

REVISED
LA PINE CITY COUNCIL MEETING AGENDA

Wednesday, October 13, 2010

Regular Session - 6:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

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. Aug. 11, 2010 Meeting Minutes
 2. Sept. 8, 2010 Meeting Minutes
 - b. Bills and Invoices
 - i. Approval of Bills
 - ii. Financial Report
 - iii. Approval of Reimbursements
6. Public Comments
7. Approval for the Water & Sewer Districts to Annex Cagle Subdivision

BarbeAnn Nelson-Dodson, La Pine Water & Sewer Districts
8. Approval of Amendment No. 1 (Des. Co. Document no. 2010-034) to IGA with Deschutes County (Des. Co. Document No. 2009-044) regarding the County administering land use provisions, processing land use applications, issuing land use permits and tending to other related planning matters for and on behalf of the City of La Pine.
9. Declare Snow Plow Bid Contracts
10. Declare Road Maintenance Contracts

11. Approval of Employee Handbook
12. Res. 2010-14
A RESOLUTION REPEALING RESOLUTION 2010-06, A RESOLUTION CREATING THE CITY OF LA PINE'S UTILITY COMMITTEE, AND CREATING THE CITY OF LA PINE'S UTILITY COMMITTEE; PRESCRIBING THE COMMITTEE'S POWERS AND DUTIES; AND ESTABLISHING THE COMMITTEE MEMBERS' TERMS OF OFFICE.
13. Update on Rosland School Crossings
14. City Involvement for Halloween
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
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. 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.

REVISED
LA PINE CITY COUNCIL MEETING MINUTES

Wednesday, October 13, 2010

Regular Session - 6:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

1. Call to Order

Mayor Shields called the meeting to order at 6:02 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

Quorum established.

3. Pledge of Allegiance

Donna Zigler 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.

15a) OLCC Liquor License Approval

15b) Lay-off of City Recorder

15c) Appointment of Rick Allen as City Recorder

00:02:22

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. Aug. 11, 2010 Meeting Minutes
2. Sept. 8, 2010 Meeting Minutes

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

A motion was made by Councilor Greiner and seconded by Councilor Ward to Approve the Consent Agenda as presented.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele McAfee</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	

Motion passed unanimously.

00:03:03

6. Public Comments

Vicky Jackson, 17436 Mink Court, asked for an opportunity to speak on topics as they are discussed during the meeting. Mayor Shields stated she would allow it as long as it did not take that much time.

7. Approval for the Water & Sewer Districts to Annex Cagle Subdivision
BarbeAnn Nelson-Dodson, La Pine Water & Sewer Districts

Mayor Shields read a letter from BarbeAnn Nelson-Dodson and the La Pine Water and Sewer Districts concerning the annexation of the Cagle Subdivision.

City Manager Allen stated he was supportive of the annexation plans as long as it would not cause any delay on the withdrawal of the Districts. Council directed staff to check with the City Attorney to research if the City supports this annexation would that create any problems for the withdrawal. Donna Zigler, La Pine Water and Sewer District, stated that the whole project (construction) could be completed in about 6-8 months. Ms. Zigler also said she would get information regarding the length of time for the project financing process and report back.

Public Comments

Vicky Jackson asked about the costs to the customer to hook up to the new system. Donna Zigler stated that it would cost around a couple of hundred to a thousand dollars depending on the amount of distance required for the hookup.

Ken Mullenex, 52386 Glenwood Drive, asked if the annexation would include the Glenwood development. Ms. Zigler said that the subdivision was not included in the annexation plans at this point in time.

00:23:10

- 8. Approval of Amendment No. 1 (Des. Co. Document no. 2010-034) to IGA with Deschutes County (Des. Co. Document No. 2009-044) regarding the County administering land use provisions, processing land use applications, issuing land use permits and tending to other related planning matters for and on behalf of the City of La Pine.

City Manager Allen stated that the current agreement with the County expired June 30, 2010. However, that agreement included an automatic one year extension. He said the biggest change is for appeals, the City of La Pine will now cover the cost for appeals according to this amendment. City Manager Allen said that the applicant will be responsible for their legal fees in an appeal process. He said appeals cost any government money.

Public Comments

Vicky Jackson asked about the \$10,000 application planning fee that Biogreen paid to the County and how it related to SDC's (System Development Charges). City Manager Allen said that SDC's had nothing to do with planning fees and are kept separate.

Ken Mullenex stated that he believed it is a reasonable act on the part of the County to expect the City to hand over the appeal fees.

A motion was made by Councilor Ward and seconded by Councilor Greiner to Approve Amendment #1 to the IGA with Deschutes County regarding the County administering land use provisions, processing land use applications, issuing land use permits and attending to other related planning matters for or on behalf of the City of La Pine.

<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.

00:44:05

- 9. Declare Snow Plow Bid Contracts

Mayor Shields recused herself from this agenda item as well as the next item as her brother, Mike Shields, had bid on both contracts. Mayor Pro Tem Doug Ward took over leadership of the meeting at this point. He said the only change in the snowplow contracts from this year as compared to last year is that the Contractor selected will make their own determination as to when the roads need to be plowed, the City will not make that call. Mayor Pro Tem Ward stated that La Pine Equipment will plow the north half of the City and Vic Russell will plow the south half of the City.

A motion was made by Councilor Greiner and seconded by Councilor Hedges to Approve the contracts again as stated in the staff report and authorize City Manager Allen to sign the contracts.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>	<i>Recused</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 4 to 0 with 1 recused

00:47:18

10. Declare Road Maintenance Contracts

Mayor Pro Tem Ward stated that only two bids were submitted for road maintenance and the low bid, from La Pine Equipment Co., in this case approximately \$12,300.00 was significantly lower than the other bid.

Public Comment

Vicky Jackson asked about the condition of the roads should the Water and Sewer District need to do work for an annexation. Mayor Pro Tem Ward stated that the Water and Sewer Districts are required to repair the road to the condition it was in prior to damaging it. Ken Mulenex stated that Water and Sewer may leave the road in good enough condition so a spring maintenance effort is not necessary. It was explained that the roads would be torn up for the sewer and water lines one at a time so there would still be a need for the road maintenance in the spring.

A motion was made by Councilor McAfee and seconded by Councilor Greiner to Approve the Contract with the La Pine Equipment and authorize City Manager Allen to sign the contract.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>	<i>Recused</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 4 to 0 with 1 recused

00:56:40

11. Approval of Employee Handbook

City Manager Allen stated that the Employee Handbook can be amended from time to time as warranted. He then passed out the Handbook with the revisions the Council had asked to be made.

A motion was made by Councilor Ward and seconded by Councilor Greiner to Approve the Employee Handbook as Presented.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele McAfee</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	

Motion passed 4 to 0 with 1 recused

00:59:20

12. Res. 2010-14

A RESOLUTION REPEALING RESOLUTION 2010-06, A RESOLUTION CREATING THE CITY OF LA PINE'S UTILITY COMMITTEE, AND CREATING THE CITY OF LA PINE'S UTILITY COMMITTEE; PRESCRIBING THE COMMITTEE'S POWERS AND DUTIES; AND ESTABLISHING THE COMMITTEE MEMBERS' TERMS OF OFFICE.

City Manager Allen stated the need for this resolution is to allow for all members of the Utilities Committee to be voting members.

A motion was made by Councilor Greiner and seconded by Councilor McAfee to Approve City of La Pine Resolution 2010-14

<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.

01:04:44

13. Update on Rosland School Crossings

City Manager Allen reviewed the meeting he had with both School District staff members and other officials. He said there was no support for putting in a cross walk across Burgess Road, that the students are all bussed in and also it could potentially create an unsafe situation.

01:12:20

14. City Involvement for Halloween

The Council had consensus to participate in the ‘trunk or treat’ activity for Halloween. Councilor McAfee volunteered to participate on behalf of the City. The Council also authorized City Recorder Damerval to purchase the candy to be distributed during the activity.

Public Comment

Ken Mullenex stated that the trunk should have a sign saying “The City of La Pine.”

A motion was made by Councilor Ward and seconded by Councilor Greiner for the Council to participate in the Halloween Event and to authorize City Recorder Damerval to purchase what in her judgment is a reasonable amount of candy for handing out.

<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.

01:19:10

15. Other Matters

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

15a) OLCC Liquor License Approval

A motion was made by Councilor McAfee and seconded by Councilor Ward to Approve the temporary liquor license for the La Pine Frontier Days Oct. 30, 2010.

<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 4 to 0 with 1 recused

15b) Lay-off of City Recorder

City Manager Allen stated that he has been assessing the needs of City Hall and staffing. He said the job of City Recorder has changed, tremendously. City Manager Allen said there is work for someone but it will require a completely different job description and a whole different skill set. He said lots of City Managers have the title of City Recorder with someone else taking meeting minutes, etc. City Manager Allen said that the layoff of the City Recorder would be effective Oct. 31, 2010. He said he has planned a Work Session in two weeks to discuss the details of what additional type of staffing would be needed at City Hall.

Councilors Ward, Greiner and Mayor Shields thanked City Recorder Damerval for the work she had done for the City and that she will be missed.

Public Comment

Marilyn Waggoner asked if the City Recorder would be drawing unemployment since she was laid off. City Manager Allen said she would probably be eligible for unemployment insurance.

A motion was made by Councilor Greiner and seconded by Councilor Ward to authorize the layoff of City Recorder Luana Damerval effective Oct. 31, 2010 as recommended by City Manager Rick Allen.

<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 4-1.

01:31:03

15c) Appointment of Rick Allen as City Recorder

City Manager Allen stated that because of the law the City needs to have a City Recorder.

A motion was made by Councilor Ward and seconded by Councilor Greiner to appoint City Manager Rick Allen to the City Recorder until such time as those duties are assumed by others as part of reorganization of staff duties and responsibilities.

<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 4-1.

01:32:52

16. Public Comments

None.

17. Committee Reports

Ken Mullenex, member of the City Charter Committee, stated that the committee has made a lot of progress. He said there was discussion on having a non resident be eligible to run for the City Council. Mr. Mullenex said the committee was split on it. He said there will be a Public Hearing on November 9th starting at 6 pm at the John C. Johnson Building.

18. Staff Comments

City Manager Allen stated that the Traffic Corridor Study will hold an Open House on Tuesday, Oct. 26, 2010 at 6 pm to be held at the John C. Johnson building.

City Manager Allen discussed that there may be some glitches as the transition at City Hall occurs. City Recorder Damerval said she will have everything in place and ready to go when she leaves.

19. Council Comments

Councilor Ward complained about the problems with the City's new phone system. City Manager Allen said that it is continuing to be worked on by Little d Technology.

Councilor McAfee stated that the League of Oregon Cities conference was very educational and that she met with federal and state representatives.

Councilor Hedges discussed some funding that may be available from ODOT (Oregon Department of Transportation) regarding beautification and has turned that information over to Dan Varcoe at the Chamber.

There was a framed poster awarded to the City of La Pine at the 100 year anniversary with a special poem. The poem was read to all present by Donna Zigler.

Councilor Greiner discussed the Small Cities Meeting he attended in Maupin. He said that they stressed the need for small cities to be involved with the Ford Leadership Foundation like the City of La Pine.

Mayor Shields talked about the La Pine 100 Year Celebration she attended and also helped with the historical presentation.

City Manager Allen reminded the City Council that Tuesday night, Oct. 19th, there will be a short meeting after the Joint Meeting to call up the Biogreen decision from Deschutes County for a Public Hearing. The Public Hearing will probably be around the middle of November. He also thanked City Recorder Damerval for her work with the City.

20. Adjourn

Mayor Shields adjourned the meeting at 8:09 pm.

Mayor Kitty Shields

Attest:

City Manager/Recorder Rick Allen