

LA PINE CITY COUNCIL MEETING AGENDA

Wednesday, June 24, 2009

Work Session – 5:00 p.m.

Regular Session - 6:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

A. Work Session – 5:00 p.m.

1. Call to Order
2. Roll Call
3. City Staff Projects
4. Transient Room Tax Disbursements for 2009-2010 Fiscal Year
5. Intergovernmental Agreement – Deschutes County
6. Outsourcing of City Bookkeeping
7. Staff Proposed Use of Accrued Vacation/Sick Hours
8. City Bonding vs. Insurance
9. Adjourn Work Session

B. Regular Session – 6:00 p.m.

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, 2009 – Budget Meeting Minutes
 - ii. May 21, 2009 – Budget Meeting Minutes
 - iii. June 10, 2009 – Regular Meeting Minutes
- 6. Resolution 2009-004 – Election to Receive State Revenue
A resolution declaring the City’s election to receive state revenues.
- 7. Resolution 2009-005 – Budget Adoption and Appropriations
A resolution adopting the City’s fiscal year 2009-2010 budget, making appropriations, and imposing and categorizing the tax.
- 8. Resolution 2009-006 – Municipal City Services
A resolution declaring the municipal services provided by the City of La Pine.
- 9. Liquor License Application – Jazz Festival
- 10. Letter to Senator Wyden
- 11. Employee Benefits Policy – Personal Time Off and Medical Benefits
- 12. Transient Room Tax Disbursements for 2009-2010 Fiscal Year
- 13. Intergovernmental Agreement – Deschutes County
- 14. Auditor Review of City Accounts
- 15. Oregon Liquor Control Commission License Renewals
- 16. Mosquito Abatement Program
- 17. Oregon Economic and Community Development Department – Position Elimination
- 18. Other Matters
Only those matters properly added to this Agenda under line item No. 4 will be discussed at this time.
- 19. Public Comments for Items not on the Agenda
- 20. Staff Comments
- 21. Council Comments
- 22. 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

Wednesday, June 24, 2009

Work Session - 6:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

A. Work Session – 5:00 p.m.

1. Call to Order

The meeting was called to order by Mayor Shields at 5:05 pm

2. Establish Quorum

Roll Call:

Mayor Kitty Shields

Councilor Doug Ward

Councilor Barbara Hedges

Councilor Adele Moilanen

City Attorney Jeremy Green

City Recorder Luana Damerval

Admin Ass't Patricia Morgan had not yet arrived.

Quorum established.

00:01:15

3. City Staff Projects

Mayor Shields stated the Council wants to get back to having an organized overview of what our projects are and how we are coming along with them and keeping it updated so everyone knows what the status is on the projects.

Regarding the current projects, Councilor Ward asked City Attorney Green if any of them are within 30 days of completion. City Attorney Green stated many of them will be completed within 30 to 60 days from present. The City Attorney also said they want to include an updated list in all future meeting packets with a description of the project, status of project and who has been assigned to handle the project and also an expected completion date for the project. City Recorder Damerval said the updated project list and updated monthly calendar will be in every Agenda Packet from now on.

City Attorney Green stated he has heard some of the Planning Commissioners are starting to lose interest because of the delay in training, and suggested commencing training in July. He also stated that in an earlier conversation with Councilor Moilanen and Mayor Shields it was suggested that the Planning Commission members sit in on other city, and even Deschutes County Planning Commission Meetings, for additional education and background from which they could get ideas to incorporate into our meetings. He also reminded the council that the understanding has been that DMC will provide the Planning Commission training, and that grant funds are available. Councilor Moilanen stated, according to a conversation she had with James Lewis of DMC Consulting, there are a number of planned projects for the Planning Commissioners. The Council also discussed a training session with DMC Consulting and the Planning Commissioners that is scheduled for Thursday, June 30th.

00:14:55 4. Transient Room Tax Disbursements for 2009-2010 Fiscal Year

City Attorney Green discussed the South Central Little League issue regarding disbursements. He said he did some research and concluded ownership is not a requirement to receive TRT disbursements. He said in light of this the TRT Committee has revised their recommendations for disbursements. Art Uecker, Chairperson for the TRT Committee, stated one of the reasons they did not recommend South Central Little League to receive TRT disbursements was because they were unable to demonstrate the proposed upgrades would result in an increase in tourism to the area.

00:22:30

5. Intergovernmental Agreement – Deschutes County

City Attorney Green stated Attorney Bob Lovlien has reviewed the Agreement and found it acceptable. After a lengthy discussion regarding (23:00) the concern that the County has failed to involve the City in some land use decisions, the Council had consensus for City Recorder Damerval to request the City receive all building & permit applications from the County that are issued in the City. City Attorney Green stated if this continues to be an issue, a stronger and more protective Agreement can be written next year to the County. He also suggested the Spring of 2010 would be a good time for the Council to deal with this issue for future Agreements. He also said for now, he will call Lori Craighead, County Legal Counsel, and also follow-up with a letter to her about the issue. The Council concurred with a letter being sent to the County by City Attorney Green. Attorney Green also reminded the Council that a special meeting can be held to discuss a land use issue when the timing of receipt of notification doesn't allow time for the Council to give input during the comment period on our regular meeting schedule.

The approval of the Agreement was moved to the Regular Session for voting.

Administrative Assistant Patti Morgan arrived at 5:40 pm.

00:38:03

6. Outsourcing of City Bookkeeping

City Recorder Damerval stated outsourcing of the City bookkeeping will save staff time of approximately 5 or more hours per week. She said payroll will also be included in the bookkeeping outsourcing. The City Recorder said the Bookkeeper will be the only person who can access and make changes in the City's books, neither she nor the Administrative Assistant will have access to make changes. She said they will only be able to print out reports and "read only" functions. The Council had consensus to move the outsourcing of bookkeeping to the Regular Meeting for action. Councilor Shields stated it would be Regular Session agenda item 18a.

00:47:36

7. Staff Proposed Use of Accrued Vacation/Sick Hours

After a brief discussion, Council had consensus to vote on this Policy during the Regular Session.

00:50:19

8. City Bonding vs. Insurance

City Attorney Green stated during the last fiscal year the City went through a special process with the State of Oregon in lieu of audit. He said the City qualified for this because the expenditures were below \$500,000 and they will qualify again this year. The City Attorney also said during the first two years the City qualified with the State of Oregon for this status without bonding because the Secretary of State determined a fidelity bonding would not be required since the City already has crime coverage insurance. City Attorney Green recommended to the Council to move forward with obtaining a bond even though the State has allowed the City to file without the bond in the past. He said the bond costs were nominal. Art Uecker, City Insurance Agent, recommended a \$50,000 bond for each employee based on City receipts. The City Insurance Agent also said if the Council approves the bonding he could have it in the hands of the City within 24 hours. Council had consensus to move this item forward to the Regular Session.

It was noted that in the future this sort of thing should be handled by staff, as it is an administrative task

9. Adjourn Work Session

Mayor Shields adjourned the Work Session meeting at 6:00 pm.

Mayor Kitty Shields

Attest:

City Recorder Luana Damerval

LA PINE CITY COUNCIL MEETING AGENDA

Wednesday, June 24, 2009

Regular Session - 6:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

B. Regular Session – 6:00 p.m.

1. Call to Order

The meeting was called to order at 6:13 pm by Mayor Shields.

2. Establish Quorum

Present Were:

Mayor Kitty Shields

Councilor Doug Ward

Councilor Barbara Hedges

Councilor Adele Moilanen

City Attorney Jeremy Green

City Recorder Luana Damerval

Admin Ass't Patricia Morgan

Quorum established.

3. Pledge of Allegiance

Councilor Ward led the Pledge of Allegiance.

00:01:50

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 during the Work Session the Council agreed to add item 18a - Approval of the Outsourcing of Bookkeeping and item 18b - Bond Issuance Approval to the Regular Session 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, 2009 – Budget Meeting Minutes
- ii. May 21, 2009 – Budget Meeting Minutes
- iii. June 10, 2009 – Regular Meeting Minutes

Regarding the June 10th Minutes, Councilor Moilanen asked for the statement regarding her assisting Councilor Ward with the business license research be omitted because she did not do so. Mayor Shields made some grammatical corrections to the same minutes.

A motion was made by Councilor Moilanen and seconded by Councilor Ward to approve the Consent Agenda with those minor corrections to the June 10, 2009 Meeting Minutes.

<i>Vote as follows:</i>	<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.

00:08:07

6. Resolution 2009-004 – Election to Receive State Revenue
A resolution declaring the City's election to receive state revenues.

City Recorder Damerval read the Resolution title and explanation.

A motion was made by Councilor Ward and seconded by Councilor Hedges to adopt Resolution 2009-004.

<i>Vote as follows:</i>	<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.

7. Resolution 2009-005 – Budget Adoption and Appropriations
A resolution adopting the City's fiscal year 2009-2010 budget, making appropriations, and imposing and categorizing the tax.

City Recorder Damerval read the Resolution title and explanation.

A motion was made by Councilor Hedges and seconded by Councilor Moilanen to adopt Resolution 2009-005.

<i>Vote as follows:</i>	<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.

8. Resolution 2009-006 – Municipal City Services A resolution declaring the municipal services provided by the City of La Pine.

City Recorder Damerval read the Resolution title and explanation.

A motion was made by Councilor Ward and seconded by Councilor Hedges to adopt Resolution 2009-006.

<i>Vote as follows:</i>	<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.

00:16:46

9. Liquor License Application – Jazz Festival

Mayor Shields stated that Recorder Damerval gave the council a briefing on why these applications come before the council for approval at the last meeting, but that we could discuss that if anyone wanted to. It was not needed.

A motion was made by Councilor Hedges and seconded by Councilor Moilanen to approve the liquor license application for the Jazz Festival.

<i>Vote as follows:</i>	<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.

00:18:25

10. Letter to Senator Wyden

This was written to Senator Wyden to thank him for bringing forward the Bill regarding a land conveyance between BLM and the City of La Pine.

A motion was made by Councilor Moilanen and seconded by Councilor Ward to approve the thank you letter to Senator Wyden.

<i>Vote as follows:</i>	<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.

00:22:01

11. Employee Benefits Policy – Personal Time Off and Medical Benefits

In response to a question posed by Councilor Hedges regarding Councilor notification (via e-mail) when staff are ill, Mayor Shields stated as a courtesy, she could do this. City Attorney Green stated this information does not need to be in the employee policy, but it could be done as a courtesy. It was also clarified the City Recorder would report her illness to the Mayor and the Administrative Assistant would report her illness to the City Recorder.

City Attorney Green discussed there would be no more than 60 hours of PTO that could be carried over to the next year. He also said the final adopted Employee Benefits Policy will reflect the current terms the City has with the insurance carrier regarding the conditions required for an employee to qualify for medical insurance. He said the City has the option to change the qualifications next time the policy is renewed. He also said he would like the Council to approve the policy they have before them but allow the policy to have legal revisions made to it due to the medical insurance qualifications.

Councilor Moilanen stated she was concerned about the amount of PTO included in the policy for employees from 1-5 years of employment and perhaps more explanation needed to be included in the policy for someone from the public reading it. Councilor Ward stated the PTO included employee sick leave, doctor appointments, vacation, etc. City Attorney Green stated only 60 hours of accrued PTO would rollover into a new year and any remaining PTO would be forfeited. City Attorney Green also said he hopes in the future the City Council will adopt an unpaid leave policy such as for pregnancy, etc. In response to a question posed by City Recorder Damerval regarding a death in the family, City Attorney Green said the employee would have to use their PTO or not use it but currently the City does not have a separate bereavement policy and does not provide additional pay for time off.

A motion was made by Councilor Hedges and seconded by Councilor Moilanen to approve the Employee Benefits Policy subject to legal revision and effective July 1, 2009.

<i>Vote as follows:</i>	<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.

00:48:05

12. Transient Room Tax Disbursements for 2009-2010 Fiscal Year

Mayor Shields stated the Council has discussion on the TRT Disbursements during the Work Session. In response to a question from Councilor Hedges regarding the City keeping more than 30% of TRT funds, City Attorney Green said any monies over the 30% would have to be used by the City for tourism activities. Mayor Shields stated it would put the City in the position of marketing tourism.

In response to a question from Councilor Ward regarding the return of unspent disbursements, City

Attorney Green stated he believes the monies have to be used for those expenses identified and if they over budgeted, those funds may need to be returned. He said he would need to look over the contract to be sure.

A motion was made by Councilor Ward and seconded by Councilor Moilanen to approve the Transient Room Tax recommendation for Fiscal Year 2009-2010 as presented and also give the Mayor authorization to sign the appropriate legal documentation approved by legal counsel.

<i>Vote as follows:</i>	<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.

01:01:00

13. Intergovernmental Agreement – Deschutes County

Mayor Shields stated the Council has discussed approving this particular Agreement because time is of the essence. She also said the Council agreed to have City Attorney Green send a letter to Laurie Craighead of Deschutes County, requesting more information for any permits issued in the City and to receive the information in a timely manner. The Council had expressed concern about new businesses, like McDonalds, with a location that could adversely affect the flow of traffic in the City.

A motion was made by Councilor Hedges and seconded by Councilor Ward to approve the Intergovernmental Agreement with Deschutes County for planning services.

<i>Vote as follows:</i>	<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.

01:04:01

14. Auditor Review of City Accounts

The Council decided to not address this item at the current meeting. City Recorder Damerval said it may be addressed at the next meeting. She said she will be putting out bids.

01:06:43

15. Oregon Liquor Control Commission License Renewals

City Recorder Damerval stated the Council approved, last year, a \$25.00 license renewal fee and it will be a yearly process. She also said OLCC will bill the individual businesses for the fees.

A motion was made by Councilor Ward and seconded by Councilor Hedges to provide a written recommendation to OLCC for all the licenses on the list as presented.

<i>Vote as follows:</i>	<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.

01:13:20

16. Mosquito Abatement Program

City Recorder Damerval stated she received another letter from Terminix stating the City may want to authorize up to \$5,000 in service since we are now in the middle of the mosquito season. The Council expressed concern about starting the program right now what with needing to notify the public, media, ensuring the public's safety, etc. City Attorney Green stated if the City decides to start doing this kind of project, changes would be needed in the budget for the future.

The Council decided to postpone doing the program at this time and look at it again, at a future meeting, in the spring of 2010.

01:29:56

17. Oregon Economic and Community Development Department – Position Elimination

Mayor Shields stated Clark Jackson's position of Business Development Officer is being eliminated on June 30, 2009. She said Mr. Jackson has done a lot to help promote the City's interest and get our voice heard. The Council agreed to have Councilor Moilanen put together a letter of support for this position and e-mail to the Councilors and City Staff for review.

01:37:20

18. Other Matters

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

18a) Outsourcing of Bookkeeping

Mayor Shields stated this item had been discussed in the Work Session and had been brought forward to this meeting for approval.

A motion was made by Councilor Moilanen and seconded by Councilor Ward to approve outsourcing of City Bookkeeping to Thorsen Bookkeeping & Accounting with authority for the Mayor to sign appropriate legal documentation.

<i>Vote as follows:</i>	<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.

01:39:42

18b) Bond Issuance Approval

Since this item had been discussed in the Work Session the Council had no further discussion before voting on it. The Bond would be effective July 1, 2009, according to City Insurance Agent, Art Uecker.

A motion was made by Councilor Ward and seconded by Councilor Hedges to approve issuance of fidelity bonds for City employees who handle money and also give the Mayor authorization to sign the application document.

<i>Vote as follows:</i>	<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.

01:43:00

19. Public Comments for Items not on the Agenda

Art Uecker, Chamber of Commerce President, encouraged the Council to enact a City Charter as soon as possible.

John Thomas, Planning Commissioner, stated he attended a Deschutes County Planning Meeting and it was very informative. He also said the La Pine Community Health Center is now government funded and will really improve the medical community in La Pine. He also said there will soon be a number of Board member positions open for this non-profit organization.

01:49:14

20. Staff Comments

City Recorder Damerval passed out brochures for the League of Oregon Cities Annual Conference to be held October 1-3 in Portland. She said she has reserved a room at the Crown Plaza for three nights for the annual conference. She said she was not sure she would be able to go but the room

has been reserved. The City Recorder also advised the Council of the following:

- The Deschutes National Forest is having a transportation agency stakeholder's workshop on June 30th.
- Agenda items for the BOCC Joint Meeting that is scheduled for July 7th.
- KITC Radio - would like a City representative for radio commentary. Adele is thinking about it.
- Complaints coming into the City regarding mailbox locations, horse manure issues, and junk vehicle issues.
- Future agenda requests: Lupita Lewis from Central Cascade Lines, Mary Meloy, from Deschutes Water Alliance, and representatives from Biogreen Sustainable Energy Co.
- Luana & Barbara attended the Small Cities Network Meeting at Maupin and came back with some good information: One was the idea of maybe putting a walkway over Highway 97 as a pedestrian crossing, and the other was the Oregon Emergency Jobs program offering public work opportunities for unemployed persons.

City Recorder Damerval discussed the Oregon Emergency Jobs program providing a person to work for the City performing assigned duties i.e., business license, etc. According to the program there would be no cost to the City. An application would have to be submitted no later than June 30th. Mayor Shields stated although this item was not on the Agenda they could go ahead and discuss the item and also submit it for approval to the Council at this point in time.

A motion was made by Councilor Hedges and seconded by Councilor Ward for City staff to submit an application to the Oregon Emergency Jobs Program.

<i>Vote as follows:</i>	<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.

02:06:03

21. Council Comments

Councilor Ward stated he will be on vacation July 5th through the 14th. He said he talked with John Taylor about transportation issues in La Pine. He said the County Okayed \$20,000 to Wickiup Park & Ride. He asked the City Recorder to fill in for him for the LIGI meeting.

Councilor Hedges stated the Small Cities Network meeting in Maupin, she and the City Recorder recently attended, was very informative and helpful. She said there was a lot of emphasis on the environment.

22. Adjourn

The meeting was adjourned at 8:28 pm by Mayor Shields.

Mayor Kitty Shields

Attest:

City Recorder Luana Damerval