

LA PINE CITY COUNCIL AGENDA

Wednesday, September 9, 2015

Work Session – 5:00 pm

Regular Session – 6:00 pm

16345 6th Street, Suite 102

La Pine, Oregon 97739

A. **Work Session – 5:00 pm**

1. Call to Order
2. Establish a Quorum
3. Interview of Candidates for City Council
 - Don Greiner - 5:00 pm
 - Connie Briese - 5:15 pm
 - Dennis Scott - 5:30 pm
4. Adjourn

B. **Regular Session – 6:00 pm**

1. Call to Order
2. Establish a 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. August 12, 2015 Council Meeting Minutes
 - ii. August 31, 2015 Special Meeting Minutes
 - b. Bills and Invoices
 - i. Approval of Reimbursements
 - c. Financials
 - i. Revenue and Expenses

- d. Community Funding
 - i. Veterans Day Event

- 6. Public Comments

- 7. Ordinance No. 2015-08 An Ordinance of the City of La Pine Prohibiting the Sale of Limited Marijuana Retail Products from Medical Marijuana Dispensaries; and Declaring an Emergency
 - a) Open Public Hearing
 - b) Staff Report
 - c) Open Public Comments
 - d) Close Public Hearing
 - e) Council Deliberations

- 8. Appointment of Councilor to the City Council

- 9. Approval of Cooperative Improvement Agreement with ODOT (US Hwy 97 at Wickiup Junction)

- 10. Economic Vitality Roadmap Beautification Team – Request for Funding

- 11. Arts Commission Report

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

- 13. Public Comments

- 14. Staff Comments

- 15. Council Comments

- 16. Mayor's Comments

- 17. 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 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 Patti Morgan (541-536-1432). For deaf, hearing impaired, or speech disabled dial 541-536-1432 for TTY.

LA PINE CITY COUNCIL MINUTES

Wednesday, September 9, 2015

Work Session – 5:00 pm

Regular Session – 6:00 pm

16345 6th Street, Suite 102

La Pine, Oregon 97739

A. **Work Session – 5:00 pm**

1. Call to Order

Mayor Mulenex called the meeting to order.

2. Establish a Quorum

Interim City Manager Rick Allen

Assistant City Manager Cory Misley

Mayor Ken Mulenex

Councilor Stu Martinez – arrived at 5:10 pm.

Councilor Kathy Agan

Councilor Karen Ward

Student Councilor Sydney Bright - absent

Public Works Manager Scott Perkins - absent

Accounting Clerk Ashley Williams

Admin Ass't Patricia Morgan

Quorum established.

3. Interview of Candidates for City Council

- Don Greiner - 5:00 pm

Commissioner Greiner stated that his letter of interest says everything about him. Also, everyone on the Council knows him. He said he did not seek re-election to the Council due to other important commitments and family issues. Commissioner Greiner said he no longer has the commitments or issues that would keep him from giving full attention to the Council. He then discussed his history with La Pine over the years. Commissioner Greiner stated that he has attended many of the Council meetings, on a regular basis, as well as other city related meetings. He is currently a commissioner on the Planning Commission for the City of La Pine. Councilor Martinez stated that Commissioner Greiner has a lot of experience having already sat on the Council. Councilor Ward mentioned she has also enjoyed working with Commissioner Greiner. Mayor Mulenex asked about other groups Commissioner Greiner has been involved with. Commissioner Greiner said he has worked with the Senior Center in addition to the City. He said he has also attended the Park and Rec meetings. Commissioner Greiner said he use to attend the Small Cities Meetings when he was on the Council.

- Connie Briese - 5:15 pm

Ms. Briese said she moved to La Pine last year but had been involved with the community of La Pine for a long time. She said she was involved with the fund raising for the White School Building. Ms. Briese has also worked with SCOOTER. She said she really enjoys being involved in the community. Ms. Briese also works with the youth at her church. Councilor Agan asked about Ms. Briese's schedule to attend other city related meetings. Ms. Briese said since she owns her own business her schedule is flexible and she could attend those meetings. Councilor Ward said that Ms. Briese is someone that wants the City to move forward and that it sounds like she is qualified to be a Councilor. In response to a question from Councilor Martinez, Ms. Briese said she would like to get the youth more involved with the City like with the City Clean-up Day as well as other community activities. Mayor Mullenex stated that Ms. Briese was on this year's budget committee. He asked her about the Art Commission and what her thoughts were about it. Ms. Briese said she thinks of the City of Sisters and what they have done to promote the arts. She said it also brings in tourist monies to the City. Ms. Briese said she would look forward to the learning opportunities by being on the Council.

- Dennis Scott - 5:30 pm

Mr. Scott said he tries to make all the City meetings. He also said he was on the Budget Committee, this year. Mr. Scott discussed the "Shine on La Pine" group that he is involved with and manages. He said he loves the area of La Pine. Mr. Scott said he is a retired police officer from New York State. He said he has been to many FBI schools. Mr. Scott said he has a flexible schedule and could accommodate the different meetings. Councilor Ward said that she was impressed, when talking with Mr. Scott, that he believed La Pine was worth fighting for. Mr. Scott said he was really impressed with the number of volunteers that are in the City. He said he really enjoyed being on the Budget Committee and found it very interesting. Mr. Scott said he thought the Art Commission was very important to the City and also finding ways for funding

4. Adjourn

A motion was made by Councilor Ward and seconded by Councilor Agan to adjourn the Work Session.

<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 Mullenex adjourned the meeting.

B. Regular Session – 6:00 pm

1. Call to Order

Mayor Mulenex called the meeting to order.

3. Establish a Quorum

Interim City Manager Rick Allen
Assistant City Manager Cory Misley
Mayor Ken Mulenex
Councilor Stu Martinez
Councilor Kathy Agan
Councilor Karen Ward
Student Councilor Sydney Bright - absent
Public Works Manager Scott Perkins
Accounting Clerk Ashley Williams
Admin Ass't Patricia Morgan
Quorum established.

3. Pledge of Allegiance

Tom Bradley, area resident, 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.

None

5. Consent Agenda

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a. Approval of Minutes

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c. Financials

- i. Revenue and Expenses

- d. Community Funding
 - i. Veterans Day Event

Councilor Martinez mentioned a possible conflict of interest with the Wilderness Garbage bill.

A motion was made by Councilor Agan and seconded by Councilor Ward to Approve the Consent Agenda.

<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.

6. Public Comments

None

7. Ordinance No. 2015-08 An Ordinance of the City of La Pine Prohibiting the Sale of Limited Marijuana Retail Products from Medical Marijuana Dispensaries; and Declaring an Emergency

a) Open Public Hearing

Mayor Mullenex opened the Public Hearing.

b) Staff Report

Interim City Manager Rick Allen discussed the request from Council to draw up this Ordinance. He said it was necessary to do this prior to October 1, 2015. Mr. Allen said if the Council does not do anything the medical marijuana dispensaries could start selling recreational marijuana October 1, 2015. He said the Ordinance is good through Dec. 31, 2016.

c) Open Public Comments

Robert Ottney, area resident, asked about the ban and the effective dates. Randy Huff, owner of a medical marijuana dispensary, said that this Ordinance directly effects the future of his business as well as others. He said, according to an Ordinance, that time, place and manner were spelled out for the selling of recreational marijuana. Mr. Huff said the marijuana people buy on the street is not tested and that is a serious health issue. He said it is important to keep the money in La Pine with the selling of recreational marijuana. Matt Toepfer, owner of a medical marijuana dispensary, stated that he has gathered over 250 signatures from people that want the selling of recreational marijuana in La Pine beginning Oct. 1, 2015. Mrs. Toepfer said that they have a lot of support for it. Rosa Mora, employee at Green Knotz Dispensary, said that not allowing recreational sales will impact her job. She also said she wanted it legalized so there would be more control of it. Steve Dowler, area resident, stated that if recreational marijuana is available he is worried that children will be able to get it. Dennis Scott, area resident, stated he agreed that it would be good to have the recreational marijuana controlled but that the residents of the City of La Pine voted against legalizing recreational marijuana. Gary Beardsly, area resident, discussed the use of medical marijuana from patients he assists. He said the dispensary stores he has visited were

very professional. Mr. Beardsly said he was in favor of the selling of recreational marijuana. Glen Costello, area resident, stated that the people who voted for the sale of recreational marijuana are having their rights taken away because now cities can decide if they want it or not. He said the sales of

marijuana is good for businesses in La Pine. Mr. Costello said that the Council is going to vote on something they do not understand. John Weatheral, area resident, discussed the revenue the City would generate in tax monies for the sale of recreational marijuana. Brad Stewart, area resident, suggested an advisory committee be formed with people who are familiar with the marijuana industry. Jason Cox, area resident, discussed how the marijuana would positively affect businesses in La Pine. Barbie Dunham, area resident and a member of TAPS, said if marijuana is going to be here it needs to be regulated in shops and provide revenue for the City. Garth Huey, area resident, said that real estate could be negatively affected by banning recreational marijuana. Todd Horrax, area resident, discussed how the County and City of Bend has worked with marijuana. He said he supported recreational marijuana being made available in the City. Don Huff, co-owner of Green Knottz Dispensary, said the Council needs to think about the effect of not allowing recreational marijuana to be sold in La Pine. The marijuana dispensary creates a safe way to distribute it. Kim McGinnis, area resident, discussed her use of marijuana due to a back issue. She said having marijuana regulated creates safety for consumers. Gina, area resident, said that marijuana saves lives. She said there shouldn't even be a meeting about banning it.

d) Close Public Hearing

Mayor Mullenex closed the Public Hearing.

e) Council Deliberations

Councilor Ward said the Council is not taking away medical marijuana but just wants the time to decide on regulating recreational marijuana. She said they need to decide if medical marijuana dispensaries should also sell recreational marijuana. Councilor Agan stated this will give the City time to look at the entire picture of recreational marijuana. Councilor Martinez re-emphasized that medical marijuana is not going anywhere. He said the medical dispensaries originally told the Council they did not want to get involved with recreational marijuana. Councilor Martinez said the City of La Pine did not pass recreational marijuana. He said he favors putting the issue on the ballot for La Pine. Councilor Agan said it needs to be put to a vote by the residents of La Pine. Mayor Mullenex said he also favors putting the issue before the voters of La Pine.

Mayor Mullenex called a five minute recess at 7:00 pm.

Meeting was called back to order at 7:05 pm.

A motion was made by Councilor Martinez and seconded by Councilor Agan to Approve Ordinance No. 2015-08.

<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.

8. Appointment of Councilor to the City Council

Councilor Agan stated that all the candidates were wonderful. She said each of them had unique qualities and experience. Councilor Agan said she was having a difficult time deciding on a nomination. Councilor Ward stated that she has worked with some of the candidates. She said she felt experience was the most important quality for the Council. Councilor Ward said she supported Don Greiner for the Council position. Councilor Martinez stated that all the candidates were very good at expressing why they wanted to be on the Council. He said all three of them have a genuine interest in helping the community. Councilor Martinez said he wanted to nominate Dennis Scott for the position. Mayor Mullenex said that it was no easy task. He said the three individuals would bring a lot to the position. Councilor Agan nominated Connie Briese. Councilor Ward said that in her opinion, experience was most important for the position. Councilor Martinez stated that Dennis Scott would bring a fresh viewpoint to the Council. Mayor Mullenex said that there are currently three retired people on the Council. He said he favored getting someone who has business experience. Mayor Mullenex said there are several other volunteer opportunities in the City other than just the City Council. Commissioner Don Greiner stated that he wanted to withdraw his application for City Council. Mayor Mullenex said he would accept the withdrawal. Councilor Agan said she would now like to nominate Dennis Scott.

A motion was made by Councilor Agan and seconded by Councilor Martinez to Elect Dennis Scott to the City Council.

<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.

9. Approval of Amendment to Cooperative Improvement Agreement with ODOT (US Hwy 97 at Wickiup Junction)

Assistant City Manager Cory Mисley said this is an amendment to an original agreement that was approved in 2013. He said the amendment inserts some new language regarding the City having to pay for utility movement and the second item is updating contact information. The City will save \$90,000 as a result of not having to move the utilities. The State will pay for it.

A motion was made by Councilor Agan and seconded by Councilor Martinez to Approve the Amendment to the Cooperative Improvement Agreement with ODOT.

<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.

10. Economic Vitality Roadmap Beautification Team – Request for Funding

Dennis Scott stated that first off he would like to meet with Don and Connie and get their input for his new position with the Council. He said that the Shine on La Pine committee he is on has twenty plus volunteers. Mr. Scott said they have a 90 day plan, which is to get rid of the knapp weed in the City. He said in October they plan to contact the various businesses in La Pine for a pledge to keep the City looking nice and free of knapp weed. Mr. Scott said that the committee will also address the signage in the City, sometime next Spring. He said they plan to acknowledge businesses that participate in the beautication goals. Mr. Scott said they are asking the City for the cost of the signs that are needed for knapp weed removal.

Councilor Ward asked if the City had the money for the signs. Mr. Allen said that the revenue from the business licenses was available for this type of use.

A motion was made by Councilor Agan and seconded by Councilor Martinez to Approve Funding for the Economic Vitality Team for Signage.

Vote as follows:

Councilor Stu Martinez

AYE

NAY

X

Councilor Kathy Agan

X

Councilor Karen Ward

X

Motion passed unanimously.

11. Arts Commission Report

Mayor Mullenex discussed the budget that is in place to create an Arts Commission. He said he has talked with various people in the City regarding the Commission organization. Mayor Mullenex said there will also be an Ordinance at some point in time. He said there is a program by Arts Central to apply for a grant that would identify a piece of property in the City of La Pine and get community support and help from students and adults to paint a mural. Mayor Mullenex said the grants available are specifically designed for these type of efforts. He said the grant is for 2016.

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

None

13. Public Comments

Commissioner Ward congratulated the Council and staff for the handling of the meeting, tonight. Commissioner Greiner said that he felt the Council needed some new blood on the Council and was pleased with the way things turned out. Kitty Shields, former Mayor, stated that Council and staff did a great job of handling a very difficult situation, especially the Mayor. Connie Briese thanked the Council for entertaining her application for the City Council.

14. Staff Comments

Mr. Allen said there are three leases out for the Business Park. He said the leases will eventually come before the Council. Mr. Allen said they had a meeting with Biogreen and that they were requesting an option on some property. He also said the planning business is keeping staff busy. Mr. Allen briefly

discussed a possible ballot measure for next year's election on recreational marijuana. Mr. Misley discussed the workshop that will occur at City Hall on September 16th regarding the look of the town by an architectural firm.

15. Council Comments

Mayor Mulenex asked for consensus from the Council for Dennis Scott to attend the League of Oregon Cities Conference. Council had consensus for Dennis to attend the conference. Councilor Agan said there will be a Red Cross meeting at City Hall on September 10th regarding having local Red Cross people available for a crisis in La Pine. Councilor Martinez said that there are some big time mistakes on some of the maps that hang in the Council Chambers.

16. Mayor's Comments

Mayor Mulenex asked about a new PA System. Mr. Allen said it has not yet been worked on. Mayor Mulenex also said people have complained about the trimming of bushes around City Hall. He also discussed the arts and how they are tied to economic development.

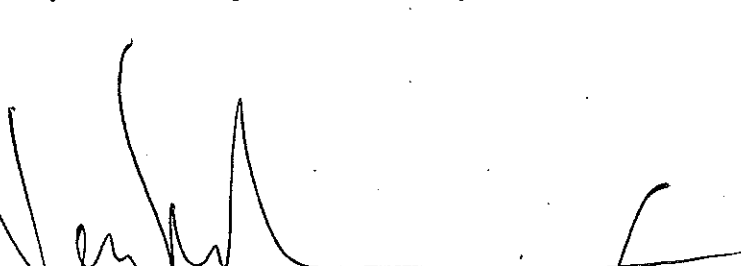
17. Adjourn

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 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