

## LA PINE CITY COUNCIL MEETING AGENDA

Wednesday, February 10, 2010

Work Session - 5:00 p.m.

Regular Session - 6:00 p.m.

La Pine Senior Center

16450 Victory Way, La Pine, Oregon 97739

### A. Work Session - 5:00 p.m.

1. Call to Order

2. Roll Call

3. Ordinance No. 2007-4 - La Pine Business License

An ordinance requiring licenses for trades, shops, occupations, professions, and certain other businesses for the purpose of revenue and regulation; providing for the method of issuing licenses; providing penalties for violations.

4. Adjourn Work Session

### B. 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.

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. January 27, 2010 - Work Session and Regular Meeting Minutes

ii. January 29, 2010 - Special Meeting Minutes

b. Bills and Invoices

i. Approval of Bills

ii. Financial Report

iii. Approval of Reimbursements

6. Presentation from Deschutes Public Library

Colleen Galvin, Branch Manager of the La Pine Public Library

Todd Dunkelberg, Director of the Deschutes Public Library

7. Public Hearing

The City Council will hold a public hearing concerning the City's proposed Comprehensive Land Use Plan and Urban Growth Boundary. Citizens will have an opportunity to provide written and oral comment to, and ask questions of, the City Council (and the City's consultants) concerning the proposed Comprehensive Land Use Plan and Urban Growth Boundary.

- i. Open Public Hearing
- ii. Staff (or consultant) Report
- iii. Public Comments
- iv. Close Public Hearing
- v. Council Deliberations

Deborah McMahon, DMC Consulting Services, LLC  
James Lewis, Foreterra, LLC

8. Approval of Liquor License Application

La Pine Frontier Days Association

9. Resolution 2010-04 - Public Records Request Policy

A resolution establishing the City of La Pine's public records request policy and procedures.

10. Discuss Possible Scheduling of Town Hall Meeting

Councilor Barbara Hedges

11. Other Matters

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

12. Public Comments for Items not on the Agenda

13. Staff Comments

14. Council Comments

15. 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 meeting. This notice does not limit the ability of the City Council to consider or discuss additional subjects. The meeting is subject to cancellation without notice. The meeting is 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 Luana K. Damerval at (541) 536-1432.

# LA PINE CITY COUNCIL WORK SESSION MINUTES

Wednesday, February 10, 2010

Work Session - 5:00 p.m.

La Pine Senior Center

16450 Victory Way, La Pine, Oregon 97739

A. Work Session - 5:00 p.m.

1. Call to Order

The Meeting was called to order at 5:09 pm.

2. Roll Call

Roll Call

Present Were:

Mayor Kitty Shields

Councilor Doug Ward

Councilor Barbara Hedges

Councilor Adele McAfee

Councilor Don Greiner

City Attorney Jeremy Green

City Recorder Luana Damerval

Admin Ass't Patricia Morgan

Quorum established.

3. Ordinance No. 2007-4 - La Pine Business License

An ordinance requiring licenses for trades, shops, occupations, professions, and certain other businesses for the purpose of revenue and regulation; providing for the method of issuing licenses; providing penalties for violations.

Mayor Shields stated that one of the things we are going to determine tonight is whether we are going to move forward with the license. She said Councilor McAfee has a lot of questions and concerns regarding particular parts of the ordinance and how it is written. Mayor Shields stated that she believed the changes to the ordinance that Councilor McAfee wanted to see made would have given the Mayor great cause for concern if those changes had occurred.

City Attorney Green stated that the Council needs to consider if they even want the Ordinance or if they would rather repeal it. Councilor Greiner discussed that Councilor Ward and Councilor McAfee, according to past meeting minutes, were suppose to file a report with Council regarding costs to the City for implementing the license. He said he was uncomfortable implementing the Ordinance until he had read the report.

Councilor Ward stated that it is not the right time for a Business License due to the economic conditions and recommended that we move the Ordinance to the Regular Session and repeal it. Councilor Hedges said that she also did not favor the Ordinance at this time and also thought it should be repealed. Councilor McAfee stated it would currently be hard for staff to enforce and did not feel it should be implemented at this time. Mayor Shields stated that there is too much disagreement on how to proceed with the Ordinance but she feels if it was to proceed it should be implemented as it is currently written.

Councilor Ward asked that Council direct City Recorder Damerval to have Budget Officer Kendall make an adjustment on the revenue from the Business License in the 2009-2010 budget since no income has been generated. City Attorney Green stated that he could present an Ordinance to repeal the Business License Ordinance at the Feb. 24<sup>th</sup> City Council Meeting. Council gave him consensus to do so.

00:09:10

2/25/2010

Councilor Hedges stated that she wanted to discuss the current City Hall office hours. She said the office should be open longer than it currently is open. Councilor McAfee stated that the City is paying staff for 80 hours a week but the office is only open about 15 hours a week to the public.

Councilor Greiner stated that he would like to see the office open on Fridays. Mayor Shields asked City Recorder Damerval if staff could structure the way they work so one of you is always allowed to work. City Recorder Damerval stated that with evening City Council Meetings, Committee Meetings, etc., Fridays have been a time for staff to catch-up on work or avoid going into overtime by working a shorter schedule on Friday. Councilor Greiner suggested getting a volunteer office worker and staggering the days during the work week and then fill in with a volunteer. City Attorney Green stated that the City could have a volunteer work in the office. City Recorder Damerval stated that a volunteer would need to know how to take care of everything from Record's Requests to other City Hall duties.

00:13:35

Councilor Hedges stated that she did not see the point of working uninterrupted because very few of us had the option of working uninterrupted in an office. Councilor McAfee stated that she has an expectation that staff can do their work and assist customers and have City Hall open from 8am to 5pm. Mayor Shields asked staff about staggering their lunch hours so City Hall would not be closed during the lunch hour. She said sometimes citizens might want to go to City Hall during their lunch hour.

Councilor Ward stated the original intent after hiring the Admin. Ass't and also closing on Fridays was to avoid that hourly position from incurring overtime. He said he does not see a problem with City Hall being closed on Friday. Councilor Ward said the only way to stay open on Friday is to pay overtime wages. Councilor McAfee stated that since City Recorder Damerval is a salaried employee, perhaps she could pick up the slack and work additional hours when the Admin Ass't might incur overtime pay. Councilor Greiner suggested hiring a part time person to help out to have longer hours at City Hall. Councilor Hedges suggested using a high school student.

Mayor Shields suggested staggering the staff's regular work hours because they did not need to have two people in the office all the time. She said it would have to be coordinated when we have meetings, etc. Mayor Shields stated she acknowledged that we do need to have adequate staff but we do have a low tax rate and also a small budget. Councilor Hedges stated she favored longer hour for City Hall in order to be more accessible to the public. Councilor Ward suggested City Recorder Damerval work 8am to 5 pm Monday through Friday and Admin Assist Morgan would work 8 am to 5 pm, Monday through Friday, on non meeting work weeks. He suggested the Admin Ass't work from 11 am to 8 pm on days when there were evening meetings. In addition, Councilor Ward said that the Admin Assist Morgan could reduce her work hours on Friday to ensure she did not incur any overtime during meeting weeks.

00:23:25

City Recorder Damerval stated she would prefer to have City Hall open 8 to 4 pm Monday through Thursday and closed on Fridays. She said there are deadlines in the mornings too and it really makes it difficult to not have someone there.

Mayor Shields stated she was okay with Monday through Thursday. Councilor Hedges stated she would like one-half day open on Fridays. Councilor Ward said Monday through Friday was okay if it would not put a strain on the staff. Councilor McAfee stated she would like Monday through Friday hours. Councilor Greiner stated that he would like Monday through Friday hours as well.

City Attorney Green stated that if we hired someone for less than 32 hours a week we would probably not need to pay any insurance benefits. Councilor Hedges stated she would like to find a high school student with office work training and pay them minimum wage. Councilor Greiner stated that going through a temporary staffing company may be another way to go and than we would not have to put the additional help on the payroll.

City Attorney Green stated that the Admin. Ass't job duties have changed and evolved since hiring her in

March of 2009. He said he could spend a few hours of his time to see if the Admin Ass't position would fit into the criteria of salaried instead of hourly employee (exempt vs. non exempt). City Attorney Green said the Admin Ass't position is probably not an exempt position but he could look into it.

City Recorder Damerval stated that even when City Hall is closed, staff will normally open the doors to the public and try to assist their needs. She also stated that Admin Ass't attends the committee meetings as well as Council meeting for purposes of taking minutes.

The Council directed staff to look at their schedules and see if they could possibly reschedule their work times so there would be more staff coverage for longer hours at City Hall. Also, the Council directed City Attorney Green to see if the Admin Ass't position qualifies as an exempt position. In addition they requested that Councilor Hedges explore the possibility of hiring a high school intern to work part time at City Hall.

00:36:23

Mayor Shields stated that Planning Commissioner Gloria Fleming would like an update on the status of the proposed Transportation Systems Committee. City Attorney Green said that we could have a draft of the Resolution establishing the Transportation Systems Committee on the agenda for the Feb. 24<sup>th</sup> City Council Meeting. He said his understanding is that he is to prepare a Resolution for formal adoption and also that advertising for members would be another next step.

City Attorney Green reminded the Councilors that the City Council is responsible for establishing all City committees. He also said it is the City Council's direction, not that of another committee, to appoint the committee members.

4. Adjourn Work Session

**A motion was made by Councilor Hedges and seconded by Councilor Ward to Adjourn the Work Session.**

<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 McAfee</i>	<i>X</i>	
<i>Councilor Greiner</i>	<i>X</i>	

**Motion passed unanimously.**

Mayor Shields adjourned the Work Session at 5:52 pm.

**LA PINE CITY COUNCIL MEETING MINUTES**  
Wednesday, February 10, 2010  
Regular Session 6:00 pm  
La Pine Senior Center  
16450 Victory Way, La Pine, Oregon 97739

B. Regular Session - 6:00 p.m.

1. Call to Order

Mayor Shields called the meeting to order at 6:08 pm.

2. Establish Quorum

Roll Call

Present Were:

Mayor Kitty Shields  
Councilor Doug Ward  
Councilor Barbara Hedges  
Councilor Adele McAfee  
Councilor Don Greiner  
City Attorney Jeremy Green  
City Recorder Luana Damerval  
Admin Ass't Patricia Morgan

Quorum established.

3. Pledge of Allegiance

Vicky Jackson, area resident, 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.

Mayor Shields discussed the e-mail from Jennie Messmer, League of Oregon Cities Services Director that was received by the City as a follow-up from Roger Jordan's Range Riders Presentation to the City on January 29th. She asked the Council if they would like to receive a proposal from Ms. Messmer to have the Range Riders review the needs of the City as to what it may be missing regarding policies, staffing and other issues. Council directed staff to request the proposal from Jennie Messmer.

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. January 27, 2010 - Work Session and Regular Meeting Minutes
- ii. January 29, 2010 - Special Meeting Minutes

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

Councilor Ward asked to have his name removed on the January 29, 2010 Meeting Minutes for the motion to adjourn the meeting, page 8, since he had left earlier during the meeting and was not present during adjournment. Councilor McAfee requested the following changes:

- 1) January 27, 2010 – Pg. 12, last paragraph, 8<sup>th</sup> line from the bottom, strike the word “in her opinion” as it was a fact not an opinion.
- 2) January 29, 2010 – Pg. 8, last paragraph, 9<sup>th</sup> line from the bottom, remove the wording “a step back” and replace with “a step in a new direction” regarding the hiring of a City Manager.

A revised mileage reimbursement form was submitted for review prior to the Consent Agenda to replace the one that was in the agenda packet that had previously been distributed to the Council.

**A motion was made by Councilor Greiner and seconded by Councilor Ward to Approve the Consent Agenda with Minor Corrections on the Two Meeting Minutes 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 McAfee</i>	<i>X</i>	
<i>Councilor Greiner</i>	<i>X</i>	

**Motion passed unanimously.**

00:11:00

- 6. Presentation from Deschutes Public Library  
 Colleen Galvin, Branch Manager of the La Pine Public Library  
 Todd Dunkelberg, Director of the Deschutes Public Library

Director Todd Dunkelberg stated that it was great to work with the community of La Pine during the new library development. He said now that the City has incorporated the Deschutes Public Library he wanted to share what they are doing in the community with the City Council. Branch Manager Colleen Galvin then discussed the laptop and computer labs that are being held regularly at the La Pine Library. She also discussed the Open Forum being held at the La Pine High School on February 16<sup>th</sup> regarding the creation of a Teen Center in La Pine.

Public Comment

Pam Cosmo, area resident, thanked the La Pine library for their contribution to the community and the quality of their operation.

Tony Debone, Parks and Recreation District, also discussed the need for a Teen Center in La Pine and about the various funding opportunities with grants and capital project money. He encouraged the public to attend the Public Forum on Feb. 16<sup>th</sup>.

00:16:55

7. Public Hearing

The City Council will hold a public hearing concerning the City's proposed Comprehensive Land Use Plan and Urban Growth Boundary. Citizens will have an opportunity to provide written and oral comment to, and ask questions of, the City Council (and the City's consultants) concerning the proposed Comprehensive Land Use Plan and Urban Growth Boundary.

Deborah McMahon, DMC Consulting Services, LLC  
James Lewis, Foreterra, LLC

i. Open Public Hearing

Mayor Shields discussed the Public Hearing regarding the draft Comprehensive Plan. She then discussed the format for the Public Hearing tonight. Mayor Shields said the record would be left open at City Hall for seven days after tonight's Hearing for any additional public comments. She then opened the Public Hearing at 6:57 pm.

ii. Staff (or consultant) Report

Deborah McMahon, DMC Consulting, Inc., gave a brief description of the processes that the City Council, Planning Commission and various technical entities have gone through with regard to Public Hearings and also making revisions to the draft Comprehensive Plan. Ms. McMahon stated that she hoped after tonight's meeting that an Ordinance could be brought before the City Council to approve the Comprehensive Plan. She also said that they had just received additional information from the La Pine Water and Sewer Districts and that they will use this information to make some needed changes.

James Lewis, Foreterra, LLC, stated that the Comprehensive Plan is an all encompassing document that is drawn from a variety of technical information. He said the proposed findings are actually legal findings provided to the City as to why and how the Comp Plan fulfills and complies with the statewide planning goals.

00:32:20

Mayor Shields thanked Deborah and James for the staff report. She asked that people wishing to make public comment come up to the front table and limit their comments to three minutes.

iii. Public Comments

Barbeann Nelson-Dodson, La Pine Water District, passed out a letter dated February 10, 2010 to the Council from the Districts. She said that the Comprehensive Plan err red in stating that the Districts were privately owned. She also said that the Districts do have SDC's (System's Development Charges) and it was reported in the Comp Plan that they did have them. Deborah McMahon reassured Ms. Nelson-Dodson that those changes would be made in the Comp Plan.

Tony DeBone, Parks and Recreation District, discussed that there use to be a Boys and Girls Club in La Pine not Bend and that needs to be changed in the Comp Plan. He also said that there was a reference to the potential rodeo land from BLM and that land will actually become the Park and Recreation District property and he would like that changed as well. Mr. Debone also discussed the visionary downtown core development around the White School Park area.

Dan Varcoe, Chamber of Commerce, expressed concern about the possibility that the City could run out of large industrial property within the next twenty years and lose out on potential big businesses that could employ large numbers of people. Deborah McMahon discussed how the State required them to inventory all commercial land and show what is vacant and could accommodate future development. Ms. McMahon stated that this inventory showed there was adequate commercial land for the next twenty years. She said the City can take a look at where they are at every two years and expand the commercial development area if needed.



Pat Murphy, area resident, stated that he could not find the Comprehensive Plan on the City's website. Deborah McMahon directed him to the area in the website where he could access the Comp Plan. She said the record will be left open for seven days after this Public Hearing for any public comments. Mr. Murphy asked about alternative energy allowed in the City. Ms. McMahon said that the zoning ordinances would address that and other issues and there would be Public Hearings held during that process.

Virginia Classen, Planning Commissioner, asked why the Comp Plan did not include the land transfer from the BLM to the Parks and Recreation District. James Lewis said that at such time as that transfer does occur it can be looked at separately as a Special Purposes property.

00:56:04

Ed Criss, Deschutes County Planning Commissioner, asked for the City to participate with the County and the Department of Environmental Quality for the State of Oregon on the steering committee that is being formed regarding the nitrate issue in South Deschutes County. He also discussed the media reports lately regarding Blue Baby Syndrome and its relationship with nitrates in drinking water. Commissioner Criss said that there is no evidence that Blue Baby Syndrome has any relationship with drinking water. He also discussed the Sewer District's spray field and pivot nitrate issues as well as the possibility of non residents hooking up to the La Pine Sewer District in the future. James Lewis said that the Comp Plan addressed the City of La Pine as being a future regional sewer provider as required by the State of Oregon.

01:03:02

iv. Close Public Hearing

Mayor Shields closed the Hearing at 7:05 pm but left the record open for seven days to receive any written testimony. She said the testimony can be sent to the City of La Pine or DMC Consulting Inc.

01:04:14

v. Council Deliberations

Mayor Shields asked if Council wanted any deliberations and they stated no. Deborah McMahon said that the County has to recognize that the area now called the incorporated City of La Pine will need to be pulled out from the County's Comp Plan because it now has its own Comp Plan. She said on February 25<sup>th</sup> the Deschutes Planning Commission will hold a Public Hearing to accomplish this need. Ms. McMahon said after that there will be a joint meeting between the City Council and the Board of County Commissioners. She said that the Comp Plan will eventually be sent off to the State of Oregon for review and approval. Mayor Shields stated that at the City Council Meeting on February 24<sup>th</sup> they will schedule the next step in the Comp Plan process.

01:11:30

8. Approval of Liquor License Application  
La Pine Frontier Days Association

Mayor Shields stated that the Oregon Liquor Control Commission (OLCC) has already approved the application and that it just comes before the Council as a courtesy so that the City knows what and when certain activities are going on in the City.

**A motion was made by Councilor Ward and seconded by Councilor Hedges to Approve the Liquor License Application for the La Pine Frontier Days Association.**

<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 McAfee</i>	<i>X</i>	
<i>Councilor Greiner</i>	<i>X</i>	

**Motion passed unanimously.**

01:12:57

9. Resolution 2010-04 - Public Records Request Policy

A resolution establishing the City of La Pine's public records request policy and procedures.

Councilor McAfee stated she would like to exercise her option for reconsideration and put the Resolution out again for Public Comments. City Attorney Green said that there had been no approval or disapproval given on the Resolution it was only discussed once before and that was during a Work Session. Mayor Shields said the changes in the Resolution from that Work Session had been incorporated into the Resolution being considered tonight.

City Attorney Green reviewed the significant changes to the Resolution that had been previously been discussed during a Work Session:

- Section 3.1 - Fee Schedule is now attached as a separate document and not in the body of the Resolution.
- Section 4.2 – Now provides that the requirement that City personnel be present during the review of original records be at the discretion of the City Recorder.
- Section 6 of Schedule 3.1 – The City Recorder may waive the City personnel labor charge if it takes less than ten minutes.

Councilor McAfee suggested waiting to see what other cities had decided to do with their Public Records Request Policy so the City of La Pine could do a comparison. City Attorney Green said that the City of John Day approved a similar policy on Feb. 9, 2010. He said he did not know when the other cities would be approving their policies. Mayor Shields then read the cost amounts in the Fee Schedule so the public would be aware of them. City Attorney Green also said he had requested that the City Recorder obtain fees amounts from other cities for comparison prior to preparing the Fee Schedule, which had been done. Mayor Shields said that our policies and procedures need to be tailored to our City.

01:24:50

Public Comment

Ed Criss, Planning Commissioner for Deschutes County, stated he is very concerned about the need for a lot of transparency for cities especially new cities. He said with electronic files, he had not experienced being charged by public entities for them. Ed Criss cited being allowed to access the Department of Environmental Quality Record's room and being left alone with the files. He also discussed researching files at Deschutes County where they were not charged for that staff member's time for observation. Mayor Shields said it had nothing to do with transparency it was more to do with economics.

City Attorney Green stated that the City is going to be putting a lot of documents on the City's website in the near future. He said that staff is looking into doing this with the assistance of the City's website developer. City Attorney Green said some of the documents would include franchise agreements, resolutions and ordinances, etc. He said this should resolve the transparency issues that Ed Criss had brought up.

01:33:25

2/25/2010

Public Comment

Loretta Murphy, area resident, discussed a commission that has been created by the Governor of Oregon and how members of that commission will be coming to Bend and doing a symposium on April 29<sup>th</sup>. The symposium is to educate governments and citizens on the proposed new initiative on transparency in government that the new Attorney General of Oregon is proposing. Ms. Murphy suggested that the Council wait to make a decision on the Public Records Policy until after it is determined what the new initiative will contain. City Attorney Green said that the proposed policy does provide a framework for City staff and the citizens to know what their obligations are regarding a public record's request. He also said if the legislation ends up being revised the City would immediately adopt a resolution amending the policy.

01:37:55

Vicky Jackson, area resident, complained that there was no published agenda notice for the Work Session on the Public Records Request Policy that occurred on January 27, 2010. She also encouraged the Council to wait on voting for the policy prior to possible changes in legislation. Ms. Jackson also complained about the Public Records Request submitted form needing to be reviewed by the City Recorder prior to being fulfilled by staff.

Mayor Shields stated that she did not think waiting was going to change anything and that the City needs to have a policy in place. Ms. Murphy, area resident, stated that the financial costs are not clear as stated in the policy. City Attorney Green said that the requirement that the City employee be present only applies to the review of original documents not cassette tapes, cds, etc. , those are not considered original documents. He said there would probably be no charge for the public coming into City Hall and listening to tapes or cds during regular hours as staff would not have to be present during the process.

01:47:00

Councilor McAfee stated that she is concerned by the policy because there has been a lack of grasping concepts by staff in the past that has required the City Attorney to spend time assisting with the fulfillment of record's request. City Attorney Green stated that the policy will provide staff with the information and expectations to better fulfill records request. Mayor Shields stated that the policy provides guidelines to staff and should be adopted. Councilor Greiner stated that staff should try to get as much documentation as possible on the City's website as soon as possible and in the meantime Council should pass this policy.

Councilor McAfee stated that she does not believe this is a good policy for the community and will vote against it. Mayor Shields requested that City Recorder Damerval read the title of the Resolution prior to the Council voting on it. City Recorder Damerval read the title of Resolution 2010-04.

**A motion was made by Councilor Ward and seconded by Councilor Greiner to Approve Resolution 2010-04 Public Records Request Policy.**

<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 McAfee</i>		<i>X</i>
<i>Councilor Greiner</i>	<i>X</i>	

**Motion passed 4 to 1.**

01:54:03

10. Discuss Possible Scheduling of Town Hall Meeting  
Councilor Barbara Hedges

Councilor Hedges introduced this agenda item by stating that the public wanted to see a follow-up to the last Town Hall Meeting held in October, 2009. She said she would like to schedule one regarding an update on the City Manager position, about what ODOT (Oregon Dept of Transportation) is doing in La Pine, the new Subway and also planning for the celebration of the City's 100<sup>th</sup> Birthday. Councilor Hedges also said she would like to have participation from various local groups in the community including the Chamber of Commerce and CAG (Community Action Group). She suggested having the Town Hall on a Saturday.

In response to question from Councilor Greiner, Mayor Shields stated that City Attorney Green would not have to attend the Town Hall Meeting. City Attorney Green stated that he would attend at no charge to the City. Mayor Shields stated that April 10<sup>th</sup> might be a good date so it could be well advertised in The Eagle and other local newspapers. Council directed staff to schedule a location to hold the Town Hall Meeting at for Saturday, April 10, 2010 beginning at 1 pm.

Councilor Ward announced that he will be out of town starting April 22<sup>nd</sup> for ten days.

11. Other Matters

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

There was an issue previously discussed for Other Matters, Request for Proposal from the League of Oregon Cities, at the beginning of this meeting. There were no Other Matters.

02:07:55

12. Public Comments for Items not on the Agenda

Gloria Fleming, area resident, stated that Representative Gene Whisnant will hold a Town Hall meeting on March 2<sup>nd</sup> from 4:30 pm to 6:00 pm at the La Pine Library.

Loretta Murphy, area resident, volunteered to arrange for webcasting of the City Council meetings at no cost to the City. She said this would provide an opportunity for people to listen and watch the City Council meeting at the library for example. Ms. Murphy said that down the road the Council may even want to make it interactive. She also asked about the \$80,000 zoning grant that the City had been awarded. Ms. Murphy asked if it would be going out to bid through the public bid process with advertising, etc. Mayor Shields said it would be a public bid.

Vicky Jackson, area resident, asked about the status on the Roger Jordan, Range Rider, interviewing Councilors and staff and doing an assessment of what the needs are for the City. Mayor Shields stated that they are requesting a proposal for that work and are still planning on that probably occurring. Ms. Jackson asked for clarification on qualifications to be on the Budget Committee. City Attorney Green stated that he would send Ms. Jackson an e-mail regarding the requirements to be on that committee which is governed by State law. Ms. Jackson also asked for an update on the ODOT meeting that Councilor McAfee had requested to be set-up. Councilor McAfee said the meeting is scheduled for February 17<sup>th</sup> with two engineers from ODOT and that Councilor Hedges will also attend.

02:15:40

13. Staff Comments

City Recorder Damerval discussed the following:

- Advertising is going on to replace a Tourism Committee Member; Advertising is also going on for Tourism Grant Applications with a deadline of March 1<sup>st</sup>.
- Advertising is going on for Budget Committee Members who have to be residents of the City and also registered voters.

- The State Heritage Historical database is up and running and the City of La Pine's historical inventory is now available on that database online.

02:18:25

14. Council Comments

Councilor McAfee stated that she was in Salem today meeting with the Oregon State legislatures. She said everyone was pleased to see the City of La Pine was represented. Councilor McAfee also said that she got to mention to them about the situation with 1<sup>st</sup> Street and Hwy 97 and that she was told it does deserve some special review.

Councilor Ward stated that he attended the LIGI meeting (La Pine Industrial Park). He said the Biogreen plant will receive final approval on the 22<sup>nd</sup> of February. Councilor Ward said they purchased 20 acres adjacent to the railroad tracks for \$1.2 million all of which goes to Deschutes County. He also said that Deschutes County has approved the Subway permit next to McDonalds. Councilor Ward said that LIGI has agreed to do the traffic study on all four intersections from Finley Butte to 1<sup>st</sup> Street. He said they have agreed to pay up to \$75,000 for the study. Councilor Ward stated that ODOT has promised to follow the recommendations from the traffic study if they can find the available monies. City Attorney Green clarified with Councilor Ward that he would be receiving a copy of a document confirming these decisions.

Ed Criss, Deschutes Planning Commissioner, stated that if someone challenges the County's decision about Subway, it would eventually come to the City Council of La Pine for a final decision.

02:25:30

Mayor Shields talked about the DEQ meeting she attended regarding the nitrates issue. She said they want to establish a process creating a committee. Mayor Shields said there is a website you can go on to apply for a position on the committee. She said that DEQ seemed to be interested in listening to the people who have lived in this community over the years. Mayor Shields said that they will wait and see if the committee needs any input from the City.

Mayor Shields said she also attended the Water and Sewer Districts meeting and did not want to comment on the presentation by Biogreen because they had so many changes that these issues will now be further discussed at a workshop on March 9<sup>th</sup> at 1 pm at the Water and Sewer Districts. She also announced that the Water and Sewer Districts have changed their monthly meetings to the third Tuesday at 1 pm. Mayor Shields suggested at the Districts meeting if they wanted to chose someone to be on that investigative nitrate committee.

Councilor McAfee stated that it might be a good idea to have a Council member on the committee. Ed Criss mentioned that it is not necessary right now to have a representative from the Sewer Districts on the committee but perhaps a Planning Commissioner would be a good choice. Mayor Shields said she was not sure if the Council should have a representative on the committee. Ed Criss said he would get back to the City later on as the committee becomes more formed.

15. Adjourn

A motion was made by Councilor Greiner and seconded by Councilor Ward to Adjourn the Meeting.

<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 McAfee</i>	<i>X</i>	
<i>Councilor Greiner</i>	<i>X</i>	

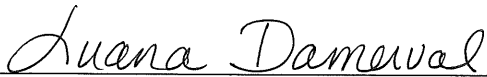
Motion passed unanimously.

Mayor Shields adjourned the meeting at 8:35 pm.



\_\_\_\_\_  
Mayor Kitty Shields

Attest:



\_\_\_\_\_  
City Recorder Luana Damerval