

## LA PINE COUNCIL MEETING AGENDA

Wednesday, April 11, 2012

Regular Session – 6:00 pm

16345 6<sup>th</sup> Street, Ste 102

La Pine, OR 97739

### A. Regular Session

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.

#### a. Approval of Minutes

- i. March 7, 2012 Special and Public Hearing Meeting Minutes
- ii. March 14, 2012 Council Meeting Minutes
- iii. March 21, 2012 Special Meeting Minutes
- iv. March 28, 2012 Joint and Work Session Minutes

#### b. Bills and Invoices

- i. Approval of Bills
- ii. Financial Report
- iii. Approval of Reimbursements

6. Public Comments
7. A Proclamation Declaring April 22-28 the Week of the Young Child
8. Interview for New City Councilor
  - Justin Vetanen

9. Ordinance No. 2012-02  
An Ordinance adopting the City of La Pine's Comprehensive Plan, Chapter 5, Historic Areas and Historic and Cultural Resources
  - Council Deliberations
10. Ordinance No. 2012-03  
An Ordinance adopting the City of La Pine's Code Section 20A., Historical and Cultural Preservation Program and the La Pine Landmarks Commission.
  - Council Deliberations
11. Selection of a New City Councilor
12. Appointment of Lori Martin as Transient Tax Administrator
13. Clean up Day
  - Mayor Mulenex
14. Other Matters
15. Public Comments
16. Committee Reports
17. Staff Comments
18. Council Comments
19. 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 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 COUNCIL MEETING MINUTES**

Wednesday, April 11, 2012

Regular Session – 6:00 pm

16345 6<sup>th</sup> Street, Ste 102

La Pine, OR 97739

A. Regular Session

1. Call to Order

2. Establish Quorum

City Manager Steve Hasson  
Interim Public Works Director Rick Allen  
Mayor Ken Mullenex  
Councilor Stu Martinez  
Councilor Dan Varcoe  
Councilor Don Greiner  
City Recorder/Finance Officer Lori Martin  
Admin Ass't Patricia Morgan

Quorum established.

3. Pledge of Allegiance

Deborah McMahon 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.

Mayor Mullenex added the following items to the agenda:

- 14a) La Pine Veterans Outreach
- 14b) Plaque for Councilor Adele McAfee
- 14c) Flag boxes and frames

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.

c. Approval of Minutes

- i. March 7, 2012 Special and Public Hearing Meeting Minutes
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- d. Bills and Invoices
  - i. Approval of Bills
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  - iii. Approval of Reimbursements

City Manager Hasson discussed why the City had purchased a digital camera and camcorder as part of the code enforcement and land use process that the City will start sometime after July 1<sup>st</sup>. He said they will give a specific time and date that the complaint is related to.

Councilor Martinez noted a potential conflict of interest because one of the bills was from his company.

**A motion was made by Councilor Greiner and seconded by Councilor Varcoe to approve the consent agenda.**

<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>	

**Motion passed unanimously.**

6. Public Comments

None

7. A Proclamation Declaring April 22-28 the Week of the Young Child

Laurel Case, representative from Healthy Beginnings, stated that their agency was involved with all children in the area receiving health care and coverage. She said the Week of the Young Child is an annual celebration sponsored by the National Association of Education for the Young Child. She said they have a screening for young child's health coming up in La Pine on April 20<sup>th</sup> at the Parks and Rec building. Michelle Slivkoff read the Proclamation to the Council.

**A motion was made by Councilor Varcoe and seconded by Councilor Greiner to approve the Proclamation Declaring April 22-28 the Week of the Young Child.**

<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>	

**Motion passed unanimously.**

8. Interview for New City Councilor

- Justin Vetanen

The Council interviewed Justin Vetanen for the vacant councilor position. Councilor Varcoe thanked Mr. Vetanen for serving on the Planning Commission and applying for this position. The Council remembered interviewing Justin Vetanen for the City Recorder/Finance Officer position for the City of La Pine. Mr. Vetanen said he would like to continue serving as a volunteer at this time. Mr. Martinez mentioned the various committee meetings that the Councilors attend. Mr. Vetanen said he thought he would be able to attend the committee meetings as required. Mayor Mullenex asked Mr. Vetanen what his expectations were for the City. Mr. Vetanen said he saw growth for the City but in a conservative manner and also being respectful for seniors.

00:19:21

9. Ordinance No. 2012-02

An Ordinance adopting the City of La Pine’s Comprehensive Plan, Chapter 5, Historic Areas and Historic and Cultural Resources

- Council Deliberations

City Manager Hasson stated that this item is part of the comprehensive land use plan update. He said as part of becoming a city, a comprehensive plan is required. He said he saw no necessary changes for Ordinance 2012-02. Councilor Greiner said a spelling change on page 5 where station was spelled as stain. Deborah McMahon, Planning Consultant, stated that the Ordinances need to be approved in a timely manner so she can get it to the State since they are in the process of reviewing and approving the City’s Comprehensive Plan.

<b>A motion was made by Councilor Varcoe and seconded by Councilor Martinez to approve Ordinance No. 2012-02.</b>		
<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>	
<b>Motion passed unanimously.</b>		

10. Ordinance No. 2012-03

An Ordinance adopting the City of La Pine’s Code Section 20A., Historical and Cultural Preservation Program and the La Pine Landmark’s Commission.

- Council Deliberations

City Manager Hasson stated that he has gone through the code section and made changes as needed. He had provided the Council with those changes as well as a two page memo he had written regarding the

changes. City Manager Hasson said he was, just today, made aware of some additional changes that need to be made by Mayor Mulenex.

Mayor Mulenex discussed some of his concerns with this Ordinance. He said he found a lot of stuff regarding the power of the Landmark Commission's ability to do things that is really in the prevue of the Council such as allocating funds. Mayor Mulenex said he would like to continue the Hearing on this Ordinance and select two Council members to go through the Ordinance and bring it back to the Council as soon as possible.

City Manager Hasson suggested having the Ordinance added to the April 16<sup>th</sup> Meeting Agenda. City Manager Allen said he would like to check with the City Attorney before deciding on a date to continue the Ordinance per the Public Hearing requirements.

Deborah McMahon mentioned that she needed to do a Measure 56 notice to all residents because of the possible effect of the Ordinances on property values.

Mayor Mulenex stated that he had concerns about the Landmark Commission need to receive prior consent for inspections, etc. He suggested putting an emergency clause in the Ordinance so there would not be the 30 day waiting time period before the Ordinance could be enacted. Mayor Mulenex also said he had a problem with the Landmark Commission going straight to the State Legislature and not going first to the City Council. He said the Landmark Commission should be required to make recommendations to the City Council rather than just going out and doing things.

Councilor Varcoe stated that the State put in language to give the Landmark Commission a certain amount of autonomy. Deborah McMahon stated that what is in the text is how the Commission has been described throughout the State. She said by changing the text, if the State does not agree with it, there may be grants that are not available to La Pine for historical purposes. Director Allen stated that the State probably wants some autonomy for the Landmark Commission. He said the Planning Commission will probably be the Landmark Commission and those members are appointed by the City Council.

Mayor Mulenex stated that he was not in favor of another committee being formed and that the Landmark Commission should also be the Planning Commission. He said the Commission, in his opinion, has too much authority as it is currently described. Mayor Mulenex said he thinks the Council should deal with historic matters. Deborah McMahon said that the Landmark Commission has very specific needs for members and the members are also required to do certain training so it might be difficult to have the Planning Commission member's serve on the Landmark Commission. She said free training is provided throughout the community at various times in the year. Ms. McMahon said that Planning Commissioners can fill empty seats on the Landmark Commission as long as they completed training.

Mayor Mulenex said he feels there is still wording in the Ordinance that needs to be looked at before it receives final approval. He said another close look at it needs to happen. Director Allen said one goal was to have the power and authority be where they should be and also respect private property rules. Deborah McMahon stated that the current Ordinance was originally designed for things changing in the future that might not currently be in effect. She said that there is a time deadline that is coming up quickly because she needs to get both of the Historic Code Ordinances to the State for their review. Director Allen reminded the Council that until the Comprehensive Plan is completed, the City cannot enforce any of their Ordinances such as zoning ordinances, etc. It was decided to bring back Ordinance 2012-03 on April 25<sup>th</sup> at a Special Meeting of the City Council.

**A motion was made by Councilor Martinez and seconded by Councilor Greiner to continue the Public Hearing on Ordinance No. 2012-03 until April 25<sup>th</sup> at a date certain.**

<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>	

**Motion passed unanimously.**

Mayor Mulenex stated that he and Councilor Varcoe will meet on April 13<sup>th</sup> with City Manager Hasson to address the concerns and necessary changes to Ordinance 2012-03.

11. Selection of a New City Councilor

Councilor Varcoe stated that he appreciated having two volunteers to serve. He said he liked the fact that Kathy Agan has worked with her neighborhood and the City to resolve some issues. Councilor Martinez said he would go along with whomever the Council decided on. Councilor Greiner stated that he felt the application for Kathy Agan had sat for too long of a time. He said they should not wait any longer and should elect Kathy Agan to fill the position. Councilor Varcoe said he agreed with that decision. Mayor Mulenex said he was impressed with the work Ms. Agan had done in her neighborhood with various issues. He also said he feels Justin Vetanen will be a valuable resource on the Planning Commission.

**A motion was made by Councilor Martinez and seconded by Councilor Varcoe to appoint Kathy Agan to the City Council to fill the Vacancy.**

<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>	

**Motion passed unanimously.**

12. Appointment of Lori Martin as Transient Tax Administrator

**A motion was made by Councilor Martinez and seconded by Councilor Greiner to appoint Lori Martin as the Transient Tax Administrator.**

<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>	

**Motion passed unanimously.**

13. Clean up Day

- Mayor Mulenex

Mayor Mulenex said they are working on having the clean-up day on Saturday, June 2nd, with the Friends of La Pine. He said the clean-up will be done on Huntington and Hwy 97. Mayor Mulenex said that food would be provided. He said he will notice all the businesses on Hwy 97 and Huntington and suggest to them that the clean-up will happen and that the business owners might consider doing some landscaping. Mayor Mulenex said the starting time will be 8:30 am and it will go to 1:00 pm when lunch will be served. He said the County and the State will deal with the removal of red cinders along Hwy 97. City Manager Hasson stated that he will work with Andrew at Wilderness Garbage to review the clean-up needs regarding gas and the drop boxes that are used. Mayor Mulenex said there is money in the budget for this activity.

14. Other Matters

14a) La Pine Veterans Outreach

Mayor Mulenex said that a representative from the La Pine Veteran’s Outreach would like to speak to the Council and ask for support. Jerry Chin introduced himself as the branch manager of the new Veteran’s Outreach office in La Pine. He said they have received funds from the public and also through grants. Mr. Chin said they are hoping to open the office by May 1<sup>st</sup>. He said many of the local businesses in town have donated monies to the organization. Mr. Chin said they need a contribution of \$500 from the City of La Pine to sustain the office. He said the Grand Opening will be on May 10<sup>th</sup>.

**A motion was made by Councilor Greiner and seconded by Councilor Martinez to donate \$500 to the Veteran’s Outreach in La Pine.**

*Vote as follows:*

*Councilor Dan Varcoe*  
*Councilor Don Greiner*  
*Councilor Stu Martinez*

*AYE*                      *NAY*  
*X*  
*X*  
*X*

**Motion passed unanimously.**

14b) Plaque for Councilor Adele McAfee

The Council had consensus to purchase a plaque for service rendered by Councilor McAfee during her time on the Council.

14c) Flag boxes and frames

Mayor Mulenex discussed the flags. He said one of the flags was donated by Councilor Greiner and it was flown at his grandson’s request over the main base in Iraq and was donated to the City. Mayor Mulenex said it has a certificate for authentication. He said the other flag was flown over the Capitol in Washington D.C. and was donated by Senator Wyden. Stu Martinez said that there is a veteran that he knows that may make the boxes and frames for only the cost of the materials. Mayor Mulenex recommended having some of the ladies from the American Legion fold the flags for measurement and then have them come to City Hall and actually do a flag folding when the flags are formally accepted.



14d) Proclamations

Mayor Mulenex said that Joy at the St. Vincent De Paul is retiring and he would like the City to issue a Proclamation to recognize her for all the work she has done in the greater La Pine area. He also said he would like another Proclamation for Gordon Wynek because of all of his support for the local veterans. Mayor Mulenex said he provided a meeting room for them as well as discounted meals and also donated the Veteran's Outreach office in La Pine.

Councilor Martinez said he was not sure about doing a Proclamation in these cases. Councilor Varcoe said maybe they could do a Gordon Wynek day in La Pine. Mayor Mulenex said the Proclamation could state that if desired. Councilor Martinez suggested that the City create a policy for Proclamations and determine a criteria for giving Proclamations. City Manager Hasson stated that unless it gets out of hand, they should be available as the Council desires. Director Allen also recommended that a policy for Proclamations be created to avoid any hurt feelings in the community. Mayor Mulenex said he was in favor of a policy for Proclamations. He said it should be a high level of recognition. City Manager Hasson will put together guidelines for a Proclamation policy.

14e) Swearing in of New City Councilor

City Recorder Lori Martin did the swearing in of Kathy Agan.

15. Public Comments

None

16. Committee Reports

Councilor Greiner passed out his written report.

17. Staff Comments

City Manager Hasson stated that there needs to be a roll call vote on the Ordinance 2012-02 because it is an Ordinance:

Dan Varcoe aye

Stu Martinez aye

Don Greiner aye

**Motion passed unanimously.**

City Manager Hasson announced that a \$45,000 grant was awarded for the Cascade East Transit. The City had donated \$2,500 for it to be able to apply for the grant.

Director Allen discussed the IGA (Intergovernmental Agreement) for the Withdrawal of the Districts. He said he hoped the Districts would approve it at their regular meeting. Director Allen said that he received the agenda before it was put out. He said he has also received all the Resolutions and Ordinances from the Water & Sewer District for the years 2000 – 2012. Director Allen said that the IGA will cause the Water and Sewer District to run everything by him, which they have already started doing.

Director Allen said that he did a conference call with the labor attorney, the City attorney, and the City Manager. He said the City will be involved with any contracts, moving forward. Director Allen said he also has been working on job descriptions. He said there will be one for every position we have.

Director Allen said that the Public Works Committee will meet again, tomorrow. He discussed a pavement study that will cost \$1,500 and has monies available for it. Director Allen said the pavement study will x-ray the roadway and rate the surface and also the integrity of the base. City Manager Hasson said that by doing this it will save the City money overall. Director Allen said on a rotating basis of chip sealing the roads, they can keep up with it. He said there are only about three miles of paved roads in the City.

City Manager Hasson stated that there may be a contract very soon for the Transportation Systems Plan (TSP). Lori Martin said that in the financial reports that the Council has, it shows the percentage of comparison of budget to actual.

20. Council Comments

None

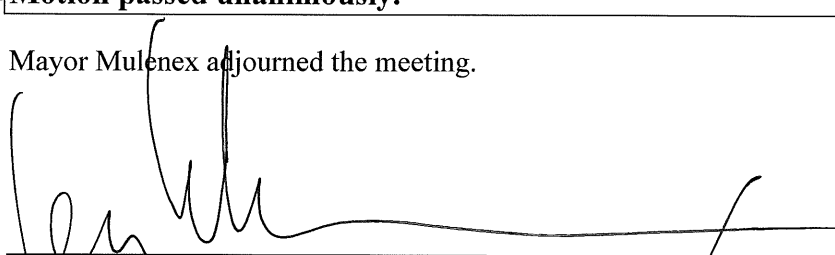
21. Adjourn

**A motion was made by Councilor Martinez and seconded by Councilor Varcoe 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>	

**Motion passed unanimously.**

Mayor Mulenex adjourned the meeting.

  
\_\_\_\_\_  
Mayor Ken Mulenex

Attest:

  
\_\_\_\_\_  
Lori Martin, City Recorder/Finance Officer