

REVISED
LA PINE CITY COUNCIL SPECIAL MEETING AGENDA
Special Session, Joint Mtg with Planning Commission, Public Hearings
Wednesday, May 23rd
5:00 pm
16345 Sixth Street
La Pine, Or 97739

Special Session & Public Hearings

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Ordinance 2012-05
An Ordinance adopting modifications to the Comprehensive Plan, Zoning Map, Zoning Ordinance, and Sign Code; and, Declaring an Emergency.
 - i. Open Public Hearing
 - ii. Staff Report
 - iii. Public Comment
 - iv. Close Public Hearing
 - v. Council Deliberations
5. Budget and State Revenue Sharing Hearing in Anticipation of Budget Adoption on June 13th
 - i. Open Public Hearing
 - ii. Staff Overview
 - iii. Accept Budget Committee Recommendation (Council has right to modify)
 - iv. Resolution No. 2012-04 State Shared Revenue ORS 221760
 - v. Resolution No. 2012-05 Revenue Sharing ORS 221770
 - vi. Motion to Adopt the two Resolutions after Reviewing Public Input
 - vii. Close Public Hearing
6. Adoption of City Job Descriptions
7. Resolution No. 2012-06
A RESOLUTION AUTHORIZING THE CITY MANAGER AND HIS SUCCESSORS, ASSIGNS, AND DESIGNEES TO SIGN ANY AGREEMENTS, INSTRUMENTS, DOCUMENTS, AND/OR FORMS NECESSARY OR APPROPRIATE TO CONSUMMATE THE WITHDRAWAL OF THE LA PINE WATER DISTRICT AND LA PINE SPECIAL SEWER DISTRICT UNDER ORS CHAPTER 222.

8. Resolution No. 2012-07
PLANNED CORRECTIVE MEASURES WITH REGARD TO DEFICIENCIES IN
MEETING STANDARDS ACCORDING TO ORS 297.466
9. Draft Legal Services Agreement
- 10 Consideration and possible approval of Mosquito Abatement Contract
11. La Pine Senior Center Request for Matching Funds Grant
– To provide for certain health related improvements.

Pursuant to ORS 192.640, this notice includes a list of the principal subjects anticipated to be considered or discussed at the above-referenced meetings. This notice does not limit the ability of the City Council to consider or discuss additional subjects. These meetings are subject to cancellation without notice. These meetings are 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 at (541) 536-1432

LA PINE CITY COUNCIL SPECIAL MEETING MINUTES
Special Session, Joint Mtg with Planning Commission, Public Hearings
Wednesday, May 23rd
5:00 pm
16345 Sixth Street
La Pine, Or 97739

Special Session & Public Hearings

1. Call to Order

Councilor Greiner, Mayor Pro Tem, called the meeting to order.

2. Roll Call

City Manager Steve Hasson
Interim Public Works Director Allen
Mayor Ken Mulenex – **arrived at 5:05 pm**
Councilor Stu Martinez
Councilor Dan Varcoe – **arrived at 5:20 pm**
Councilor Don Greiner
Councilor Kathy Agan
City Recorder/Finance Officer Lori Martin
Admin Ass't Patricia Morgan

Quorum established.

Planning Commission

Commissioner Norman McClung
Chair Doug Ward
Commissioner John Thomas
Commissioner Justin Vetanen – absent by prior arrangement

Quorum Established.

3. Pledge of Allegiance

Councilor Agan led the Pledge of Allegiance.

4. Ordinance 2012-05

An Ordinance adopting modifications to the Comprehensive Plan, Zoning Map, Zoning Ordinance, and Sign Code; and, Declaring an Emergency.

i. Open Public Hearing

Councilor Greiner opened the Hearing.

ii. Staff Report

Deborah McMahon, Land Use Consultant, stated that last year they received partial approval of the comprehensive plan. She said she has only received comments on the sign code but not the other zoning codes. Ms. McMahon said that with regard to codes, only the sign code with revisions would be reviewed. She said that the comprehensive map has been revised to have an applied public facilities zone.

Ms. McMahon stated that the first change was to add some policies and programs for the riparian area and also require a wet land inventory be done. She said that until a TSP (Transportation System Plan) is done the City will have to utilize the County's zoning. (The City is in the process of completing a TSP).

Ms. McMahon stated that the biggest problem that the State had was with the UGB (Urban Growth Boundary). She said she feels that the work that was done on this matter would be eventually successful and not hamper the comprehensive plan from being approved. Ms. McMahon stated that the City has excess lands of between 900 and 1,000 acres. She said that for every item contested by DLCDD (Dept of Land Conservation & Development) she has written a cover letter for it.

Ms. McMahon said every two years the comprehensive plan needs to be reviewed and data added to it as it becomes available. She said there were not many changes required for the zoning ordinance.

iii. Public Comment

Robin Mirrasoul, area resident and sign business owner, discussed the letter she had sent to the Council and some of the staff regarding concerns she had about the sign ordinance. Renee Kapp, area resident and sign business owner, stated that she supported the sign code being reduced to just a few pages. She said she would prefer to see one sign per building.

iv. Close Public Hearing

Mayor Mulenex closed the Public Hearing.

v. Council Deliberations

None

A motion was made by Commissioner Thomas and seconded by Commissioner McClung to make a recommendation to the City Council to approve Ordinance 2012-05.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Commissioner Norman McClung</i>	<i>X</i>	
<i>Commissioner John Thomas</i>	<i>X</i>	
<i>Chair Doug Ward</i>	<i>X</i>	

Motion passed unanimously.

A motion was made by Councilor Greiner and seconded by Councilor Varcoe to adopt Ordinance 2012-05 with modifications to the comprehensive plan, zoning map and zoning ordinance and sign code and declaring an emergency with the understanding that there will be smoothing by staff in those areas that do not require a substantive change to the comprehensive plan.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Dan Varcoe</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	

Motion passed unanimously.

5. Budget and State Revenue Sharing Hearing in Anticipation of Budget Adoption on June 13th

i. Open Public Hearing

Mayor Mulenex opened the Public Hearing.

ii. Staff Overview

City Manager Hasson gave a review of the budget calendar and also the changes that the 2012-2013 budget contains. He said the new budget will be adopted at the June 13th Council Meeting. Mayor Mulenex stated that the process of putting the budget together went very smoothly.

iii. Accept Budget Committee Recommendation (Council has right to modify)

Public Comments for Resolution No. 2012-04 State Shared Revenues

None

Mayor Mulenex closed the Public Hearing on this Resolution.

iv. Resolution No. 2012-04 State Shared Revenue ORS 221.760

Mayor Mulenex stated that either the Chamber or the Park & Rec District would run the youth jobs program contained in the budget. He also said that the City has total oversight of the funds in the budget. City Manager Hasson also said that the City will monitor this program and require accountability from the organization disbursing the funds. City Recorder Martin discussed a small change on LB 30, line 2, under the approved by budget committee for the Sewer Districts. She said the \$41,900 is different than what it was before and they took it away from line 35, they just switched it up, so there would be more payroll taxes because it had been \$11,900 and was changed to \$41,900.

City Recorder Martin stated that on line 35 under general operating contingencies it had been reported as \$300,000 it is now \$270,000.

A motion was made by Councilor Greiner and seconded by Councilor Agan to accept the recommendation from the Budget Committee.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Dan Varcoe</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	

Motion passed unanimously.

- v. Resolution No. 2012-05 State Revenue Sharing ORS 221.770

Mayor Mulenex said this is for the City to receive State shared revenues from the gasoline tax, liquor tax, cigarette tax, etc.

City Manager Hasson stated that this Resolution acknowledges the revenue sharing protocol and the City's ability to receive the funds. He said under section one of the Resolution the ORS number was incorrect but has been corrected. Under section one it was titled ORS 323.4555 and they struck one of the 5's so it would be ORS 323.455. City Manager Hasson stated that under number three it should say, regarding storm sewers, that it should read one or more utility services. These changes have been made.

Public Comment
None

- vi. Motion to Adopt the two Resolutions after Reviewing Public Input
- vii. Close Public Hearing

Mayor Mulenex closed the Public Hearing

A motion was made by Councilor Greiner and seconded by Councilor Agan to accept Resolution 2012-04 for the City to receive State Shared Revenues.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Dan Varcoe</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	

Motion passed unanimously.

Mayor Mulenex opened the Public Hearing for Resolution 2012-05 State Revenue Sharing.

Staff Comments

None

Public Comments

None

Mayor Mulenex closed the Public Hearing.

A motion was made by Councilor Martinez and seconded by Councilor Varcoe to accept Resolution 2012-05 State Revenue Sharing.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Dan Varcoe</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	

Motion passed unanimously.

6. Adoption of City Job Descriptions

Director Allen discussed the new job descriptions for the Water and Sewer District employees that will be coming over to the City. He said there will be an analysis of staffing needs in the near future. Director Allen said that there are three new job descriptions and one revised job description (Administrative Assistant).

A motion was made by Councilor Varcoe and seconded by Councilor Greiner to adopt the four job descriptions.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Dan Varcoe</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	

Motion passed unanimously.

7. Resolution No. 2012-06

A RESOLUTION AUTHORIZING THE CITY MANAGER AND HIS SUCCESSORS, ASSIGNS, AND DESIGNEES TO SIGN ANY AGREEMENTS, INSTRUMENTS, DOCUMENTS, AND/OR FORMS NECESSARY OR APPROPRIATE TO CONSUMMATE THE WITHDRAWAL OF THE LA PINE WATER DISTRICT AND LA PINE SPECIAL SEWER DISTRICT UNDER ORS CHAPTER 222.

Director Allen stated that there are many things that need to be signed and would not be worthwhile to have the Council meet in order to get those things approved. He said this resolution would give City Manager Hasson more authority regarding the withdrawal of the Special Districts.

A motion was made by Councilor Varcoe and seconded by Councilor Greiner to adopt Resolution No. 2012-06.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Dan Varcoe</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	

Motion passed unanimously.

City Manager Hasson said he would let the Council know about what actions he takes regarding the signing of any documents. (Director Allen said that in addition the attorney bill will be high because of the withdrawal work that needs to be done at this time.)

8. Resolution No. 2012-07

PLANNED CORRECTIVE MEASURES WITH REGARD TO DEFICIENCIES IN MEETING STANDARDS ACCORDING TO ORS 297.466

City Recorder/Finance Officer Lori Martin stated that this item has been pulled; it is no longer needed for discussion.

9. Draft Legal Services Agreement

Director Allen said this agreement is a requirement of the USDA (United States Dept of Agriculture). He said this is needed to show that there is a City attorney who does legal tasks for the City.

A motion was made by Councilor Martinez and seconded by Councilor Greiner to approve the legal services agreement as described, a document that is required by USDA for the assumption of Sewer and Water.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Dan Varcoe</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	

Motion passed unanimously.

10 Consideration and possible approval of Mosquito Abatement Contract

City Manager Hasson stated that the City received two proposals for the mosquito abatement. He said he sent the Council an e-mail regarding the proposals. City Manager Hasson stated he spent quite a bit of time reviewing them both. He said both companies had all the insurance and permits necessary to provide the services. City Manager Hasson said after reviewing both proposals he recommended Terminix receive the contract. He said it is really important to provide a consistent type of service and Terminix would spray all the streets on a weekly basis as needed. Councilor Varcoe stated that he favored doing a lot of spraying in June so there would be very few mosquitos for the Rodeo and Frontier Days over the 4th of July.

Representatives from both companies were present and discussed their abatement proposals.

Public Comment

Commissioner Doug Ward asked about interrupted spraying that he observed last year. The representative from Terminix said it can involve a wind issue or very high heat that takes the product off where it is supposed to be. He said the tech came back to the area later in the day to spray the areas not sprayed originally.

A motion was made by Councilor Greiner and seconded by Councilor Martinez to accept staff's recommendations.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Dan Varcoe</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	

Motion passed unanimously.

Councilor Greiner stated that his decision was made on perception and he thought the City Manager was correct that the residents feel that the City is doing something about the mosquito abatement. Mayor Mulenex stated that his recommendation is that the spraying be done in June four times and three times in July and two times in August. The Council had consensus for the City Manager to work it out in the contract.

11. La Pine Senior Center Request for Matching Funds Grant
– To provide for certain health related improvements.

City Manager Hasson stated that at the request of Councilor Greiner he asked that this item be removed.

Director Allen reminded the Council about an Executive Session that would be held on May 30th at 2 pm at City Hall regarding the withdrawal of the Districts.

There was also a brief introduction of the Boy Scouts that attended the Council meeting as part of their citizenship task.

A motion was made by Councilor Varcoe and seconded by Councilor Greiner to adjourn the meeting.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Dan Varcoe</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	

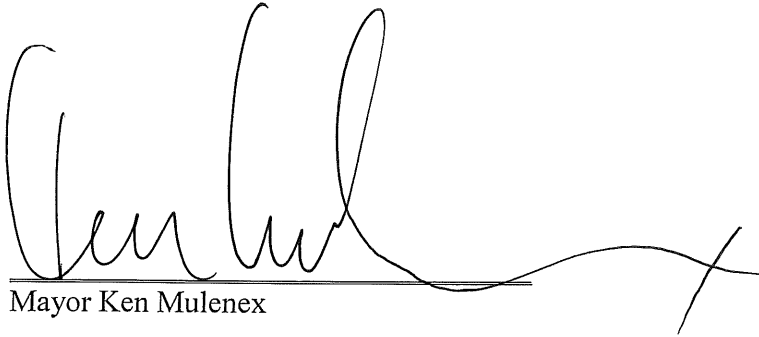
Motion passed unanimously.

A motion was made by Commissioner McClung and seconded by Commissioner Thomas to adjourn the Planning Commission meeting.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Chair Doug Ward</i>	<i>X</i>	
<i>Commissioner Norman McClung</i>	<i>X</i>	
<i>Commissioner John Thomas</i>	<i>X</i>	

Motion passed unanimously.

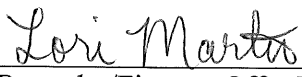
The meetings were adjourned.



Handwritten signature of Ken Mulenex in cursive script, positioned above a horizontal line.

Mayor Ken Mulenex

Attest:



Handwritten signature of Lori Martin in cursive script, positioned above a horizontal line.

City Recorder/Finance Officer Lori Martin