

LA PINE CITY COUNCIL SPECIAL MEETING AGENDA

Monday, August 31, 2015

3:00 pm

16345 Sixth Street, Suite 102

La Pine, Oregon 97739

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Public Comments
5. Discussion on Recreational Marijuana
6. Public Comments
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

Monday, August 31, 2015

3:00 pm

16345 Sixth Street, Suite 102

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1. Call to Order

Mayor Mulenex called the meeting to order.

2. Roll Call

City Attorney Jeremy Green – by teleconference

Interim City Manager Rick Allen

Assistant City Manager Cory Misley

Mayor Ken Mulenex

Councilor Stu Martinez

Councilor Kathy Agan

Councilor Karen Ward – absent by prior arrangement

Student Councilor Sydney Bright - absent

Public Works Manager Scott Perkins – absent by prior arrangement

Accounting Clerk Ashley Williams

Admin Ass't Patricia Morgan – absent by prior arrangement

Quorum established.

Matt Toepfer and Randy Huff, both La Pine medical marijuana dispensary owners, were in attendance. In addition a reporter from the Bend Bulletin was present.

3. Pledge of Allegiance

No Pledge was done.

4. Public Comments

None

5. Discussion on Recreational Marijuana

City Attorney Green discussed the memorandum he had prepared for the Council as well as two draft ordinances. He said House Bill 3400 authorizes a City to adopt an "opt out" ordinance that if the City falls within a County that did not support Measure 91 that City could prohibit certain marijuana activities and operations. Mr. Green said also, if the County did support Measure 91, which Deschutes County did, a City could still put a prohibition ordinance into effect as long as there was a vote by the registered voters in November 2016 supporting it. Mr. Green said that the two medical dispensaries now in operation would not be affected by this ordinance to sell medical marijuana. It would prohibit any future recreational marijuana dispensaries to be located in the City of La Pine. House Bill 3400 also stated that a City can still have rules and regulations regarding the sale of marijuana. Mr. Green said that OLCC has not yet come out with their own regulations and that is what the City is waiting on regarding the sale of recreational marijuana. Mr. Green then discussed Senate bill 460 in regard to the sale of marijuana. He said the bill provides a gap filler because recreational marijuana dispensaries will not be in operation

before the spring of 2016. Mr. Green said that a City that has marijuana dispensaries could prohibit them from selling recreational marijuana from October 1, 2015 to Dec. 31, 2016 if the City adopts a prohibiting ordinance. He said the ordinance would need to be adopted by the Council in September so it could be put in effect prior to October 1, 2015. The prohibiting ordinance does not have to go before voters. This ordinance would not affect the personal use and growing of marijuana for an individual. Mr. Green said that the City's revenue amount, from the sale of marijuana, would probably be minimal. According to the legislation and the State, the most a City can tax for recreational marijuana is 3%. Mr. Allen said there are no applications pending for another medical marijuana facility. Mr. Green said there is currently no legislation curtailing marijuana growing facilities. Matt Toepfer, dispensary operator, discussed the possibility of changing from a medical marijuana to a recreational dispensary based on the greater amount of revenue that would be generated. Mr. Allen said that with recreational marijuana legal, there would probably be a decrease in the amount of business the only medical marijuana dispensaries would have. Randy Huff, dispensary operator, asked about the sales taxes and how that would work as well as the amount and timeframe for those taxes.

Councilor Martinez stated that he was in favor of prohibiting recreational marijuana from being sold at medical marijuana dispensaries. Councilor Agan she was also in favor of a temporary moratorium and that recreational marijuana should not be allowed to be sold in the City. City Attorney Green said he would create an Ordinance to ban recreational marijuana sales for a specific time period. He will also work with staff to develop the time, place and manner for recreational marijuana dispensaries. Additionally, Mr. Green said he would be working on getting recreational marijuana before the voters on the 2016 ballot.

Matt Toepfer said that the Oregon voters approved of recreational marijuana and it should not be banned. Randy Huff stated that all the business for recreational marijuana will go to Bend and the City will lose out on not getting the tax revenue from those sales. Mr. Green said he would try hard to get the ordinance completed for the September 9th Council Meeting.

6. Public Comments

None

7. Staff Comments

Mr. Allen showed some photos of the property on Railroad Street that the City is taking legal action on in order to abate and clean up. He said they have taken down all the VIN numbers from the abandoned vehicles on the property and that those vehicles would undergo a title transfer and be sold. Mr. Allen said the City would eventually seek help from outside companies and city staff to assist with the clean-up.

8. Council Comments

None

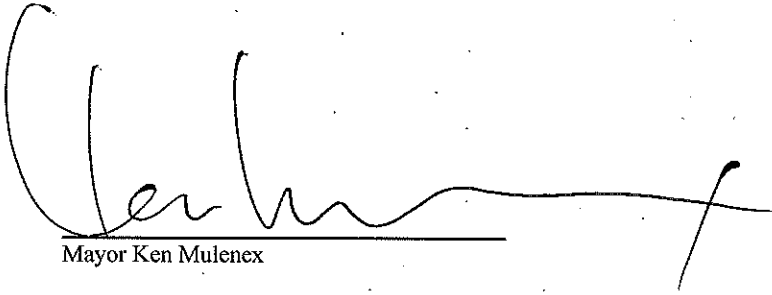
9. Mayor's Comments

None.

10. Adjourn

Councilor Martinez made a motion to adjourn the meeting, seconded by Kathy Agan.

Mayor Mulenex adjourned the meeting.



Mayor Ken Mulenex

Attest



Rick Allen, City Recorder