

Minutes of the Molalla City Council Regular Meeting
Molalla Adult Center
315 Kennel Ave. Molalla, OR 97038
Wednesday, May 10, 2017

ATTENDANCE: Mayor Jimmy Thompson, Present; Councilor Leota Childress, Present; Councilor Glen Boreth, Present; Councilor Elizabeth Klein, Absent; Councilor Keith Swigart, Present; Councilor DeLise Palumbo, Present; Councilor Cindy Dragowsky, Present.

STAFF IN ATTENDANCE: Dan Huff, City Manager, Present; Gerald Fisher, Public Works Director, Present; Sadie Cramer, City Recorder, Present; Aldo Rodriguez, Community Planner Present.

COMMUNICATIONS, PRESENTATIONS & PUBLIC COMMENT

MINUTES: Boreth made the motion to approve the minutes of March 8, 2017. Swigart seconded. Motion carried 6-0. Boreth made the motion to approve the minutes of March 22, 2017. Dragowsky seconded. Motion carried 6-0.

PUBLIC COMMENT: Susan Hansen of Bear Creek Recovery read the following:

Mayor Thompson invited me to participate in the visioning project. Frankly, after 26 years here, I have little faith in the City of Molalla's ability to follow any vision except helping greedy developers and land speculators while ignoring quality of life needs like the elaborate 10 year old unimplemented Parks Plan. Molalla must understand how far behind it is compared to other local cities, which produced realistic, in scale plans and successfully implemented them.

Dissenting ideas and debate must be encouraged. There is clearly a group-think, lock step fear of anything that does not suit the agenda of the Mayor and City Manager. Molalla has, as it did ten years ago, engaged in what is called a DEAD land use process - where decisions about outcome are made to satisfy speculators. Now a campaign is underway to defend a premature decision. Good luck on that. Apparently Mayor Thompson learned nothing from the huge waste of public money on the past urban reserve fiasco. Molalla needs a stable, well-trained Planning Commission, working independently with the City Planner, without inappropriate manipulation by the City Manager and Mayor.

My vision requires your city staff to perform their stated duties on time and respectfully. The minutes of the meeting directly past should accompany every new agenda. The city website should be transparent and easy to use. Public documents should be proudly produced and shared. City staff should be accessible to all.

City councilors, Mayor and City Manager should write op-eds and newsletters that honestly outline problems and plans. Your City Manager is, in my opinion, fond of maligning agencies and individuals when they are not in attendance. A public exchange of ideas via the paper would be a far more appropriate way to contest opinions the City Manager doesn't agree with.

A successful city fully cooperates with public agencies and immediately employs the outcomes of grants.

Molalla needs to accept reality and tell its citizens that the wastewater problems are serious and will be costly to fix; instead, you spend public money on lawyers to try to whine your way out of the increasing violations. Attendance at Bear Creek Recovery's annual meeting would have allowed you to discuss with DEQ the process and money needed to become a Major Facility and to solve the violations. Manager Huff made an incorrect slur about Bear Creek Recovery at the April planning meeting. BCR has been a registered non-profit since 2013, has a full and engaged board of directors and will continue to vigorously advocate for the environment. BCR receives direct land use notifications from Clackamas County and DEQ honors our requests for hearings.

Unless you encourage debate and diverse citizen involvement, acknowledge Molalla's glaring problems, work with agencies in good faith, follow legal process and make plans that fit local financial and social demographics, you will, as usual, be stalled with grandiose visions that never come true.

Susan Hansen, for Bear Creek Recovery, PO Box 50, Molalla

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NEW BUSINESS

TERMINATION OF APPOINTMENT OF A PLANNING COMMISSION MEMBER

Thompson addressed the Council and his concerns with Planning Commissioner Racheal Cain's misconduct and behavior at the May 3, 2017 Planning Commission meeting. Thompson listened to the recording and sent an email to Council regarding his intentions to remove Ms. Cain from her appointed seat on May 4, 2017. He asked Ms. Cain if she would like to speak. Ms. Cain agreed.

Ms. Cain brought up several matters surrounding the incident that included Chair Botsford withholding information regarding the proposed changes to the development code, ethic violations, exparte contact that both staff and other Planning Commissioners allegedly engaged in. Discussion between Cain and Council took place regarding the correspondance, documents and other information she has and is willing to share with each Council member. Cain reported that she has made contact with the Oregon Ethics Commission and stated there will be an investigation.

Swigart asked that Cain provide the stated information she is in possession of for Council review. Cain agreed to send it to each Council member. All Council memebbers agreed with Swigart's request.

After the breif discussion between Cain and Council the Mayor asked for consent to remove Cain from her appointed seat. Swigart made the motion to table this item until the next meeting so all of Cain's information can be reviewed and the Council can make an inform decision. Palumbo seconded. Motion carried 5-1 with Mayor Thompson as a nay.

Palumbo made a motion for staff to contact legal counsel regarding the issue that have been stated by Cain. After brief discussion between Council and staff after Thompson stated he has addressed her concerns regarding legalities regarding the termination and legal is well aware of the situation. Swigart seconded. Motion failed 3-2-1. (Childress, Nay; Boreth, Nay; Dragowsky, Nay; Swigary, Aye; Palumbo, Aye; Thompson, abstained.)

CITY MANAGER EVALUATION

Thompson noted this item is not on the agenda by it is one that needs to be addressed regarding the City Manager's annual review. Thompson is asking that a 360 degree evaluation be done that includes the department heads. Brief discussion took place between staff and Council regarding what the best practice would be. Palumbo made the motion to do the 360 evaluation for the City Manager. Boreth seconded. Motion carried 6-0.

OLCC APPLICATION FOR MOLALLA BUCKEROO ASSOCIATION

The Molalla Buckeroo Association applied for a year round liquor license instead of doing temporary license for each event they have. Childress motioned to approve the OLCC application. Boreth seconded motion carried 6-0.

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DRIVE TO ZERO PRESENTATION

Gary Stewart of RDI gave a presentation about Drive to Zero. Drive to Zero focuses on reducing injuries and fatalities on our roadways. Our goal is to reduce fatal and serious injury crashes by half by 2022. Based on recent data, this could save 16 lives and prevent 125 serious injuries every year in Clackamas County.

More than 90% of crashes include human behavior as a contributing factor. Distracted driving, young drivers and leaving the roadway are the top 3 contributing factors in fatal crashes in Clackamas County and each can be prevented with steps such as being attentive, providing young drivers with parental supervision and slowing down.

CONTINUED BUSINESS

REVIEW OF REVISED DRAFT OF THE MOLALLA DEVELOPMENT CODE

Rodriguez and Siegel Planning Services reviewed the information included in the agenda packet with Council.

ORDINANCES

ORDINANCE 2017-05: AN ORDINANCE ENACTING A NEW CHAPTER 8.03 TO PROVIDE FOR THE ABATEMENT OF DANGEROUS BUILDINGS AND STRUCTURES

First reading by title only for ordinance 2017-05 made by Boreth. Childress seconded. Thompson read the title only. Motion carried 6-0.

Second reading by title only for ordinance 2017-06 made by Boreth. Swigart seconded. Thompson read the title only. Motion carried 6-0.

Boreth made the motion to adopt Ordinance 2017-05. Childress seconded. Motion carried 6-0.

REPORTS AND ANNOUNCEMENTS

Thompson invited everyone and encouraged the public to attend the Molalla Avenue Street Dedication – May 20, 2017 2PM at Long Park to celebrate the completion of the Molalla Avenue Project and Cycling Plaza.

Boreth thanked the Planning Commission for all of their hard work on the code revisions.

Childress reported that the Chamber of Commerce is working on self watering planters to beautify downtown. 8 of them will be tested and if that goes well then more might be added. Visioning surveys are coming in with a count of 35 received. She encouraged the Council to send out a reminder to please take the survey.

Childress said that we addressed a serious situation with Cain tonight. We should refrain from sidebar conversations and would like to avoid non production inflammatory conversation on the subject. Palumbo stated we need to remain unbiased and with the information Cain will provide will help assist us with that

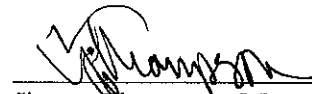
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decision. Childress stated we are not doing a formal investigation at a Council level. Thompson asked that if any of the Council members have not listened to the recording to please do so.

ADJOURNMENT

Boreth made the motion to adjourn at 9:38pm. Childress seconded. Motion carried 6-0.


Sadie Cramer, City Recorder


Jimmy Thompson, Mayor

See Attached



Administration – City Records Office
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Phone: (503) 829-6855 Ext. 291 Fax: (503) 829-3676

December 8, 2017

This letter is to explain the attached minutes the minutes were not signed before the previous City Recorder left the employment of City of Molalla or the signed minutes couldn't be located. This was the best way to rectify the situation as the minutes were already approved they just needed signed.

Kelly Richardson, CMC
City Recorder
City of Molalla
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