



LA PINE

O R E G O N

**CITY of LA PINE CITY COUNCIL MEETING MINUTES**

Wednesday, May 24, 2017

**5:30 p.m. Special Session**

**Work Session to Follow Special Session**

La Pine City Hall

16345 Sixth Street, La Pine, Oregon 97739

**A. Special Session – 5:30 p.m.**

1. Call to Order

Called to order at 5:30 p.m.

2. Establish Quorum

Present: Connie Briese, Stu Martinez, Karen Ward, Don Greiner and Mayor Dennis Scott

3. Pledge of Allegiance

Trentyn Tennant led the Pledge of Allegiance (he will be the new Student Councilor replacing Trey Plamondon).

4. Added Agenda Items

None

5. Ordinance No. 2017-05 – An ordinance adopting the City of La Pine project list, system development charge methodology, phasing schedule and rate table.

a. Open Public Hearing

Opened by Mayor Scott

b. Staff Comments

Cory Misley announced that John Ghilarducci with FCS Group was on the telephone in order to answer any questions. Mr. Misley reminded everyone that this issue had been discussed in length for the last nine months to a year. Not only had the City been working with FCS Group, but also Anderson Perry and Karna Gustafson, and reminded everyone about the work session they'd had in March.

c. Public Comments

Karna Gustafson, Director of the Board of the National Association of Homebuilders, stated that she'd been working with Cory Misley and John Ghilarducci and believes the numbers are justified. She also stated that it would be helpful if the phasing schedule was yearly verses six months to help owners absorb the costs into their business plans.

d. Close Public Hearing

Closed by Mayor Scott

- e. Council Deliberations – Mayor Scott requested input regarding a one-year phasing scheduled verses six months. Staff was not opposed. Councilor Don Greiner stated that we should consider yearly phasing. Councilor Karen Ward and Councilor Stu Martinez agreed. Councilor Connie Briese believes the phasing schedule should stay as written. Mayor Scott was not opposed to yearly phasing. City Manager Cory Misley recommended shifting the rates in order for the City not to lose revenue by doing yearly phasing verse six months. Owners would pay more up front, but the overall cost would be the same. ***Councilor Stu Martinez made a motion to adopt the ordinance with the amendments stated on the record regarding changing the phasing schedule to annually verses every six months. Councilor Don Greiner seconded. No objection. Unanimously approved.*** Mr. Misley will revise the phasing schedule.

6. Second reading of Ordinance No. 2017-04 – An ordinance amending ordinance nos. 2012-05, 2015-03, 2016-05 and 2017-01; clarifying application review requirements; establishing certain marijuana related businesses as permitted uses in certain zones; establishing criteria and standard for such marijuana business; and superseding all other ordinances or parts of ordinances in conflict herewith; and declaring an emergency.

a. Re-open Public Hearing

Opened by Mayor Scott

b. Staff Comments

City Planner Tammy Wisco distributed a letter received by Don Huff to the Councilors and allowed them time to review it. She also stated that Exhibit B, Amendment 1, Section C(4)(a), did not address a conditional use, so a revision was made to include that. The text now states the following: “The proposed use is a principal use or conditional use in the zone in which the site is located. If the proposed use is a conditional use, a conditional use application has been submitted and approved by the City.”

c. Public Comments

None

- d. Close Public Hearing  
Closed by Mayor Scott

- e. Council Deliberations

Councilor Don Greiner reiterated that he wants the 50' rule removed. He stated that he contacted the two marijuana businesses in town and both felt that it would restrict them in the future to have the 50' rule. Councilor Karen Ward stated that marijuana businesses should be treated like any other businesses. Stu stated that he was indifferent about the 50' rule, but that this issue needed to be put to rest as soon as possible. Councilor Connie Briese stated that she also went and visited both marijuana businesses and that they've had to jump through every hoop the City has placed on them and she wanted to make sure the City was being fair to them. After speaking with those businesses and getting their opinions, she is fine with removing the 50' rule. **Councilor Don Greiner made a motion to approve the ordinance with the amendment of removing "C" and "D" of Section 2 on page 6.** City Planner Tammy Wisco and City Manager Cory Misley had discussion with whether adopting this ordinance with the aforementioned amendments would require an amendment to the other ordinance previously adopted so that all marijuana businesses were under the same rules. **Councilor Don Greiner withdrew his motion.** Mayor Scott asked for input from the Council and Student Councilor. Trey Plamondon, Councilor Don Greiner, Councilor Stu Martinez stated that the Council should adopt the ordinance as is and deal with the 50' rules later on. City Planner Tammy Wisco stated that after additional review, Ordinance 2017-04 as amended removing the 50' rule could be adopted after all without having to amend the previously adopted ordinance. **Don restates his motion to adopt Ordinance No. 2017-04 with amendments removing "C" and "D" of Section 2 on page 6. Councilor Karen Ward seconded. No objections. Ordinance passed unanimously.**

- 7. Other Matters: This item concerns any matters that were added to the Agenda under the Added Agenda Items portion of this Agenda.

None

- 8. Public Comments

None

- 9. Adjourn

**Councilor Connie Briese motioned to adjourn the Special Session. Councilor Stu Martinez seconded. No objections. Unanimously approved.** Special Session ended at 6:18 pm. Break until 6:30 pm.

## B. Work Session

Called to order at 6:29 p.m.

- 1. Re-establish Quorum

Present: Councilor Stu Martinez, Councilor Connie Briese, Councilor Don Greiner, Councilor Karen Ward, Mayor Scott

2. Updates on City Hall Sign Project

Cory Misley stated that the City is moving forward with Szabo Architecture for the City sign/monument. There will be a kick-off meeting May 25, 2017 and a contract will be signed at that time. Mr. Misley asked for ideas on putting together a committee for input on the project. The Council agreed that it should be representatives from prominent groups in the community, i.e. veterans, youth, businesses, seniors and a committee not larger than ten people.

3. Updates on Code Enforcement

Cory Misley discussed progress with regard to cleaning up the City, especially the properties that are eyesores in the community. Mr. Misley has been working with the City legal team regarding the process it needs to go through in order to get results. He stated that Jake Obrist and himself will be splitting the city on the east and west sides and attempting to get owners to enter into Voluntary Compliance Agreements. This would require them to clean up their property within a certain amount of time or a fine will be levied. Mr. Misley stated that the city needs to be prepared to spend money to clean up the really bad properties and not assume they will recoup those expenses. Councilor Stu Martinez suggested checking with how the Fire Department and Department of Forestry issue their letters and believes it's time to "drop the hammer" by starting the legal process sooner. Cory recommended prioritizing problem properties and cleaning up one huge property a year. There was discussion with regard to hiring a part time Code Enforcement Officer. Councilor Don Greiner believes the Voluntary Compliance Form is a good idea for smaller issue properties, but suggested calling the Environmental Protection Agency for the larger issue properties, i.e. ones with asbestos issues. There was discussion about citing property owners, which would require them to appear in Court.

Mayor Scott wanted to discuss noise ordinances. Mr. Misley stated that we would add that to next month's work session.

Councilor Don Greiner wanted to add a discussion for Uber-like companies. Cory has a draft ordinance, which is similar to the one the City of Sisters passed, and it will be discussed at the end of June.

4. Discussion on Employee Handbook Update

Mr. Misley stated that the last update was March 2014 and that the City is due for an update. He would like the Mayor and maybe a councilor's input before adoption. This will be coupled with the ongoing salary study.

5. Discussion on TGM Grant

Mr. Misley stated that consultants are ready to begin. The City is receiving about \$40,000 in technical assistance that is all being handled by the grant. Mr. Misley and Holly Smith are scheduling stakeholder interviews June 21<sup>st</sup> and 22<sup>nd</sup>. Consultants will then work with the Planning Commission. Mr. Misley anticipates a joint City Council and Planning Commission meeting late summer and then the Council can potentially adopt some of the changes in the fall.

#### 6. Discussion on Website Updates

Mr. Misley discussed the fact that the City switched to the new website in the fall of 2016. The switch seems to be going well, looks sharp and integrated the new branding. He asked for council input on changing the domain name to lapineoregon.gov, or something similar. He also asked the Council their opinions on a city Facebook page. There were no objections to either idea, as long as the city Facebook page was monitored and kept up to date.

#### 7. Discussion on Cemetery Rate Resolution

Jake Obrist explained that the plot prices of \$75 per plot is considerably lower than other cities and if we can generate more revenue, we can invest it back into the cemetery and other projects. He stated that the new plots would be somewhere around \$200-\$250. Councilor Martinez and Councilor Greiner stated that increasing the cost is needed and that making improvements to the cemetery was important. Councilor Ward stated that she would like to see a wall for urns at some time in the future.

#### 8. Public Comments

President of the La Pine Parks and Recreation Board, Gary Gordon, gave the following update from the park district: 1) There will be a large American Flag flagpole that's lit at night in Heritage Park. It will also include various military flags; 2) They are also working on a public Veteran's memorial garden with engraved bricks that will be dedicated on the 4<sup>th</sup> of July at noon. There will be a ceremony with the full presence of the military and hopefully congressional and state representatives; 3) The city received a \$10,000 grant from Midstate Electric to fix and update the playground equipment. Part of the project will include enclosing the fence by Huntington Road to be safer for children. They will incorporate the setbacks for the sidewalk widening that's scheduled to be done; 4) The park public bathrooms are now open but only during business hours Monday through Thursday. There's a portable toilet for non-business hours; 4) There will be a popsicle party on June 24<sup>th</sup> from 3-5 pm to get more community involvement; 5) The grass is in at Finley Butte fields. There will also be two new scoreboards that function properly as well and new bleachers. The first tournament will be held there this summer.

#### 9. Staff Comments

Cory Misley stated the following: 1) There needs to be a joint City Council and Park and Rec meeting by end of summer or early fall; 2) Ryan Colp will be the new SLED manager and starts June 12<sup>th</sup>. There will be a SLED meeting June 13<sup>th</sup> and maybe he could attend the City Council meeting June 14<sup>th</sup>; 3) There will be a rate resolution for land use fees. The City passed a rate resolution in 2014, but it hasn't been updated since; 5) He is meeting with the Central Oregon Arts Alliance to see whether they'd like to start something here in La Pine and mentioned looking into them being a partner for a grant application; 6) Next Friday, he will be going to Salem with Anderson Perry to present to the Infrastructure Finance Authority Board regarding forgiveness of one million of the two million dollar loan.

Jake Obrist stated the following: 1) Clean up week starts next week; 2) He and Cory Misley will be touring the Prineville Wastewater Treatment Facility June 9<sup>th</sup>; 3) There is dust abatement happening on

Cagle and Skidgel Roads; 4) Mike accepted a position with the Deschutes Co. Road Department, so we will need to hire a utility worker.

10. Council Comments

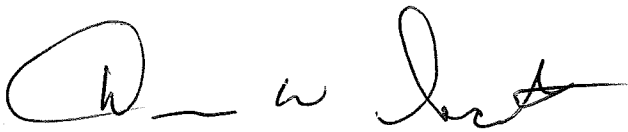
Councilor Ward complimented the dust abatement projects. Student Councilor Trey Plamondon stated that this is his last meeting. Councilor Greiner thanked everyone for their cooperation on the marijuana ordinance. Councilor Briese wants to see staff look into further ordinances for marijuana companies while still keeping small town values. Some of her concerns were that product be blocked in windows and things like edible gummy bears not be visible to the public in order to protect children. She still would like to see those businesses closed on Sundays, but wouldn't be opposed to extending the hours they're allowed to be open. Councilor Martinez is excited about the walk-through for the new monument going in, and about the new EDCO person. He brought up concerns about the eclipse in August. Cory Misley stated that it is on his radar and will be discussed at future meetings.

11. Mayor's Comments

Mayor Scott stated that the City needs to schedule the City Manager review. He will also be having lunch with Lt. DeLuca for more patrol on ATV's in Huntington Meadows. He recommended instituting the data logger on the speed radar trailer and is glad we're making progress on the emergency side of the marijuana issues. He is looking forward to Clean Up week and confirmed Jake will be monitoring the dumpsters.

12. Adjourn

Councilor Briese makes motion to adjourn. Councilor Ward seconds. Meeting adjourned.



Dennis Scott, Mayor

Attest

  
Cory Misley, City Manager

Pursuant to ORS 192.640, this notice includes a list of the principal subjects anticipated to be considered or discussed at the above-referenced meeting. This notice does not limit the ability of the City Council to consider or discuss additional subjects. This meeting is subject to cancellation without notice. The regular meeting is open to the public and interested citizens are invited to attend. The public will not be permitted to attend the executive session; provided, however, representatives of the news media and designated staff will be allowed to attend the executive session. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the executive session as previously announced. No decision will be made in the executive session. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Patti Morgan (541-536-1432). For deaf, hearing impaired, or speech disabled dial 541-536-1432 for TTY