

LA PINE CITY COUNCIL MEETING AGENDA

Wednesday, February 12, 2014

Regular Session – 6:00 pm

16345 6th Street, Suite 102

La Pine, Oregon 97739

A. 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. January 8, 2014 Council Mtg Minutes
 - ii. January 15, 2014 Special Work Session Minutes
 - iii. January 22, 2014 Work Session Minutes
 - b. Bills and Invoices
 - i. Approval of Financials
 - ii. Approval of Bills
 - iii. Approval of Reimbursements
6. Public Comments
7. Ordinance No. 2014-01 An Ordinance Granting California Broadcasting, Inc., an Oregon Corporation D/B/A Crestview Cable Communications, the Right and Privilege to Operate a Cable System in, Along, Upon, Across, Above, Over, and/or Under the Public Right-of-Ways Within the City of La Pine
8. Ordinance No. 2014-02 An Ordinance Requiring Licenses for Trades, Shops, Occupations, Professions, and Certain Other Businesses Within the City of La Pine for the Purpose of Revenue and Regulation, and Imposing a License Requirement

9. Resolution No. 2014-02 A Resolution Establishing Business License and Related Fees Under the City of La Pine's Business License Ordinance No. 2014-02
10. Ordinance No. 2014-03 An Ordinance Establishing Definitions of Nuisance, Penalties, and Procedures for Abatement of Nuisance in the City of La Pine.
11. Resolution No. 2014-03 A Resolution Establishing the Derelict Structure Fee Under the City of La Pine's Nuisance Ordinance, Ordinance No. 2014-03
12. Appointment of Rick Allen as Budget Officer for the 2014-2015 Budget
13. Appointment of Kitty Shields to the FY 2014-2015 Budget Committee
14. Budget Calendar and Priority Planning Session
15. Other Matters This item concerns any matters that were added to the Agenda under the Added Agenda Items portion of this Agenda.
16. Public Comments
17. Staff Comments
18. Council Comments
19. Mayor's 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 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 for TTY.

LA PINE CITY COUNCIL MEETING MINUTES

Wednesday, February 12, 2014

Regular Session – 6:00 pm

16345 6th Street, Suite 102

La Pine, Oregon 97739

B. Regular Session – 6:00 pm

1. Call to Order

Mayor Mulenex called the meeting to order.

2. Establish Quorum

Interim City Manager Rick Allen

Mayor Ken Mulenex

Councilor Stu Martinez

Councilor Greg Jones

Councilor Kathy Agan

Councilor Karen Ward

Student Councilor Conrad Parker - absent

Public Works Manager Scott Perkins

Office Utility Specialist Ashley Williams

Admin Ass't Patricia Morgan

Quorum established.

3. Pledge of Allegiance

Rolando Alonzo 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.

1) Consolidation of City bank accounts

2) Public usage roads

3) Glenwood Acres Water Supply

4) Deed Dedication for Cagle Road

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
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 - i. Approval of Financials
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 - iv. Approval of Reimbursements

Councilor Martinez mentioned a possible conflict of interest due to the Wilderness Garbage bill.

A motion was made by Councilor Jones and seconded by Councilor Ward 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>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

Motion passed unanimously.

6. Public Comments

None

7. Ordinance No. 2014-01 An Ordinance Granting California Broadcasting, Inc., an Oregon Corporation D/B/A Crestview Cable Communications, the Right and Privilege to Operate a Cable System in, Along, Upon, Across, Above, Over, and/or Under the Public Right-of-Ways Within the City of La Pine

Interim City Manager Allen noted a conflict of interest as he has a business relationship with Crestview Cable. City Attorney Green stated that the original franchise expired on May 1, 2012. He said that the new franchise agreement makes some changes. Mr. Green said that the franchise agreement allows the business to operate in the City. He said the franchise fee was pretty standard. Mike O'Herran, Manager of Crestview Cable, stated that the franchise is a ten year franchise. Mr. O'Herran said that their competitor, satellite television, does not pay any franchise fees. He said they do not have an exclusive franchise.

Mayor Mulenex opened the Public Hearing. There was no one that wanted to speak. He closed the Public Hearing and asked for Council comment. There was no discussion.

A motion was made by Councilor Jones and seconded by Councilor Ward to approve Ordinance 2014-01 as presented.

<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>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

Motion passed unanimously.

8. Ordinance No. 2014-02 An Ordinance Requiring Licenses for Trades, Shops, Occupations, Professions, and Certain Other Businesses Within the City of La Pine for the Purpose of Revenue and Regulation, and Imposing a License Requirement

Interim City Manager Allen discussed the business license ordinance. He said most cities have a business license. Mr. Allen said it is a \$45 a year business license. He said it allows for the City to know who is operating a business inside the City limits. Mr. Allen said the Chamber of Commerce endorsed the business license. City Attorney Green stated that they removed the “annual” wording in the Ordinance.

Mayor Mulenex opened the Public Hearing. Gloria Fleming, Planning Commissioner, asked if there would be some sort of instrument to show a business has obtained a license. Mr. Allen said it would be posted on the website. He also said that the business license would take effect on July 1, 2014. Kathy O’Neil, area resident, stated she was in favor of putting limitations on the appearance of business signs. Interim City Manager Allen said that the sign issue would be another matter that will be dealt with in the future. Mike O’Herran said he was glad to see that the City had adopted a business license. Tom Fosdick, area resident, asked about how he could find City ordinances. Interim City Manager Allen stated that they can be found on the City website. Mayor Mulenex closed the Public Hearing and asked Council for deliberation. In response to a question from Councilor Jones, Mr. Allen said that the City will get the word out to businesses in the City about the new business license. Councilor Martinez stated that, in addition, the business license will help the economic development of the City.

A motion was made by Councilor Jones and seconded by Councilor Ward to approve Ordinance 2014-02 as presented.

<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>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

Motion passed unanimously.

9. Resolution No. 2014-02 A Resolution Establishing Business License and Related Fees Under the City of La Pine’s Business License Ordinance No. 2014-02

Interim City Manager Allen stated that the fees for the business license were included in this Resolution. The fee for a temporary license is for businesses that will operate in the City for 30 days or less.

A motion was made by Councilor Jones and seconded by Councilor Ward to Approve Resolution No. 2014-02 Establishing Business License Fees.

<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>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

Motion passed unanimously.

10. Ordinance No. 2014-03 An Ordinance Establishing Definitions of Nuisance, Penalties, and Procedures for Abatement of Nuisance in the City of La Pine.

Interim City Manager Allen said that this Ordinance is a long time coming. He said that the word nuisance, in the Ordinance, is for “junk.” City Attorney Green said that the Ordinance was designed to protect the health and welfare of La Pine residents.

Mayor Mulenex opened the Public Hearing. Kathy O’Neill, area resident, stated that she was disgusted with the junk in the City. She said this Ordinance is badly needed. Mayor Mulenex said that the City is growing and this particular Ordinance is very important for the City of La Pine. Mayor Mulenex closed the Public Comments and asked for Council Deliberation. Councilor Agan said she appreciated hearing from the Public regarding this Ordinance. Councilor Martinez said this Ordinance is very important for future growth of the City. Mr. Allen said that the City is working on an agreement with the County for a code enforcement officer as needed. There was also a discussion on horse manure waste which is addressed in the Ordinance.

A motion was made by Councilor Agan and seconded by Councilor Jones to Approve Ordinance No. 2014-03 as presented.

<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>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

Motion passed unanimously.

11. Resolution No. 2014-03 A Resolution Establishing the Derelict Structure Fee Under the City of La Pine's Nuisance Ordinance, Ordinance No. 2014-03

City Attorney Green stated that this a Resolution to establish the structure fee as well. The Resolution requires a builder to register his building with the City in a specific timeline or they would be accessed a fee.

A motion was made by Councilor Agan and seconded by Councilor Ward to Approve Resolution No. 2014-03 as presented.

<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>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

Motion passed unanimously.

12. Appointment of Rick Allen as Budget Officer for the 2014-2015 Budget

This action is required so that Mr. Allen can begin work on the budget.

A motion was made by Councilor Agan and seconded by Councilor Ward to Approve Rick Allen as the Budget Officer.

<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>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

Motion passed unanimously.

13. Appointment of Kitty Shields to the FY 2014-2015 Budget Committee

A motion was made by Councilor Agan and seconded by Councilor Ward to Approve Kitty Shields to the Budget Committee.

<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>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

Motion passed unanimously.

City Attorney Green left the meeting at approximately 7:00 pm.

14. Budget Calendar and Priority Planning Session

Interim City Manager Allen discussed the budget calendar for the FY 2013-2014 budget year. He said that on March 5th there will be a discussion on Council Priorities. Mr. Allen said that there will probably be three budget meetings.

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

1) Consolidation of City bank accounts

Interim City Manager Allen said that the Financing Consultant, Summer Sears, has recommended consolidating the City bank accounts. He said the City currently has nine bank accounts. Council had consensus to consolidate the bank accounts.

2) Public usage roads

Interim City Manager Allen said that snow plowing has made an issue with the public usage roads. He said he has received a lot of complaints from residents as to where the snow is piled up at. Mr. Allen said there is only so much the City can do as these are public usage roads. He also discussed that the City does not snow plow private roads inside the City. Councilor Jones said that the snow plower, (Vic Russell), for Huntington Meadows did an excellent job, this year.

3) Glenwood Acres Water Supply

Interim City Manager Allen stated that he has received a letter from Glenwood Acres that they would like to be on the City's water system. He said that there are about twenty-four accounts in Glenwood Acres. Mayor Mulenex declared a conflict of interest because he is the Water Master for Glenwood Acres. Mr. Allen said that the Glenwood Acres agreement would be good for five years. Paul Miller, President of the Glenwood Acres Homeowners Association, discussed that the water system is approximately fifty year old and one of the wells has stopped working. He said it is in the best interest of the users to hook-up to the City water. Mr. Miller said there are some homeowner's that have their own wells and are not in the system. Mr. Allen said the cost will probably be \$20,000 to put in the lines. Mr. Perkins, Public Works Manager, said that when the Water District was formed, Glenwood Acres was not in the boundary. Mayor Mulenex said that there are 35 residences and 24 are using community water. Mr. Allen said that the project work will go out for bid after the agreement has been approved.

4) Deed Dedication for Cagle Road

The public road is necessary as right now vehicles are travelling on private property on that part of Cagle Road. The City is giving \$500 worth of gravel to the homeowner in order to change the road to public property with a new boundary.

A motion was made by Councilor Martinez and seconded by Councilor Jones to authorize the Mayor to sign the Deed Dedication.

<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>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

Motion passed unanimously.

16. Public Comments

Martha Fosdick, area resident, thanked the Council for passing the derelict structure resolution. She said it was really needed in the community. Don Greiner, Planning Commissioner, stated that he would like to see the Council come to meetings wearing a tie. Kitty Shields, former Mayor, asked if her term would be three years since on the agenda it looked like her term was only one term. Interim City Manager Allen said that it would be for a three year term. Kathy O'Neill discussed oil leaking from vehicles and contaminating an area. She said the rules and deadlines should apply to all, equally. Tom Fosdick, area resident, discussed the problem with a semi-truck turning over on the proposed Wickiup Junction overpass. He said that in his opinion, the overpass should not be built.

17. Staff Comments

Interim City Manager Allen stated that the City did not receive much of a response to the Urban Renewal RFP. He also said that ODOT will be at the February Work Session to discuss transportation issues. Mr. Allen said that they have been interviewing potential candidates for the Utility Worker 1 position. He said that staff has been very busy pumping excess water off the streets due to snow melt and heavy rains.

18. Council Comments

Councilor Ward thanked the public for contributing their comments to the public meeting. Councilor Jones said he was pleased with the work that was done this evening with both the Ordinances and Resolutions. Councilor Martinez discussed the skate board project that will be built on the property that the City is giving to the Park District. He said a representative from the group will give a presentation to the City Council, probably next month at the regular session.

19. Mayor's Comments

Mayor Mulenex discussed the "If I were Mayor" Contest. He said they had some excellent participation last year. Mayor Mulenex said there were twenty-five entries, last year. He said he will start this year's process by going to the schools in the next week.

Rick Allen announced that the new website will go live sometime in March. He said a postcard will go out to residents and some outlying areas telling people about the website. Mayor Mulenex discussed how attractive the new website will be to users.

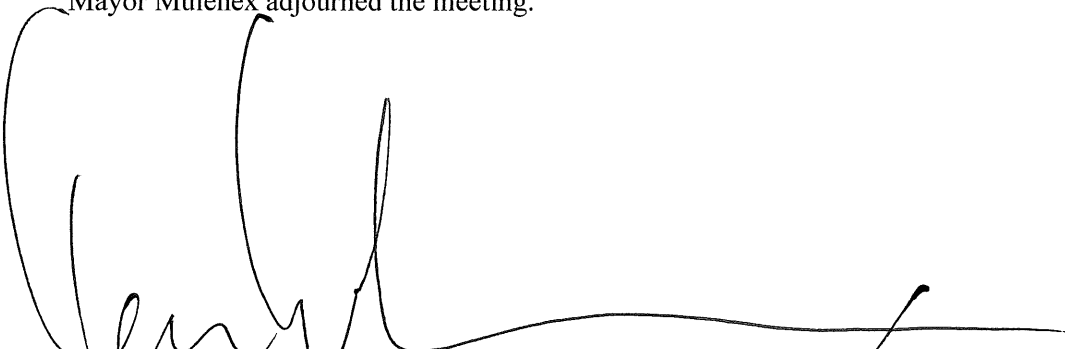
20. Adjourn

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>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

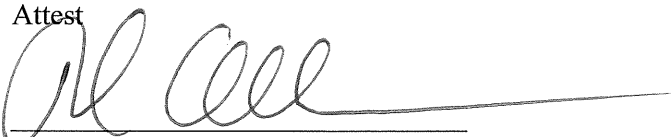
Motion passed unanimously.

Mayor Mulenex adjourned the meeting.



Mayor Ken Mulenex

Attest



Rick Allen, City Recorder