

## LA PINE CITY COUNCIL MEETING AGENDA

Wednesday, December 15, 2010

Executive Session – 5:45 p.m.

Regular Session - 6:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

- A. Executive Session – 5:45 p.m.
1. Call to Order
  2. Establish Quorum
  3. Executive Session – ORS 192.660(2)(e) – to conduct deliberations with persons designated by the governing body to negotiate real property transactions.
  4. Adjourn
- B. Regular Session – 6:00 pm
1. Call to Order
  2. Establish Quorum
  3. Pledge of Allegiance
  4. Added Agenda Items
  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. October 19, 2010 Joint Water & Sewer Districts Meeting Minutes
    - ii. November 10, 2010 City Council Meeting Minutes
  - b. Bills and Invoices
    - i. Approval of Bills
    - ii. Financial Report
    - iii. Approval of Reimbursements
  - c. Authorize Ted Scholer and Linda Johnston to Represent City on the City Hall Real Estate Transaction.

6. Public Comments
7. Approval of 2009-2010 Audit Review Report
8. Approval of Raise for Administrative Assistant
9. Acceptance of Election Results
10. Snow Plowing – Discussion
11. Sewer and Water District Withdrawal
  - Cagle Annexation
  - Withdrawal Update
12. Swearing in Ceremony for First Meeting in January
13. Other Matters

Only those matters properly added to this Agenda under line item No. 4 will be discussed at this time.
14. Public Comments
15. Committee Reports
16. Staff Comments
17. Council Comments
18. 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, December 15, 2010

Executive Session – 5:45 p.m.

Regular Session - 6:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

### A. Executive Session – 5:45 p.m.

#### 1. Call to Order

Mayor Shields called the meeting to order at 5:52 pm.

#### 2. Establish Quorum

##### Roll Call:

City Manager Rick Allen  
Mayor Kitty Shields  
Councilor Doug Ward  
Councilor Barbara Hedges  
Councilor Adele McAfee  
Councilor Don Greiner  
Admin Ass't Patricia Morgan

Quorum established.

The Council then moved into an Executive Session which was closed to the Public.

3. Executive Session – ORS 192.660(2)(e) – to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

#### 4. Adjourn

Mayor Shields adjourned the meeting at 6:15 pm.

### B. Regular Session – 6:00 pm

#### 1. Call to Order

Mayor Shields called the meeting to order at 6:20 pm

#### 2. Establish Quorum

##### Roll Call:

City Manager Rick Allen  
Mayor Kitty Shields  
Councilor Doug Ward  
Councilor Barbara Hedges  
Councilor Adele McAfee  
Councilor Don Greiner  
Admin Ass't Patricia Morgan

Quorum established.

3. Pledge of Allegiance

Councilor Doug Ward led the Pledge of Allegiance.

4. Added Agenda Items

Mayor Shields announced that item number 5.c will be removed from the agenda. The added agenda item will be 13a) real estate items.

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. October 19, 2010 Joint Water & Sewer Districts Meeting Minutes
- ii. November 10, 2010 City Council Meeting Minutes

Councilor McAfee asked that on the Oct. 19<sup>th</sup> meeting, page 3, first line, only the Sewer District did not approve the IGA, the Sewer District did not have a meeting but the Water District approved the IGA. She also said that on the fourth paragraph on page 3 need to add 'that Councilor McAfee asked about a legal review.'

b. Bills and Invoices

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

c. Authorize Ted Scholer and Linda Johnston to Represent City on the City Hall Real Estate Transaction.

This item was removed from the consent agenda.

**A motion was made by Councilor Greiner and seconded by Councilor McAfee to approve with corrections as noted.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele McAfee</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	

**Motion passed unanimously.**

00:08:45

6. Public Comments

Loretta Murphy, area resident, passed out conflict of interest letters to the Council. She asked the Councilors when if ever they had received the documents. Councilor McAfee stated she saw them when she requested them through a public record's request. Councilor Hedges said she had never seen them before. Councilor Greiner stated he had not seen all the letters before. Councilor Ward stated he thinks he has seen all of the letters. Ms. Murphy stated that what one council sees should be seen by all Councilors. She said that these conflict of interest letters should have been presented to all Council members as it is mandated by law. City Manager Allen stated that any conflict of interest letters he received get e-mailed out to the Councilors. Ms. Murphy stated that legal council should have made sure that all the letters were presented to the Council. Mayor Shields stated that from now on the procedure will be as it should be in regard to the conflict of interest letters.

00:19:50

7. Approval of 2009-2010 Audit Review Report

There was no further discussion on this item.

**A motion was made by Councilor McAfee and seconded by Councilor Hedges to approve the 2009-2010 audit review report.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele McAfee</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	

**Motion passed unanimously.**

00:20:25

8. Approval of Raise for Administrative Assistant

City Manager Allen recently did a review of the Administrative Assistant and said she was doing a great job. He also discussed the future retirement plan that will add additional wages to the City's employees. Councilor Hedges stated that due to the Admin Ass't responsibilities she deserved a \$2.00 an hour raise. Councilor McAfee also stated that she favored a \$2.00 an hour raise based on salary rates in the area. Councilors Greiner and Ward and also Mayor Shields stated that they supported the \$1.00 hour raise proposed by City Manager Allen. City Manager Allen stated that health insurance benefits for employee's relatives will be something that will probably occur in the near future.

**A motion was made by Councilor Hedges and seconded by Councilor McAfee to increase Administrative Assistant Morgan’s wages by \$1.50 an hour.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele McAfee</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	

**Motion passed unanimously.**

00:33:20

9. Acceptance of Election Results

Election results were accepted for the following new City Councilors: Ken Mulenex, Stu Martinez and Dan Varcoe.

**A motion was made by Councilor Ward and seconded by Councilor Hedges for acceptance of election results.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele McAfee</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	

**Motion passed unanimously.**

00:34:34

10. Snow Plowing – Discussion

City Manager Allen asked for additional direction on the level of service the Council wants to provide. Councilor Greiner stated that the ruts and slush needed to be plowed in the Crescent Creek neighborhood. Councilor McAfee stated that when it’s a public safety issue the City should go ahead and plow. City Manager Allen was given direction to use his discretion on snow plowing both after a new snow fall as well as when a rapid melting situation occurs.

00:44:50

11. Sewer and Water District Withdrawal

- Cagle Annexation

City Manager Allen asked for approval to send a letter to the County stating that the City does not

support the Cagle annexation by the Districts and also ask the County not to approve a request while the City is in the process of withdrawing the Water and Sewer Districts.

**A motion was made by Councilor Greiner and seconded by Councilor Ward to authorize City Manager Allen to send a letter to the County letting them know that the City does not support the annexation of the Cagle Subdivision.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele McAfee</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	

**Motion passed unanimously.**

00:51:00

- Withdrawal Update

City Manager stated the City had sent a public record's request to the Districts' Attorney and had not received the information requested. He said they have not received an estimate for the cost of producing these requested documents. City Manager Allen also mentioned that the City will probably start taping the District's meetings. He said the City will get a report from USDA (United States Department of Agriculture) about their laws. City Manager Allen said he also met with a legal team to review various options.

**A motion was made by Councilor Greiner and seconded by Councilor Ward to continue the withdrawal process as planned.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele McAfee</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	

**Motion passed unanimously.**

Councilors elect Dan Varcoe, Ken Mulenex and Stu Martinez also supported the motion to continue with the withdrawal process.

01:08:08

12. Swearing in Ceremony for First Meeting in January

There was a discussion about the swearing in of the new Councilors, it will be more of a ceremony not a regular City Council meeting. The ceremony will be held at 2 pm on Monday, January 3<sup>rd</sup>. He

1/13/11

said that they would like the Councilors who are leaving to attend a presentation for them at the January 12<sup>th</sup> meeting.

13. Other Matters

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

13a) Real Estate Items

**A motion was made by Councilor McAfee and seconded by Councilor Greiner that the City Council authorize City Manager Rick Allen to move forward on behalf of the City with the negotiation and execution of a sales agreement for the purchase of a certain property for use as the City's future City Hall. This agreement will have terms and conditions concerning among other things the City Council's review and approval of the sales agreement as condition to closing, the City's completion of an appropriate due diligence valuation of the property, the City obtaining financing acceptable to the city and such other terms and conditions that Rick Allen and/or legal counsel find necessary and/or appropriate.**

*Vote as follows:*

	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele McAfee</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	

**Motion passed unanimously.**

**A motion was made by Councilor Greiner and seconded by Councilor Ward that as the Local Contractor Review Board, that the City Council designate realtor services as "personal services" for purposes of the City's Public Contracting Ordinance.**

*Vote as follows:*

	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele McAfee</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	

**Motion passed unanimously.**



**A motion was made by Councilor McAfee and seconded by Councilor Greiner that the City Council provide City Manager, Rick Allen, the authority to interview and select one or more realtors to represent the City in connection with the City's efforts to locate and acquire a new city hall.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Kitty Shields</i>	<i>X</i>	
<i>Councilor Doug Ward</i>	<i>X</i>	
<i>Councilor Barbara Hedges</i>	<i>X</i>	
<i>Councilor Adele McAfee</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	

**Motion passed unanimously.**

01:23:45

14. Public Comments

Ted Scholer, area resident, thanked City Manager Allen for his efforts in regard to the withdrawal of the water and sewer districts. He also said the residents of the districts have a right to know how they are managing the districts.

01:25:49

15. Committee Reports

None

16. Staff Comments

City Manager Allen stated that at the January 12<sup>th</sup> meeting the Council will be deciding who will be the Council representative for each of the organizations. There was also a discussion about Scott Perkins who is becoming an Eagle Scout on December 20<sup>th</sup> and for whom a proclamation was prepared and then signed by the Mayor.

City Manager Allen also said that Renee Rivers had been selected to be a part time assistant to him. He said she will be working less than twenty hours a week. City Manager Allen said they will use Mid Oregon Personnel to do an employment contract with Ms. Rivers so she will not actually be working for the City.

01:35:35

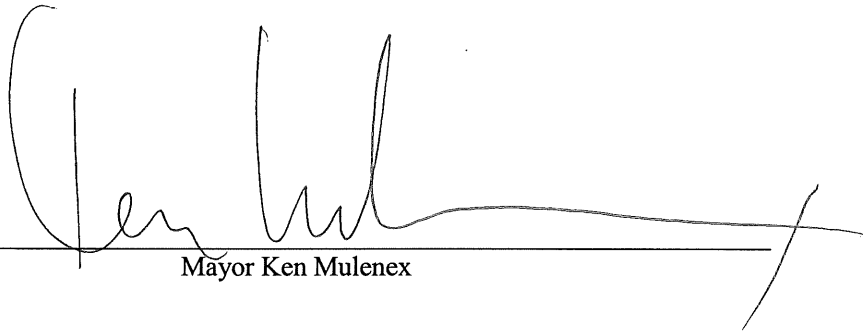
17. Council Comments

Councilor Ward stated that at the LIGI (La Pine Industrial Group) meeting he attended there were four new companies who were interested in coming into the LIGI.

Councilor McAfee stated that she would like the Council to consider having a representative on the DEQ steering committee regarding the nitrate issues. She said this is important because of the fact that the City will eventually be managing the water and sewer districts. Councilor McAfee said having a representative on the committee will show that the City will be regional partner with a regional solution. Council had consensus for Councilor McAfee to investigate if having a representative on the committee would be feasible. She also said she attended the Deschutes County comprehensive plan meeting and that they are discussing having an actual geographical area designated as south county.

18. Adjourn

Mayor Shields adjourned the meeting at 8:06 pm.



\_\_\_\_\_

Mayor Ken Mulenex

Attest:



\_\_\_\_\_

City Manager/Recorder Rick Allen