

REVISED
LA PINE CITY COUNCIL MEETING AGENDA
Wednesday, May 11, 2011
Public Meeting and Public Hearing
6:00 pm
51340 Highway 97, La Pine, Oregon 97739
South County Building Meeting Room

1. Call to Order
2. Roll Call
3. 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.
4. Pledge of Allegiance
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 23, 2011 Meeting Minutes
 - ii. April 13, 2011 Meeting Minutes
 - iii. April 27, 2011 Meeting Minutes
 - b. Bills and Invoices
 - i. Approval of Bills
 - ii. Financial Report
 - iii. Approval of Reimbursements
6. Public Comments
7. Resolution No. 2011-05 Supplemental Budget Hearing
 - a. Open Public Hearing
 - b. Staff Report or Summary
 - c. Public Comments
 - d. Close Public Hearing
 - e. Council deliberations

8. Resolution No. 2011-06
A Resolution Authorizing the Creation of Various Accounting Funds and Sub Funds for Accounting and Budgeting Purposes.
 - a. Open Public Hearing
 - b. Staff Report or Summary
 - c. Public Comments
 - d. Close Public Hearing
 - e. Council deliberations

9. Ordinance No. 2011-02
An Ordinance granting Midstate Electric Cooperative, Inc., the right and franchise to place, erect and maintain poles, wires and other appliances and conductors for the transmission and distribution of electricity in, on, and under the streets, alleys, avenues, thoroughfares and public highways in the City of La Pine, Oregon, for the purpose of generating, transmitting and distributing electricity.
 - a. Open Public Hearing
 - b. Staff Report or Summary
 - c. Public Comments
 - d. Close Public Hearing
 - e. Council deliberations

10. Presentation by Andy Ewing from Wilderness Garbage

11. Recommendation to appoint two members to the Planning Commission.

12. Proclamation for the Friends of La Pine

13. Recommendation to appoint one member to the Utilities Committee
- Ken Mulenex

14. Discussion on laptop computers for Councilors

15. Discussion on Community Outreach regarding Withdrawal of the Districts

16. Other Matters

17. Public Comments

18. Committee Reports

19. Staff Comments

20. Council Comments

20. Adjourn

LA PINE CITY COUNCIL MEETING MINUTES

Wednesday, May 11, 2011
Public Meeting and Public Hearing
6:00 pm
51340 Highway 97, La Pine, Oregon 97739
South County Building Meeting Room

1. Call to Order

Mayor Mulenex called the meeting to order at 6:04 pm.

2. Roll Call

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

Quorum established.

3. 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.

16a) Mosquito Abatement Contract
- Proclamation for Marine Corporal Kyle Thompson

4. Pledge of Allegiance

Mayor Mulenex led the Pledge of Allegiance.

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 23, 2011 Meeting Minutes
- ii. April 13, 2011 Meeting Minutes
- iii. April 27, 2011 Meeting Minutes

Councilor Varcoe stated on the April 13th meeting minutes, page 4, second paragraph, 4th line, replace the word ‘tended’ to intended. He also said on Page 8, second paragraph; replace the word ‘faucet’ to facet.

Mayor Mulenex said on page 6, March 23rd, second from the bottom of the page, ‘Councilor Mulenex’ stated he would get a cost estimate for getting a new flag pole....’ should be replaced with Jim Fleming’s name.

- b. Bills and Invoices
 - i. Approval of Bills
 - ii. Financial Report
 - iii. Approval of Reimbursements

A motion was made by Councilor Varcoe and seconded by Councilor McAfee to approve the Consent Agenda and Meeting Minutes as corrected.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Ken Mulenex</i>	<i>X</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>	

Motion passed unanimously.

- Proclamation for Marine Corporal Kyle Thompson

Mayor Mulenex asked District Commander Larry Matthews to say a few words about the activity that was scheduled for May 14th. Commander Matthews said American Legion Post #45 agreed to have a Welcome Hero Recognition in support of Marine Corporal Kyle Thompson. He said there will be motorcycle riders from the American Legion, Patriot Guard riders and other riders that want to participate. He also said it will be a full escort from Corporal Thompson’s home to the American Legion #45. Commander Matthews said at 2:15 pm they will leave and go to Corporal Thompson’s residence and they will escort him and his family to the American Legion #45 shortly after 3 pm on Saturday.

Mayor Mulenex read the Proclamation for Marine Corporal Kyle Thompson who was injured in Afghanistan as a result of an IED blast on October 25, 2010. He suffered severe shrapnel injuries to his face and upper body, including the loss of his left eye.

6. Public Comments

None

7. Resolution No. 2011-05 Supplemental Budget Hearing

- a. Open Public Hearing

Mayor Mulenex opened the Public Hearing.

- b. Staff Report or Summary

City Manager Allen stated that this Resolution is to keep everything properly allocated for the purchase of the new City Hall because of the cost amount since there had been no anticipation of buying a new City Hall during this fiscal year. City Manager Allen stated that most of the money will be spent in the next fiscal year for the remodeling of City Hall.

- c. Public Comments

None

- d. Close Public Hearing

Mayor Mulenex closed the Budget Hearing.

- e. Council deliberations

None

A motion was made by Councilor Greiner and seconded by Councilor McAfee to approve Resolution No. 2011-05 adopting a supplemental budget.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Ken Mulenex</i>	<i>X</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>	

Motion passed unanimously.

8. Resolution No. 2011-06

A Resolution Authorizing the Creation of Various Accounting Funds and Sub Funds for Accounting and Budgeting Purposes.

- a. Open Public Hearing

Mayor Mulenex opened the Public Hearing.

- b. Staff Report or Summary

City Manager Allen said this Resolution is for creating the new funds for next year's fiscal budget.

- c. Public Comments

None

- d. Close Public Hearing

Mayor Mulenex closed the Public Hearing.

- e. Council deliberations

None

A motion was made by Councilor Greiner and seconded by Councilor Varcoe to approve Resolution No. 2011-06 authorizing the creation of various accounting funds and sub funds for accounting and budgeting purposes.

Vote as follows:

	<i>AYE</i>	<i>NAY</i>
<i>Mayor Ken Mulenex</i>	<i>X</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>	

Motion passed unanimously.

9. Ordinance No. 2011-02

An Ordinance granting Midstate Electric Cooperative, Inc., the right and franchise to place, erect and maintain poles, wires and other appliances and conductors for the transmission and distribution of electricity in, on, and under the streets, alleys, avenues, thoroughfares and public highways in the City of La Pine, Oregon, for the purpose of generating, transmitting and distributing electricity.

- a. Open Public Hearing

Mayor Mulenex opened the Public Hearing.

- b. Staff Report or Summary

City Manager Allen stated that the Midstate Board has approved this Ordinance and it has been discussed with Council on numerous occasions. He said ultimately the City of La Pine will increase

its franchise fees by \$130,000 a year. City Manager Allen said Midstate will pay the City quarterly with the first payment to occur sometime in the fall. He said the ordinance will become effective July 1, 2011.

c. Public Comments

Bob Steffens, area resident, asked if this was under the direction of the Utility Committee or at Midstate's pleasure as far as putting up poles or going underground. City Manager Allen said the franchise agreement spells that all out. He said that the City of La Pine fortunately had a number of buried lines.

d. Close Public Hearing

Mayor Mulenex closed the Public Hearing.

e. Council deliberations

In response to a question from Councilor McAfee, the franchise rate will be 7% according to City Manager Allen. Mayor Mulenex said he received a call from a lady about when the City was going to tell the users that it would raise their electric bill. City Manager Allen stated that all electric users will receive a letter about the franchise fee from Midstate Electric. Councilor Greiner stated that it helps keep the property taxes down. Councilor McAfee stated that this is something the City needed to do as a City. City Manager Allen said if and when Biogreen is built there will be a significant increase in revenue from this franchise.

Public Comments

Rene Schifano, area resident, asked if there was going to be another electric rate hike and was told yes effective July 1st. Ted Scholer, area resident, stated that the City's provision for Midstate into telecommunications was a good move because they are already providing fiber optic for people in La Pine.

00:34:37

10. Presentation by Andy Ewing from Wilderness Garbage

Andy Ewing, Recycling Coordinator with Wilderness Garbage, discussed a survey sent to all the City customers to see if they would be interested in a curbside recycling program. He passed out the rate sheets to the Councilors as well as the results of the survey. Mr. Ewing said out of 500 surveys sent out the result was 47% said no and 53% said yes. He said the people that said no said they already brought their recyclables to the recycle center at Wilderness Garbage or they did not have recyclables. He said at this time they have decided not to have curbside recycling. Mr. Ewing said they are working on getting out more information about their recycle center and why they are not going to be doing the curbside recycling at this time. He said they have also started some recycle pilot programs such as at the Prairie House. Mr. Ewing said they recently lost County funding for the recycle center which was a hardship but the center will stay open. He said once the City has 10,000 people in it Wilderness Garbage will be required to provide recycling pickup for every customer.

00:45:24

11. Recommendation to appoint two members to the Planning Commission.

Mayor Mulenex stated he had a letter from the Planning Commission asking to appoint two Planning Commissioners. He said the Planning Commission interviewed three applicants and selected Doug Ward to fill the two year term of Virginia Classen and Rene Schifano to fill Dennis Davis' seat.

Councilor McAfee stated that Mr. Ward's position was consistent and she did not offer an opinion as to if it was right or wrong. However, the position did not reflect the community position and he was voted out of office. A new Council with different tenets was voted in. She said therefore she could not support the appointment of Doug Ward to the Planning Commission. Councilor Greiner stated that he has known Mr. Ward for a long time and he has yet to hear Mr. Ward say anything against the City. He said he is interested in the City growing and developing. Councilor Varcoe stated that since the Planning Commission is making the recommendation that means a lot to him. He said it is nice when there is a balance and a variety of perspectives. Doug Ward stated he never voted no on any economic issues and only voted no on the Chamber membership because he thought it was the right thing to do.

Mayor Mulenex stated that he found Mr. Ward to be inquisitive and asked questions of him. He said if Mr. Ward heard something that made him understand something better he readily accepted it. Mayor Mulenex said he could not find any reason to not appoint Mr. Ward to the Planning Commission.

A motion was made by Councilor Varcoe and seconded by Councilor Greiner to appoint Doug Ward to the two year position that had been filled by Virginia Classen.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Ken Mulenex</i>	<i>X</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>	

Motion passed 3-1

The second Planning Commissioner applicant was Rene Schifano. She stated that she wanted to help and had been in La Pine since 1980. She said she has high hopes for La Pine. Ms. Schifano also served on the Budget Committee last year and this year.

A motion was made by Councilor Greiner and seconded by Councilor McAfee to appoint Rene Schifano to the Planning Commission.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Ken Mulenex</i>	<i>X</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>	

Motion passed unanimously.

12. Proclamation for the Friends of La Pine

Mayor Mulenex stated that two members of the Friends of La Pine were unable to attend so he read the proclamation. He said the proclamation was to declare May 21, 2011 Friends of La Pine Spring Clean-up Day. Mayor Mulenex said a partnership with the High Lakes Christian Church, Crescent Creek Church, Deschutes County and other individuals and organizations were declaring May 21st for Spring Clean-up Day for the La Pine downtown area and Wickiup Park and Ride areas. The City of La Pine encouraged all citizens and community organizations to join in and support the spring cleanup.

A motion was made by Councilor Varcoe and seconded by Councilor Greiner to accept the Proclamation that was just read regarding the Friends of La Pine Day.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Ken Mulenex</i>	<i>X</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>	

Motion passed unanimously.

Mayor Mulenex stated that the Friends of La Pine plan to make this an annual event as well as having other ideas like recycling appliances for example.

01:02:08

13. Recommendation to appoint one member to the Utilities Committee
- Ken Mulenex

John Thomas asked if there would be a conflict of interest with Ken Mulenex serving as Water Master of Glenwood Acres and also being a member of the City Utilities Committee.

Mayor Mulenex said he cannot see that there would be a conflict with having both positions. He said his role as Water Master is to maintain the water system, maintain the lines, and maintain the pumping and water flow to the twenty-two customers that are served.

Councilor Greiner stated he saw no reason not to approve the appointment. City Manager Allen stated that the Utilities Committee is working with the consolidation of the Water and Sewer Districts and will shut down in the near future. He said it did not appear that there was any conflict of interest with the appointment of Mayor Mulenex to the Utilities Committee. Councilor McAfee stated that the committee felt it would be beneficial to have two members from the City Council on it. Ted Scholer, area resident, stated that Mayor Mulenex was on the Utilities Committee in the past.

A motion was made by Councilor Varcoe and seconded by Councilor Greiner to appoint Ken Mullenex to the Utilities Committee.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Ken Mullenex</i>	<i>X</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>	

Motion passed unanimously.

14. Discussion on laptop computers for Councilors

Mayor Mullenex stated that he had spoken with Little d Technology and gave them an idea of what was most likely needed for any Councilor that wanted to have a particular software system and they provided the quotes to the City. Mayor Mullenex stated he was not comfortable using his personal laptop to do e-mails for the City. He also said that his software does not allow him to use the calendar that the City has and he does not have the capacity in the software to do his job properly. Councilor McAfee said the proposed Microsoft 2010 software program will require training and she has received that training and would be willing to provide training if desired. She said it is very hard to navigate in the Microsoft 2010 software. City Manager Allen said the computer would need to have Microsoft office on it.

A motion was made by Councilor Varcoe and seconded by Councilor Greiner to purchase a laptop computer and software for Mayor Mullenex per the proposal.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Ken Mullenex</i>	<i>X</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>

Motion passed 3-1.

01:34:06

15. Discussion on Community Outreach regarding Withdrawal of the Districts

Councilor McAfee stated it was a recommendation from the Utility Committee to do some kind of outreach to the community regarding the withdrawal. City Manager Allen said this should wait until after the election to do the outreach. Councilor McAfee stated the outreach was to instill confidence on how the City is moving forward and will structure things. She said maybe they could ask the Utility Committee for a recommendation on what the message should be.

Public Comments

Wayne Kovacs, area resident, stated he has a mailing list of the water rate users and thinks it would be appropriate to send them something directly stating the goals and plans for the withdrawal. He said he thinks this would be very appropriate.

Ted Scholer, area resident, stated that the Utilities Committee has pretty much served its duty and will be absorbed by the Public Works Committee in the near future.

City Manager Allen suggested a letter go out from both the Water and Sewer Board Chairs and the Mayor explaining to the rate payers what was going to happen but it would be more useful after the election results have occurred. He said then the timelines of what was going to happen could be included in the letter.

16. Other Matters

16a) Mosquito Abatement Contract

City Manager Allen stated that they received two bids but Terminix was much less than the other bid. He said they will get a discount even though the City will not pre-pay. City Manager Allen said the spraying will be the same geographical area as last year.

A motion was made by Councilor Varcoe and seconded by Councilor Greiner to approve the contract as written.

Vote as follows:

Mayor Ken Mullenex
Councilor Dan Varcoe
Councilor Adele McAfee
Councilor Don Greiner

AYE *NAY*
X
X
X
X

Motion passed unanimously.

01:45:55

17. Public Comments

Doug Ward, area resident, said last year the mosquito abatement program was very effective but notices should be put out somewhere because people with respiratory problems need to know ahead of time. Mayor Mullenex said this might be difficult to do because if it rains they will not spray on that particular day but spray on another day.

Vicky Jackson, area resident, questioned the money that has been spent on legal fees and that it has exceeded the budgeted amount for this fiscal year. City Manager Allen said the money will be moved over from the materials and services fund. He said the appeals for Biogreen and the Water and Sewer Districts work created the over budgeted amount in legal fees.

Ted Scholer stated that EDCO (Economic Development for Central Oregon) is having their monthly meeting tomorrow at the Senior Center from 8:30 am to 10:30 am. He said the City and Chamber are making a presentation along with a representative from Biogreen. He also asked if a notebook computer would work for the Mayor. Councilor McAfee stated that the cost of the laptop was not all that high.

Gloria Fleming, area resident, suggested having the laptop issue be brought back when Councilor Martinez returns as it was an issue he felt strongly about.

Bob Steffens, area resident, stated that notepads were not windows 7 compatible and were XP only.

City Manager Allen stated that there will be a Budget Committee Meeting with the City Council and the Budget committee members to review the 2011-2012 fiscal year budget. The meeting will start at 6 pm on May 17th.

18. Committee Reports

Councilor Greiner discussed the COIC (Central Oregon Intergovernmental Council) meeting he attended. He said the Neighborhood Housing update is that it is having a high impact on people keeping their homes as well as funds for upkeep on homes for safety and other reasons. Also, funds are available for people that must upgrade their septic system. Councilor Greiner stated that the City of Culver has contracted for police protection and also have hired a part time code enforcement officer, and it has been very successful.

19. Staff Comments

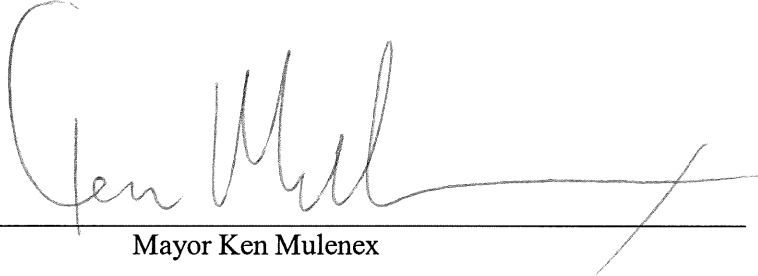
City Manager Allen stated that between now and the first of July will be the completion of the engineering work for the new City Hall and getting it out to bid for construction. He said he is aiming to have the work completed by mid September for occupancy. City Manager Allen said he has been working full time on the budget and will e-mail it to the Councilors in the next day or two. There will also be an update on the sign code and that will be put on the website.

John Thomas mentioned that with the two new Planning Commissioners the Planning Commission will finally be fully seated.

19. Council Comments

None

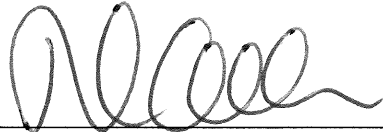
Mayor Mulenex adjourned the meeting at 8:30 pm.



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

Mayor Ken Mulenex

Attest:



Handwritten signature of Rick Allen in cursive script, written above a horizontal line.

City Manager/Recorder Rick Allen