

LA PINE CITY COUNCIL MEETING AGENDA

Wednesday, April 9, 2014
Regular Session – 6:00 pm
16345 6th Street, Suite 102
La Pine, Oregon 97739

A. Regular Session – 6:00 pm

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. March 5, 2014 Work Session Minutes
 - ii. March 12, 2014 Regular Council Meeting Minutes
 - b. Bills and Invoices
 - i. Approval of Reimbursements
 - c.
 - i. Walkway/Bikeway Project Agreement
 - ii. Pauly Rogers Contract for Additional Services for the Audit
6. Public Comments
7. Proclamation for Week of the Young Child
8. Approval of Budget Committee Member

- Franklin Schultz
9. Discussion on Medical Marijuana Dispensaries in La Pine

- Representative Mike McLane
10. Land Transfer Agreement with Parks and Recreation

11. Other Matters This item concerns any matters that were added to the Agenda under the Added Agenda Items portion of this Agenda.
12. Public Comments
13. Staff Comments
14. Council Comments
15. Mayor's Comments
16. 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 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.

LA PINE CITY COUNCIL MEETING MINUTES

Wednesday, April 9, 2014

Regular Session – 6:00 pm

16345 6th Street, Suite 102

La Pine, Oregon 97739

B. Regular Session – 6:00 pm

1. Call to Order

Mayor Mulenex called the meeting to order.

2. Establish Quorum

Interim City Manager Rick Allen

Mayor Ken Mulenex

Councilor Stu Martinez

Councilor Greg Jones – via telephone conference

Councilor Kathy Agan

Councilor Karen Ward

Student Councilor Conrad Parker

Public Works Manager Scott Perkins

Office Utility Specialist Ashley Williams

Admin Ass't Patricia Morgan

Quorum established.

3. Pledge of Allegiance

Planning Commissioner Don Greiner 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.

- Resolution 2014-04 Banking Procedures by Summer Sears. This will be moved to the front of the agenda.
- Request from the Chamber of Commerce to Sponsor a Booth at a Conference

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. March 5, 2014 Work Session Minutes
 - ii. March 12, 2014 Regular Council Meeting Minutes
- b. Bills and Invoices
 - i. Approval of Reimbursements
- c.
 - i. Walkway/Bikeway Project Agreement
 - ii. Pauly Rogers Contract for Additional Services for the Audit

Councilor Martinez noted a possible conflict of interest regarding the bill from Wilderness Garbage.

A motion was made by Councilor Ward and seconded by Councilor Agan to approve the consent agenda.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

Motion passed unanimously.

Resolution No. 2014-04 A Resolution Authorizing a Change of Bank Accounts at Washington Federal Bank, Closing Bank Accounts at Home Federal Bank, Opening a Bank Account at US Bank, both located in the City of La Pine, Oregon, Designating both as Depositories for Funds of the City of La Pine, and authorizing signatories on Bank Accounts.

Summer Sears, Financial Consultant for the City of La Pine, said one of the tasks she had been requested to do was looking at the City's bank accounts. She said several accounts were recently combined. Ms. Sears said they wanted to be sure the fund stayed local. She said they also wanted to create some diversity so that not all accounts were at one bank. Ms. Sears said that the two banks in town were asked to give their qualifications, interest rates, etc. She said they decided to keep the primary relationship with Washington Federal. Secondly they decided to close the Home Federal account due to the fact that they are not a local bank. Lastly, they decided to open a bank account at US Bank and keep approximately \$250,000 in it at this time.

A motion was made by Councilor Agan and seconded by Councilor Ward to approve Resolution No. 2014-04 and authorize signatures of the Council on the bank accounts.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

Motion passed unanimously.

6. Public Comments

None

7. Proclamation for Week of the Young Child

Laura Case, who is with Healthy Beginnings, spoke to the Council about the Proclamation. She said they come into La Pine twice a year to do medical screenings for children. Mayor Mullenex read the Proclamation out loud.

A motion was made by Councilor Martinez and seconded by Councilor Ward to approve the Proclamation for Week of the Young Child.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

Motion passed unanimously.

8. Approval of Budget Committee Member
- Franklin Schultz

Mr. Frank Schultz, candidate for the Budget Committee, gave a brief background of his community involvement in La Pine.

A motion was made by Councilor Martinez and seconded by Councilor Ward to appoint Frank Schultz to the Budget Committee.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

Motion passed unanimously.

9. Discussion on Medical Marijuana Dispensaries in La Pine
- Representative Mike McLane – was not in attendance

Interim City Manager Allen said that 48 cities in Oregon have passed a moratorium. 58% of the cities are not doing anything on the issue. About 40 cities are in a pending stance. Mr. Allen said that the moratorium, if approved, would ban the dispensaries for a year. He said that in order to get it approved it must be unanimously agreed to by the Council. Mr. Allen said that there are numerous rules and regulations like where a dispenser can be located, they cannot be located by a school.

Public Comments

Carson Templer, Sunriver resident, said that he currently has a license from the State of Oregon to open a medical marijuana dispensary. He said that he believes it is something that is good for the community. Mr. Templer said it will bring jobs to the community. He also said there is a need for this dispensary in the La Pine area. He said that the business must report to the State about how much income they generate. Mr. Templer said he has procured a building for the business in the Aspen Shopping Mall. He said he is planning on using a local bank, insurance company, etc. , for his business. Mr. Templer said that the prescriptions for marijuana can be up to 24 ounces. He said the product would be purchased from people who are growing the marijuana with a medical card. There was also a discussion on the medical marijuana plants that will be for sale. Mr. Templer said the plants cannot be more than one foot tall.

Student Councilor Conrad Parker asked about the potency of the marijuana. He also asked if all the plants have the same potency. Mr. Templer said that the State of Oregon requires them to have the marijuana tested for potency and any contaminants before it is sold. He said that the marijuana would sell from between \$100-\$250 dollars. There was a discussion on the federal government's stand of marijuana being illegal. When asked about the disposal of the by-products that cannot be used, Mr. Templer had no response.

Randy Huff, La Pine area resident, spoke to the Council about his desire to have a medical marijuana dispensary in La Pine. He passed out some paperwork asking people that were in support of the dispensary as well as people that were unsure or against it to sign the paperwork. Mr. Huff said that right now people have to get their marijuana from growers and so it does not get inspected. He said that his dispensary would limit people to how much they could receive at a given time period. Mr. Huff said the nearest dispensary is in Bend and many people in La Pine do not have good transportation to Bend. He said he has obtained an outlet for his business. Councilor Jones cautioned about the City getting overrun by sellers and it being bad for the City as has happened in some cities in California.

Peggy Vowell, area resident, stated she is for medical marijuana. She said no other medications have helped her with pain the way marijuana has done for her.

A five minute break was taken at this point in the meeting.

Meeting Resumed at 7:35 pm.

Public Comment

Ellen Currie, reporter for The Eagle newspaper, said that Humboldt, California has had a drug problem for a very long time. She said that during most of that time there were no marijuana dispensaries there. Carson Templer stated that California does not have regulated dispensaries like Oregon does.

Councilor Agan stated that she has concerns about the availability of drugs to young people that might occur with dispensaries. She said she would probably favor a moratorium on the dispensaries. Councilor Ward stated she felt the same way as Councilor Agan. She said the senior population, she has spoken to, are against the dispensaries. Councilor Jones said he was in full support of a moratorium. Councilor Martinez said that there is a facility in Bend and there is a shuttle that travels between Bend and La Pine. He said he did not understand the process of how the system works so would like a one year moratorium to get the facts. Councilor Martinez said he needs to know how to protect his employees (Wilderness Garbage) with the left over parts from the marijuana processing. Interim City Manager Allen stated that the City could put some limits on the dispensaries as other cities in Oregon have done. Mayor Mullenex stated that he was concerned about the darker side of having marijuana sold in the City. He said the City really needs a year to get everything resolved regarding this issue. Councilor Agan stated that because

Bend has a dispensary it helped her make the decision on a moratorium. Conrad Parker discussed his concern with the youth of the City and how they may be effected by the increased availability of marijuana.

There will be a hearing on the moratorium ordinance on April 23rd at 6 pm.

10. Land Transfer Agreement with Parks and Recreation

This agenda item was pulled at this point in time.

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

- Appointment of Wayne Barth to the Public Works Committee. Mayor Mulenex stated that the Public Works Committee is recommending Mr. Barth be appointed.

A motion was made by Councilor Ward and seconded by Councilor Martinez to appoint Wayne Barth to the Public Works Committee.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

Motion passed unanimously.

Councilor Jones left the Council Session.

- Purchase of a picnic table sponsorship for the Parks & Rec District. Mayor Mulenex stated that the cost is \$250.00 a table and the art work on the table will be done by young people

A motion was made by Councilor Ward and seconded by Councilor Agan to approve sponsorship of \$250.00 for the picnic table.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

Motion passed unanimously.

- Request from the Chamber of Commerce to Sponsor a Booth at a Conference.

Interim City Manager Allen stated that the Chamber is going to an annual tourism conference and would like sponsorship for a booth at the conference to promote La Pine. He said that the money would come from the TRT funds. The cost is \$350.00.

A motion was made by Councilor Martinez and seconded by Councilor Agan to approve sponsorship of \$350.00 for a booth at the annual tourism conference.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

Motion passed unanimously.

12. Public Comments

Randy Huff thanked the Council for their work on the marijuana dispensaries.

13. Staff Comments

Interim City Manager Allen stated that on the USDA loan there was a \$100,000 difference between what the City thought they owed and what actually was owing, in favor of the City. Apparently all the payments were applied to the principle instead of to interest which decreased the amount due by \$100,000. He also said that community groups will be making their requests for funding to the Council at the budget meetings that are scheduled for the end of April. There was also a brief discussion on the street lights, some of them have been put up. Mr. Allen said that the sidewalk project is going out for bid and he has been assured that the project will be completed by the 4th of July.

14. Council Comments

Councilor Martinez thanked the Councilors that attended the Dream to Skate breakfast fundraiser.

15. Mayor's Comments

Mayor Mulenex stated that Central Oregon's Dutch Oven Society will be doing a fundraiser for the Dream to Skate.

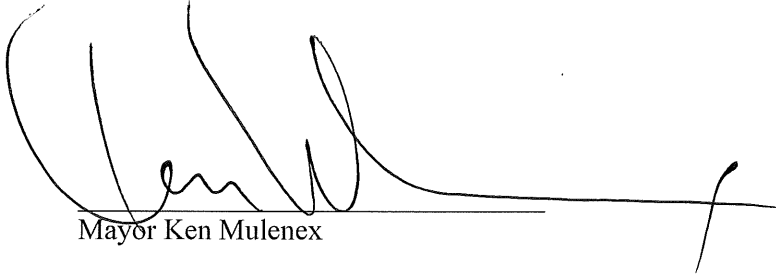
16. Adjourn

A motion was made by Councilor Ward and seconded by Councilor Martinez to adjourn the meeting.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

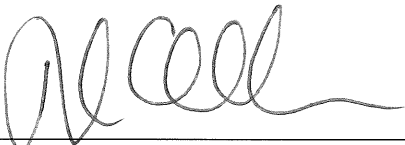
Motion passed unanimously.

Mayor Mulenex adjourned the meeting.



Mayor Ken Mulenex

Attest



Rick Allen, City Recorder