



REVISED (11/15/2016)

CITY of LA PINE CITY COUNCIL AGENDA

Wednesday, July 20, 2016

5:00 pm Work Session

6:00 pm Regular

Session La Pine City Hall

16345 Sixth Street, La Pine, Oregon 97739

A. Work Session – 5:00 pm

1. Call to Order
2. Establish Quorum
3. Discussion on League of Oregon Cities 2017 Legislative Agenda
4. Adjourn

B. Regular Session – 6:00 PM

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.

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 of any member of the City Council.

a. Approval of Minutes

- I. May 4, 2016 Revised Budget Committee Meeting Minutes
- II. June 8, 2016 City Council Meeting Minutes
- III. June 22, 2016 Council Work Session Minutes

- b. Bills and Invoices
 - i. Approval of Reimbursements
 - c. Financials
 - Revenue and Expenses
 - d. Final Pay Estimate No. 3 by BECON Engineering
6. Public Comments
 7. Funding Request by High Lakes Car Club
 8. Resolution No. 2016-14 City of La Pine Recreational Marijuana Banning Referral Resolution
 9. Resolution No. 2016-15 City of La Pine Recreational Marijuana Tax Referral Resolution
 10. Resolution No 2016-16 City of La Pine Resolution Categorizing The Tax for Resolution No. 2016-13
 11. Approval of Advanced Planning Fee Collections IGA with Deschutes County
 12. Approval of Qualified Consultants List
 13. Approval of Cost of Living Adjustment (COLA) for City Employees
 14. Other Matters: Only those matters properly added to this Agenda under line item No. 4
 15. Public Comments
 16. Staff Comments
 17. Council and Mayor's Comments
 18. 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. This meeting is subject to cancellation without notice. The regular meeting is open to the public and interested citizens are invited to attend. The public will not be permitted to attend the executive session; provided, however, representatives of the news media and designated staff will be allowed to attend the executive session. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the executive session as previously announced. No decision will be made in the executive session. 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 Patti Morgan (541-536-1432). For deaf, hearing impaired, or speech disabled dial 541-536-1432 for TTY

REVISED CITY of LA PINE
COUNCIL MINUTES
Wednesday, July 20, 2016
5:00 pm Work Session
6:00 pm Regular Session
La Pine City Hall
16345 Sixth Street, La Pine, Oregon 97739

A. Work Session -5:00 pm

1. Call to Order

Mayor Mulenex called the meeting to order.

2. Establish Quorum

Mayor Ken Mulenex
Councilor Stu Martinez
Councilor Kathy Agan
Councilor Karen Ward
Councilor Dennis Scott
Student Councilor Sydney Bright - absent
City Manager Cory Misley
Public Works Manager Jake Obrist
Accounting Clerk Ashley Williams
Administrative Assistant Patricia Morgan
Quorum established.

3. Discussion on League of Oregon Cities 2017 Legislative Agenda

Councilor Agan stated she would like to see some type of PERS reform. She also said she selected marijuana legislation and implementation. Councilor Agan said she favored property taxes as a priority. Councilor Scott stated that mental health and housing assistance were some of the selections he made. Councilor Martinez said that flood plain technical assistance is an important item. He also said he selected 911 emergency communications. Councilor Ward said she thought the most important thing was needing housing. She said she had mental health selected as well. Councilor Ward said she would like to see some legislation regarding the discarding of prescription drugs. Mayor Mulenex said the housing assistance and funding of public projects were some of the items he selected. He also said he was in favor of property tax legislation and changes to the transient room tax for cities. Mayor Mulenex stated that he would like to see recreational immunity restoration. He said right now he has concerns about the liability for both the Park and Recreation District and the City. Mayor Mulenex said the telephone communications was an important issue because of the franchise fees. He said there are certain things that they do not have to pay for but that the public thinks they should. He also said there were issues regarding the right-of-ways in the City.

City Manager Misley stated that he selected funding for water system and water supply fund. He also selected the transportation and policy package. Mr. Misley said he selected recreational immunity as an important topic. He also selected needed housing assistance program. There was also a discussion of employees being sued if their work was defective in some way. Mr. Misley said that the City's liability insurance would probably cover this issue. He also thought the water supply development fund was an important concern. The Council selected restore recreational immunity, transportation funding and policy package, funding water system resilience and also water supply development fund.

4. Water and Wastewater Project (this was an added agenda item).

Mr. Misley said that Anderson Perry has a long relationship with the City. He said they are handling the funding availability for the expansion project and redundancy in the system. Brad Baird and Brandon Mahon, from Anderson Perry, discussed the one stop meeting they recently attended. He said they were presenting the optimistic side and the grants and funding they hope will occur for the projects. Mr. Obrist stated that the City residential customers normally use a low amount of water. Mr. Mahon said that the average bill, after expansion, for customers will be, on average, \$44.30 per month. That is an increase of only \$6.04 a month for water, but this would not be the same for heavy users of water such as commercial businesses. Mr. Mahon stated for wastewater the base rate would be \$24.81 and the consumption would stay the same. It would be a total increase of \$24.81. He said the total increase would be \$3.88 for customer's monthly bill. Mr. Mahon said they would also calculate the commercial user's monthly rate. He said the timeline is for the debt service to be due one year after construction. Mr. Mahon said funding will probably go through 2017 with design and construction around 2019-2020. He said even without the projects, the rates for sewer and water will go up over the next few years. Mr. Misley stated that the City thinks, with the funding available, that the average sewer and water monthly bill will be under \$100.00 with the project. He also said that public outreach will continue. The Council had consensus on the project.

5. Adjourn

A motion was made to adjourn the Work Session by Councilor Martinez and seconded by Councilor Agan.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Martinez</i>	<i>X</i>	
<i>Councilor Agan</i>	<i>X</i>	
<i>Councilor Ward</i>	<i>X</i>	
<i>Councilor Martinez</i>	<i>X</i>	

Motion passed unanimously.

B. Regular Session – 6:00 PM

1. Call to Order

Mayor Mulenex called the meeting to order.

2. Establish Quorum

Quorum already established.

3. Pledge of Allegiance

Doug Ward said 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 of any member of the City Council.

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- c. Financials
 - i. Revenue and Expenses

Final Pay Estimate No. 3 by BECON Engineering

Councilor Martinez asks to pull one expense form the consent agenda that involved Mayor Mulenex. This issue was moved to after the consent agenda. Council had consensus to pull that item from the consent agenda.

Councilor Martinez also declared a possible conflict of interest with the Wilderness Garbage invoice and stated that he would not be involved in any discussion or approval of the consent agenda.

A motion was made by Councilor Agan and seconded by Councilor Ward to Approve the Consent Agenda.			
<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>	<i>ABSTENTION</i>
<i>Councilor Ward</i>	X		
<i>Councilor Agan</i>	X		
<i>Councilor Martinez</i>			X
<i>Councilor Scott</i>	X		
Motion passed 3-0 with 1 abstention			

5.a)

Councilor Martinez stated that the reimbursement was for the LED (La Pine Economic Development) luncheon. He said he thought, since he was the representative from the City, that there should have been no expense report from Mayor Mulenex for the meeting. Mayor Mulenex said he paid for the lunch but thought he should be paid for his mileage since he was asked to be a speaker at the luncheon. It was also discussed that Councilor Agan was the alternate and could attend the LED meetings. Councilor Martinez said that he was concerned about multiple councilors being at the same meeting. Mr. Misley said it was his understanding that meetings like this would not be a quorum issue.

6. Public Comments

None

7. Funding Request by High Lakes Car Club

Jesse Hager, with the High Lakes Car Club, stated that they had submitted a funding request. She said they need some new signs for the event. Ms. Williams said that there is \$1,500 in the funding for this kind of request.

A motion was made by Councilor Scott and seconded by Councilor Martinez to approve the funding request by High Lakes Car Club for \$1,500.

Vote as follows: *AYE* *NAY*

Councilor Martinez *X*

Councilor Agan *X*

Councilor Scott *X*

Councilor Ward *X*

Motion passed unanimously.

8. Resolution No. 2016-14 City of La Pine Recreational Marijuana Banning Referral Resolution

City Manager Cory Miskey stated that this resolution tonight, is just a mechanism that puts what was decided in the ordinance to be put on the November ballot.

A motion was made by Councilor Ward and seconded by Councilor Agan to approve Resolution No. 2016-14.

Vote as follows: *AYE* *NAY*

Councilor Martinez *X*

Councilor Agan *X*

Councilor Scott *X*

Councilor Ward *X*

Motion passed unanimously.

9. Resolution No.2016-15 City of La Pine Recreational Marijuana Tax Referral Resolution

Mr. Misley stated that this resolution is necessary for this tax item to be put on the ballot in November.

A motion was made by Councilor Scott and seconded by Councilor Martinez to approve Resolution No. 2016-15.

Vote as follows: *AYE* *NAY*

<i>Councilor Martinez</i>	<i>X</i>	
<i>Councilor Agan</i>	<i>X</i>	
<i>Councilor Scott</i>	<i>X</i>	
<i>Councilor Ward</i>	<i>X</i>	

Motion passed unanimously.

10. Resolution No 2016-16 City of La Pine Resolution Categorizing The Tax for Resolution No. 2016-13

Mr. Misley stated that the Deschutes County Assessor's office referenced the resolution passed in May. Except, it did not include five words that were necessary in the resolution. He said it did not say whichever was greater so the City could accept a lower amount of tax money than it should receive.

A motion was made by Councilor Scott and seconded by Councilor Martinez to approve Resolution No. 2016-16 City of La Pine Categorizing the Tax for Resolution No. 2016-13.

Vote as follows: *AYE* *NAY*

<i>Councilor Martinez</i>	<i>X</i>	
<i>Councilor Agan</i>	<i>X</i>	
<i>Councilor Scott</i>	<i>X</i>	
<i>Councilor Ward</i>	<i>X</i>	

Motion passed unanimously.

11. Approval of Advanced Planning Fee Collections IGA with Deschutes County

Mr. Misley said this is an IGA (Intergovernmental Agreement) that is retroactive to July 1, 2016 regarding planning fees. He said the City has been handling double the planning applications than in the past. Mr. Misley said the IGA says .23% on any building permit will now be remitted to the City.

A motion was made by Councilor Scott and seconded by Councilor Martinez to approve Advanced Planning Fee Collections IGA with Deschutes County.

Vote as follows: *AYE* *NAY*

<i>Councilor Martinez</i>	<i>X</i>	
<i>Councilor Agan</i>	<i>X</i>	
<i>Councilor Scott</i>	<i>X</i>	
<i>Councilor Ward</i>	<i>X</i>	

Motion passed unanimously.

12. Approval of Qualified Consultants List

Mr. Misley stated that this is a way for the City to hire a consultant without having to go through an RFQ (Request for Qualifications). It also allows staff to hire a consultant for a certain dollar amount without having to go through approval from the Council.

A motion was made by Councilor Scott and seconded by Councilor Martinez to approve the Qualified Consultants List.

Vote as follows: *AYE* *NAY*

<i>Councilor Martinez</i>	<i>X</i>	
<i>Councilor Agan</i>	<i>X</i>	
<i>Councilor Scott</i>	<i>X</i>	
<i>Councilor Ward</i>	<i>X</i>	

Motion passed unanimously.

13. Approval of Cost of Living Adjustment (COLA) for City Employees

Mr. Misley said the cost of living had risen 1.6% so they wanted that increase to go into employees paychecks.

A motion was made by Councilor Scott and seconded by Councilor Martinez to approve the COLA dollar amount of 1.6% increase for the City employees.

Vote as follows: *AYE* *NAY*

<i>Councilor Martinez</i>	<i>X</i>	
<i>Councilor Agan</i>	<i>X</i>	
<i>Councilor Scott</i>	<i>X</i>	
<i>Councilor Ward</i>	<i>X</i>	

Motion passed unanimously.

14. Other Matters: Only those matters properly added to this Agenda under line item No.

None

15. Public Comments

None

16. Staff Comments

Mr. Misley stated that at the next regular session, August 10th, the Council will be looking at the removal of a couple of Public Works committee members. He said if members miss three or more meetings they can be removed from the committee. Mr. Misley said the housing tour could be scheduled on dates in July and also August. He said he could send out an e-mail to the Council to see which dates would work best for the tour. Mr. Misley said staff will meet with the County next week and also include some developers in the meeting. Jake Obrist said he gave a mock OSHA walk through to two OSHA staff and the City did really well. Mr. Misley said they have received three applications for a planning commissioner. He said they will be interviewed at the July 21, 2016 Planning Commission meeting. Approval for a new commissioner will be at the August 10, 2016 meeting.

17. Council and Mayor's Comments

Councilor Martinez said he has heard good comments about how the City is looking. He also mentioned how many people have moved into the City and outskirts in the past few months and that his business is really busy. Councilor Agan wondered what was happening with the old Subai building and if there was a new owner and also what kind of business would inhabit the building. Mr. Misley said he would check with Deschutes County to see if any permits have been pulled for the building. He did not suggest that Councilors go, on their own, to visit the building and ask questions about it. Mayor Mullenex stated that the population signs need to be fixed in the City. He said on August 10th the people from Art Central will come to discuss the art mural that will be created in La Pine. Mr. Misley said the trailers on Hinkle Way have still not been removed even though the owner said they would be gone.

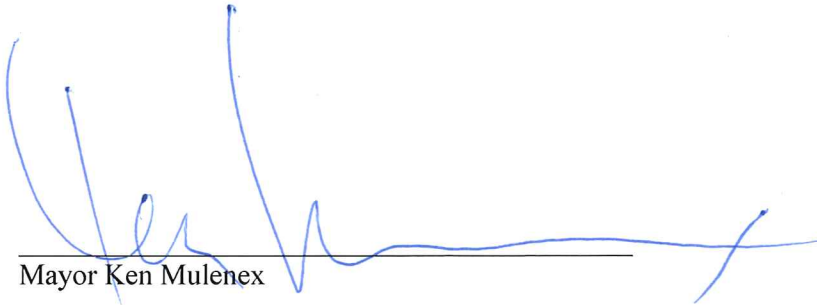
18. Adjourn

A motion was made by Councilor Scott and seconded by Councilor Martinez to adjourn the meeting.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Martinez</i>	<i>X</i>	
<i>Councilor Agan</i>	<i>X</i>	
<i>Councilor Scott</i>	<i>X</i>	
<i>Councilor Ward</i>	<i>X</i>	

Motion passed unanimously.

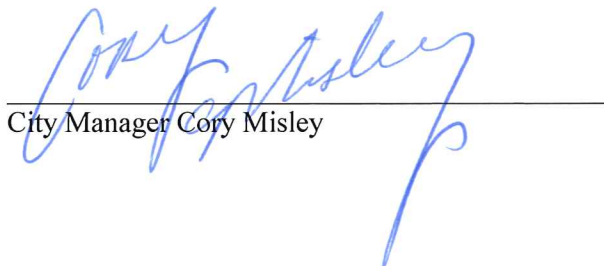
Mayor Mulenex adjourned the meeting.



A handwritten signature in blue ink, appearing to read 'Ken Mulenex', written over a horizontal line.

Mayor Ken Mulenex

attest



A handwritten signature in blue ink, appearing to read 'Cory Misley', written over a horizontal line.

City Manager Cory Misley