



Minutes of the Molalla City Council Regular Meeting

Molalla Adult Community Center
315 Kennel Ave., Molalla, OR 97038
September 11, 2019

1. CALL TO ORDER AND ROLL CALL

The Molalla City Council Regular Meeting of September 11, 2019 was called to order by Mayor Keith Swigart at 7:02pm.

2. FLAG SALUTE

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
Vacant Seat
Student Liaison Natalee Litchfield - Present

STAFF IN ATTENDANCE

Dan Huff, City Manager - Present
Christie DeSantis, City Recorder - Present
Gerald Fisher, Public Works Director - Present
Chaunee Seifried, Finance Director - Present
Alice Cannon, Planning Director - Present

3. PRESENTATIONS, PROCLAMATIONS, CEREMONIES

None.

4. PUBLIC COMMENT

None.

5. APPROVAL OF THE AGENDA

6. CONSENT AGENDA

- A. Meeting Minutes – August 14, 2019
- B. Meeting Minutes – August 28, 2019

***A motion was made by Councilor Childress to approve the Consent Agenda, seconded by Councilor Newland.
Vote passed 6-0.***

7. INTERGOVERNMENTAL AGREEMENT: OR213 and Toliver Road Intersection Improvements (ODOT)

Tova Peltz and Paul Scarlett from Oregon Department of Transportation (ODOT) presented Council with an update on the Toliver Road intersection work to date. (Exhibit A)

Public Works Director, Gerald Fisher stated that Clackamas County is in full support of the Toliver Road and OR 213 project and is willing to be a resource, as necessary.

Councilor Newland asked for clarification regarding the IGA with ODOT, curious to know if the 2.2 million dollars is locked in. She wanted to know if the project will cost more as delays take place. Mr. Fisher assured Council that the City will pay their fair share, but not more. He also stated that once the project begins, the City must stay committed through completion.

Further discussion took place regarding planning, funding and project management. City Staff feels that ODOT has brought a valid project worth pursuing.

An Open House for the Ona Way Project will be held on Wednesday, October 2, 2019 from 5:00-7:00pm at the Molalla Public Library. ODOT, in partnership with the City of Molalla, is designing pedestrian and bicycle improvements on the north side of OR 211 between OR 213 and S. Ona Way. This project will construct a shared use path near the Safeway shopping center, Molalla River Middle School and other nearby community resources, as well as lighting at the crossing at OR 211 and the east side on N Hezzie Lane. (Exhibit B)

8. PUBLIC HEARINGS

A. Ordinance 2019-07: An Ordinance Amending Language of City Council Work Sessions

Mr. Huff presented the language changes to Council, whom all agreed with corrections and updates that were made.

Mayor Swigart opened the Public Hearing at 7:43pm. Seeing that no members of the public wanted to speak on the Ordinance, Councilor Klein made a motion to close the public hearing, seconded by Councilor Childress. Vote passed 6-0.

There was no further discussion by Council.

A motion was made by Councilor Newland, seconded by Councilor Palumbo, to adopt Ordinance 2019-07; an Ordinance Amending Language of City Council Work Sessions. Vote passed 6-0.

B. Ordinance 2019-08: An Ordinance Repealing and Replacing Chapter 13.08.540 Preliminary Treatment Facilities with Chapter 13.08.540 Restricted Discharges and Pretreatment

Mr. Fisher pointed out errors in the code that read "Director" opposed to "Public Works Director". He asked that Council accept the code with corrections amended to read "Public Works Director" throughout the document.

Councilor Palumbo asked for clarification between the difference between uncontaminating cooling water and sanitary sewer. She also asked about the difference between a sanitary sewer and storm water, in addition to what would constitute uncontaminated cooling water.

Mr. Fisher explained that storm water is surface runoff or rainfall. Sanitary sewer system is what is flushed down toilets or goes down a residential/commercial/industrial drain which is connected to our sanitary system. The storm water goes through the storm pipes to Creamery Creek and Bear Creek. City of Molalla has two separate sets of sewers.

Councilor Newland asked if these guidelines meet the requirements of DEQ. Mr. Fisher stated that it does from an initial standpoint.

Councilor Klein asked if the word toxins applies to pharmaceuticals, or whether that should be listed separately. Mr. Fisher stated that we are currently limited on the correct technology, and that we ship pharmaceuticals to another agency to handle it properly.

Mayor Swigart opened the Public Hearing at 7:53pm. Seeing that no members of the public wanted to speak on the Ordinance, Councilor Klein made a motion to close the public hearing, seconded by Councilor Childress. Vote passed 6-0.

There was no further discussion by Council.

A motion was made by Councilor Childress, seconded by Councilor Shankle, to adopt Ordinance 2019-08, with the changes and amendments discussed. Vote passed 6-0.

- C. Ordinance 2019-09: An Ordinance Repealing Chapter 13.08.550 Industrial Wastes Control Manhole and Chapter 13.08.560 Tests of Wastes Location and Sampling

Mr. Fisher explained that with the passage of the previous Ordinance (Ord. 2019-09), that the language is removed under Chapter 13.08.540.

Mayor Swigart opened the Public Hearing at 7:55pm. Seeing that no members of the public wanted to speak on the Ordinance, Councilor Klein made a motion to close the public hearing, seconded by Councilor Newland. Vote passed 6-0.

There was no further discussion by Council.

A motion was made by Councilor Newland, seconded by Councilor Shankle, to adopt Ordinance 2019-09. Vote passed 6-0.

- D. Ordinance 2019-10: An Ordinance Repealing and Replacing Chapter 5.24.025 General Business Licensing: Exemptions (Fisher)

Mr. Fisher stated that currently the City Code requires business licenses from consultants and contractors who perform work as part of a public contract for the City. This creates an additional cost to the City that is passed on by the business licensee for overhead and administrative fees, as well as a cost to the City in staff time to process the business license. Staff recommends reducing the cost by exempting consultants and contractors who are required to secure a City business license only for the purposes of a public contract with the City.

Mayor Swigart opened the Public Hearing at 7:57pm. Seeing that no members of the public wanted to speak on the Ordinance, Councilor Klein made a motion to close the public hearing, seconded by Councilor Childress. Vote passed 6-0.

Councilor Newland pointed out a grammatical error that will be corrected. Additionally, Councilor Palumbo pointed out a grammatical error that will be corrected. The Ordinance will be accepted as amendments are made.

A motion was made by Councilor Shankle, seconded by Councilor Childress, to adopt Ordinance 2019-10. Vote passed 6-0.

- E. Ordinance 2019-11: An Ordinance Repealing and Replacing Chapter 13.08.420 Materials and Connections Specifications (Fisher)

Mr. Fisher explained that this code revision separates sewers into two distinct categories: the private side which falls under the plumbing code, and the public side which falls under the City's public work standards and wastewater master plan.

Mayor Swigart opened the Public Hearing at 8:04pm. Seeing that no members of the public wanted to speak on the Ordinance, Councilor Palumbo made a motion to close the public hearing, seconded by Councilor Childress. Vote passed 6-0.

There was no further discussion by Council.

A motion was made by Councilor Childress, seconded by Councilor Newland, to adopt Ordinance 2019-11. Vote passed 6-0.

- F. Ordinance 2019-12: An Ordinance Repealing and Replacing Chapter 13.04.130 Size of Service Connections (Fisher)

Mr. Fisher explained that this revision will align the City with the public works standards and water master plan.

Mayor Swigart opened the Public Hearing at 8:07pm. Seeing that no members of the public wanted to speak on the Ordinance, Councilor Palumbo made a motion to close the public hearing, seconded by Councilor Newland. Vote passed 6-0.

There was no further discussion by Council.

A motion was made by Councilor Newland, seconded by Councilor Shankle, to adopt Ordinance 2019-12. Vote passed 6-0.

- G. Ordinance 2019-13: An Ordinance Repealing and Replacing Chapter 13.04.360 Water Main Extensions – Size (Fisher)

Mr. Fisher explained that this code revision will align the City with the public works standards and the water master plan.

Mayor Swigart opened the Public Hearing at 8:10pm. Seeing that no members of the public wanted to speak on the Ordinance, Councilor Palumbo made a motion to close the public hearing, seconded by Councilor Newland. Vote passed 6-0.

There was no further discussion by Council.

A motion was made by Councilor Klein, seconded by Councilor Newland, to adopt Ordinance 2019-13. Vote passed 6-0.

9. GENERAL BUSINESS

- A. Oregon Clean Air Act, ORS 433.835-433.875

Mr. Huff presented Council with a copy of the Oregon Clean Air Act. The City received a complaint regarding an individual standing near a youth sporting event in Clark Park while smoking. He is seeking direction from Council on how the City should handle this in the form of an Ordinance.

Mayor Swigart stated that he would not recommend an Ordinance, as it is difficult to monitor public smoking. After brief discussion, Council agreed. No action at this time.

- B. Winter Banner Project

Mr. Huff shared a Memorandum of Understanding (MOU) for the City and Chamber of Commerce to work together for the Winter Banner Project. He asked the Council to approve or amend the MOU language, as well to direct the City Manager to sign the MOU.

Discussion was held regarding the timing of banners being put up and taken down, and the importance of aligning them with the City's current schedule.

Mayor Swigart questioned the 'to be determined' amount for future maintenance.

Connie Farrens, Chamber President, 109 East Main Street, shared that the Chamber currently has funding available for twenty banners. There was confusion over the banners being approved, as some Councilors have not reviewed them at this point. This item had been delayed due to a meeting cancelation.

Mr. Huff shared that the draft copy of the Buckeroo banner would not be displayed due to the name of the Buckeroo and the totem pole that is presented on that photo. PGE will not display a business, and the totem is inappropriate in representing the Molalla tribe members.

Councilor Childress made a motion that City Manager Huff enter into a MOU with the Chamber of Commerce as amended, and that he approves the banners for review. The motion was seconded by Councilor Klein. Vote passed 4-2.

Voting aye: Mayor Swigart, Councilor Klein, Councilor Childress, Councilor Palumbo.

Voting nay: Councilor Newland. Abstaining: Councilor Shankle.

10. REPORTS

A. City Manager and Staff

Planning Director Cannon - Nothing to report.

Finance Director Seifried – Nothing to report.

Public Works Director Fisher reported that Fenton Avenue sewer line is in, water line is in, and needs to be tested. The shops floor is done, the Water Treatment Plant preconstruction meeting was held today. The Wastewater Treatment Plants biosolid of 395 tons has been removed.

The large truck conducting boring today was for soil samples for new pole bases that will be installed at the intersection of Main Street and Molalla Avenue.

Mayor Swigart asked when the finish of biosolid removal will take place. Mr. Fisher explained that the contractor will come in over two and three day blocks until removal is complete.

City Manager Huff – Nothing to report.

B. Mayor

Mayor Swigart recently attended the C4 Conference and presented Council with a handout for affordable housing.

Student Liaison Litchfield shared that she attended a conference at Princeton over the summer and that one presentation was eviction. Eviction is a serial issue, which causes homelessness or other issues of difficulties in finding a home.

C. City Councilors

Councilor Klein – Nothing to report.

Councilor Childress requested that Mr. Huff and Mr. Fisher contact ODOT and invite them to the City's booth at Celebrate Molalla. She felt that would be a captive audience to present information to the public.

Councilor Childress requested help from the community, as Celebrate Molalla is still in need of volunteers.

Councilor Palumbo shared a reflection on September 11, 2001 and the importance of thanking our emergency responders and remembering the fallen. Councilor Newland echoed the statement.

Councilor Shankle – Nothing to report.

Student Liaison Litchfield shared that high school is back in session. Fall sports have begun and are in full swing. She also reminded the public that about the upcoming School Board Meeting.

Mayor Swigart explained the need for an Executive Session. Councilor Klein made a motion at 8:42pm to recess to executive session, Councilor Newland seconded. Vote passed 6-0.

11. RECESS INTO EXECUTIVE SESSION

Held pursuant to Oregon Public Record Law, ORS 192.660(2):

(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

12. RECOVENE REGULAR SESSION

At 9:05pm Councilor Klein made a motion to reopen the regular session of the City Council meeting, seconded by Councilor Childress. Vote passed 6-0.

The consensus of the Council is to authorize the City Manager to work with the property owner to accept a deed dedication for the property. The property will then go through a partition.

A motion was made by Councilor Childress for this action, seconded by Councilor Klein. Vote passed 6-0.

13. ADJOURN

Motion was made to adjourn the meeting at 9:08pm by Councilor Klein, seconded by Councilor Childress. Vote passed 6-0.


Keith Swigart, Mayor

October 9, 2019
Date

ATTEST:


Christie DeSantis
City Recorder

Fall 2019

OR 211: Pedestrian and Bike Improvements



The Oregon Department of Transportation (ODOT), in partnership with the City of Molalla, is designing pedestrian and bike improvements in Molalla along the north side of Oregon Highway 211 (OR 211) between OR 213 and South Ona Way. This project will enhance safety, operations, and efficiency for people walking, biking, driving, rolling, and using transit in the area. Design is underway, and construction is planned to begin in summer 2020.

What is the problem?

Currently, OR 211 between OR 213 and South Ona Way in Molalla lacks space for pedestrians and bicyclists causing them to use the narrow shoulder to access commercial services near OR 213 and downtown Molalla. This project addresses this critical safety need by providing a shared use path on the north side of OR 211 near the Safeway shopping center, Molalla River Middle School, and other nearby community resources. The project is also designing added lighting on OR 211 at the crossing at the east side of North Hezzie Lane to increase visibility for travelers in the area.

What is the project?

The project proposes several pedestrian and bike improvements, including:

- Sidewalk between the Safeway shopping center and the west corner of the dental clinic
- Pedestrian bridge over Bear Creek
- 10-foot shared use path with 5-foot buffer between Industrial Way and east corner of the future multi-family development (east of Bear Creek)
- Added lighting at the crossing of OR 211 at east side of North Hezzie Lane
- New ADA compliant curb ramps

How will construction affect travel through the area?

Construction is expected to begin summer 2020 and will be completed by early 2021. Work will occur along and off the shoulder and will not require closing travel lanes for long durations. Expect temporary lane closures and occasional flagging for travelers on the roadway. Some of the curb ramps and driveways will be reconstructed. During reconstruction, temporary pedestrian access routes will be provided.

How can I get involved?

ODOT and the City of Molalla want to hear from you! There are several ways to get involved and provide input on the project:

- Attend the open house
- Visit the project website: <https://tinyurl.com/OR211Improvements>
- Sign up for project notifications: <https://tinyurl.com/MolallaProjects>
- Share your questions and comments with the project team:

April deLeon-Galloway, ODOT Community Affairs Coordinator

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Toliver intersection work to date

2018-2021 Statewide Transportation Improvement Program (STIP) – Preliminary Engineering (PE) funds programmed to evaluate operations of the intersection of OR213 + Toliver Road.

Fall 2018 – Road Safety Audit (RSA) by ODOT / Molalla / County / Consultant Team to study safety performance of the intersection of OR213 + Toliver Road.

2019 – Scoping for 2021-2024 STIP identified included an All Roads Transportation Safety (ARTS) project and a Leverage project to deliver design + construction of the intersection improvements

May 2019 – Intersection Control Evaluation (ICE) considered no-build condition and two RSA options



Ongoing nearby improvements

Feb 2019 - Rapid Flashing Beacon installed by
ODOT at OR211 + N. Hezzie Lane

Sept 2019 - Speed reduction approved on OR213
from 40-45 mph down to 35 mph

April 2020 - Multi-use path project bid opening for
OR213 - S. Ona Way

Late 2020 - ODOT ADA Pilot will replace ADA ramps
on OR211 in downtown Molalla



Funding summary

Current cost estimate = \$8,894,391

This includes design, right-of-way, utility relocations, and construction, as well as inflation to construction year (2023) dollars

City contribution – \$2,247,990

State contribution – \$6,646,000 which includes current STIP allocation and future 2021–2024 STIP

