Officer
  - The position is under review by Finance and, if financially viable, will be presented to the City Council for approval or denial as the Council sees fit.

# **ECONOMIC DEVELOPMENT**



## **Completed Projects:**

2022 Enterprise Zone Boundary Expansion (see map ←)
2022 Wayfinding Kiosks & Map
2022 Destination Ready Grant (Kiosks)
2022 Kiosk Art Contest
2022 Travel Oregon Destination Assessment

#### **Beautification & Culture CPC:**

- Spring Clean Up and Citywide Garage Sale
  - Molalla Current Page Developed and Active!



## **Travel Oregon Destination Ready Action Project:**

- The contractors are making final touches, the map should be out for dissemination before May!
- This project made possible by our partners:
- -Mt. Hood Territory (Clack Co Tourism) who applied for and administered this Destination Ready process on behalf of the city.
- **-Travel Oregon** who funded the Destination Ready grant and has been a major partner in providing consultants, and staff to bring this project home.

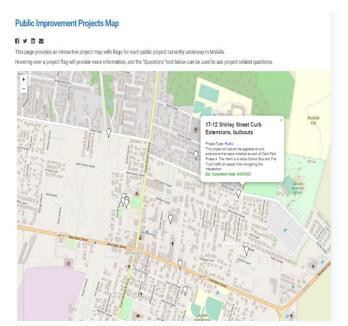
## **Economic Development Web Page Update!**

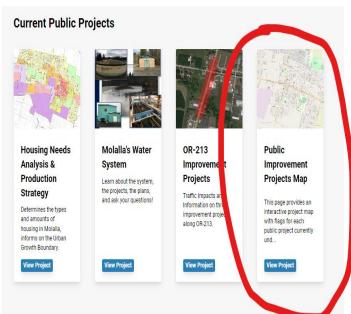
• Completion of the Enterprise Zone Expansion triggered the next phase in the City's Economic Development program evolution... a valuable, viable web presence!

# PUBLIC & PRIVATE INFRASTRUCTURE PROJECTS

## **New Public Facing Project Map on the Current!**

The new project map is live! PW Div Mgr, Andy Peters, developed this map product and worked closely with the City's various digital hosting and platform partners to get this thing out to the public. Please help spread the word that it's here!





# **Project List**

<u>Number</u>	<u>Project Name</u>	<u>Notes</u>
<u>23-05</u>	Pickleball in Long Park	In - Work
23-03	Molalla Petroleum 710 E Main Street	Private
23-02	Emergency Operations Plan (EOP) Update	In Work — 2 meetings held so far
<u>23-01</u>	Disk Golf at Ivor Davies	In Work – Surveying complete, work will begin soon.
<u>22-36</u>	Lead and Copper Water Service Inventory	On Hold. Regulatory Deadline is October 16 <sup>th</sup> , 2024
<u>22-35</u>	Water Treatment Plant Auto Shutdown Upgrade	In Work – Final SCADA integration scheduled for this month

<u>22-34</u>	Engineering Process Development	In Work – Process Review w/Consultant
22-33	Clark Parks Sports Field Improvements	On Hold – Awaiting Parks Master Plan
22-32	Parks Master Plan	In Work – RFP Complete. Will be engaging consultants in the coming weeks.
<u>22-31</u>	Stormwater Masterplan	In Work – Bid opening scheduled for early April.
22-30	WWTP Aeration Bypass Engineering	In Work – Equipment received, final installation scheduled for early April.
22-29	Water Intake Structure Reconstruction	On Hold – Restart in FY23/24
<u>22-27</u>	Summer Irrigation Capacity Expansion Plan	In Work – Plan Development
22-26	Establishing a Temperature Allocation in the Willamette TMDL	In Work – Staff attended DEQ Rulemaking meetings and a Temperature Allocation has been worked into the Draft Plan.
<u>22-24</u>	Water Distribution System Pressure Zoning and PRV Installation	In Work - Design
22-23	Fifth Street Duplex with Storm and Alley Improvements	Private
22-22	On Call Paving Services (Road Maintenance Resurfacing Program)	In Work — Begins FY23/24
22-18	Wooden Streetlight Pole Replacements (with PGE Option A)	In Work – PGE Project
<u>22-17</u>	Sewer Pipe Lining 2022 (Toliver, S. Molalla)	Complete
<u>22-16</u>	Coffee Shop (31330 OR 213)	Private
<u>22-14</u>	Odot ADA Ramps along HWY 211	In Work – ODOT Project
<u>22-13</u>	Goodwill	Private
<u>22-11</u>	River Meadows Subdivision	Private
22-09	1000 W. Main St (Affordable Apartments)	Private
22-08	Planning Consultant	Complete
22-07	Cascade Place Apartments	Private

22-04	New 2.0 MG Tank at Water Treatment Plant	In Work – Property Acquisition/Land Use
22-02	501 E Main Street - C Store	Private
<u>21-16</u>	Housing Needs and Production DLCD Grant	In Work – HNA, HPS
<u>21-12</u>	New Police Facility	In Work – Design/Financing
21-10	Molalla Civic Center Improvements	In Work – Out to Bid for Non-CDBG work, Finalizing CDBG Grant
<u>21-01</u>	Bartell Partition & Development (Patrol Street)	Private
20-07	Strawberry Park	In Work – Concrete poured this week, waiting on cure time (7 day). Two of five benches received, installation next week.
20-03	Eckerd Ave, 2nd St, Lola Ave Sewer and Water line replacement	In Work - Construction
<u>20-01</u>	Colima Apartments	Private
<u>19-10</u>	WWTP Upgrade	In Work – 90% design has been achieved. Final financing work is progressing. On schedule for bidding in November 2023.
19-04	Cascade Center Commercial Development	Private
<u> 18-16</u>	Hix Tractor Supply Store	Private
<u>18-08</u>	OR 213 / Toliver Roundabout	In Work – Bids received. NW Natural will be doing work in April/May, and full Roundabout Construction is expected to begin in June.
<u> 18-04</u>	Biosolids Removal	On Hold until July, the budgeted amount for this activity has been reached for the Fiscal Year.
<u> 18-02</u>	Dyer miscellaneous development review and general engineering	In Work – Ongoing, As Needed
<u>17-20</u>	Sawyer Truck Repair	Private
<u>17-12</u>	Shirley Street Curb Extensions, bulbouts	Complete

# Shovel Ready 22-28 Wellhead and Aquifer Storage and Recovery (ASR) Feasibility Study – As able S Molalla Waterline 5th to Molalla Forest Road – Planned for FY 23/24 <u> 21-15</u> 21-13 Water Leak Survey and Repairs – Planned for FY 23/24 On Hold 22-21 Section St Rehabilitation - Planned for FY23/24 Molalla Forest Road Resurfacing and Reopening – Planned for FY 23/24 22-19 22-12 RWUP Update for New Coleman Field – Planned for FY 24/25 WTP Tracer Study – Planned for Spring FY 22/23 <u> 22-05</u> Chief Yelkus Park – Awaiting Development of Financing Options 21-09 Yelkus Park Road - Planned for FY 23/24 21-02 **Other Completed Projects:** 22-25 City Hall Police Dept HVAC Replacement (Emergency) 22-20 Toliver at Trinity Estates Water Main Replacement, and Sidewalk Improvement 22-15 Mercury TMDL Implementation Plan 22-10 WWTP Interim Capacity Determination – Balancing the need for development with existing WWTP Capacity 22-06 CIP & SDC Update 22-03 Shaver St. @ OR-211 Repair 22-01 City Hall Sewer Main Repair (Emergency) 21-14 City Hall Reader Board 21-11 Fox Park Play Equipment Improvements

150 Miller St – private development

21-08

<u>21-06</u>	Scandia Waterline Replacement
<u>21-04</u>	City Hall Upstairs Remodel
<u>21-03</u>	Water CIP Rates and SDC Study
<u>20-05</u>	Clark Park Pathway
20-04	Shops/WWTP/Elementary School Waterline
<u>20-02</u>	643 N Molalla Ave – private development
<u>19-13</u>	Dollar General – private development
<u>19-09</u>	OR 211 / Molalla Signal
<u>19-07</u>	Molalla Forest Road Bridge Phase II
<u>18-14</u>	City Shops Decant Facility
<u>17-15</u>	WTP Filters and Telemetry
<u>17-04</u>	ODOT, OR-211 Bike/Ped path

# **PUBLIC WORKS MAINTENANCE**

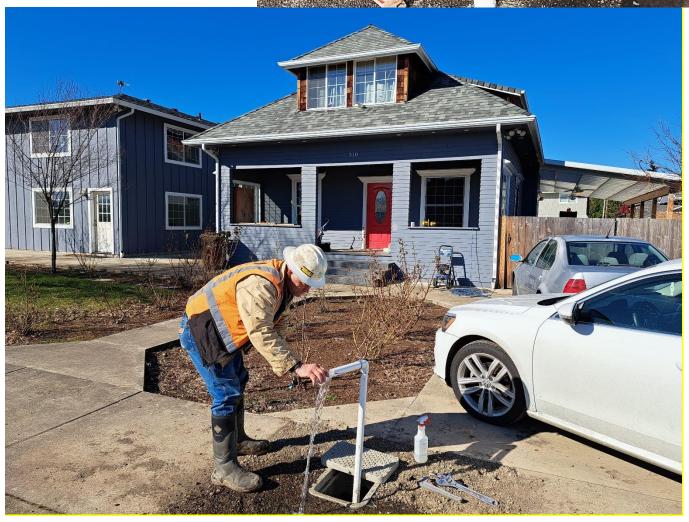
# Strawberry Park Blue Concrete Being Poured!!!!



Right: Cody Foxworthy and Wyatt Kyllo repair a water leak on Robbins St.

Below: Water samples being taken on Eckerd St. for the completion of the new waterline.





# **Work Complete During Period**

# 2/21/2023 - 3/21/2023

# **Work Orders Completed (by Fund)**

Water	105
Sewer	60
Storm	9
Street	27
Fleet	11
Generalparks_facilities_ect	92
SplitFundlocates_etc	16
Capital	0
Other	53
Library	4
	-
TOTAL	377

Utility_Crew	290
Wastewater_Plant	29
Water_Plant	58

