



AGENDA

MOLALLA CITY COUNCIL MEETING
March 8, 2023
7:15 PM
Molalla Civic Center
315 Kennel Ave, Molalla, OR 97038

Mayor Scott Keyser

Council President Jody Newland
Councilor Terry Shankle
Councilor Eric Vermillion

Councilor Leota Childress
Councilor Crystal Robles
Councilor RaeLynn Botsford

EXECUTIVE SESSION begins at 6:00pm: Not open to Public, according to ORS 192.660(2): i

REGULAR COUNCIL MEETING begins at 7:00pm: Open to the Public and open to Public Comment or Testimony. Please fill out a comment card and submit it to the City Recorder, prior to the beginning of the meeting.

In accordance with House Bill 2560, the City of Molalla adheres to the following practices:
Live-streaming of the Molalla City Council Meetings are available on Facebook at “Molalla City Council Meetings – LIVE” and “Molalla City Council Meetings” on YouTube.
Citizens can submit Public Comment in the following ways: attend the meeting, email the City Recorder @ recorder@cityofmolalla.com by 4:00pm on the day of the meeting, or drop it off at City Hall, 117 N. Molalla Avenue.

EXECUTIVE SESSION – 6:00pm: Not open to Public.

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

(i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee, or staff member who does not request an open hearing.

1. CALL TO ORDER AND FLAG SALUTE

2. ROLL CALL

3. CONSENT AGENDA

- A. Meeting Minutes – February 22, 2023.....Pg. 3
B. Library Meeting Minutes (June 2022) & Library Director’s Report.....Pg. 39

4. EXECUTIVE SESSION ANNOUNCEMENT

5. PRESENTATIONS, PROCLAMATIONS, CEREMONIES

- A. Library Board Member Introduction (Hadley)Pg. 43
B. OLCC Permit Request – Center MarketPg. 44

6. PUBLIC COMMENT & WRITTEN COMMUNICATIONS

(Citizens are allowed up to 3 minutes to present information relevant to the City but not listed as an item on the agenda. Prior to speaking, citizens shall complete a comment form and deliver it to the City Recorder. The City Council does not generally engage in dialog with those making comments but may refer the issue to the City Manager. Complaints shall first be addressed at the department level prior to addressing the City Council.)

7. PUBLIC HEARINGS

8. ORDINANCES AND RESOLUTIONS

- A. Ordinance No. 2023-03: Amending Molalla Municipal Code, Chapter 2.06 Hearings Bodies and Their Duties, Article III. Planning Commission (Teets/Keyser).....Pg. 53

9. GENERAL BUSINESS

- A. Town Hall Announcement – April 18, 2023 (Council)
- B. City Council Goals 2023 (Huff)Pg. 55
- C. Draft Public Camping Ordinance (Huff/Long)Pg. 58
- D. Personnel Policy Handbook Update (Teets)Pg. 65

10. STAFF COMMUNICATION

11. COUNCIL COMMUNICATION

12. RECONVENE REGULAR SESSION

13. ADJOURN



Minutes of the Molalla City Council Meeting

**Molalla Civic Center
315 Kennel Ave., Molalla, OR 97038
February 22, 2023**

CALL TO ORDER

The Molalla City Council Meeting of February 22, 2023 was called to order by Mayor Scott Keyser at 7:15pm.

COUNCIL ATTENDANCE

Present: Mayor Scott Keyser, Council President Jody Newland, Councilor Leota Childress, Councilor Terry Shankle, Councilor Crystal Robles, Councilor Eric Vermillion, and Councilor Rae Lynn Botsford.

STAFF IN ATTENDANCE

Dan Huff, City Manager; Christie Teets, City Recorder; Mac Corthell, Community Development Director; Andy Peters, Public Works Division Manager, Dan Zinder, Senior Planner.

APPROVAL OF THE AGENDA

Approved as presented.

CONSENT AGENDA

- A. City Council Meeting Minutes – February 8, 2023
- B. Work Session Meeting Minutes – February 8, 2023

A motion was made by Council President Newland to approve the Consent Agenda. Vote passed 7-0, with all Councilors voting Aye.

EXECUTIVE SESSION ANNOUNCEMENT

Mayor Keyser made the following announcement:

Previous to regular session, City Council held an Executive Session pursuant to Oregon Public Record Law, ORS 192.660(2):

- (i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee, or staff member who does not request an open hearing.

No decisions were made at this meeting.

PRESENTATIONS, PROCLAMATIONS, CEREMONIES

None.

PUBLIC COMMENT

Ron Higginbotham, Molalla resident, submitted public comment regarding a proposed Ordinance change regarding animals inside city limites.

Nick Jacoby, Molalla resident, submitted public comment opposing further construction of new apartments in Molalla.

Dirk Schlagenhauger, Oregon City resident, submitted public comment regarding Mobile Food Units.

PUBLIC HEARINGS

- A. Code Interpretation – Determine What Constitutes Regional for the Land Use Category “Utility Structures and Facilities, Regional Projects; project is not part of an adopted City master plan or development review approval”

Senior Planner, Dan Zinder, presented the staff report for Code Interpretation of CINT01-2023.

Mayor Keyser opened the Public Hearing for Code Interpretation of CINT01-2023 at 7:23pm. He called for anyone in favor of approving the Code Interpretation.

Jonathan Sheppard, representing River City Environmental, stated that his company has had a good relationship with the City for several years. He feels that his company's service would be beneficial to the community of Molalla, as they take pride in providing good environmental service to the city.

Steve McInnis, representing River City Environmental, stated that his company has located a facility in Molalla that will make it easier to provide services. He understands that they City has a plan over the next three-five years to make updates to the Waste Water Treatment Plant, and his agency would like to be a part of that.

There were no audience members to speak in opposition.

There were no audience members to speak in a neutral position.

Mayor Keyser closed the Public Hearing for Coden Interpretation of CINT01-2023 at 7:26pm.

B. Ordinance No. 2023-01: Annexing Tax Lot 52E16 00200; A 0.84 Acre Territory, and Assigning an R-2(Medium-Density Residential) City Zoning Designation to the Annexed Territory (Zinder)

Senior Planner, Dan Zinder, presented the staff report for the proposed Annexation of 14680 S. Feyrer Park Road. It is Tax Lot 52E16 00200; A 0.84 Acre Territory, and Assigning an R-2(Medium-Density Residential) City Zoning Designation to the Annexed Territory. The property is currently zone as Exclusive Farm Use (EFU). The proposed zoning of R2 is compliant with the City's Comprehensive Plan. The property currently has a single family home, however if annexed, can be developed into four-nine units. A small dedication to the City for Right-of-Way will need to be made, which will reduce the buildable part of the area.

Mr. Zinder explained that the territory to be annexed meets criteria in Oregon Revised Statute 222.127, which supersedes the City Charter for purposes of annexation. He shared that the petition was filed by the sole owner of land in the described territory, and is within the Urban Growth Boundary. Mr. Zinder also explained that the property had been pre-approved by the Department of Revenue, for annexing new territories.

Mayor Keyser opened the Public Hearing for the Annexation of the 0.84 Territory at 7:31pm. He called for anyone in favor of approving the annexation.

Torrence Leftridge, owner of property to be annexed, stated that he had met all criteria the City requires to become in compliance with the Comprehensive Plan. Mr. Leftridge also thanked City staff for their hard work with this project.

Tracy Brown, Land Use Planning Consultant for Mr. Leftridge, shared with Council that he assisted Mr. Leftridge in meeting compliance of the Comprehensive Plan, and looks forward to the property being annexed.

Mayor Keyser asked if there was anyone in opposition of the annexation.

Linda Countryman, Molalla resident, is concerned with the amount of apartments being built in the City. She doesn't understand why apartments would be built in the farm land. Ms. Countryman asked that Council consider folks that are not interested in further development before making a decision.

Caitlin Pottratz, Molalla resident, is opposed to more apartments being built in Molalla.

Mayor Keyser invited the next speaker that would be speaking neutral regarding the annexation.

Joe Herrera, Molalla business owner, is concerned that the City has too many R2 and R3 areas already zoned. He feels passionately about R1, single family homes He feels creating more commercial and industrial land will help bring jobs to Molalla and people will stay and put down roots.

Note: Mr. Corthell excused Mr. Zinder from the meeting at 7:42pm, due to inclement weather.

Mayor Keyser closed the Public Hearing at 7:43pm.

Meeting Minutes – Molalla City Council Regular Session – February 22, 2023

ORDINANCES AND RESOLUTIONS

- A. Ordinance No. 2023-01: Annexing Tax Lot 52E16 00200; A 0.84 Acre Territory, and Assigning an R-2(Medium-Density Residential) City Zoning Designation to the Annexed Territory

Mayor Keyser introduced Ordinance No. 2023-01. He then asked Community Development Director Corthell if questions and concerns by the community would be answered during discussion time.

Mr. Corthell replied yes, and gave the staff report, restating information that Mr. Zinder previously provided to Council.

Mayor Keyser made an announcement to the audience that annexing property is one of the most difficult things that the City Council is forced to do. He explained that ORS 222.127 requires cities to annex properties if applicants have met all of the criteria. He also explained that if Council does not pass annexations, attorney fees will be involved. Mayor Keyser explained that the rules are set by the State of Oregon, and that City Council is required to follow them.

A motion was made by Council President Newland to hold the First Reading of Ordinance No. 2023-01: Annexing Tax Lot 52E16 00200; A 0.84 Acre Territory, and Assigning an R-2(Medium-Density Residential) City Zoning Designation to the Annexed Territory, by title only. Councilor Childress seconded. Mayor Keyser asked if there was discussion by Council.

Council President Newland questioned whether the property should be zoned at R1 opposed to R2. Mr. Corthell shared that the history of the properties in that area. He explained that down-zoning in that area happened many years ago, with homeowners requesting that the area be zoned as R1. The owner of the .84 acre property did not request the down-zoning and remained at R2. It is not a conflict of uses that R1 and R2 zoning be in the same area. Mr. Corthell also reminded Council that this is a .84 acre property. This is a smaller property that will hold a maximum amount of eight units.

Mayor Keyser asked how many units can go on that property. Mr. Corthell replied a total of sixteen units. He explained that the State requires a city over 10,000 to allow duplexes on a R1, single residential zoned lot.

Mayor Keyser requested that the City Recorder call the vote.

Vote passed 7-0. Councilors voting Aye: Councilor Vermillion, Councilor Shankle, Councilor Childress, Council President Newland, Councilor Robles, Councilor Botsford, and Mayor Keyser.

A motion was made by Councilor Childress, to hold the Second Reading of Ordinance No. 2023-01: Annexing Tax Lot 52E16 00200; A 0.84 Acre Territory, and Assigning an R-2(Medium-Density Residential) City Zoning Designation to the Annexed Territory, by title only. Councilor Shankle seconded. Mayor Keyser asked if there was any discussion by Council, there was none.

Vote passed 7-0. Councilors voting Aye: Councilor Vermillion, Councilor Shankle, Councilor Childress, Council President Newland, Councilor Robles, Councilor Botsford, and Mayor Keyser.

A motion was made by Councilor Childress, to adopt Ordinance No. 2023-01: Annexing Tax Lot 52E16 00200; A 0.84 Acre Territory, and Assigning an R-2(Medium-Density Residential) City Zoning Designation to the Annexed Territory, by title only. Councilor Shankle seconded. Mayor Keyser asked if there was any discussion by Council, there was none.

Vote passed 7-0. Councilors voting Aye: Councilor Vermillion, Councilor Shankle, Councilor Childress, Council President Newland, Councilor Robles, Councilor Botsford, and Mayor Keyser.

- B. Ordinance No. 2023-02: Adopting ORS 294.414 Budget Committee Rules

City Recorder Teets provided the staff report for Ordinance No. 2023-02. She explained to Council that the Molalla Municipal Code currently does not include language regarding Budget Committee. The City follows ORS 294.414 by the State and staff is requesting adoption.

During the motion being made, the audience was talking among themselves. Mayor Keyser gaveled the meeting to order, requesting that audience members go outside if they would like to talk. Audience members obliged.

A motion was made by Councilor Botsford to hold the First Reading of Ordinance No. 2023-02, Adopting ORS 294.414 Budget Committee Rules, by title only. Councilor Shankle seconded. The vote passed 7-0, with the following Councilors

voting Aye: Councilor Vermillion, Councilor Shankle, Councilor Childress, Council President Newland, Councilor Robles, Councilor Botsford, and Mayor Keyser.

A motion was made by Councilor Vermillion to hold the Second Reading of Ordinance No. 2023-02, Adopting ORS 294.414 Budget Committee Rules, by title only. Councilor Childress seconded. The vote passed 7-0, with the following Councilors voting Aye: Councilor Vermillion, Councilor Shankle, Councilor Childress, Council President Newland, Councilor Robles, Councilor Botsford, and Mayor Keyser.

A motion was made by Councilor Vermillion to adopt Ordinance No. 2023-02, Adopting ORS 294.414 Budget Committee Rules, by title only. Councilor Robles seconded. The vote passed 7-0, with the following Councilors voting Aye: Councilor Vermillion, Councilor Shankle, Councilor Childress, Council President Newland, Councilor Robles, Councilor Botsford, and Mayor Keyser.

- C. Ordinance No. 2023-03: Amending Molalla Municipal Code, Chapter 2.06 Hearings Bodies and Their Duties, Article III. Planning Commission

A motion was made by Councilor Robles to hold the First Reading of Ordinance No. 2023-03, Amending MMC, Chapter 2.06 Hearings Bodies and Their Duties, Article II. Planning Commission. Councilor Vermillion seconded. Mayor Keyser asked if there was any discussion.

Councilor Childress stated that she felt the language was ambiguous and should be more defined. Council held a brief discussion regarding the wording. City Recorder Teets pointed out the word “may” in the Ordinance, that provided each situation to be handled as needed. Mayor Keyser requested the roll be called.

Vote passed 6-1. Councilors voting Aye: Councilor Vermillion, Councilor Shankle, Councilor Childress, Council President Newland, Councilor Robles, and Mayor Keyser. Voting Nay: Councilor Botsford.

- D. Resolution No. 2023-03: Adopting a Public Records Request Policy

Ms. Teets explained the importance of adopting a Public Records Policy, as it is currently at the legislative level that requires each city to have one.

A motion was made by Council President Newland to adopt Resolution No. 2023-03, Adopting a Public Records Request Policy, seconded by Councilor Vermillion. Vote passed 7-0, with all Councilors voting Aye.

Mr. Corthell requested that the Public Hearing item for the Code Interpretation be reintroduced to the meeting. Consensus by Council is needed for this item, and was missed at its order of the agenda. Council agreed to revisit the item. They had questions regarding the 55-mile vicinity of work by River City.

Mayor Keyser invited representatives from River City Environmental back to the podium. He wanted to know how often the company had to go out of state to Vancouver, WA. Mr. McInnis stated that it doesn't happen often, however they wanted to give themselves the opportunity to do so.

River City takes care of waste and biosolids, and they have other areas that enable them to offload product. Durham and Gresham take loads, as well as Tillamook, Roseburg, and near Eugene. Mr. Corthell explained to Council that if River City decided to develop in Molalla, they would have to meet requirements for a pre-treatment program. The program creates a volume and quality limitation that would have to be met.

Councilor Shankle inquired on whether they are planning a dewatering program here, Mr. Sheckard stated yes, that is the plan. She also asked where they are dumping solids at this time. Loads are dumped at a permitted landfill, such as Hillsboro, and Wasco County. She wanted reassurance that odor would be kept at a minimum, with airscrubbers, etc. Mr. Sheckard stated that yes, all of that would happen.

Mayor Keyser asked Mr. Corthell what was required by Council. Mr. Corthell asked for consensus by Council. In a thumbs up, thumbs down vote, Mayor Keyser, Councilor Vermillion, Councilor Shankle, Councilor Childress, and Council Botsford voted thumbs up/yes. Council President Newland and Councilor Robles voted thumbs down/no, as they were hoping for a smaller region radius than 55 miles.

GENERAL BUSINESS

A. Disc Golf Course Concurrence and Letter of Appreciation to Justin Wolfe (Corthell)

Carol Westergreen, Molalla resident, has mixed feelings about the Disc Golf Course that is being designed at Ivor Davies Park. Ms. Westergreen resides in one of the properties that has a fence that shares a property line with the Park. In the past, the owners have had people jump over their fence to retrieve their golf discs. Being frustrated with people coming onto their private property, the owners installed a hot fence. She is frustrated that the City did not ask them about what problems they had faced in the past, before designing the updated park. Ms. Westergreen also views it as a good thing for the City, and feels that for the most part, users clean up their trash and take care of the disc baskets. She suggested a design change to one of the tees that would direct park users away from her house, instead of towards it. Council and staff agreed that it would be a simple change to accommodate.

A motion was made by Council President Newland to approve the Disc Golf Course layout, seconded by Mayor Keyser. Vote passed 7-0, with all Councilors voting Aye.

STAFF COMMUNICATION

- City Manager Huff informed Council that a draft Public Camping Ordinance will be brought to them at the next meeting for their review.
- City Recorder Teets announced that Budget Committee applications are due on March 3rd. Applicants will be interviewed at the March 8, 2023 City Council meeting. Ms. Teets stated that emails referencing the annexation that had taken place, will become part of the meeting packet and public record.
- Community Development Director Corthell announced that Request for Proposal's are getting ready to be announced for the Storm Water Master Plan update, Parks Master Plan Update, and Emergency Operations Plan. He also shared his monthly Community Development report.
- PW Division Manager Peters presented a video promoting the need for a new Waste Water Treatment Plant. Council appreciated his hard work on this.

COUNCIL COMMUNICATION

- Councilor Vermillion announced MRSD dates and MRSD Budget Committee openings.
 - Councilor Shankle met with the Beautification & Culture Committee recently. They are working on plans for the City Wide Clean-Up day. Date to be announced.
 - Councilor Childress thanked Clackamas County Board of Commissioners for approving the purchase of the Quality Inn for Project Turn-Key 2.0. The program serves homeless, senior citizens, those dealing with issues of domestic violence, etc. She also stated that not all homeless people are drug addicts, and not all drug addicts are homeless.
 - Council President Newland reported that the next Parks CPC meeting will be held on March 6th at 5:30pm, at Molalla City Hall.
 - Councilor Robles announced the upcoming Library Board meeting. She also thanked citizens for attending the meeting, acknowledging that annexations can be frustrating.
 - Councilor Botsford had nothing to report, but wished her daughter Happy Birthday.
 - Mayor Keyser reminded Council that the Clackamas County Cities Dinner will be held in Happy Valley on Thursday.
- Post script: The CCA Dinner in Happy Valley was cancelled due to inclement weather.*

[For the complete video account of the City Council Meeting, please go to YouTube
"Molalla City Council Meetings – February 22, 2023"](#)

ADJOURN

Mayor Keyser adjourned the meeting at 9:13pm.

Scott Keyser, Mayor

Date

ATTEST:

Christie Teets, City Recorder

From: [dirk.schlagenhauser](#)
To: [City Recorder](#)
Subject: Hope this isn't the second email I sent
Date: Wednesday, February 22, 2023 4:06:18 PM

Hi! I'm having email issues. Since I can't find this in my sent folder I'll try again. Please enter this public comment for items not on the agenda in the record for tonight's City Council meeting:

Good evening everyone! Thank you for hearing my thoughts on food carts.

My name is Dirk Schlagenhauser and I serve on the Oregon City Planning Commission. This letter is my thoughts and mine alone and has nothing to do with my work with Oregon City in any official capacity.

Ok. Firstly we get a lot of letters too and I know you have plenty of other things on the agenda so let me make this informative and as short as possible.

Food carts. Also known as mobile food units. Oregon City struggled for years deciding what to do with them. We aggressively opposed them. Our brick and mortar restaurants had huge fears of doomsday scenarios where the carts are a hit and their businesses flop. We finally compromised and put the zoning for food cart pods a few blocks from most of our popular restaurants in the downtown area on Main Street. What we have found was the carts have struggled more than the restaurants. With the restaurant owners we've questioned noticing no negative impacts. The struggles the food cart vendors noticed could be due to the number of carts, as there are many options for diners.

Another thing that was discovered is that folks that go to a food cart pod are not typically people that would have gone to a restaurant. It's a different group of clients looking for a different experience. It's people with kids and a dog perhaps that don't want to be inside a building or perhaps don't want to be waited on. Or a couple meeting friends that want to sit outside.

People that go into restaurants might be there to watch a game or are out on a date or meeting a client. Restaurants are never 30 degrees or 110 degrees.

I can tell you from personal experience that the presence of food carts hasn't stopped us from dining at our favorite local restaurants and the times we visited food carts we had no intention of visiting a restaurant had the carts not existed.

Another thing we've noticed is a pod attracts people. It gets them to stop, park the car, and look around. It helps nearby businesses by increasing foot traffic.

We've talked to the owners of Nebbiolo, Coasters Crossing, and The Verdict to start and they would be happy to discuss their observations before and after food carts became a part of OC.

I feel it would benefit the city of Molalla and definitely help their food cart vendors by making them more visible and better located.

Yes that got longer than I had hoped for. Please reach out if you would like more information on whatever aspects you may have interest in knowing more about.

Thanks for staying awake.
Dirk Schlagenhauser
Oregon City

From: [Nick Jacoby](#)
To: [City Recorder](#)
Subject: Ordinance no 2023-01 and 2023-02
Date: Wednesday, February 22, 2023 11:48:53 AM

In regards to zoning of lot 52E16 00200 for medium density residential I want it to be noted that as a citizen of Molalla, I am adamantly against the building of new apartment buildings on this lot or any lot in Molalla.

The city council and other relevant public figures had a chance to determine what the future of Molalla would look like and I have to say that with the approval of all the new apartment buildings, they have failed miserably. Molalla was a nice, quiet town, with a relatively slow pace, inhabited by friendly people with similar values. People who want to live in three story apartments aren't the kind of people who appreciate what Molalla has to offer. You have stacked apartments on top of each other in a way that provides all future inhabitants with a view of a concrete building (dollar general, Good will) or a lovely view of another apartment! You are NOT adding value to the town by adding low quality housing that provides a low quality of life for tenants. You have to expect that hundreds of people with a low quality living situation are going to negatively impact the town and the atmosphere of that town. Nothing exists in a vacuum. What you build has a direct impact on the energy and culture of the community. What happens when the local ranchers and farmers no longer recognize the city they are attached to and they start selling off their property? More developers move in to build more cheap housing that doesn't offer value to the city or the people living in that city! Molalla will be lost and everything that was good and unique about it will be gone. Stop shaping the future of Molalla in a way that screams "cheap stripmall with cheap apartments".

Nick Jacoby

From: [Dan Huff](#)
To: [Scott Keyser](#); [Jody Newland](#); [Leota Childress](#); [Terry Shankle](#); [Crystal Robles](#); [Eric Vermillion](#); [Rae-Lynn Botsford](#)
Cc: [Christie Teets](#)
Subject: River city Environmental/Code Interpretation
Date: Tuesday, February 21, 2023 9:52:45 AM

Mayor and Council – Councilor Shankle asked a question about the Code Interpretation item on your Agenda tomorrow night. Community Development Department response is below. Let us know if any of you have additional questions.

Dan Huff
City Manager
City of Molalla, Oregon
(503)829-6855



PUBLIC RECORDS LAW DISCLOSURE

This e-mail is a public record of the City of Molalla and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This e-mail is subject to State Retention Schedule.

From: Mac Corthell <mcorthell@cityofmolalla.com>
Sent: Tuesday, February 21, 2023 9:06 AM
To: Terry Shankle <tshankle@cityofmolalla.com>
Cc: Dan Zinder <dzinder@cityofmolalla.com>; Andy Peters <apeters@cityofmolalla.com>; Dan Huff <dhuff@cityofmolalla.com>; Christie Teets <cteets@cityofmolalla.com>
Subject: RE: River city Environmental

Good Morning Councilor Shankle,

First, I want to highlight your statement that this is not what you are voting for on Wednesday night. That is absolutely correct, and I think it's important to note that the purpose of this interpretation is to provide staff and the public with the information necessary to determine what this particular section of code means. The affect of the decision will pertain to all future applications, not just a potential River City application, so it's important to view this interpretation through the narrow lens of what our code means, not allowing vs. disallowing River City.

Expanding on your other concerns, the operational aspects of a wastewater utility operating in the City would be handled through two mechanisms that give the City the ability to exercise some control over what goes on:

1. A pre-treatment program – the applicant would be required to enter a pre-treatment

program that defines the allowed volume of effluent, the quality of allowed effluent, the monitoring of the volume and quantity, and a fee structure that would fully account for the impacts of the operation.

2. A conditional use permit – this allows the city to review the operative conditions in the CUP annually or on some other pre-determined schedule and to ensure the permittee is operating in accordance with the conditions laid out for them. If they are not, the city can revoke their permit.

Whether or not River City would intend to accept waste from other septic haulers is a question we could ask at the time of application for land use, but we're not sure what their plans are as they have not applied. With that said, their ability to accept other wastewater would be controlled by their volume and quality allowances in their pre-treatment permit, that is to say that they would have a volume limitation (and/or significant rate increase at a particular volume if exceeded) and a quality requirement, so they can't just discharge all they want and whatever they want to our system, it is governed by permit.

I hope this helps, and please let me know if you have any additional questions you'd like to discuss.

-Mac

Macahan “Mac” Corthell, J.D. | Community Development Director
City of Molalla

315 Kennel Ave. | PO Box 248 | Molalla, OR 97038

Phone – [503.759.0243](tel:503.759.0243)

Email – mcorthell@cityofmolalla.com

Website – <http://www.cityofmolalla.com>

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From: Andy Peters <apeters@cityofmolalla.com>

Sent: Tuesday, February 21, 2023 8:48 AM

To: Mac Corthell <mcorthell@cityofmolalla.com>

Cc: Dan Zinder <dzinder@cityofmolalla.com>

Subject: FW: River city Environmental

Mac could you answer Councilor Shankle for us as discussed?

Thanks!

Andy Peters, Public Works Div Manager

315 Kennel Ave. | PO Box 248 | Molalla, OR 97038

Phone – [503.759.0220](tel:503.759.0220)

Email – apeters@cityofmolalla.com
Website – <http://www.cityofmolalla.com>

From: Terry Shankle <tshankle@cityofmolalla.com>

Sent: Monday, February 20, 2023 11:57 AM

To: Andy Peters <apeters@cityofmolalla.com>

Subject: River city Environmental

Hi Andy,

I have some concerns about River City putting a facility here. Is our current/new treatment plant going to be able to handle the 1000's of gallons of water (I am aware the waste will not be included), coming in from this site on a daily basis? I am familiar with their company and what they do. I know of their sites in the Portland area and understand how they work.

I am also wondering if they will be excepting waste from other septic haulers?

I realize this is not the issue we are voting on Wednesday night but I don't want to approve a code for a business our city facilities can't handle.

Thank you

Terry Shankle

From: [Dan Huff](#)
To: [Christie Teets](#)
Subject: FW: Annexation on Wednesday
Date: Tuesday, February 21, 2023 8:46:17 AM

From: Mac Corthell <mcorthell@cityofmolalla.com>
Sent: Tuesday, February 21, 2023 8:01 AM
To: Scott Keyser <skeyser@cityofmolalla.com>
Cc: Dan Huff <dhuff@cityofmolalla.com>
Subject: RE: Annexation on Wednesday

If memory serves, this property is the only one in that area that was comp planned as R-2. I wasn't here when that happened, but I think it was simply missed as a major comp plan re-zoning effort was taking place, so it's not a widespread issue that needs to be addressed. I don't foresee a potential small multi-family in that area causing any major issues, and being that we are at the point of application I think we have to honor the comp plan zoning.

It's not unusual for a "mistake" to occur in a comp plan as they are so widespread and deal with every aspect of how the city develops both in terms of private property and in terms of public infrastructure – the code even states that one purpose of zoning map amendments is to "correct a mistake".

At the end of the day, we could go through the process of re-zoning this property R-1 after this application, but that would require all of the work that goes into a comp plan amendment and would not prevent multi-family in principal because the new owner could simply divide the lots to minimum size and stuff duplexes in each one.

We'll probably end up with something more desirable by just letting the pieces fall where they will, and we can certainly put a bug in the applicant's ear that townhomes would be far more desirable than say a 6 or 8 plex... while that certainly doesn't guarantee they'd go that route, it can be persuasive at times.

We can chat further on this if you'd like, just let me know.

-Mac

Macahan "Mac" Corthell, J.D. | Community Development Director

City of Molalla

315 Kennel Ave. | PO Box 248 | Molalla, OR 97038

Phone – [503.759.0243](tel:503.759.0243)

Email – mcorthell@cityofmolalla.com

Website – <http://www.cityofmolalla.com>

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From: Scott Keyser <skeyser@cityofmolalla.com>
Sent: Tuesday, February 21, 2023 7:44 AM
To: Mac Corthell <mcorthell@cityofmolalla.com>
Cc: Dan Huff <dhuff@cityofmolalla.com>
Subject: Re: Annexation on Wednesday

Is this a issue going down the road that we need to adjust? My biggest fear is seeing a apartment complex going up. I could swallow some row houses. But apartments going in everywhere I think is a little much.

Scott Keyser
Mayor
City of Molalla Oregon
503-547-7986

From: Mac Corthell
Sent: Tuesday, February 21, 2023 7:33:03 AM
To: Scott Keyser
Cc: Dan Huff
Subject: RE: Annexation on Wednesday

Hi Mayor,

The Comprehensive plan contains zoning for all properties in the city, those in the UGB are zoned with county designations until they come in, then they become zoned in accordance with that plan. Zoning is not done on a case by case basis unless the applicant applies for a zone change, then they have to apply to amend the comp plan as well.

-Mac

Macahan “Mac” Corthell, J.D. | Community Development Director City of Molalla

315 Kennel Ave. | PO Box 248 | Molalla, OR 97038

Phone – [503.759.0243](tel:503.759.0243)

Email – mcorthell@cityofmolalla.com

Website – <http://www.cityofmolalla.com>

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From: Scott Keyser <skeyser@cityofmolalla.com>

Sent: Monday, February 20, 2023 7:59 AM
To: Mac Corthell <mcorthell@cityofmolalla.com>
Cc: Dan Huff <dhuff@cityofmolalla.com>
Subject: Annexation on Wednesday

Good Morning Sir's

In looking at our packet for Wednesday night I see we are doing a UGB annexation. I curious on why we are sending it straight to a R2 designation? I see the house is built in the 60's so that tells me they are shooting straight toward multi family. I'm not crazy about that thought in that area. Is there a way we can bring it in R1 and then let them come back for the R2 process and if it passes then they can go forward? Just ideas I'm throwing out.

Scott Keyser
Mayor
City of Molalla Oregon
503-547-7986

From: [Dan Huff](#)
To: [Scott Keyser](#); [Jody Newland](#); [Leota Childress](#); [Terry Shankle](#); [Crystal Robles](#); [Eric Vermillion](#); [Rae-Lynn Botsford](#)
Cc: [Christie Teets](#); [Mac Corthell](#); [Dan Zinder](#)
Subject: FW: 14680 S Feyrer Park Rd
Date: Tuesday, February 21, 2023 8:23:05 AM

Mayor and Council – I am sharing some questions that Mayor Keyser and Councilor Vermillion had asked regarding the annexation that you all will consider tomorrow night. I have also included the Community Development Director's response. Please let us know if you have further questions.

Dan Huff
City Manager
City of Molalla, Oregon
(503)829-6855



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Sent: Tuesday, February 21, 2023 8:05 AM
To: Eric Vermillion <evermillion@cityofmolalla.com>; Dan Huff <dhuff@cityofmolalla.com>; Dan Zinder <dzinder@cityofmolalla.com>
Subject: RE: 14680 S Feyrer Park Rd

Good Morning Councilor Vermillion,

I've been having a similar convo with the Mayor, and am providing the same information I provided him... I think this is responsive to your questions as well, but let me know if you'd like to chat further:

If memory serves, this property is the only one in that area that was comp planned as R-2. I wasn't here when that happened, but I think it was simply missed as a major comp plan re-zoning effort was taking place, so it's not a widespread issue that needs to be addressed. I don't foresee a potential small multi-family in that area causing any major issues, and being that we are at the point of application I think we have to honor the comp plan zoning.

It's not unusual for a "mistake" to occur in a comp plan as they are so widespread and deal with every aspect of how the city develops both in terms of private property and in terms of public

infrastructure – the code even states that one purpose of zoning map amendments is to “correct a mistake”.

At the end of the day, we could go through the process of re-zoning this property R-1 after this application, but that would require all of the work that goes into a comp plan amendment and would not prevent multi-family in principal because the new owner could simply divide the lots to minimum size and stuff duplexes in each one.

We’ll probably end up with something more desirable by just letting the pieces fall where they will, and we can certainly put a bug in the applicant’s ear that townhomes would be far more desirable than say a 6 or 8 plex... while that certainly doesn’t guarantee they’d go that route, it can be persuasive at times.

-Mac

**Macahan “Mac” Corthell, J.D. | Community Development Director
City of Molalla**

315 Kennel Ave. | PO Box 248 | Molalla, OR 97038

Phone – [503.759.0243](tel:503.759.0243)

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From: Eric Vermillion <evermillion@cityofmolalla.com>

Sent: Tuesday, February 21, 2023 6:53 AM

To: Dan Huff <dhuff@cityofmolalla.com>; Mac Corthell <mcorthell@cityofmolalla.com>; Dan Zinder <dzinder@cityofmolalla.com>

Subject: 14680 S Feyrer Park Rd

Good morning Mr. Dan Huff, Mac Corthell & Dan Zinder

A couple of questions regarding 14680 S Feyrer Park Rd

- Page 59 of our agenda packet:
 - It appears this property will butt up to a predominantly R-1 Zoned area
 - 2021 Molalla Zoning map, found on the Molalla current site [4-14-2021 comp plan zoning](#)
 - All R-1 from west of Mathis to Heckard Field, Ivor Davies nature park to the north.
- *Why is the .84 acre parcel proposed to be zoned at R-2 and not R-1 which would follow how this neighborhood is zoned?*

- *Page 63. This will be the only R-2 in the aforementioned area (Mathis to Heckard to Davies park etc)*
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- Page 66 item A uses the language “shall” but in the finding the word “designates” is used again.
 - “Chapter 17-4.6 of the comprehensive plan designates the land at issue in this proposal as Medium Density Residential R-2”
- *Where can you find the criteria that “designates” the land at issue as R-2?*
 - *I can’t seem to find it.*
- *How can this partial of land revolve between a “proposal” / “shall” and “designates”?*

Thank you for all you do!

Eric Vermillion
City Councilor

City of Molalla
 (503) 309-1586



From: [Dan Huff](#)
To: [Christie Teets](#)
Subject: FW: 14680 S Feyrer Park Rd
Date: Tuesday, February 21, 2023 1:08:34 PM

From: Dan Zinder <dzinder@cityofmolalla.com>
Sent: Tuesday, February 21, 2023 1:01 PM
To: Mac Corthell <mcorthell@cityofmolalla.com>; Eric Vermillion <evermillion@cityofmolalla.com>; Dan Huff <dhuff@cityofmolalla.com>
Subject: RE: 14680 S Feyrer Park Rd

Councilor Vermillion,

I want to make a follow up clarification to Mac's comments. I wasn't in Planning at the time but did the GIS work for the Plan Zone Conflict Resolution in 2017 that sought to rectify zoning issues where existing development patterns did not match zoning designations. One of the areas we addressed was Sunrise Acres (the southeast neighborhood in town adjacent to the subject parcel). At that time, the zoning in Sunrise Acres was R-1 but the comp plan zoning was R-2. Staff initially proposed a zoning designation matching the comp plan but we received several concerns from neighborhood residents requesting a downzoning of the comp plan designation to match existing zoning. Staff modified the proposal for Sunrise Acres so that both comp-plan and zoning designations were set as R-1. It seemed a reasonable conciliation to the concerned residents.

Though situated adjacent, the subject parcel for this application is not a part of Sunrise Acres and that's why it wasn't included in that zone change effort. It's a separate parcel and its fate was not tied to that of Sunrise Acres. In fact, it wasn't even in the City Limits at the time. In this case the owner did not want/request a zone change and now wishes to make a change matching the comp plan designation of R-2.

It may feel off because it's only one parcel but think of it like Big Meadow and Lexington Estates on the northwest side of town. A citizen group lobbying to change the zoning in Big Meadow wouldn't affect Lexington Estates if they were not included in the request.

Best,
Dan Zinder
503.759.0226

From: Mac Corthell <mcorthell@cityofmolalla.com>
Sent: Tuesday, February 21, 2023 8:05 AM
To: Eric Vermillion <evermillion@cityofmolalla.com>; Dan Huff <dhuff@cityofmolalla.com>; Dan Zinder <dzinder@cityofmolalla.com>
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It's not unusual for a "mistake" to occur in a comp plan as they are so widespread and deal with every aspect of how the city develops both in terms of private property and in terms of public infrastructure – the code even states that one purpose of zoning map amendments is to "correct a mistake".

At the end of the day, we could go through the process of re-zoning this property R-1 after this application, but that would require all of the work that goes into a comp plan amendment and would not prevent multi-family in principal because the new owner could simply divide the lots to minimum size and stuff duplexes in each one.

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-Mac

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Sent: Tuesday, February 21, 2023 6:53 AM

To: Dan Huff <dhuff@cityofmolalla.com>; Mac Corthell <mcorthell@cityofmolalla.com>; Dan Zinder <dzinder@cityofmolalla.com>

Subject: 14680 S Feyrer Park Rd

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Thank you for all you do!

Eric Vermillion
City Councilor
City of Molalla
(503) 309-1586

From: [Dan Huff](#)
To: [Jody Newland](#)
Cc: [Scott Keyser](#); [Leota Childress](#); [Terry Shankle](#); [Crystal Robles](#); [Eric Vermillion](#); [Rae-Lynn Botsford](#); [Christie Teets](#)
Subject: RE: 14680 S Feyrer Park Rd
Date: Tuesday, February 21, 2023 4:10:33 PM

Jody - The Comprehensive Plan has designated this property Medium Density Residential. We are suggesting bringing the property into the city limits with a compliant zone for that designation. Forcing the property to down zone may bring other more complicated problems. Keeping the zoning R-2 will not make matters worse. I am wondering what matters would be made worse?

Dan Huff
City Manager
City of Molalla, Oregon
(503)829-6855



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From: Jody Newland <jnewland@cityofmolalla.com>
Sent: Tuesday, February 21, 2023 2:28 PM
To: Dan Huff <dhuff@cityofmolalla.com>
Subject: Re: 14680 S Feyrer Park Rd

Hi Dan,

I'm not sure if I should be replying all or not, so I'm sending it to you.

I have hesitation on this application as well. If we have a "mistake" in our comp plan designating this property as R-2 instead of R-1, shouldn't it be fixed at the same time as we are considering this? On pg 65 of the packet it even discusses "correcting a mistake." (C) and that this can be done concurrently with the application (B)?

Any other building besides single story residences do not make sense in that location. I'd rather correct the mistake from the beginning rather than making it worse.

Jody

From: Dan Huff

Sent: Tuesday, February 21, 2023 8:22 AM

To: Scott Keyser; Jody Newland; Leota Childress; Terry Shankle; Crystal Robles; Eric Vermillion; Rae-Lynn Botsford

Cc: Christie Teets; Mac Corthell; Dan Zinder

Subject: FW: 14680 S Feyrer Park Rd

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Dan Huff

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City of Molalla

315 Kennel Ave. | PO Box 248 | Molalla, OR 97038

Phone – [503.759.0243](tel:503.759.0243)

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Thank you for all you do!

Eric Vermillion



Community Development Department
315 Kennel Avenue, PO Box 248, Molalla, Oregon 97038
Phone: (503) 759-0205

To: Honorable Mayor & City Council
From: Community Development Director, Mac Corthell
Date: February 22, 2023
Re: Monthly Community Development Report

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LAND USE & PERMITTING..... 1
LONG-TERM PLANNING..... 2
CODE ENFORCEMENT..... 2
ECONOMIC DEVELOPMENT 3
PUBLIC & PRIVATE INFRASTRUCTURE PROJECTS..... 4
PUBLIC WORKS MAINTENANCE 8

LAND USE & PERMITTING

Planning and Land Use Application Statistics:

<p><u>New Apps 7/01/22 – 02/07/23</u></p> <ul style="list-style-type: none">• Type I BP Apps – 12• Type I Other Apps – 77• Type II Apps – 6• Type III Apps New– 1• Type IV Apps – 3• Final Plat – 0• Pre-App Requests - 18	<p><u>Approvals 7/01/22 – 2/07/23</u></p> <ul style="list-style-type: none">• Type I BP Apps – 14<ul style="list-style-type: none">○ Residential Units – 212○ Com/Ind Sq Ft – 0• Type I Other Apps – 73• Type II Apps – 2• Type III Apps – 6• Type IV Apps – 0• Final Plat – 0• Pre-Apps Held - 12	<p><u>Open Apps 2/7/23</u></p> <ul style="list-style-type: none">• Type I BP Apps – 4• Type I Other Apps – 1• Type II Apps – 1• Type III Apps – 1• Type IV Apps – 5• Final Plat – 4• Pre-Apps Pending - 6
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LONG-TERM PLANNING

Housing Needs Analysis and Production Strategy:

- Funding: DLCD Grant Received to Fund Project, \$5k City Match.
- Purpose: HB 2003 Compliance, Background Study for Sufficiency of Urban Growth Boundary.
- Deliverables: Amendments to Comprehensive Plan and Development Code.
 - Updated Buildable Lands Inventory, Housing Inventory & Needs Analysis, Housing Production Strategy.
- Status:
 - Housing Needs Analysis
 - Staff implementing input received at 2/7/22 public hearing.
 - Revised HNA to be resubmitted upon approval of Sequential UGB process.
 - Housing Production Strategy
 - Public Outreach – Survey on Molalla Current
 - Public Outreach – Townhall Scheduling

Urban Growth Boundary

- Sequential Expansion
 - Status: Sequential Election Notice submitted to County for Concurrence
 - Next Steps:
 - Submit Sequential Election with Concurrence and Draft Work Plan to DLCD
 - Finalize work plan with DLCD
 - Adopt Housing Needs Analysis
 - Seek Grant Funding for Employment Opportunities Analysis

Upcoming Long-Term Planning Initiatives:

- Parks Master Plan – RFP in work
- Stormwater Master Plan – RFP to be posted on 2/27/22
- Emergency Operations Plan – Consultant hired, preliminary staff meetings begin 2/23/22

Completed Projects:

2022 DLDC Class on UGB expansion presented at joint PC/CC meeting on 11/16/22

2022 Updated all Land Use & Permitting Forms, Made Fillable, and Organized on Website

2022 Provided Land Use & Permitting class to Realtors Association

CODE ENFORCEMENT

Code Case Statistics:

<u>7/1/22 – 2/7/23</u>	<u>7/1/22 – 2/7/23</u>
<ul style="list-style-type: none">• New Complaints - 49• Current Open Cases – 55<ul style="list-style-type: none">○ Open Cases Initial Letter - 39	<ul style="list-style-type: none">• Cases Closed – 30<ul style="list-style-type: none">○ No Violation – 7○ Compliance – 9○ Referred - Other Agency – 14

Neighborhood Livability Program:

- The NLP has been focused on due diligence and foundation work for a potential Code Services Officer
 - The position is under review by Finance and, if financially viable, will be presented to the City Council for approval or denial as the Council sees fit.

City of Molalla Now Hiring a Code Compliance Specialist!

- This position was developed through a cooperative effort between Molalla Police Department and Molalla Community Development Department.
 - The City Council has approved the position!
 - Full recruitment can be found on the City of Molalla website under “Your Government – Job Openings”

ECONOMIC DEVELOPMENT

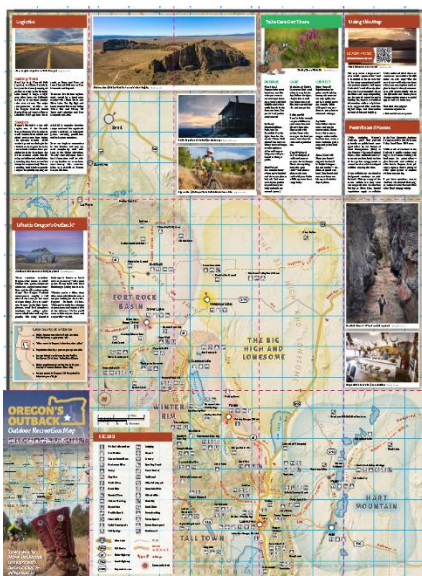


Completed Projects:

- 2022 Enterprise Zone Boundary Expansion (see map ←)
- 2022 Wayfinding Kiosks & Map
- 2022 Destination Ready Grant (Kiosks)
- 2022 Kiosk Art Contest
- 2022 Travel Oregon Destination Assessment

Beautification & Culture CPC:

- **Spring Clean Up and Citywide Garage Sale**
 - B & C CPC Discussing Details and Management.
 - Molalla Current Page to be Developed.



Travel Oregon Destination Ready Action Project:

- Map product is partially developed, final review expected This month!
- **This project made possible by our partners:**
 - Mt. Hood Territory (Clack Co Tourism)** who applied for and administered this Destination Ready process on behalf of the city.
 - Travel Oregon** who funded the Destination Ready grant and has been a major partner in providing consultants, and staff to bring this project home.

Economic Development Web Page Update!

- Completion of the Enterprise Zone Expansion triggered the next phase in the City's Economic Development program evolution... a valuable, viable web presence!

PUBLIC & PRIVATE INFRASTRUCTURE PROJECTS

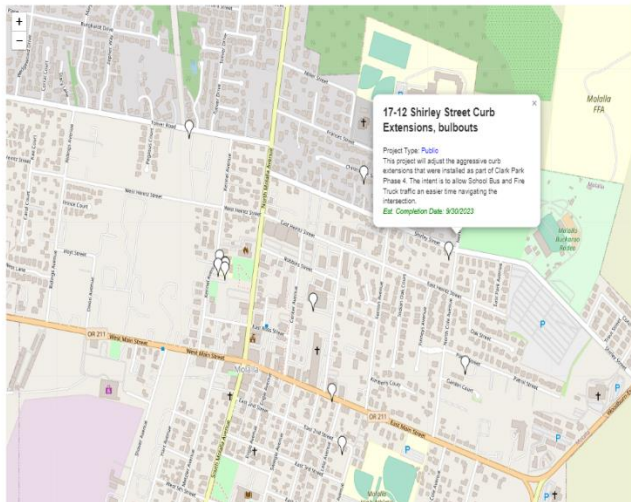
New Public Facing Project Map on the Current!

The new project map is live! PW Div Mgr, Andy Peters, developed this map product and worked closely with the City's various digital hosting and platform partners to get this thing out to the public. Please help spread the word that it's here!

Public Improvement Projects Map



This page provides an interactive project map with flags for each public project currently underway in Molalla. Hovering over a project flag will provide more information, and the "Questions" tool below can be used to ask project related questions.



Current Public Projects



Housing Needs Analysis & Production Strategy

Determines the types and amounts of housing in Molalla, informs on the Urban Growth Boundary.

[View Project](#)



Molalla's Water System

Learn about the system, the projects, the plans, and ask your questions!

[View Project](#)



OR-213 Improvement Projects

Traffic Impacts and Information on the improvement project along OR-213.

[View Project](#)



Public Improvement Projects Map

This page provides an interactive project map with flags for each public project currently und...

[View Project](#)

Project List

<u>Number</u>	<u>Project Name</u>	<u>Notes</u>
<u>23-03</u>	Molalla Petroleum 710 E Main Street	Private
<u>23-02</u>	Emergency Operations Plan (EOP) Update	In Work – Preliminary Meetings 2/23/23
<u>23-01</u>	Disk Golf at Ivor Davies	In Work – Seeking CC Approval 2/22/23
<u>22-36</u>	Lead and Copper Water Service Inventory	On Hold
<u>22-35</u>	Water Treatment Plant Auto Shutdown Upgrade	In Work – Awaiting Materials

<u>22-34</u>	Engineering Process Development	In Work – Process Review w/Consultant
<u>22-33</u>	Clark Parks Sports Field Improvements	On Hold – Awaiting Parks Master Plan
<u>22-32</u>	Parks Master Plan	In Work – Developing RFP
<u>22-31</u>	Stormwater Masterplan	In Work – RFP posting on 2/27/23
<u>22-30</u>	WWTP Aeration Bypass Engineering	In Work – Awaiting Materials
<u>22-29</u>	Water Intake Structure Reconstruction	On Hold – Restart in FY23/24
<u>22-27</u>	Summer Irrigation Capacity Expansion Plan	In Work – Plan Development
<u>22-26</u>	Establishing a Temperature Allocation in the Willamette TMDL	In Work – Providing Info & Comment
<u>22-24</u>	Water Distribution System Pressure Zoning and PRV Installation	In Work - Design
<u>22-23</u>	Fifth Street Duplex with Storm and Alley Improvements	Private
<u>22-22</u>	On Call Paving Services (Road Maintenance Resurfacing Program)	In Work – Begins FY23/24
<u>22-18</u>	Wooden Streetlight Pole Replacements (with PGE Option A)	In Work – PGE Project
<u>22-17</u>	Sewer Pipe Lining 2022 (Toliver, S. Molalla)	Complete
<u>22-16</u>	Coffee Shop (31330 OR 213)	Private
<u>22-14</u>	Odor ADA Ramps along HWY 211	In Work – ODOT Project
<u>22-13</u>	Goodwill	Private
<u>22-11</u>	River Meadows Subdivision	Private
<u>22-09</u>	1000 W. Main St (Affordable Apartments)	Private
<u>22-08</u>	Planning Consultant	Complete
<u>22-07</u>	Cascade Place Apartments	Private
<u>22-04</u>	New 2.0 MG Tank at Water Treatment Plant	In Work – Property Acquisition/Land Use
<u>22-02</u>	501 E Main Street - C Store	Private

<u>21-16</u>	Housing Needs and Production DLCD Grant	In Work – HNA, HPS
<u>21-12</u>	New Police Facility	In Work – Design/Financing
<u>21-10</u>	Molalla Civic Center Improvements	In Work – Out to Bid for Non-CDBG work, Finalizing CDBG Grant
<u>21-01</u>	Bartell Partition & Development (Patrol Street)	Private
<u>20-07</u>	Strawberry Park	In Work – Punch List
<u>20-03</u>	Eckerd Ave, 2nd St, Lola Ave Sewer and Water line replacement	In Work - Construction
<u>20-01</u>	Colima Apartments	Private
<u>19-10</u>	WWTP Upgrade	In Work – Design/Financing
<u>19-04</u>	Cascade Center Commercial Development	Private
<u>18-16</u>	Hix Tractor Supply Store	Private
<u>18-08</u>	OR 213 / Toliver Roundabout	In Work – Out for Bids
<u>18-04</u>	Biosolids Removal	In Work – Ongoing Removal
<u>18-02</u>	Dyer miscellaneous development review and general engineering	In Work – Ongoing, As Needed
<u>17-20</u>	Sawyer Truck Repair	Private
<u>17-12</u>	Shirley Street Curb Extensions, bulbouts	
Shovel Ready		
<u>22-28</u>	Wellhead and Aquifer Storage and Recovery (ASR) Feasibility Study – As able	
<u>21-15</u>	S Molalla Waterline 5th to Molalla Forest Road – Planned for FY 23/24	
<u>21-13</u>	Water Leak Survey and Repairs – Planned for FY 23/24	
On Hold		
<u>22-21</u>	Section St Rehabilitation – Planned for FY23/24	

- 22-19 Molalla Forest Road Resurfacing and Reopening – Planned for FY 23/24
- 22-12 RWUP Update for New Coleman Field – Planned for FY 24/25
- 22-05 WTP Tracer Study – Planned for Spring FY 22/23
- 21-09 Chief Yelkus Park – Awaiting Development of Financing Options
- 21-02 Yelkus Park Road – Planned for FY 23/24

Other Completed Projects:

- 22-25 City Hall Police Dept HVAC Replacement (Emergency)
- 22-20 Toliver at Trinity Estates Water Main Replacement, and Sidewalk Improvement
- 22-15 Mercury TMDL Implementation Plan
- 22-10 WWTP Interim Capacity Determination – Balancing the need for development with existing WWTP Capacity
- 22-06 CIP & SDC Update
- 22-03 Shaver St. @ OR-211 Repair
- 22-01 City Hall Sewer Main Repair (Emergency)
- 21-14 City Hall Reader Board
- 21-11 Fox Park Play Equipment Improvements
- 21-08 150 Miller St – private development
- 21-06 Scandia Waterline Replacement
- 21-04 City Hall Upstairs Remodel
- 21-03 Water CIP Rates and SDC Study
- 20-05 Clark Park Pathway
- 20-04 Shops/WWTP/Elementary School Waterline
- 20-02 643 N Molalla Ave – private development
- 19-13 Dollar General – private development
- 19-09 OR 211 / Molalla Signal

- 19-07 Molalla Forest Road Bridge Phase II
- 18-14 City Shops Decant Facility
- 17-15 WTP Filters and Telemetry
- 17-04 ODOT, OR-211 Bike/Ped path

PUBLIC WORKS MAINTENANCE

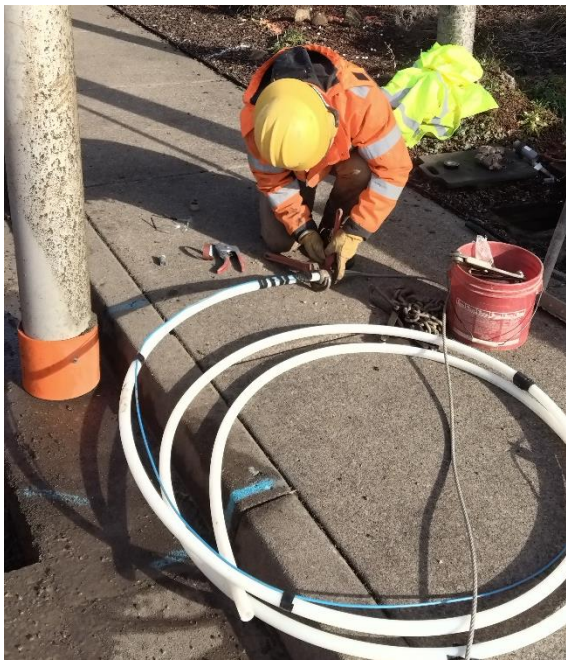
Public Works Crews removing graffiti at the Civic Center





Public Works Crews Demo the Gazebo at Long Park and Reframe the Electrical Panel.





Above: Public Works Crews repair a leak on Rachel Lane

Below: Cody F. and Wyatt K. install new book drop boxes for the library.



1. Existing Conditions

a. City of Molalla

i. Introductory description

1. Welcome to the City of Molalla. We are a small but vibrant community at the foothills of the Cascade Mountains in Clackamas County, Oregon

ii. Population Currently

1. 10,228 people live in Molalla today

a. Source 2020 Census

iii. Population longer term based on PSU numbers

1. I would like to speak with you about Molalla's Wastewater Treatment System. This system is critical to making life possible, both for human beings and the rest of the community - living beings we share this space with. The US EPA requires American Cities to plan for their wastewater system needs. Specifically, Cities need to plan for what their populations will look like twenty years in the future. For Molalla, this will be 17,500 people by 2045.

iv. % of low income population

1. Although the City has experienced some wealthier people moving to Molalla from Portland in the past few years, the Median household income of \$68,000 remains well below that of the wider county (\$83,000). In fact, 10.9% of our residents live below the Federal Poverty Level.

a. Median: 68,590 vs \$82911 for the county

b. Current WWTP

i. Type of plant, and typical use of such a plant

1. Molalla's current wastewater treatment plant consists of about 25 acres of facultative lagoons. A drop of sewerage takes about 11 days to make it through this system, which is designed to clean it to 30 mg/L of Biochemical oxygen demand, or "BOD". BOD is one of the primary ways human beings measure the cleanliness of water. Most Cities in Oregon must clean their wastewater - "treat it" - to 30 mg/L BOD. This comes from Oregon Administrative Rules, which in turn are derived from the 1972 Clean Water Act.

ii. Sized for population of roughly...

1. Source

iii. Issues: Consent Decree, MOA, NPDES permit etc

1. However, Molalla has experienced things differently than most Oregon Cities. Molalla must treat its water to under 10 mg/L BOD. It's the most restrictive permit in Oregon. In addition, in the early 2000s, Molalla was required to move its outfall, pumping its cleaned, treated effluent five miles; through town and over farm fields, and return it to the river near the same place it drinks it from. This requires massive electric motors with a large carbon footprint. It also requires large quantities of Chlorine to make sure that water stays clean on its journey. And that chlorine in turn means Molalla must then use large doses of Vitamin C to REMOVE that chlorine again once it gets there, before it can finally be released to the river. These chemicals themselves are manufactured using carbon-producing processes – especially the Vitamin C, which is

produced in Jiangshan China. In fact, according to the US EPAs Greenhouse Gas Equivalencies Calculator, 1000 tons of this Vitamin C chemical alone requires 25,000 tonnes of CO2 emissions. That's equivalent to the entire carbon sequestered by 375,000 tree seedlings growing for 10 years.

2. Why is it like this? Part of the reason is the Clean Water Act itself. Third Party litigation against the Citizens of Molalla drove some of these requirements, resulting ultimately in the need for this new plant. Today, the City of Molalla is under court order to operate as effectively as possible, and under a Mutual Agreement and Order from the Dept of Environmental Quality to complete its new Wastewater Treatment Plant by December 2025.
3. This isn't necessarily a bad thing – the Clean Water Act is written specifically to drive this kind of environmental change. Everything in human life, as in nature, is interconnected. And what has happened here in Molalla, as well as what we choose to do next, affects us all.

2. New WWTP

a. Current status of project and important scheduled dates

- i. The new Wastewater Treatment Plant will use a technology called sequence Batch Reactors. These machines work with a carefully cultivated population of beneficial bacterium that naturally and quickly clean the wastewater. The manufacturer of these units certifies the cleanliness of their Reactors effluent down to 5 mg/L or lower – 83% cleaner than the current Lagoon system.
- ii. The Lagoons will be converted to clean effluent storage ponds. They will be beautiful. * music *

b. Advantages of new plant

- i. GREENER
- ii. The new treatment plant will use Ultra-Violet light instead of chlorine to disinfect the water. This will eliminate then need to manufacture and consume both chlorine and vitamin C resulting in the reduction of millions of pounds of carbon emissions, both in the United States and China.
- iii. Sized for growth
- iv. It will be large enough to serve the City of Molalla's population, both human and wildlife until 2047.
- v. Easily expandable
- vi. And it will be constructed in a modular fashion, so that additional Sequence Batch Reactors can be added as the need grows.
- vii.

c. Sized for population of ??? to serve Molalla for the next ??? years

- i. Molalla's Wastewater Treatment Plant Project is expected to be released for construction in November 2023; construction that will last 2 years. It is expected to cost up to \$41 million dollars. This is a lot of money for a small community like Molalla.

d. Disadvantages of new plant

- i. Cost to rate payers
- ii. But there is a problem. The latest Rate Projections show the average utility bill in Molalla rising well over \$100 per month, just for sewer alone. This is going to be very difficult for many residents.

- iii. EPA affordability issues
- iv. The EPA publishes an affordability index for use by Water utility providers in determining whether they are providing their services to their customers at affordable rates.

3. Conclusion

a. Summary of presentation

- i. As has been shown, this new plant benefits us all. But if the entire bill should fall only to the citizens of Molalla, their costs will greatly exceed the US EPAs affordability index. It will be a heavy lift. And a lift for people who have already been lifting the most restrictive permit in Oregon for the last several decades.

b.

Request for funding assistance

The City is reaching out. Reaching out to you, it's representatives in the congressional body of this great Nation, for help. Together, we can build something beautiful here. We can do this one thing that will take a step away from the brink of the climate crisis, protect the clean air and water we all need, and secure the blessings of this regions' natural beauty for our children.

Thank you.



AGENDA

MOLALLA LIBRARY BOARD MEETING

February 28, 2023

4:00 PM via Zoom

Chair, Tina Teel

Brittney Closner
Mechelle Trefethen
Diana Hadley, Library Director

Rob Thompson
Councilor Crystal Robles

1. CALL TO ORDER

- A.** Convene Regular Meeting and Roll Call
- B.** Approval of June 1, 2022, minutes

2. PUBLIC COMMENT - Citizens are allowed up to 3 minutes to present information relevant to the Library but not listed as an item on the agenda

3. NEW BUSINESS

- a.** Election of Officers
- b.** Introduction of Kevin Effenger as library board applicant
- c.** Proposed 23/24 fy year budget overview – Diana

4. OLD BUSINESS

- a.** Library District Advisory Board update
- b.** Friends report – Tina

5. DIRECTOR'S REPORT

6. ADJOURN

Agenda posted at the Library

Public comment will be accepted via email (dhadley@lincc.org) or mail (PO Box 1289, Molalla, OR 97038) until Thursday, February 23, 2023, at 12 noon.

Director's Report – February 2023

- Proposed budget for next fiscal year has been submitted. Our revenues are healthy and the library is in good fiscal shape
- All programs are going strong.
 - For kids up to middle school, Tabby holds storytime, lego club, and STEAM activities monthly at the library. In addition, Tabby visits area daycare facilities and she and Irene have been going to Plaza Los Robles monthly. That visit will be on hold for a few months while the apartments are under construction
 - For teens, Beka holds a monthly STEAM program and creates book boxes on a quarterly basis
 - For homeschooling families, Beka and Tabby hold a special homeschooling “huddle” each month by sign up and divide the group into grades/ages
 - For adults, Beka has a monthly craft evening which is for adults ONLY and runs the adult book box program, which she has had to expand due to demand
 - Irene and Tabby are holding citizenship preparation classes
 - For seniors, Michelle delivers books to the homebound and presents craft programs at Pheasant Pointe and Molalla Manor. She also visits Molalla Care Center.
 - All programs are well attended with people coming from all over the county to take part in them
- Bookmobile: we have two scheduled stops at this point – the Adult Center and Colton. The bookmobile has also gone to several back to school nights and other school events as well as city sponsored events such as National Night Out and Celebrate Molalla
- We are planning for the summer reading program for all ages and looking at fall programs already
- We have renamed the Meeting Room. It is now called the Activity Center. After much consideration, we will only use this space for library related functions. It will not be available to outside groups for meetings.

Minutes of the Molalla Public Library Board Regular Meeting
Molalla Public Library
201 E 5th St., Molalla, OR 97038

1. CALL TO ORDER OF THE MOLALLA PUBLIC LIBRARY BOARD MEETING;

meeting of June 1, 2022, was called to order by Tina Teel at 4:35 PM.

ATTENDANCE:

Charlotte Bloebaum, Board Member – Present
Cindy Fincher, Board Member – Present
Tina Teel, Chair – Present
Crystal Robles, Board Member – Absent

Robert Thompson, Board Member – Present
Brittney Closner, Potential new member
Mechelle Trefethen – Potential new member

STAFF IN ATTENDANCE:

Diana Hadley, Library Director – Present

2. No Public Comment

3. NEW BUSINESS:

- a. Election of Board Member: Brittney Closner; Motion carried (4-0), all ayes
- b. Election of Board Member: Mechelle Trefethen; Motion carried (4-0), all ayes
- c. Budget discussion: budget approved by Budget Committee

4. OLD BUSINESS:

- a. Friends of the Library update – Tina. Book sales, book sale locations at Main Shop and Pheasant Pointe

5. DIRECTOR'S REPORT:

- a. Summer planning: Summer reading, Music in the Park, Bookmobile van, Events (Reptile Man)
- b. HVAC replacement delayed; Diana to look into other options with City Manager
- c. Library Hours
- d. Changes to online book and media lending

6. ADJOURNMENT: Motion by Tina Teel; 2nd by Robert Thompson. Motion carried (4-0), all ayes 5:10 PM.

Tina Teel

Date

ATTEST:

Diana Hadley
Library Director

See back
[Signature]

- Changes to online book and media lending

- **ADJOURNMENT:** Motion by Tina Teel; 2nd by Robert Thompson. Motion carried (4-0), all ayes 5:10 PM.

Tina Teel

Date

February 28, 2023

ATTEST:

Diana Hadley
Library Director



CITY OF MOLALLA

117 N. Molalla Avenue
PO Box 248
Molalla, OR 97038

Staff Report

Agenda Category: Presentations

Agenda Date: March 8, 2023

From: Christie Teets, City Recorder
Approved by: Dan Huff, City Manager

SUBJECT: Library Board – New Member Introduction

FISCAL IMPACT: n/a

RECOMMENDATION/RECOMMEND MOTION:

BACKGROUND:

The Library Board has had an opening for a few months. Recently, Mr. Kevin Effinger submitted an application of interest to the Library Board.

Mr. Effinger was appointed at the March 1, 2023 board meeting. Library Director Diana Hadley would like to introduce Mr. Effinger to City Council.



CITY OF MOLALLA

117 N. Molalla Avenue
PO Box 248
Molalla, OR 97038

Staff Report

Agenda Category: Presentations

Agenda Date: March 8, 2023

From: Christie Teets, City Recorder
Approved by: Dan Huff, City Manager

SUBJECT: OLCC Permit Request – Center Market

FISCAL IMPACT: n/a

RECOMMENDATION/RECOMMEND MOTION: City Council can make a motion to approve or deny the application.

BACKGROUND:

Oregon Liquor and Cannabis Commission recently updated policy that directs Business Owners to begin with the City in which they are seeking approval for, before submitting to their agency.

Molalla, Inc. (Center Market) have a valid business license with Oregon Secretary of State.

This application has been approved by Police Chief, Chris Long.



OLCC

9079 SE McLoughlin Blvd.
Portland, Oregon 97222-7355

503-872-5000

800-452-6522

www.oregon.gov/olcc

License Payment Invoice

Molalla, Inc.

Applicant / Licensee

Center Market #36

Business Trade Name

501 E. Main St., Molalla, 97038

Premises Address (street, city, zip code)

Off-Premises Licensing Fee + 2023 Renewal Fee

License Type(s)

If you have questions, the OLCC staff person assigned to your case is:

Leah Gessel

Investigator Name

leah.gessel@oregon.gov

Email

971-420-5451

Phone

- Please return this completed invoice with your license fee payment of **\$400.00**
- This fee is for the license year ending **March 31, 2024**
- At this time, the OLCC is unable to accept electronic payment, including by credit or debit card.
- All OLCC offices are open only by appointment. In order to process your application in a timely manner, please do not drop off payment to an OLCC office.
- Please mail this form and payment (check or money order) **payable to the OLCC** at the following address:

OLCC

Attn: Cashier

PO Box 22297

Portland, OR 97269

LIQUOR LICENSE APPLICATION

Page 1 of 4

Check the appropriate license request option:

☒ New Outlet | ☐ Change of Ownership | ☐ Greater Privilege | ☐ Lesser Privilege | ☐ Additional Privilege

Select the license type you are applying for.

More information about all license types is available online.

Full On-Premises

- ☐ Commercial
- ☐ Caterer
- ☐ Public Passenger Carrier
- ☐ Other Public Location
- ☐ For Profit Private Club
- ☐ Nonprofit Private Club

Winery

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th

Brewery

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd

Brewery-Public House

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd

Grower Sales Privilege

- ☐ Primary location
- Additional locations: ☐ 2nd ☐ 3rd

Distillery

- ☐ Primary location
- Additional tasting locations: ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th ☐ 6th

☐ Limited On-Premises

- ☒ Off Premises
- ☐ Warehouse
- ☐ Wholesale Malt Beverage and Wine

INTERNAL USE ONLY

Local Governing Body: After providing your recommendation, return this application to the applicant.

LOCAL GOVERNING BODY USE ONLY

City/County name:

Optional: Date Stamp

- ☐ Recommend this license be granted
- ☐ Recommend this license be denied

Printed Name

Date

LIQUOR LICENSE APPLICATION

Page 2 of 4

APPLICANT INFORMATION

Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.

Name of entity or individual applicant #1:

Molalla, Inc.

Name of entity or individual applicant #2:

Name of entity or individual applicant #3:

Name of entity or individual applicant #4:

BUSINESS INFORMATION

Trade Name of the Business (name customers will see):

Center Market #36

Premises street address (The physical location of the business and where the liquor license will be posted):

501 E. Main St.

City:

Molalla

Zip Code:

97038

County:

clackamas

Business phone number:

503-409-7664

Business email:

centermarket20@yahoo.com

Business mailing address (where we will send any items by mail as described in OAR 845-004-0065[1]):

1420 17th St. NE

City:

Salem

State:

OR

Zip Code:

97301

Does the business address currently have an OLCC liquor license? ☐ Yes ☒ No

Does the business address currently have an OLCC marijuana license? ☐ Yes ☒ No

AUTHORIZED REPRESENTATIVE – A liquor applicant or licensee may give a representative authorization to make changes to the license or application on behalf of the licensee or to receive information about a license or application.

I give permission for the below named representative to:

☒ Make changes regarding this license/application on my behalf.

☒ Receive information about the status of this application, including information about pending compliance action or communications between OLCC and the licensee/applicant.

Representative Name:

Teresa Ozias

Phone number:

503-623-6695

Email:

teresa@siso-law.com

Mailing address:

PO Box 105

City:

Dallas

State:

OR

Zip Code:

97338

LIQUOR LICENSE APPLICATION

Page 3 of 4

APPLICATION CONTACT INFORMATION – Provide the point of contact for this application. If this individual is not an applicant or licensee, the Authorized Representative section must be filled in and the appropriate permission(s) must be selected.

Application Contact Name:

Teresa Ozias

Phone number:

503-623-6695

Email:

teresa@siso-law.com

TERMS

- “Real property” means the real estate (land) and generally whatever is erected or affixed to the land (for example, the building) at the business address.
- “Common area” is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area’s designation as a “common area” is typically identified in the lease or rental agreement.

ATTESTATION – OWNERSHIP AND CONTROL OF THE BUSINESS AND PREMISES

- Each applicant listed in the “Application Information” section of this form has read and understands OAR 845-005-0311 and attests that:
 1. At least one applicant listed in the “Application Information” section of this form has the legal right to occupy and control the real property proposed to be licensed as shown by a property deed, lease, rental agreement, or similar document.
 2. No person not listed as an applicant in the “Application Information” section of this form has an ownership interest in the business proposed to be licensed, unless the person qualifies to have that ownership interest waived under OAR 845-005-0311.
 3. The licensed premises at the premises street address proposed to be licensed either:
 - a. Does not include any common areas; or
 - b. Does include one or more common areas; however, only the applicant(s) have the exclusive right to engage in alcohol sales and service in the area to be included as part of the licensed premises.
 - In this circumstance, the applicant(s) acknowledges responsibility for ensuring compliance with liquor laws within and in the immediate vicinity of the licensed premises, including in portions of the premises that are situated in “common areas” and that this requirement applies at all times, even when the business is closed.
 4. The licensed premises at the premises street address either:
 - a. Has no area on property controlled by a public entity (like a city, county, or state); or
 - b. Has one or more areas on property controlled by a public entity (like a city, county, or state) and the public entity has given at least one of the applicant(s) permission to exercise the privileges of the license in the area.

LIQUOR LICENSE APPLICATION

Page 4 of 4

- Each applicant listed in the "Application Information" section of this form has read and understands OAR 845-006-0362 and attests that:

1. Upon licensure, each licensee is responsible for the conduct of others on the licensed premises, including in outdoor areas.
2. The licensed premises will be controlled to promote public safety and prevent problems and violations, with particular emphasis on preventing minors from obtaining or consuming alcoholic beverages, preventing over-service of alcoholic beverages, preventing open containers of alcoholic beverages from leaving the licensed premises unless allowed by OLCC rules, and preventing noisy, disorderly, and unlawful activity on the licensed premises.

I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application, are true and complete.

Teresa Ozias

Print name

Signature

Date

12-15-22 901871

Atty. Bar Info (if applicable)

Print name

Signature

Date

Atty. Bar Info (if applicable)

Print name

Signature

Date

Atty. Bar Info (if applicable)

Print name

Signature

Date

Atty. Bar Info (if applicable)



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY FORM

PRINT FORM

RESET FORM

1. Name (Print):	Singh	Soni	
	Last	First	Middle
2. Other names used (maiden, other):			
3. Do you have a Social Security Number (SSN) issued by the United States Social Security Administration? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, you must list your SSN: [REDACTED]			
<p>SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your <u>voluntary consent</u> to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a)).</p>			
4. Do you consent to the OLCC's use of my SSN as described above? Check this box: <input type="checkbox"/>			
5. Date of Birth (DOB):	[REDACTED]	[REDACTED]	1 [REDACTED]
	(mm)	(dd)	(yyyy)
6. Driver License or State ID #:	[REDACTED]	7. State OR	
8. Contact Phone: 503-409-7664			
9. E-mail Address: centermarket20@yahoo.com			
10. Mailing Address:	1420 NE 17th St.	Salem	OR 97301
	(Number and Street)	(City)	(State) (Zip Code)
11. In the past 10 years, have you been convicted of a felony or a misdemeanor in a U.S. state outside of Oregon? No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> (If yes, explain in the space provided, below) Unsure <input type="checkbox"/> Choose this option and provide an explanation if, for example: you were arrested or went to court, but are unsure of whether there was a conviction; you paid a fine or served probation or parole, but are unsure of whether there was a conviction; or if you know you had a conviction, but you are unsure of whether the conviction has been removed from your record, etc.			
CCH/DMV run 02/27/23. LG			



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY FORM

12. Do you, or any entity that you are a part of, currently hold or have you previously held a recreational marijuana license in Oregon? (Note: marijuana worker permits are not marijuana licenses.)

No ☒ Yes ☐ Please list licenses (and year(s) licensed) below Unsure ☐ Please include an explanation:

13. Do you, or any entity that you are a part of, hold an alcohol license in a U.S. state outside of Oregon?

No ☒ Yes ☐ Please list licenses (and year(s) licensed) below Unsure ☐ Please include an explanation:

14. Do you or any entity that you are a part of, have any other liquor license applications pending with the OLCC?

No ☐ Yes ☒ Please list applications below Unsure ☐ Please include an explanation:

Midtown Tobacco, Inc.

You must sign your own form (electronic signature acceptable). Another individual, such as your attorney or an individual with power of attorney, **may not** sign your form.

Affirmation

Even if I receive assistance in completing this form, I affirm by my signature below, that my answers on this form are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to my criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name (Print):	Singh	Last	Soni	First	Middle
Signature:					Date: 12/15/22

This box for OLCC use ONLY

Yes _____ Does the individual currently hold, or has the individual previously held, an OLCC- issued liquor license?



OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: Molalla, Inc. Phone: 503-409-7664

Trade Name (dba): Center Market #36

Business Location Address: 501 E. Main St.

City: Molalla ZIP Code: 97038

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday	12 am	to	12 am
Monday	12 am	to	12 am
Tuesday	12 am	to	12 am
Wednesday	12 am	to	12 am
Thursday	12 am	to	12 am
Friday	12 am	to	12 am
Saturday	12 am	to	12 am

Outdoor Area Hours:

Sunday	_____	to	_____
Monday	_____	to	_____
Tuesday	_____	to	_____
Wednesday	_____	to	_____
Thursday	_____	to	_____
Friday	_____	to	_____
Saturday	_____	to	_____

The outdoor area is used for:

☐ Food service Hours: _____ to _____

☐ Alcohol service Hours: _____ to _____

☐ Enclosed, how _____

The exterior area is adequately viewed and/or supervised by Service Permittees.

N/A - LG (Investigator's Initials)

Seasonal Variations: ☐ Yes ☒ No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

- | | |
|--|---|
| <input type="checkbox"/> Live Music | <input type="checkbox"/> Karaoke |
| <input type="checkbox"/> Recorded Music | <input type="checkbox"/> Coin-operated Games |
| <input type="checkbox"/> DJ Music | <input type="checkbox"/> Video Lottery Machines |
| <input type="checkbox"/> Dancing | <input type="checkbox"/> Social Gaming |
| <input type="checkbox"/> Nude Entertainers | <input type="checkbox"/> Pool Tables |
| | <input type="checkbox"/> Other: _____ |

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday	_____	to	_____
Monday	_____	to	_____
Tuesday	_____	to	_____
Wednesday	_____	to	_____
Thursday	_____	to	_____
Friday	_____	to	_____
Saturday	_____	to	_____

SEATING COUNT

Restaurant: _____	Outdoor: _____
Lounge: _____	Other (explain): _____
Banquet: _____	Total Seating: _____

OLCC USE ONLY	
Investigator Verified Seating: _____ (Y) _____ (N)	
Investigator Initials: _____	
Date: _____	

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: _____ Date: 12/15/2022

1-800-452-OLCC (6522)

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(rev. 12/07)



CITY OF MOLALLA

117 N. Molalla Avenue
PO Box 248
Molalla, OR 97038

Staff Report

Agenda Category: Ordinances & Resolutions

Agenda Date: March 8, 2023

From: Christie Teets, City Recorder
Approved by: Dan Huff, City Manager

SUBJECT: Ordinance No. 2023-03: Amending Molalla Municipal Code, Chapter 2.06 Hearings Bodies and Their Duties, Article III. Planning Commission

FISCAL IMPACT: N/A

RECOMMENDATION/RECOMMEND MOTION: Hold the 2nd Reading and Adoption of Ordinance No. 2023-03, by title only.

BACKGROUND:

Ordinance No. 2023-02 was presented at the February 22, 2023 City Council meeting. The First Reading of the Ordinance was held. Vote passed 6-1, requiring a Second Reading and proposed adoption.

2.06.110 Terms of members.

- A. Each member of the Planning Commission shall be appointed as provided in the City Charter to a four-year term. Any vacancies shall be appointed by the Mayor with the consent of the City Council for the remaining portion of the term.
- B. Current Language: Unexcused absences from three regular meetings may disqualify a member at which time the Planning Commission may request that the Mayor appoint a replacement. Members shall call, mail, or drop-off a letter to staff in order to be excused from regularly scheduled meetings.
New Language: Absences or tardies from two regular meetings per calendar year may disqualify a member. The Planning Commission may also request that the Mayor appoint a replacement. Members must notify staff via email or telephone to be excused from regularly scheduled meetings.
- C. All appointments to the Commission may be terminated at the pleasure of the Mayor with the consent of the City Council. (Ord. 2019-06 §7; Ord. 2018-05 §1)



ORDINANCE NO. 2023-03

AN ORDINANCE OF THE CITY OF MOLALLA, OREGON. AMENDING MOLALLA MUNICIPAL CODE, CHAPTER 2.06 HEARINGS BODIES AND THEIR DUTIES, ARTICLE III. PLANNING COMMISSION

WHEREAS, The Molalla City Council has reviewed Molalla Municipal Code, Chapter 2.06 Hearings Bodies and Their Duties, Article III. Planning Commission, 2.06.110 Terms of Members; and

WHEREAS, City Council desires to make a change to Chapter 2.06.100, letter B.

Now, Therefore, the City of Molalla Resolves as follows:

Section 1. Chapter 2.06.100, letter B shall state, "Absences or tardies from two regular meetings per calendar year may disqualify a member. The Planning Commission may also request that the Mayor appoint a replacement. Members must notify staff via email or telephone to be excused from regularly scheduled meetings.

Section 2. Effective Date. The effective date of this Ordinance will take place immediately after adoption.

The First Reading was held on February 22, 2023, and passed with a vote of 6 Ayes and 1 Nay.

The Second Reading was held March 8, 2023, and passed with a vote of _____ Ayes and _____ Nay.

This Ordinance was adopted by the City Council on March 8, 2023.

Signed this 8th day of March 2023.

Scott Keyser, Mayor

ATTEST:

Christie Teets, CMC
City Recorder



CITY OF MOLALLA

117 N. Molalla Avenue
PO Box 248
Molalla, OR 97038

Staff Report

Agenda Category: General Business

Agenda Date: March 8, 2023

From: Christie Teets, City Recorder
Approved by: Dan Huff, City Manager

SUBJECT: City Council Goals - 2023

FISCAL IMPACT: varies

RECOMMENDATION/RECOMMEND MOTION: Move to adopt the 2023 City Council Goals as set by Goal Setting Conference and Work Sessions.

BACKGROUND:

Since the adoption of the Molalla Area Vision and Action Plan, City Council has set yearly Goals in accordance with the plan. Attached are this year's goals for approval.



MOLALLA AREA VISION AND ACTION PLAN 2030

Status Update – January 21, 2023

GOALS CREATED FOR 2023

FOCUS AREA 1

A resilient community that passionately recognizes and builds on its history, culture, and location.

- Promote Diversity, Equity, and Inclusion Opportunities
- Update Parks Master Plan including updates for Chief Yelkus Park, Skate Park, Future Ball Fields
- Park Naming Policy

FOCUS AREA 2

A welcoming, friendly, and vibrant community an attractive hometown feel that is safe, hospitable, and inclusive of all residents, businesses, and visitors.

- Kiosk Map listed on City website
- Update Parks Master Plan (see Focus Area 1)
- Traffic Unit

FOCUS AREA 3

An economically sound and growing community which is evident in the diversity of businesses, partnerships, education, innovation, and the strong work ethic of its people.

- Multiple areas listed via Community Development Department (see attached report)
- Update Focus Area to: Expectations, Goals, and Accomplishments
Provide Goals and Accomplishment document to citizens at Celebrate Molalla
- New Library Facility
- Civic Education
- Industrial/Business Park

FOCUS AREA 4

A full-service hub of resources.

- Update Emergency Management Plan
- New Library Facility
- CONNECT (similar to Sandy & Estacada)

FOCUS AREA 5

A beautiful tranquil area where people are deeply connected to its natural features.

- Architectural standards
- Combining Art with new Police Facility
- Finalize Mural Code



CITY OF MOLALLA

117 N. Molalla Avenue
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Molalla, OR 97038

Staff Report

Agenda Category: General Business

Agenda Date: March 8, 2023

From: Christie Teets, City Recorder
Approved by: Dan Huff, City Manager

SUBJECT: Draft Ordinance – Public Camping

FISCAL IMPACT: Unknown

RECOMMENDATION/RECOMMEND MOTION: None. Staff is seeking direction.

BACKGROUND:

In April 2021, House Bill (HB) 3115 was approved by then Governor Kate Brown, relating to the regulation of public property with respect to persons experiencing homelessness; and declaring an emergency. HB 3115 goes into effect July 1, 2023.

The proposed code has been developed to help regulate City-owned property and rights-of-way to make them safer for everyone while also being consistent with federal court decisions and Oregon law.

City staff is working in partnership with City Attorney's office Beery, Elsner, & Hammond.



ORDINANCE NUMBER 2023-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MOLALLA, OREGON, REGULATING CAMPING ON PUBLIC PROPERTY AND PROHIBITING CAMPING IN CERTAIN AREAS; AND DECLARING AN EFFECTIVE DATE

WHEREAS, The City of Molalla desires to allow individuals and families that are temporarily experiencing the effects of homelessness to camp in relatively safe and sanitary locations while they are actively seeking access to stable and affordable housing; and,

WHEREAS, The City desires to establish codes related to camping in the City to allow for legal camping during reasonable time periods, while protecting sensitive areas of the City that are disproportionately impacted by the negative effects of such activity; and,

WHEREAS, The City desires to discourage camping in areas where such activities fundamentally undermine the public's ability to use that public property for its intended purpose and create unsafe and unsanitary living conditions, which can threaten the general health, welfare and safety of the City and its inhabitants; and,

WHEREAS, The City encourages the active participation of all concerned persons, organizations, businesses and public agencies to work in partnership with the City and the homeless community to address the short- and long-term impacts of homelessness in the community.

NOW, THEREFORE, THE CITY OF MOLALLA ORDAINS AS FOLLOWS:

Section 1. TITLE. This Ordinance shall be known as the Camping on Public Property Ordinance of the City of Molalla.

Section 2. PURPOSE. It is found and declared that:

- A. From time-to-time persons establish campsites on sidewalks, public rights-of-way, under bridges, and so forth;
- B. Such persons, by such actions create unsafe and unsanitary living conditions which pose a threat to the peace, health, and safety of themselves and the community;
- C. Camping, lying, or sleeping on a playground or sports field fundamentally undermines the public's ability to use that public property for its intended purpose;
- D. Camping, lying, or sleeping on rights of way, or in a manner that obstructs sidewalks prevents the public's ability to use that public property for its intended purpose and can in some situations result in imminent threats to life;

- E. These regulations are meant strictly to regulate the use of publicly owned property, and are not intended to regulate activities on private property; and
- F. The enactment of this provision is necessary to protect the peace, health, and safety of the City and its inhabitants.

Section 3. DEFINITIONS. As used in this Ordinance, the following terms and phrases shall have the meaning set forth herein:

"Camp" or Camping" means to pitch, erect, create, use, or occupy camp facilities for the purposes of habitation, as evidenced by the use of camp paraphernalia.

"Campsite" means any place where one or more persons have established temporary sleeping accommodations by use of camp facilities and/or camp paraphernalia.

"Camp Facilities" include, but are not limited to, tents, bivouacs, huts, other temporary or portable shelters, and vehicles or recreation vehicles as defined by ORS.

"Camp Paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks, or other sleeping matter, or non-city designated cooking facilities and similar equipment.

"Fire" includes, but is not limited to, open flames, recreational fires, burning of garbage, bonfires, or other fires, flames, or other sources of heat.

"Natural area" means any land designated as natural resource area or wetland as identified on the City of Molalla Zoning Map, including all riparian areas associated with Bear Creek, Creamery Creek, and Shorty's Pond.

"Parking Lot" means a developed location that is designated for parking motor vehicles, whether developed with asphalt, concrete, gravel, or other material.

"Public Property"" means any real property, land or structure owned, leased or managed by a public agency, including utility easements. A public agency includes, but is not limited to the City of Molalla, Clackamas County, and Oregon Department of Transportation.

"Public rights-of-way" means all City-owned or controlled rights-of-way, whether in fee title or as a hold of a public easement for right-of-way or public access purposes. Public rights-of-way include but are not limited to any public road, street, sidewalk, or private street or other property that is subject to a public access easement dedicated or grated to the City for vehicular, pedestrian, or other means, and any planter strip or landscape area located adjacent to or contained within streets that is part of the public right-of-way.

"Store" or "Storage" means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.

"Park Areas" means publicly owned grounds operated under the supervision of the City of Molalla whether within or outside of the corporate limits of the City of Molalla providing outdoor passive and active recreation opportunities.

Section 4. PROHIBITED CAMPING. This section's regulations are meant strictly to regulate the use of public property within the City of Molalla and are not intended to regulate activities on private property.

- A. When the Molalla Sheltering Facility is open, all camping on Public Property, including Park Areas, is prohibited.
- B. When the Molalla Sheltering Facility is at capacity, or if an individual has been denied access, and except as otherwise expressly authorized by the City of Molalla Municipal Code, it shall be unlawful for any persons to establish or occupy a campsite at any time on the following Public Property:
 1. Park Areas and Public Property within the Downtown District, including Sally Fox Park, as shown in Exhibit A;
 2. Identified Natural Areas; and
 3. On sidewalks in a manner reducing the clear, continuous sidewalk width of less than five feet.
- C. Fires are prohibited in all Park Areas and on Public Property.
- D. Except as expressly authorized by the City of Molalla Municipal Code, it shall be unlawful for any person to camp or maintain a campsite on any Public Property during the hours of 7:00 a.m. to 9:00 p.m.
- E. Except as expressly authorized by the City of Molalla Municipal Code, it shall be unlawful for any person to store personal property, including camp facilities and camp paraphernalia, on any Public Property during the hours of 7:00 a.m. to 9:00 p.m.
- F. Except as expressly authorized by the City of Molalla Municipal Code, it shall be unlawful to knowingly leave personal property unattended on Public Property during the hours of 7:00 a.m. to 9:00 p.m. Personal property left unattended may be removed and disposed by the City, in accordance with State law.
- G. Notwithstanding the provisions of this Chapter, the City Manager or designee may temporarily authorize camping or storage of personal property on public property by written order that specifies the period of time and location:
 1. In the event of emergency circumstances;
 2. In conjunction with a special event permit; or

3. Upon finding it to be in the public interest and consistent with City Council goals and policies.

Section 5. PENALTIES AND ENFORCEMENT.

- A. Violation of any provisions in this Ordinance is a Class D violation pursuant to ORS 153.019. Each day that a violation occurs will be considered a separate offense.
- B. In addition to any other penalties that may be imposed, any campsite used for overnight sleeping in a manner not authorized by this Ordinance or other provisions of this code shall constitute a public nuisance and may be abated in accordance with State law.

Section 6. SEVERABILITY. If any court of competent jurisdiction declares any Section of this Ordinance invalid, such decision shall be deemed to apply to that Section only and shall not affect the validity of the Ordinance as a whole or any part thereof other than the part declared invalid.

Section 7. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days after its adoption by the City Council of the City of Molalla, Clackamas County, Oregon and its approval by the Mayor; specifically, MONTH DAY YEAR.

Enrolled House Bill 3115

Sponsored by Representative KOTEK; Representatives DEXTER, MARSH, MCLAIN, POWER, REYNOLDS, WILDE, Senators DEMBROW, MANNING JR, RILEY

CHAPTER

AN ACT

Relating to the regulation of public property with respect to persons experiencing homelessness; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section:

(a) “City or county law” does not include policies developed pursuant to ORS 203.077 or 203.079.

(b)(A) “Keeping warm and dry” means using measures necessary for an individual to survive outdoors given the environmental conditions.

(B) “Keeping warm and dry” does not include using any measure that involves fire or flame.

(c) “Public property” has the meaning given that term in ORS 131.705.

(2) Any city or county law that regulates the acts of sitting, lying, sleeping or keeping warm and dry outdoors on public property that is open to the public must be objectively reasonable as to time, place and manner with regards to persons experiencing homelessness.

(3) It is an affirmative defense to a charge of violating a city or county law described in subsection (2) of this section that the law is not objectively reasonable.

(4) A person experiencing homelessness may bring suit for injunctive or declaratory relief to challenge the objective reasonableness of a city or county law described in subsection (2) of this section. The action must be brought in the circuit court of the county that enacted the law or of the county in which the city that enacted the law is located.

(5) For purposes of subsections (2) and (3) of this section, reasonableness shall be determined based on the totality of the circumstances, including, but not limited to, the impact of the law on persons experiencing homelessness.

(6) In any suit brought pursuant to subsection (4) of this section, the court, in its discretion, may award reasonable attorney fees to a prevailing plaintiff if the plaintiff:

(a) Was not seeking to vindicate an interest unique to the plaintiff; and

(b) At least 90 days before the action was filed, provided written notice to the governing body of the city or county that enacted the law being challenged of an intent to bring the action and the notice provided the governing body with actual notice of the basis upon which the plaintiff intends to challenge the law.

(7) Nothing in this section creates a private right of action for monetary damages for any person.

SECTION 2. Section 1 of this 2021 Act becomes operative on July 1, 2023.

SECTION 3. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.

Passed by House April 15, 2021

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate June 9, 2021

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

.....
Shemia Fagan, Secretary of State



CITY OF MOLALLA

117 N. Molalla Avenue
PO Box 248
Molalla, OR 97038

Staff Report

Agenda Category: General Business

Agenda Date: March 8, 2023

From: Christie Teets, City Recorder
Approved by: Dan Huff, City Manager

SUBJECT: Personnel Policy Handbook – Update and Correction

FISCAL IMPACT: None

RECOMMENDATION/RECOMMEND MOTION: Allow City staff to make necessary changes to the Personnel Policy Handbook

BACKGROUND:

HR Coordinator, Sharon Tramel, keeps in constant contact with CIS representatives regarding Personnel Policies. Recently, a discovery was made regarding the language of the Use of Sick Leave Time.

Attached are items that need to be changed or omitted per the advisement of CIS staff.

Upon separation of employment, employees who have completed six consecutive months of employment will be paid for unused vacation time that has been earned through the last day of work at the employee's wage rate at the time of separation. In the case of an employee death, the City will pay any unearned wages (including accrued vacation) in accordance with ORS 652.190.

Cash in Lieu of Vacation

Employees are encouraged to take vacations at least annually. Vacation is intended for rest and recreation away from work. The City of Molalla discourages "cashing in" vacation time but will consider such requests on a case-by case basis to accommodate unanticipated extenuating needs or circumstances such as personal emergency only. The City Manager may authorize cashing out accrued Discretionary Paid Leave under the following conditions:

1. Employees are eligible after five years of employment.
2. Employees shall have taken a minimum of two weeks of vacation during the year preceding the request.
3. The employee maintains at least 80 hours of Discretionary Paid Leave after the cash-in.
4. All requests will be considered and approved or denied by the City Manager once per year per employee based on this administrative criteria and availability of funds.

C. Sick Leave

City of Molalla provides eligible employees with paid sick leave in accordance with Oregon's Paid Sick Leave Law. This policy will be updated as necessary to reflect changes in and to ensure compliance with Oregon law.

Employees with questions about this policy may contact the Human Resource department. Please also refer to the Oregon Sick Leave Law poster that is posted on bulletin boards in all city buildings and is incorporated here for reference. <https://www.oregon.gov/boli/workers/Documents/sick-time-protected-by-law.pdf>

Sick leave is meant to be used or carried over; any unused sick leave will not be cashed out upon separation from employment. If an employee leaves employment and is rehired within 180, the employee's sick leave balance will be restored.

Eligibility and Accrual of Paid Sick Leave

Sick leave is accumulated at a rate of 8 hours per month for regular full-time employment. Employee is not eligible to use sick leave until after 6 (3) months of continuous employment. After 6 (3) months of service you will receive 48 (24) hours of sick accrual in your leave bank and 8 hours per month after that.

It is in your best interest not to be at work when you are ill or injured. It is your supervisor's or manager's responsibility to send you home if you are ill or injured, and you are expected to cooperate with the decision.

Routine doctor or dentist appointments must be charged to sick time. (Remove)

Sick time accumulated for full time employees will not exceed 1056 hours.

You are expected to notify your supervisor/manager at the beginning of each workday during illness or injury. Exceptions to this include a serious accidental injury, hospitalization, or when you know in advance that you will be absent for a certain period and have informed management ahead of time.

A medical release statement may be requested for review before you return to work in certain situations.

Sick leave is not accumulated while an employee is on a leave of absence.

Sick time accrued is applied towards PERS calculation upon termination for eligible employees. (Remove)

Accumulated sick leave time is not paid out if you leave employment of the City of Molalla.

Part Time Sick Accrual

Under Oregon's Paid Sick Leave Law and this policy, "employee" includes part-time employees. Sick leave runs concurrently with Oregon Family Medical Leave, federal Family and Medical Leave and other leave were allowed by law.

Employees begin to accrue paid sick leave on the first day of employment but may not use paid sick leave until the 180th(91st) day of employment. After the 180th (90th) day of employment, paid sick leave may be used as it is accrued.

Part time employees shall accrue at the rate of one hour for every 30 hours worked until the 40-hour yearly accrual cap is reached. Paid sick leave shall be taken in hourly increments except when approved by their supervisor.

Part Time Pay Rate and Carryover

Paid sick leave will be paid at the employee's regular rate of pay. Generally, sick leave pay will be included in the paycheck provided the employee submits adequate documentation verifying that the absence was for a qualifying reason as defined in the "Use of Sick Leave" section below.

Sick leave is meant to be used or carried over; any unused sick leave will not be cashed out upon separation from employment.

Part Time Employees may carry over up to a maximum of 40 hours of accrued and unused sick leave for use in a subsequent calendar year but may use only 40 hours of sick leave each calendar year. Sick leave accrual is capped at 80(40) hours.

Use of Sick Leave

Sick leave may be used each calendar year for any of the following reasons:

1. For the diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive medical care. This is available for the employee or his/her covered family member.
 - "Family member" means the eligible employee's spouse, same-gender domestic partner (as described in ORS 106.300 to 106.340),