

CITY of LA GRANDE
City Council Regular Session

December 2, 2015

6:00 p.m.

**Council Chambers
La Grande City Hall
1000 Adams Avenue**

MINUTES

COUNCILORS PRESENT:

Stephen E. Clements, *Mayor*
John Bozarth, *Councilor*
Wayne Brown, *Councilor*
John Lackey, *Councilor*
Troy Pointer, *Councilor*
Justin Rock, *Councilor*

COUNCILORS ABSENT EXCUSED:

Gary Lillard, *Mayor Pro Tem*

STAFF PRESENT

Robert Strobe, *City Manager*
Angelika Brooks, *City Recorder*
Kayla Nichols, *Assistant to the City Manager*
Michael Boquist, *City Planner*
Theresa Roberts, *Aquatic Superintendent*
Terri Washburn, *Library Director*
Minnie Tucker, *Administrative Assistant/Activities Coordinator*
Emmitt Cornford, *Interim Fire Chief*

**CALL TO ORDER/PLEDGE OF ALLEGIANCE/
ROLL CALL/AGENDA APPROVAL**

Mayor CLEMENTS called to order this Regular Session of the Council at 6:00 p.m. Roll Call was taken and a quorum was determined to be present.

CONSENT AGENDA

- a. Consider: Approval of Regular Session Minutes;
*November 4, 2015***
**b. Consider: Veterans' Memorial Pool Agreements;
*Grande Ronde Hospital and Eastern Oregon
University***

The following Motion was introduced by BOZARTH;
LACKEY providing the Second:

MOTION

MOTION: I move that we accept the Consent Agenda as revised.

VOTE

MSC. (unanimous)

PUBLIC COMMENTS

Mayor CLEMENTS read from a prepared statement regarding the background of the Fiscal Committee and the intent of the Fiscal Committee pertaining to when public

input would be scheduled with the entire Fiscal Committee. CLEMENTS noted that the Fiscal Committee was comprised of the full City Council and the appointed members of the Budget Committee.

Irene Gilbert, spoke regarding her concerns with the BOARDMAN to Hemingway Line Project and she encouraged the City to become a coordinating agency with the environmental impact statement.

Roger BARNES spoke in regards to the Cascadia Flag that was illegally placed on the IOOF Building and his belief that there should be a flag, other than the Cascadia Flag, placed on the roof of the IOOF Building.

Virginia Mammen, spoke in regards to the Urban Renewal Program and her belief on the lack of benefit of the Urban Renewal Program. She also noted that she supported funding of the Library Programs.

The following people spoke in support of keeping funding for the Library: Beverly White; Marilyn Herbst; Mike Shearer; and Valerie Morrel.

The following people spoke in support of keeping funding for the Aquatics Program: June Wilson; Bryce Ebel; Riley Weigand; Cora Weigand; Lori Cox; Makayla Nitz, Lifeguard at the Aquatics; Deanna Melvoen, Head Lifeguard; and Mark Gomez, Parks and Recreation Advisory Commission.

The following people spoke in support of keeping funding for the Aquatics, Parks and Recreation Programs, and the Library Programs: Carol Lauritzen; David Moral; Russell Kofoed;

Dr. Sarah Rollin; Chris Burford; Dr. Steven Koza; Robert Kleng; Meg Hawks; Virginia Linkenhoker; Rebecca Veray; Sheryl Byars; Christopher Jennings; David Axelrod; Scott McConnell; and Bill Grigsby.

Mayor CLEMENTS thanked the people in attendance for all of the public comments. He noted that everyone who signed up on the list to be notified of upcoming public input at the Fiscal Committee Meeting would be contacted and the meeting logistics would be published in the newspaper.

PUBLIC HEARINGS

- a.** Ordinance, First Reading; *Right-of-way Vacation, Clinkenbeard, portions of Crook Avenue and N. Fir Street*

RULES OF ORDER

Mayor CLEMENTS opened the Public Hearing at 7:28 p.m. and asked the City Recorder to read the Rules of Order in their entirety.

DECLARATIONS

None

CHALLENGES

No one in the audience wished to challenge the right of any Councilor to hear the matter.

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Mike BOQUIST, *City Planner*

BOQUIST stated that the Applicants, Laura Clinkenbeard and Lee Clinkenbeard, have requested the City of La Grande's consideration of the following described public right-of-way vacation, and as illustrated in Figure 1, as provided to the Council, a copy of which is now a permanent document in the master file for this Regular Session and by this reference incorporated herewith as if fully set forth;

- The North ten feet (10') of the Crook Avenue public right-of-way, except the West twenty feet (20') of said right-of-way from the East boundary of Cedar Street, and the South ten feet (10') of the Crook Avenue public right-of-way, lying between North Cedar Street and North First Street, adjacent to Block 26 and 27 of RIVERSIDE ADDITION TO La Grande, Union County, Oregon, according to the recorded plat of said Addition, except those portions adjacent to public alley rights-of-way; and,
- The West ten feet (10') and the East ten feet (10') of the First Street public right-of-way, lying between "Z" Avenue and Crook Avenue, adjacent to Blocks 20 and 26 of RIVERSIDE ADDITION to La Grande, Union County, Oregon, according to the recorded plat of said Addition.
- Also described as being adjacent to Tax Lots 6400, 6401, 6702, 6703, 6800, 6801, 6802, 6804, 6900, 6904, 7800, 7900 and 7901 in Township 3 South, Range 38 East, Section 6AA, City of La Grande, Union County, Oregon.

In response to LACKEY's question, BOQUIST stated that the easement included the rights for the utility companies and the City of La Grande to maintain their improvements.

PUBLIC TESTIMONY

None

COUNCIL DISCUSSION

In response to BROWN's question, BOQUIST stated that physically there would be no change to the property.

Mayor CLEMENTS closed the Public Hearing at 7:38 p.m.

At the Mayor's request, the City Recorder Read the Proposed Ordinance for the First Time by Title Only as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, VACATING PORTIONS OF CROOK AVENUE BETWEEN NORTH CEDAR STREET AND NORTH FIRST STREET; AND, PORTIONS OF NORTH FIRST STREET BETWEEN "Z" AVENUE AND CROOK AVENUE; AND DECLARING AN EFFECTIVE DATE

Mayor CLEMENTS announced that the Second Reading by Title Only of the proposed Ordinance and Council vote will be scheduled during the Council's Regular Session on January 6, 2016.

UNFINISHED BUSINESS

None

NEW BUSINESS

- a. **Consider:** Approve Policy Changes; *Johnson Community Room, Cook Memorial Library*

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Terri WASHBURN, *Library Director*

WASHBURN stated that the goal of the proposed change was to remove the language prohibiting religious meetings and political activities in the room as the library cannot enforce such a provision, improve consistency in use and increase the retention rate of reservations made. Operation of the community room is very time consuming. Cook Memorial Library is the least-staffed per capita library in Eastern Oregon. The limited staff manages what, in essence, is a conference center when it comes to reservations. Staff takes, changes and deletes reservations, field's questions, calms upset users and copes with those who forget to obtain a key to the room for afterhours use. There is a lot of demand for use of the room because it is free. The room was booked for almost the entire 2015 calendar year by early February 2015. Staff found that people frequently do not respect services that are free, and would not notify the library staff in advance if the need for the use was cancelled. Under this policy change, all non-governmental users would be charged a non-refundable, \$25.00 per use fee, plus a \$10.00 refundable key deposit. The additional revenue would help offset the costs associated with management of the room, a goal of City Council, and encourage reservations to be kept. Charging a fee for the use of the room would not

violate the access to services concern raised by the State when user fees for Library services are discussed.

A brief discussion was held regarding the amount of the proposed fee and the potential revenue from the fee. WASHBURN stated that January 1, 2016 would be the date the policy change would take effect, if approved.

Mayor CLEMENTS requested that WASHBURN track and report back to the Council regarding the occupancy of the room.

BOZARTH suggested that the policy be amended to include the government entities to pay the \$25.00 fee as well. The Council agreed to the amendment to include all non-City of La Grande users to pay the fee in the proposed policy.

PUBLIC COMMENT

Marilyn Herbst, volunteer at the Library, asked for clarification regarding the prepayment process of the fee to which STROPE replied that all fees would be collected prior to the scheduled day of use.

Tova Woyaechowicz, spoke against the proposed fee due to the lack of flexibility in regards to what kind of entity the fee would apply.

COUNCIL DISCUSSION

None

MOTION

The following Motion was introduced by BOZARTH; ROCK providing the Second:

Motion: I move that the changes to the policies for the use of the Colleen F. Johnson Community Room be approved as amended.

COUNCIL DISCUSSION

None

VOTE

MSC. Unanimous

b. Consider: Ordinance, First Reading; *Frontier Franchise Agreement*

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Robert STROPE, *City Manager*

STROPE stated that the proposed Ordinance, which was negotiated by him, was presented for a first reading by title only during this evening's Session. Jeremy Green, an attorney with Bryant Lovlien and Jarvis P.C., in Bend, Oregon, developed the draft agreement and provided advice

to Mr. Strope during the process. The proposed Agreement was a complete revision of the last Agreement, which would bring the language up to date. There were no significant changes to the general provisions from the past agreement. The Franchise Fee remains at seven percent (7%). The previous agreement had expired and needed to be replaced. There have been no unresolved issues and Frontier Communications has been paying the Franchise Fee on time and been in compliance with the terms of the former agreement.

STROPE noted that Frontier Communications had agreed to the terms of the agreement and City Manager Strope recommended that the Council proceed with the first reading by title only of this proposed Ordinance.

LACKEY thanked STROPE for the time he spent revising the Franchise Agreement to bring it up-to-date.

PUBLIC COMMENT

None

COUNCIL DISCUSSION

None

At the Mayor's request, the City Recorder read the Proposed Ordinance for the First Time by Title Only as follows:

AN ORDINANCE GRANTING FRONTIER COMMUNICATIONS NORTHWEST INC., A WASHINGTON CORPORATION, THE RIGHT, PRIVILEGE, AND FRANCHISE TO OPERATE A TELEPHONE AND RELATED COMMUNICATIONS SYSTEM IN, UPON, ACROSS, ABOVE, OVER, AND/OR UNDER THE PUBLIC RIGHT-OF-WAYS WITHIN THE CITY OF LA GRANDE.

Mayor CLEMENTS announced that the Second Reading by Title Only of the proposed Ordinance and a Council vote will be scheduled during the Council's Regular Session on January 6, 2016.

STAFF COMMENTS

Stu SPENCE spoke in regards to concerns regarding the sledding hills and the liability to the City. Art RHODES spoke regarding liabilities and said there should be a sign that says "Road Closed, No Sledding."

CITY MANAGER COMMENTS

Robert STROPE, City Manager updated the Council on the Franchise Agreement Drafts with OTEC. He also noted that the City Hall Holiday Open House was scheduled for December 16, 2015 at 4:30 p.m. in the Council Chambers.

CITY COUNCIL COMMENTS

POINTER and BROWN thanked the public for the public comments.

BOZARTH recommended that the residents that are in the Urban Growth Boundary be included in the membership for the Advisory Commissions, to which the Council agreed. **STROPE** stated that he would add the item to the January 6, 2016 Regular Session of the City Council.

BOZARTH requested that the community please keep former Mayor Pokorney in their thoughts on the loss of his daughter.

There being no further business to come before this Regular Session of the Council, **CLEMENTS** adjourned the Regular Session of the Council at 8:05 p.m. The Council is scheduled to meet again in Regular Session on Wednesday, January 6, 2016, at 6:00 p.m., in the Council Chambers of City Hall, 1000 Adams Avenue, La Grande, Oregon.

Kayla M. Nichols
Assistant to the City Manager

Stephen E. Clements
Mayor

APPROVED: _____