



Minutes of the Molalla City Council Regular Meeting

Molalla Adult Community Center
315 Kennel Ave., Molalla, OR 97038
August 26, 2020

1. CALL TO ORDER AND FLAG SALUTE

The Molalla City Council Regular Meeting of August 26, 2020 was called to order by Mayor Keith Swigart at 7:05pm.

2. ROLL CALL

COUNCIL ATTENDANCE:

Mayor Keith Swigart – Present
Council President Leota Childress – Present
Councilor Elizabeth Klein – 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
Chaunee Seifried, Finance Director - Present

3. PRESENTATIONS, PROCLAMATIONS, CEREMONIES

- A. Library Board Application
- B. Proclamation No. 2020-02: Proclaiming September as National Preparedness Month

Molalla resident Tina Teel submitted an application for the Library Board. The current Library Board has reviewed her application and presented it to Council. Ms. Teel has been involved with the Library and Friends of the Library for many years and wishes to continue her service.

A motion was made by Councilor Palumbo to appoint Ms. Teel to the Library Board, seconded by Councilor Robles. Vote passed 7-0.

Discussion took place regarding Proclamation No. 2020-02, Proclaiming September as National Preparedness Month. Councilor Newland feels that while it is important to be prepared, it is not necessary for a Proclamation. She also feels that it is important for the City to not be put in a position of choosing between groups. Surrounding cities have had trouble with Proclamations, and Council feels it is important to learn from that.

No motion was made for Proclamation No. 2020-02, and therefore did not pass.

4. PUBLIC COMMENT

Public comment was submitted by Molalla resident, Jimmy Thompson and read by the City Recorder.
(The letter is included in these Meeting Minutes. Exhibit A. The Chair's response is Exhibit B.)

5. APPROVAL OF THE AGENDA

Approved as presented.

6. CONSENT AGENDA

- A. Meeting Minutes – August 12, 2020

A motion was made by Council President Childress to approve the Consent Agenda, seconded by Councilor Robles. Vote passed 7-0.

7. PUBLIC HEARINGS

None.

8. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2020-19: Authorizing Financing of Capital Projects Described in the Urban Renewal Plan for the Molalla Urban Renewal Area and Refinancing of Certain Outstanding Borrowings

City Manager Huff referred to handouts from the previous MURA meeting. (These attachments are included in these meeting minutes) He further explained the following:

Section I: Financing Agreement Authorized for Refunding Outstanding Borrowings. Mr. Huff explained the purpose for this Resolution is to refinance the two current outstanding sewer debts, so this not new money.

Section II: Financing Agreement Authorized for Projects. This is part of the Urban Renewal District monies for 2.55 million, which explains the existing debt as well as cost for projects.

A motion was made to approve Resolution No. 2020-19 by Councilor Newland, seconded by Councilor Shankle.

Councilor Palumbo asked if this loan would extend terms of the existing loan. Mr. Huff explained that we are not extending the term of the loan, only refinancing as to obtain a lower rate.

Councilor Klein stated that current loan rates are at a historic low, and feels that it is wise for the City to take advantage of that. Overall savings will be just over \$680,000. Public Works Director Fisher explained that when we take advantage lowering costs through mechanisms like refinancing, it translates into lowering rates for citizens.

Councilor Robles inquired about whether the use of excess funds would possibly not be used for the new Wastewater Facility. Mr. Fisher explained that funds are allocated for high priority projects; one is ongoing I & I (inflow & infiltration), the other is the Wastewater Treatment Plant upgrade. Refinancing will help these projects significantly.

Council President Childress asked Public Works Director Fisher, "You briefly mentioned fines, it's widely being said that we're getting fines every month". Mayor Swigart asked "Are we?". Mr. Fisher replied "No, that's not true".

Councilor Childress asked Mr. Fisher to explain a little bit about what happens when the City gets fined. Mr. Fisher explained that what typically happens if we violate our permit or are out of permit compliance, everything we do at the treatment plant goes on a form, and now that it's electronic, it goes to DEQ and they review it. If DEQ finds anything out of compliance, they have the authority as the permit issuer to send a letter. It is a notice of violation and in that they will say what the violation was, when it occurred and that they either are or are not going to send it forward to enforcement. Enforcement, at that point, then takes a look at the history of the plant, are they under an MAO (Mutual Agreement Order) between DEQ and the agency and then they will make the determination to fine the agency or not. The good thing about the City is that we have an MAO, we are actively working on our I & I, we are actively working to get financing through DEQ to build the new plant, so anytime we have a violation, we hope that they take that into account. If they do decide to fine us, we hope what they do is say "we are going to fine you this amount based under the MAO and instead of paying us money, we want you to set that aside and put it toward the Wastewater Treatment Plant". Ideally, that is what would happen. They may not do that, they may say "no we are going to fine you this amount and you write a check to DEQ", that is in their purview. But the work that we're doing in the system, the work that we're doing at the plant, our coordination with DEQ, explaining to them what

we're working on and any issues that we have, even before we submit our DMR is all working in our favor. But we are not being fined every month by DEQ."

Councilor Robles asked, "the violations, if there are any, are they public? Can someone find them on the City website? Is that announced?"

Mr. Fisher explained that when DEQ sends a letter to us, we post it on our website. Files are located under Public Works, under Wastewater Treatment Plant, then a tab named 'DMRs and Other Documents'.

Mayor Swigart then called for the vote of Resolution 2020-19, vote passed 7-0, with all Councilors voting aye.

9. GENERAL BUSINESS

None.

10. REPORTS

A. City Manager and Staff

City Recorder DeSantis gave a final report of candidates for the November Election. Mayoral Candidates are: Leota Childress, Scott Keyser, and Jimmy Thompson. Councilor Candidates are: Carmon Carlos, Steven Deller, Jody Newland, Crystal Robles, Keith Swigart, Josh Tompkins.

Finance Director Seifried shared that finance staff is working on the Federal CARES Act through the State. They are researching how to get money for small businesses, in the way of the Business Interruption Grant. A Payroll Grant is also being looked into.

Public Works Director Fisher shared the Public Works Director report with Council. (Attached to these meeting minutes).

There was also discussion regarding City parks and playground equipment. Mr. Fisher explained that total cost for a playground overhaul is between \$50,000 – \$60,000 to replace. Mr. Fisher explained that there is not a park fund, that all park monies come out of the general fund. The new pocket park on Mary Drive has been built out of SDC money for that subdivision.

Unfortunately there has been a fair amount of damage to the Park Restrooms. New heavy metal doors were recently installed in an effort to slow the vandalism in the bathrooms. Four doors totalled \$10,000. That money is taken away from potential Park improvements.

Councilor Robles suggested that a fund be created for donations. The Council spoke of other projects that were community driven projects, that worked out well.

City Manager Huff shared a handout from Clackamas County that is a Survey on Diversity, Equity, & Inclusion. (Handout attached to these meeting minutes.) Mr. Huff is looking for Council members, Planning Commission, and community members to assist with a Committee. Councilors Robles and Palumbo offered to help.

B. City Councilors

Councilor Newland had nothing to report.

Councilor Robles reminded people that education is powerful. There are many untruths on social media and it is important to educate yourself opposed to taking another's opinion as fact.

Councilor Shankle had nothing to report.

Councilor Palumbo commended the group that hosted the Back the Blue. She also commented on an issue that was brought forth by Mayor Swigart regarding a current Facebook post. (Attached to these Meeting Minutes.)

Councilor Palumbo feels that her Facebook comment is justified and that she will continue to hold Council members accountable for their actions.

Councilor Klein had nothing to report.

Council President Childress is working on an email address data base in an effort to get information out to the City in mass. The Visioning Process has slowed due to COVID-19. Cities are working to get citizens involved in what is happening in their community.

C. Mayor

Mayor Swigart addressed Councilor Palumbo with regard to the comment that was made on Facebook. He reminded all Councilors that they are bound to the Molalla Municipal Charter and Code for Council Rules, Order and Decorum.

It is against Council rules to publicly criticize another Councilor, City Staff, or person. Mayor Swigart asked that all Council members use caution when commenting on social media.

11. ADJOURN

A motion was made by Councilor Newland to adjourn the meeting at 8:12pm, seconded by Councilor Shankle. Vote passed 7-0.



Keith Swigart, Mayor

September 23, 2020
Date

ATTEST: 

Christie DeSantis, City Recorder