

LA PINE CITY COUNCIL MEETING AGENDA

Wednesday, Aug. 11, 2010
Executive Session - 5:30 p.m.
Regular Session - 6:00 p.m.

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

A. Executive Session – 5:30 p.m.

1. Call to Order
2. Roll Call
3. Executive Session under ORS 192.660(2)(f)

An executive session will be held pursuant to ORS 192.660(2)(f) - to consider information or records that are exempt by law from public inspection. The executive session is closed to the public. In accordance with applicable Oregon law, representatives of the news media are permitted to attend the executive session. However, the media is prohibited from disclosing any information discussed in the executive session. All discussions in the executive session are confidential and those present may not disclose any information discussed in the executive session. The executive session will not be held for the purpose of taking any final action or making any final decision.

4. Adjourn Executive Session

B. Council Work Session – 6:00 p.m.

1. Council interviews with Charter Committee Applicants (cont.)

C. Regular Session – 6:30 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

1. July 14, 2010 Regular Meeting Minutes
2. July 21, 2010 Joint Council/Planning Commission Minutes
3. July 28, 2010 Work Session Minutes

- b. Bills and Invoices
 - i. Approval of Bills
 - ii. Financial Report
 - iii. Approval of Reimbursements
- c. Approval of Liquor License for Mystique Steak House
- d. Engagement Letter with Harrigan, Price, Fronk & Co. LLP
- e. Amended Agreement for City Manager Rick Allen
- f. Web Design and IT Services Contract
- 6. Public Comments for Items not on the Agenda
- 7. Andrew Spreadborough COIC Report
- 8. Selection of Charter Committee Members
- 9. Bookkeeping Services Contract
- 10. IGA Extension Sewer and Water Districts
- 11. Resolution Creating the Public Works Committee
- 12. Other Matters

Only those matters properly added to this Agenda under line item No. 4 will be discussed at this time.
- 13. Public Comments for Items not on the Agenda
- 14. Committee Reports
- 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 meetings. This notice does not limit the ability of the City Council to consider or discuss additional subjects. These meetings are subject to cancellation without notice. These 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 MEETING MINUTES

Wednesday, Aug. 11, 2010

Executive Session - 5:30 p.m.

Regular Session - 6:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

B. Executive Session – 5:30 p.m.

1. Call to Order

Mayor Shields called the meeting to order at 5:30 pm.

2. Roll Call

Present Were:

City Manager Rick Allen

Mayor Kitty Shields

Councilor Doug Ward

Councilor Barbara Hedges

Councilor Adele McAfee

Councilor Don Greiner

City Recorder Luana Damerval

Admin Ass't Patricia Morgan

City Attorney Jeremy Green

Quorum established.

Associate Attorney Peter Christoff was also in attendance, from the law firm of Bryant, Lovlien & Jarvis.

3. Executive Session under ORS 192.660(2)(f)

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The Council then moved into an Executive Session which was closed to the Public.

4. Adjourn Executive Session

A motion was made by Councilor Greiner and seconded by Councilor McAfee to adjourn the Executive 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 Adele McAfee</i> | <i>X</i> | |
| <i>Councilor Don Greiner</i> | <i>X</i> | |

Motion passed unanimously.

Mayor Shields adjourned the Executive Session at 6:10 pm.

B. Council Work Session – 6:00 p.m.

Mayor Shields called the Work Session to order at 6:10 pm.

1. Council interviews with Charter Committee Applicants (cont.)

The following applicants were interviewed for the Charter Committee:

Sandra Jones, Vicky Jackson, Linda Reid and Bob Steffens.

A motion was made by Councilor Hedges and seconded by Councilor Ward 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 Adele McAfee</i> | <i>X</i> | |
| <i>Councilor Don Greiner</i> | <i>X</i> | |

Motion passed unanimously.

Mayor Shields adjourned the Work Session at 6:37 pm.

C. Regular Session – 6:30 p.m.

1. Call to Order

Mayor Shields called the meeting to order at 6:38 pm.

2. Establish Quorum

Roll Call:

City Manager Rick Allen
Mayor Kitty Shields
Councilor Doug Ward
Councilor Barbara Hedges
Councilor Adele McAfee
Councilor Don Greiner
City Recorder Luana Damerval
Admin Ass't Patricia Morgan
City Attorney Jeremy Green – not required at meeting

Quorum established.

3. Pledge of Allegiance

Vicky Jackson 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

1. July 14, 2010 Regular Meeting Minutes
2. July 21, 2010 Joint Council/Planning Commission Minutes
3. July 28, 2010 Work Session Minutes

Addition to July 14th Meeting Minutes: Mayor Shields requested additional wording on Page 7, first paragraph, to state her comments as follows, ‘I think it is prudent to give a lot of weight on the Manager’s recommendation.’

b. Bills and Invoices

- i. Approval of Bills
- ii. Financial Report
- iii. Approval of Reimbursements

c. Approval of Liquor License for Mystique Steak House

- d. Engagement Letter with Harrigan, Price, Fronk & Co. LLP
- e. Amended Agreement for City Manager Rick Allen
- f. Web Design and IT Services Contract - **PULLED**

**A motion was made by Councilor Greiner and seconded by Councilor Hedges
To approve the consent agenda with additional wording to the July 14, 2010 Meeting
Minutes.**

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|---------------------------------|------------|------------|
| <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 McAfee</i> | <i>X</i> | |
| <i>Councilor Don Greiner</i> | <i>X</i> | |

Motion passed unanimously.

00:36:40

6. Public Comments for Items not on the Agenda

Zack Knabe, 52276 Lechner Lane, stated that he was part of a Dog 4-H group and was at a practice with his dog, at the downtown park, when two pig bulls attacked his dog. He said he dog sustained serious injuries. Zack Knabe stated that there needs to be a leash law in the City. Zack's mother, Mrs. Caldwell-Knabe, 52276 Lechner Lane, stated that she called 911 to request an officer come to the park who told her since La Pine did not have any leash law there was little he could do. She said the owner of the dogs is located near the schools. City Manager Allen stated that the revenue and the systems are not in place yet to put a leash law into effect. The Council expressed sympathy to the owner of the dog.

Public Comments

Vicky Jackson, 17346 Mink Court, stated that the City definitely needs to have a leash law.

Ken Mullenex, 52386 Glenwood Drive, stated that he found it interesting that the Council would not immediately take a position to at least write a letter, citing the circumstances.

Ken Kendall, 57417 Mac Court, read a letter he had prepared for the Council regarding the Biogreen application to run a biomass plant in the City. He said he was opposed to the plant and possible pollution concerns and other effects on the environment.

Wally Kitchen, 16495 Cagle Road, discussed paving or oiling Cagle Road due to the dust problem that exists. City Manager Allen stated that the future Transportation System Plan will address and help prioritize the paving of roads, etc. He said when SDC's have been developed (Systems Development Charges), there will be revenue available.

City Manager Allen recommended Mr. Kitchen form a group, with his neighbors on Cagle Road and obtain a low interest loan to assist with paving the road. He said that is how these issues are normally addressed. Mr. Kitchen also discussed that there were no posted speed signs on Cagle Road. He said he was advised to attend the Public Works Committee meetings and bring his concerns to that committee as well.

01:08:00

7. Andrew Spreadborough COIC Report

Mr. Spreadborough, from Central Oregon Intergovernmental Commission (COIC), stated that he was there tonight because COIC was working on a project that could be of interest to the City of La Pine. He said that COIC is working on an update of their comprehensive economic development strategy. Mr. Spreadborough said it is a strategy that has been in effect for about twenty years. He said the strategy identifies high priority community and economic needs to get funding from state and federal agencies as a result of getting them on the high priority list. Mr. Spreadborough said the list will be compiled over the fall and they would like to get a list of projects from the City of La Pine.

City Manager Allen stated that in a high priority list there has to be some geographical understanding or it will not go well. He said that La Pine needs to get some high priority strategies on the list. Mr. Spreadborough said that after they develop their list they will hold public hearings in various communities.

01:24:30

Public Comments

Ted Scholer stated there are all these different groups on economic development issues and there was no coordination.

8. Selection of Charter Committee Members

Councilor Ward stated that he would abstain from voting for committee members due to his wife, Karen Ward, being an applicant.

The following committee members were selected to be on the Charter Committee:

Linda Johnston, Ken Mullenex, Patricia Johnson, Patrice Mousseau and Bob Steffens were selected to be on the committee for the five resident positions. The following applicants were selected for the four nonresident positions: Linda Bauman, Laura Beebe, Sandra Jones and Mary Thorson.

A motion was made by Councilor McAfee and seconded by Councilor Greiner to appoint residents Bob Steffens, Linda Johnston, Ken Mullenex, Patricia Johnson and Patrice Mousseau and non residents Linda Bauman, Laura Beebe, Sandra Jones and Mary Thorson to the Charter Committee.

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|---------------------------------|------------------|------------|
| <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>ABSTAINED</i> | |
| <i>Councilor Barbara Hedges</i> | <i>X</i> | |
| <i>Councilor Adele McAfee</i> | <i>X</i> | |
| <i>Councilor Don Greiner</i> | <i>X</i> | |

Motion passed 4-0 with 1 abstained

9. Bookkeeping Services Contract

City Manager Allen stated that an RFP was sent out for Bookkeeping Services and the only company that submitted was Thorson Bookkeeping. He said the new contract will be for three years and the cost will increase by \$75.00 per month.

A motion was made by Councilor Greiner and seconded by Councilor McAfee to Approve the Bookkeeping Services Contract with Thorson Bookkeeping.

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

Motion passed unanimously

01:39:37

10. IGA Extension Sewer and Water Districts

City Manager Allen stated that for several months there has been work done on the Intergovernmental Agreement (IGA) between the City and the Water and Sewer Districts. He said the Council needs to give direction on the length of the IGA; also on page 2, item 10, of the IGA, the mutual requirement to consult and coordinate regarding the withdrawal of the Districts and coming into the City's jurisdiction. City Manager Allen recommended the following to the Council:

- The IGA go only until June 30, 2011.
- The City be allowed to initiate action for withdrawal of the Districts during the rest of 2010 and through June 30, 2011.

City Manager Allen said that in the ballot title for the City incorporation it was explained that the Districts would be absorbed into the City. He said it was clear from the beginning on every level that this would occur. City Manager Allen said he hoped to get some members from the Water and Sewer Districts to sit on the Public Works Committee.

Public Comment

Ted Scholer, Chair of the Utilities Committee, stated that it can happen, that sums it all up. He said the Water and Sewer Districts need to become an integral part of the City.

Dan Varcoe, Chamber of Commerce, stated that this will show that the City is moving in the right direction and be something visible that the community can see that the City is accomplishing.

A motion was made by Councilor McAfee and seconded by Councilor Greiner to have the Manager and the Attorney continue working on getting an IGA Agreement until June 30, 2011.

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|---------------------------------|------------|------------|
| <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 McAfee</i> | <i>X</i> | |
| <i>Councilor Don Greiner</i> | <i>X</i> | |

Motion passed unanimously.

A motion was made by Councilor Ward and seconded by Councilor Hedges to have the Manager and Legal Council continue to work toward an IGA without prohibitive language in it.

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|---------------------------------|------------|------------|
| <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 McAfee</i> | <i>X</i> | |
| <i>Councilor Don Greiner</i> | <i>X</i> | |

Motion passed unanimously.

The Council then individually discussed their support of the withdrawal of the Districts and their desire for them to come under City jurisdiction. City Manager Allen stated that the employees of the Districts are a valuable asset and an asset that the City needs and he looks forward to working with them and making this happen.

02:10:10

11. Resolution Creating the Public Works Committee

City Manager Allen stated that this is basically taking the committee that was formed, the Transportation Advisory Committee, changing and expanding it into the Public Works Committee. He said the substantive change is that there will be seven members with all members being voting members. City Manager Allen said that there would be one person from each of the three City neighborhoods, Chamber of Commerce representative, one member from the Council, and then two members will be appointed from the public at large. He also stated that he would like to save the two member positions for the people from the Water and Sewer Districts. City Manager Allen said that there can be informal working groups under the Public Works Committee. He said that down the road the Utilities Committee will also be absorbed into the Public Works Committee.

City Recorder Damerval read the Resolution 2010-12 by title.

A motion was made by Councilor Hedges and seconded by Councilor Greiner to adopt Resolution 2010-12 as presented.

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|---------------------------------|------------|------------|
| <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 McAfee</i> | <i>X</i> | |
| <i>Councilor Don Greiner</i> | <i>X</i> | |

Motion passed unanimously.

12. Other Matters

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

None

02:23:06

13. Public Comments for Items not on the Agenda

Gloria Fleming, Vice Chair of the Planning Commission, mentioned that there will be a Biogreen Meeting on August 12th beginning at 6 pm at the Senior Center. She said Biogreen will be doing a presentation and hopefully answer a lot of questions. City Recorder Damerval was asked to notify the Council of the joint meeting date for the text amendment between the County Commissioners and the County Planning Commission.

Ken Mulenex stated that in regard to the dog attack issue that was discussed earlier in the meeting, he recommended that the letter come from the Council.

Bob Steffens, 52573 Skidgel Road, discussed the funding and grant opportunities for beautification projects along highways that could increase tourism.

Ted Scholer said that if you have driven Hwy 97 north through Grass Valley and Moro, these communities have had grants to beautify and fix up their highway area through town.

Gloria Fleming mentioned that the replica of the Vietnam Memorial Wall, 'The Traveling Wall' will be at the Redmond High School and the opening ceremonies will be held on August 12th and it will be there through Sunday.

02:27:35

14. Committee Reports

Mayor Shields announced that the first 'tentative' meeting date for the DEQ Steering Committee will be September 9th.

15. Staff Comments

City Manager Allen stated that he met with the Traffic Analysis Group. He said they will be working on intersections and pedestrian safety. City Manager Allen stated that he has encouraged them to have public meetings during their process. He said he has prepared a letter that he will take to the County Commissioners regarding sewer and water and also the land exchange. City Manager Allen stated he appreciated the assistance from Mayor Shields in editing his letters and correspondence.

City Manager Allen stated that the conditional use process for Biogreen will either be done administratively by the County staff or they can go through the public hearings process. He said the public hearings process would add four weeks to the process and Biogreen will not meet the deadlines for funding. City Manager Allen said that the County wants La Pine to call the shots as to whether the conditional use process is done administratively or through public hearings.

02:41:07

16. Council Comments

Councilor McAfee suggested, because of the dog attack issue, planning a coordination meeting between the different entities within the City limits, Park & Rec District, Sheriff and Fire Departments. City Manager Allen suggested having the Sheriff come to a Work Session and have a discussion with him at that time.

Public Comment

Ken Mullen suggested a letter from the Council that would go to the Sheriff's department asking them what is the current policy regarding this kind of an issue (dog attack) from the Sheriff's department.

Councilor Greiner stated that the Senior Center is donating the time for the Biogreen Meeting and also the two Council Candidate Forums. He also said he visited Eugene recently and took photos of the biomass plant over there and the pictures are available on a cd.

Mayor Shields announced that staff is working on the winter maintenance process on the City roads.

02:56:57

17. Adjourn

Mayor Shields adjourned the meeting at 9:05 pm.

Mayor Kitty Shields

Attest:

City Recorder Luana Damerval