



## Minutes of the Molalla City Council Regular Meeting

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

### 1. CALL TO ORDER AND FLAG SALUTE

*The Molalla City Council Regular Meeting of December 11, 2019 was called to order by Mayor Keith Swigart at 6:59:32pm.*

### 2. ROLL CALL

#### 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  
Councilor Crystal Robles - Present  
Student Liaison Natalee Litchfield - Absent

#### STAFF IN ATTENDANCE

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

### 3. PRESENTATIONS, PROCLAMATIONS, CEREMONIES

#### A. Commission Appointment – Open Library Board seat

Jessica Coy, Media Center Specialist of Molalla High School, submitted an application for appointment for the current Library Board opening. Director Hadley asked for Council approval.

***A motion was made by Councilor Newland to appoint Ms. Coy to the Library Board, seconded by Councilor Childress. Vote passed 7-0.***

#### B. Pudding River Water Shed Appointment

Public Works Director, Gerald Fisher shared with Council that in October, staff was contacted by Pudding River Watershed Council and requested the appointment of a City of Molalla representative to their Board of Directors. Andy Peters, Operation Supervisor has immediate oversight of the maintenance and operation of the storm system and has volunteered to serve on the Board of Directors, if appointed by the City Council.

Councilor Childress commended Mr. Peters on the job that he does for the City of Molalla. Ms. Childress shared with everyone that Mr. Peters goes above and beyond in the way he interacts with the public, that he is respectful, kind, knowledgeable, and appreciated for his efforts. Staff, Council and audience gave Mr. Peters a round of applause for a job well done.

Councilor Klein inquired whether Mr. Peters would have to be approved by the Watershed Council Board. Mr. Fisher

stated that would most likely be the case. Mr. Fisher also shared that Anna Rankin, Board of Directors for the Watershed Council, would have liked to attend our Council meeting, however, the Pudding River Watershed Council meetings are held at the same time as Molalla City Council.

***A motion was made by Councilor Childress to appoint Mr. Peters to the Pudding River Water Shed, seconded by Councilor Newland. Vote passed 7-0.***

#### **4. PUBLIC COMMENT**

None.

#### **5. APPROVAL OF THE AGENDA**

***A motion was made by Councilor Klein to approve the agenda, seconded by Councilor Newland. Vote passed 7-0.***

#### **6. CONSENT AGENDA**

*(This section allows the City Council to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may only be discussed if it is pulled from the consent agenda.)*

***Councilor Newland requested that Item 6B be removed from the Consent Agenda for discussion, Council agreed.***

***A motion was made by Councilor Newland to approve the Consent Agenda with the removal of Item 6B for discussion, seconded by Councilor Palumbo. Vote passed 7-0.***

A. Meeting Minutes – November 11, 2019

B. Resolution 2019-19: A Resolution Updating Stormwater Rates

Councilor Newland requested that Mr. Fisher explain to the public briefly the purpose of the Resolution. Mr. Fisher shared that the Water Fund is currently in a healthy situation, therefore, there will not be an increase to water rates at this time. Reserves will be used for work on replacing water lines on Fenton Avenue and Patrol Street, as it coincides with sewer lines that are being replaced in these areas.

There is still a fair amount of work to be completed for storm lines, which makes the rate increase necessary. The increase will be approximately .14 cents per month per household.

***A motion was made by Councilor Childress to adopt Resolution 2019-19, seconded by Councilor Newland. Vote passed 7-0.***

#### **7. PUBLIC HEARINGS**

A. Ordinance 2019-14: An Ordinance repealing language in Chapter 2.17 Art Commission and replacing with new language regarding Community Program Committee

***Mayor Swigart asked for a motion for the second reading of Ordinance 2019-14 at 7:11pm. A motion was made by Councilor Klein, seconded by Councilor Childress. The vote was interrupted by Councilor Palumbo, who asked to open discussion.***

During discussion, Councilor Palumbo stated that there was currently no language in the Ordinance that explains to the public how to go about creating a Committee. Ms. Palumbo shared a suggested addendum with Council that would create the structure. (Exhibit A)



Discussion continued with focus on the language being presented as an individual committee, opposed to multiple committees.

Councilor Newland suggested that wording be updated to “*each* Community Program Committee” opposed to “*a* Community Program Committee”. Councilor Klein suggested rearranging the sentences in Section 2A of the Ordinance to read more fluid. Council agreed unanimously to the change. Council also agreed that a policy and procedure would need to be in place for creating a committee, which would be available to the public at City Hall, as well as the City’s website.

Mayor Swigart asked if any members of the public would like to speak to Council.

Ken Fetters, owner of The Main Shop, commented to Council that his understanding was that the current Ordinance reading would allow community members to create a committee, along with Council approval. He feels it encourages cooperation between stakeholders and Council.

***A motion was made by Councilor Klein to close the Public Hearing, seconded by Councilor Shankle. Vote passed 7-0.***

***A motion was made by Councilor Klein to adopt Ordinance 2019-14, seconded by Councilor Childress. Vote passed 7-0, with all Council members voting aye.***

- B. Ordinance 2019-15: An Ordinance Updating and Replacing Language in Chapter 15.04 Building Code to be Consistent with State and County Building Codes

Mr. Huff presented Ordinance 2019-15 to Council, explaining that this Ordinance allows the City to continue its work with Clackamas County, as the City’s Building Inspection and Plan Review provider. The County alerted the City that our Code would need to be updated by December 31, 2019 to be consistent with recent changes in State Building Code.

***The Public Hearing was opened to the public by Mayor Swigart at 7:43pm. As no members of the audience asked to speak, a motion was made by Councilor Childress to close the Public Hearing, seconded by Councilor Klein. Vote passed 7-0.***

***A motion was made by Councilor Newland to continue with the Second Reading of Ordinance 2019-15, seconded by Councilor Palumbo. Vote passed, 7-0.***

The Second Reading of Ordinance 2019-15 was read by Mayor Swigart.

***A motion was made by Councilor Klein to adopt Ordinance 2019-15 as read, seconded by Councilor Newland. Vote passed 7-0, with all Council members voting aye.***

- C. Ordinance 2019-16: An Ordinance Changing the Procedure for Processing Preliminary Land Partition Plats from a Type II Public Hearing Procedure to a Type II Administrative Decision Procedure, Appealable to Planning Commission

Mr. Huff presented the Staff Report to Council, explaining the Code change has been recommended by the Planning Commission.

***The Public Hearing was opened to the public by Mayor Swigart at 7:48pm. As no members of the audience asked to speak, a motion was made by Councilor Palumbo to close the Public Hearing, seconded by Councilor Shankle. Vote passed 7-0.***

During discussion, Councilor Newland asked Mr. Huff if the new Ordinance required owners to continue to provide Public Notice, and he stated that it does.

Councilor Palumbo asked if in the case of an appeal, would questions be directed to Staff. Mr. Huff explained that yes, the appeal would begin with Staff, and then move to Planning Commission. Councilor Newland felt that this would be beneficial to all parties.

***A motion was made by Councilor Newland to continue to the Second Reading of Ordinance 2019-16, seconded by Councilor Shankle. Vote passed 7-0.***

The Second Reading of Ordinance 2019-16 was read by Mayor Swigart.

***A motion was made by Councilor Palumbo to adopt Ordinance 2019-16, seconded by Councilor Childress. Vote passed 7-0, with all Council members voting aye.***

## **8. GENERAL BUSINESS**

## **9. REPORTS**

### **A. City Manager and Staff**

Public Works Director Fisher informed the Council that the City terminated the contract with the contractor working on Fenton Avenue. An on-call contractor has been hired to finish the work. Paving took place today, and will be finished by Monday of next week.

City Recorder DeSantis brought blank Applications for Appointment to a Board or Committee for the audience, if they would like to submit one to the City.

City Manager Huff – Nothing to report.

### **B. Mayor**

Mayor Swigart shared a handout with Council from the Clackamas County Board of County Commissioners for the Housing Authority of Clackamas County meeting. (Exhibit B)

In addition, he informed Council that the State of Oregon will be encouraging small cities to extend their Urban Growth Boundaries in the near future, to provide more residential homes. Mayor Swigart stated his concern with the State and to Clackamas County, that Molalla cannot house more residential homes until the Water Treatment Plant and Wastewater Treatment Plant have been properly updated.

### **C. City Councilors**

Councilor Klein reported that the Visioning Process is coming to a close. She's excited to share the 23 page document with citizens, upon completion.

Councilor Childress thanked County Commissioner Ken Humbertson for joining the Molalla City Council meeting. She invited the public to the Piano in the Park on Saturday, December 14, 2019 at 5:30pm for Christmas Caroling.

Councilor Palumbo felt that the Visioning Committee is on point for what the citizens of Molalla are trying to accomplish, with regard to new committees being formed and action being taken.

Councilor Newland thanked everyone that volunteered to decorate our town for the Holiday Season. She directly thanked Councilor Shankle for all of the hard work that her and her family did to decorate the town.

Councilor Shankle invited business owners to the Chamber of Commerce breakfast that is being held at the Warming Center, 209 Kennel Avenue on Thursday, December 12, 2019 at 7:30am.

Councilor Robles – Nothing to report.

***A motion was made by Councilor Newland for Council to recess into Executive Session at 8:05pm, second by Councilor Childress. Vote passed 7-0.***

**10. 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.

**11. RECONVENE TO REGULAR SESSION**

**12. ADJOURN**

***A motion was made by Councilor Newland to adjourn the Regular Session at 8:53pm, seconded by Councilor Shankle. Vote passed 7-0.***

  
Keith Swigart, Mayor

1-8-2020  
Date

ATTEST:   
Christie DeSantis, City Recorder