

**LA PINE CITY COUNCIL SPECIAL MEETING
PUBLIC HEARING**

Wednesday April 22, 2015

6:00 pm

16345 Sixth Street, Suite 102
La Pine, Oregon 97739

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Proclamation Declaring April as "Underage Substance Abuse Prevention Awareness Month"
5. Ordinance No. 2015-03 An Ordinance Amending Ordinance No. 2012-05; Establishing Medical Marijuana Dispensaries as a Principal Use in Certain Zones; Superseding all Other Ordinances or Parts of Ordinances in Conflict Herewith; and Declaring an Emergency
 - a) Open Public Hearing
 - b) Staff Report
 - c) Open Public Comments
 - d) Close Public Comments
 - e) Council Deliberations
6. Public Comment
7. Staff Comments
8. Council Comments
9. Mayor's Comments
10. 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. This 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.

**LA PINE CITY COUNCIL SPECIAL MEETING MINUTES
PUBLIC HEARING**

Wednesday April 22, 2015

6:00 pm

16345 Sixth Street, Suite 102

La Pine, Oregon 97739

1. Call to Order

Mayor Mulenex called the meeting to order.

2. Roll Call

Interim City Manager Rick Allen

Mayor Ken Mulenex

Councilor Stu Martinez

Councilor Greg Jones

Councilor Kathy Agan

Councilor Karen Ward

Student Councilor Conrad Parker - absent

Public Works Manager Scott Perkins – absent by prior arrangement

Accounting Clerk Ashley Williams – absent by prior arrangement

Admin Ass't Patricia Morgan

Quorum established.

3. Pledge of Allegiance

Gary Gordon, area resident, led the Pledge of Allegiance.

4. Proclamation Declaring April as “Underage Substance Abuse Prevention Awareness Month”

Mayor Mulenex read the Proclamation.

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

<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.

Interim City Manager Allen said the ODOT Grant and new copy machine need to be added to the agenda.

5. Ordinance No. 2015-03 An Ordinance Amending Ordinance No. 2012-05; Establishing Medical Marijuana Dispensaries as a Principal Use in Certain Zones; Superseding all Other Ordinances or Parts of Ordinances in Conflict Herewith; and Declaring an Emergency

a) Open Public Hearing

Mayor Mullenex Opened the Hearing

b) Staff Report

City Planner Bill Adams stated that the Planning Commission recommended this Ordinance be brought before the City Council. He said the Commission voted 5-0 to recommend it to the Council. Mr. Adams said that the Ordinance complies with the comprehensive plan and zoning ordinance. He also reviewed the amendments to the zoning ordinance. Mr. Adams also discussed which zones would be available for a medical marijuana dispensary in the City of La Pine. He stated that the dispensary must be at least 50 feet from Hwy 97 right-of-way as recommended by the Planning Commission. This would take care of the entrance and façade issues. There was a discussion on what content could go on a sign, the City currently does not have a right to mandate what is on a sign.

c) Open Public Comments

Barbara Dunham, area resident, asked about lighted up (electric) signs as far as their size. She was referred to the website to access the sign ordinance. She was not in favor of electric signs. Don Greiner, Planning Commissioner, discussed how the Planning Commission dealt with the entrances to dispensaries. He said they decided for the dispensaries to have their entrance where the other businesses had them. Gloria Fleming, Planning Commissioner, discussed the commercial/residential mixed use area north of Burgess Road. She said if someone wants to build a new dispensary building it would be reviewed by both the County and City of La Pine's Planning Commission

d) Close Public Comments

Mayor Mullenex closed the Public Comments.

e) Council Deliberations

Mayor Mullenex complimented the Planning Commission for their work on the Ordinance. Councilor Martinez said that the Planning Commission reviewed the Ordinance in depth and recommended changes to it. Councilor Jones said while he still was not happy about marijuana dispensaries being allowed in the City, he complimented the Planning Commission for their work. Mayor Mullenex stated that he liked the Ordinance as written.

A motion was made by Councilor Martinez and seconded by Councilor Jones to approve the recommendations of the Planning Commission regarding the Ordinance.

<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.

A motion was made by Councilor Ward and seconded by Councilor Jones to Approve the Revised Version of Ordinance 2015-03 as Presented.

<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.

New lease for a new copier: Mr. Allen said that the new copier will run faster and cost less than the current leased copier.

A motion was made by Councilor Agan and seconded by Councilor Jones to Approve the Leasing of new Copier Machine for a savings of \$28.00 a month

<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.

ODOT Grant for Landscape Funding: Mr. Allen said that the City has applied for a \$250,000 project grant with \$100,000 coming from the City (which was already budgeted for) and the remaining \$150,000 to come from the Federal Government to the State. The City also has agreed to maintain the project.

Councilor Martinez asked about the funds for the moving of utilities. Mr. Allen said this Pack Application does not involve it. The City will be mowing the lawns and taking care of the maintenance.

A motion was made by Councilor Agan and seconded by Councilor Jones to Approve the Pack Application.

<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 Comment

None

7. Staff Comments

Interim City Manager Allen stated that the first Budget Committee Meeting is scheduled for April 28th at 5:30 pm. The budget will be available to all, at noon on April 28th. Mr. Allen said there needs to be a separate budget meeting for the Urban Renewal budget. He said that the City is hiring a new auditor to perform the audit. Mr. Allen also said he has received RFP's for the Insurance Agent of Record. He said both of these hirings will be done at the next Council Meeting. Mr. Allen said he is interviewing candidates for the Assistant Manager position. He said he was also working on water mitigation credits. Mr. Allen said that the City needs to buy mitigation credits by September of 2016. If not purchased, the City will lose those water rights. Mr. Allen is working on buying five credits for the next year. Then, the City would not buy any credits for five years. There was also a discussion on the waiving of SDC's (System Development Charges). Mayor Mulenex said the water agreement with the Park District was \$1,000 a year for five years.

8. Council Comments

None

9 Mayor's Comments

Mayor Mulenex discussed the judging for the "If I Were Mayor Contest." He also said he has submitted paperwork to the school for a new candidate to serve as the Student Councilor on the City Council. He said the school already has chosen the candidate. Mayor Mulenex said he would like the new candidate to be introduced at the Council Meeting in June. He also discussed starting the Council Meeting on May 13th at 5:30 pm for the awarding of contest winners. Mayor Mulenex stated that there is legislation to set-up a septic system grant loan fund for people that need new septic tanks or need to remodel their septic tanks.

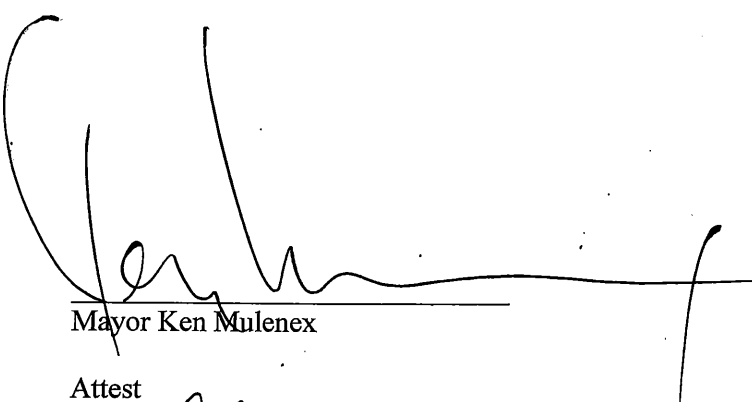
10. Adjourn

A motion was made by Councilor Agan and seconded by Councilor Martinez to Adjourn the Meeting.

<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.

Mayor Mullenex adjourned the meeting.



Mayor Ken Mullenex

Attest



Rick Allen, City Recorder