



**CITY of LA PINE CITY COUNCIL AGENDA**  
Tuesday, December 20, 2016  
**1:00 pm Work Session**  
**Regular Session immediately following the Work Session**  
La Pine City Hall  
16345 Sixth Street, La Pine, Oregon 97739

**A. Work Session – 1:00 pm**

1. Call to Order
2. Establish Quorum
3. Pledge of Allegiance
4. City Projects Planned for Spring 2017
5. Anderson Perry Contract Amendment Proposal for Water and Wastewater Improvements and Expansion Projects
6. County Owned Coach Road Property - Phase One Environmental Report
7. Time, Place, Manner (TPM) Restrictions concerning the Proximity of Medical Marijuana Dispensaries and Recreational Marijuana Retailers
8. Public Comments
9. Adjourn

**B. Regular Session - Immediately following the Work Session**

1. Call to Order
2. Establish Quorum
3. Pledge of Allegiance
4. Added Agenda Items  
Any matters added to the Agenda at this time will be discussed during the “Other Matters” portion of this Agenda or such other time selected by the City Council.

5. Consent Agenda

Information concerning the matters listed within the Consent Agenda has been distributed to each member of the City Council for reading and study, is considered to be routine, and will be enacted or approved by one motion of the City Council without separate discussion. If separate discussion is desired concerning a particular matter listed within the Consent Agenda, that matter may be removed from the Consent Agenda and placed on the regular agenda by request of any member of the City Council.

- a. Approval of Minutes
  - i. November 16, 2016 Work Session & Council Meeting Minutes
- b. Approval of Reimbursements
- c. Financials
  - i. Revenue and Expenditures

6. Public Comments

7. Ordinance No. 2016-12 An Ordinance of the City of La Pine Amending the Zoning Map and Comprehensive Plan Map to Change the Designation for a Certain Property Pursuant to Land Use Approvals 2016-40CPA and 2016-41ZC and Declaring an Emergency

8. Contract for Planning Services with Retia Consult (Tammy Wisco)

9. Resolution No. 2016-20 A Resolution Transferring Funds from the Contingency Fund to the Capital Fund within the Sewer Fund of the City Budget

10. Resolution No. 2016-21 A Resolution Establishing Recreational Marijuana Business Permit Application, Investigation, and Land Use Fees

11. Resolution No. 2016-22 A Resolution of the City of La Pine Designating Certain Streets as Snow Routes for City's Snow Removal Operations.

12. Consideration of Mary Hatfield for Appointment to the Planning Commission

13. Contract with City Manager (Cory Misley)

14. Other Matters: Only those matters properly added to this Agenda under line item No. 4

15. Public Comments

16. Staff Comments

17. Council and Mayor's Comments

18. Adjourn

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

**CITY of LA PINE CITY COUNCIL MINUTES**

Tuesday, December 20, 2016

**1:00 pm Work Session**

**Regular Session immediately following the Work Session**

La Pine City Hall

16345 Sixth Street, La Pine, Oregon 97739

**A. Work Session – 1:00 pm**

1. Call to Order

Mayor Mullenex called the meeting to order.

2. Establish Quorum

Mayor Ken Mullenex

Council President Stu Martinez – absent by prior arrangement

Councilor Karen Ward

Councilor Agan

Councilor Scott

Student Councilor Treydon Plamondon - absent

City Manager Cory Misley

Jake Obrist Public Works Manager

Accounting Clerk Ashley Williams – absent by prior arrangement

Administrative Assistant Patti Morgan

Quorum established

3. Pledge of Allegiance

Said during the regular session.

4. City Projects Planned for Spring 2017

Mr. Misley discussed the landscaping for the swale at 1<sup>st</sup> Street and other 1<sup>st</sup> Street improvements. He said they wanted something welcoming and inviting. There was a discussion on adding boulders to the area as well as trees and shrubs. It was also discussed that having boulders right off the street could be hazardous in the event of an accident. Wildflowers were suggested for the area. Mr. Misley said they would like to put out a bid for the work and have the work done in the spring. Mr. Obrist said they did not want to go with a full on irrigation system. Mr. Misley said they wanted a low maintenance project. There was also a discussion on the improvement project that borders the La Pine Clinic which is expanding in size. La Pine Clinic will be contributing \$40,000 for that project. Mr. Misley said they would like to bid this project out over the winter with work beginning in the spring. There also was a discussion on the color of cement blocks for the eight foot sidewalk. Council liked the darker brownish red color of blocks due to fading issues.

5. Anderson Perry Contract Amendment Proposal for Water and Wastewater Improvements and Expansion Projects

Mr. Misley discussed the amendment proposal to the current contract with Anderson Perry. He said they have currently completed the work in the initial contract. The proposal is for them to start working on all the parts that would need to be done in preparation for the expansion project. Mr. Misley said his recommendation is to move forward with the contract amendment. Brandon Mahon stated that the project would not exceed \$70,000. This amendment will be voted on during the regular session immediately following this meeting.

6. County Owned Coach Road Property - Phase One Environmental Report

Mr. Misley discussed the property that Deschutes County would like to give to the City. He said the City needs to do a Phase 1 Environmental Report prior to having the land transferred to the City. He said the report would look at what is one the ground and if there are any contamination issues. Mr. Misley said the cost would be \$2,700 for the report.

7. Time, Place, Manner (TPM) Restrictions concerning the Proximity of Medical Marijuana Dispensaries and Recreational Marijuana Retailers

There was a discussion on how close dispensaries for recreational marijuana can be to each other. The Councilors had different thoughts on if the dispensaries should be together or 1,000 feet apart. There was also a discussion that the medical dispensaries will probably convert to recreational marijuana dispensaries. The Council wanted issues with marijuana sales in La Pine to be resolved very soon. Mr. Misley said legal can develop a document that would require 1,000 feet between recreational marijuana dispensaries.

8. Public Comments

None

9. Adjourn

**A motion was made by Councilor Agan and seconded by Councilor Scott to adjourn the meeting.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Scott</i>	<i>X</i>	
<i>Councilor Ward</i>	<i>X</i>	
<i>Councilor Agan</i>	<i>X</i>	

**Motion passed unanimously.**

**B. Regular Session - Immediately following the Work Session**

1. Call to Order

Mayor Mulenex called the meeting to order.

2. Establish Quorum

- Mayor Ken Mulenex
- Council President Stu Martinez – absent by prior arrangement
- Councilor Karen Ward
- Councilor Agan
- Councilor Scott
- Student Councilor Treydon Plamondon – absent

City Manager Cory Misley  
Jake Obrist Public Works Manager  
Accounting Clerk Ashley Williams  
Administrative Assistant Patti Morgan – absent by prior arrangement  
**Quorum established**

3. Pledge of Allegiance

Connie Briese led the Pledge of Allegiance.

4. Added Agenda Items

Any matters added to the Agenda at this time will be discussed during the “Other Matters” portion of this Agenda or such other time selected by the City Council.

- a) Contract amendment for Anderson Perry.

5. Consent Agenda

Information concerning the matters listed within the Consent Agenda has been distributed to each member of the City Council for reading and study, is considered to be routine, and will be enacted or approved by one motion of the City Council without separate discussion. If separate discussion is desired concerning a particular matter listed within the Consent Agenda, that matter may be removed from the Consent Agenda and placed on the regular agenda by request of any member of the City Council.

- a. Approval of Minutes
  - i. November 16, 2016 Work Session & Council Meeting Minutes
- b. Approval of Reimbursements
- c. Financials
  - i. Revenue and Expenditures

**A motion was made by Councilor Agan and seconded by Councilor Scott to approve the Consent Agenda.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Scott</i>	<i>X</i>	
<i>Councilor Ward</i>	<i>X</i>	
<i>Councilor Agan</i>	<i>X</i>	

**Motion passed unanimously.**

6. Public Comments

Gary Gordon, Director of the Park and Rec District, discussed the Shine on La Pine. He said he wanted to congratulate the City of La Pine for their efforts towards the Shine on La Pine. Mr. Gordon presented the Council with a thank you letter from Shine on La Pine. He also thanked the outgoing Councilors and Mayor and also the City Manager for their hard work for the City.

7. Ordinance No. 2016-12 An Ordinance of the City of La Pine Amending the Zoning Map and Comprehensive Plan Map to Change the Designation for a Certain Property Pursuant to Land Use Approvals 2016-40CPA and 2016-41ZC and Declaring an Emergency

Tammy Wisco, City Planner, discussed the work that the Planning Commission did on the application from Housing Works. She said this is the first process for Housing Works to develop their low-cost housing project in La Pine. Ms. Wisco said there were no appeals filed. She said the Comprehensive Plan discussed the need for low-income housing in La Pine.

**A motion was made by Councilor Agan and seconded by Councilor Ward to approve Ordinance No. 2016-12 amending the Zoning Map and Comprehensive Plan Map.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Scott</i>	<i>X</i>	
<i>Councilor Ward</i>	<i>X</i>	
<i>Councilor Agan</i>	<i>X</i>	

**Motion passed unanimously.**

8. Contract for Planning Services with Retia Consult (Tammy Wisco)

Mr. Misley said that Ms. Wisco wanted some changes in wording that was in the original contract. He said the consultant rate was increased by \$10.00 making it \$90.00 an hour. He said some other changes made in the new contract gave further protection to the City Planner in her performance of duties and responsibilities.

**A motion was made by Councilor Scott and seconded by Councilor Agan to approve the new contract with Retia Consult for Planning Services.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Scott</i>	<i>X</i>	
<i>Councilor Ward</i>	<i>X</i>	
<i>Councilor Agan</i>	<i>X</i>	

**Motion passed unanimously.**

9. Resolution No. 2016-20 A Resolution Transferring Funds from the Contingency Fund to the Capital Fund within the Sewer Fund of the City Budget

Ashley Williams said that only partial money to pay for the lift station improvement project was spent last year. The project itself is not over budget it is just that the project overlapped two fiscal years and that is why the transfer of funds is necessary.

**A motion was made by Councilor Ward and seconded by Councilor Agan to approve Resolution No. 2016-20 Transferring Funds.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Scott</i>	<i>X</i>	
<i>Councilor Ward</i>	<i>X</i>	
<i>Councilor Agan</i>	<i>X</i>	

**Motion passed unanimously.**

10. Resolution No. 2016-21 A Resolution Establishing Recreational Marijuana Business Permit Application, Investigation, and Land Use Fees

Mr. Misley discussed the application form and the permit issuance for recreational marijuana dispensaries. The Council thought the licensing and permit should be required. The Council had some questions about whether all dispensaries needed to be located 1000 feet apart or if the standard applied to only medical dispensaries or recreational dispensaries. Mr. Misley said that he believed that the standard applied to either recreational or medical and not the dispensaries as a whole.

**A motion was made by Councilor Ward and seconded by Councilor Scott to approve Resolution No. 2016-21 Business Permit Application and Land Use fees for Recreational Marijuana Dispensaries.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Scott</i>	<i>X</i>	
<i>Councilor Ward</i>	<i>X</i>	
<i>Councilor Agan</i>	<i>X</i>	

**Motion passed unanimously.**

11. Resolution No. 2016-22 A Resolution of the City of La Pine Designating Certain Streets as Snow Routes for City's Snow Removal Operations.

Mr. Misley discussed the problem with vehicles parking in public spaces and preventing proper snow plowing from being done as there was nowhere to push the snow. He said the Resolution lays out the primary and secondary routes for snow plowing in the City.

**A motion was made by Councilor Scott and seconded by Councilor Agan to approve Resolution No. 2016-22 Designating Snow Routes for Snow Removal Operations.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Scott</i>	<i>X</i>	
<i>Councilor Ward</i>	<i>X</i>	
<i>Councilor Agan</i>	<i>X</i>	

**Motion passed unanimously.**

12. Consideration of Mary Hatfield for Appointment to the Planning Commission

**A motion was made by Councilor Ward and seconded by Councilor Agan to appoint Mary Hatfield to the Planning Commission.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Scott</i>	<i>X</i>	
<i>Councilor Ward</i>	<i>X</i>	
<i>Councilor Agan</i>	<i>X</i>	

**Motion passed unanimously.**



13. Contract with City Manager (Cory Misley)

Mr. Misley stated he worked with the City Attorney and also did research with other cities on contracts for City Managers. He said 90% of the contract is very similar to former City Manager, Steve Hasson.

**A motion was made by Councilor Agan and seconded by Councilor Scott to approve the Contract for City Manager Cory Misley.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Scott</i>	<i>X</i>	
<i>Councilor Ward</i>	<i>X</i>	
<i>Councilor Agan</i>	<i>X</i>	

**Motion passed unanimously.**

14. Other Matters: Only those matters properly added to this Agenda under line item No. 4

a) Contract amendment for Anderson Perry.

**A motion was made by Councilor Agan and seconded by Councilor Scott to approve the Contract Amendment for Anderson Perry and cost not to exceed \$70,000.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Scott</i>	<i>X</i>	
<i>Councilor Ward</i>	<i>X</i>	
<i>Councilor Agan</i>	<i>X</i>	

**Motion passed unanimously.**

15. Public Comments

Mary Hatfield thanked the Council for approving her to be on the Planning Commission.

16. Staff Comments

Ashley Williams advised the Council that Kathy Agan and Ken Mullenex will be removed from the City's bank accounts and that Don Greiner and Connie Briese, the new Councilors, will be added.. She said these meeting minutes needed to include these changes for check signing authorization.

17. Council and Mayor's Comments

Councilor Agan said she appreciated the number of votes she received in the election. She also congratulated Connie Briese and Don Greiner as the new Councilors. Councilor Ward discussed how much she was looking forward to working with Ms. Briese and Mr. Greiner. Mayor Mullenex discussed his meetings with COIC (Central Oregon Intergovernmental Council) regarding a transit center in La Pine.

Mayor Mulenex said the City has really improved and developed, by City staff, during his six years as Mayor of La Pine. Consultant Rick Allen recognized the service of Kathy Agan to the Council. He also recognized Mayor Mulenex for his hard work for the City.

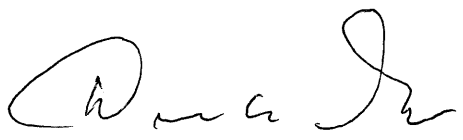
18. Adjourn

**A motion was made by Councilor Agan and seconded by Councilor Scott to adjourn the meeting.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Scott</i>	<i>X</i>	
<i>Councilor Ward</i>	<i>X</i>	
<i>Councilor Agan</i>	<i>X</i>	

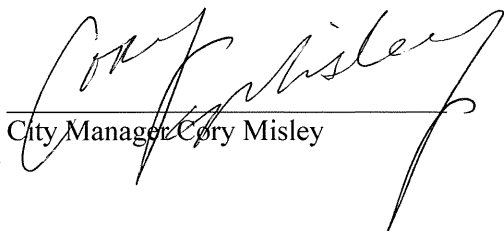
**Motion passed unanimously.**

Mayor Mulenex adjourned the meeting.



Mayor Dennis Scott

attest



City Manager Cory Misley