



CITY OF LA PINE CITY COUNCIL MEETING MINUTES

Wednesday, September 13, 2017

6:00 p.m. Regular Session

La Pine City Hall

16345 Sixth Street, La Pine, Oregon 97739

Regular Session – 6:00 p.m.

1. Call to Order

Called to order at 6:02 p.m.

2. Establish Quorum

Present: Mayor Scott, Councilor Greiner, Councilor Briese, Student Councilor Tennant

Absent by prior arrangement: Councilor Stu Martinez

3. Pledge of Allegiance

Led by Gary Gordon

4. Added Agenda Items

None

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. Approval of Minutes

- i. August 23, 2017 Meeting Minutes

b. Reimbursements

- i. Approval of Council and Staff Reimbursements

c. Financial Reports

i. Approval of Financial Reports

Councilor Briese made a motion to approve the consent agenda as presented. Councilor Greiner seconded. Unanimously approved.

7. Presentation by David Kerr on the Community Funding Request Application for the La Pine USA Wrestling and Oregon Culture Exchange

David Kerr explained the reasons for requesting \$2,850.00. South Africa will be coming to compete against Central Oregon wrestlers for the La Pine USA Wrestling and Oregon Culture Exchange taking place in October. There will be a community dinner, activities, sight-seeing and a duel between the best wrestlers. This will give the City of La Pine the opportunity to host this same event on an even bigger scale for the next five years. He's already received the other funding from other local businesses. Canada and Russia was not able to be involved after all. Mr. Misley explained how the event funding works and provided a breakdown of what's been budgeted for this fiscal year.

[Trentyn arrived at 6:10 p.m.]

Councilor Briese made a motion to approve the funding request as submitted. Councilor Greiner seconded. Unanimously approved.

8. Update by Penny Pritchard on the Tobacco Retail License Fiscal Impact Report [6:20 p.m.]

Penny Pritchard gave a power point presentation outlining the Tobacco Retail License Fiscal Impact Report. Stephanie Young-Peterson explained that Central Oregon Health Council put into their long-term work plan working towards getting a licensing system in place within Deschutes County. They want to pursue a licensing ordinance. This has been debated at the state level the last three to four sessions. This is about local control and not waiting for the state to step in. It enables local health department to educate retailers. It would be a way of keeping track of who is selling and helping the retailers sell in a better way. The license would require all retailers to have a license with an annual renewal. The term "tobacco" would cover all forms of tobacco. The licensing fee would cover the cost of enforcing and monitoring (a sustainable program). The license would be non-transferable and would include monetary fines for those in noncompliance. This was presented to the Board of County Commissioners in Bend. Local tobacco retailers were interviewed and Stephanie shared those results – in summary, there is very little training with regard to staff knowing how to prevent illegal tobacco sales to youth and most supported license revocation for those retailers selling to kids. Over half opposed eliminating flavored tobacco products and most retailers were opposed to raising the legal age to purchase products from 18 to 21, although that will be a state law starting January 2018.

TRL Fiscal Impact Committee Recommendations to BOCC:

- Get buy-in from cities to have Board of Health pass countywide tobacco retail licensure;

- Administer and enforce program through Deschutes County Health Services;
- Assure license fee is not cost prohibitive for businesses; and
- Assure license fee covers all program costs (educational trainings, one annual compliance inspection and one annual minor decoy check).

Dr. Boddie, Physician and Bend City Councilor, stated that he heard this presentation and the entirety of the medical community is behind this program. Nobody thinks youth smoking is a good idea, and that's how he got involved in the policy drafting.

Councilor Greiner wanted to know how the health department is going to make it around to all of these places when they don't have time to do restaurants. Penny explained that the tobacco prevention program is more than happy to help with regard to decoy tests. Councilor Greiner also wanted to know social clubs that have alcohol beverage licenses. He said most of them sell cigarettes and wanted to know if they would go in and add another tax on them. Penny said yes, those places still have issues of selling to minors so they would need to be licensed. Councilor Briese wanted to know if places were being fined for failing inspections at this time (because some are already having inspections from OLCC). They are not getting fined at this time. Penny explained that they have multiple violations to get fined. She stated that the OSP is actually the only ones who are authorized to give citations. Citations are given to the clerk only, and not to the business. This program would change that. Mayor Scott wanted more information about why this hasn't passed before the state legislature and the anticipation of it eventually passing at the state level.

Councilor Greiner wanted to know that they were asking from the City. Dr. Boddie explained that the City of Bend wrote a letter of support and they are asking the City of La Pine to do the same. Student Councilor Trentyn Tennant confirmed that this is a huge problem with youth, particularly with the hooka and flavored tobacco.

Councilor Greiner made a motion to send a letter of support. Councilor Briese seconded. Unanimously approved.

9. Update by Megan Banks on the Sustainable City Year Program [6:50 p.m.]

Megan Banks re-introduced herself. Cory stated that this has been a year-and-a-half in the making. Our projects have to meet with student objectives and class schedules. The project is a "go" because we received the grant from the Ford Family Foundation. The City also budgeted \$60K to support the program and projects. This will kick off during the winter and spring terms, and potentially into the fall term (2018). Cory stated that we are the pilot "small city" program. He provided a handout outlining a draft and confirmed project list.

Councilor Briese asked what the next smallest city was that they've done and Megan said it was Redmond. Dan Varcoe and other individuals are meeting together every couple of months to try to get the Ford Foundation to give us a communications grant. Councilor Briese was concerned that there may be overlap. Mayor Scott said it doesn't seem to be going far, so having it in this program is a good thing. Councilor Briese mentioned Wickiup Junction being one of the projects people wanted to see. Cory explained that it's really necessary to have the Wickiup overpass completed

before this happens. Councilor Briese wanted to make sure we were getting a lot of citizen involvement. Councilor Greiner had no added comment, other than the fact he'd like to see the non-profits working more closely together. Mayor Scott reiterated that he really wants to have the Wickiup Junction as a project. Megan clarified that Cory has clearly stated that it is extremely important to the City's priorities. Megan asked for clarification for whether the bike path was meant to go through Wickiup Junction and the Council clarified that, yes, that is what they'd like to see.

10. Ordinance No. 2017-09 – An Ordinance of the City of La Pine Amending Ordinance No. 2016-10, an Ordinance Establishing Time, Place and Manner Regulations Concerning Recreational Marijuana Businesses, to Expand Retailer and Wholesaler Hours of Operation, and Address Background Check Procedures [7:30 p.m.]

Cory Misley explained that the City's legal team revised the ordinance per last month's work session. Those revisions included extended hours, revising language with regard to visibility of product, and that the City will not be providing background checks. This will take affect October 13th because it did not have an emergency clause.

Councilor Briese made a motion to adopt Ordinance No. 2017-09. Councilor Greiner seconded. No objections. Unanimously approved.

11. Consent to Assignment Agreement with California Oregon Broadcasting, Inc.

Councilor Greiner wanted to know who is going to pay for the legal fees for drafting the new franchise agreement. Cory stated that the City is responsible for those fees.

Mike O'Herron, General Manager at Crestview Cable, thanked everyone for their business and explained that their business is coming to an end. He is very familiar with Bend Broadband and is excited about their future. Stephanie with Bend Broadband is also here. She explained that Bend Broadband will be re-building the fiber optics to the home. Councilor Briese wanted to know if this information has been published here in La Pine. They indicated that they would check on that.

Councilor Briese made a motion to approve the Consent to Assignment Agreement with California Oregon Broadcasting, Inc. as written. Councilor Greiner seconded. No objections. Unanimously approved.

12. Approval of Purchase for Public Works Truck

Jacob Obrist reviewed the quotes he gathered with regard to the purchase of a new work truck and reiterated the reasons behind needing another truck in the fleet. Councilor Greiner questioned whether the new truck would be used for heavy duty work. Jake said we already have a truck that does the heavy duty type work like towing or loading. This new truck will be more of a "getting around" truck and light duty and will be particularly useful in letting the team be in three different places at once. This truck will not be the plow truck.

Councilor Greiner made a motion to purchase the truck recommended. Councilor Briese seconded. Unanimously approved.

13. Other Matters: Only those matters properly added to this Agenda under Item No. 4

None

14. Public Comments

Gary Gordon with La Pine Parks and Rec: There will be a joint session with the LPRD in October. One of the subjects will be the updated version of their comprehensive plan. He will send the PDF version to Cory to be distributed to the Council.

15. Staff Comments

Cory Miskey: 1) The job posting for the Planning and Community Development Director should go out in October. He hopes to screen and do interviews before Thanksgiving so that the position can start in December or January; 2) still working on the RFP for the water/sewer projects, but will send out to council for review in the next week or two. It does not need to go before the Council for approval; 3) League of Oregon Cities Conference is happening at the end of this month; 4) Don't forget the date for the October work session has been changed to Monday, September 25th; 5) There will be an Open house October 24th for W/WW projects. We're over nine million dollars in grant funds so far, so the monthly rates discussed previously are even lower; 6) He had a ride along with Deputy Kloss out where there are some transient camps and trash issues on City land. We need to look at our options, and Cory is in contact with the City's land use attorney (this will be discussed further down the road).

Jake Obrist: Started launching the GIS system and learning the software. He is excited to see it start being used in conjunction with land use applications, permits, records and the cemetery.

Cory Miskey: He has received several applications each for the Urban Renewal and City Council vacancies. He asked the Council how long they wanted to keep the posting open, and when interviews should be scheduled. Councilor Greiner believes we should act now. Mayor Scott disagrees and thinks the word is still spreading. He'd like to see us wait until we receive more applications. Councilor Briese agrees with waiting.

Kitty Shields (audience) stated that in the past, when council members had to be replaced, there was no time limit. She said they waited until they had a broad field of candidates. Mayor Scott said that at the end of the time period, if the City doesn't have enough candidates, the City can always extend it if needed.

Ashley Williams: The auditors were here last week and the City is still waiting on the report. She will be attending a seminar in October and got a full scholarship to attend.

16. Council Comments

Trentyn Tennant apologized for being late, but said he was at a soccer game. He was on the radio this morning talking about becoming the Student City Councilor and appreciated that opportunity. Councilor Briese attended the COIC meeting this month. They've hired a branding company. There were reports from other cities regarding the eclipse events. They also discussed how other cities are doing food hubs between farmers and restaurants. Local farmer may have an overproduced crop of carrots and no way to market it to local grocery stores or restaurants. A food hub gets the food to local food banks. The hub will probably be in Redmond.

17. Mayor's Comments

Mayor Scott is looking forward to joint meetings between ODOT and County Commissioners. Wise Buys paper has now picked up his Facebook posts. He went to Deschutes County Basin Community meeting – the COCO group doesn't feel like they're being represented enough in the study. They're not talking about growth and are more worried about spotted frogs and fish (comment from the Bend mayor). Cory and he are going to meet with ODOT next week regarding the status of the Wickiup overpass.

18. Adjourn Meeting [8:15 p.m.]

Councilor Briese made a motion to adjourn the meeting. Councilor Greiner seconded. Unanimously adjourned.



Dennis Scott, Mayor

Attest


Cory Misley, City Recorder

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 Holly Smith (541-536-1432). For deaf, hearing impaired, or speech disabled dial 541-536-1432 for TTY.