



**AGENDA**

**MOLALLA CITY COUNCIL MEETING**  
**June 28, 2023**  
**7:00 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*

*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](mailto:recorder@cityofmolalla.com) by 12:00pm on the day of the meeting, or drop it off at City Hall, 117 N. Molalla Avenue.*

**1. CALL TO ORDER AND FLAG SALUTE**

**2. ROLL CALL**

**3. CONSENT AGENDA**

A. City Council Meeting Minutes – June 14, 2023.....Pg. 3

**4. PRESENTATIONS, PROCLAMATIONS, CEREMONIES**

A. OLCC License Request – 501 Main Center Market.....Pg. 24

**5. 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.)*

**6. PUBLIC HEARINGS**

A. Resolution No. 2023-12: Adopting the Budget, Making Appropriations, and Imposing and Categorizing Taxes for Fiscal Year 2023-2024 (Chauran).....Pg. 33

**7. ORDINANCES AND RESOLUTIONS**

A. Resolution No. 2023-12: Adopting the Budget, Making Appropriations, and Imposing and Categorizing Taxes for Fiscal Year 2023-2024 (Chauran).....Pg. 33

B. Resolution No. 2023-16: Authorizing the Intrafund Transfer of Appropriations within Fiscal Year 2022-2023 Budget (Chauran).....Pg. 38

C. Resolution No. 2023-17: Authorizing Appropriations for Expenditure of a Special Purpose Gift (Chauran).....Pg. 40

D. Resolution No. 2023-18: Calling a Measure Election for General Obligation Bonds (Huff).....Pg. 42

E. Ordinance No. 2023-04(A): Amending the Municipal Code by Adding a New Section 9.16.015 Regulating and Prohibiting Public Camping on Public Property (Huff).....Pg. 49

***\*\*This Ordinance is active and in effect. This is a title amendment ONLY.\*\****

F. Ordinance No. 2023-06: Repealing Muncipal Code Section 9.16.020 Unlawful Camping and Removing Letters A-C (Huff).....Pg. 55

**8. GENERAL BUSINESS**

A. Emergency Operation Plan Discussion (Corthell).....Pg. 58  
B. Wastewater Treatment Plant Update (Keyser/Huff)

**9. STAFF COMMUNICATION**

**10. COUNCIL COMMUNICATION**

**11. ADJOURN**

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*Agenda posted at City Hall, Library, and the City Website at <http://www.cityofmolalla.com/meetings>. This meeting location is wheelchair accessible. Disabled individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-829-6855.*



## Minutes of the Molalla City Council Meeting

Molalla Civic Center  
315 Kennel Ave., Molalla, OR 97038  
June 14, 2023

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### **CALL TO ORDER**

The Molalla City Council Meeting of June 14, 2023 was called to order by Mayor Scott Keyser at 7:00pm.

### **COUNCIL ATTENDANCE**

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

### **STAFF IN ATTENDANCE**

Dan Huff, City Manager; Christie Teets, City Recorder; Mac Corthell, Community Development Director; Cindy Chauran, Interim Finance Director.

### **APPROVAL OF AGENDA**

Approved as presented.

### **CONSENT AGENDA**

- A. Work Session Meeting Minutes – May 24, 2023
- B. City Council Meeting Minutes – May 24, 2023

*A motion was made by Councilor Robles to approve the Consent Agenda, seconded by Councilor Vermillion. Vote passed 7-0, with all Councilors voting Aye.*

### **PRESENTATIONS, PROCLAMATIONS, CEREMONIES**

None.

### **PUBLIC COMMENT**

Mayor Keyser asked City Recorder Teets for any public comment submissions, she stated that she had received two emails that would need to be read into the record. Mayor Keyser then made an announcement to the audience. He stated that if anyone was intending to request that Councilor Childress resign her position on Council due to her pending investigation, that he too has a pending investigation at this time.

**Char Penne, Molalla resident**, acknowledged Mayor Keyser's pending investigation, however requested that Councilor Childress resign her position as Councilor, as her investigation reflects poorly on the City.

### **PUBLIC HEARINGS**

None.

### **ORDINANCES AND RESOLUTIONS**

- A. Resolution No. 2023-10: Adopting a Master Fee Schedule and Repealing all Prior, Conflicting Fee Resolutions

Interim Finance Director Chauran presented the staff report to Council, explaining the need to update the Master Fee Schedule. She explained that this is something that the City should do annually, and as there was a large update last year, there are only a few changes to this years Schedule.

*A motion was made by Councilor Childress to adopt Resolution No. 2023-10 by title only, seconded by Councilor Botsford. Vote passed 7-0, with all Councilors voting Aye.*

B. Resolution No. 2023-15: Amending the Financial Policy for Expenditures and Adding a Capitalization Policy

Interim Finance Director Chauran presented the staff report to Council, stating the reasons for Resolution No. 2023-15. The current auditor raised an issue regarding the lack of a Capitalization Policy. In addition, the City's Expenditure Policy is out of date. During Covid, vendors began to use emailed or electronic invoices exclusively. That policy has not changed. In addition, the City has implemented electronic signatures on checks. This Resolution adopts these items.

***A motion was made by Council President Newland to adopt Resolution No. 2023-15 by title only, seconded by Councilor Vermillion. Vote passed 7-0 with all Councilors voting Aye.***

C. Ordinance No. 2023-04: Regulating and Prohibiting Public Camping on Public Property

In order to begin discussion, Mayor Keyser asked for a motion on the Ordinance.

***A motion was made by Councilor Vermillion to hold the First Reading of Ordinance No. 2023-04 by title only, seconded by Councilor President Newland. Discussion followed.***

City Recorder Teets thanked Council for the work they had provided in this Ordinance. Council and Staff have spent a lot of time working on this Ordinance, and she appreciates their efforts. She also brought a few adjustments that Councilor Childress had brought to her attention. Council discussed it as a group.

Councilor Childress questioned Section 4, letter A-2, regarding sidewalks. Her question was does the language leave it open for someone to camp/sleep as long as they leave more than five feet available to be used as a sidewalk? She suggested that it should be worded so there was no camping or sleeping on the sidewalk at all. Councilors agreed that there should be no sleeping or camping on public sidewalks. Councilor Robles noted that Section 2, both letters A and D refer to sidewalks, and to add the word "public" in the front of each. City Recorder Teets agreed to do so.

The final edit was suggested in Section 4, Letter C, number 4, regarding the City not being liable for lost or stolen property. Councilor Childress' suggestion was for the language to read "The City of Molalla is not responsible for theft, damage, etc. to any personal property left unattended on public property. Council agreed by consensus and City Recorder Teets updated the change.

***A motion was restated by Councilor Vermillion to hold the First Reading of Ordinance No. 2023-04 by title only with amendments as discussed, seconded by Councilor President Newland. Vote passed 7-0, with Councilor Vermillion, Councilor Shankle, Councilor Childress, Council President Newland, Councilor Robles, Councilor Botsford and Mayor Keyser all voting Aye.***

***A motion was made by Council President Newland to hold the Second Reading and Adoption of Ordinance No. 2023-04 by title only, seconded by Councilor Robles. Vote passed 7-0, with Councilor Vermillion, Councilor Shankle, Councilor Childress, Council President Newland, Councilor Robles, Councilor Botsford and Mayor Keyser all voting Aye.***

D. Resolution No. 2023-11: Regulating and Permitting Public Camping on Public Property

City Manager Huff presented the staff report to Council, explaining that in the Ordinance just adopted, a time, place, and manner are necessary. The Ordinance adopts the time and manner, the proposed Resolution would adopt the place.

***A motion was made by Councilor Vermillion to adopt Resolution No. 2023-11 by title only, seconded by Councilor Shankle. Vote passed 7-0, with all Councilors voting Aye.***

**GENERAL BUSINESS**

A. Molalla HOPE, Inc. Lease Termination Update

City Manager Huff shared an update with Council regarding his recent meeting with the Board members of Molalla HOPE, Inc. An amicable discussion was had and it was determined by both parties that the warming shelter will no longer operate at 209 Kennel Avenue. He informed Council that Molalla HOPE requested a 90-day exit, in an effort to find another space available. Mayor Keyser explained to Council that a few options had been discussed by he, Council President Newland and City Manager

Huff. Options being the official 30-day termination according to the lease, a 45-day option presented by Council President Newland, and the 90-day option requested by Molalla HOPE. Mayor Keyser stated that he would entertain any motion presented.

Councilor Childress addressed Mayor Keyser, stating that as an employee of Molalla HOPE, she would like to recuse herself from voting on the termination of the lease. Mayor Keyser thanked her and moved on.

***A motion was made by Council President Newland to terminate the lease between the City of Molalla and Molalla HOPE, seconded by Councilor Botsford. Vote passed 6-0-1. Councilors voting Aye: Councilor Vermillion, Councilor Shankle, Council President Newland, Councilor Robles, and Councilor Botsford. Voting Nay: None. Abstain: Councilor Childress***

B. Molalla Municipal Code, Chapter 1.02 Council Rules, Section 1.02.080 Order and Decorum

Councilor Botsford reminded fellow Councilmembers of Council rules on Order and Decorum, specifically to not publicly criticize or attack each other. She feels that the rules are important and should be followed.

**STAFF COMMUNICATION**

- Community Development Director Corthell shared dates for the closure of Hwy 213 for roundabout work that is taking place. He also thanked Knife River Corporation, Molalla Communications, and Sport Court for the contributions they have made towards the pickleball court project.
- Senior Accountant Chauran shared that the auditors were here recently and the visit went well. Resolutions passed this evening were a product of their visit. She also shared that the Budget would be presented to Council for adoption at the June 28<sup>th</sup> meeting.
- City Recorder Teets thanked Council again for their hard work on the Public Camping Ordinance. She shared that at the next meeting, staff would be presenting a Resolution to take the Police Department Bond to the voters.
- City Manager Huff shared a powerpoint presentation that Support Services Supervisor, Nicole Ricker, introduced at a tour of the Police Facility previously in the day. He encouraged Councilors to take a tour of the facility. He provided Council with a copy of the presentation, so they would have accurate information to share.

**COUNCIL COMMUNICATION**

- Councilor Vermillion announced meeting dates for the MRSD Board and Summer School. He expressed his thanks to Andy Peters and feels that our City is losing a great employee. He thanked staff for continued hard work and for citizen involvement.
- Councilor Botsford shared information on the recent Chamber of Commerce meeting. Speed Networking was the theme and it was a great turnout. She also announced that the Giant Parade could use more volunteers for the morning of the Parade.
- Councilor Robles congratulated the Class of 2023 and wished them all well. She also thanked Andy Peters for his contributions to the City. Councilor Robles asked citizens to continue to be involved and thanked them for input on the public camping ordinance.
- Council Shankle announced that the Beautification & Culture Committee is seeking grants for new projects. One project is to earn a grant for lights to wrap the tree trunks on Main Street and Molalla Avenue. She also extended an invitation for new members to join the committee. An announcement was also made regarding Celebrate Molalla and the new location being Clark Park, from 11am-7pm on Saturday, August 26<sup>th</sup>.
- Councilor Childress shared her experience on touring the Police Department and let citizens know that the tour is approximately one hour. It has very detailed information regarding the needs of the department and the reason for the new facility. She commended Nicole Ricker, Police Support Service Specialist on the information provided in the tour. Councilor Childress recently met with a group from the Ant Farm, and shared the many programs that Molalla HOPE will be working on with them.
- Council President Newland announced an upcoming Garage Sale Yo-Yo. All proceeds will go to the Parks Fund. She announced the next Parks CPC date and encouraged folks to get involved.
- Mayor Keyser announced that school is almost out and to watch out for kids on the streets. He also thanked citizens for their participation in the camping ordinance and reminded folks that there could be changes necessary down the road. Mayor Keyser shared his appreciation of Andy Peters, and all of the work that he has done for the City, specific to the Wastewater Treatment Plant.

For the complete video account of the City Council Meeting, please go to YouTube  
“Molalla City Council Meetings – June 14, 2023”

**ADJOURN**

Mayor Keyser adjourned the meeting at 8:26pm.

\_\_\_\_\_  
Scott Keyser, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Christie Teets, City Recorder

DRAFT

**From:** [Carol Maloy](#)  
**To:** [City Recorder](#)  
**Subject:** Public Comment .. Lease at 209 Kennel Avenue  
**Date:** Wednesday, June 14, 2023 11:36:30 AM

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Hello City of Molalla Recorder ..

Asking that this public comment be added to record on above subject. It is our understanding this item will be discussed at City Council meeting tonight, June 14th and we will not be able to attend. If anything additional is needed, please advise.

Comments to City Council concerning continuation of Lease of building at 209 Kennel Avenue.

We are owners of commercial building at 203 Kennel Avenue. Our business, Molalla Machine Shop, Inc., has been operating at this location for thirty plus years, prior to the building of the PAL or DARE building next door. We were given no notice by City of Molalla when the building at 209 Kennel Avenue was leased to a non-profit entity for a period of 10 years.

For the past several years the building has been used for “warming shelter” on nights when the temperatures were low. In the past year or more, we have seen additional activity, and more use. The addition of outdoor showers happened last year (2022), and that brought in more individuals, and we started to notice vans and other forms of transportation which appeared to bring in persons from outside the Molalla community to use the showers. There have also been pot-a-potties located in front of the building, and during warm months the odor could be a bit strong.

There seems to be a steady rise of use, and uses happening at 209 Kennel Avenue. IF the original concept was to lease the building as a Warming Shelter on cold nights to keep people warm, that concept or agreement for what was to occur has been expanded or gone significantly outside the boundaries. Having the building on lease seems to have opened it’s use for “anything or everything” that could be imagined, whether or not the location (next to Molalla Skate Park, and near Long Park) is a good place for all these additional proposed uses. The lease also seems to have allowed for inviting in more users from outside the local area.

We have found trash, food containers, clothing left on our property. We understand, and have seen photos of drug paraphernalia left on residential properties across the street. We have called non-emergency when in the mornings we have had persons lying on the ground near our doors, and have felt unsafe in approaching a person whose mental state we may not be prepared to deal with. The families living across Kennel Avenue are seeing, hearing, and dealing with persons who are in mental health crisis mode, and/or drug hallucinations, withdrawal issues. This is NOT SAFE, and puts local citizens in an unsafe position over and over.

Summary .. We feel the City of Molalla should discontinue the long term lease of the building at 209 Kennel Avenue for use as a social service center.

Thank you for your consideration. Emailed to City Recorder on June 14, 2023 —  
approximately 11:35 AM

N. Scott & Carl Maloy

Carol Maloy  
[maloycarol@gmail.com](mailto:maloycarol@gmail.com)



**From:** [Brian Maloy](#)  
**To:** [City Recorder](#)  
**Subject:** Lease of 209 Kennel  
**Date:** Wednesday, June 14, 2023 12:12:58 PM

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ATTN: City Council of Molalla,

I appreciate the opportunity to be heard on the matter of the lease at 209 Kennel Ave for the Hope entity. I am in favor of NOT renewing the lease for several reasons. I was contacted by a concerned citizen in the neighborhood. I work at Molalla Machine Shop at 203 Kennel Ave, Molalla, OR 97038. I have had to clean up messes, deal with homeless people both camping alongside and entering the shop property, among other things. Distractions are regular, locking cars and doors is now routine. Helping local community members is one thing, but it is my understanding and observation that individuals and parties of individuals coming to Molalla either by cart, someone dropping them off, or the free bus service out of Canby or Oregon City are bringing problems to our local community.

The list goes on, and I believe it is wise to not encourage an exodus from surrounding communities' problems to our own. Do not renew the lease for an entity that is facilitating that very function.

Brian Maloy

# A new police facility? Why?

MOLALLA POLICE DEPARTMENT

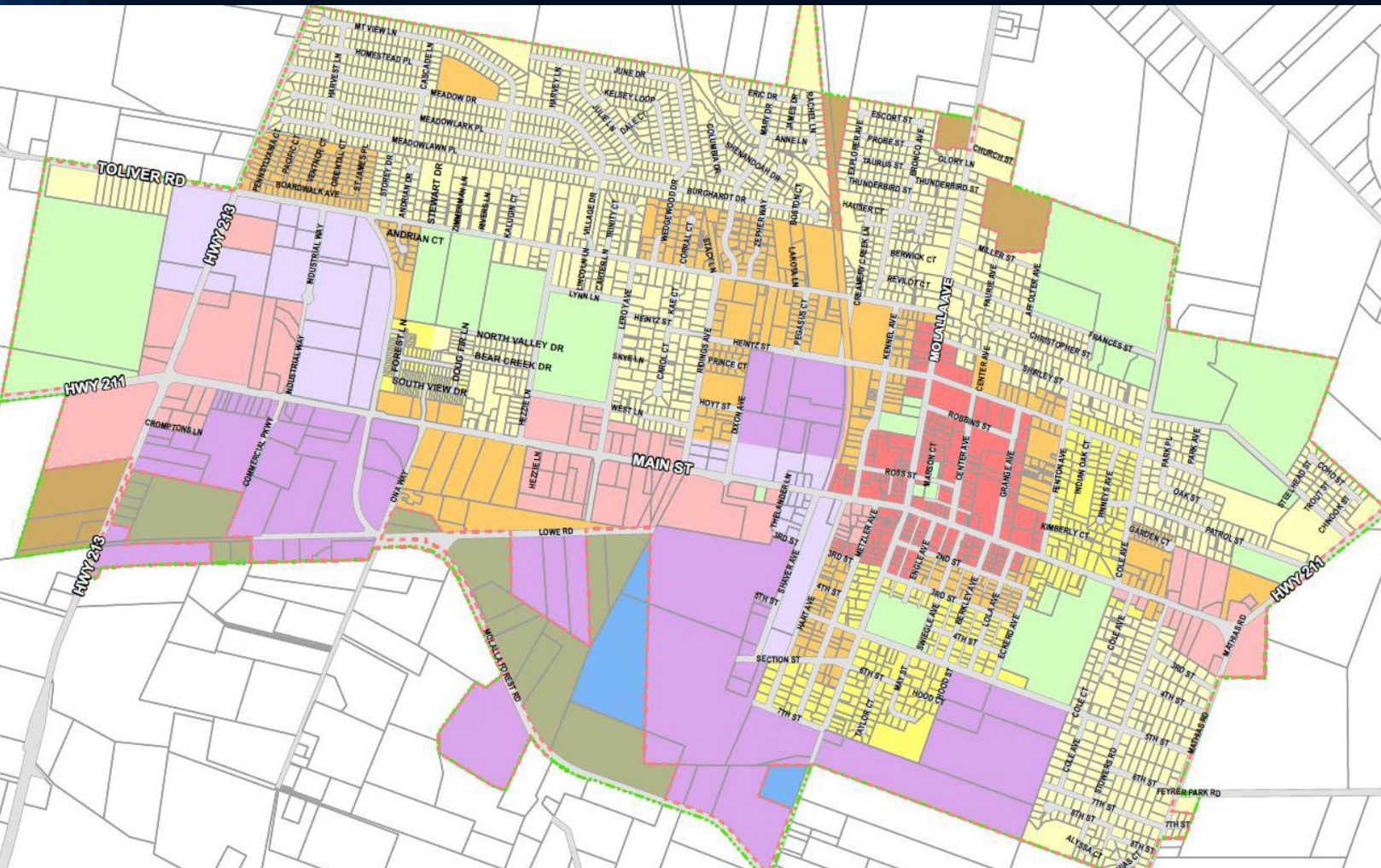
In 1980

- Molalla Police Department moved into half of the City Hall building
- At that time the population was 2,992 people.



# Now 2023

- Still in half of the City Hall building
- Temporary offices upstairs, shared conference room
- Population of 10,298 people (data from July 1<sup>st</sup> 2022)
- Our police staffing is four times the size as it was in 1980



# FACTS

- Our current department is 2,385 square feet
- Housing for a family of six is 2,367 square feet
- Our department currently staffs 21 officers and office staff
- Restroom is shared between staff and the arrested/detained custodies
- City Hall is at maximum capacity of their offices.

# Why does the community need a new police facility?

- Multiple person lobby
- Lobby separation
- ADA compliance and comfort
- Victim safe rooms
- Public restroom
- Community room
- City Hall at maximum capacity

# Why do officers need a new police facility?

- Inefficient building
- Growth and expansion of current and future staffing
- Secure parking
- Adequate workspace and storage
- On site evidence storage
- Secure facility
- Proper training area and ability to host trainings
- Community events and engagement

With community support, our future:





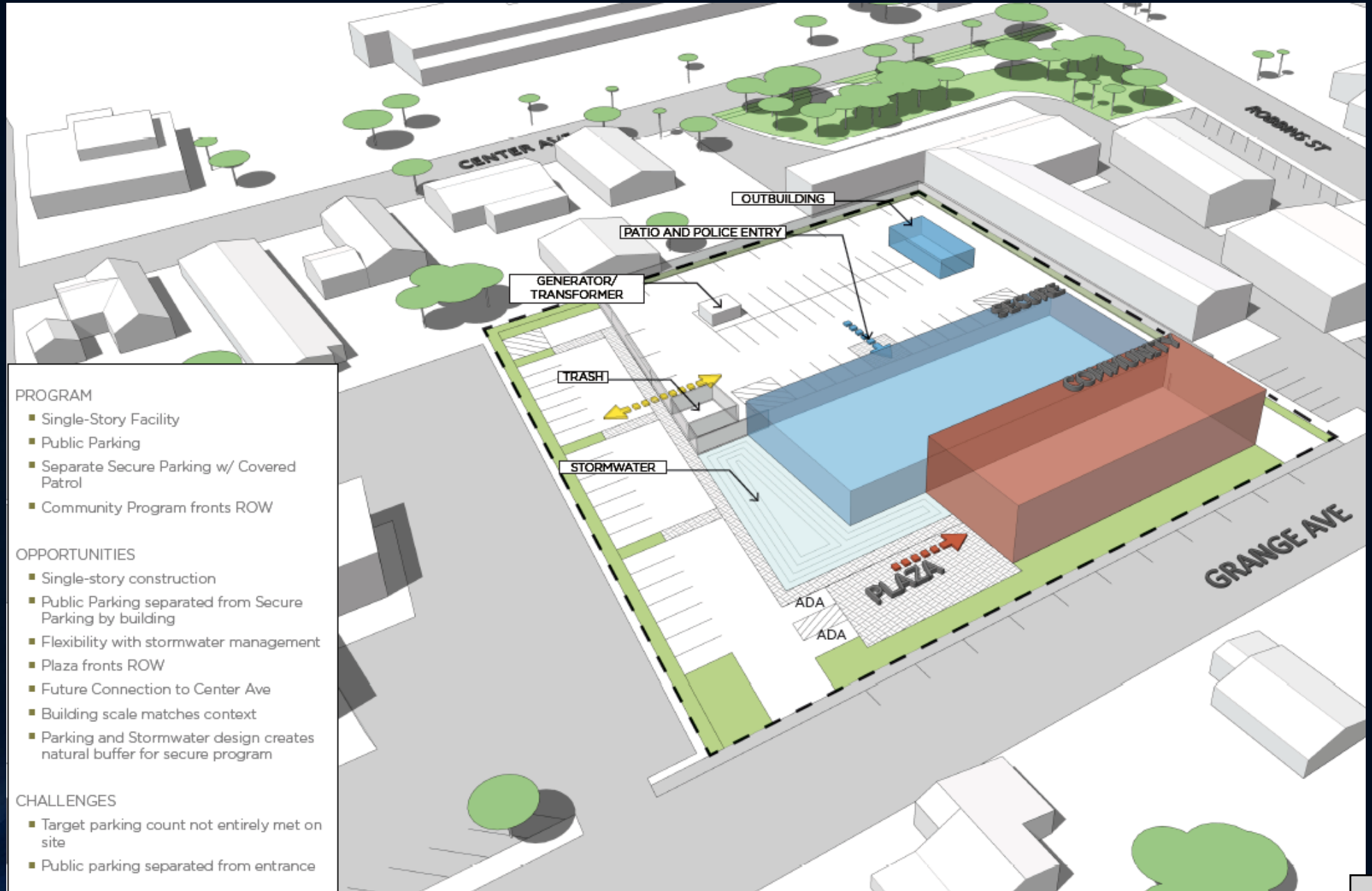
# Multiple person lobby, 911 Vestibule







# The lot:



# What is the cost?

- November ballot
- \$22 million for building, \$6 million paid for with Urban Growth Renewal
- Bond cost of \$16 million in a 26 year bond.
- Bond funding for the project only goes to the project, once it is paid no continuing tax

## What will it cost me?

- 97 cents per thousand.
- This is based off the assessed value of your property.
- Assessed value is the lowest value of your property found on taxes.
- Market value is what your home would be sold at.
- The average Molalla home is assessed at \$200,000 making the cost of the bond \$16.17 per month for that household.
- That is \$194.04 per year.

# How can we be supported?

- Tell your friends, neighbors, coworkers
- Ask us questions throughout this process
- Encourage others to come for tours
- Come for a ride along
- Look for us on the November ballot

# Questions & Answers

Thank you for touring, listening, learning and engaging with us.  
Without community support we wouldn't have the things we do today.



## CITY OF MOLALLA

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

### Staff Report

### Agenda Category: Presentations

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**Agenda Date:** June 28, 2023

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

**SUBJECT:** OLCC License Request

**FISCAL IMPACT:** N/A

**RECOMMENDATION/RECOMMEND MOTION:**

**BACKGROUND:**

In March 2023 Council approved an OLCC License for 501 Main Street, dba Center Market.

The business has been sold to another individual, therefore a Change of Ownership request is required.

This application has been reviewed and approved by Police Chief Long.



# LIQUOR LICENSE APPLICATION

Page 1 of 4

Check the appropriate license request option:

- New Outlet |  Change of Ownership |  Greater 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

## LOCAL GOVERNMENT USE ONLY

LOCAL GOVERNMENT:

**After providing your recommendation, return this application to the applicant WITH the recommendation marked below**

City/County name:

(Please specify city or county)

Date application received:

Optional: Date Stamp Received Below

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

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

**Center Market #36**

Trade Name

# LIQUOR LICENSE APPLICATION

Page 2 of 4

APPLICANT INFORMATION	
<p><b>Identify</b> 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.</p>	
Name of entity or individual applicant #1: <b>501 Main, Inc.</b>	Name of entity or individual applicant #2:
Name of entity or individual applicant #3:	Name of entity or individual applicant #4:

BUSINESS INFORMATION		
<p><b>Trade Name</b> of the Business (name customers will see): <b>Center Market #36</b></p>		
<p><b>Premises street address</b> (The physical location of the business and where the liquor license will be posted): <b>501 E Main Street</b></p>		
City: <b>Molalla</b>	Zip Code: <b>97038</b>	County: <b>Clackamas</b>
Business phone number: <b>503-559-6472</b>	Business email: <b>centermarket36@gmail.com</b>	
<p><b>Business mailing address</b> (where we will send any items by mail as described in <a href="#">OAR 845-004-0065[11]</a>): <b>1420 17th St. NE</b></p>		
City: <b>Salem</b>	State: <b>OR</b>	Zip Code: <b>97301</b>
Does the business address currently have an OLCC liquor license? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

<p><b>AUTHORIZED REPRESENTATIVE</b> – 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.</p> <p><b>I give permission for the below named representative to:</b></p> <p><input checked="" type="checkbox"/> Make changes regarding this license/application on my behalf.</p> <p><input checked="" type="checkbox"/> Sign application forms regarding this license/application on my behalf.</p> <p><input checked="" type="checkbox"/> Receive information about the status of this application, including information about pending compliance action or communications between OLCC and the licensee/applicant.</p>		
<p><b>Representative Name:</b> <b>Matthew A. Sturzen</b></p>		
Phone number: <b>503-364-2281</b>	Email: <b>matt@shermlaw.com</b>	
<p>Mailing address: <b>693 Chemeketa Street NE</b></p>		
City: <b>Salem</b>	State: <b>OR</b>	Zip Code: <b>97301</b>

Please note: liquor license applications are public records.

OLCC Liquor License Application (Rev. 6.1.23)

# 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:**

Matthew Sturzen

Phone number:

503-364-2281

Email:

matt@shermlaw.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

## Center Market #36

Page 4 of 4

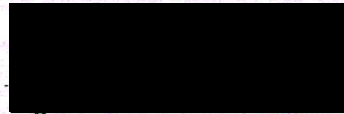
• Each applicant listed in the “Application Information” section of this form has read and understands OAR 845-006-0362 and attests that:

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.

Matthew A Sturzen

Print name



06/14/23

Date



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 & CANNABIS COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: 501 Main, Inc. Phone: 503-559-6472

Trade Name (dba): Center Market #36

Business Location Address: 501 E Main Street

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.

\_\_\_\_\_  
(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"/> Nude Dancing | <input type="checkbox"/> Social Gaming          |
| <input type="checkbox"/> Live Entertainment                            | <input type="checkbox"/> Pool Tables            |
| <input type="checkbox"/> Minor Entertainers                            | <input type="checkbox"/> Other: _____           |

\*Minor Entertainers in an area prohibited to minors need prior approval from the OLCC

## 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: \_\_\_\_\_  
Banquet: \_\_\_\_\_ Other (explain): \_\_\_\_\_ 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: 6-13-2025

[www.oregon.gov/olcc](http://www.oregon.gov/olcc)



OREGON LIQUOR & CANNABIS COMMISSION  
**INDIVIDUAL HISTORY FORM**

PRINT FORM

RESET FORM

1. Name (Print):	Kaur  Last	Sharmen  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><b>SOCIAL SECURITY NUMBER DISCLOSURE:</b> 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) &amp; 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]  (mm)	[REDACTED]  (dd)	[REDACTED]  (yyyy)	
6. Driver License or State ID #: [REDACTED]			7. State OR	
8. Contact Phone: 503-559-6472				
9. E-mail Address: centermarket36@gmail.com				
10. Mailing Address:	553 Golden Eagle Street NW  (Number and Street)	Salem  (City)	OR  (State)	97038  (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.				



OREGON LIQUOR & CANNABIS 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:

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):	Kaur	Last	Sharmen	First	Middle
Signature:	[Redacted Signature]				Date: 6-13-2023

**This box for OLCC use ONLY**

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



Oregon Liquor & Cannabis Commission  
**CORPORATE QUESTIONNAIRE**

**PRINT FORM**

**RESET FORM**

Corporation or Foreign Corporation Name 501 Main, Inc.

Trade Name of Business (Name Customers Will See) Center Market #36

**LIST OFFICERS** (Please follow directions on page 1. You may include information on a separate sheet.)

Title	Name (please print)
President (if required)	Sharmen Kaur
Secretary (if required)	Sharmen Kaur
Treasurer (list only if have one)	Sharmen Kaur
Vice president with responsibility over the operation of the business (list only if have one)	Sharmen Kaur

**LIST BOARD OF DIRECTORS** (Please follow directions on page 1. You may include information on a separate sheet.)

Name (please print)	Name (please print)
Sharmen Kaur	

**LIST SHAREHOLDERS** (Please follow directions on page 1. You may include information on a separate sheet.)

Name (please print)	Percentage of issued shares held
Sharmen Kaur	100%

**SERVER EDUCATION DESIGNEE** (Please follow directions on page 1)

Name (please print)	Date of Birth

**OFFICER'S SIGNATURE** (Please follow directions on page 1)

NAME of Signing Officer (please type or print) Sharmen Kaur



DATE 6-13-2023

SIGNATURE of signing officer (may electronically sign)

**This box OLCC use ONLY**

Does the entity hold, or has it ever held, an OLCC-issued liquor license? \_\_\_\_\_





## CITY OF MOLALLA

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

### Staff Report

### Agenda Category: Ordinances and Resolutions

---

**Agenda Date:** June 28, 2023

**From:** Cindy Chauran, Interim Finance Director  
**Approved by:** Dan Huff, City Manager

**SUBJECT:** Resolution No. 2023-12: Adopting the City of Molalla Budget, Making Appropriations, and Imposing and Categorizing Taxes for the 2023-2024 Fiscal Year

**FISCAL IMPACT:** \$81,752,098

**RECOMMENDATION/RECOMMEND MOTION:** Adopt Resolution No. 2023-12

#### BACKGROUND:

1. The Molalla Budget Committee reviewed and acted on the proposed City Budget on May 22, 2023, and has approved and recommended a balanced budget to the City Council for adoption.
2. Under Oregon budget law, the City Council may approve changes to the budget estimates if changes do not exceed an increase of 10% (or \$5,000 - whichever is greater) in any fund.

The Budget Officer is recommending a \$5000 increase to the City Council Special Projects line in the General Fund. With this change, the appropriations are increased by \$5,000 and reserves are reduced by \$5,000, but the overall budget does not change. Resolution No. 2023-12 incorporates this change.

3. The recommended budget is \$81,752,098, of which \$10,935,099 is reserved.



**A RESOLUTION OF THE CITY OF MOLALLA, OREGON  
ADOPTING THE BUDGET, MAKING APPROPRIATIONS, AND IMPOSING  
AND CATEGORIZING TAXES FOR FISCAL YEAR 2023-2024**

WHEREAS, the Molalla Budget Committee approved and recommended a balanced budget for Fiscal Year 2023-2024 to the City Council on May 22, 2023; and

WHEREAS, a public hearing for the 2023-2024 City Budget as approved by the Budget Committee was duly advertised and held on June 28, 2023; and

NOW, THEREFORE, THE CITY OF MOLALLA RESOLVES and hereby adopts the budget for Fiscal Year 2023-2024 in the total amount of \$81,752,098. This budget is now on file at 117 N. Molalla Avenue, Molalla, Oregon and at the City’s website [www.cityofmolalla.com](http://www.cityofmolalla.com).

THE CITY OF MOLALLA FURTHER RESOLVES as follows:

**Section 1.** THAT the amounts for the purpose of operating the City of Molalla for the fiscal year 2023-2024 budget be appropriated as follows, beginning July 1, 2023.

**GENERAL FUND**

Administration	\$ 1,358,478
Police	3,819,170
Municipal Court	232,985
City Council	69,810
Parks	195,669
Planning	324,719
Not Allocated:	
Contingency	1,500,000
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 7,500,831</b>
Reserve	878,250
<b>TOTAL</b>	<b>\$ 8,379,081</b>

**LIBRARY FUND**

Library	\$ 3,718,087
Contingency	400,000

<b>TOTAL APPROPRIATIONS</b>	<b>\$ 4,118,087</b>
Reserve	212,341
<b>TOTAL</b>	<b>\$ 4,330,428</b>

**STREET FUND**

Streets	\$ 1,067,926
Transfers	348,300
Contingency	500,000
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 1,916,226</b>
Reserve	1,007,027
<b>TOTAL</b>	<b>\$ 2,923,253</b>

**PD RESTRICTED REVENUE FUND**

PD Restricted	\$ 7,465
Transfers	50,000
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 57,465</b>

**SEWER FUND**

Sewer	\$ 2,977,786
Transfers	22,137,022
Contingency	800,000
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 25,914,808</b>
Reserve	1,597,431
<b>TOTAL</b>	<b>\$ 27,512,239</b>

**WATER FUND**

Water	\$ 1,457,608
Transfers	1,176,725
Contingency	500,000
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 3,134,333</b>
Reserve	2,056,876
<b>TOTAL</b>	<b>\$ 5,191,209</b>

**STORM WATER FUND**

Storm Water	\$ 323,867
Transfers	26,400
Contingency	100,000

TOTAL APPROPRIATIONS	\$	450,267
Reserve		287,004
<b>TOTAL</b>	<b>\$</b>	<b>737,271</b>

**SEWER DEBT RETIREMENT FUND**

Debt Service	\$	442,482
<b>TOTAL APPROPRIATIONS</b>	<b>\$</b>	<b>442,482</b>
Reserve		215,838
<b>TOTAL</b>	<b>\$</b>	<b>658,320</b>

**STREET SDC FUND**

Transfers	\$	850,000
<b>TOTAL APPROPRIATIONS</b>	<b>\$</b>	<b>850,000</b>
Reserve		1,427,981
<b>TOTAL</b>	<b>\$</b>	<b>2,277,981</b>

**PARK SDC FUND**

Transfers	\$	75,000
<b>TOTAL APPROPRIATIONS</b>	<b>\$</b>	<b>75,000</b>
Reserve		1,482,174
<b>TOTAL</b>	<b>\$</b>	<b>1,557,174</b>

**SEWER SDC FUND**

Sewer	\$	50,000
<b>TOTAL APPROPRIATIONS</b>	<b>\$</b>	<b>50,000</b>
Reserve		1,298,482
<b>TOTAL</b>	<b>\$</b>	<b>1,348,482</b>

**WATER SDC FUND**

Transfers	\$	100,000
<b>TOTAL APPROPRIATIONS</b>	<b>\$</b>	<b>100,000</b>
Reserve		239,374
<b>TOTAL</b>	<b>\$</b>	<b>339,374</b>

**STORM WATER SDC FUND**

Transfer	\$	60,763
<b>TOTAL APPROPRIATIONS</b>	<b>\$</b>	<b>60,763</b>

Reserve	175,056
<b>TOTAL</b>	<b>\$ 235,819</b>

**CAPITAL PROJECTS FUND**

Capital Projects	\$ 25,487,509
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 25,487,509</b>
Reserve	57,232
<b>TOTAL</b>	<b>\$ 25,544,741</b>

**FLEET REPLACEMENT FUND**

Fleet Replacement	\$ 659,261
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 659,261</b>

<b>TOTAL APPROPRIATIONS, ALL FUNDS</b>	<b>\$ 70,817,032</b>
<b>TOTAL RESERVE, ALL FUNDS</b>	<b>10,935,066</b>
<b>TOTAL FY 2023-2024 ADOPTED BUDGET</b>	<b>\$ 81,752,098</b>

**Section 2.** THAT the ad valorem property taxes are hereby imposed upon the assessed value of all taxable property within the district for the tax year 2023-2024 at the rate of \$5.3058 per \$1,000 of assessed value for the permanent tax rate.

**Section 3.** THAT the taxes imposed are hereby categorized for purposes of Article XI section 11b as: Subject to General Government Limitation  
Permanent Rate \$5.3058 / \$1,000.00

**Section 4.** This resolution is adopted immediately upon passage by the Council and signature by the Mayor and becomes effective July 1, 2023.

Signed this 28<sup>th</sup> day of June, 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: Ordinances & Resolutions

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**Agenda Date:** June 28, 2023

**From:** Cindy Chauran, Interim Finance Director  
Approved by: Dan Huff, City Manager

**SUBJECT:** Resolution No. 2023-16: Authorizing the Intrafund Transfer of Appropriations Within the City of Molalla 2022-2023 Budget.

**FISCAL IMPACT:** N/A

**BACKGROUND:**

ARPA grant funds were received in the General Fund. Part of the funds were budgeted to be spent by the General Fund and part to be transferred to the Capital Projects Fund for expenditure. As things have evolved throughout the fiscal year, there is a need to rebalance the amount split between funds. This change has no net effect on appropriations, but a resolution is required by Oregon budget law.

**RECOMMENDATION/RECOMMEND MOTION:** Adopt Resolution No. 2023-16



**RESOLUTION NO. 2023-16**

**A RESOLUTION OF THE CITY OF MOLALLA, OREGON  
AUTHORIZING THE INTRAFUND TRANSFER OF APPROPRIATIONS  
WITHIN THE CITY OF MOLALLA 2022-2023 BUDGET**

**WHEREAS**, on June 22, 2022 the City of Molalla budget for Fiscal Year 2022-2023 was adopted and funds were appropriated by the Molalla City Council; and  
**WHEREAS**, this resolution is prepared pursuant to ORS 294.463; and  
**WHEREAS**, the purpose is to increase appropriations in Administration by reducing appropriations in General Fund transfers; and  
**WHEREAS**, the expenditure of American Rescue Plan Act (ARPA) funds requires less than planned in the Capital Fund and more in the General Fund;

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

**Section 1.** That the 2022-2023 Budget appropriations be revised as follows:

<b>General Fund</b>	<b>Current Appropriations</b>	<b>Change</b>	<b>Adjusted Appropriations</b>
Administration	\$ 1,748,880	\$ 250,000	\$ 1,998,880
Transfers	2,030,297	(250,000)	1,780,297
<b>Total</b>	<b>\$ 3,779,177</b>	<b>\$ -</b>	<b>\$ 3,779,177</b>

**Section 4.** This resolution is effective immediately upon passage by the Council and signature by the Mayor.

Signed this 28<sup>th</sup> day of June, 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: Ordinances & Resolutions

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**Agenda Date:** June 28, 2023

**From:** Cindy Chauran, Interim Finance Director  
Approved by: Dan Huff, City Manager

**SUBJECT:** Resolution No. 2023-17: Authorizing Appropriations for Expenditure of a Special Purpose Gift

**FISCAL IMPACT:** \$100,000

**BACKGROUND:**

Molalla Communications graciously donated \$100,000 to allow completion of the Pickleball Court at Long Park. Oregon budget law requires a resolution to expend this gift.

**RECOMMENDATION/RECOMMEND MOTION:** Adopt Resolution No. 2023-17





**RESOLUTION NO. 2023-17**

**A RESOLUTION OF THE CITY OF MOLALLA, OREGON  
AUTHORIZING APPROPRIATIONS FOR EXPENDITURE OF  
SPECIAL PURPOSE GIFT**

**WHEREAS**, on June 22, 2022, the City of Molalla budget for Fiscal Year 2022-2023 was adopted and funds were appropriated by the Molalla City Council; and

**WHEREAS**, this resolution is prepared pursuant to ORS 294.338(2); and

**WHEREAS**, a gift in the amount of \$100,000 was received from the Molalla Communications Educational Foundation for the purpose of building a Pickleball Court in the City of Molalla.

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

**Section 1.** That the 2022-2023 Budget appropriations be revised as follows:

<u>Capital Projects Fund</u>	<u>Current Appropriations</u>	<u>Change</u>	<u>Adjusted Appropriations</u>
Capital Projects	\$ 14,453,454	\$ 100,000	\$ 14,553,454
	<u>\$ 14,453,454</u>	<u>\$ 100,000</u>	<u>\$ 14,553,454</u>

**Section 2.** This resolution is effective immediately upon passage by the Council and signature by the Mayor.

Signed this 28<sup>th</sup> day of June, 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: Ordinances & Resolutions

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**Agenda Date:** June 28, 2023

**From:** Dan Huff, City Manager  
**Approved by:** Dan Huff, City Manager

**SUBJECT:** Resolution No. 2023-18: Resolution Calling a Measure Election for General Obligation Bonds (Police Facility/Station Bond Authorization)

**FISCAL IMPACT:** \$16,000,000

#### **BACKGROUND:**

Included with this Staff Report are three items related to the Police Station Bond tentatively scheduled for a local General Election in November 2023:

**Resolution No. 2023-18** – This resolution authorizes the submittal of a measure election for the purpose of submitting to the electors of the City of Molalla the question of issuing up to \$16,000,000 in principal amount of general obligation bonds to finance capital costs related to the construction of a new Police Station.

**Exhibit A: Notice of City Measure Election** – This is the Ballot Title that Molalla voters would consider on November 7, 2023. The following question will be submitted to our voting community within the Molalla city limit boundaries:

#### **QUESTION:**

Shall the City of Molalla issue \$16 million in general obligation bonds to provide a police station?

If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of sections 11 and 11b, Article XI of the Oregon Constitution.

Bonds may be issued in multiple series in an aggregate principal amount not to exceed \$16 million, each series maturing within 26 years from issuance. The estimated annual tax rate

would be \$0.97 per \$1,000 of assessed value or approximately \$20.21 per month on a home assessed at \$250,000. The actual levy rate may differ due to final interest rates and changes in assessed value.

**Notice of Receipt of Ballot Title Notice of Ballot Title submittal** – This document is a notice to the public that a ballot title has been submitted.

**RECOMMENDATION/RECOMMEND MOTION:** Motion to adopt Resolution 2023 – 18  
Authorizing a Ballot Measure to issue Bonds for the Construction of a new Police Station.



## RESOLUTION NO. 2023-18

### A RESOLUTION OF THE CITY OF MOLALLA, OREGON CALLING A MEASURE ELECTION FOR GENERAL OBLIGATION BONDS

**WHEREAS**, the City of Molalla, Oregon (the “City”), determines that it will benefit the City to obtain the authority to issue up to \$16,000,000 of general obligation bonds to finance capital costs to provide a new police station, as more fully described in the form of ballot title attached as Exhibit A (the “Project”); and

**WHEREAS**, the Oregon Constitution, City Charter and ORS Chapter 287A allow the voters of the City to authorize the City to issue general obligation bonds to provide funds to finance the Project; and

**WHEREAS**, ORS 287A.050 limits the amount of general obligation bonds in certain cases to three percent of the real market value of taxable property in the City, and issuing the bonds described in this resolution (the “Bonds”) will not cause the City to exceed this limit.

**NOW, THEREFORE, THE CITY OF MOLALLA RESOLVES** as follows:

- Section 1.** A measure election is hereby called for the purpose of submitting to the electors of the City the question of issuing up to \$16,000,000 in principal amount of general obligation bonds to finance capital costs related to the Project. Pursuant to ORS 250.285, the City Council approves the ballot title in substantially the form attached as Exhibit A with such changes as the City Official, defined below, may approve.
- Section 2.** Pursuant to ORS 250.275(5) and 250.285 the City Elections Officer shall publish in the next available edition of the *Herald Pioneer*, or in another newspaper of general distribution within the City, a notice of receipt of the ballot title including notice that an elector may file a petition for review of the ballot title pursuant to ORS 250.296. The notice shall be in substantially the form attached to this resolution as Exhibit B.
- Section 3.** The City directs the City Elections Officer to submit to the County Clerk for Clackamas County, Oregon, a copy of this Resolution and the Ballot

Title, and all other necessary information so that this measure may appear on the ballot for the November 7, 2023 election.

**Section 4.** The City authorizes the City Manager, the City Recorder, or the designee of either of those officials (each a “City Official”), to act on behalf of the City and to prepare an explanatory statement for this measure, if required, and to take such other action as is necessary or appropriate to carry out the purposes and intent of this Resolution in compliance with the applicable provisions of law.

**Section 5.** This resolution is effective immediately upon adoption.

Dated this 28th day of June 2023.

\_\_\_\_\_  
Scott Keyser, Mayor

ATTEST:

\_\_\_\_\_  
Christie Teets, CMC  
City Recorder

**EXHIBIT A**  
**NOTICE OF CITY MEASURE ELECTION**  
**CITY OF MOLALLA**  
**CLACKAMAS COUNTY, OREGON**

**NOTICE IS HEREBY GIVEN** that on November 7, 2023, an election will be held within the boundaries of the City of Molalla, Clackamas County, Oregon. The following question will be submitted to the qualified voters thereof:

**CAPTION:**

Molalla General Obligation Bond Authorization for Police Station

**QUESTION:**

Shall the City of Molalla issue \$16 million in general obligation bonds to provide a police station?

If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of sections 11 and 11b, Article XI of the Oregon Constitution.

**SUMMARY:**

Proceeds of the bonds would pay capital costs to provide new police station and related facilities on existing City land. Specifically the project is expected to:

- Increase force capacity and safety for officers and staff,
- Allow for local holding cells, secure parking, and space to secure arms and evidence,
- Provide necessary space for officer training and task force meetings,
- Allow for on-site community group meetings,
- Serve as an emergency operations center from which to direct fire emergency efforts and coordinate other public safety crises,
- Increase efficiency of operations with additional work space and improved technology, and
- Be seismically sound and accessible to all.

Citizen accountability and oversight over bond expenditures required.

Bonds may be issued in multiple series in an aggregate principal amount not to exceed \$16 million, each series maturing within 26 years from issuance. The estimated annual tax rate would be \$0.97 per \$1,000 of assessed value or approximately \$20.21 per month on a home assessed at \$250,000. Actual levy rate may differ due to final interest rates and changes in assessed value.

DRAFT

**EXHIBIT B**

**NOTICE OF RECEIPT OF BALLOT TITLE**

Notice is hereby given that a ballot title for a measure referred by the City of Molalla has been filed with the City Elections Officer on June 28, 2023. The ballot title caption is Molalla General Obligation Bond Authorization for Police Station. A copy of the ballot title is available from the City's Elections Officer. An elector may file a petition for review of this ballot title in the Clackamas County Circuit Court no later than 5:00 pm July 11, 2023 under ORS 250.296.

\_\_\_\_\_  
Signature of City Elections Officer

\_\_\_\_\_  
Date signed

\_\_\_\_\_  
Printed name of City Elections Officer

\_\_\_\_\_  
Title

This legal notice is to be published by the City Elections Officer in the *Herald Pioneer*, or in another newspaper of general distribution within the City.





## CITY OF MOLALLA

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

### Staff Report

### Agenda Category: Ordinances & Resolutions

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**Agenda Date:** June 28, 2023

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

**SUBJECT:** Ordinance No. 2023-04(A) Amending the Municipal Code by Adding a New Section 9.16.015 Regulating and Prohibiting Public Camping on Public Property

**FISCAL IMPACT:** n/a

#### **BACKGROUND:**

The City Council adopted Ordinance No. 2023-04, Regulating and Prohibiting Public Camping on Public Property on June 14, 2023. *This Ordinance is active and in effect.*

While working with the City's codification company, it was pointed out that staff missed a step in the adoption process. (We were so focused on getting the language right!)

A chapter had not been amended nor was a new chapter created in the language of the Ordinance. Although this Ordinance is enacted, it is currently not listed in the online version of the Municipal Code.

Due to the important nature of this Ordinance, staff suggests amending the title so there will be easy access by public and staff to the Ordinance via the website.

No changes were made to the language of the ordinance other than the title and small amendment on Page 5.

#### **RECOMMENDATION/RECOMMEND MOTION:**

*"I move to adopt Ordinance No. 2023-04(A), an Ordinance of the City of Molalla, Oregon, Amending the Municipal Code by Adding a New Section 9.16.015 Regulating and Prohibiting Public Camping on Public Property."*



**ORDINANCE NO. 2023-04A**

**AN ORDINANCE OF THE CITY OF MOLALLA, OREGON,  
AMENDING THE MUNICIPAL CODE BY ADDING A NEW SECTION 9.16.015  
REGULATING AND PROHIBITING PUBLIC CAMPING ON PUBLIC PROPERTY.**

**WHEREAS**, State of Oregon House Bill 3115 requires the City of Molalla to allow individuals and families that are temporarily experiencing the effects of homelessness to rest or camp in relatively safe and sanitary locations while they are actively seeking access to stable and affordable housing; and

**WHEREAS**, Due to the House Bill requirement, the City is required to establish codes to allow for legal resting or 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 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 Regulating and Prohibiting Public Camping on Public Property Ordinance of the City of Molalla.

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

- A. When persons establish campsites on public sidewalks, public rights-of-way, under bridges, and in other areas not designated for camping;
- 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, resting, lying, or sleeping on a playground, under a pavilion, a recreation area or sports field fundamentally undermines the public's ability to use that public property for its intended purpose;
- D. Camping, resting, lying, or sleeping on rights of way, or in a manner that obstructs public sidewalks prevents the public's ability to use that public property for its

intended purpose and can in some situations create violations in the American with Disabilities Act (ADA) or 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 temporarily 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. It also 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 granted 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.

“Resting” means the acts of sitting, lying, sleeping, or keeping warm and dry outdoors, as defined in House Bill 3115.

"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. Except as expressly authorized by the City of Molalla Municipal Code, it shall be unlawful for any person(s) to establish or occupy a campsite at any time on the following public property and/or:

1. All Park Areas within the City of Molalla.
2. On all public sidewalks.
3. Identified wetlands or natural areas.
4. Fields used for sporting events or recreational use.
5. When a Molalla Sheltering Facility is open, all public camping is prohibited. Exceptions include when a Molalla Sheltering Facility is at capacity, or if an individual has been denied access.
6. Any residential zone.
7. Within 1,000 feet of a playground or school.

B. 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 from dawn to dusk. Fires are prohibited in all Parks and publicly owned property.

C. Except as expressly authorized by the City of Molalla Municipal Code, it shall be unlawful for any person to knowingly leave unattended or store personal property, including camp facilities and camp paraphernalia, on any public property from dawn to dusk. Fires are prohibited in all Parks and publicly owned property.

Personal property left unattended may be removed and disposed by the City, in accordance with State law, if:

1. The property poses an immediate threat to public health, safety, or welfare; or

2. The property has been posted with a written notice in accordance with State Law.
  3. Any property removed by the City shall be held and disposed of pursuant to State law if not claimed within 30-days after removal.
    - a. Individuals may claim their property, without a fee, by contacting the Police Department or Parks Department within 30 days.
    - b. Items that have no apparent utility or are in unsanitary condition may be immediately discarded.
    - c. Weapons, controlled substances other than prescription medication and items that appear to be either stolen or evidence of a crime shall be retained and disposed of by the Police Department in accordance with applicable legal requirements for the property in question.
  4. The City of Molalla is not responsible for theft, damage, etc. to any personal property left unattended on public property.
- D. 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. Upon finding it to be in the public interest and consistent with City Council goals and policies.

**Section 5. PERMITTED CAMPING/RESTING.** Areas for permitted camping are hereby identified in Resolution No. 2023-11.

**Section 6. 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 7. 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 8. EFFECTIVE DATE.** Due to the urgent nature, this Ordinance shall become effective immediately upon adoption of the Molalla City Council.

The First Reading was held on June 14, 2023, and moved to a Second Reading by 7-0 vote of the City Council.

The Second Reading was held on June 14, 2023 and adopted by the City Council by 7-0 vote of the City Council.

The amended title of Ordinance No. 2023-04(A) was introduced to City Council on June 28, 2023 and adopted by \_\_\_\_\_ vote of the City Council.

Signed on June 28, 2023.

\_\_\_\_\_  
Scott Keyser, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Christie Teets, CMC  
City Recorder

DRAFT



## CITY OF MOLALLA

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

### Staff Report

### Agenda Category: Ordinances & Resolutions

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**Agenda Date:** June 28, 2023

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

**SUBJECT:** Ordinance No. 2023-06: An Ordinance of the City of Molalla, Repealing Municipal Code Section 9.16.020 Unlawful Camping and Removing Letters A - C

**FISCAL IMPACT:** n/a

#### **BACKGROUND:**

The City Council adopted Ordinance No. 2023-04, Regulating and Prohibiting Public Camping on Public Property on June 14, 2023.

This amendment reflects the updated language required by House Bill 3115, therefore removing letters A, B, and C of MMC Section 9.16.020 Unlawful Camping.

Letter D will become the only language in the section.

#### **RECOMMENDATION/RECOMMEND MOTION:**

*"I moved to adopt Ordinance No. 2023-06: An Ordinance of the City of Molalla, Oregon Repealing Municipal Code Section 9.16.020 Unlawful Camping and Removing Letters A – C"*



**AN ORDINANCE OF THE CITY OF MOLALLA, OREGON.  
REPEALING MUNICIPAL CODE SECTION 9.16.020 UNLAWFUL CAMPING  
AND REMOVING LETTERS A-C**

**WHEREAS**, State of Oregon House Bill 3115 requires the City of Molalla to allow individuals and families that are temporarily experiencing the effects of homelessness to rest or camp in relatively safe and sanitary locations while they are actively seeking access to stable and affordable housing; and

**WHEREAS**, due to the House Bill requirement, the City is required to establish codes to allow for legal resting or 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 Molalla City Council adopted Ordinance No. 2023-04, Regulating and Prohibiting Public Camping on Public Property on June 14, 2023; and

**WHEREAS**, Municipal Code Section 9.16.020 Unlawful Camping, letters A-C are no longer valid.

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

**Section 1.** Municipal Code Section 9.16.020 Unlawful Camping, letters A-C shall be removed from the Molalla Municipal Code.

**Section 2.** Letter D. "No owner or person in charge of private property shall permit camping on such property unless such activity occurs in accordance with all applicable provisions of the city's development code and the property owner or person in charge has given written permission to the individuals camping on such property. Unless otherwise permitted by Chapter 15.08 of this code, no owner or person in charge of private property may permit another individual to camp on such property for more than 72 hours in any 30-day period. Exceptions may be granted under emergency conditions as declared by the City Manager. (Ord. 2016-04 §1)" shall remain and become the only language listed in Section 9.16.020 Unlawful Camping.

**Section 3. Effective Date.** The effective date of this Ordinance will take place immediately after adoption.

The First Reading was held on June 28, 2023 and moved to a Second Reading by \_\_\_\_\_ vote of the City Council.

The Second Reading was held on \_\_\_\_\_ and adopted by the City Council on \_\_\_\_\_.

Signed this 28<sup>th</sup> day of June 2023.

\_\_\_\_\_  
Scott Keyser, Mayor

ATTEST:

\_\_\_\_\_  
Christie Teets, CMC  
City Recorder



Molalla, Oregon Municipal Code

Title 9 PUBLIC PEACE, MORALS AND WELFARE

Chapter 9.16 OFFENSES AGAINST PUBLIC PEACE AND DECENCY

**9.16.020 Unlawful camping.**

A. For purposes of this section, the term “camp” means to set up, or to remain in or at a campsite, for the purpose of establishing or maintaining a temporary place to live. The term “campsite” means any place where any bedding, sleeping bag, or other sleeping matter, or any stove or fire is placed, established, or maintained, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.

B. It is unlawful for a person to camp in or upon private property without the express written permission of the owner or person lawfully in charge of such property.

C. It is unlawful for any person to camp in or upon any public property or public right-of-way, unless otherwise specifically authorized by this code or by declaration by the City Manager in emergency circumstances.

D. No owner or person in charge of private property shall permit camping on such property unless such activity occurs in accordance with all applicable provisions of the city’s development code and the property owner or person in charge has given written permission to the individuals camping on such property. Unless otherwise permitted by Chapter 15.08 of this code, no owner or person in charge of private property may permit another individual to camp on such property for more than 72 hours in any 30-day period. Exceptions may be granted under emergency conditions as declared by the City Manager. (Ord. 2016-04 §1)

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**Contact:**

City Hall: 503-829-6855

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## CITY OF MOLALLA

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

### Staff Report

### Agenda Category: Presentations

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**June 28, 2023**

**From: Mac Corthell, Community Development Director**  
**Approved by: Dan Huff, City Manager**

**SUBJECT:** Molalla 2023 Emergency Operations Plan Update

**FISCAL IMPACT:** N/A

**RECOMMENDATION/RECOMMEND MOTION:** N/A

**BACKGROUND:**

The City of Molalla is currently in the process of updating the Emergency Operations Plan (EOP) under project #23-02.

The City's consultant, Jon Legarza, from Healthy Sustainable Communities (HSC) will be providing a presentation on the EOP update.

Mr. Legarza has prepared the attached report to provide the Council with information and to aid his presentation on Molalla's EOP update.

**[HSC Report Begins on Next Page].**

Date: June 28th, 2023

Subject: Emergency Operations Plan (EOP) Update -

### **Introduction:**

The City of Molalla, Oregon, recognizes the need to update its Emergency Operations Plan (EOP) in response to recent devastating wildfires in 2020 and 2022, as well as severe ice storms. To address this, the city has hired Healthy Sustainable Communities to complete Phase 1 of the EOP update, focusing on the development of a comprehensive and all-hazards approach to emergency management. This staff report provides an overview of the Phase 1 progress and highlights the importance of an up-to-date EOP in ensuring the safety and well-being of the city's residents.

### **Background:**

In March, the City of Molalla initiated Phase 1 of the EOP update, recognizing the critical importance of revising the plan. The city formed an Emergency Planning Committee to provide guidance based on the National Incident Management System (NIMS) and the Incident Command System (ICS). This committee consists of key departments and agencies, including police, fire, public works, emergency management, the Molalla School District, transportation and local agencies.

### **Purpose:**

The EOP update aims to review and analyze the current plan, identify gaps or deficiencies, and ensure the overall effectiveness of the plan in addressing potential emergency situations. Through collaboration with city officials, emergency responders, and community stakeholders, the committee seeks to develop a comprehensive and practical EOP that will effectively safeguard the citizens of Molalla during emergencies.

### **Committee Members:**

The Emergency Planning Committee comprises individuals with diverse backgrounds and expertise:

Adam Shultz - Molalla Public Works

Bobby Call - Molalla Police Department

Chris Long - Molalla Police Department

Keith McClung - Molalla River School District

Tim Anderson - Buckeroo Association

Andy Peters - Molalla Public Works

Dan Huff - City Manager, City of Molalla

Tony Mann - Molalla River School District

Mac Corthell - Community Development Director, City of Molalla

Mike Everhart - Molalla Fire Department  
Vince Stafford - Molalla Fire Department  
Mike Strauch - South Clackamas Transportation District  
Mike Penunuri - Molalla Fire Department  
Molly Caggiano - Clackamas County  
Daniel Nibouar - Clackamas County  
Jay Wilson-Clackamas County

### **Progress and Next Steps:**

The Emergency Planning Committee has been actively engaged in reviewing and analyzing the current EOP. They are identifying gaps or deficiencies that need improvement to enhance the plan's effectiveness. This collaborative effort ensures that the EOP update is tailored to the unique needs of Molalla and reflects the combined expertise of committee members.

Phase 1, Planning and Preparation, represents a critical step in updating the EOP. The committee is committed to taking all necessary actions to ensure that the plan is comprehensive, up-to-date, and ready for implementation in the event of an emergency. The expertise and experience brought by the committee members play a pivotal role in achieving this objective.

### **Conclusion:**

The City of Molalla recognizes the importance of an updated and robust Emergency Operations Plan (EOP) to safeguard the well-being of its residents during emergencies. Phase 1 of the EOP update is currently underway, with the Emergency Planning Committee actively reviewing and analyzing the existing plan. The collaborative efforts of the committee members will result in a comprehensive and practical EOP that addresses the specific needs of Molalla. The city is committed to ensuring the safety and well-being of its citizens and will continue to work diligently to complete the Phase 1 objectives and move forward with subsequent phases of the EOP update.

We are pleased to inform the City Council that Phase 2 of the Emergency Operations Plan (EOP) update has commenced. The consultant, Healthy Sustainable Communities, will build upon the foundation established in Phase 1 and work collaboratively with the Emergency Planning Committee to develop the new EOP. This phase will involve comprehensive research, analysis, training and stakeholder engagement to identify best practices, evaluate potential strategies, and formulate the updated plan.

Following the completion of Phase 2, the consultant will proceed to Phase 3, which entails the actual writing and finalization of the new EOP. Throughout each phase, the staff and consultant will provide regular updates to the City Council. Ultimately, this diligent process will lead to the final adoption of a new EOP plan for the City of Molalla, enabling the city to effectively respond to emergencies and ensure the safety and well-being of its residents.