



Molalla City Council

Meeting located at: Molalla Adult Community Center
315 Kennel Avenue Molalla, OR 97038

June 26, 2013

Regular Meeting Agenda

Work session: 6:30 pm. The Council will review and discuss agenda items for the business meeting.

Business meeting: The meeting will begin at 7 p.m. The Council has adopted Public Participation Rules. Copies of these rules and public comment cards are available at the entry desk. Public comment cards must be turned into to the City Recorder prior to the start of the Council meeting. The City will endeavor to provide a qualified bilingual interpreter, at no cost, if requested at least 48 hours prior to the meeting. To obtain services call the City Recorder at (503) 829-6855.

1,018th Regular Meeting

1. CALL TO ORDER

- A. Flag salute and roll call

2. COMMUNICATIONS AND PUBLIC COMMENT

- A. Minutes: May 8, 2013 and June 12, 2013

3. AWARDS & RECOGNITIONS

4. PUBLIC HEARINGS

5. CONTINUING BUSINESS

6. NEW BUSINESS

7. ORDINANCES

- A. 2013- 04: Finance Committee Ordinance

8. RESOLUTIONS

9. PROCLAMATIONS

10. REPORTS AND ANNOUNCEMENTS

- A. City Manager Report – Welcome Mr. Dan Huff
- B. Upcoming Council Agenda Items:
 - 1. Updated FY13/14 Fee Schedule

11. EXECUTIVE SESSION

12. ADJOURNMENT

Molalla City Council

Meeting located at: Molalla Adult Community Center
315 Kennel Avenue Molalla, OR 97038

May 8, 2013

CALL TO ORDER

Flag Salute & Roll Call. ATTENDANCE 1,015th REGULAR MEETING: Mayor Debbie Rogge Present; Council President George Pottle, Present; Councilor Stephen Clark, Present; Councilor Dennis Wise, Present; Councilor Jimmy Thompson, Present; Councilor Jason Griswold, Present, Councilor Dennis Wolfe, Absent.

STAFF IN-ATTENDANCE: Interim City Manager, Marc Howatt; City Recorder, Sadie Cramer; Planning, Clay Glasgow

COMMUNICATIONS

MINUTES

Council President Pottle made the motion to approve the minutes of February 13th, February 27th, March 13th, March 27th, April 10th and April 24, 2013. Second by Councilor Clark. Motion carried 6-0.

Motion by Councilor Clark to close regular meeting and enter into Public Hearing. Second by Councilor Wise. Motion carried. 6-0.

PUBLIC HEARING

Clay Glasgow, Planning Staff, was called upon to give a Staff Report on the Site Design Review for Modern Construction Inc. Mr. Glasgow told Council that Site Design Review does not normally come before Council, but he was unable to hold this procedure before the Planning Commission because of lack of quorum. Not wanting the process to get bogged down for another month, he is bringing the matter before Council. Council has the Staff Report which includes a miniaturized site plans, building elevations, etc. The site is at 410 Section Street, zoned Heavy Industrial. There is residential use and zoning off to the east. Otherwise, there is industrial or vacant land in the area. City criteria for a manufacturing facility, M-2 Zone, applies subject to dimensional and design standards.

Mr. Glasgow said he arrived at a recommendation of approval because the use is allowed, and the site is available. There is one glitch regarding water. He was informed by Mr. Pennuri that there is no water available to the site, but there is water in vicinity. This would be taken care of during the construction process.

Councilor Wise raised the issue of fencing and what type would be recommended. Mr. Glasgow responded that Council could apply any reasonable conditions for fencing to include site obscuring and sound muffling type fences.

Councilor Thompson inquired if the Council could approve with criteria. Planner Glasgow stated that his report had included criteria and Council could add or subtract to that list.

Applicant presentation by Russel Hawkins, General Manager, Modern Construction. Mr. Hawkins introduced Gideon, assisting in presentation. Council was shown a larger version of the site plan which combines lots six and seven. Summary to total 76,000 square feet includes landscaping, parking and under roof percentages. Modern Construction is very open to buffering because they want to be good neighbors. Only one side would need sound buffering. All fabrication is interior within multi-walled construction in both buildings indicating no need for excessive buffering. Mayor Rogge asked if the operation would be twenty-four hours, to which Mr. Hawkins responded in the negative. He said he is happy to conform to City sound ordinances.

Councilor Pottle asked if the noise level would be mainly from import and export and handling. Mr. Hawkins said there will be interior bays off Shaver Street.

Mayor Rogge asked about the daily average number of trucks in and out of the property. Mr. Hawkins said there are about six trucks a month currently and in five years at operational excellence there could be one per day.

Councilor Thompson asked if items E1-E16 on the plans are trees. Mr. Hawkins replied they are existing trees.

Councilor Griswold asked whether there would be any by-products airborne. Mr. Hawkins said product comes in as structural steel and goes out as fabricated structural steel. There would be a paint booth which will be an environmentally conforming paint booth.

Planner Glasgow asked Mr. Hawkins to describe the building. He said it would be a structural steel frame and trusses skinned over with corrugated pre-coated siding, well insulated walls and ceilings. The eave height not to exceed twenty-four feet. The existing trees would remain utilizing greenspace. The buildings will be windowless except on eastside offices. There would be skylights and sliding barnstyle and rollup doors.

Councilor Clark asked whether there is sewer on the site. Mr. Howatt responded there is sewer. He also commented that the water exists to the property line but has been shut off by the City because of a leak. Water can be tapped into downstream. Clark also asked about industrial fencing. As long as fencing requirement is reasonable, it should be approved because there is nothing specific in the plan, according to Mr. Glasgow.

Mayor Rogge called for public testimony in favor of the project. There was none. She then called for public testimony in opposition. There was none. Neutral testimony: Colleen Plotner, 510 Hart Avenue, Molalla. Ms. Plotner said she lives directly in front of the proposed project. She said she

checked with Clackamas County Planning on Monday and found that the property will be adjacent to their residential property and two of their neighbors when Modern Construction purchases an additional piece of property. She was told that a traffic study was not required. There are not a lot of houses, but there are children playing on that street and it can be dangerous because of traffic that skirts around town by using that area. Her concern is that street are not in good condition and with heavy trucks and more traffic they will get worse. She would like to see street improvements. She was glad to hear there would not be a 24-hour operation. She also has concern about lighting.

In response to Ms. Plotner's concerns, Mr. Hawkins said flood lights would be directed towards the building and away from neighbors. A buffer zone will be left at the railroad track area. Mr. Glasgow asked if the additional strip had been purchased since he had not seen a Boundary Adjustment Application, to which Mr. Hawkins replied that he is currently working on obtaining that strip of property.

A motion to close the Public Hearing was made by Councilor Thompson. Second by Council President Pottle. Motion carried 6-0.

Mayor Rogge asked for further discussion by Council. Councilor Clark recommended as a condition of approval an eight foot medium density fence along the east side of the property. Councilor Thompson asked that a parking plan be included in conditions as well. Councilor Griswold asked where the streets in that area stand in regard to the street repair plan for the City streets. Mr. Howatt provided information that Hart, Shaver and Section Streets are not on the CIP, but will be on street overlay list he is putting together.

Councilor Thompson made a motion to approve Site Design with conditions: an amendment to the existing ten foot (10') fence on the east side of the property with plant material to provide additional auditory buffering between residents and plant operation and that lighting be pointed away from residential areas and towards the building. Council President Pottle seconded. Motion carried 6-0.

CONTINUING BUSINESS

ECONOMIC IMPROVEMENT DISTRICT (EID)

Jenifer Hood, Executive Director TEAM, Engle Avenue, Molalla, thanked Council for approval of Modern Construction's Site Design. She asked for their continued cooperation on the EID assessment and ordinance. Ms. Hood noted that the plaques for the Rodeo Walk of Fame have been ordered and should be installed by June; she continues to work with a re-developer for downtown; she is applying for grants to improve truck access to industrial areas. She asked Council to keep the doors of communication open in working with TEAM to move Molalla forward. Ms. Hood said TEAM is 100% committed and dedicated to find solutions to improve Molalla.

Mayor Rogge noted that Ms. Hood would be working in conjunction with Mayor Rogge, Council President Pottle, Interim City Manager Howatt and City Recorder Cramer to finalize the

remaining issues on the Economic Improvement District assessment and ordinance. Council President Pottle asked that all information be made available to all Council members as it takes place.

Jim Taylor, President of TEAM, resides on Holt Road in Colton, Oregon, also owns commercial and residential property in Molalla. Mr. Taylor indicated TEAM has been working for five months on a letter to property owners to keep Economic Development in the City of Molalla. He said there is a communication gap. He and his board have asked Jenifer Hood to communicate directly with Council so everyone knows what is taking place. Mr. Taylor asked a question of Council: Do you believe that commercial and economic development is the key to the future of the City? Councilor Thompson said he feels it is only part of it, that many things need to happen. Councilor Griswold said he also thinks it is conditional, that people are important. The Mayor, Interim City Manager and all other Councilors responded with a "Yes." Mr. Taylor said we need to bring living wage jobs to Molalla and to find a way to stop the \$60 million leakage from the City. He thinks the Council and TEAM can work together to move Molalla forward.

There was more discussion about the correspondence between TEAM and Council not violating public meeting laws. Councilor Thompson requested emails be sent blind copy. Councilor Griswold asked when this open and transparent communication might begin and was informed that it would begin immediately. Council will only receive information pertinent to the City, not all of TEAM's correspondence.

Mr. Taylor said he is working to finalize a property deal that would make the link of South Road 100% possible, donating the right of way from Ona Way to Highway 213. TEAM is here for one purpose – to serve the City.

Councilor Pottle remarked that the communication will serve as an education process, but not all Councilors will agree with everything. Councilor Clark asked Mr. Taylor about the cost to the City to place liens on properties to the tune of thousands of dollars. He responded that the liens are collected by the City and when paid the City gets the money, with administrative fees reimbursed to the City. TEAM only get the EID funds. Jenifer Hood read from Section 8 of the Ordinance "Money collected pursuant to Section 6 of this ordinance shall be spent only for economic improvements as set forth in the economic development plan set forth in Exhibit 2, and for the cost of City administration of the Molalla Economic Improvement District." City Recorder Cramer said it needs to be better defined as far as a percentage. Ms. Hood said another sticking point is whether the EID should be voluntary or mandatory, where with a voluntary EID less money might be collected and not having the lien issue, but there would be less time and energy expended than if it is mandatory. She indicated the EID does not produce a huge budget, that TEAM is operating on a shoe string. Councilor Thompson said if TEAM is looking for a 100% mandatory EID, he would not approve. What he likes about the voluntary EID is that it puts the responsibility on TEAM to sell to the property owners the value of what TEAM is providing to the City. Councilor Griswold asked about remonstrance and the 33% and was told that is part of the state statute and must be carried out accordingly.

COMMITTEE APPOINTMENTS

Mayor Rogge said she had one application for the Budget Committee and with Council's approval she would like to make that appointment since the Budget Committee would be convening on Thursday at 7:00 pm. Councilor Thompson made a motion to allow Mayor Rogge to appoint Barb Kately to the Budget Committee. Second by Councilor Griswold. Motion carried 6-0.

NEW BUSINESS

LIQUOR LICENSE APPLICATION – 3 KATZ ESPRESSO CAFÉ

3 Katz Espresso Café has applied for a new liquor license to serve beer and wine on premises. There was discussion on the legality of serving liquor at this facility because it is an open area, not enclosed or fenced off as in a beer garden. Councilor Thompson requested this go before the City Attorney before approval be given. Councilor Wise indicated OLCC would have similar questions about the person serving also being responsible for monitoring against having minors in the vicinity of the liquor. City Recorder Cramer made a suggestion that staff be authorized to call OLCC rather than expending funds for legal approval. She explained that once Council gives approval the application would go before OLCC and would undergo extensive scrutiny. Councilor Thompson made a motion to approve the liquor license application contingent on the results of staff phone call to OLCC. Second by Council President Pottle. Motion carried 5-1. Councilor Clark, Nay.

WAIVER OF PARADE FEE FOR ANNUAL KIDDIE PARADE

There is a request for a waiver of parade fee for the annual Kiddie Parade. Discussion: None. Councilor Thompson made a motion to waive the parade fee for the annual Kiddie Parade. Councilor Clark seconded. Motion carried 6-0.

REPORTS AND ANNOUNCEMENTS

CITY MANAGER REPORT

Interim City Manager Marc Howatt said it has been quite a change going from Public Works to City Manager where things are gray and not quite so linear. He said the City is working on lots of projects, but thanks to notes left by the former Interim City Manager and help he has received from staff, the mayor and Council, things are going along. He appreciates all the help he is receiving. Interviews for City Manager will be held next Wednesday. He continues to work with the Fire District on the Urban Renewal Agency agreement.

Councilor Griswold thanked the community for participation in Loyalty Day on May 1. He thanked Mayor Rogge for being a speaker at the event. He apologized for not being able to attend the Budget Committee meeting because he will be attending his last Veterans of Foreign Wars Commanders Meeting.

Councilor Thompson requested to add an agenda item to new business for the next Council meeting – Contract employment versus at-will employment for City staff. The request to add the item to the agenda was seconded by Councilor Clark.

Council President Pottle reported he attended C-4. He said there was a slide show about transportation. There was not much discussion about rural areas in regard to transportation. There was discussion about safety, pot hole repair, etc., but no discussion about cost per mile. He asked about cost five times, but received no answer. His feeling is that rural areas are not being considered. He asked how much funding would come from the state, county and cities but was given no response.

Council President Pottle also attended a meeting of the Molalla Area Seniors and was pleased to report they have settled all their issues in-house. In regard to the issues with property, that is just about done. The Molalla Area Seniors did request a filing cabinet, which he said with the blessing of Council, he would donate one that is in the Adult Center Building.

Mayor Rogge said it was a pleasure to represent the City at Loyalty Day and talk about community service and service to our nation. She attended ribbon cuttings for All Mine Frozen Yogurt, C'est La Vie, the new Chamber of Commerce Office and the re-dedication of the Adult Center. Mayor Rogge was not able to attend one today for The Rustic Shed because of another scheduled meeting. She is delighted with all the ribbon cuttings recently and sees that as a positive sign for the City. Mayor Rogge thanked community members for their participation and interest in tonight's Council meeting. She thanked staff for the hard work and dedication they have put in over the last few weeks.

ADJOURNMENT

Councilor Wise motioned to adjourn at 8:20 pm. Council President Pottle seconded. Motion carried 6-0.

Sadie Cramer, City Recorder

Mayor Debbie Rogge

Minutes of the Molalla City Council Regular Meeting
Molalla Adult Center
315 Kennel Ave., Molalla, OR 97038
Wednesday June 12, 2013

ATTENDANCE: Mayor Rogge, Present; Councilor Pottle, Present; Councilor Clark, Present; Councilor Thompson, Present; Councilor Wise, Present; Councilor Wolfe, Absent; Councilor Griswold, Present.

STAFF IN ATTENDANCE: Interim CM/PW Director Howatt, Present; City Recorder Cramer, Present; Finance Director Penni, Present.

COMMUNICATIONS:

Minutes

Councilor Clark noted that his name was mis-spelled in the minutes.

Councilor Pottle made a motion to approve the minutes from the May 22 and May 29 meetings with corrections. Councilor Wise Seconded. Motion approved (6-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Clark, Aye; Councilor Thompson, Aye; Councilor Wise, Aye; Councilor Griswold, Aye.

AWARDS & RECOGNITION

Swearing in of Officer LaPointe

Chief Lucich introduced Anthony LaPointe, the Police Departments newest Police Officer. Mayor Rogge swore him into office.

Recognition to Officer Scott

Chief Lucich recognized Officer Scott, after attending the Portland Police Detective Academy, has become the Molalla Police Department Detective. Chief Lucich presented her with her shield as the Detective for the City of Molalla.

Councilor Pottle made a motion to open public hearing. Councilor Griswold seconded. Motion approved (6-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Clark, Aye; Councilor Thompson, Aye; Councilor Wise, Aye; Councilor Griswold, Aye.

Mayor Rogge asked for public comment on the City's Election to Receive State Shared Revenue. There was no public comment.

Councilor Clark made a motion to close public hearing. Councilor Griswold seconded. Motion approved (6-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Clark, Aye; Councilor Thompson, Aye; Councilor Wise, Aye; Councilor Griswold, Aye.

NEW BUSINESS

Economic Recovery

Cleo Roberts – 503 Kennel Ave. expressed her concerns on an item she read on Facebook from a City Councilmember. She stated that when she was Mayor there was an official spokesperson; the Mayor and Council President.

Katherine Christiansen – 8730 S. Grizzly Bear Dr., Canby stated that TEAM has worked hard to pull the community together to get things done. She noted the businesses that have come into Molalla since Ms. Hood has been on TEAM. She asked Council to reconsider their decision to disassemble TEAM.

Jim Taylor – 29480 Holt Rd., Colton stated that he was an industrial property owner in the City. He stated that without economic development in this town, the town will not go forward. Councilor Clark asked that Mr. Taylor address Council as a whole. Mr. Taylor asked how the Council planned to fund economic development and wanted to know what their plan was. He asked Council to reconsider their decision to disassemble TEAM.

Jennifer Hood – 1111 Meadow Drive, Molalla, TEAM Executive Director read letters from individuals supporting TEAM. Exhibits are on file at Molalla City Hall.

Roger Peterson – PO Box 1166, Mulino expressed his disappointment of the decision Council made regarding TEAM. He asked that the EID go to a vote of the property owners.

RESOLUTIONS

2013-10 – Adopting FY 2013-2014 Budget

Councilor Pottle made a motion to adopt resolution 2013-10 – Adopting FY 2013-2014 Budget, Councilor Griswold seconded, Motion approved (6-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Clark, Aye; Councilor Thompson, Aye; Councilor Wise, Aye; Councilor Griswold, Aye.

2013-11 – Declaring the City’s Election to Receive State Shared Revenue

Councilor Pottle made a motion to adopt resolution 2013-11 – Declaring the City’s Election to Receive State Shared Revenue, Councilor Clark seconded, Motion approved (6-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Clark, Aye; Councilor Thompson, Aye; Councilor Wise, Aye; Councilor Griswold, Aye.

2013-13 – Establishment of a “Grant Fund”

Councilor Wise made a motion to adopt resolution 2013-13 Establishment of a Grant Fund, Councilor Thompson seconded, Motion approved (6-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Clark, Aye; Councilor Thompson, Aye; Councilor Wise, Aye; Councilor Griswold, Aye.

2013-12 – Certification of Enumerated Municipal Services

Councilor Clark made a motion to adopt resolution 2013-12 Certification of Enumerated Municipal Services, Councilor Pottle seconded, Motion approved (6-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Clark, Aye; Councilor Thompson, Aye; Councilor Wise, Aye; Councilor Griswold, Aye.

REPORTS & ANNOUNCEMENT

Interim CM/PW Director Howatt advised that sidewalk striping will be occurring this week in preparation for the Fourth of July holiday and events. Mr. Howatt also

gave an update on the computer conversion that occurred in City Hall and the Police Department. He also updated Council on the progress of the two union negotiations that are taking place. He stated that a meeting occurred today between Eco-Northwest and City staff to discuss the URA. Clackamas County will be hosting the next town hall meeting to be held June 20 at 4:00 pm at the Molalla Adult Center.

Mayor Rogge advised that she and Councilor Pottle attended the C-4 meeting and will give a report at the next Council meeting. She also advised that City Manager Dan Huff will be starting on June 24th. Mayor Rogge stated that she had a meeting with members of TEAM. She also advised of a meeting that she and Interim CM Howatt attended at Clackamas County regarding the Comp Plan. Mayor Rogge thanked the public for coming to make their statements.

ADJOURNMENT:

Councilor Wise made a motion to adjourn, Councilor Clark seconded, Motion approved (6-0) Mayor Debbie Rogge, Aye; Councilor Pottle, Aye; Councilor Clark, Aye; Councilor Thompson, Aye; Councilor Wise, Aye; Councilor Griswold, Aye.

Sadie Cramer, City Recorder

Mayor Debbie Rogge

City of Molalla

ORDINANCE NO. 2013-04

AN ORDINANCE ESTABLISHING THE CITY OF MOLALLA FINANCE COMMITTEE AND
MAKING PROVISION THEREFOR

WHEREAS: The City Council for the City of Molalla has not yet adopted a comprehensive set of financial policies to guide financial planning and management; and

WHEREAS: Financial policies are necessary to provide guidance to the City Council and City staff in the preparation of financial forecasts and budgets, to thereby ensure the City has the capacity to provide services and to sustain appropriate and necessary levels of service into the future; and

WHEREAS: The City Council deems it necessary and proper, and in the public interest, to establish a standing committee of the Council to be known as the “City of Molalla Finance Committee,” to advise the City Council on financial policy, planning and management issues.

NOW, THEREFORE, THE CITY OF MOLALLA ORDAINS as follows:

Section 1. Section 1.02.175 Finance Committee is created and added to the Molalla Municipal Code to read as follows:

- A. Establishment.** There is hereby established a standing committee of the City Council of the City of Molalla, to be known as the “City of Molalla Finance Committee”
- B. Membership.** The City of Molalla Finance Committee shall be comprised of two sitting members of the City Council and the Mayor. The Mayor, with the consent of the Council, shall appoint two members of the Council to the Committee as the first regular meeting of each calendar year. Committee Members shall serve one-year terms, and may be removed by the Mayor with the consent of the Council. The City Manager, or his or her designee, may sit at meetings and serve as a liaison to the Committee but have no vote.
- C. Rules.** The City of Molalla Finance Committee shall select a chairperson, and shall adopt ruled of procedure to govern its meetings. The rules of procedure shall provide that the chairperson or the City Manager may call a meeting of the Committee.

D. Duties of the City of Molalla Finance Committee

1. The City of Molalla Finance Committee shall advise the Council on City financial matters, oversee City fiscal audits and provide recommendations to the Council on City financial policies and actions. Matters that shall be referred to the City of Molalla Finance Committee for its review and recommendations include but are not limited to:
 - a. The annual financial audit;
 - b. Financial policies recommended by the City Manager or the City Council for adoption; and
 - c. Revenue and expenditure assumptions contained in a five-year financial forecast.
2. Matters about which the City of Molalla Finance Committee may provide advice and recommendations to the City Council about include but are not limited to:
 - a. Integration of the Council Goals with the City's financial plan
 - b. Development of, and updates to, a long-range financial strategy to ensure the provision of sustainable community services
 - c. Any other matter concerning the City's financial planning referred by the City Council as a whole or by the City Manager.

Section 2. Being necessary for the peace, health, and safety of the people of the City of Molalla that a City of Molalla Finance Committee is established, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect upon its passage by the Council

Adopted this _____ day of _____, 2013.

Deborah Rogge
Mayor

ATTEST:

Sadie Cramer
City Recorder