

REVISED
LA PINE CITY COUNCIL MEETING AGENDA

Wednesday, August 10, 2011

Regular Session - 6:00 pm

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

A. Regular Session – 6:00 p.m.

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. July 13, 2011 Meeting Minutes

ii. July 27, 2011 Meeting Minutes

b. Bills and Invoices

i. Approval of Bills

ii. Financial Report

iii. Approval of Reimbursements

6. Public Comments

7. Ten Year Plan to End Homelessness

- Erik Kropp, Deschutes County

8. Resolution 2011-11

A Resolution Amending and Restating the La Pine City Council Rules and Procedures

9. Selection of City Attorney
10. Selection of City Auditing Company
11. Draft Ordinance for Animal Control
12. Other Matters
Only those matters properly added to this Agenda under line item No. 4 will be discussed at this time.
13. Public Comments
14. Committee Reports
15. Staff Comments
16. Council Comments
17. 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 CITY COUNCIL MEETING MINUTES

Wednesday, August 10, 2011

Regular Session - 6:00 pm

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

A. Regular Session – 6:00 p.m.

1. Call to Order

The meeting was called to order at 6:00 pm by Mayor Mulenex.

2. Establish Quorum

Roll Call:

City Manager Rick Allen
Mayor Ken Mulenex
Councilor Stu Martinez
Councilor Dan Varcoe
Councilor Adele McAfee
Councilor Don Greiner
Admin Ass't Patricia Morgan

Quorum established.

3. Pledge of Allegiance

Former Mayor, Kitty Shields 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.

12a) TRIP 97 – funding commitment

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

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- b. Bills and Invoices
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Councilor McAfee stated that on the July 13th Meeting Minutes, page 6, item 10, right of way is misspelled. She also said that on the July 27th Meeting Minutes, page 8, second paragraph, replace the wording with the following, ‘Councilor McAfee asked for clarification about what the City of Bend law defers to.’

A motion was made by Councilor Greiner and seconded by Councilor McAfee to Approve the Consent Agenda as corrected.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Dan Varcoe</i>	<i>X</i>	
<i>Councilor Adele McAfee</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. Ten Year Plan to End Homelessness
- Erik Kropp, Deschutes County

Postponed to a later meeting.

00:04:45

8. Resolution 2011-11
A Resolution Amending and Restating the La Pine City Council Rules and Procedures

City Manager Allen discussed the changes that had been made after getting feedback from the Councilors. He said if the Councilors had a problem with the City Manager then the Mayor would be the point of contact with the City Attorney.

Councilor McAfee stated she would like to leave the attorney contact with the Councilors as it was before the changes were made. In response to a question from Mayor Mullenex, Councilor McAfee said she would like it to state that individual Councilors can contact the City Attorney for an informal opinion.

Councilor Greiner stated he would like to be able to contact the City Attorney outside of a regular meeting for an informal opinion. Councilor Varcoe stated that there may be times when a Councilor needs to get an oral opinion from the City Attorney. Councilor Martinez stated he just wanted to

make sure that no Councilor was contacting the City Attorney unnecessarily and running up the bill. Councilor McAfee stated that it needed to be plain and clear.

A motion was made by Councilor McAfee and seconded by Councilor Greiner to adopt Resolution 2011-11 amending and restating the La Pine City Council Rules and Procedures. On section 8.2 it should read as follows: The City Attorney will attend meetings when requested by the Council or City Manager. Any member of the Council may at any time call upon the City Attorney for an informal opinion. Written opinions require the vote of the majority of the Council.

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

Motion passed unanimously.

00:27:06

9. Selection of City Attorney

City Manager Allen stated that anytime the Council is not happy with a particular law firm the contract can be broken. Councilor Varcoe declared a conflict of interest because he has used, in the past but not currently, the law firm of Francis, Hansen and Martin. All Councilors were in favor of continuing to have legal representation by Bryant, Lovlien and Jarvis based on cost and past experience.

A motion was made by Councilor Varcoe and seconded by Councilor Greiner to select Bryant, Lovlien and Jarvis as the City Attorney based upon their proposal.

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

Motion passed unanimously.

10. Selection of City Auditing Company

City Manager Allen stated he had prepared a staff report on the companies that had bid for the auditing work. He said this is the first year of doing a full audit rather than just a review audit because of the increased revenue for the City. City Manager Allen said that the low bid was Pauly

Rogers & Co., at \$8,000 this year and \$8,200 for next year. He said that this company does a number of cities as well as school district audits. Councilor Martinez stated that Pauly Rogers & Co., sounds like who is needed to be doing business with. Councilor McAfee said that based on the City Manager's recommendation she would vote for Pauly Rogers & Co. In response to a question from Councilor Varcoe, City Manager Allen stated the contract could have a clause saying if the City was unhappy with the job done they would not have to hire the company for a second year.

A motion was made by Councilor Greiner and seconded by Councilor McAfee to hire Pauly Rogers & Co., as the City's auditor.

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

Motion passed unanimously.

00:39:44

11. Draft Ordinance for Animal Control

City Manager Allen stated that most of the ordinance is similar to the County's ordinance on animal control. He said if they got a stricter ordinance, not like the County's, there could be issues with the Sheriff enforcing the ordinance. City Manager Allen said it is not a leash law. He also said, after meeting with some law enforcement officials, that they could enforce the law in the City of La Pine. City Manager Allen suggested he bring the ordinance back at a future meeting for further review. There was a discussion on whether or not to use the emergency clause in the ordinance.

Commissioner Debone stated that the emergency clause has been used by the County when it is something that impacts the health and safety of the community.

00:50:53

12. Other Matters

Only those matters properly added to this Agenda under line item No. 4 will be discussed at this time.

12a) TRIP 97 – funding commitment

City Manager Allen stated that TRIP 97 involves Bend, Redmond, and Madras (and they asked if La Pine wanted to be involved) in trying to get an IGA (Intergovernmental Agreement). He said they want to formalize things with an IGA. City Manager Allen stated that there is ODOT with a rule and land use with a rule and the two rules clash. He said the issue is if someone buys a business and it clogs up the traffic then they are responsible for fixing the congestion problem. This has been hurting economic development in Central Oregon. City Manager Allen said that the cities will put in a total of \$100,000 with La Pine contributing \$1,500 from the road fund.

The Council had consensus to approve the IGA for Trip 97.

A motion was made by Councilor Greiner and seconded by Councilor Varcoe to authorize the City Manager to sign the IGA.

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

Motion passed unanimously.

00:58:35

13. Public Comments

Ted Scholer, area resident, stated that he supports the Trip 97 and it has been needed for a long time especially with how it can effect economic growth in the area like at Hwy 97 and Reed Road.

Tony Debone, County Commissioner, stated at the luncheon with Representative Greg Walden he announced that they will create the legislation for the Bureau of Land Management land trade in the House of Representatives. He said it had been stuck in the Senate for about three years. Mr. Debone said that it was a great announcement and that something is now going to probably happen to move it forward.

01:01:05

14. Committee Reports

Councilor McAfee stated she had attended a branding of La Pine steering committee and they are trying to get a specific direction and also everyone seems to be pretty motivated. She also she would be attending a COCO (Central Oregon Cities Organization) meeting next week and at that meeting the final details will be discussed for the League of Oregon Cities trip to La Pine during the annual conference in September.

Councilor Martinez stated that at the LIGI meeting they talked about putting a sign up at the Industrial Park advertising the various businesses. He said, regarding the disaster preparedness, he has been trying to contact Don Weber, the Emergency Manager, but has not been able to get in touch with him so far.

In response to a question from City Manager Allen, Ted Scholer stated that what is holding up the purchase of the land for Biogreen is the California Energy Commission that meets in October to designate the type of power that Biogreen would be providing. He said if they get the Bucket One designation that will allow them to get the financing they need. Mr. Scholer also said that Biogreen has asked the County if they can break ground before actually purchasing the land from the county and maybe do a lease.

Councilor Greiner stated that the COIC (Central Oregon Intergovernmental Council) meeting was cancelled due to a lack of a quorum. He said the July 21st Special Meeting had been cancelled.

Mayor Mulenex discussed the Mayor's conference he had recently attended. He said it was one of the best meetings that he has ever been to. Mayor Mulenex reviewed the conference agenda with the Council. Some of the topics discussed were job creation, DEQ (Department of Environmental Quality) and emergency/disaster preparedness. He said the biggest complaint the Mayors had was with the media. Mayor Mulenex stated that he received a scholarship to attend the Mayor's conference.

Councilor McAfee stated there is legislation that was passed and it is called the Quality Based Selection. She said when RFP's (Request for Proposals) are done they are usually based on price but with this method it will be based on qualifications and hopefully favor companies located in Oregon.

15. Staff Comments

City Manager Allen stated that the DWA (Deschutes Water Alliance) has asked for contributions and La Pine's contribution would be around \$400. He said they will be dealing with water rights which will become important for the City once they have absorbed the Water District. The Council had consensus to pay \$500 to the DWA.

City Manager Allen stated that he met with ODOT and the Trucker's association to review the Hwy 97 and Reed intersection. He said the intersection was very dangerous during their review of it. City Manager Allen stated it was a very productive meeting.

City Manager Allen said that there are about ten applicants so far for the City Recorder/Finance Officer. He stated that the deadline for the job application is August 19th.

City Manager Allen said that the remodeling for the new City Hall has begun and he met with the contractor and everything looks good so far.

Mayor Mulenex stated that the County got a grant to expand the Park & Ride at Wickiup Junction. It is currently being worked on with new asphalt.

City Manager Allen stated that the trees and brush have been removed from Cagle Road. He said next they will put speed limit signs on the road.

Wayne Kovacs, President of the Water District, stated that the Special Districts need to ratify Stephen Greer for a full audit and also discuss obtaining a new law firm. City Manager Allen said that the law firm they are considering is Bryant, Emerson and Fitch.

16. Council Comments

None

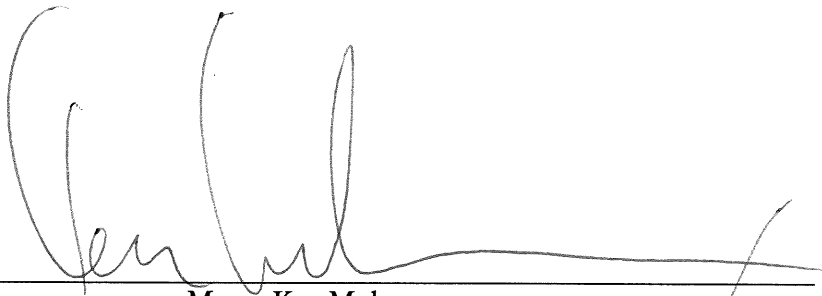
17. Adjourn

A motion was made by Councilor Varcoe and seconded by Councilor McAfee 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 Adele McAfee</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 7:45 pm.



Mayor Ken Mulenex

Attest:



City Manager/Recorder Rick Allen