

CITY of LA GRANDE

City Council Regular Session

November 4, 2015

6:00 p.m.

Council Chambers
La Grande City Hall
1000 Adams Avenue

MINUTES

COUNCILORS PRESENT:

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

COUNCILORS ABSENT EXCUSED:

STAFF PRESENT

Robert Strobe, *City Manager*
Kayla Nichols, *Assistant to the City Manager*
Michael Boquist, *City Planner*
Brian Harvey, *Police Chief*
Christine Jarski, *Economic Development Director*
Norm Paullus, *Director of Public Works*

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; *October 7, 2015*
- b. **Consider:** Ratifying City Manager's Evaluation, 2015
- c. **Consider:** Approval of Gaming Permit; *American Legion Post 43*

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

MOTION

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

LILLARD stated that there was an error in the City Council, October 7, 2015, Minutes on page seven (7) under New Business, Item "a", Mayor CLEMENTS should be replaced by Mayor Pro Tem LILLARD.

VOTE

MSC. (unanimous)

PUBLIC COMMENTS

Lara Petitclerc-Stokes, Manager of Communications and Government Affairs at OTEC, gave an update regarding the OTEC Franchise and current projects in Union County.

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

**a. Consider: Amending City Manager's Contract;
*Evaluation Date***

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Robert STROPE, *City Manager*

STROPE stated that the Employment Agreement between the City of La Grande and Robert A. Strobe, City Manager, required a written performance evaluation on an annual basis. Typically these would occur in conjunction with the City Manager's anniversary date in January. The City Council's election cycle and seating of up to four newly elected members of the Council occurs in January every two years. This would make it difficult for the City Council and City Manager to have a meaningful evaluation at times. Additionally, the City's goals and budgets are tied to the fiscal year, which begins July 1st each year. Therefore it would make more sense to have the City Manager's evaluation based on the July 1 to June 30 time frame instead of this anniversary date.

STROPE noted that during the City Manager's evaluation, Mr. Strobe brought to the City Council's attention that his agreement does not include a provision to automatically increase his vacation accrual amount following each five years of service as was the practice for all other City employees. His initial vacation accrual was set at 10 hours a month, a higher level than for new employees, which was typical when hiring an executive level position when he was hired in January 2008. Mr. Strobe was requesting that the City Council approve an amendment to increase his accrual to 13.33 hours per month effective in November 2015. He was not seeking to have the change be made retroactive to his 5 year anniversary. He did receive an additional 40 hours of executive vacation a couple of years ago as a onetime acknowledgement from the City Council of his performance. Executive vacation is "use it or lose it" time that is granted to certain exempt, management employees. During the work session, there was a brief discussion of granting 40 hours of additional executive vacation each year in lieu of increasing the regular vacation accrual to 13.33 per month. There were

two motions, one would increase the accrual amount the other adds the hours as executive vacation for Council consideration.

PUBLIC COMMENT

None

COUNCIL DISCUSSION

A brief discussion was held regarding the differences between the monthly accrual of vacation at the rate of 13.33 hours per month versus the 40 hours of Executive Vacation.

MOTION

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

Motion: I move that the City Manager Robert A. Strope's agreement be amended to move his annual performance evaluation to coincide with the City's fiscal year and that he receive an additional 40 hours of executive vacation each fiscal year beginning with the current fiscal year and authorize the Mayor to sign the amendment.

COUNCIL DISCUSSION

In response to POINTERS question, STROPE stated that the requested accrual of 13.33 hours per month was based on the 11-15 years of employment bracket with the City.

VOTE

MSC. SIX of the Councilors present voted in the Affirmative; POINTER voting against.

b. **Consider:** Passing Resolution; *Weed and Tall Grass Abatement 300 block of Adams Avenue And 1800 block of Oak Street*

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Emmitt CORNFORD, *Interim Fire Chief*

Chief CORNFORD stated that throughout the summer 2015, the Fire Department conducted weed abatement inspections at numerous properties in the City. Most property owners cut or otherwise removed tall grass and/or noxious weeds when they were notified they were in violation of the City's Nuisance Ordinance (Ordinance 3002, Series 2002). Several property owners failed to comply with the abatement order in the time allotted, so a weed abatement contractor, hired by the City, cut the weeds on their property. (The City pays the Weed Abatement Contractor and recovers the cost of the abatement by billing the property owner for those costs, plus an administrative charge of 10% or \$50.00, whichever is greater).

- **Suggested Motion #1:** Mr. Steven Sharp was billed for the weed abatement services performed at the vacant property located in the 300 block of Adams

Avenue for a total of \$217.50. He had not paid the abatement costs within the thirty (30) days required by the Nuisance Ordinance and therefore, Staff was requesting the City Council pass this Resolution assessing the costs to the property via a lien. The cost for recording the lien with Union County would be added to the total cost of the lien, as will the cost of releasing the lien. The liens shall bear interest at the current statutory interest rate of eight percent (8%) until paid in full.

- **Suggested Motion #2:** Mr. and Mrs. Demoss were billed for the weed abatement services performed at the property at 1805 Oak Street for a total of \$277.50. They had not paid the abatement costs within the thirty (30) days required by the Nuisance Ordinance and therefore, Staff was requesting the City Council pass this Resolution assessing the costs to the property via a lien. The cost for recording the lien with Union County would be added to the total cost of the lien, as will the cost of releasing the lien. The liens shall bear interest at the current statutory interest rate of eight percent (8%) until paid in full.

PUBLIC COMMENT

None

COUNCIL DISCUSSION

None

MOTION

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

Motion: I move that the proposed Resolution establishing a lien for failure to pay the costs of abating a nuisance on a vacant property located in the 300 Block of Adams Avenue be Read by Title Only, put to a Vote, and passed.

COUNCIL DISCUSSION

None

At the Mayor's request, the Proposed Resolution was Read by Title Only as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, ESTABLISHING A LIEN ON REAL PROPERTY FOR FAILURE TO ABATE TALL GRASS AND WEED NUISANCE [4712]

VOTE

MSC. (unanimous)

MOTION

The following Motion was introduced by LILLARD; POINTER providing the Second:

Motion: I move that the proposed Resolution establishing a lien for failure to pay the costs of abating a nuisance on property located at 1805 Oak Street be Read by Title Only, put to a Vote, and passed.

COUNCIL DISCUSSION

None

At the Mayor's request, the Proposed Resolution was Read by Title Only as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, ESTABLISHING A LIEN ON REAL PROPERTY FOR FAILURE TO ABATE TALL GRASS AND WEED NUISANCE [4713]

VOTE

MSC. (unanimous)

c. Consider: Approval of MOU; *Arts East to Integrate Arts East to Integrate Arts for All and Season's Fair*

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Robert STROPE, *City Manager*

STROPE stated that for the last 29 years, there had been two (2) art focused events in La Grande originally designed to introduce youth, including special needs youth, to hands on art activities. These two events still existed today; *Season's Faire*, a fall fundraiser auction and art show that supports *Arts for All*, a two-day inclusive art event in the spring.

STROPE stated that in the last six (6) years, the Art Center, which recently merged with Arts East creating the new Arts Center East, had established a quality program and organized similar events.

STROPE noted that because the City was a public organization (local government), staff was acutely aware of the limitations the City had, versus a private, non-profit organization, in distributing monetary awards, soliciting for donations, writing grants, and serving alcohol. A private non-profit was in a much stronger position to manage events with these two events from the City of La Grande. Finding a way to transition responsibility for these two events from the City of La Grande to a non-profit organization seemed like the best alternative. Therefore, a few months ago the Parks and Recreation Director along with the then President of the Art Commission, Susi Webb, met with the Director of Arts Center East Mika Morton, then Art Center Director Annie Eskelin, and the Arts Center East Board Chairperson Linda Schriener, to determine if the Art Center East would be interested in taking over these two

events. Preliminary discussions were held with the La Grande Arts Commission and the Arts Center East board of directors.

STROPE stated that the MOU included a one-time \$10,000 transfer to Arts Center East. This money was the result of previous years Arts Commission fundraising efforts and was budgeted in the grants and donations fund in the current adopted budget specifically for Arts Commission events.

STROPE noted that on October 26, 2015, Art Center East's board voted in favor of the proposed MOU and were ready to begin planning for the spring event immediately. City staff found that transferring the primary responsibilities of these two events would be consistent with both Art Center East's mission and goals and the City's goal of being a good partner by offering a wide variety of recreational opportunities.

PUBLIC COMMENTS

None

COUNCIL DISCUSSION

LACKEY stated that he was in favor of the proposed Memorandum of Understanding.

MOTION

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

Motion: I move that the Joint Memorandum of Understanding between the City of La Grande and Arts Center East be approved as presented and authorize the City Manager to sign the agreement.

COUNCIL DISCUSSION

None

VOTE

MSC. (Unanimous)

STAFF COMMENTS

None

CITY MANAGER COMMENTS

Robert STROPE, City Manager updated the Council on the Fiscal Committee and stated that the next meeting was on Monday, December 14, 2015 to refine the budget and at that the meeting the Fiscal Committee would be voting on a recommendation to the City Council. He updated the Council on the Market Place Family Foods project. He noted that he would be getting back to the Council in regards to the completion date of the project.

CITY COUNCIL COMMENTS

BOZARTH stated that at the previous Council meeting on October 7, 2015, he made a motion to have a Work Session scheduled by December 31, 2015 to explore the make-up of

the Urban Renewal Agency governing body and after reconsideration he stated that he wanted to make a motion to cancel that request.

MOTION

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

Motion: I move that we cancel the Work Session on the Urban Renewal Agency Governing Body make-up at this time.

VOTE

MSC. (Unanimous)

Mayor CLEMENTS requested approval from the Council to send a letter to Tim Seydel, VP of University Advancement at Eastern Oregon University, on the behalf of the City of La Grande in support of the Eastern Oregon University (EOU) Foundation's Grand Staircase restoration project, to which the Council approved.

There being no further business to come before this Regular Session of the Council, CLEMENTS adjourned the meeting to the Urban Renewal Agency Regular Session at 6:23 p.m. The Council is scheduled to meet again in Regular Session on Wednesday, December 2, 2015, 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: _____