

LA PINE CITY COUNCIL MEETING AGENDA

Wednesday, January 13, 2010

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. Review of City General Dispute Resolution Procedure
4. Discussion of City Manager Qualifications
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. December 9, 2009 – Work Session and Meeting Minutes
 - b. Bills and Invoices
 - i. Approval of Bills
6. Project Wildfire – Wood Debris Removal and Fuels Treatment
Joe Stutler, Deschutes County Forester
Time for Presentation: 20 minutes
7. Comprehensive Plan – Next Steps
Deborah McMahan, DMC Consulting Services
James Lewis, Foreterra, LLC
Time for Presentation: 30 minutes

8. Resolution No. 2010-01
A resolution authorizing a fee increase for Wilderness Garbage & Recycling Service to reflect an increase in garbage disposal fees imposed by Deschutes County, Oregon.
9. City Recorder Authority to Order City Road Work
10. Council Committee Appointments
Central Oregon Area Commission on Transportation (COACT)
Wickiup Junction Steering Committee (WJSC)
Central Oregon Cities Organization (COCO)
Central Oregon Intergovernmental Council (COIC)
La Pine Industrial Group, Inc. (LIGI)
Small Cities Network (SCN)
11. Discussion of 2009 City Accomplishments
12. City General Dispute Resolution Procedure
13. Other Matters
Only those matters properly added to this Agenda under line item No. 4 will be discussed at this time.
14. Public Comments for Items not on the Agenda
15. Staff Comments
16. Council Comments
17. 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 WORK SESSION MINUTES

Wednesday, January 13, 2010

Work Session – 5:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

B. Work Session – 5:00 p.m.

1. Call to Order

Mayor Shields called the meeting to order at 5:06 pm.

2. Roll Call

Roll Call

Present Were:

Mayor Kitty Shields
Councilor Doug Ward
Councilor Barbara Hedges
Councilor Adele McAfee
Councilor Don Greiner
City Attorney Jeremy Green
City Recorder Luana Damerval
Admin Ass't Patricia Morgan

Quorum established.

00:05:33

Mayor Shields stated she had forgotten that the December 9, 2009 Minutes had already gone out to the Council in an earlier agenda packet. She said that is why the Council received two versions of those Minutes. Mayor Shields stated that she has always assisted staff with proofreading the Minutes since there are only two staff members at City Hall. Councilor McAfee requested that Meeting Minutes only go out, in the Agenda packet, and then be discussed at the City Council Meeting.

Councilor Greiner stated that he believes the staff at City Hall has a large workload and also numerous interruptions during their work day.

00:12:50

3. Review of City General Dispute Resolution Procedure

City Attorney Green stated he put this resolution together to help resolve disputes in a quick and efficient manner. He said he has also prepared an employee complaint procedure form. City Attorney Green said the form will also help track the evolution of the complaint or dispute.

Councilor McAfee discussed that this policy was probably going to address a recent incident between staff. She said that the Council had been promised a memorandum, written by Mayor Shields, detailing that incident as well as a staff meeting that had taken place shortly thereafter. Councilor McAfee stated she thought this policy was suppose to address those concerns since the memorandum was never written. Mayor Shields stated that there have been employee situations in the past where there was a dispute between two staff members and the City needed to have a process in place. She said she did remember what was done with prior employee issues and some of that process was incorporated into the procedure. Councilor Greiner and Councilor Ward stated they approved of the Resolution Procedure.

Councilor Hedges stated that it is difficult when there are just two staff members, each having an

opinion or grievance but no one else in the office to see and hear things that would be able to support their perception.

City Attorney Green stated that if the employee has a complaint about their supervisor, they can go to the Mayor next. He said he would prefer employees deal with their issues among themselves.

Councilor McAfee stated she would like to see another step added. She said she would like to see some documented communication to resolve the matter. Councilor McAfee said she would like to add that step before the appeal process so that there is a concentrated effort to communicate about the issue before it goes anywhere else.

Councilor Hedges stated she would like to see a ten day limit rather than five days from the time of the occurrence to the time it is reported as a grievance. Councilor McAfee stated she would prefer to use the word “timely” instead of using number of days.

Councilor McAfee stated she would like to see the procedure state that a designee of the City Council would be the next person in the grievance process not necessarily the Mayor. She also mentioned that she has recently received training in dispute resolution from the State.

The Council had consensus to move the item over to the Regular Session.

00:41:40

4. Discussion of City Manager Qualifications

Councilor Greiner stated that he submitted a list of qualifications for the City Manager. Mayor Shields said that we should think about the things that are most important for the City of La Pine. Councilor Ward stated that the job description and qualifications from the City of Heppner seems to be very close to what is needed for La Pine.

Mayor Shields suggested the Council narrow down what they need from a City Manager so it is just what this City is going to need from the position. She also said any candidate needs to appreciate that La Pine is a new City and realize that they are going to be delving into just what it takes to start up a new City.

Council gave direction to City Attorney Green to prepare a City Manager job description. The Council decided to move the question of hiring a City Manager to the Regular Session for voting purposes prior to a job description being prepared.

5. Adjourn Work Session

A motion was made by Councilor Ward and seconded by Councilor McAfee to adjourn the meeting.

<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 McAfee</i>	<i>X</i>	
<i>Councilor Greiner</i>	<i>X</i>	

Motion passed unanimously.

Mayor Shields adjourned the meeting at 6:10 pm.

LA PINE CITY COUNCIL MEETING MINUTES

Wednesday, January 13, 2010

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 6:20 pm.

2. Establish Quorum

Roll Call

Present Were:

Mayor Kitty Shields
Councilor Doug Ward
Councilor Barbara Hedges
Councilor Adele McAfee
Councilor Don Greiner
City Attorney Jeremy Green
City Recorder Luana Damerval
Admin Ass't Patricia Morgan

Quorum established.

3. Pledge of Allegiance

Judy Forsythe, area resident, led the 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.

13a) Pursue Hiring a City Manager – Moved forward from Work Session

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. December 9, 2009 – Work Session and Meeting Minutes

00:02:44

Councilor McAfee requested that the Minutes be pulled and added as Agenda Item 13b for discussion.

- b. Bills and Invoices
 i. Approval of Bills

A motion was made by Councilor Ward and seconded by Councilor Hedges to Approve the Bills 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 McAfee</i>	<i>X</i>	
<i>Councilor Greiner</i>	<i>X</i>	

Motion passed unanimously.

00:05:10

6. Project Wildfire – Wood Debris Removal and Fuels Treatment
 Joe Stutler, Deschutes County Forester
 Time for Presentation: 20 minutes

Joe Stutler, Deschutes County Forester, said his proposal is to have a jointly sponsored bio-mass site and make it available to the public. He said there are two sites north of La Pine near Sunriver, one on Fontana and one on Cedar Court. Mr. Stutler said they are two acre sites. He said they would also like to put one in at the Industrial Park in La Pine. Joe Stutler said it will not cost the City any money, they already have the grant money for the work.

Mr. Stutler stated that they have not yet talked to the La Pine Industrial Group (LIGI) regarding their proposal because they wanted to speak with the City Council first. He also said that they have temporary sites as well so if there are issues than can be moved. Mr. Stutler stated that this proposal fits right in with the Community Fire Department.

Stu Martinez, citizen, stated that he is concerned about the air quality with another chipping business moving into the Industrial Park. Mr. Stutler stated that they will take responsibility for monitoring air quality and also the road conditions.

Mr. Stutler stated he would like the Council to identify some areas in La Pine which could use debris removal and fuel treatment.

In response to questions from Councilor Ward, Mr. Stutler said that the right-of-way distances vary greatly throughout the County. He said they would mow down or remove the bitter brush and other debris to about four inches. Mr. Stutler stated that they would be doing some thinning of live trees.

A motion was made by Councilor Hedges and seconded by Councilor McAfee to move forward with a partnership with Deschutes County for weed debris removal and fuels treatment.

<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 McAfee</i>	<i>X</i>	
<i>Councilor Greiner</i>	<i>X</i>	

Motion passed unanimously.

00:37:35

7. Comprehensive Plan – Next Steps
Deborah McMahan, DMC Consulting Services
James Lewis, Foreterra, LLC
Time for Presentation: 30 minutes

Deborah McMahan, from DMC Consulting Inc., discussed the feedback received about the draft Comprehensive Plan from both the public and also the Planning Commissioners. She also passed out the revised Comp Plan Map. Deborah McMahan reviewed the three separate neighborhoods and also what type of zoning in those neighborhood is necessary to make them complete. She said the changes in the Comp Plan came out of the review done by the Planning Commission. Deborah McMahan stated that the Planning Commission has approved all changes and is asking for approval from the City Council to move forward with a Public Hearing. She also recommended leaving the public record open for a month after the Hearing. James Lewis, Foreterra, LLC, stated that they will be incorporating all the changes into a second draft and that will be available for comment at the Public Hearing.

01:68:57

In response to a question from Mayor Shields, James Lewis discussed how the Transportation System Committee will be incorporated into the appropriate chapter of the Comp Plan. Mayor Shields asked what the part means where it states the City of La Pine should be a regional sewer treatment area. Deborah McMahan stated that the Comp Plan recognizes that properties outside the city limits may need to have sewage treatment and it is also State mandated that the City of La Pine be the potential for dealing with sewage in the future.

James Lewis and Deborah McMahan recommended February 10, 2010 for the next Public Hearing on the Comprehensive Plan. Deborah McMahan stated she will check out locations to hold the meeting at since there will probably be more members from the public coming to the Public Hearing.

01:28:10

8. Resolution No. 2010-01
A resolution authorizing a fee increase for Wilderness Garbage & Recycling Service to reflect an increase in garbage disposal fees imposed by Deschutes County, Oregon.

Mayor Shields asked City Recorder Damerval to read Resolution No. 2010-01. There was no discussion on this matter as it had been discussed by the Council at the December 15, 2009 City Council Meeting.

A motion was made by Councilor Ward and seconded by Councilor Greiner to approve Resolution No. 2010-01

<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 McAfee</i>	<i>X</i>	
<i>Councilor Greiner</i>	<i>X</i>	

Motion passed unanimously.

01:32:20

9. City Recorder Authority to Order City Road Work

City Recorder Damerval discussed the need for her to have authority from the Council to order emergency roadwork without having to come before the City Council.

City Attorney Green stated he would work on a memorandum with City Recorder Damerval that details the procedures the City Recorder would adhere to when ordering the road work and also include budget issues. Council gave direction for City Attorney Green to prepare the memorandum for review by the Council at a future meeting.

01:42:33

10. Council Committee Appointments

The following committee appointments were made:

Central Oregon Area Commission

on Transportation (COACT) -

Councilor Greiner with Councilor Ward as an alternate

Wickiup Junction Steering Committee (WJSC) –

Councilor Greiner with Councilor Ward as alternate

Central Oregon Cities Organization (COCO) –

Councilor McAfee with Mayor Shields as alternate

Central Oregon Intergovernmental Council (COIC) – Councilor Hedges with Councilor Greiner as alternate

La Pine Industrial Group, Inc. (LIGI) –

Councilor Ward with City Recorder Damerval as alternate

Small Cities Network (SCN) -

Councilor Hedges with Councilor Greiner as alternate

01:59:44

11. Discussion of 2009 City Accomplishments

Councilor McAfee stated that she preferred the list of City accomplishments that were published in the January 2010 edition of the Newberry Eagle. Mayor Shields discussed the time and thought that went into making the decisions that resulted in the 2009 City accomplishments.

City Attorney Green stated that many of the goals for this fiscal year have already been accomplished by the Council. The Council determined some of the goals they would like to accomplish in the 2009-2010 fiscal year which are City Manager, Business License, Road Maintenance and City Charter.

City Recorder Damerval stated with the City Charter, it would need to be completed and submitted to go on the ballot no later than two months before the November election. City Attorney Green stated that the Council will want to start on the City Charter no later than March or April of this year.

02:16:35

12. City General Dispute Resolution Procedure

Mayor Shields stated that this matter had been carried over from the Work Session discussion. She asked City Attorney Green to review the requested changes from the Council.

City Attorney Green stated that the following changes will be made on the Resolution:

2/1/2010

- Remove references to five days and include language such as the complaint needs to be filed timely but not more than ten days after the occurrence
- Remove designation of Mayor as one of the identified parties involved in the resolution process and substitute that the individual would be designated by the City Council
- Include language to identify the need to communicate issues between the two parties before going through this formal process.

A motion was made by Councilor Ward and seconded by Councilor McAfee to approve the City of La Pine General Dispute Resolution Procedure and also the City of La Pine Complaint Procedure Form with revisions as discussed:

<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 McAfee</i>	<i>X</i>	
<i>Councilor Greiner</i>	<i>X</i>	

Motion passed 4 to 1

Councilor Hedges stated that she would rather see the revised document before approving it. City Attorney Green stated that there are no issues with bringing the General Dispute Resolution Procedure back on a meeting agenda for future discussion.

13. Other Matters

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

02:21:51

13a) Pursue Hiring a City Manager – Moved forward from Work Session

Mayor Shields stated that after a discussion on this item during the Work Session the Council moved this matter to the regular meeting session for voting purposes.

A motion was made by Councilor Hedges and seconded by Councilor McAfee to pursue employment of a City Manager with direction for City Attorney Green to prepare a draft job description:

<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 McAfee</i>	<i>X</i>	
<i>Councilor Greiner</i>	<i>X</i>	

Motion passed unanimously.

13b) Approval of Dec. 9, 2009 Meeting Minutes – Councilor McAfee

Councilor McAfee stated there is a correction needed on page 4, second paragraph of the Work Session Minutes. She said Courtney Snead started as a Management Intern and is now an Assistant to the City Manager. Councilor Greiner stated that on page 14 of the Regular Session Minutes, it

should state for the motion regarding the Balance Sheets that Councilor Greiner abstained from voting. Mayor Shields stated she would like the dashes changed to numbering under Eric King's list of key areas of his job on page 3 of the Work Session Minutes. She had some additional revisions that had been made and were already incorporated into the Minutes provided at this City Council Meeting.

Attorney Green recommended that Mayor Shields submit her proposed changes for the Dec. 9, 2009 Meeting Minutes to City Hall for review by both Councilors and the Public. He said after two weeks the Minutes would come back on the City Council Meeting Agenda for approval, providing there were no objections. Council gave direction to staff to make requested revisions on the Minutes for review and present the Minutes back to the Council at the January 27, 2010 City Council Meeting.

02:43:50

14. Public Comments for Items not on the Agenda

In response to a question from Judy Forsythe at an earlier meeting, Mayor Shields stated that there were two resumes that had been turned into City Hall in the last couple of months. She said that after checking with City Attorney Green it was decided to reply to the senders of the resumes that the City is currently going through a process with hiring and they should submit their resume again when there is a solicitation.

Justin Cutler, the new Executive Director for the Parks and Recreation District, introduced himself to the Council and invited them to visit with him at his office in the Johnson C Johnson Building.

Judy Forsythe, area resident, stated that she is the recruiter and employment tester for the 2010 Census for this area. She discussed the job opportunities available for residents of La Pine.

Vicky Jackson, area resident, asked for an update regarding the traffic analysis Memorandum of Understanding (MOU) between Deschutes County, Oregon Department of Transportation (ODOT), La Pine Industrial Group (LIGI) and the City of La Pine. Mayor Shields stated that City Attorney Green will be discussing the MOU during staff comments.

Gloria Fleming, area resident, discussed her experience as the volunteer recording secretary for the City Council Meetings in the past. She stated that since there is a digital recording made of each meeting the City Council should not be spending a lot of time during the meeting going over the Minutes.

02:52:45

15. Staff Comments

Administrative Assistant Morgan stated that Monday, January 18th, City Hall will be closed in honor of Martin Luther King Day.

City Recorder Damerval discussed the following:

- At a writing class on meeting minutes attended by Admin Assistant Morgan, she was taught that punctuation errors were a staff responsibility and that it was not standard procedure for the Council to correct punctuation errors during City Council meetings
- She will be resuming her City Management classes through the League of Oregon Cities starting in March
- She has received a Memorandum from the Deschutes County Sheriff for a MAC (Multi Agency Coordination) representation and disaster preparedness training. The meeting is scheduled for February 13th at 4 pm at the Deschutes County Sheriff's office training room.

- There is a lunch meeting scheduled for January 29th at 12:00 noon at the South County Building Meeting Room between the City Council and Range Rider Roger Jordan
- On February 16th, from 3 pm to 6 pm the League of Oregon Cities training class will be held at the Finley Butte Park Building
- She will be out of the office on Thursday afternoon, January 14th

City Attorney Green discussed the traffic analysis MOU between ODOT, the County, LIGI and the City of La Pine. He said there has been a tremendous amount of progress on the MOU. City Attorney Green said ODOT is in agreement with the proposed changes he had made to the MOU. He said if everything goes as planned it should be on the agenda for approval at the next City Council Meeting.

City Attorney Green also stated that due to heavy workload for him and the priorities of the City Council over the next couple of weeks, he would like to have the job description for the City Manager moved to the February 10th Meeting Agenda. Council was in agreement to have it brought back to the February 10th City Council Meeting.

03:01:20

16. Council Comments

Mayor Shields discussed her conversation with Kenneth Goodnight from Shepard's House in Bend. She said he wanted to know if the City could use some surplus A-frame buildings for temporary shelters for the homeless. Mayor Shields stated that with a new City and no Comprehensive Plan in place, La Pine would have to pass on the offer.

Mayor Shields stated she attended the meeting for the Water and Sewer Districts and the following was discussed:

- There is a grant that the Districts wanted to apply for but could not because the City's Comprehensive Plan has not been completed but the Districts were understanding about it;
- Dennis Clark, Chair of the Sewer Board, complained about some of the inappropriate comments that were made at the City of La Pine Utilities Committee Meeting that he attended. Mayor Shields stated that Jayne Benner, Vice Chair of the Utilities Committee, explained to Mr. Clark about how the committee was formed and also addressed some of the misunderstandings;
- Barbeann Nelson-Dodson, President of the Water Board, stated that she will try to type up answers to some of the questions that came up during the Utilities Committee Meeting;
- A memorandum from HGE Inc., the engineering firm for Biogreen, regarding water supply options to Biogreen from the La Pine Water and Sewer Districts. Mayor Shields passed out a copy of the memo to Councilors and staff members.

Mayor Shields announced that the La Pine Chamber of Commerce is looking for participants for the Volunteer Opportunity Fair on Friday, January 15th from 10 am to 1 pm at the Senior Center.

Councilor Ward discussed the LIGI meeting he had attended. He said that Biogreen, the bio-mass plant that wants to purchase 20 acres on Reed Road was one of the items for discussion. Councilor Ward said that the final drawings of the building have been submitted to the County. He said if there are no problems, construction may begin sometime this spring. Councilor Ward stated that the Pacific Pellet Company decided to go to Redmond instead of La Pine because of economic factors.

03:14:10

Councilor McAfee had no comments. Councilor Hedges stated that she attended the Federal Appropriations Seminar that was held in Bend. She said the deadline for submissions for the next

fiscal year October 2010 is February 22, 2010. Councilor Hedges also mentioned that she had attended a very lively Town Hall Meeting with Senator Wyden. Councilor Greiner had no comments.

17. Adjourn

A motion was made by Councilor Ward and seconded by Councilor Greiner to Adjourn the Meeting.

<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 McAfee</i>	<i>X</i>	
<i>Councilor Greiner</i>	<i>X</i>	

Motion passed unanimously.

Mayor Shields adjourned the meeting at 9:37 pm.

Mayor Kitty Shields

Attest:

City Recorder Luana Damerval