

**LA PINE CITY COUNCIL AGENDA**

Wednesday, May 13, 2015

**Regular Session – 5:30 pm**

**Public Hearing**

16345 6<sup>th</sup> Street, Suite 102

La Pine, Oregon 97739

**A. Regular Session – 5:30 pm**

1. Call to Order
2. Establish a Quorum
3. Pledge of Allegiance
4. Presentation of Certificates and Awards for the “If I Were Mayor” Contest.

**Break and Reception**

**Resume meeting at 6:00 pm**

5. 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.
6. 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 of any member of the City Council.
  - a. Approval of Minutes
    - i. April 8, 2015 Council Mtg. Minutes
    - ii. April 22, 2015 Special Mtg Minutes
  - b. Bills and Invoices
    - i. Approval of Reimbursements
  - c. Financials
    - i. Revenue and Expenses
7. Public Comments
8. Proclamation for Relay for Life Days
9. Ordinance No. 2015-04 An Ordinance Concerning the City of La Pine’s Water System Utility; Adopting Certain Rules, Regulations, Rates and Charges Concerning the Water System Utility; Amending Replacing, and/or Superseding Any and All Ordinances, Resolutions, and/or Policies in Conflict with this Ordinance, Including Certain Water System Utility Rules and Regulations Adopted Under Ordinance No. 2012-08; and Declaring an Emergency
  - a) Open Public Hearing
  - b) Staff Report
  - c) Public Comments
  - d) Close Public Comments
  - e) Council Deliberations

10. Ordinance No. 2015-05 An Ordinance Concerning the City of La Pine's Sewer System Utility; Adopting Certain Rules, Regulations, Rates, and Charges Concerning the Sewer System Utility; Amending, Replacing, and/or Superseding any and all Ordinances, Resolutions, and/or Policies in Conflict with this Ordinance, Including Certain Sewer System Utility Rules and Regulations Adopted under Ordinance No. 2012-06; and Declaring an Emergency.
  - a) Open Public Hearing
  - b) Staff Report
  - c) Public Comments
  - d) Close Public Comments
  - e) Council Deliberations
  
11. Ordinance No. 2015-06 An Ordinance Providing for the Control of Cross Connections Concerning the City of La Pine's Water System Utility; Amending, Replacing, and/or Superseding any and all Ordinances, Resolutions, and/or Policies in Conflict with this Ordinance, Including any cross connection Rules and Regulations Adopted Under Ordinance No. 2012-08; and Declaring an Emergency.
  - a) Open Public Hearing
  - b) Staff Report
  - c) Public Comments
  - d) Close Public Comments
  - e) Council Deliberations
  
12. Resolution No. 2015-02 A Resolution Establishing Certain Water Rates, Charges, and Fees Effective as of July 1, 2015
13. Resolution No. 2015-03 A Resolution Establishing Certain Sewer Rates, Charges, and Fees Effective as of July 1, 2015
14. Resolution No. 2015-04 A Resolution Declaring City's Election to Receive State Revenues
15. Resolution No. 2015-05 A Resolution Declaring the Municipal Services Provided by the City of La Pine in Order to Receive State-Shared Revenue
16. RFP (Request for Proposal) Recommendation for the City Auditor
17. RFP for Insurance Agent of Record Interview
18. Authorization to Hire Assistant to the City Manager and Community Development  
Cory Misley
19. Other Matters: This item concerns any matters that were added to the Agenda under the Added Agenda Items portion of this Agenda.
20. Public Comments
21. Staff Comments
22. Council Comments
23. Mayor's Comments
24. 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. This meeting is subject to cancellation without notice. The regular 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 Patti Morgan (541-536-1432). For deaf, hearing impaired, or speech disabled dial 541-536-1432 for TTY.

**LA PINE CITY COUNCIL MINUTES**

Wednesday, May 13, 2015

**Regular Session – 5:30 pm**

**Public Hearing**

16345 6<sup>th</sup> Street, Suite 102

La Pine, Oregon 97739

**A. Regular Session – 5:30 pm**

1. Call to Order

Mayor Mulenex called the meeting to order. He thanked the Council for their involvement with the If I Were Mayor Contest. He also thanked City staff and his wife, Vicky Mulenex.

4. Presentation of Certificates and Awards for the “If I Were Mayor” Contest.

Mayor Mulenex announced Marissa L. Robertson received the third place for the poster contest. He said second place went to Owen Rohde. Mayor Mulenex announced Leighauna Dilts won first place for the poster contest. He said all the first place winners receive a \$100.00 check. Mayor Mulenex announced that Jeremy Gonzalez received third place for his essay. He said Italy Gonzalez received second place. Mayor Mulenex announced that Tommy Rohde received first place for his essay. He said that first place from a High School student was Quentin Ellis for his PowerPoint presentation.

**Break and Reception**

**Resume meeting at 6:00 pm**

2. Establish a Quroum

Interim City Manager Rick Allen

Mayor Ken Mulenex

Councilor Stu Martinez

Councilor Greg Jones

Councilor Kathy Agan

Councilor Karen Ward

Student Councilor Conrad Parker

Public Works Manager Scott Perkins – absent by prior arrangement

Accounting Clerk Ashley Williams

Admin Ass't Patricia Morgan

**Quorum established.**

3. Pledge of Allegiance

Don Greiner, Planning Commissioner, led the Pledge of Allegiance.

5. 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.

- Appointment of Urban Renewal Budget Committee Members
- Proclamation for La Pine City Clean-up Day
- Sheriff's IGA with the City of La Pine

6. 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 of any member of the City Council.

- a. Approval of Minutes
  - i. April 8, 2015 Council Mtg. Minutes
  - ii. April 22, 2015 Special Mtg Minutes
- b. Bills and Invoices
  - i. Approval of Reimbursements
- c. Financials
  - i. Revenue and Expenses

Councilor Martinez noted a possible conflict of interest with the Wilderness Garbage bill.

**A motion was made by Councilor Jones and seconded by Councilor Agan to approve the Consent Agenda.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

**Motion passed unanimously.**

7. Public Comments

None

8. Proclamation for Relay for Life Days

Mayor Mullenex read the Proclamation for Relay for Life Days.

**A motion was made by Councilor Ward and seconded by Councilor Agan to approve the Proclamation for Relay for Life Days.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

**Motion passed unanimously.**

- 9. Ordinance No. 2015-04 An Ordinance Concerning the City of La Pine's Water System Utility; Adopting Certain Rules, Regulations, Rates and Charges Concerning the Water System Utility; Amending Replacing, and/or Superseding Any and All Ordinances, Resolutions, and/or Policies in Conflict with this Ordinance, Including Certain Water System Utility Rules and Regulations Adopted Under Ordinance No. 2012-08; and Declaring an Emergency

a) Open Public Hearing

Mayor Mulenex opened the Public Hearing. Consultant John Ghilarducci from FCS Group called in and attended the meeting over the telephone.

b) Staff Report

Interim City Manager Allen said that the consultant and City staff have worked on these ordinances for a long time. He said the City wanted to give customers a 30 day notice regarding the new rate charges. This ordinance repeals the ordinance that were previously passed regarding rates. He also discussed the change in regard to rental properties. The owner of the property will ultimately be responsible for any balance that remains from the tenant's occupancy once they leave the property. Ashley Williams, Accounting Clerk, stated that now the City will have the ability to lien properties for non-payment of monies. Also, there was a clear definition of where a property boundary becomes public infrastructure. She also mentioned that "mandatory connection" will now be required like if sewer and water service came to the Cagle neighborhood, all the residents would be required to hook-up to the services. Mr. Ghilarducci stated that there were two main objectives for the rate study. He said the first was how much revenue was needed to cover the operation needs. He said they recommended a 3% increase for water and a 10% increase for wastewater to meet the operating needs and capital needs for each service. Mr. Ghilarducci said they also looked at the rate structures. He said the charge would now be based on the size of the meter. There would be a different rate for volume and that would be different for residential and commercial customers. Mr. Allen said that no rates were adjusted specifically for non-profits. They would have to pay the same rates as everyone else.

c) Public Comments

None

d) Close Public Comments

Mayor Mulenex closed the Public Comments.

e) Council Deliberations

Councilor Martinez asked about if a decision needs to be made by the City Manager regarding a customer's water service, would he be available? Mr. Allen said it stated, in the Ordinance, City Manager or Designee.

**A motion was made by Councilor Ward and seconded by Councilor Agan to approve Ordinance 2015-04 as stated and Declaring an Emergency.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

**Motion passed unanimously.**

10. Ordinance No. 2015-05 An Ordinance Concerning the City of La Pine's Sewer System Utility; Adopting Certain Rules, Regulations, Rates, and Charges Concerning the Sewer System Utility; Amending, Replacing, and/or Superseding any and all Ordinances, Resolutions, and/or Policies in Conflict with this Ordinance, Including Certain Sewer System Utility Rules and Regulations Adopted under Ordinance No. 2012-06; and Declaring an Emergency.

a) Open Public Hearing

Mayor Mulenex opened the Public Hearing

b) Staff Report

Mr. Ghilarducci stated that for sewer the big change is that instead of being based on the dwelling unit there are two components to that rate, one based on the size of the meter and, a usage rate for residential which is based on the customer's average winter usage. Mr. Allen said this Ordinance will repeal all other Ordinances related to the sewer system utility.

c) Public Comments

None

d) Close Public Comments

Mayor Mulenex closed the Public Comments.

e) Council Deliberations

There were no Council Comments.

**A motion was made by Councilor Ward and seconded by Councilor Jones to approve Ordinance 2015-05 as stated and Declaring an Emergency.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

**Motion passed unanimously.**

- 11. Ordinance No. 2015-06 An Ordinance Providing for the Control of Cross Connections Concerning the City of La Pine's Water System Utility; Amending, Replacing, and/or Superseding any and all Ordinances, Resolutions, and/or Policies in Conflict with this Ordinance, Including any cross connection Rules and Regulations Adopted Under Ordinance No. 2012-08; and Declaring an Emergency.

a) Open Public Hearing

Mayor Mulenex opened the Public Hearing.

b) Staff Report

Mr. Allen said cross-connection is backflow. The backflow is required to be tested annually. Ashley Williams said that all customers will pay for the backflow testing, unlike it is right now. The cost will be \$2.50 per month and charged on every bill.

c) Public Comments

None

d) Close Public Comments

Mayor Mulenex closed the Public Comments

e) Council Deliberations

Mayor Mulenex asked about Glenwood Springs and was told they would be charged for one backflow device.

**A motion was made by Councilor Ward and seconded by Councilor Jones to approve Ordinance 2015-06 as stated and Declaring an Emergency.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

**Motion passed unanimously.**

12. Resolution No. 2015-02 A Resolution Establishing Certain Water Rates, Charges, and Fees Effective as of July 1, 2015

**A motion was made by Councilor Jones and seconded by Councilor Ward to approve Resolution No. 2015-02 Establishing Certain Water Rates, Charges and Fees Effective July 1, 2015.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

**Motion passed unanimously.**

13. Resolution No. 2015-03 A Resolution Establishing Certain Sewer Rates, Charges, and Fees Effective as of July 1, 2015

Mr. Allen said the rate charges on septic tanks may change once the rate study is concluded. He said there were also some disconnect fees.

**A motion was made by Councilor Ward and seconded by Councilor Agan to approve Resolution No. 2015-03 Establishing Certain Sewer Rates, Charges and Fees, Effective July 1, 2015.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

**Motion passed unanimously.**

14. Resolution No. 2015-04 A Resolution Declaring City's Election to Receive State Revenues

Mr. Allen said this Resolution was discussed at the Budget Meeting held on May 12, 2015.

**A motion was made by Councilor Martinez and seconded by Councilor Agan to approve Resolution No. 2015-04 Declaring City's Election to Receive State Revenues.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

**Motion passed unanimously.**

15. Resolution No. 2015-05 A Resolution Declaring the Municipal Services Provided by the City of La Pine in Order to Receive State-Shared Revenue

**A motion was made by Councilor Ward and seconded by Councilor Agan to approve Resolution No. 2015-05 Declaring Municipal Services Provided by the City of La Pine.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

**Motion passed unanimously.**

16. RFP (Request for Proposal) Recommendation for the City Auditor

Mr. Allen said that the City received two bids on the audit RFP. One proposal was from our current Auditor, Pauly Rogers. The other proposal was from Tuchscherer, CPA. He said reference checks were done of the firms. Ms. Bartlett, Finance Director, recommended the City hirer Tuchscherer CPA. Mr. Allen said this firm's bid was \$4,000 less than Pauly Rogers who did last year's audit. He said it would be a three year agreement with an option for two more years.

**A motion was made to accept staff's recommendation to hirer Tuchscherer CPA for the City Auditor.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

**Motion passed unanimously.**

17. RFP for Insurance Agent of Record Interview

Mr. Allen said that three insurance agencies submitted proposals to be the insurance agent of record. He said they will interview the companies on May 20, 2015. Stu, Kathy, Karen and Greg offered to participate in the interviews. Mayor Mulenex said he may have a scheduling conflict. The interviews will be conducted starting at 2:00 pm.



**A motion was made by Councilor Agan and seconded by Councilor Ward to Interview for an Insurance Agent of Record on May 20<sup>th</sup>.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

**Motion passed unanimously.**

18. Authorization to Hire Assistant to the City Manager and Community Development  
Cory Misley

Mr. Allen said that Mr. Misley has the qualifications that the City was looking for. He also said he received excellent references for him. Mr. Allen said that Mr. Misley would commit to being with the City for three years. He said Mr. Misley would start full time the last week of June.

**A motion was made by Councilor Agan and seconded by Councilor Ward to Hire Cory Misley as the Assistant to the City Manager and Community Development.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

**Motion passed unanimously.**

19. Other Matters: This item concerns any matters that were added to the Agenda under the Added Agenda Items portion of this Agenda.

- Proclamation of City of La Pine's Clean-up Day for June 6, 2015. Mayor Mulenex read the Proclamation.

**A motion was made by Councilor Jones and seconded by Councilor Agan to Approve the Proclamation for La Pine Clean-Up Day.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

**Motion passed unanimously.**

- Budget Committee for Urban Renewal. Ashley Williams, Accounting Clerk, stated that the Council needed to approve the Budget Committee Members for the Urban Renewal Agency. She said she currently had four members that needed to be approved. The members were: Karen Ward, Kathy Agan, Greg Jones and Rolando Alonzo.

**A motion was made by Councilor Martinez and seconded by Councilor Jones to Approve Greg Jones, Kathy Agan, Karen Ward and Rolando Alonzo to the Budget Committee for the Urban Renewal Agency.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

**Motion passed unanimously.**

- Agreement between the City of La Pine and the Deschutes Sheriff's office for animal control.

**A motion was made by Councilor Martinez and seconded by Councilor Jones to Approve the Intergovernmental Agreement between the City of La Pine and the Deschutes Sheriff's Office on Animal Control.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	

**Motion passed unanimously.**

20. Public Comments

None

21. Staff Comments

Interim City Manager Allen stated that he has received a lot of requests for meetings and has had to turn some of them down. He has also been working on the Transportation Growth Management Grant. The architects, Sierra, will be at City Hall on June 9<sup>th</sup> for the day. They will also be conducting interviews with people for their ideas. In September, the architects will come back and do a presentation for the community. Mr. Allen also discussed the house that burned down that had a code complaint against it.

22. Council Comments

Councilor Martinez stated that ODOT (Oregon Dept of Transportation) put up the Purple Heart City signs. He said there are two extra signs to have on the west and east sides of the City. Councilor Jones stated that La Pine will be hosting the Small Cities Meeting on June 18<sup>th</sup> from 11:00 to 1:00 pm.

23. Mayor's Comments

Mayor Mulenex stated that he will be out of town the week of June 15<sup>th</sup> and will not be checking his e-mails. He said he will also be gone in August after the August 12<sup>th</sup> Council Meeting. Mayor Mulenex encouraged citizen participation at the Clean up Day.

Student Councilor Conrad Parker announced that his last meeting on the Council will be June 10<sup>th</sup> and that elections will be held in May for his replacement. He said he would like to bring the new Student Councilor to the June meeting.


Mr. Allen discussed the stop street light project that is going on in La Pine. He said he is also interviewing for a City Planner. Mr. Allen said there is an Urban Renewal Agency Meeting and an Urban Renewal Budget Committee meeting scheduled for May 19<sup>th</sup>.

**A motion was made by Councilor Martinez and seconded by Councilor Jones to Adjourn the Meeting.**

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Greg Jones</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	
<i>Councilor Karen Ward</i>	<i>X</i>	


**Motion passed unanimously.**

Mayor Mullenex adjourned the meeting.



\_\_\_\_\_  
Mayor Ken Mullenex

Attest



\_\_\_\_\_  
Rick Allen, City Recorder