

REVISED
LA PINE CITY COUNCIL MEETING AGENDA

Wednesday, March 13, 2013
Executive Session – 4:00 pm
Regular Session – 6:00 pm
16345 6th Street, Suite 102
La Pine, Oregon 97739

A. Executive Session – 4:00 pm

1. Call to Order
2. Establish a Quorum
3. Executive Session – ORS 192.660(2)(i)
To review and evaluate the employment-related performance of the chief executive officer, a public officer, employee, or staff member who does not request an open hearing.

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.
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.
 - a. Approval of Minutes
 - i. February 13, 2013 - Regular Session Minutes
 - b. Bills and Invoices
 - i. Approval of Bills
 - ii. Financial Report
 - iii. Approval of Reimbursements
6. Public Comments
7. Appointment of Conrad Parker to City Council

8. Water Rate Study Presentation
Chris Marko, Rural Community Assistance Corporation (RCAC)
9. Intergovernmental Agreement – Document No. 2013-003
Intergovernmental agreement between the City of La Pine and Deschutes County concerning the provision of certain land use planning and geographic information systems services.
10. Ordinance 2013-01
An Ordinance Establishing Certain Code Enforcement Procedures for the City of La Pine.
11. Employment of Handyperson
12. Appointment of Dan Varcoe to the La Pine Chamber Tourism Committee
13. Appointment of Gloria Fleming to the Planning Commission
14. Professional Services Agreement – Barran Liebman LLP
An agreement concerning the provision of certain labor law services.
15. Professional Services Agreement – Mary Thorson
An agreement concerning the provision of certain bookkeeping services.
16. La Pine Economic Development Team
17. Discussion of Nuisance Abatement Ordinance
18. Other Matters
This item concerns any matters that were added to the Agenda under the Added Agenda Items portion of this Agenda.
19. Public Comments
20. Staff Comments
21. Council Comments
22. Mayor's Comments
23. 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 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 ext. 116 for TTY.

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1. Call to Order
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To review and evaluate the employment-related performance of the chief executive officer, a public officer, employee, or staff member who does not request an open hearing.

B. Regular Session – 6:00 pm

1. Call to Order

Mayor Mullenex called the meeting to order.

2. Establish Quorum
City Manager Steve Hasson
Mayor Ken Mullenex
Councilor Stu Martinez
Councilor Greg Jones
Councilor Kathy Agan – absent
Student Councilor – Conrad Parker
Public Works Manager Scott Perkins
City Recorder/Finance Officer Lori Martin
Admin Ass't Patricia Morgan
Quorum established.

3. Pledge of Allegiance

Conrad Parker, Student Councilor, 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
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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
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 - iii. Approval of Reimbursements

Councilor Martinez stated a possible conflict of interest in regard to the bill from his company.

A motion was made by Councilor Jones and seconded by Councilor Martinez to approve the consent agenda.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	

Motion passed unanimously.

6. Public Comments

None

7. Appointment of Conrad Parker to City Council

Mayor Mullenex stated that the City Attorney still has the oath of office for the Student Councilor under his advisement.

A motion was made by Councilor Jones and seconded by Councilor Martinez to appoint the Council President to serve as a mentor to Conrad Parker.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	

Motion passed unanimously.

8. Water Rate Study Presentation
 - Chris Marko, Rural Community Assistance Corporation (RCAC)

City Manager Hasson stated that the evaluation is to determine if the City is charging enough for water rights to sustain the operation. The second reason for the study is to determine if the way the City assigns cost is equitable.

Chris Marko, RCAC, stated that the revenue has stayed pretty much the same. He said there has been no rate increase for quite some time. Mr. Marko said significant cash has built up over time. He said there is a reserve for the reservoir. Overall revenue has not kept up with expenses as was shown in the recent audit that was done. Reserves are for expenses down the line such as repairs and upgrades. Mr. Marko said that water needs to be a priority for the community. He said that the City is short on monies for meeting some of the operating costs. The revenue is approximately \$500,000 and expenditures of approximately \$650,000. Mr. Marko said the average user (family of four) is charged for 4500 gallons of water per month. He said the more reserves that can be stored up the better as grant monies in the future, will be substantially reduced and loans will be harder to qualify for as well. Mr. Marko also said that replacement costs of equipment will need to be budgeted for future needs. He said increasing the water minimum by \$2.00 would create \$70,000 a year additional revenue. The Council thanked Mr. Marko for the work he did for the study.

Mayor Mulenex said he would like to add to the agenda the item relating to the Executive Session that had been held that evening and have it discussed at this time. He said that the Executive Session concerned a planned performance review of the City Manager and that the review was completed.

9. Intergovernmental Agreement – Document No. 2013-003
 Intergovernmental agreement between the City of La Pine and Deschutes County concerning the provision of certain land use planning and geographic information systems services.

City Manager Hasson stated this agreement has been around for four or five years. The City of La Pine did not have land use authority; Deschutes County provided that service on behalf of the City. He said that the agreement expired and it was important to renew it. City Manager Hasson said that at any time the land use could transfer to the City. He said for right now it makes sense to have the County continue with the building codes. City Manager Hasson said that the City can initiate code enforcement before it initiates land use. He also said the agreement can be terminated with thirty day's notice. City Manager Hasson said that the County charges the individuals from La Pine according to the County's fee schedule. He said when the City takes over land use it will create its own fee schedule.

A motion was made by Councilor Martinez and seconded by Councilor Jones to approve the Intergovernmental Agreement Document No. 2013-003.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	

Motion passed unanimously.

10. Ordinance 2013-01

An Ordinance Establishing Certain Code Enforcement Procedures for the City of La Pine.

Mayor Mulenex asked the Council to table this item until the March 27th Work Session. City Manager Hasson said he would also like the Council to discuss the nuisance abatement ordinance at the March 27th Work Session.

A motion was made by Councilor Martinez and seconded by Councilor Jones to table Ordinance 2013-01 and also the Nuisance Abatement Ordinance to the March 27th Work Session.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	

Motion passed unanimously.

11. Employment of Handyperson

City Manager Hasson introduced John Houseman, the selected candidate for the handyperson position. Mr. Houseman said he has worked on a variety of projects dealing with different bureaucracies. He said he felt very privileged to work for the City of La Pine.

12. Appointment of Dan Varcoe to the La Pine Chamber Tourism Committee

Mayor Mulenex said that the Council is asking Dan Varcoe to represent the City in those areas of tourism that would enable him to bring back information to the Council. Mr. Varcoe said he appreciated being able to be on the committee as tourism is something that is very valuable for La Pine.

A motion was made by Councilor Jones and seconded by Councilor Martinez to appoint Dan Varcoe to represent the City for the Chamber Committee that deals with tourism.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	

Motion passed unanimously.

13. Appointment of Gloria Fleming to the Planning Commission

Gloria Fleming stated that she is looking forward to being back on the Planning Commission.

A motion was made by Councilor Jones and seconded by Councilor Martinez to appoint Gloria Fleming to the Planning Commission.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	

Motion passed unanimously.

14. Professional Services Agreement – Barran Liebman LLP
An agreement concerning the provision of certain labor law services.

City Manager Hasson stated that there is a need for labor law services. He said the City Attorney law firm does not specialize in labor law services.

A motion was made by Councilor Jones and seconded by Councilor Martinez to approve the agreement with Barran Liebmann at a billing rate of \$275.00 an hour and that the City Attorney negotiates two hours of free training for the City Council and also that the City Attorney approves the final agreement.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	

Motion passed unanimously.

15. Professional Services Agreement – Mary Thorson
An agreement concerning the provision of certain bookkeeping services.

City Manager Hasson stated that just as a contingency matter there is a backup for certain bookkeeping services. He said the agreement is only for \$2,500 for the year so the City would not be utilizing Mary Thorson Bookkeeping very often.

A motion was made by Councilor Martinez and seconded by Councilor Jones to approve the agreement for professional services with Mary Thorson Bookkeeping.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	

Motion passed unanimously.

16. La Pine Economic Development Team

Mayor Mulenex stated that this matter concerns the City Council appointing someone to represent the Chamber on the La Pine Economic Development Team (LED).

Public Comments

Ann Gawith, Director of the La Pine Chamber of Commerce, said that it was always her understanding that the Chamber would be allowed to select the representative for LED.

The consensus of the Council was to allow the Chamber of Commerce to select their representative for LED.

17. Discussion of Nuisance Abatement Ordinance

Tabled until the March 27th Work Session.

18. Other Matters

This item concerns any matters that were added to the Agenda under the Added Agenda Items portion of this Agenda.

None

19. Public Comments

Doug Ward thanked Chris Marko for his excellent presentation on the water rate study. Dan Varcoe stated that La Pine water rates should be compared to other cities in regard to attracting new business. Chris Marko stated that the focus on the budget was his primary emphasis and he was encouraged to look at the bigger picture and the longer time. He said he was not able to address population aspects, specifically. Kitty Shields, former Mayor, thanked Chris Marko for his presentation and also reiterated that the Utility Department needs to have a lot of funds in contingency.

20. Staff Comments

City Manager Hasson stated that the proceeds from the La Pine Industrial Park will go to the County. He said that the County would like the funds to go toward a stop light on 1st and Hwy 97. City Manager Hasson said that some legalities need to occur for this to happen. He said this could reduce the time necessary for the stop light to be funded. He said he has prepared a letter of support for this matter, to be signed by the Councilors and sent to the legislature.

City Manager Hasson said that on March 16th from 9 am to noon the goals and priorities meeting will be held at City Hall. He also said that on March 20th at 6:30 pm there will be an open house at the La Pine Community Center and that the transportation system plan would be presented.

A motion was made by Councilor Martinez and seconded by Councilor Jones to approve the support letter that will go to the legislators and the County for House Bill 3130.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	

Motion passed unanimously.

21. Council Comments

Councilor Martinez stated that the City Council went to Salem last month, and House Bill 3130 was discussed at that time. He said he visited a park in Dallas Oregon. Councilor Martinez stated that the youth need to be involved in the development of a park.

Conrad Parker, Student Councilor, thanked the people who selected him so that he could represent the students.

22. Mayor's Comments

None

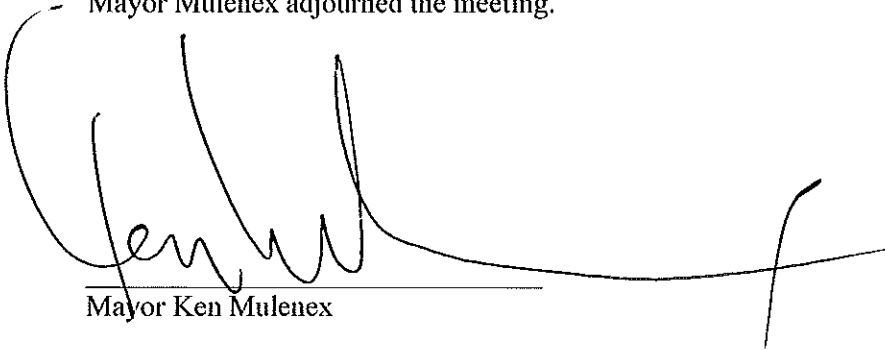
23. Adjourn

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

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	

Motion passed unanimously.

Mayor Mullenex adjourned the meeting.



Mayor Ken Mullenex

Attest:



Lori Martin, City Recorder/Finance Officer