

## LA PINE CITY COUNCIL MEETING AGENDA

Tuesday, December 15, 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

Work Session – 5:00 p.m.

1. Call to Order
2. Roll Call
3. Staffing/City Management Update Information
4. Review Snow Plowing Bids
5. 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. November 10, 2009 – Regular Meeting Minutes
    - ii. November 24, 2009 – Work Session and Regular Meeting Minutes
6. Councilor Training by League of Oregon Cities – Update
7. Selection of Snow Plow Contractor(s) for 2009-2010
8. Other Matters  
Only those matters properly added to this Agenda under line item No. 4 will be discussed at this time.

9. Public Comments for Items not on the Agenda
10. Staff Comments
11. Council Comments
12. 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 meetings. This notice does not limit the ability of the City Council to consider or discuss additional subjects. The meetings are subject to cancellation without notice. The meetings are 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 WORK SESSION MEETING MINUTES

Tuesday, December 15, 2009  
Work Session – 5:00 p.m.  
51340 Highway 97, La Pine, Oregon 97739  
South County Building Meeting Room

Work Session – 5:00 p.m.

1. Call to Order

Mayor Shields called the meeting to order at 5:12 pm.

2. Roll Call

Present Were:

Mayor Kitty Shields  
Councilor Doug Ward  
Councilor Barbara Hedges  
Councilor Adele Moilanen  
Councilor Don Greiner was absent by prior arrangement  
City Attorney Jeremy Green  
City Recorder Luana Damerval  
Admin Ass't Patricia Morgan

Quorum established.

3. Staffing/City Management Update Information

Councilor Ward provided an update and additional materials from the five cities he originally contacted for City Manager information. He said he asked them for job descriptions for City Manager, City Recorder and City Administrator. Councilor Ward stated he has received three of the five cities' job descriptions. He said this information could be useful to determine what qualifications the City may want to have for a City Manager.

Councilor Ward recommended creating a job description for a City Manager before starting the recruitment process. Councilor Hedges suggested that the Councilors could make a list of qualifications and requirements for the City Manager prior to the January 13, 2010 meeting. Councilor Ward stated if the Council decides they want to hire a City Manager they should probably start the recruitment process in February 2010. He also said we need to be sure there is adequate work for a full time City Manager.

Councilor Hedges stated she would rather have the Council meet and go over their main points in regard to the City Manager rather than e-mail each other. Councilor Moilanen said it is important to determine the role the City Manager will be playing in the City so that they can function in their job better. She also said that training for the Council will allow for the Council to better understand the structure and what the City Manager is going to be doing.

Councilor Ward stated that he discovered through his City Manager research that all the job duties, responsibilities and authority were very defined and required regular updates on progress and also completion of work. Mayor Shields stated that a lot of stuff comes to the City Manager.

00:12:20

Councilor Moilanen discussed the State statutes and how the City decided early on to structure the City with a City Management type of government. She said, in her opinion, the City is now very close to not

following it. Councilor Moilanen stated that former Mayor Woodruff was at City Hall almost every day functioning as the Administrator. She said when Mayor Woodruff left, the administrative hole occurred. City Attorney Green stated that the City Council is responsible for developing policies and providing directions. He said a City Manager or staff is responsible for implementing those policies. City Attorney Green stated that the intent is not to appoint the Mayor as a de facto City Administrator and that Mayor Shields is not performing that role. He said that the Council should want to have the separation exist between the Council and City administration. City Attorney Green stated that when Councilors are involved in City Administration it is usually not a good process. He said the Council probably needs to re-evaluate that role and determine to what extent a Councilor should be involved with the administration of City Hall. City Attorney Green stated that Mayor Shields has had to serve as a liaison because there is no City Manager. Councilor Moilanen suggested having an administrative consultant or Range Rider to temporarily fill the administrative hole. Councilor Ward stated that no one from the City Council should interfere with City administration.

00:20:37

Councilor Moilanen stated that she did not believe that City Recorder Damerval wanted to expand her job description to include some of the duties that a City Manager would do and also serve in that capacity. Mayor Shields said that City Recorder Damerval is our Administrator. City Recorder Damerval stated that in reality, she does not think she wants the City Manager position. She also said that she did not feel she had the type of personality that would be needed, i.e., she is more a doer than a leader. City Recorder Damerval said that a City Manager needs to have the authority to approve and spend monies up to a certain amount. City Attorney Green stated that depending on what authority the City Council provides to the City Manager, they may be able to spend \$2,000 - \$5,000 without receiving Council approval. Councilor Ward stated that the City of DePoe Bay has three additional office staff members at City Hall so that the City Recorder is not picking up additional duties. He said if we had a City Recorder/Administrator we would need an additional person in the office to pick up the additional duties.

City Attorney Green stated that the job description is a critical first step for the City Manager position. He said that the personnel policies should be a project of the City Manager because they will be responsible for implementing those policies. In response to a question from Mayor Shields, he recommended a priority list of project work be given to a new City Manager, with regular status updates required. Councilor Moilanen stated that we should also establish a salary range for the position.

Councilor Moilanen asked City Recorder Damerval what authority a City Manager should have for the City of La Pine. City Recorder Damerval stated that they need to have management skills and be given broad authority. Mayor Shields asked staff members to also give input to the Council on what they think are important qualifications and duties of a City Manager. She said Council and staff need to come prepared with this information at the January 13, 2010 Work Session.

00:36:50

#### 4. Review Snow Plowing Bids

Mayor Shields announced that she was withdrawing from both the discussion and voting on the Snow Plow Bids because one of her brothers had submitted a snow plow bid. In response to a question from Councilor Moilanen, City Attorney Green stated in an informal bid process City Recorder Damerval has the option, with incomplete bids, to contact the individual bidder for more information.

Councilor Ward asked about the bid from Get-R-Dumped and Green Construction, wondering if they are bidding as one company. City Attorney Green stated yes, for the purposes of this bid they are together.

There was also a discussion on the three separate areas of the City that would require snow plowing and since the bids were so similar, perhaps award a separate City area to each bidder. Councilor Ward and Councilor Moilanen stated that they liked the La Pine Equipment bid and also that it was better prepared.

City Attorney Green stated that he would need to research and see if the City would need to prepare two separate contracts, one for Get-R-Dumped and one for Green Construction since they are working together on this one project. City Attorney Green also said that the CCB (Construction Contractors Board) does not regulate the removal of snow from streets so the bidders do not need to have a CCB license number. Councilor Hedges stated she favored awarding the bid to all three bidders if there is going to be a lot of work. City Attorney Green recommended the Council authorize City Recorder Damerval to determine the areas serviced by each bidder.

The Council had consensus to move contractor selection to the Regular Session, Item #7.

5. Adjourn Work Session

**A motion was made by Councilor Ward and seconded by Councilor Moilanen to Adjourn the Work Session.**

<b><i>Vote as follows:</i></b>	<b><i>AYE</i></b>	<b><i>NAY</i></b>
<b><i>Mayor Kitty Shields</i></b>	<b><i>X</i></b>	
<b><i>Councilor Doug Ward</i></b>	<b><i>X</i></b>	
<b><i>Councilor Barbara Hedges</i></b>	<b><i>X</i></b>	
<b><i>Councilor Moilanen</i></b>	<b><i>X</i></b>	

**Motion passed unanimously.**

Mayor Shields adjourned the meeting at 6:09 pm.

**LA PINE CITY COUNCIL REGULAR SESSION MEETING MINUTES**

Tuesday, December 15, 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

Mayor Shields called the meeting to order at 6:21 pm.

2. Establish Quorum

Present Were:

Mayor Kitty Shields  
Councilor Doug Ward  
Councilor Barbara Hedges  
Councilor Adele Moilanen  
Councilor Don Greiner was absent by prior arrangement  
City Attorney Jeremy Green  
City Recorder Luana Damerval  
Admin Ass't Patricia Morgan

Quorum established.

3. Pledge of Allegiance

The Pledge of Allegiance was led by Mrs. Karen Ward.

4. Added Agenda Items

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

None

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. November 10, 2009 – Regular Meeting Minutes
  - ii. November 24, 2009 – Work Session and Regular Meeting Minutes

Councilor Ward asked about the Cagle Road Contract. City Attorney Green stated that the contract has been awarded to Vic Russell and the work is required to be done no later than May 2010.

Councilor Moilanen stated that in the November 24<sup>th</sup> minutes, on page six, fifth paragraph, fourth line down, the word comfortable should be replaced with the word uncomfortable.

**A motion was made by Councilor Ward and seconded by Councilor Hedges to Approve the Consent Agenda with the one small correction to the November 24<sup>th</sup> Minutes.**

<b><i>Vote as follows:</i></b>	<b><i>AYE</i></b>	<b><i>NAY</i></b>
<b><i>Mayor Kitty Shields</i></b>	<b><i>X</i></b>	
<b><i>Councilor Doug Ward</i></b>	<b><i>X</i></b>	
<b><i>Councilor Barbara Hedges</i></b>	<b><i>X</i></b>	
<b><i>Councilor Moilanen</i></b>	<b><i>X</i></b>	

**Motion passed unanimously.**

01:02:00

6. Councilor Training by League of Oregon Cities – Update

City Recorder Damerval stated that the budget impact is going to be an issue because we will run over budget on a line item. She said it will need to go under Materials & Services and then under meetings, classes, etc. City Recorder Damerval stated that they can go over budget on that line item since they would still be under budget on the M&S category. In response to a question from Councilor Moilanen, City Recorder Damerval said she had put a call into DMC Consulting, Inc., to see if they were interested in bidding on the training, but they have not responded. City Attorney Green stated that DMC Consulting, Inc., does not usually do this type of training.

Councilor Ward stated that he was still not in support of the training due to cost and also because the information was available in print form. He said if the Council votes yes, he will attend. Councilor Hedges stated she would like some guidance and answers to her questions about different things. Councilor Moilanen said that the training would be helpful in defining the role of a City Manager.

The Council then discussed various locations and dates for the training. Mayor Shields asked if the Senior Center would be good place to hold the training. Dan Varcoe, Chamber of Commerce, stated that the Senior Center has good audio visual equipment. The Council considered the date of Tuesday, February 16th for the training. The Council also felt the best time to hold the training would probably be from 3 pm to 6 pm. Staff was instructed to research the location, time, etc., for the training and also advertise it.

01:15:10

7. Selection of Snow Plow Contractor(s) for 2009-2010

Mayor Kitty Shields declared a Conflict of Interest since one of the contractors is a brother. She said she would turn the proceedings over to Mayor Pro Tem Doug Ward. Mayor Pro Tem Ward asked if the Council had any additional questions on the selection. There was no other discussion.

**A motion was made by Councilor Hedges and seconded by Councilor Moilanen to award the Snow Plow Contracts to Vic Russell Construction, La Pine Equipment, Green Construction & Get-R-Dumped (two independent companies working on one project) and give authority for City Recorder Damerval and legal counsel to finalize the contracts for signature by Mayor Pro Tem Doug Ward.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Pro Tem Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Moilanen</i>	<i>X</i>	

**Motion passed unanimously.**

01:19:05

8. Other Matters

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

None

9. Public Comments for Items not on the Agenda

Dan Varcoe, Chamber of Commerce, invited all to the Chamber of Commerce breakfast on Dec. 18<sup>th</sup> as well as the Chamber's Christmas Party at Ghost Rock Ranch on Dec. 19<sup>th</sup>. He also said on January 15<sup>th</sup> there will be a Volunteer Fair at the Senior Center from 10 am to 1 pm shortly after the January Chamber Breakfast meeting.

Vicky Jackson, area resident, stated she received her completed request for a summary of the September 2009 City Attorney's invoice. She complained that it did not include communication with the Mayor and staff as she had requested. City Attorney Green stated that the description of an issue in a billing entry may be confidential and very detailed. He said that would be considered excluded information from the invoice.

City Attorney Green stated that any time he saw a communication reference with staff or Council, he would estimate the amount of time spent during that particular period and total it with other times he had similar discussions whether it was in relation to that particular matter or another. He said the communication number she was given should be nearly right on as far as the communication part of the invoice. City Attorney Green stated it was difficult to recollect the amount of time spent on communication for a particular project. He also offered, if the Council would allow it, to take some billing entries from an invoice and sit down with Ms. Jackson and show her how difficult it would be to separate the projects out from a specific phone communication.

During a discussion on more education regarding the workings of government, City Attorney Green suggested that he and a Councilor or two do a presentation about government processes at a local school. Mayor Shields also suggested having some students attend the League of Oregon Cities Councilor Training.

01:29:30

10. Staff Comments

City Recorder Damerval presented three different formats of the revised balance sheets for the Council to review. She said Budget Officer Ken Kendall and City Bookkeeper Mary Thorson assisted her with the revisions. Mayor Shields asked the Council to review the balance sheets and let staff know what they do or do not like about these new versions.

City Recorder Damerval announced that the latest Attorney General's Public Records and Meetings Manual is not out yet. She also said she had provided Councilor Hedges with her requested information on bidding for the Computer/IT Services in her inbox at City Hall. City Recorder Damerval stated that through research she learned that public entities only perform audits on capital assets over \$1,000. She said the City does not own anything over a \$1,000 at the present time. City Recorder Damerval also stated, in response to a question from Councilor Hedges, that she does have a list of keys and passwords for City Hall in the event of an emergency.

01:35:07

11. Council Comments

Councilor Ward requested that staff notify him when any more faxes from cities he has contacted come into City Hall. Councilor Moilanen requested that staff set up a meeting between ODOT, Councilor Hedges and herself regarding the Highway 97 and Reed Road intersection. She also said she would like to visit with Councilor Ward regarding his experiences with ODOT on this matter. Council concurred that staff arrange for a meeting.

Councilor Hedges stated that she would like the Council to review both the City Recorder and the Administrative Assistant job descriptions as a future agenda item. City Attorney Green responded that a Work Session is the appropriate type of meeting to review job descriptions.

City Attorney Green stated his priorities are the MOU with LIGI, ODOT, Deschutes County and the City of La Pine regarding traffic issues in La Pine, and finalizing the snow plow contracts. He also noted we need to be wrapping up some loose ends with administrative kinds of things.

In response to a question from Councilor Ward, City Attorney Green stated that because of the work done on the snow plow bid and contracts, next year's snow plow bidding processes will already be in place. Contractors will now be signed up for the 2009-2010 season, and next year the City will again go out for an informal solicitation process.

Councilor Ward then asked City Attorney Green if the snow plow bidding contract will have to all be redone next year. City Attorney Green stated that for next year the City will not need to redo the contract as it is a template that can be reused, like our other types of contracts. Mayor Shields stated that is why we anticipate our legal fees going down over time.

Councilor Moilanen asked staff to work on preparing a record of accomplishments for the City in 2009.

Both City Attorney Green and Mayor Shields discussed how productive the meeting had been and that they felt it was very positive.

12. Adjourn

**A motion was made by Councilor Ward and seconded by Councilor Moilanen to Adjourn the Regular Session of the Council Meeting.**

<b><i>Vote as follows:</i></b>	<b><i>AYE</i></b>	<b><i>NAY</i></b>
<b><i>Mayor Kitty Shields</i></b>	<b><i>X</i></b>	
<b><i>Councilor Doug Ward</i></b>	<b><i>X</i></b>	
<b><i>Councilor Barbara Hedges</i></b>	<b><i>X</i></b>	
<b><i>Councilor Moilanen</i></b>	<b><i>X</i></b>	

**Motion passed unanimously.**

Mayor Shields adjourned the meeting at 7:09 pm

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Mayor Kitty Shields

Attest:

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City Recorder Luana Damerval