

# LA PINE CITY COUNCIL MEETING AGENDA

Wednesday, October 14, 2009 - 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 this 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. September 23, 2009 – Regular Meeting Minutes
  - b. Bills and Invoices
    - i. Approval of Bills
    - ii. Financial Report
    - iii. Approval of Reimbursements
6. Community Wildfire Protection Plan Presentation  
Joe Stutler, Deschutes County Forester
7. Memorandum of Understanding – Deschutes Water Alliance
8. Consideration of Vehicle Acquisition
9. Liquor License Application – The Pit Stop
10. Mosquito Abatement Feedback and Product Information
11. Other Matters  
Only those matters properly added to this Agenda under line item No. 4 will be discussed at this time.
12. Public Comments for Items not on the Agenda
13. Staff Comments

14. Council Comments

15. 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 MEETING MINUTES

Wednesday, October 14, 2009 - 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 6:08 pm.

2. Establish Quorum

Present Were:

Mayor Kitty Shields

Councilor Doug Ward

Councilor Barbara Hedges

Councilor Adele Moilanen

City Attorney Jeremy Green

City Recorder Luana Damerval

Admin Ass't Patricia Morgan

Quorum established.

3. Pledge of Allegiance

Stu Martinez, former Mayor of the City of La Pine, led the Pledge of Allegiance.

4. Added Agenda Items

Any matters added to this Agenda at this time will be discussed during the "Other Matters" portion of this Agenda or such other time selected by the City Council.

11a) \$1,000 Planning Assistance Grant Application

11b) Discussion on a Letter to Senator Wyden

11c) Discussion on an Assurance Agreement for Rural Communities Development Initiatives.

11d) Discussion of the Formation of a Committee regarding Water and Sewer Acquisition and the Appointment of Ted Scholer, resident, for Chair of the committee.

00:04:28

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. September 23, 2009 - Regular Meeting Minutes
- b. Bills and Invoices
  - i. Approval of Bills
  - ii. Financial Report
  - iii. Approval of Reimbursements

**A motion was made by Councilor Hedges and seconded by Councilor Ward to approve the Consent Agenda with minor changes on the Minutes as noted:**

<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 Moilanen</i>	<i>X</i>	

**Motion passed unanimously.**

00:06:48

6. Community Wildfire Protection Plan Presentation

Joe Stutler, Deschutes County Forester, conducted the presentation.

Mr. Stutler stated that in 2003 the Healthy Forest Restoration Act was passed. He said the Act allowed for the creation of community fire plans. Mr. Stutler said the communities were basically telling the federal agencies what the priorities were for treating fuels around those communities. He also stated there is now every acre of the County included in the plan. Mr. Stutler said there are about 40,000 people using County public land for recreational purposes during most of the spring through fall.

Joe Stutler stated that from 1900 to 1999 about 125,000 acres were burned. He said from 2000 through 2008 about 180,000 acres were burned. Mr. Stutler said this is the result of having community fire plans which allows them to get grant money and treat fuels.

Joe Stutler stated that when the Community Wildfire Protection Plan is completed, the La Pine City Council would need to approve it as well as the local Fire Chief, Board of County Commissioners and other public entities. He said there are about 23,000 people that live in the greater La Pine area. Mr. Stutler stated that for Newberry Estates they had meetings, got waivers and put out the contracts for fuel reduction as well as posting excavation signs.

Mr. Stutler stated he appreciates the City's support and would like to have a formal signing ceremony with the City of La Pine, BOCC, etc., and also with members of the media in attendance. He said the Program Coordinator, Katie, will be contacting the City to schedule a ceremony.

00:24:50

7. Memorandum of Understanding - Deschutes Water Alliance

City Attorney Green stated that this is a follow up to the discussion the Council had on this topic, about a month ago. He said the following changes or suggestions have been made to the MOU:

- The statement regarding voting members having authority to bind their Councils or Boards to budgetary or policy decisions;
- Voting members having the ability to formulate recommendations;
- Financial expectations for the City have not been determined. If the City finds the financial contributions are not agreeable, the City can terminate the MOU;
- All members present at a meeting agreeing to support a decision. Members will have the opportunity to seek advice from the organizations they represent.

City Attorney Green also said that there are various versions of the MOU that some public entities have signed. He suggested the City could sign the Agreement subject to legal revisions, or we could wait until all the issues are worked out and sign the final version. Mayor Shields stated she thinks it is cleaner and easier if everyone signs the same document in the end. Councilor Hedges stated that she detected some trust issues at the DWA meeting the prior day, and thinks all details should be worked out before signing. Councilor Ward agreed that there is too much that is missing or unclear, and we should wait for the final version.

Councilor Hedges advised that the DWA will hold a meeting sometime in November to flesh out these issues. By consensus City Council gave direction for City Attorney Green to attend this meeting.

00:41:40

8. Consideration of Vehicle Acquisition

City Recorder Damerval stated that the City of Sisters has a good running vehicle and offered to provide it to the City of La Pine at no cost. She provided a cost analysis showing the current mileage reimbursement as compared to the gas for a City vehicle. City Recorder Damerval said she could not provide information on other costs for operating the vehicle such as cost of repairs. She did state that the vehicle had recently been serviced and was in good condition.

City Recorder Damerval stated that the insurance company requests an MVR report from all employees or potential employees in order for the City to obtain discounts on the cost. It had not been determined if Councilors would be required to use the City vehicle (when available) for longer trips to Bend, etc., rather than submit mileage reimbursement.

Mayor Shields requested that the mpg cited in the document be changed from 20 mpg to 15 mpg. She also requested a typo be corrected in the document. Councilor Ward stated he was in favor of obtaining a City vehicle because it would probably save the City money.

The Council gave direction for City Recorder Damerval to make some changes, as noted above, and bring the request back at the next Council Meeting.

00:51:05

9. Liquor License Application - The Pit Stop

City Recorder Damerval stated that the above business is requesting greater privileges in order to serve hard liquor as well as beer and wine.

Councilor Ward expressed disappointment that there was no representative from The Pit Stop at the Council Meeting to answer questions or provide clarification.

<b>A motion was made by Councilor Ward and seconded by Councilor Hedges to approve the Liquor License Application for The Pit Stop:</b>		
<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 Moilanen</i>	<i>X</i>	
<b>Motion passed unanimously.</b>		

00:56:50

10. Mosquito Abatement Feedback and Product Information

City Recorder Damerval discussed the list of ingredients that are in the fogger and also in the regular treatment spray for mosquito abatement. She provided this information to the City Council per their earlier request.

Councilor Ward stated that he was against having the mosquito abatement approved without having an opportunity to get additional information and have his specific questions answered by a technical person.

Mayor Shields stated that most of the residents were in favor of the abatement program. She also said that most of the non residents were in favor of the program.

Tony Debone, from the Park & Rec District, stated that their District will be doing abatement spraying at Rosland next year.

Mayor Shields requested that Tony Debone have the individual that will be doing the spraying for the Park & Recreation District contact City Hall and provide abatement program information. Tony Debone also said this person is interested in starting up his own insect abatement business.

01:09:40

11. Other Matters

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

11a) \$1,000 Planning Assistance Grant Application

City Recorder Damerval stated that she first learned of this grant and then forwarded the application information to Deborah McMahon, Planning Consultant for the City. She said Deborah McMahon applied for the Planning Assistance Grant and the City was awarded the \$1,000 grant.

Mayor Shields stated, in response to a question from Councilor Hedges, that there is a line item in the budget for any grants the City receives during the fiscal year.

**A motion was made by Councilor Hedges and seconded by Councilor Moilanen to give authority for the Mayor to sign the DLCDC 2009-2011 Grant Agreement:**

<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 Moilanen</i>	<i>X</i>	

**Motion passed unanimously.**

01:16:01

11b) Discussion on a Letter from Senator Wyden.

City Recorder Damerval stated that the City has been requested to send a letter to Senator Wyden. She then passed out to the Council, two draft letter samples from David Blair, Field Representative for Senator Wyden, and Mark Smuland, Managing Director at Development Strategy and Management.

She said that the City would be requesting a BLM transfer of land to the City, of approximately 2.5 acres near the County library. City Recorder Damerval stated that the land would be used in a beautification program for the City.

In response to a question from Mayor Shields, Tony Debone reported that the BLM land transfer for the Sewer District is moving through the legislative process and that another BLM land transfer request should not slow up that process in any way.

Mayor Shields called for a roll call consensus to direct City Attorney Green to research this land transfer request further and then create a letter to Senator Wyden. Council gave consensus. In response to a question from Councilor Moilanen, City Attorney Green said he would try to have the letter ready for the next Council Meeting, October 28<sup>th</sup>, but would not guarantee it.

01:27:00

11c) Discussion on an Assurance Agreement for RCDI

Mayor Shields discussed the Assurance Agreement that would allow Rural Community Development Initiatives to obtain monies to assist the City with infrastructure planning and coordination. She said

if the City decides to sign this Agreement the City agrees to comply with all terms of use of the funds. Mayor Shields also said that this will allow RCIDI to have the funds to continue to assist the City.

**A motion was made by Councilor Ward and seconded by Councilor Moilanen to give authority for the Mayor to sign the RCIDI Assurance Agreement:**

<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 Moilanen</i>	<i>X</i>	

**Motion passed unanimously.**

01:35:54

11d) Discussion of Forming a City Committee to Explore Possible Acquisition of the Water District and the Sewer District and Appointment of Ted Scholer as Chair for this Committee.

Mayor Shields stated that the City is always appreciative of volunteer help from the community. Councilor Moilanen said that the public had expressed interest in the City acquiring the Water District and Sewer District. She said she would like the City to form this volunteer committee and name it The Water and Sewer Acquisition Committee. Councilor Moilanen stated that Ted Scholer had volunteered to assist with the Committee and she would like him to be appointed Chair.

01:38:30

In response to a question from Councilor Ward, City Attorney Green stated there is a process identified in the State Statutes as far as the City's responsibilities going forward, etc. He said it is his understanding that the Committee would be investigating the issue and eventually reporting back to the City Council.

01:39:10

In response to a question from Councilor Ward, Mayor Shields stated that the Water District and Sewer District had always said that when it is right for the City to do the acquisition, it is right for them. She said she had never heard of any opposition. Mayor Shields stated it is just a matter of timing.

City Attorney Green suggested that there may be grants available to assist with legal fees, and other financial aspects for the acquisition of the Districts. Mayor Shields stated that it is better when a committee is City created and authorized for research and other processes.

City Attorney Green advised creating this committee by a motion. He also recommended advertising the formation of the committee on the website and also notice it in the local newspapers and other regular posting locations.



01:41:50

Mayor Shields announced that the Water and Sewer Districts are actively looking into annexing the Cagle Subdivision and also some lands to the west and north of it that would be outside of City boundaries.

01:42:50

In response to a question from Mayor Shields, Ted Scholer stated that he was not in favor of more than nine people on the committee for efficiency purposes. He also said County Commissioner Unger, Tony Debone, Jayne Benner and Clark Jackson have already volunteered to be on the committee. Clark Jackson and Commissioner Unger would be unofficial members of the committee.

01:43:40

City Attorney Green stated that the Council has appointed other committee members, in the past. He said the Council could fill the spots instead of having the chairperson fill the spots.

01:44:47

Tony Debone suggested that a spot on the committee be offered to a City Council member and also a Water District and Sewer District board member. Councilor Moilanen and Mayor Shields both expressed interest in being on the committee.

City Attorney Green stated as a general rule it is always better to advertise the committee rather than just open it up to anybody.

Mayor Shields stated that City Recorder Damerval would approach the Water District and Sewer District about their interest in each having a representative on the committee. City Recorder Damerval will also prepare a Memorandum that defines the general parameters of the committee.

01:53:33

**A motion was made by Councilor Moilanen and seconded by Councilor Ward to establish a seven member Water and Sewer Districts committee to review and evaluate the feasibility of the acquisition of the Districts:**

<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 Moilanen</i>	<i>X</i>	

**Motion passed unanimously.**

01:54:20

12. Public Comments for Items not on the Agenda

Dan Varcoe, Chamber of Commerce, thanked the Council and staff for the Town Hall Meeting that was held on October 7<sup>th</sup>. He also reminded the Council that the Chamber monthly breakfast will be held on October 16<sup>th</sup>.

Ted Scholer, Vice President of the La Pine Industrial Group, stated that LIGI has decided not to sign the MOU for the traffic analysis until there is language in it that commits all stakeholders to whatever

recommendations are made. City Attorney Green asked if he or ODOT would receive an e-mail regarding this decision. Mr. Scholer stated that Lee Smith should be communicating with all stakeholders regarding the decision.

Jim Fleming, area resident, stated that the \$500,000 grant for the Community Kitchen was rejected. Gloria Fleming, area resident, stated that the grant does not fund community kitchens, only food pantries. Mr. Fleming said another option would be to purchase the property directly across the street for a food pantry. He also said since the money is handled through the County, the County would be buying the property. Jim Fleming said that would allow them to qualify for the grant money. Mayor Shields stated that the City could provide a support letter for the grant.

02:01:00

13. Staff Comments

City Recorder Damerval reported on the following:

- Veteran's signage added onto the Population Signs for the City will be very costly due to stipulated sign requirements. She received information from another City that La Pine might want to make this a community effort and get City entrance signage honoring Veterans. Possible grant funds may be available for this project.
- The Oregon Health Plan has opened up for more enrollees.
- Allen Unger is going to be doing a column in The Eagle newspaper titled Ask the Commissioner. She passed out information on how to ask him a question for the column.
- Kathy Debone has provided the City with the cost to have a domain name [www.lapine.gov](http://www.lapine.gov) for the City of La Pine. She said the cost would be \$125 a year.
- There is a Draft copy of the Deschutes Comp Plan at City Hall.
- She and Deborah McMahan have applied for an \$80,000 grant through DLCD for zoning processes.
- Councilors have been invited to attend a dinner meeting presentation, in Redmond, regarding COIC grants and loans.

02:06:30

14. Council Comments

Councilor Ward stated he was not able to attend the La Pine Industrial Group meeting but City Recorder Damerval did attend.

Councilor Hedges discussed the Small Cities Network Meeting in Maupin. She said there was information provided on receiving assistance for economic development. Councilor Hedges also discussed the meeting she attended about starting a small business. She suggested having another Town Hall meeting in the near future, perhaps in December. Councilor Hedges also stated that the library does not have the meeting room available for Culture Day or any day in October.

City Recorder Damerval announced that the City of La Pine was awarded two certificates at the Oregon League of Cities Annual Conference. She said they received the Gold Medal Award for Wellness Promotion and the Gold Safety Award for Safety.

Mayor Shields stated that the Water and Sewer Districts have applied for some funding assistance for the proposed annexation of the Cagle Subdivision. She also said they plan to have Deschutes County initiate the annexation.

Mayor Shields thanked people for showing up at the Town Hall Meeting. She said that City staff will be tracking all the suggestions and also inform the public that the City is following up on them. Mayor Shields stated that City Recorder Damerval will have a follow up report at a Council Meeting in the near future.

15. Adjourn

**A motion was made by Councilor Ward and seconded by Councilor Hedges to adjourn the Council Meeting:**

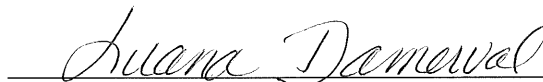
<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele Moilanen</i>	<i>X</i>	

**Motion passed unanimously.**

Mayor Shields adjourned the meeting at 8:21 pm.

  
\_\_\_\_\_  
Mayor Kitty Shields

Attest:

  
\_\_\_\_\_  
City Recorder Luana Damerval