



LA PINE

O R E G O N

CITY OF LA PINE CITY COUNCIL MEETING MINUTES

Wednesday, August 23, 2017

5:30 p.m. Special Session

Work Session immediately following Special Session

La Pine City Hall

16345 Sixth Street, La Pine, Oregon 97739

A. **Special Session – 5:30 p.m.**

1. **Call to Order**

Meeting called to order at 5:30 p.m.

2. **Establish Quorum**

Present: Mayor Scott, Councilor Briese, Councilor Martinez, Councilor Greiner, and Student Councilor Tennant

3. **Pledge of Allegiance**

Led by Mayor Scott

4. **Public Comments**

None

5. **Approval of August 9, 2017 City Council Meeting Minutes**

Councilor Briese made a motion to approve the August 9, 2017 Meeting Minutes. Councilor Greiner seconded. No objections. Unanimously approved.

6. **Resolution No. 2017-12 – A Resolution of the City of La Pine Authorizing Wilderness Garbage & Recycling Service to Increase Its Solid Waste Collection Service Rates**

Councilor Martinez excused himself from the table and sat in the audience. Cory Misley explained that the City has a franchise agreement with Wilderness Garbage. Wilderness Garbage has notified the City by letter that it wants to raise its rates. In the process, the City became aware that the Franchise Agreement has become expired, and will come before the Council sometime in September or October for approval. This will allow Wilderness Garbage to raise their rates in the meantime effective October 1, 2017. Wilderness Garbage will be required to notify customers in writing that their rates will increase with a month's notice. The rates for commercial rates were introduced at tonight's meeting as part of Exhibit A to Resolution No. 2017-12. Councilor Briese

wanted to know if there were any other franchise agreements that have expired. Cory stated that he was not aware of any. ***Councilor Greiner made a motion to approve Resolution No. 2017-12. Councilor Briese seconded. No objections. Unanimously approved.***

7. Adjourn Meeting

Councilor Briese made a motion to adjourn. Councilor Greiner seconded. No objections. Meeting adjourned.

B. Work Session – 5:39 p.m.

1. Call to Order

Meeting called to order at 5:39 p.m.

2. Re-establish Quorum

3. Present: Mayor Scott, Councilor Briese, Councilor Martinez, Councilor Greiner, and Student Councilor Tennant

4. Added Agenda Items

- Title Sponsorship for SLED Luncheon
- Discussion regarding Karen Ward

5. Discussion on Time, Place, and Manner (TPM) Regulations for Marijuana Recreational Retailers

Cory Misley stated that we adopted TPM Restrictions in October 2016. The topic of tonight is based primarily on retail TPM. Larry Brown and Laura Shephard are in the audience. Larry is an investigator for retail operations with the OLCC. Laura is the regional manager. They make sure OLCC procedures are being followed. Don Huff with Green Knottz and Matt Topher with HD Botanicals are also in the audience. Cory wanted to draw attention to Section 7 regarding background checks. Larry said that the OLCC requires applicants to take an online class and then the OLCC runs a background check. Mainly they are looking for deception/dishonesty, violence or charges relating to drugs/alcohol. Those checks are good for five years, but applicants are required to notify the OLCC of any felonies if they receive one within those five years. The City also does its own background check, so the question is – does the City need to continue doing their own background checks if they're already being performed by the OLCC. The OLCC will not enforce more stringent rules if the City has them, only rules they have of their own. Cory said the Council needs to consider whether it's worth having the City do its own background check. The Council was unanimous in feeling that a city background check is not necessary if the OLCC is already running their own. The OLCC clarified that right now they are behind on running background checks and are allowing applicants to work without it, having only applied. That won't always be the case, but at least through the end of the year until they can catch up. The OLCC only requires background checks for people actually touching the marijuana – for instance, bookkeepers are not required to have one. The Council wants to adopt the same rules that the OLCC has for who they require to have the background check. Essentially, someone would just need to show their license to the City

and that's how the City will know they're approved by the OLCC. The Council wants everything to fall back on the OLCC.

Cory also mentioned getting a voicemail from someone wanting to open a daycare facility at a church. He said we'd need to talk to legal on how to handle it if they want to move within 500' of a retail marijuana business. The OLCC handles it in a way where the retail marijuana business gets grandfathered in because they were there first. It would then be up to the daycare provider to choose whether they are ok with being within 500'. Councilor Greiner recommended having the daycare facility post that there is a retail marijuana facility within 500'. The City shouldn't require them to do it, but suggest it. Cory clarified we wouldn't change any of the language, but there was clarity now on the interpretation of it.

Public Comments: Don Huff, owner of Green Knottz, wants to be open on Sundays and be open later until 9 pm. The hours would be 9 am to 9 pm. He stated that this will provide more jobs to people here in La Pine. Current OLCC restrictions are from 7 am to 10 pm. Matt Topher, owner of HD Botanicals, wants the same things. Councilor Briese reiterated that she is fine with extended hours, but she wants to protect the small town feel of La Pine and does not want to see them open on Sundays. Councilor Greiner doesn't think the marijuana facilities should be treated any differently from other businesses in town. Councilor Martinez likes the idea of staying closed on Sundays. The Council was in agreement about 7 am to 10 pm, but staying closed on Sundays. Trentyn also agreed in being closed on Sundays. Cory wanted to know if the Council also wanted to strike Section 6.13 of the TPM Restrictions regarding felons. This part will also be revised to match current OLCC regulations.

Councilor Briese wanted to know requirements with regard to putting product in the windows. The OLCC doesn't have any requirements and facilities are allowed to advertise product in the windows. Councilor Briese said that both retail owners have said in the past that they were NOT going to be putting product in the window, and she wants it to stay that way. Councilor Greiner thinks they should be allowed to do it. Mayor Scott doesn't feel like it's different than alcohol. Councilor Briese said it's not the same, as marijuana can be advertised as brownies or candy. Matt Topher is fine with having the windows blocked out, but wants to be able to have product right when you first walk in the door. Trentyn agrees with blocking out the windows but thinks the product should be available when you walk in. The OLCC doesn't enforce this. Council agreed that the product should be readily available when you walk into the store, but not advertised in the windows.

Matt Topher asked when this would all go into effect and whether applicants can work without their permits. Cory said it would be anywhere from a few weeks to a month, depending on when the new ordinance goes before the Council.

6. Discussion on US 97 Westside Streetscape Landscaping Design – 6:25 p.m.

Erik Huffman discussed several different designs ideas, particularly sod, landscape, mulch and trees. There was some concerns about using sienna glen maples because they aren't doing well in other parts of town, including in front of City Hall. They also discussed tree spacing and pedestrian lighting. Councilor Briese requested Jake's opinion. Jake stated that they've walked this area a lot and have been working together on the design. He mentioned that they are trying to limit the depth of the swales, so he doesn't think there will much of an issue with keeping the landscaping separated, i.e. where the rock and sod meet. ODOT will be coming to the September work session to discuss some of the upcoming projects. Russ Smith stated that he likes the bunch grass and rock – that it goes with our landscape and is easy to maintain. Ann Gawith likes the idea of the pull-in for tanker trucks into Towne Pump. There was discussion about making sure that the trees we get are already acclimated and don't come from the valley (if possible in the bid process). This will come before the Council again with revisions.

7. Discussion on City Hall Monument Sign Project Design – 6:45 p.m.

Reviewed new sign concept based on suggestions from last month's work session. The Council and public felt it was a better incorporation of wood and stone per the Council and community input. Szabo also incorporated "Small Town Strong" and the city's established date. They kept the raised stone planter and flag poles with uplights. The total sign is about 14' tall. Russ Smith wanted to make sure the tree next to the sign won't overgrow it and is far enough away. Ann Gawith feels that the prior recommendations were taken into consideration well. Councilor Martinez thinks the design is beautiful and is excited about it being built. He wants a really big tree and one that can grow for a long time because it will be indicative of the town. Councilor Greiner is concerned about the cost. He likes the design however. He doesn't know if we need that much sign for the size of our town. Councilor Briese likes the design, particularly raising the flag poles because it helps with the lighting issues. Her only suggestion is that the post ends don't match City Hall as much as it could. Cory reminded the Council that the design is two projects in one, the parking lot paving and the sign. We have \$50,000 budgeted for each project. There are some items that could wait, i.e. the split rail fence and re-vegetation planting. He reiterated that money has been being set aside for this project for a while. We have the money to do this project as shown, but we can downsize if the Council chooses. Szabo clarified that there are several different design ideas that can be changed to be more inexpensive. Connie said that construction costs can fluctuate. Ann Gawith said that having a sustainable sign is important and worth the money.

8. Other Matters: This item concerns any matters that were added to the Agenda under the Added Agenda Items portion of this Agenda – 7:25 p.m.

- Title Sponsorship for SLED Luncheon: Cory wanted to know how the Council felt about the City being a Title Sponsor, which costs \$500.00. It includes 5 tickets to the lunch, advertising on the screen, opportunity to talk about City projects and how we're supporting economic development. The luncheon is planned for September 22nd and Sunriver Resort is hosting, which makes them a Title Sponsor. Ryan Culp will also be reaching out to the County to be a Title Sponsor. The money goes to EDCO. Councilor Martinez thought we were already

sponsoring by paying for the EDCO position, but Cory stated this is separate. Cory said the purpose of the luncheon is a celebration of South County economic development and to discuss its successes, i.e. Sunriver Brewing expansion. It will also generate exposure and excitement for future economic development in South County. Councilor Greiner thinks it's worth the money if someone from the City is there promoting Industrial Park. Councilor Briese also thinks it might be a good advertisement for us. Councilor Martinez says we should go for it. Cory clarified it's not really a marketing opportunity, but more of a celebration. The Council unanimously agreed to be a Title Sponsor. Councilor Martinez wants the Planning Commission invited as well so La Pine can make a strong showing.

- Discussion regarding Karen Ward

Councilor Ward has resigned due to health issues. The voting majority is now two council members. Cory will get an advertisement out to at the end of the week regarding the vacancy. The requirements are that the applicant lives inside City Limits and the appointment will be the remainder of Councilor Ward's term, which is through December 2018. Cory said we'd ideally have someone on board in October.

9. Public Comments

None

10. Staff Comments – 7:40 p.m.

Cory Misley: There are two openings for the Urban Renewal Agency. The requirements are that they live or own a business within five miles of city limits. He discussed the busyness of this time with regard to upcoming projects, particularly the water/waste water improvement and expansion project. Jake Obrist stated that there was an issue with the septic receiving station and it needed some welding updates over the weekend. Holly Smith requested that the Council complete their fraud risk inquiry and related party questionnaire's for the audit. Ashley Williams gave each Council member their own budget book.

11. Council Comments

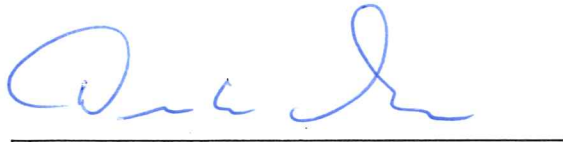
Councilor Martinez wanted to make sure all the different committees get invited to the SLED Luncheon. Councilor Briese is happy about making the TPM Improvements. She also mentioned the funding request for the wrestling tournament coming to La Pine in October.

12. Mayor's Comments

Mayor Scott is looking forward to the joint meetings with ODOT and the county commissioners. A big topic is going to be the roads. The project findings for the Wickiup overpass project will be completed in approximately two weeks.

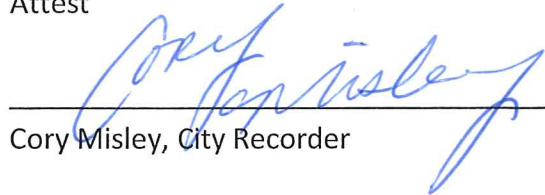
13. Adjourn Meeting – 8:00 p.m.

Councilor Briese motioned to adjourn. Councilor Greiner seconded. No objections. Meeting adjourned.



Dennis Scott, Mayor

Attest



Cory Misley, City Recorder

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 Holly Smith (541-536-1432). For deaf, hearing impaired, or speech disabled dial 541-536-1432 for TTY.