



CITY OF LA PINE CITY COUNCIL MEETING REGULAR SESSION MINUTES

Wednesday, January 22, 2020

5:30 PM Regular Session

La Pine City Hall

16345 Sixth Street, La Pine, Oregon 97739

1. Call to Order

Called to Order at 5:32 p.m.

2. Establish Quorum

Members Present: Mayor Daniel Richer, Council President Don Greiner, Councilor Connie Briese (by telephone), Councilor Michael Harper, Councilor Mike Shields, Student Councilor Max Miller.

Staff Present: City Manager Melissa Bethel, Public Works Director Jake Obrist, City Planner Tammy Wisco, Accounting Clerk Tracy Read

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 time selected by the council.

- a. La Pine Community Health Center letter of support

5. Public Comments

None.

6. 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. Minutes
 - i. Special Session Minutes 11.20.19
 - ii. Regular Session Minutes 12.11.2019
 - iii. Special Session Minutes 1.15.2020
 - iv. Urban Renewal Minutes 11.5.2019 (informational)
 - v. Planning Commission Minutes 12.3.2019 (informational)

- b. Council and Staff Reimbursements
- c. OLCC Application – Shandy’s
- d. Financial Statement
- e. Public Works Committee Appointments
 - i. Scott Henderson
 - ii. Cathi Van Damme
 - iii. Jayne Benner

f. La Pine Chamber of Commerce and Visitors Center Quarterly Report

Motion made by Council President Greiner to approve the Consent Agenda. Seconded by Councilor Harper.

Voting Yea: Council President Greiner, Councilor Briese, Councilor Harper, Councilor Shields. Motion passed.

7. Audit Report by Umpqua Valley Financial (via telephone)

Removed from the agenda, will be placed on the February 12, 2020 Agenda.

8. ORD 2020-01: Ordinance to Vacate Right of Way of Old Main Court with Associated Utility Easements - Action Item

Wisco delivered the staff report, reviewing previous notice and hearings as well as conditions of approval.

Motion by Council President Greiner: I move for the adoption of Ordinance 2020-01 and its conditions of approval, vacating Old Main Court from two feet from the southern edge of 2nd Street to its terminus to the south. Seconded by Councilor Harper.

Voting Yea: Council President Greiner, Councilor Briese, Councilor Harper, Councilor Shields. Motion passed.

**9. Public Hearing 01TA-19 Text Amendment Change to Development Code-Action Item
ORD 2020-02: AN ORDINANCE AMENDING ORDINANCE NO. 2018-06**

Request to amend development code per comparison noted in packet materials.

- a. Open Public Hearing
 - Opened by Richer.
- i. Staff Report
 - Wisco read the legislative statement and presented the staff report and presentation, reviewing previous notices, hearings and planning commission recommendations. She clarified for council that under consideration is amending the language of the LPDC Article 8, Ch 15.334, to be less prescriptive and allow for more flexibility. This is an applicant-driven text amendment application; applicant has worked with City staff to present the proposed amendment. Amendment #1 addresses transportation, including buffer zones. Amendment #2 concerns neighborhood parks and open spaces, including lot sizes.
 - Applicant has submitted a request for an additional amendment allowing a lot depth of 90 feet for lots abutting Caldwell Drive.
- ii. Applicant Testimony

Greg Blackmore, Blackmore Planning and Development Services, provided background for council including a presentation on the project. Project plans include 191 single-family homes and six acres of open and park space. Vicki Russell and Randy Akacich provided additional information on the project. Vicki expanded on the goal to create a community within a community in the Sagebrush development, to include Cascadian themed commercial development and walking paths.

iii. Open Public Testimony

None.

iv. Applicant Rebuttal

v. Deliberations

Council deliberations in support of the 20-foot buffer. A question was raised regarding whether existing streets would be changed to extend through the development. Wisco advised that is part of the subdivision application process.

vi. Close Hearing

Motion made by Councilor Harper: I move to amend Ordinance 2020-02, to add the following to the minimum lot depth requirement in Table 15.32-2 for the residential general district of the Newberry Neighborhood Planning Area: "except when abutting the open space buffer along Caldwell Drive, in which case the lot depth may be 90 feet."

Seconded by Council President Greiner.

Voting Yea: Council President Greiner, Councilor Briese, Councilor Harper, Councilor Shields. Motion passed.

Motion made by Council President Greiner: I move to adopt Ordinance 2020-02, as amended, to amend the La Pine Development Code Newberry Neighborhood Planning Area Overlay Zone, initiated through file 01TA-19, and as recommended to be amended by City Staff. Seconded by Councilor Shields.

Voting Yea: Council President Greiner, Councilor Briese, Councilor Harper, Councilor Shields. Motion passed.

10. Public Hearing 02CA-19 Comp Plan Map Amendment & 02ZC-19 Zone Change - Action Item

ORD 2020-03: AN ORDINANCE OF THE CITY OF LA PINE AMENDING THE ZONING MAP AND COMPREHENSIVE PLAN MAP

Request to change Comprehensive Plan Map Amendment Park/Open Space Allotments & Request to change RMP Zone to CMX and RMP

a. Open Public Hearing

Opened by Richer.

i. Staff Report

Wisco read the quasi-judicial statement and called for ex parte communications and potential conflicts. Being none, and no challenges, she provided the staff report reviewing previous notices, hearings and planning commission recommendations.

ii. Applicant Testimony

Greg Blackmore provided additional clarification on the requested Comprehensive Plan designations of RMP and CMU to allow for commercial use

by residents of the planned development as well as other community members. This proposal also meets residential density requirements of the Code.

- iii. Open Public Testimony
None.
- iv. Applicant Rebuttal
None.
- v. Deliberations
None.
- vi. Close Hearing

Motion made by Councilor Harper: I move to approve Ordinance 2020-03, to amend the zoning map and comprehensive plan map to change the park/open space designation to residential master plan and mixed-use commercial and to change the portions of the residential master plan designation to mixed-use commercial for certain properties pursuant to land use approvals 02CA-19 and 02ZC-19. Seconded by Councilor Briese. Voting Yea: Council President Greiner, Councilor Briese, Councilor Harper, Councilor Shields. Motion passed.

11. Wastewater Design-Septic Tank Relocation – Action Item

Obrist delivered the staff report.

Discussion followed with input from Council, Staff and Troy Baker, Project Engineer from Anderson Perry. Concerns regarding placing tanks placed in the right of way include potential damage to tanks as a result of traffic and parking, how street maintenance would be impacted, and how future utility placement could be affected. During open house meetings prior to beginning the project, property owners were told the City would maintain the tanks. There was a question as to why this was not addressed at the beginning of the project. At that time the decision was made to place tanks in the right away to allow better access and a lower grade. That decision was made without council input.

A suggestion was made that if tanks are on private property, the property owner have the option to take over maintenance at that point. There was additional discussion as to how the grade of the line would be affected with placement on the private property v. in the right of way. While mentioned in the staff report that placing tanks on private property would allow the City to transfer ownership and responsibility to property owners, Obrist clarified that no transfer would occur for the foreseeable future, as grant and loan funding requires the City to maintain responsibility.

If tanks are placed on private property, permanent easements from property owners would be required. The current mailing seen a response of 73%. It was suggested that if the City undertakes placement on private property, a mailing be done via certified mail and also door to door contact with residents. Re-placement of tanks will increase the cost of the project by approximately \$45,000 as well as delay the timeline as a redesign would be required.

Motion made by Council President Greiner to move forward with redesign of the project to move septic tanks on to private property. Seconded by Councilor Shields. Voting Yea: Council President Greiner, Councilor Briese, Councilor Shields. Voting Nay: Councilor Harper. Motion passed.

Additional discussion was held regarding redesign and how long the project could potentially be delayed pending property owners' response. Obrist stated that a 90% response would be needed for permanent easements, and the redesign would need to be completed before approaching property owners.

12. Other Matters

None.

13. Public Comments

None.

14. Staff Comments

Bethel: Frontier Days requested to be on tonight's agenda, Bethel stated they will be heard on February 12 regarding a request for extension on their pending conditional use request pending delineation of their land. Deschutes Historical Society has extended an invitation to Council to view the Aya Collection, which contains memorabilia from the early days of La Pine. The next agenda will include the auditor's report as well as final construction documents for La Pine Station.

Obrist: After participating in the high school career fair, he was contacted by COIC regarding the possibility of a youth crew working on City Public Works projects. Cost is \$400 per day for a crew of five students and one leader. The crew would work for 2 – 4 days on tasks such as clearing cinders, freeing up City staff to work on other projects.

15. Mayor and Council Comments

None.

16. Adjourn Meeting

Adjourned at 8:00 p.m.