

# LA PINE CITY COUNCIL REGULAR MEETING AGENDA

May 14, 2008 3 pm

51340 Hwy. 97 La Pine, Oregon 97739  
SOUTH COUNTY BUILDING MEETING ROOM

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 with respect to 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. April 30, 2008 Regular Session
  - b. Bills and Invoices
    - i. Travel reimbursements
    - ii. Monthly Bills
  - c. Monthly Financial Report
6. Consideration of Applications
    - a. City Council
    - b. Budget Committee
    - c. Tourism Committee
  7. Draft Road Maintenance and Improvements Plan
    - a. Cagle Road Improvement Project Estimate
    - b. Snow Removal Plan
    - c. Road Maintenance and Improvements Options
    - d. City Letter regarding on-going road maintenance
  8. Job Descriptions
  9. Audit Services Request for Proposal
  10. Tax Abatement Request Presentation (10 minutes by Pacific Crest)
  11. Qwest Franchise Request Presentation (10 minutes by Dennis Tooley)
  12. Midstate Electric Franchise
  13. Business License Implementation Date and Process
  14. Volunteer Worker's Compensation Resolution 2008-006:  
**A RESOLUTION EXTENDING THE CITY OF LA PINE'S WORKERS' COMPENSATION INSURANCE COVERAGE TO CERTAIN VOLUNTEERS OF THE CITY OF LA PINE.**
  15. Future City Council meeting times
  16. Administrative Updates
    - a. Joint meeting with BOCC
    - b. August ERT meeting in La Pine
    - c. Ethics Reform Comments
    - d. Hwy 97 Stoplight Update
    - e. Deschutes Library Director search
    - f. Strategic Plan booth at Midstate Electric Annual meeting
  17. Staff Comments
  18. Council Comments
  19. Public Comments for Items not on the Agenda
  20. Adjourn

PURSUANT TO ORS 192.640, THIS NOTICE INCLUDES A LIST OF THE PRINCIPAL SUBJECTS ANTICIPATED TO BE CONSIDERED AND DISCUSSED AT THE ABOVE REFERENCED MEETING. THIS NOTICE DOES NOT LIMIT THE ABILITY OF THE CITY COUNCIL TO CONSIDER AND DISCUSS ADDITIONAL SUBJECTS. MEETING AGENDA SUBJECTS ARE NOT AN EXHAUSTIVE LIST. THE WORK SESSIONS OF THE CITY COUNCIL MEETINGS ARE OPEN TO THE PUBLIC AND INTERESTED CITIZENS ARE INVITED TO ATTEND. THE MEETINGS ARE PUBLIC MEETINGS AND A COMMUNITY FORUM. AUDIENCE PARTICIPATION AT THE DISCRETION OF THE COUNCIL. THE MEETING LOCATIONS ARE ACCESSIBLE TO PERSONS WITH DISABILITIES. A REQUEST FOR AN INTERPRETER FOR THE HEARING IS AVAILABLE FOR THE ACCOMMODATION FOR PERSONS WITH DISABILITIES SHOULD BE MADE AT LEAST 48 HOURS BEFORE THE MEETING. CALL JANIS MERRILL AT (503) 574-4172.

# LA PINE CITY COUNCIL REGULAR MEETING MINUTES

May 14, 2008 3 pm

## 1. Call to Order

The meeting was called to order at 3:20 pm by Mayor Stu Martinez.

## 2. Establish Quorum

Mayor Stu Martinez

Councilor Shields

Councilor Dee

City Attorney Jeremy Green

City Manager Christine Nelson

City Recorder Luana Damerval

Councilor Woodruff was excused by previous arrangement.

## 3. Pledge of Allegiance

The Pledge of Allegiance was led by Councilor Dee.

## 4. Added Agenda Items

#16 was changed to Comprehensive Plan Development Services agreement. Current #16 was changed to #17 and so forth down the line.

## 5. Consent Agenda

- a. Approval of Minutes
  - i. April 30, 2008 Regular Session
- b. Bills and Invoices
  - i. Travel reimbursements
  - ii. Monthly Bills
- c. Monthly Financial Report

*A motion was made by Councilor Dee to accept the Consent Agenda. It was seconded by Councilor Shields. All Ayes - Motion passed unanimously.*

## 6. Consideration of Applications 00:02:04

- a. City Council

This application was withdrawn by the applicant.

- b. Budget Committee

Tom Harmon and Linda Maggard applied for this position. Jeremy will check to see if there is a conflict, as Linda's brother is also on the Budget Committee.

*A motion was made by Councilor Dee to appoint Tom Harmon and Linda Maggard to the Budget Committee pending Attorney feedback on any conflict issues. It was seconded by Councilor Shields. All ayes - motion passed unanimously.*

- c. Tourism Committee

Christine went over the list of applications, and the criteria that was established by the Council. An alternate is not specified in the Resolution. Councilor Dee suggested we appoint 5 people, and we can come back with a resolution change to pick up an alternate later.

*representative . It was seconded by Councilor Shields. All ayes - motion passed unanimously.*

*Councilor Dee made a motion to appoint Art Uecker and Robin Mirrosoul to the Tourism Committee as the 2 members that work inside the City limits. It was seconded by Councilor Shields. All ayes - motion passed unanimously.*

*Councilor Dee made a motion to appoint Linda Johnston to the Tourism Committee as the representative of the Chamber. It was seconded by Councilor Shields. All ayes - motion passed unanimously.*

*Councilor Dee made a motion to appoint Linda Stephenson to the Tourism Committee as a non-resident of the City. It was seconded by Councilor Shields. All ayes - motion passed unanimously.*

Tamra Carrel is on standby for the alternate as soon as the Resolution is passed. Christine will contact all applicants Friday or Monday to set up a meeting time.

**Public Input for this item:**

7. Draft Road Maintenance and Improvements Plan 00:16:33

a. Cagle Road Improvement Project Estimate

Christine explained the estimate was double from what was expected last fall. The survey cost is not in that estimate, and that the Cagle subdivision is notorious for the property lines not being where the owners thought they were. The paved road needs to be in the right-of-way, that it could be \$4-\$15,000 more than the \$105,000 estimate.

Swede Barber from ODOT was available to explain the current situation, cost and expectations for the Cagle Subdivision. The Subdivision needs to be brought back up to grade before any final oil matting. He suggested a 3" gravel base and 3" oil mat for a total 6" base and rocking the shoulders, and suggested putting an apron on the 10 roads that intersect Cagle Road. He is not sure that ODOT will have enough time to do the paving project, and suggested it go out for bid.

b. Snow Removal Plan

Swede Barber estimated a cost of \$6,000 for a winter like last year snow removal. Christine and Swede will work on a plan for that snow removal for next year. Christine stated we will have a sidewalk clearing ordinance also.

Mayor Martinez asked the council to find if there is a law for an ordinance to fine residents that damage roadways while snowplowing on their own.

c. Road Maintenance and Improvements Options

Councilor Dee asked about residents oiling in front of their homes. Swede explained what products are allowed.

d. City Letter regarding on-going road maintenance

The City will come up with a draft letter to the residents of those roads.

**Public Input for this item:**

Ken Kendall - City Resident- stated that he is paying the same for his County Street and he is paying into this fund with no benefits. What percentage of the residents are in this same situation and he feels they need an explanation of the overall plan for all of La Pine.

8. Job Descriptions 01:03:25

Christine stated that 2 draft job descriptions and other cities descriptions were in the packet. Jeremy noted that there was some language that needed to be clarified. Councilor Dee asked who was doing the books and writing the checks. Christine explained that she specifically left that out of the City Recorder's duties, and considered that as an administrative determination, and that if we don't make the changes before the audit, the auditors will determine those changes to reorganize those duties. Jeremy stated that it needed to be dealt with. With consensus of the Council, it was to be added to the City Recorder's job duties, and could be changed anytime. It was clarified that the requirements were not that of an accountant, as it's only keeping the books and writing checks. Councilor Dee asked if the City Recorder had any input, at which time she asked the Council to look over and consider a job description that she had composed. Councilor Shields asked for a work session for the job descriptions, and for personnel manuals. She felt they could be condensed. Councilor Dee felt it was pretty much standard format. Mayor Martinez urged the council to approve at least the City Manager job description at this meeting, noting that changes could be made later.

*Councilor Dee made a motion to approve the City Manager job description as it is now subject to revision by the next Council meeting for further approval. It was seconded by Councilor Shields. All ayes - motion passed unanimously.*

Mayor Martinez asked that the City Recorder's job description be revisited, and Jeremy stated that he will re-look at it.

**Public Input for this item:** None

The Council took a break at 4:37 pm.  
The meeting reconvened at 4:45 pm.

**9. Audit Services Request for Proposal 01:16:53**

Christine stated that a draft was in the packet. She stressed that this needed to be sent out asap, as time is running out.

*A motion was made by Councilor Dee to approve the draft audit request for proposal and get sent out. It was seconded by Councilor Shields. All ayes - motion passed unanimously.*

**Public Input for this item:** None

**10. Tax Abatement Request Presentation (10 minutes by Pacific Crest) 01:19:32**

Rob Roy - Principal of Pacific Crest - for affordable housing. He explained that there is a funding gap of \$750,000, and getting a tax abatement from the City of La Pine would get them through this process. Rima Wilson would help us write that ordinance at no cost to the City.

Requirements as follows:

1. Request from the City of La Pine a tax abatement for 20 years.
2. Residents must be low-income and no tax would cause lower rent. When the project is near completion, they will formally ask for a final approval.
3. Financial impact on the City would be about \$300 per year.
4. Local control and the City can repeal from the books. The State and Federal reports can be forwarded to the City. They are trying to make it a zero-net energy. The County is a strong supporter, and they are donating the 4 1/2 acres for this project.

**Public Input for this item:**

John Taylor asked about the age requirements.  
It is 55 years old.

*A motion was made by Councilor Dee to authorize the City Manager and City Attorney to move ahead on this and work on a package ready to move on. It was seconded by Councilor Shields. All ayes - motion passed unanimously.*

This Ordinance will be on the June 11, 2008 agenda.

**11. Qwest Franchise Request Presentation (10 minutes by Dennis Tooley) 01:45:25**

Dennis Tooley described his interest in this franchise, and he wanted to clear up any misunderstandings.

Qwest currently is charging a 4% fee that is buried in customer bills. If the City wanted that 4%, there would be no additional costs to the customer, as it is already being imposed. This is for the use of right-of-ways. He had a draft in the packet, and Jeremy will review it. Council consensus was to go with the 4% franchise fee. Jeremy will contact Qwest directly for any issues he sees, and will come back to the Council at the next meeting with comments. The estimated revenue for the City will be about \$16,000 at the 4% rate.

**Public Input for this item:** None.

**12. Midstate Electric Franchise 02:01:58**

Mayor Martinez asked that this be re-addressed. Discussion clarified that the agreement does not have to have a fee attached to it, but it should be in place to protect the City and the residents.

**Public Input for this item:**

Rose Alsbury - Chamber Director- stated that when we don't initiate a way to support public works, the faster you will hit the max tax rate, and the funds will have to come from somewhere.

*A motion was made by Councilor Dee to initiate a franchise agreement with Midstate Electric at zero % fee. It was seconded by Councilor Shields. All ayes - motion passed unanimously.*

**13. Business License Implementation Date and Process 02:20:38**

Christine suggested that implementation of the Business License fee on a calendar year time line, to start this on Jan. 1, 2009, would be a better time for the staff. Councilor Shields felt we need to review the fee schedule. We will have to re-adopt the fee schedule. Mayor Martinez instructed that the fees be brought to the next meeting to be re-adopted.

**Public Input for this item:** None.

**14. Volunteer Worker's Compensation Resolution 2008-006:**

**A RESOLUTION EXTENDING THE CITY OF LA PINE'S WORKERS' COMPENSATION INSURANCE COVERAGE TO CERTAIN VOLUNTEERS OF THE CITY OF LA PINE.**

This item is required for the retro 2007-08 policy. Christine recommended not implementing this in the future.

*A motion was made by Councilor Dee to adopt Resolution #2008-006 subject to legal revision as necessary. It was seconded by Councilor Shields. All ayes - motion passed unanimously.*

**Public Input for this item:** None.

**15. Future City Council meeting times 02:27:55**

Christine stated that citizens were confused, as well as the Councilors. Councilor Dee stated it was hard for him to be here in the afternoons.

Consensus of the Council was to keep the meetings at 6 pm from June through Sept. on the 2nd. and 4th Wed.

Mayor Martinez stated this needs to be put back into the Frontier advertising.

Put this on website also.

**Public Input for this item:**

Doug Ward - City Resident - stated that we need to be consistent so the residents know.

Mary Garcia - local resident - questioned about the overtime, but that was discussed already.

**16. Comprehensive Plan Development Services Agreement 02:36:55**

Christine stated that COIC looked at this and had one change., She asked to approve this subject to revisions.

*A motion was made by Councilor Dee to adopt the Comprehensive Plan Development Services Agreement with Christine's authority to sign it and subject to legal revisions by Jeremy. It was seconded by Councilor Shields. All ayes - motion passed unanimously.*

**17. Administrative Updates**

a. Joint meeting with BOCC

Christine stated the County Commissioners wanted to meet with the Councilors. She would like the stoplight funding issue as one of the topics. She met with the ERT team, and they don't have any spare money, so this comes back to how we pay for the survey work and the design work in order to file for the grant. We need to have that discussion with the people who can make that decision. Dates available are June 4th, 9th or 18th. 5 pm is preferred. She will make those arrangements with one of those dates.

b. August ERT meeting in La Pine

A meeting is scheduled here at City Hall meeting room on Aug. 7, 2008 at 9 am.

c. Ethics Reform Comments

These are due by May 20th.

d. Hwy 97 Stoplight Update

This was discussed above.

e. Deschutes Library Director search

She is on her way to this after the meeting.

f. Strategic Plan booth at Midstate Electric Annual meeting

Gloria Fleming and Linda Maggard will be manning that.

**18. Staff Comments**

City Recorder stated that Councilor Dee asked for a list of items that were not completed. This was passed around, and noted this is just a tool. Mayor Martinez stated that this needs to be looked at and these items get back on the agenda.

**19. Council Comments**

Councilor Dee stated that he now understands why the Bend Airport was included with the City of La Pine, that Les Schwab was putting their headquarters at the Bend Airport, so they now qualify for the E-zone.

**20. Public Comments for Items not on the Agenda**

None.

**21. Adjourn**

A motion was made by Councilor Dee to adjourn. It was seconded by Councilor Shields. All ayes - meeting adjourned at 6:15 pm.

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Mayor Stu Martinez

Attest:

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City Recorder Luana Damerval