

Minutes of the Molalla City Council Regular Meeting
Molalla Adult Center
315 Kennel Ave., Molalla, OR 97038
Wednesday January 14, 2015

ATTENDANCE: Mayor Rogge, Present; Councilor Elect Pottle, Present; Councilor Thompson, Present; Councilor Griswold, Present; Councilor Cook, Present; Councilor Elect Satter, Present; Councilor Elect Riggs, Present.

STAFF IN ATTENDANCE: City Manager Dan Huff, Present; City Recorder Sadie Cramer, Present; Public Works Director Jennifer Cline, Present.

Mayor Rogge swore in Councilors Pottle, Satter and Riggs.

COMMUNICATIONS AND PUBLIC COMMENT:

A. Minutes – December 10, 2014 Town Hall

Councilor Pottle made a motion to approve the minutes from the December 10, 2014 Town Hall meeting. Councilor Cook seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Thompson, Aye; Councilor Griswold, Aye; Councilor Pottle, Aye; Councilor Cook, Aye; Councilor Satter, Aye; Councilor Riggs, Aye.

B. Minutes – December 17, 2014

The minutes for December 17, 2014 will be presented on January 28, 2015.

C. Library Board Minutes – Information Only

D. Transportation Advisory Committee – Information only

NEW BUSINESS

A. Expense in Excess of \$10,000: Flow Meters for I & I

PW Director Cline explained that as part of Brown & Caldwell scope of services, it includes monitoring the existing sanitary sewer system with the use of 7 flow meters. Her recommendation is to go with the low bidder which is Bainbridge.

Councilor Pottle asked what the time limit is on this project. He also asked if there is a warranty on these meters. PWD Cline advised that she will ask if there is a warranty.

Councilor Thompson made a motion to approve the Bainbridge & Associates bid for the flow meters. Councilor Griswold seconded. Motion approved (6-1) Mayor Rogge, Aye; Councilor Thompson, Aye; Councilor Griswold, Aye; Councilor Pottle, Nay; Councilor Cook, Aye; Councilor Satter, Aye; Councilor Riggs, Aye.

Councilor Pottle stated that if there is a warranty, he will change his vote.

B. Council President Nomination

Councilor Thompson nominated Council President Pottle to serve again as Council President. Councilor Pottle stated that he is willing to accept the position and appreciates being involved.

C. Mayor Rogge to Appoint Boards and Commission Council Liaisons

Mayor Rogge stated that there is a Library Board, a Park & Recreation Board and a Transportation Committee.

She asked that Councilor Cook continue to serve on the Friends of the Pool committee, also be an alternate to the Park and Recreation Board.

Mayor Rogge appointed Councilor Satter to the Library Board. She was asked to attend the MAS meetings as well. This is a conflict with her work schedule so Councilor Riggs was appointed to that position.

Mayor Rogge appointed Councilor Pottle to the Park and Recreation Board.

Mayor Rogge appointed Councilor Thompson and Councilor Griswold to the Transportation Committee.

Mayor Rogge appointed Councilor Thompson to the Clackamas County C-4.

Mayor Rogge recommended decreasing commission panels to 5, this will change the current number from 7 and 9.

Councilor Cook asked if these citizens are Molalla residents, he was advised that they are City residents. CM Huff advised that the Municipal Code has an equation that is used to base where the citizens reside, in city limits and out.

CONTINUING BUSINESS

A. Skate Park Discussion

CM Huff advised that the fence that encloses the Skate Park is rented and there has been talk of putting a permanent fence around it. He stated that vandalism has returned in the past few months.

Councilor Pottle gave an update on the Skate Park. A youth that visits the Skate Park stated that he has seen some people go over the fence when it is locked. He stated that the fence has helped to keep the drug activity and smoking down.

Councilor Thompson asked if Council was to close the Skate Park, how Councilor would proceed. CM Huff advised that it could be done a few different ways, removing the facility or put a permanent fence around it.

Mayor Rogge stated that she does not want the Skate Park closed and would like to leave the fence up for another 3 months.

Councilor Thompson stated that if a permanent fence was put up, giving the Skate Park users an opportunity to correct the vandalism, and if not, it can be closed down.

Councilor Thompson made a motion to direct staff to put a permanent fence around the Skate Park. If the bid is over \$10,000 it will come before Council for consideration. Councilor Cook seconded. Motion approved (7-1) Mayor Rogge, Aye; Councilor Thompson, Aye; Councilor Griswold, Aye; Councilor Pottle, Aye; Councilor Cook, Aye; Councilor Satter, Aye; Councilor Riggs, Aye.

B. Measure 91 Discussion

CM Huff explained that he would like to have a discussion to help understand Councils' direction on this issue. He stated that there are zoning restrictions and asked direction on what to do if someone wanting to establish a dispensary in Molalla. Mayor Rogge advised that the moratorium expires in May, 2015.

Councilor Thompson stated that the City can put restrictions but can't stop someone from having a dispensary in Molalla. If Council wanted to make it illegal in Molalla, it is required to get a measure on the ballot before the special election.

Mayor Rogge asked the councilors to share their views.

Mayor Rogge is not in favor of having dispensaries in Molalla.

Councilor Thompson stated that the City can't legally stop someone from establishing a dispensary in Molalla, however it can be put to a vote of the citizens to make it illegal in the City limits.

Councilor Riggs stated that the people in Oregon had their voice and Molalla should support that.

Councilor Satter stated that by making it illegal takes away from the control of situations.

Councilor Cook stated that making it illegal in the city limits is an exercise in futility.

Councilor Griswold is in favor of putting it to a vote.

Councilor Pottle does not have a problem with it, the people have already voted.

Councilor Thompson is not in favor of banning marijuana in the City. He is not opposed to putting it to a vote of the people.

Mayor Rogge has asked what the councilors their opinions of putting a vote to the Molalla residents to make it illegal.

Councilor Riggs is not in favor of putting this to a vote.

Councilor Satter asked what the cost is to put this on the ballot. She was informed that it would cost from \$3,000-\$10,000.

Councilor Cook is not in favor of putting this to a vote.

Councilor Griswold is in favor of putting this to a vote.

Councilor Thompson is not in favor of putting this to a vote.

Councilor Pottle is not in favor of putting this to a vote.

With a show of hands it is determined that Molalla will honor the vote of the public and not put it to a vote to make it illegal in Molalla.

Councilor Griswold asked if a work session can be held to discuss this matter.

RESOLUTIONS

A. Resolution 2015-01 – A Resolution to Appoint City Manager Dan Huff as Budget Officer for FY 15/16

Councilor Thompson made a motion to appoint CM Huff as the Budget Officer for FY 15/16. Councilor Griswold seconded. Motion approved (7-0) Mayor Rogge, Aye; Councilor Pottle, Aye; Councilor Thompson, Aye; Councilor Griswold, Aye; Councilor Cook, Aye; Councilor Satter, Aye; Councilor Riggs, Aye.

REPORTS & ANNOUNCEMENT

City Manager's Report

CM Huff stated that staff at City Hall have been working on council's goals that were implemented last year. He also stated that a goal setting session should be scheduled.

Mayor Rogge scheduled a work session to discuss council goals, it will be held the 25th of February at City Hall at 7:00 pm.

Cm Huff gave to council a pre-construction agenda for Stowers, Heintz and Grange projects.

CM Huff gave to council a proposed tax abatement measure for Pacific Fibre, this will be on the next agenda.

CM Huff stated that the Chamber of Commerce has asked for a decommissioned fire hydrant to clean and sell at an auction.

CM Huff stated that City Recorder Cramer is updating the website and a photo and a bio is needed for Councilors Satter, Riggs and Cook.

CM Huff stated that notices will be sent out to residents along Hwy 211 regarding address issues.

Councilor Thompson welcomed Councilor Satter and Councilor Riggs.

Councilor Pottle stated that he is looking forward to working with the new councilors.

ADJOURNMENT:

Councilor Pottle made a motion to enter into executive session. Councilor Griswold seconded, Motion approved (7-0) Mayor Rogge, Aye; Councilor Thompson, Aye; Councilor Griswold, Aye; Councilor Pottle, Aye; Councilor Cook, Aye; Councilor Satter, Aye; Councilor Riggs, Aye.

Sadie Cramer, City Recorder

Mayor Debbie Rogge

**WRITTEN AGREEMENT WITH THE MOLALLA ENTERPRISE ZONE SPONSOR TO
EXTEND PROPERTY TAX EXEMPTION TO FIVE CONSECUTIVE YEARS IN TOTAL
FOR PACIFIC FIBRE PRODUCTS, INC.**

The sponsor of the Molalla Enterprise Zone comprising the governing body of the City of Molalla (hereinafter “Zone Sponsor”) and Pacific Fibre Products, Inc. (hereinafter “Firm”) do hereby enter into an agreement for extending the period of time in which the Firm shall receive an exemption on its proposed investments in qualified property in the Molalla Enterprise Zone contingent on certain special requirements.

The Zone Sponsor and the Firm jointly acknowledge: that subject to timely submission and approval of an application for precertification and the satisfaction of other requirements under ORS 285B.650 to 285B.728 (1997). The Firm is eligible for three years of complete exemption on its qualified property; that nothing in this agreement shall modify or infringe on this three-year exemption or the requirements thereof, and that this agreement becomes null and void if the Firm does not qualify for these three years of the exemption.

The Zone Sponsor extends the Firm’s property tax exemption an additional two years on all property that initially qualifies in the Molalla Enterprise Zone on or before the assessment year beginning on January 1, 2015 and, thus, sets a total period of exemption of five consecutive years during which statutory requirements for the standard three-year enterprise zone exemption must also be satisfied and maintained.

In order to receive the additional two years of enterprise zone exemption granted herein, the Firm agrees herewith pursuant to ORS 285B.710 (3) that for each year of the exemption, all of the Firm’s new employees shall receive an average level of compensation equal to or greater than 150 percent of the county average annual wage (\$31.76 per hour), in accordance with the definitions and guidelines in Oregon Administrative Rules (OAR), Chapter 123, Division 065, which provides that:

1. Such compensation may include non-mandatory benefits that can be monetized;
2. At the time of precertification, 150% of the City of Molalla average wage is \$31.76 per hour (2014 county average wage rate \$21.17 per hour);
3. Only employees working at jobs filled for the first time after the application for precertification but prior to July 1 following the first full year of the exemption and performed within the current boundaries of the Molalla Enterprise Zone are counted; and
4. Only full-time, year-around and non-temporary employees engaged a majority of their time in the Firm’s eligible operations under ORS 285B.707 are counted, regardless if such employees are leased, contracted for or otherwise obtained through an external agency or are employed directly by The Firm.

The Zone Sponsor does not request any requirement of the Firm and relinquishes all rights to make the additional two years of property tax exemption granted herein contingent on additional requirements that might otherwise be reasonably requested under ORS 285B.710[(3) for urban zones.

ACCEPTING FOR THE SPONSOR OF
THE MOLALLA ENTERPRISE ZONE:

ACCEPTING FOR
PACIFIC FIBRE PRODUCTS, INC.

By: _____

By: _____

(Printed Name)

(Printed Name)

Date: _____

Date: _____