



**CITY OF LA PINE CITY COUNCIL MEETING MINUTES**

Wednesday, June 28, 2017

**5:30 p.m. Special Session**

**5:45 p.m. Executive Session**

**Work Session immediately following Executive Session**

La Pine City Hall

16345 Sixth Street, La Pine, Oregon 97739

**A. Special Session – 5:30 p.m.**

1. Call to Order

Meeting called to order at 5:30 p.m.

2. Establish Quorum

Present: Councilor Ward, Councilor Martinez, Councilor Briese, Councilor Greiner, Mayor Scott

3. Pledge of Allegiance

Led by Gary Gordon.

4. Public Comments

None

5. Resolution No. 2017-10 – A resolution requesting Deschutes County surrender jurisdiction over Whitney Road and a portion of Wendy Road to the City of La Pine

Tammy Wisco (via telephone): Very similar to what was discussed last month. The resolution asks the County to surrender jurisdiction to the City. Deschutes County didn't like the part of the clause that said if the vacation didn't go through, the right of way would transfer back to the County. They want the transfer to go back to the City. It still includes original clause that the County maintains the roads.

***Councilor Briese made a motion to approve Resolution No. 2017-10. Councilor Martinez seconded. No objections. Unanimously approved.***

6. Public Comments

None

7. Adjourn Meeting

*Councilor Briese made a motion to adjourn. Councilor Martinez seconded. No objections. Meeting adjourned at 5:36 p.m.*

**B. Executive Session – 5:45 p.m.**

1. Call to Order

2. Re-establish Quorum

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

An executive session will be held under ORS 192.660(2)(f) – to consider information or records that are exempt by law from public inspection.

4. Adjourn Meeting

**C. Work Session – to be held immediately following Executive Session**

1. Call to Order

Called to order at 6:30 p.m.

2. Re-establish Quorum

Present: Councilor Ward, Council Martinez, Councilor Briese, Councilor Greiner, Mayor Scott

3. 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 time selected by the City Council.

Mayor Scott would like to add discussion on Cory’s wages. Councilor Greiner wants to add code enforcement and animal control.

4. Public Comments

None

5. Discussion on draft Vehicles-for-Hire Ordinance

City Attorney Alan Dale: This matter is being discussed in cities around the area. The ordinance includes taxi companies and ride sharing companies like Uber and Lyft. The main component of the ordinance poses a licensing obligation. Discussed annual renewal and that they are required to get a business license. Driver requirements: must be 21 years of age. Companies are required to perform background checks on their drivers. Insurance minimums are not ideal and attorneys attempted to make modification’s but companies would not accept them and won’t provide services if required to modify. Operation requirements: keep records, vehicle identification, zero tolerance for drugs/alcohol.

6. Discussion on Edward Jones Lease Extension at City Hall (7 pm)

City Attorney Jeremy Green: Edward Jones wants to extend their lease for another year. They've advised Cory to email them to confirm the extension. The City reserved the right to reject their extension with 30 day notice on an annual basis.

7. Discussion on draft Noise Ordinance

This ordinance is similar to the City of Madras' noise ordinance. Cory Misley mentioned "j brakes" not being in the ordinance. Jeremy Green said the County will not put "j brake" prohibited signs up until the city adopts an ordinance. Jeremy Green will confirm with ODOT the process and then add to the ordinance. Councilor Martinez wants to see trucks off Finley Butte completely and a truck route through Industrial Park. He requested it be discussed at the next work session. Councilor Briese brought up the fact that the noise ordinance only addresses construction during weekdays, not weekends. She recommended 10 am – 7 pm weekend construction hours. Jeremy Green said he'd circulate to Deschutes County for review.

8. Discussion on Arts Builds Communities Grant Opportunity

The deadline is October 22<sup>nd</sup> to apply for the grant. Cory Misley asked the Council if they want him to take the time to apply. Councilor Ward believes we still need some more time to put together an art program. Councilor Martinez agrees that we need an art program, but that it's not the right time with everything going on right now. Councilor Briese asked what the ideas were – Cory said a mural project. Murals are pretty low cost. There was discussion about involving the middle school. Cory Misley stated that the plan would be to recycle much of the last art application the City did. Councilor Briese wondered if it could be something we could incorporate into another ongoing project. Councilor Greiner doesn't think Cory Misley has the time to work on this and believes we should wait until we have an idea of what we want to do. Mayor Scott wants to wait as well until we know what we need it for.

9. Update on Proposed Cost of Living Adjustment

Cory Misley gave a heads up that there will be a COLA effective July 1<sup>st</sup>. This was budgeted in the new budget. There are also employee raises slated in the budget and Cory will be doing reviews next week. The City has not received the salary study back yet. The draft was ready, but there were last minute results that needed to be added.

10. Discussion on Public Works On-Call Policy Proposal and Other Employee Handbook Updates

Jake Obrist discussed the current on-call policy. One person is on-call Thursday to Thursday, Jake. The current rate is \$100 and 2-hour minimum for call outs. Jake has done research and been a part of other programs and we are definitely on the low end, especially for being water, sewer and streets. The City of Bend gets 2 hours OT per day, so 14 hours of OT for the week. Also, whatever call out you got was at time-and-a-half. The City of Sisters pays you the hours you're on call. They pay you at 10% of your wage for all your "off" hours you've worked with a two-hour minimum for call out. OWW pays \$175 per week with a 2-hour minimum at time-and-a-half. Jake proposed \$200 for being on call and only charging for the time you're called out. Cory stated that this is outlined in

the employee handout and there are a few other changes he'd like to see made. Council would have to adopt the changes. Councilor Greiner wanted to know how many on-call calls they get – Jake said 1-2 times a week approximately. Cory pointed out that whoever has the phone has to stay within a 30-minute response time radius. That means it takes up your whole weekend – no drinking, no vacation planning, and it interrupts your family time. Councilor Martinez stated that being on-call is quite a responsibility and they need to be compensated fairly for it. It interrupts vacations, family time, birthdays, everything. Councilor Ward has no issues. Mayor Scott states that \$200 is fair, especially when call-outs are being charged for the exact time you're out versus a two-hour minimum. Jake said they'll also be implementing weekend checks, so that will be included on on-call weekends. Cory said he will draft a formal amendment to the Employee Handbook and it will go before the Council to approve.

Cory stated that paid management leave is not discussed in Employee Handbook at all. It came up when Cory was hired as City Manager. Cory is salaried and doesn't make OT. In lieu of OT, they get 40 hours of paid management leave to use. It does not roll over and you have to use it or lose it. The policy is in Cory's offer letter, but not in the Employee Handbook, so it needs to be updated.

Ashley discussed fixing the floating holidays: we have seven paid holidays and four selectable holidays that staff gets to choose three out of four of. She proposed eliminating the floating day, which would mean staff isn't gaining or losing any holidays. This makes it easier for tracking purposes.

Ashley will be working on adding an Employee Complaint Procedure form. There is procedure lined out, but no form to complete.

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

Councilor Greiner discussed animal control – wants to review the previous animal control ordinance or resolution. He also wanted to hire a code enforcement officer. He feels we've talked about it long enough and it is not getting resolved. Councilor Briese believes Cory's doing a fine job and that he has a good plan in place on how to resolve it. Councilor Martinez believes there's a time and a place for everything and that the city staff is a little overloaded right now, but they're doing what they can right now. He trusts Cory's judgment right now. Councilor Ward thinks the people handling code enforcement know whether they need help or not. Cory reiterated that we did not budget for a code enforcement officer, but his plan would be to hire a community development director who would devote a certain percentage of time to code enforcement. That community development director would then train a code enforcement officer down the road if needed. Right now, we have an agreement with Deschutes County. Cory just recently talked to Chris DeBone who is willing to have things sent his way.

Mayor Scott discussed Cory's raise. Cory currently makes \$65,000 annually, but the discussion when Cory was hired was to raise his salary after Rick Allen was no longer contracted with the City.

Mayor Scott proposed \$85,000 and asked for Council input. Councilor Greiner thinks \$85,000 is fair for now. Councilor Martinez agrees. Councilor Ward agrees. Councilor Briese agrees. Council will need to approve the contract July 12<sup>th</sup>.

12. Public Comments

Gary Gordon discussed the passing of the La Pine Parks and Rec budget. He invited everyone to the July 4<sup>th</sup> Veteran's Flagpole Dedication. He said they will be dedicating the Memorial plaques on Veteran's Day. There is no money for the Finley Butte project but will be trying for grants or fundraising. He also stated that the Park and Rec department will be having an audit.

13. Staff Comments

Cory Misyly stated that the TGM grant project is underway. Consultants were here last week at the planning Commission meeting and doing stakeholder interviews. The interviews consisted of realtors, builders, people dealing with low-income and senior issues, etc. July 12<sup>th</sup> is the next scheduled meeting with the sign architects. Cory had a good conference call with the Sustainability City people this afternoon. The meeting with Anderson Perry meeting went well regarding USDA loan process for the water expansion project.

Jake Obrist stated that he is looking forward to our new hire starting at the end of next week.

14. Council Comments

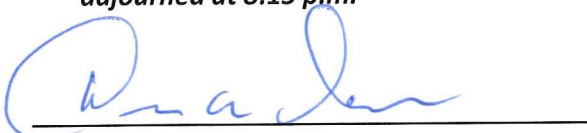
None

15. Mayor's Comments

Mayor Scott stated that he went up to the County Commissioner's work session and they want to have a meeting with the City of La Pine. It was a productive meeting. Hopes everyone has a great 4<sup>th</sup> of July.

16. Adjourn Meeting

***Councilor Greiner makes a motion to adjourn. Councilor Martinez seconds. No objections. Meeting adjourned at 8:15 p.m.***



Dennis Scott, Mayor

Attest



Cory Misyly, City Recorder