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L A P I N E

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CITY OF LA PINE CITY COUNCIL MEETING MINUTES

Tuesday, September 25, 2018

6:00 p.m. Work Session

La Pine City Hall

16345 Sixth Street, La Pine, Oregon 97739

1. Call to Order

Meeting called to order at 6:00 p.m.

2. Establish Quorum

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

Staff Present: City Manager Cory Misley, Public Works Manager Jake Obrist, Planning Manager Melissa Bethel and Administrative Assistant Holly Smith

3. Pledge of Allegiance

Led by Colleen Scott

4. Added Agenda Items

- a) Flag Pole Update (requested by Councilor Martinez)
- b) Letter from La Pine Chamber of Commerce regarding Newberry Trail (requested by Mayor Scott)
- c) Wickiup Park and Ride Update (requested by Mayor Scott)

5. Public Comments

None

6. Presentation by Sally Pfeifer and Larry Kogosvek from Sagewood Sanctuary

Sally Pfeifer and Larry Kogosvek were present from Sagewood Sanctuary to give the Council information regarding the four tiny homes on Sally's property behind Finley Butte that were placed there in June. Sally owns Pfeifer and Associates, a drug and alcohol company. They've seen a high need for housing for the homeless. There's no place for people who are simply homeless, not involved with Pfeifer and Associates with regard to rehabilitation. She stated that La Pine and Redmond are more progressive towards helping the homeless right now and they are here to talk to the Council about supporting tiny homes on her property. Councilor Heaton asked if they've acquired permits for this yet and they have not. Councilor Greiner asked whether it would require land use planning from the City. Melissa explained that per the current code, if the tiny homes were on a foundation and hooked up to water and sewer, it could work. If not, they're considered RV's and she doesn't know how the building inspectors would respond to them. Councilor Briese wants to see the City allow them. She has seen other cities do these sorts of programs well and believes they could be good examples of how to

proceed, i.e. water and shower sources. Larry stated that these tiny homes allow people a place to go that's away from their current housing situations that often involve drugs and alcohol, therefore giving them the opportunity to get sober. Councilor Briese likes the proposed location because Sally is the homeowner and is supportive of this project. She asked whether there was a plan to get those in the tiny homes into more stable housing and Sally and Larry responded that the plan is not for them to stay long term. Councilor Martinez questioned the decision to place these tiny homes on the property without City permission and Sally stated that she was afraid that the process would take too long. Larry stated that they're providing a safe place, a port-a-potty and trash pickup and this is a better situation than them camping on BLM and leaving their trash and waste whenever and wherever. Councilor Martinez reminded them that this is one of the reasons La Pine incorporated because these kinds of issues have been a problem in the past and there are proper ways of doing things. Councilor Heaton stated that we haven't done enough for the homeless and it's a nationwide problem. He believes La Pine needs to do something to help. Councilor Greiner questioned Larry's statement about the drug problem in these housing situations and Larry stated that that's what he's trained to do. He stated that the people he works with have tremendous impulse to relapse because when they're done with treatment, they have no housing and end up going back to the people they lived with before who are users. Sally stated that they've done interventions on people who've lived there already and told them they cannot stay in those homes unless they enter treatment. Councilor Greiner is in favor of the program providing they follow City land use procedures. Mayor Scott stated that he was irritated that they snuck the tiny homes onto the property without permission and although he believes in this type of program, he feels very strongly that it was wrong for them to do since they didn't do it the right way. He stated that it's unfair to the rest of the community and that it's a legal issue. He is hopeful that the code update will address some of these issues. He thanked them for coming and said the Council would consider the issue.

Cory stated that the issue is whether it's temporary or permanent. Melissa stated that she can get creative and look at the code to see if there's a way to allow it and make it work. Councilor Martinez was concerned that this could set precedence in the future. Cory asked if Council wanted staff to look into options from a temporary, emergency or transitional situation to see if a situation like this could be approved. Jake Obrist stated that he is an advocate but he's concerned about whether these buildings are even safe for them, such as electrical issues and believes Sally has taken on a major liability in doing this. Councilor Greiner stated that the rules should be the same for everyone across the board. Councilor Briese stated that there are other cities who actually have allowed only one or two places like this on a case by case basis. Cory stated that this now falls under a code enforcement issue. There are also potential building code violations. Mayor Scott is concerned about the city's liability, so he urged Melissa to do her research and find out what the City's options are. Cory is also going to consult with our land use attorney. The Council was very clear in their feelings about not having any more tiny homes added until this issue is researched and attorneys are consulted.

7. Discussion on Topics for Joint Meeting with Deschutes County

Cory stated that there will be a joint meeting with the Board of County Commissioners on October 9th at 4:30 pm. Some of the topics tossed around for discussion have been 1) multi use path; 2) Industrial

Park; and 3) County-owned roads. Mayor Scott said we should discuss all items that were on last year's agenda. Councilor Briese was concerned that the Council is on the same page with regard to the Industrial Land issue. Cory gave some background – in 2014, the City signed an IGA with DESCO regarding the property that the County owns in the Industrial Park (around 250 acres). The City has authority to sell and lease the land, however it splits the proceeds with the County. The IGA is a five-year agreement that runs through November 2019. Councilor Briese is not currently in favor of taking over the rest of the land left. She doesn't think we have the staff to do it and the County is currently a cooperative partner. Councilor Martinez disagrees and thinks it's in the City's best interest in taking it over. Mayor Scott agrees with Councilor Martinez. He stated that it was supposed to be turned over when the City incorporated. He thinks the added time frame of getting County approval makes it more difficult for buyers to finalize the deal. Councilor Heaton wanted to know if we'd lost any sales because of the extra time it takes to get County approval and Cory stated that we haven't. Cory stated that he doesn't believe partnering with the County has hurt us, but he also doesn't think they've helped us either. He stated that the big issue was the fact that the City knows where it's 50% goes – it's spent in La Pine. However, the City has no idea where the County's 50% goes and there's no obligation to it being spent in south county. Cory said that James Lewis stated there's no obligation on spending the County's portion here in La Pine. It's possible it has to be spent for economic development, but only in Deschutes County, not necessarily La Pine or even south county. Mayor Scott feels something needs to change and that the City has prime land and it's not being sold in what is currently a good economy. Councilor Briese wants to know why ownership of the land is going to make a difference and Mayor Scott feels it's easier to market and get it in realtor's hands to sell. The County hasn't promoted the sale of any lots. He stated that it was the recommendation of the SLED board to get full ownership. Councilor Greiner is concerned about what Ryan is actually trying to sell in the Industrial Park and is concerned that we're not targeting the right people. It is Councilor Briese's understanding that he's marketing to small, medium and large sized businesses.

8. Discussion on Cell Tower Lease on City Wastewater Property

In 2003, the La Pine Special Sewer District entered into the lease with Western Tower. We're halfway through the lease and they are looking to amend the agreement that would extend the lease even further. This was not drafted by our attorneys or on our usual template. Cory wanted the Council's input on amending the agreement with a simple one to two page amendments, or a complete overhaul of the agreement with our City attorney's involvement. Councilor Martinez stated that we should have legal look at it, especially with how much telecommunications has changed and the rest of Council agreed.

9. Update on Contract with SGA Certified Public Accountants

Cory explained that with Ashley's resignation, the "not to exceed" amount needs to be updated in the most recent agreement with SGA. This is because Ashley had taken on quite a few responsibilities that SGA had previously been handling that they now have to take back. Councilor Greiner asked for clarification on what the time would be spent on, which Cory explained would be audit and on a monthly basis, reconciliations, financial statements, financial reports, transfers, and behind the scenes house cleaning in Caselle. Councilor Heaton questioned on what the options are – whether we take out

the not to exceed amount or increase the amount of the contract. Councilor Martinez stated that we should just up it to \$30k and discuss again at the next budget. Cory stated that our actuals were about \$20k. Councilor Briese questioned whether these were tasks Tracy could take on. This could be discussed at a later date, but it's not something that would happen at this time.

10. Update on Septic Pumping Services RFP

Jake Obrist stated that we had one bidder come back and that it was a good price. We originally budgeted \$30k and their bid is just above \$31k. These funds are budgeted in contracted services and there is plenty to cover these costs. He wanted to make sure Council was still on board with this project and that this would need to be rolled out in the next month or so if it's going to happen. Councilor Briese stated that her understanding was that we'd see how this worked for one year, so she's in support of trying it out and the rest of Council agreed.

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

a) Flag Pole Update (requested by Councilor Martinez)

Cory stated that a 30' flag pole is coming from Minneapolis by truck, however the City hasn't solidified who is going to do the work. Eric Huffman has not heard back from the person we reached out to for a quote. The original contractor has some punch list items that need to be addressed. The City could contract with them again to do the flag pole, or go with someone else. The target is to have it completed by the Town Hall BBQ. A decision needs to be made in the next week or two. The pole requires a bigger footing, so there will be some masonry and electrical work.

b) Letter from La Pine Chamber of Commerce regarding Newberry Trail (requested by Mayor Scott)

Mayor Scott explained that the letter requests the City recognize Chiloquin as a sister city to enhance advertising for the Newberry Country Trail. Cory clarified that it doesn't obligate the City to anything. There was discussion on the difference between being an honorary sister city versus an official sister city. The Council wants further information on the potential requirements before it commits.

c) Wickiup Park and Ride Update (requested by Mayor Scott)

The City is not authorized to do work on this property. Mayor Scott wanted to know how the Council felt about using the temporary sign used for the monument sign is going to be used at the Park and Ride. Councilor Briese clarified that Drafter is actually the beginning of the City, not Burgess, but she understands that Burgess is a busier road. She also wanted to make sure that if we'd claim that property by putting up a sign, there will be a lot of work done in order to clean it up. Cory stated that we don't have a plan in the budget specifically for this area, but there are funds available to use. There will be further discussion on how much to spend and what projects to take on there in the spring.

12. Public Comments

Commissioner Tony DeBone clarified that the underlying ownership of Wickiup Park and Ride is actually the federal government, not the County.

13. Staff Comments

Cory stated that the City will have two staff members starting October 1st. Ken Douglas – Public Works Lead and Kelly Notary – Admin Assistant. He stated that staff isn't looking at bringing any new projects on board at this time because staff has so much going on right now. Jake Obrist is still working on utility billing assistance program with legal. The ODOT streetscape project is coming along well and most hard scape elements are coming to fruition. Crosswalks and landscaping should be coming shortly. Pahlisch is doing some road upgrades in their subdivision. Housing Works is ahead of scheduled by two months. Oregon Regional Water Utility Users – will have a meeting in Bend and will meet some water conservation people in our area. Melissa Bethel had a meeting with ODOT regarding the refinement plan. City is selecting a consultant and they are tallying our evaluation sheet. She'll have a follow up phone call regarding the final selection and start the next phase of the process. Mayor Scott asked if the streetscape project would be done by fall – Jake will follow up.

14. Council Comments

Councilor Greiner questioned whether we'd have sufficient pickups to handle separating employees – Jake has no intention of getting a new pickup and stated that they can use his if needed. Councilor Martinez – SLED had annual luncheon in Sunriver. Councilor Briese – Tammy Baney was selected for COIC new executive director position. Looking forward to League of Oregon Cities Conference. Great way to connect with other cities and see how they're handling things. Councilor Briese is going to Houston for a Neighbor Impact Grant event since Cory cannot attend.

15. Mayor's Comments

Mayor Scott thanked Dan Richer for the Octoberfest event – he heard it went really well. He is happy staff is going to take a break for taking on any additional projects for a bit. Election signs will be going up soon – he hopes public works won't have to pick up too many signs that are wrongly placed in the right of way. Streetscape is looking great.

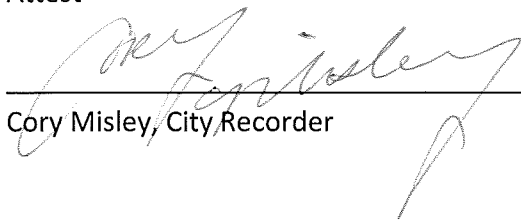
16. Adjourn Meeting

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



Dennis Scott, Mayor

Attest



Cory Misley, City Recorder