

LA PINE CITY COUNCIL MEETING AGENDA

Wednesday, June 10, 2009 - 6:00 p.m.
51340 Highway 97, La Pine, Oregon 97739
South County Building Meeting Room

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.
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.

 - a. Approval of Minutes
 - i. May 18, 2008 - Budget Meeting minutes
 - ii. May 21, 2009 - Budget Meeting minutes
 - iii. May 27, 2008 - Work Session and Regular Session minutes
 - b. Bills and Invoices
 - i. Approval of Bills
 - ii. Financial Report
 - iii. Approval of Reimbursements
6. Public Hearings
 - a. State Revenue Sharing Funds

In accordance with Oregon law, the City Council will hold a public hearing concerning the proposed use of the Oregon revenue sharing funds. Citizens will have an opportunity to provide written and oral comment to, and ask questions of, the City Council regarding the proposed use of these funds during this public hearing.

 - i. Open Public Hearing
 - ii. Staff Report
 - iii. Public Comments
 - iv. Close Public Hearing
 - v. Council Deliberations

- b. 2009-2010 City of La Pine Budget
In accordance with Oregon law, the City Council will hold a public hearing concerning the budget document approved by the Budget Committee. Citizens will have an opportunity to comment on any item in the budget document.
 - i. Open Public Hearing
 - ii. Staff Report
 - iii. Public Comments
 - iv. Close Public Hearing
 - v. Council Deliberations

- 7. Support Letter to United States Forest Service
The La Pine Ford Family Foundation Group has requested that the City submit a letter to the United States Forest Service expressing the City's support of the 2009 "La Pine Rocks" East Lake Fishing Derby.

- 8. Oregon Liquor Control Commission Applications
 - a. La Pine Rodeo
 - b. Frontier Days

- 9. Approval of Wage Increase for Administrative Assistant

- 10. Other Matters
Only those matters properly added to this Agenda under line item No. 4 will be discussed at this time.

- 11. Public Comments for Items not on the Agenda

- 12. Staff Comments

- 13. Council Comments

- 14. 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. The meeting is subject to cancellation without notice. The 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 Luana K. Damerval at (541) 536-1432.

LA PINE CITY COUNCIL MEETING MINUTES

Regular Meeting and Budget Hearing

Wednesday, June 10, 2009 - 6:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

1. Call to Order

The meeting was called to order at 6:10 pm by Mayor Shields.

2. Establish Quorum

Roll Call

Mayor Shields

Councilor Hedges

Councilor Ward

Councilor Moilanen

City Recorder Damerval

Admin Ass't Patti Morgan

City Attorney Green was excused by prior arrangement.

Quorum Established

3. Pledge of Allegiance

Pledge of allegiance was led by City Recorder Damerval.

4. Added Agenda Items

Any matters added to the agenda at this time will be discussed during the "Other Matters" portion of this Agenda.

Mayor Shields stated that two additional liquor control applications will be added under agenda item #8, Oregon Liquor Control Commission Applications, as follows:

8c) Homestead Tavern and item 8d) HV Cellars

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.

a. Approval of Minutes

i. May 18, 2008 - Budget Meeting minutes .

ii. May 21, 2009 - Budget Meeting minutes

iii. May 27, 2008 - Work Session and Regular Session minutes

- b. Bills and Invoices
 - i. Approval of Bills
 - ii. Financial Report
 - iii. Approval of Reimbursements

Mayor Shields removed items ai and aii from the Consent Agenda in order to make revisions to them per Budget Officer Kendall's request. These items will be revised and put back on the Consent Agenda for the June 24th meeting.

A motion was made by Councilor Ward and seconded by Councilor Moilanen to approve the Consent Agenda items aiii, bi, bii, and biii. The vote was as follows:		
	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele Moilanen</i>	<i>X</i>	
Motion passed unanimously.		

00:06:35

6. Public Hearings

a. State Revenue Sharing Funds

In accordance with Oregon law, the City Council will hold a public hearing concerning the proposed use of the Oregon revenue sharing funds. Citizens will have an opportunity to provide written and oral comment to, and ask questions of, the City Council regarding the proposed use of these funds during this public hearing.

i. Open Public Hearing

Mayor Shields opened the Public Hearing for the State Revenue Sharing Funds at 6:15 pm.

ii. Staff Report

City Recorder Luana Damerval stated that these funds are for general purpose and local governments have discretion on how they use them. She said the Budget Committee held a required Public Hearing on May 18th. No one testified at that Hearing. She also said at the June 24th Council Meeting the Resolutions for State Revenue Sharing, Budget Adoption and Municipal Services will be presented for approval.

Budget Officer Kendall commented on the Staff Report and stated that the deadline for getting the State Revenues approved and that information transmitted to the State of Oregon is June 30, 2009. After discussion, it was determined that the deadline is July 31, 2009 but the State would like it by June 30th. Mayor Shields had a correction on the Staff Report regarding, under type of action requested, that it needs to be changed to Public Hearing.

iii. Public Comments

None

iv. Close Public Hearing

Mayor Shields closed the Public Hearing at 6:24 pm.

v. Council Deliberations

Mayor Shields asked staff to prepare a Resolution for State Revenue Sharing for Fiscal Year 2009-2010 to be brought back to the Council for approval at the June 24th meeting.

00:15:50

- b. 2009-2010 City of La Pine Budget
In accordance with Oregon law, the City Council will hold a public hearing concerning the budget document approved by the Budget Committee. Citizens will have an opportunity to comment on any item in the budget document.

i. Open Public Hearing

Mayor Shields called to order the meeting at 6:25 pm.

00:17:19

ii. Staff Report

City Recorder Damerval stated that the Budget Committee recommends that the 2009-2010 tax rates be left at the 2008-09 rate of \$1.80 per \$1,000 of assessed value of property. She also said that City Council must adopt a budget by June 30, 2009 and that the Council needs to pass a Resolution at the June 24, 2009 Council Meeting.

19:40

iii. Public Comments

Planning Commissioner John Thomas questioned the cost of legal fees both for the current fiscal year as well as the projected amount for next fiscal year. Mayor Shields stated that legal fees are running about \$10,000 a month but will decrease in the coming years after the City start-up has been completed. She said they had no way to anticipate what the City's needs were going to be for legal work when the costs were budgeted for the current fiscal year due to unforeseen circumstances. She also said that the City Attorney only does the work that the Council requests of him.

Councilor Hedges stated that the Council needs to have an expert in municipal law like the current legal firm provides. Councilor Moilanen suggested the Council consider further discussion on legal costs and needs sometime in the future. Councilor Ward stated that the costs for the City Charter will require considerable legal work. City Recorder Damerval said that the unbudgeted legal fees for the current fiscal year were transferred from the contingency fund. The contingency fund is there for

use if something unexpected comes up. Mayor Shields stated that the City’s legal firm, Bryant, Lovlien & Jarvis, has one of the best land use attorneys around, and that is something the City will be needing for both the Comprehensive Plan and Zoning Ordinances.

00:33:20

iv. Close Public Hearing

Mayor Shields closed the Public Hearing at 6:43 pm.

v. Council Deliberations

Councilor Ward stated that Budget Officer Kendall has once again done a wonderful job of putting the City’s budget together. The Council concurred. City staff will return, at the June 24th Council Meeting, with Resolutions to Receive State Revenue, Budget Adoption and Appropriations and also Municipal City Services.

35:15

7. Support Letter to United States Forest Service

The La Pine Ford Family Foundation Group has requested that the City submit a letter to the United States Forest Service expressing the City’s support of the 2009 “La Pine Rocks” East Lake Fishing Derby.

City Recorder Damerval stated that the Fishing Derby has been cancelled. Dan Varco, Chamber Director, said that it has been postponed to next year because of the time needed to get official approval through the USFS. He asked that the City still provide the letter of support to use for the USFS. He also said the proceeds would still be going to the community organizations including the Ford Foundation.

Mayor Shields requested that her middle initial not be used in the signature line. There were also some small changes to the letter that the Council requested be made. Jim Fleming stated that as the Fishing Derby grows over the years, more proceeds would go to other nonprofit organizations.

A motion was made by Councilor Hedges and seconded by Councilor Ward to approve the Letter of Support for the Fishing Derby to the USFS with changes as discussed.		
	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele Moilanen</i>	<i>X</i>	
Motion passed unanimously.		

43:10

8. Oregon Liquor Control Commission Applications

a. La Pine Rodeo

b. Frontier Days

c. Homestead Tavern

d. HV Cellars

City Recorder Damerval stated that these applications come before Council for approval because these events are held in the City. She said it helps the City to be informed about these events. She also said she communicates with OLCC about the applications. She said OLCC will enforce the rules for these events, and she has informed the Sheriff’s department about each of the events.

Both Councilor Hedges and Mayor Shields expressed concern about traffic safety issues with people walking across Hwy 97 during the busy three day weekend. Councilor Ward stated that if OLCC and the Sheriff’s department are doing their jobs, the City should not get involved. Planning Commissioner Gloria Fleming stated that there are a lot of people drinking out of their vehicles on both sides of the street during that weekend. Councilor Moilanen stated that there is a liability issue that the people serving the alcohol are well aware of.

A motion was made by Councilor Ward and seconded by Councilor Moilanen to approve all four OLCC liquor control applications before the Council.

	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele Moilanen</i>	<i>X</i>	

Motion passed unanimously.

00:58:49

9. Approval of Wage Increase for Administrative Assistant

Mayor Shields stated that Administrative Assistant Morgan was made aware of her right to have any discussion of employee issues held in an Executive Session, and was also made aware of the fact that if this item is on the Regular Meeting Agenda it is open for public discussion. Administrative Assistant Morgan acknowledged she had waived her rights.

Councilor Hedges stated the wage increase was a wonderful idea and she supports the raise. Councilor Moilanen and Councilor Ward also agreed. Mayor Shields stated that the review was good but she wondered why there were not some higher marks, based on high verbal praise she has often heard from the City Recorder. City Recorder Damerval stated that the marks were not higher because the Administrative Assistant was still in a “learning phase.”

A motion was made by Councilor Hedges and seconded by Councilor Ward to approve the wage increase for the Administrative Assistant.

	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele Moilanen</i>	<i>X</i>	

Motion passed unanimously.

10. Other Matters

Only those matters properly added to this Agenda under line item No. 4 will be discussed at this time.

None

64:20

11. Public Comments for Items not on the Agenda

John Thomas talked about SB 1140, the Senate Bill that will award BLM land in La Pine to the County of Deschutes. He said they are considering adding additional lands to the Bill. City Recorder Damerval stated that the government may prefer to deed the land to the County first and then the County might award it to the City of La Pine afterward.

City Recorder Damerval read the e-mail she received from the attorney's office regarding the Land Conveyance Act before the Senate. She said that the Bill has been referred to the Committee for Natural Resources at this point in time. She also provided a copy of the Bill and also the map.

71:01

12. Staff Comments

City Recorder Damerval stated that the Jazz Festival has not submitted their OLLC liquor license application and they are running out of time to have the application reviewed by the Council.

Jim Fleming stated he will be talking to the organizer for the event next week about the need to get the application into City Hall.

01:13:25

13. Council Comments

Councilor Ward discussed the business license survey he prepared for the Council to look at. He requested this topic be put on the next work session but perhaps not make it effective until sometime this fall due to the start-up work required. Mayor Shields stated it was not on tonight's agenda because the City Attorney could not be present. City Recorder Damerval said that it would be helpful for the staff workload to delay the business license start-up to the fall.

Councilor Moilanen discussed the e-mail she received from the Affordable Housing Director for the City of Bend. She said they are applying for federal funds on behalf of the La Pine community, Deschutes County, etc., in order to acquire and redevelop foreclosed bank owned properties. She said the City will not have a direct role in this; all applications will go through the Affordable Housing office in Bend. Mayor Shields suggested doing some advertising about this opportunity for citizens. Councilor Moilanen said at a meeting in November, after the funding has been awarded, would probably be a good time to have the Housing Director give a presentation.

In response to a question from Councilor Moilanen about goals, Mayor Shields suggested it might be a good idea to wait until the fifth Councilor position has been filled before scheduling more goal meetings. City Recorder Damerval stated that there have been no applications for the advertised Councilor position. She also said, regarding the stop light issue at Hwy 97 and Reed Road, there will probably be another Stakeholders meeting on or around July 15th. She said she wrote a letter to Bob Bryant, ODOT, regarding this very serious issue and the need for some kind of light at that intersection. Mayor Shields said they are trying to coordinate the Stakeholders meeting to happen just before the Joint Meeting of BOCC and the La Pine City Council so a presentation could be made at that meeting regarding the issue. She said there also needs to be clarification of who is the lead agency for the stop light issue. In response to a comment made by Councilor Ward regarding the new McDonalds, the Council agreed on the need for quicker reporting and also an opportunity for input, with the County Planning Department, regarding building permits issued in the City.

Mayor Shields stated that she attended the LIGI annual meeting in Sunriver. In response to comments about the LIGI board being hesitant to pledge funds for the traffic light study, she said that LIGI has always been very supportive of anything that contributes to the welfare of the La Pine community. She said they are just careful about how they invest public funds and want to be sure it is a good investment.

14. Adjourn

The meeting was adjourned at 7:50 pm by Mayor Shields.

Mayor Kitty Shields

Attest:

City Recorder Luana Damerval