

LA PINE CITY COUNCIL MEETING AGENDA

Wednesday, March 10, 2010

Work Session - 4:30 p.m.

Regular Session - 6:00 p.m.

51340 Highway 97, La Pine, Oregon 97739
South County Building Meeting Room

A. Work Session - 4:30 p.m.

1. Call to Order
2. Roll Call
3. Review Proposals for Creation of Urban Land Use Ordinances
4. Interviews of Budget Committee Applicants
5. Second Extension to Intergovernmental Agreement - La Pine Water District
6. Second Extension to Intergovernmental Agreement - La Pine Sewer District
7. 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 or such other time selected by the City Council.
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. February 24, 2010 - Work Session and Regular Meeting Minutes

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

- 6. High Lakes Car Club - Request to Hang Signs on New Lamp Posts
Randy Rhoades

- 7. Deschutes County Sheriff's Office Presentation for Jail Expansion Bond
Sheriff Larry Blanton

- 8. Ordinance No. 2010-02
An ordinance adopting the comprehensive plan text and map of the City of La Pine and adopting an urban growth boundary to include land for housing, employment, and related uses; and declaring an emergency.

- 9. Selection of 2010-2011 Budget Officer

- 10. Selection of Budget Committee Members

- 11. Selection of Consultant to Create Land Use Ordinances

- 12. Second Extension to Intergovernmental Agreement - La Pine Water District

- 13. Second Extension to Intergovernmental Agreement - La Pine Sewer District

- 14. Memorandum of Understanding - US 97/La Pine Corridor Traffic Analysis Project

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

- 16. Public Comments for Items Not on the Agenda

- 17. Committee Reports

- 18. Staff Comments

- 19. Council Comments

- 20. 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 MINUTES

Wednesday, March 10, 2010

Work Session - 4:30 p.m.

51340 Highway 97, La Pine, Oregon 97739
South County Building Meeting Room

B. Work Session - 4:30 p.m.

1. Call to Order

The Meeting was called to order at 4:37 pm by Mayor Shields.

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.

3. Review Proposals for Creation of Urban Land Use Ordinances

Mayor Shields thanked the representatives present from the five companies that submitted bid proposals:

- Deborah McMahon, DMC Consulting Services Inc and James Lewis from Foreterra LLC
- Duncan Brown from OTAK
- Cathy Corliss and Matt Hastie from Angelo Planning
- Scott Keillor and Scot Siegel with Siegel Planning Services.
- Elizabeth Homes, Michael Magee and Greg Blackmore from MacKay & Sposito Inc.

After a brief discussion it was decided that the Council will probably call a Special City Council Meeting so that all Councilors have an opportunity to review the proposals prior to making a selection.

Councilor McAfee asked each of the companies to discuss design dialogue, legal review, unified codes, and project management teams including a representative from the Department of Land Use Conservation and Development (DLCD), and also public outreach costs. She also said that the City Attorney would probably function as the oversight person from the City.

Councilor McAfee stated that, after listening to the various companies answer her questions, they all had hit on the important characteristics of La Pine. Mayor Shields said she was impressed with how

much each of the companies understood about the City and also its unique needs. She also asked each of the companies what their experience was in code development for a very small city and also a brand new city. All companies than discussed their experience in both of these areas.

Councilor Ward stated that after reading the proposals and listening to each of them at tonight's meeting; they all seemed extremely qualified for doing the project work and thanked them for attending the meeting.

Councilor Hedges asked Mr. Siegel about his experience working with lower socioeconomic communities. Mr. Siegel discussed his experience working as the Planner for the City of John Day as well as some other cities that had similarities to La Pine.

Councilor Greiner thanked the representatives from the various companies for coming to the meeting and answering the Council's questions. He said that all the proposals seemed very comprehensive.

Councilor Ward and Councilor Greiner both expressed a desire to make the selection during the Council Meeting. Councilor Hedges and Mayor Shields both stated they would be more comfortable putting off the selection to another day. Councilor McAfee expressed disappointment that not all Councilors came prepared to make a decision at the meeting.

City Attorney Green stated he could attend the Special Meeting on March 15th via teleconference. All representatives from the various companies expressed a desire to receive the results by e-mail immediately after the 5:00 pm Special Meeting of the City Council.

01:19:30

4. Interviews of Budget Committee Applicants

City Recorder Damerval stated that there are four openings and four applications. None of the applicants were available for interview.

5. Second Extension to Intergovernmental Agreement - La Pine Water District

Councilor McAfee stated that she wanted a significant discussion on the Water and Sewer Districts Intergovernmental Agreements.

6. Second Extension to Intergovernmental Agreement - La Pine Sewer District

The Council had consensus to move items #4, 5 and 6 from the Work Session Agenda to the Regular Session of the meeting.

7. Adjourn Work Session

A motion was made by Councilor Greiner and seconded by Councilor Hedges to Adjourn the Work Session.

<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 6:00 pm.

LA PINE CITY COUNCIL MEETING MINUTES

Wednesday, March 10, 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

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

Sheriff Blanton of the Deschutes County Sheriff Office 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 or such other time selected by the City Council.

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. February 24, 2010 - Work Session and Regular Meeting Minutes

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

Councilor McAfee requested to have item bi moved to the next City Council meeting for discussion. She said it is regarding a check for a personnel expense. The item will be moved to the March 24th City Council Meeting.

A motion was made by Councilor McAfee and seconded by Councilor Hedges to Approve the Consent Agenda with removal of Item 5.b.i to the March 24th City Council 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.

01:28:05

- 6. High Lakes Car Club - Request to Hang Signs on New Lamp Posts
Randy Rhoades

In response to a question from Mayor Shields, Mr. Rhoades stated that according to Art Uecker, Ford Foundation, after the original 90 days the City was responsible for approving signage on the lamp posts.

01:31:51

City Attorney Green stated that we need to adopt procedures for the usage of the sign poles. He suggested the month of April to adopt that procedure. City Attorney Green said once the Council adopts the procedures the Car Club will need to submit a request, again.

01:33:09

- 7. Deschutes County Sheriff's Office Presentation for Jail Expansion Bond

Sheriff Larry Blanton

Sheriff Blanton discussed the ballot measure requesting a jail expansion. He cited the need for the expansion and the public's safety. Sheriff Blanton also discussed the parenting skill classes that are being taught to the inmates.

Public Comment

Ted Scholer, area resident, talked about the land in Redmond that was being considered for selling to help with jail expenses before the real estate depression occurred.

Council had consensus to direct City Attorney Green to prepare a resolution in support of the ballot measure and jail expansion for the March 24th City Council Meeting.

01:58:03

8. Ordinance No. 2010-02

An ordinance adopting the comprehensive plan text and map of the City of La Pine and adopting an urban growth boundary to include land for housing, employment, and related uses; and declaring an emergency.

Deborah McMahon from DMC Consulting Inc., and James Lewis from Foreterra LLC., distributed revised copies of the Comp Plan for the Council and also the revised map. Ms. McMahon reviewed the changes that were requested and have been made as a result of meetings with the public, the Planning Commission and the Council.

02:07:30

City Attorney Green stated that the declaration for an emergency so the Ordinance could become effective immediately instead of waiting 30 days was necessary because:

- It would put the City out of sync with the County's review and approval process
- It would delay the State's approval process
- Continued delay may place the City in non compliance
- May compromise the Water and Sewer Districts loan & grant applications for certain stimulus funding

02:09:10

Deborah McMahon stated that improving the Ordinance quickly will save the City money.

02:21:07

Regarding the emergency clause in the Ordinance, City Attorney Green said if the ordinance was dealing with something outside the City limits we would have a more difficult time arguing that an emergency in respect to the City actually existed. He said he felt more comfortable about it because we are not talking about businesses or individuals outside the City limits. In response to a question from Councilor McAfee, City Attorney Green said that he was using the letter from the engineer for the Water and Sewer Districts (which was given to the Councilors at the meeting) as one of the supporting reasons for the need to declare an emergency clause.

Public Comment

Dan Varcoe, Chamber of Commerce, stated that he thought the entire comprehensive plan process had gone very well.

Vicky Jackson, area resident, expressed concern about the emergency clause for the ordinance and also about the revised map and the public maybe not having time to review the map. James Lewis stated that the Council had already acknowledged that these changes were going to be made.

A motion was made by Councilor Ward and seconded by Councilor Greiner to Adopt the Comprehensive Plan Text and Map of the City of Lab Pine and adopting an urban growth boundary to include land for housing, employment and related uses; and declaring an emergency.

<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.

02:27:15

9. Selection of 2010-2011 Budget Officer

Mayor Shields stated she was very glad that Ken Kendall had stepped forward to be the Budget Officer again. City Recorder Damerval talked about how detailed Ken Kendall has been with the past budget work and what a really great job he has done for the City.

A motion was made by Councilor Ward and seconded by Councilor Hedges to Appoint Ken Kendall as the 2010-2011 Budget Officer:

<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.

01:30:00

10. Selection of Budget Committee Members

City Recorder Damerval discussed the open positions and the candidates that had applied for these positions. Councilor Greiner noted that two of the applications are from people living at the same address. Councilor McAfee expressed a desire to have the application period extended.

None of the candidates were available at the meeting for interviews but had been invited. Councilor Hedges stated she would like to see the reference section filled out on the application for Rene Schifano.

Public Comment

Ted Scholer stated that he questioned their commitment if they did not bother to show up.

Councilor Ward suggested that we take a vote on the two reapplying people and then ask the other two to attend our next meeting. Councilor McAfee stated that she would like to extend the application period. City Recorder Damerval said that in that case, the Council will need to be more active in the application process.

Councilor McAfee said that leaving the application process open for another week would show that we had tried to get more applicants. Councilor Hedges requested that staff review applications in the future to ensure they have been filled out completely. Staff was directed to notify the new applicants to attend the next City Council meeting and also have those who had not fully completed their applications do so. Staff was also directed to run the Budget Committee vacancy advertisement for another week.

A motion was made by Councilor McAfee and seconded by Councilor Ward to Appoint Randy Rhoades and Vivian Cooper to the 2010-2011 Budget Committee:

<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.

02:40:47

11. Selection of Consultant to Create Land Use Ordinances

Mayor Shields announced that after the Work Session the Council had determined they would have a Special Meeting at 5 pm on March 15th to make the selection.

02:41:41

12. Second Extension to Intergovernmental Agreement - La Pine Water District

City Attorney Green stated that this extension is similar to the one entered into last year except that the Districts are now requesting a two year extension. He also said there has been internal discussion to initiate the withdrawal process and timing as it results to that process. City Attorney Green said there was some desire for the new extension to require the Districts to assist the City with their review and work regarding the withdrawal.

City Attorney Green stated he would like direction to discuss the extension with the District's attorney and make some refinements that would require their cooperation with the withdrawal process. Mayor Shields said that she had no problem with a one year extension if that was what the Council desired.

Councilor McAfee stated that it is important to let the Districts know that the City is seriously looking at the withdrawal and that this was the single most important document that has come before the Council. She said she would like language in the extension regarding future expansions and improvements meet with the City's vision and objectives as set forth in the comprehensive plan. She also suggested that a Councilor be given a seat on the District's Board.

Council had consensus to direct City Attorney Green to explore further legal options and revisions to the extensions as discussed.

13. Second Extension to Intergovernmental Agreement - La Pine Sewer District

This discussion was included in the previous discussion on Item #12.

02:55:53

14. Memorandum of Understanding - US 97/La Pine Corridor Traffic Analysis Project

City Attorney Green stated that a version similar to this was presented to the Council at a previous meeting. He said there were revisions requested by both the La Pine Industrial Group (LIGI) as well as Deschutes County.

Public Comment

Ted Scholer, LIGI member, stated that there was an issue in the past with monies spent by LIGI for an airport study and therefore they wanted to make sure this study would have definite results.

Councilor Ward discussed the City's share of the project cost that is estimated at \$400,000. Mayor Shields stated that RCAC (Rural Community Assistance Corporation) could explore funding options to assist with the City's required share of any project work resulting from the study.

A motion was made by Councilor McAfee and seconded by Councilor Ward to Approve the Memorandum of Understanding – US 97/La Pine Corridor Traffic Analysis Project as presented with the August 10, 2010 date as the scoping completion date.

<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.

15. Other Matters

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

None

03:07:50

16. Public Comments for Items Not on the Agenda

Dan Varcoe, Chamber of Commerce, stated that we in La Pine are the biggest stakeholders in terms of caring the most about the traffic analysis study. Mayor Shields said she liked the document and that it commits each of the four agencies involved.

Vicky Jackson, area resident, stated that she was most worried about safety at the intersections in the City.

Ted Scholer, area resident, stated that in previous traffic discussions a few years ago, he felt the biggest stumbling block was ODOT (Oregon Department of Transportation).

Tom Hill, candidate for County Judge, introduced himself and said he will be at the April 10th City Council Town Hall Meeting for the candidate forum part of that meeting. He said he is one of three candidates running for the judgeship in Deschutes County.

Karen Ward, area resident, stated that she feels everything is moving along fine in the City.

03:14:55

17. Committee Reports

Ted Scholer, Committee Chair for the City of La Pine Utilities Committee, had already e-mailed his report to the Council. He said that they are trying to start now in preparation for the eventual absorption of the Water and Sewer Districts. Mr. Scholer said that should the Districts decide to annex outside the City limits that could create problems for the absorption by the City.

City Attorney Green recommended waiting to explore grant opportunities until the Utilities Committee Resolution has been created and approved. He said he could have the resolution for the March 24th City Council Meeting. It was agreed that Councilor McAfee and Ted Scholer will work with City Attorney Green on the resolution. The resolution was discussed so that the City could use the RCAC (Rural Community Assistance Corp) and Business Oregon in assisting with obtaining the grants.

03:20:45

18. Staff Comments

None

03:21:10

19. Council Comments

Councilor Ward discussed that Biogreen and the Water and Sewer Districts have come to an agreement.

Public Comments

Ted Scholer stated that Biogreen had to cut some of their expenses per their lender's request. The

Districts agreed to do a renegotiation with Biogreen as a result of this need.

Councilor McAfee stated she would like to have the City Hall office open eight hours a day from 8 to 4 pm with staggered lunches. Mayor Shields stated that although this item was in the agenda packet materials, it will be discussed at the March 24th City Council Meeting. Councilor McAfee stated that she would like City Recorder Damerval to work the half day open shift on Fridays. She also said she would like City Recorder Damerval to think about what her understanding of exempt time is as the Council would like that understanding clarified to her.

Councilor Hedges reviewed the control of signage in the City. The Council further discussed this as far as who had control when it involved a State or County roadway.

Councilor Greiner discussed the COIC (Central Oregon Intergovernmental Commission) Board Meeting that he recently attended. He said he had not been previously been aware that COIC did small business loans. Councilor Greiner said he also recently attended the Small Cities Support Group in Maupin with Councilor Hedges. He said there is now a free facilitator for Central Oregon to help small businesses navigate through the red tape they have to go through to get a loan or establish a business. Councilor Greiner stated that it was suggested that we make sure that the legislators know how much we need the shared revenue monies for the City of La Pine. He also said that it was suggested that the City recruit retired businessman to assist new business owners in the area to increase their chances of success. Councilor Greiner stated that the League of Oregon Cities has Scholarships available for additional training for Councilors.

Councilor Hedges said that the training applications are online at the LOC website. She said that one of the City's had contracted out with a police officer to supervise a busy intersection that had school children crossing it. She said this may be a temporary solution the City may want to explore and budget for in the future.

Mayor Shields asked the Council about scheduling of candidates for the April 10th Town Hall meeting. Council agreed and directed staff to include in the advertising for the Town Hall Meeting that candidates schedule with City Hall if they wanted to speak at the meeting.

Councilor McAfee asked about the Administrative Assistant's annual performance review scheduled for March 29th and if Patti Morgan wanted her and Councilor Ward to attend. Councilor Ward said he was agreeable to attending as well if that was desired. Administrative Assistant Patti Morgan stated that she would like them to attend since; when they had in the past it had been very constructive. City Attorney Green stated there was no official policy for this matter but Ms. Morgan could ask other's to attend her evaluation as long as her supervisor had no objection to it.

Councilor Hedges asked about the agenda for the Town Hall Meeting because she would like to have someone from the Chamber give an update on the 100th anniversary preparations and also have organizations from outside the City limits speak. She also suggested extending the time for the Town Hall Meeting if needed. Councilor Ward said he thought the Town Hall Meeting was an opportunity for the public to come before the Council and ask questions and did not feel an organization giving a presentation was really appropriate. Mayor Shields said she did not think people were looking for it as a forum for presentations to be made. Councilor McAfee suggested holding another Town Hall with key stakeholders in the community also participating.

Mayor Shields discussed the meeting that she recently attended with Range Rider Roger Jordan,

Councilor Ward and City Recorder Damerval at City Hall. She said that Mr. Jordan discussed putting together a revised proposal for the City to assist with hiring an interim City Manager. Mayor Shields said that Mr. Jordan suggested having the League of Oregon Cities assist the City with a City Manager job description. Mayor Shields said a date of March 26th was tentatively scheduled for Mr. Jordan to present a revised proposal to the Council. She said it would probably be a luncheon meeting.

03:50:50

Councilor McAfee stated that she felt the discussion with Roger Jordan should have been part of a full Council discussion. She also said that the last agreement of the Council was to have City Attorney Green create a City Manager job description not that the job description was on hold as had been reported. Councilor McAfee stated that not being clear and concise regarding the City Manager issue has caused difficulties between the Councilors. She asked that in the future when Councilors discuss this matter in the community and press that they be careful and concise about how they discuss it.

Mayor Shields said that Mr. Jordan has discussed LOC doing the job description instead of the City Attorney as a cost savings measure. Councilor Hedges asked if LOC will handle the recruitment for the City Manager as she did not want it done in-house. Mayor Shields said it would be more costly to do it that way.

City Recorder Damerval stated that LOC has a list of retired City Manager's and they would take whatever the City was looking for and try to match it to the City's needs. Councilor Ward said once there is an interim City Manager in place, than the Council could determine if they wanted to go with a full time position or whatever. Mayor Shields said that this interim Manager will evaluate and determine what is administratively needed for the City to progress. City Recorder Damerval stated that Roger Jordan was going to try and have the proposal to the Council for the March 24th City Council meeting to review prior to him meeting with the Council.

Public Comment

Dan Varcoe discussed the teacher's event attended by Mayor Shields to raise funds for the High School.

Mayor Shields discussed the Restore Opening for Habitat for Humanity that she attended recently. She also mentioned that she was the speaker at the JROTC Military Inspection at the local high school.

20. Adjourn

A motion was made by Councilor McAfee and seconded by Councilor Hedges 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 8:52 pm.

Mayor Kitty Shields

Attest:

City Recorder Luana Damerval