

REVISED
LA PINE COUNCIL MEETING AND PUBLIC HEARING AGENDA

Wednesday, March 14, 2012

Regular Session – 6:00 pm

16345 6th 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. February 8, 2012 Council Regular Meeting Minutes
 - ii. February 22, 2012 Council Work Session Meeting Minutes
- b. Bills and Invoices
 - i. Approval of Bills
 - ii. Financial Report
 - iii. Approval of Reimbursements

6. Public Comments

7. Ordinance No. 2012-02

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

- a. Open Public Hearing
- b. Staff Report
- c. Public Comments
- d. Close Public Hearing
- e. Council Deliberations

8. 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.
 - a. Open Public Hearing
 - b. Staff Report
 - c. Public Comments
 - d. Close Public Hearing
 - e. Council Deliberations
9. Approval of Rick Allen's Employment Contract
10. Approval of the City logo
11. Further Discussion and Possible Action for a High School Student to sit on the City Council
12. Approval of Contract to Purchase Casselle Accounting Software
13. Appoint Budget Officer, Review Budget Calendar and Appoint Budget Committee Members
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.

REVISED
LA PINE COUNCIL MEETING AND PUBLIC HEARING MINUTES

Wednesday, March 14, 2012

Regular Session – 6:00 pm

16345 6th Street, Ste 102

La Pine, OR 97739

A. Regular Session

1. Call to Order
2. Establish Quorum

Roll Call:

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

Quorum established.

3. Pledge of Allegiance

Ron Gearhart 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.

14a) If I Were Mayor – Mayor Ken Mulenex

5. Consent Agenda

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- c. Approval of Minutes
 - i. February 8, 2012 Council Regular Meeting Minutes
 - ii. February 22, 2012 Council Work Session Meeting Minutes
 - iii. Bills and Invoices
 - iv. Approval of Bills

- v. Financial Report
- vi. Approval of Reimbursements

Mayor Mulenex stated that the Dalles was misspelled and needed to be corrected on page 8 and page 9 of the February 8, 2012 Meeting Minutes. Councilor Martinez noted a conflict of interest with the one bill that was paid to Wilderness Garbage, the company he owns.

A motion was made by Councilor Greiner and seconded by Councilor Varcoe to approve the consent agenda with corrections as noted.

Vote as follows:

	<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

7. Ordinance No. 2012-02

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

City Manager Hasson stated that he had some concerns about the Ordinances after briefly looking at them and would like more time to review them. He said they could go ahead and have Public comments at this time but table the approval of the two Ordinances to another meeting. City Manager Hasson stated that private property rights need to be protected and that is one issue he has with the Ordinances. He also said no one should be going onto private property without consent. Mayor Mulenex said he also had some reservations with the Ordinances as they are currently written.

a. Open Public Hearing

Mayor Mulenex opened the Public Hearing.

b. Staff Report

Deborah McMahon from DMC Inc., stated that from the comprehensive plan, goal five requires that they look at historical resources. After the comprehensive plan was reviewed the State told them they needed to add to goal five.

Pat Kliewer, from Kliewer Engineering Associates, stated she has been a planner since 1989. She said back in 2008 she wrote a grant to allow her to spend a year inventorying every property in La Pine that had a building 40 years old or older. She stated in Oregon each jurisdiction is required to inventory their historic structures every 10 years and they consider any structure over 50 years to be a historic structure.

Ms. Kliewer said that the State requires that, with property owner's permission, the City Council has the authority to designate a particular property within its City limits as a historic resource. The state requires a City to protect any property that is on the National Registry. She said there are no properties in La Pine that are on the National Registry. Ms. Kliewer said the only entities that have a historic rating are the Cemetery and the Grange.

Ms. Kliewer stated that they put in a ten day advance notice for the Landmark's Commission to go on someone's property. She said that the Oregon State law states that no property can be designated as an historic building without the homeowner's permission. Ms. Kliewer said the State wide planning goal spells out that City's and County's should provide for historic planning as well. She said the State tells the public entity how often they have to inventory their historic buildings.

Councilor Varcoe asked about historic districts. Ms. Kliewer said there are no historic districts in La Pine. She said it can only be created by the National Parks or the City Council.

In response to a question from Mayor Mulenex, Ms. Kliewer said if there is a problem getting people to serve on the Landmark's Commission the Planning Commission may serve as the Landmark's Commission. She said they want to ask the State to certify the City as a certified local government and show them that the historic preservation code is qualified and should receive funds. Director Allen said the Landmark's Commission would meet on the same night as the Planning Commission if the Planning Commission takes over the role of the Landmark's Commission.

Ms. Kliewer stated that there is no fee charged for an application to designate a historical or cultural resource. She also said the Landmark's Commission will rarely have an application come before them. And, it only needs to meet quarterly. Ms. Kliewer said also that the State provides training for the Commission.

Councilor Greiner asked if this Ordinance was something that had to be passed tonight because he would like to give the City Manager time to review the Ordinance and give his opinion. Councilor Martinez said he agreed with Councilor Greiner. Councilor Varcoe stated he liked the summary of La Pine's history that was done. He said there was a resolution done by the County regarding the name of La Pine and having a space between La and Pine.

c. Public Comments

John Thomas, Vice Chair of the Planning Commission, stated that there has been a lot of work that went into the Ordinance. He said that the City Manager definitely needs to approve of it as does the City Councilors.

d. Close Public Hearing

Mayor Mulenex closed the Public Hearing.

e. Council Deliberations

A motion was made by Councilor Varcoe and seconded by Councilor Greiner to continue the Hearing.

<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. 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.

a. Open Public Hearing

Mayor Mulenex opened the Public Hearing.

b. Staff Report

Pat Kliewer stated that the code only applies to the cemetery and the Grange, the only classified historical structures in La Pine at this point in time. She said this code does not go inside any buildings. Ms. Kliewer said that the interior of the buildings are not subject to any kind of approval by the City Council. She then discussed the ten day notice for inspection of a structure that may have historical significance. Ms. Kliewer said any application that would come before the Council would have to be signed by the owner of the property, first.

Deborah McMahon stated that section 20A of the code, would be inserted into the zoning ordinance. It would be the regulation that helps regulate historic structures. Pat Kliewer stated that the document is very comprehensive and will be good for a long time into the future.

c. Public Comments

None

d. Close Public Hearing

Mayor Mulenex closed the Public Hearing.

e. Council Deliberations

A motion was made by Councilor Varcoe and seconded by Councilor Greiner to continue the Hearing.

<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.

City Manager Hasson stated that he did not think the document needed to be so large since there are only two structures that apply to it right now. He suggested possibly doing amendments to the original document when the time is appropriate.

9. Approval of Rick Allen's Employment Contract

A motion was made by Councilor Varcoe and seconded by Councilor Greiner to approve the employment contract for Rick Allen.

<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.

10. Approval of the City logo

City Manager Hasson introduced the two sample logos. Councilor Varcoe stated he liked the strong base that is underneath the saw with the 'small town bright future.'

Mayor Mulenex stated that he thought it needed to be researched and talk about a little more. Councilor Martinez said he would like to go back to the drawing board because we have to live with this for a long, long time. He said it needs to reflect the community.

A motion was made by Councilor Martinez and seconded by Councilor Varcoe to appoint a committee to bring back a design at the next 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.

A motion was made by Councilor Martinez and seconded by Councilor Varcoe to approve up to \$500 to hire a professional consultant to assist the committee in the design of the logo.

<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.

11. Further Discussion and Possible Action for a High School Student to sit on the City Council

City Manager Hasson discussed the memo he wrote regarding the matter. He said he did research on different approaches to the issue. City Manager Hasson said he met with the Principal and Athletic Director at La Pine High School. He said that the High School has a leadership program and suggested this topic ought to be a topic for the next term and let the students come up with the idea of what type of connection they would like to have with the Council. He said there are a number of positive things that can come about through having a high school student on the Council.

Councilor Varcoe stated he liked the approach to the matter by letting the students come up with the idea and bring it back to us. The Council had consensus to leave it to the City Manager to proceed with the school staff. The Mayor said he would like to be involved with it.

12. Approval of Contract to Purchase Casselle Accounting Software

Director Allen stated that they incorporated one more year of history for the utilities per a request from the Council. He said the Council already approved the City to enter into a contract with Casselle but had not yet approved of the contract.

A motion was made by Councilor Martinez and seconded by Councilor Varcoe to approve the City Manager to sign both contracts.

<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. Appoint Budget Officer, Review Budget Calendar and Appoint Budget Committee Members

City Manager Hasson stated that he and City Recorder/Finance Officer Lori Martin spent a day in Eugene attending a workshop with the Department of Revenue so they could understand the budget process in Oregon. He said that there was a new bill passed by the House that made some changes to the budget

process. City Manager Hasson discussed the budget calendar he had prepared. He said the budget process needs to go before the Budget Committee with the first meeting scheduled for the March 28th at the City Council Work Session. City Manager Hasson said that tonight the Council needs to appoint the Budget Officer. He recommended City Recorder/Finance Officer Lori Martin be appointed to be the Budget Officer. City Manager Hasson said the Council also needs to appoint the members of the Budget Committee. He said that three members of the Budget Committee members are from last year and will serve on the Committee for this year. City Manager Hasson said that he had three applicants for the remaining two spots on the Committee. He also discussed term limits as the State Statutes call for staggered terms of office for each of the Budget Committee members.

A motion was made by Councilor Varcoe and seconded by Councilor Greiner to appoint Lori Martin as Budget Officer.

<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 all three of the new applicants are very well qualified. He said that two of them stand out, former Mayor Kitty Shields and Tammy Doty who has a background in budgeting.

A motion was made by Councilor Varcoe and seconded by Councilor Martinez to appoint Tammy Doty for a three year term and Kitty Shields for a one year term to 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>	

Motion passed unanimously.

01:57

14. Other Matters

14a) If I Were Mayor – Ken Mulenex

Mayor Mulenex stated that annually there is a program called, “If I Were Mayor.” He said the cities go out and hold a contest with three age groups and they have a theme. Mayor Mulenex said these young people put together a presentation based on that theme. He said at the Annual Mayor’s Conference is when they do the awards. Mayor Mulenex said the schools select the best presentation and the winner represents the City. He said some cities give money to the winners. Mayor Mulenex said he would like

to see La Pine award \$100 to each of the winners in the three categories. He said he would be going around to the schools to implement the program.

Councilor Varcoe stated he was concerned that the process is starting late and would need to be completed by the middle of April. Councilor Martinez also mentioned his concern about starting this program late. Mayor Mulenex said that he is confident that there is enough time to implement the program and also have winners. He said he would like the Council to approve the \$300 that would be spent and that he would come back to the next Council meeting and do a presentation on the progress with the schools. Mayor Mulenex said he would not be offended if the Council thinks they should wait a year to do the program.

A motion was made by Councilor Varcoe and seconded by Councilor Greiner that they contribute up to \$300 and get the buy in from the Schools regarding participation.

Vote as follows:

AYE

NAY

Councilor Dan Varcoe

Councilor Don Greiner

Councilor Stu Martinez

Motion passed unanimously.

Councilor Varcoe and Councilor Greiner withdrew the motion before it was voted on. Motion was withdrawn. The 'If I Were Mayor' program will not happen this year.

15. Public Comments

John Thomas, Vice Chair of the Planning Commission, stated that people looking at the logo on the sign at the City park have told him they see dolphins jumping out at them instead of mountains and the sky. He said he would like to be involved in the design for the new logo as he has experience with it.

Kathy Stagland stated that they have problems with the speed on Huntington Road in front of their shop. She said students are crossing a lot between the post office and the strip mall. Ms. Stagland said there needs to be crosswalk from St. Vincent's to Bi-Mart. She said she thinks the speed limit should be lowered to 25 mph. City Manager Hasson said he will make arrangements to come out and take a look at it.

15. Committee Reports

Councilor Greiner stated that he has a 30 minute report so would like to put it off until the next City Council meeting.

17. Staff Comments

City Manager Hasson stated that it is important to have another member on the Council. He said he would appreciate if a closure date could be made on the announcement for a City Council member. City Manager Hasson said he felt it was important to get the position filled.

A motion was made by Councilor Varcoe and seconded by Councilor Martinez that they publish a date certain for the application cutoff to April 4th.

<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.

Director Allen stated that next Wednesday, March 21st, there will be a meeting for the Withdrawal of the Water and Sewer Districts at 5 pm. The Hearing was held on March 7th. He also said that he talked to Newton Consulting to handle the transfer of water rights and asked them to start working on it. Director Allen said the water rights need to be in the City's name. He said the Public Works Committee met and it was a very successful meeting with someone from the Road Department for Deschutes County speaking. Director Allen said that the paved roads in the City of La Pine are supposed to be surveyed by the County regarding the condition of the roads. He said he has contacted the County about doing the survey.

City Manager Hasson stated that the Public Works Committee meeting was very successful. He said magnesium chloride helps eliminate dust on roads as well as helps to hold the road together. City Manager Hasson said he would like to get a cost of how much it would be per mile. He said eventually they will craft an Operational Manual stating 'here's how the road system works from a to z.' City Manager Hasson also said there will be a number of questions that come to the Council for policy decisions. Director Allen said that a representative from ODOT (Oregon Dept of Transportation) will be at the next meeting of the Public Works Committee.

20. Council Comments

Mayor Mullenex congratulated Director Allen on his recent birthday.

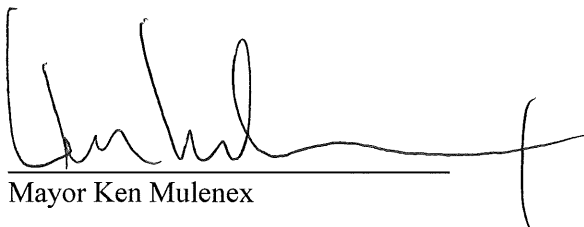
21. Adjourn

A motion was made by Councilor Varcoe and seconded by Councilor Martinez 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 at 8:37 pm.



Mayor Ken Mulenex

Attest:



Lori Martin, City Recorder/Finance Officer