

CITY of LA GRANDE

City Council Regular Session

June 3, 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*
Wayne Brown, *Councilor*
John Lackey, *Councilor*
Troy Pointer, *Councilor*
Justin Rock, *Councilor*

COUNCILORS ABSENT EXCUSED:

John Bozarth, *Councilor*

STAFF PRESENT

Robert Strobe, *City Manager*
Angelika Brooks, *City Recorder*
Kayla Nichols, *Assistant to the City Manager*
Kim Hulse, *Finance Director*
Michael Boquist, *City Planner*
Norm Paullus, *Director of Public Works*
Stu Spence, *Parks & Recreation Director*
Brian Harvey, *Police Chief*
Bruce Weimer, *Fire Chief*
Brian Don, *Building Official*
Heather Rajkovich, *Accountant*
Minnie Tucker, *Recreation Coordinator*

Lee Mannor, *Water and Motor Pool Superintendent*
Teresa Roberts, *Aquatics Superintendent*
Terri Washburn, *Library Director*
Minnie Tucker, *Parks and Rec Administrative Assistant*
Lyle Bridge, *Wastewater Treatment Plant Superintendent*

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

Mayor CLEMENTS called to order this Regular Session of the Council at 6:06 p.m. Roll Call was taken and a quorum was determined to be present.

CONSENT AGENDA

- a. **Consider:** Approval of Regular Session Minutes; *May 6, 2015*
- b. **Consider:** Accepting "Exhibit A" for Fiscal Year 2015 – 2016; *Urban Renewal District/City Intergovernmental Agreement*
- c. **Consider:** Approval of Liquor License; *Dusty Spur*
- d. **Consider:** Approval of Liquor License; *Earth & Vine*

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

MOTION: I move that we accept the Consent Agenda as presented. **MSC.** (Five of the Six Councilors present voted in the affirmative; Councilor LACKEY abstained from voting stating a conflict of interest).

PUBLIC COMMENTS

None

PUBLIC HEARINGS

a. **Resolutions:**

- (1) Adopting Budget Making Appropriations, Levying Taxes; *Fiscal Year 2015-2016*
- (2) Declaring City's Election to Receive State Revenue Sharing; *Fiscal Year 2015-2016*

RULES OF ORDER

Mayor CLEMENTS opened the Public Hearing at 6:09 p.m. on the Fiscal Year 2015 – 2016, City of La Grande Budget and State Revenue Sharing Funds, as amended and approved by the City of La Grande Budget Committee on April 27 and 28, 2015.

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Robert STROPE, City Manager/Budget Officer and Kim HULSE, Finance Director

STROPE stated that the City of La Grande Budget Committee opened its Public Hearing on the proposed Fiscal Year 2015-2016, Budget and State Revenue Sharing Funds on Monday, April 27, 2015. On April 28, 2015, the Budget Committee amended the proposed General Fund Budget, reducing by \$200,000 the outgoing Interfund Transfer to the General Reserve Fund line of the Council/City Manager's budget and the corresponding incoming Interfund Transfer to the General Reserve Fund. The Committee then increased the Police Department Budget by \$82,607 to fund an additional Police Officer. Those amendments resulted in the General Fund Unappropriated Ending Balance increasing from \$1,594,869 to \$1,712,262, a difference of \$117,393. The Committee voted to approve the General Fund Budget as amended and to forward it to the City Council for adoption on June 3, 2015.

STROPE also noted that on April 28, 2015, the Budget Committee voted to approve the proposed Budgets for the Enterprise and Other Funds as amended, the amendments were the result of the transfer of funds described above in the General Reserve Fund, and forward them to the City Council for adoption on June 3, 2015. Included in the staff report was the Resolution that would adopt the City's General Fund Budget along with the Enterprise and Other Fund Budgets; 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.

STROPE stated that the Resolution reflects the Budget Committee recommendation and their approved budget for Council consideration and adoption.

STROPE stated that as part of the Budget Adoption process, the City must pass a Resolution stating the City's intent to receive State Revenue Sharing. A second Resolution was included in the Staff report to accomplish the action; 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.

DECLARATIONS

ROCK read from a prepared statement and declared an actual and a potential conflict of interest and that he would not be participating in the discussion or vote.

PUBLIC COMMENTS

None

Mayor CLEMENTS closed the Public Hearing on the Fiscal Year 2015-2016, Adopted Budget and State Revenue Sharing Funds at 6:14 p.m. and invited Council Discussion.

COUNCIL DISCUSSION

LILLARD read from a prepared statement that referenced his opinion regarding the lack of long term sustainable funding for a new Police Officer position. He noted that while he supported an additional Police Officer position, he would not support funding of an additional Police Officer at the current time, without a long term sustainable finance plan in place for that position; 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.

STROPE stated in response to a question that currently there was more money being spent on Operations than what was being brought in by current revenues and it was expected to continue.

In response to **Mayor CLEMENTS'** question, **STROPE** stated that the Council could increase appropriations not to exceed 10% without reconvening the Budget Committee.

LACKEY stated that while he respected **LILLARD's** comment he believed that the Council had the responsibility to the Police and Fire Departments to maintain civility in the community. He noted that he believed that not funding non-essential services would be more appropriate than not funding a Police Officer.

LILLARD noted again that without specifics on how the budget would be impacted, he would not support funding of the Police Officer position.

Mayor CLEMENTS stated that he believed that the purpose of the Fiscal Committee meetings over the next year was to strategically plan the budget. He also noted that he was considering to recommend to under levy the Urban Renewal District on a regular basis starting with the 2016-2017 budget.

In response to POINTER's question, STROPE stated that the Urban Renewal Agency had not taken action in regards to Budget Approval, therefore it was not too late to under levy. However, STROPE stated that he would need to take a brief recess to research such an action.

Mayor CLEMENTS and LILLARD stated that the Fiscal Committee would need to meet in the future, regardless of the outcome of the Public Hearing this evening.

MOTION

The following Motion was introduced by LACKEY:

MOTION: I move that we continue on with the Budget as it is presented with the advice of undertaking the Budget Committee and changes that might be made in the future for tonight and we precede as presented.

The motion died due to the lack of a second.

The following Motion was introduced by LACKEY:

MOTION: I move that the proposed Resolution adopting the Fiscal Year 2015-2016, Budget be read by title only, put to a vote, and passed.

The motion died due to the lack of a second.

The following Motion was introduced by LILLARD; CLEMENTS providing the second;

MOTION: I move that the proposed Resolution adopting the Fiscal Year 2015-2016, Budget with reduction in the Police Department Budget for the proposed new officer position, be read by title only, put to a vote, and passed.

COUNCIL DISCUSSION

LACKEY stated that he did not endorse the motion that was made by Councilor Lillard.

LILLARD stated that it was the Council's responsibility to maintain programs as well public safety.

Further Council discussion was held regarding future funding issues.

In response to Mayor CLEMENTS' question, STROPE stated that the City could not sustain funding for the Police Position according to the long term Budget forecast.

VOTE

MSC. (Three (3) of the Councilors present voted in the Affirmative; LACKEY and POINTER voting Against. Rock abstained from voting due to a conflict of interest.)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON ADOPTING THE FISCAL YEAR 2015 - 2016 BUDGET, MAKING APPROPRIATIONS, AND LEVYING TAXES [4698]

VOTE

MSC: (5 of the Councilors present voted in the affirmative. Councilor ROCK abstained from voting due to a conflict of interest.)

MOTION

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

MOTION: I move that Proposed Resolution electing to receive State Revenues be read by title only, put to a vote, and passed.

COUNCIL DISCUSSION

None

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, DECLARING THE CITY'S INTENT TO RECEIVE STATE REVENUES. [4699]

VOTE

MSC: (5 of the Councilors present voted in the affirmative. Councilor ROCK abstained from voting due to an actual conflict of interest.)

UNFINISHED BUSINESS

None

NEW BUSINESS

a. Resolution: Workers' Compensation Coverage; Annual Update

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Heather RAJKOVICH, *Accountant*

RAJKOVICH stated that the City of La Grande provides Workers' Compensation insurance to volunteer firefighters, police reserve officers, appointed and elected officials, and other volunteers and community service workers. This renewal was an annual formality required by CIS, the City's risk management vendor.

COUNCIL DISCUSSION

None

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

Motion: I move that the proposed Resolution renewing Workers' Compensation Coverage for all municipal personnel be read by title only, put to a vote, and passed.

COUNCIL DISCUSSION

None

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, OREGON, EXTENDING WORKERS' COMPENSATION COVERAGE TO ALL MUNICIPAL VOLUNTEER PERSONNEL; ESTABLISHING ASSUMED WAGES FOR PUBLIC SAFETY VOLUNTEERS; AND REPEALING RESOLUTION NUMBER 4679, SERIES 2014, AND ALL OTHER RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith [4700]

VOTE

MSC: Unanimous (SIX of the Councilors present voted in the Affirmative).

**b. Consider: Ordinance – Second Reading;
Regulating Conduct in City Parks and
Repealing Ordinance #2849, Series 1993**

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Stu SPENCE, Parks and Recreation Director

SPENCE stated that the first reading of this Ordinance was read at the regular session of City Council on May 6, 2015 with no public testimony. The Parks & Recreation Advisory Commission recognized that the current rules were out of date and recommended several updates and changes to the current Ordinance. Some of the major changes were: rules against smoking and tobacco use, language prohibiting peddling, Morgan Lake specific conduct, and added trespass language.

SPENCE stated that furthermore, the updated Ordinance would enable staff and law enforcement to interact with park users to ensure parks were preserved for the enjoyment of all.

SPENCE noted that subsequent to the first reading, Staff reviewed the ordinance and found some minor language changes that were needed, which did not require reopening the Public Hearing. Those changes are as follows: "Law enforcement or the Director may exclude that person from that specific park or facility for the remainder of the day and up to 30 days. The individual may be arrested and prosecuted for criminal trespass if the individual enters/remains in the park from which he had been previously excluded during the period of time specified by law enforcement or the Director."

COUNCIL DISCUSSION

None

MOTION

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

Motion: I move that the Proposed Ordinance be read a Second Time by Title Only, put to a vote, and adopted.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, REGULATING CONDUCT IN THE CITY PARKS OF LA GRANDE, OREGON; SETTING OPERATING POLICIES; PROVIDING PENALTIES; AND REPEALING ORDINANCE NUMBER 2849, SERIES 1993; ALL AMENDING ORDINANCES, AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EFFECTIVE DATE [3223]

VOTE

MSC: Unanimous (SIX of the Councilors present voted in the Affirmative).

c. **Consider:** Resolution – Establishing Pool Fees and Repealing Resolution 4618, Series 2011

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Stu SPENCE, Parks and Recreation Director

SPENCE stated that in attempt to provide users at Veterans' Memorial Pool a lower cost pass option and potentially generate more revenue, the Parks & Recreation Advisory Commission recommended a monthly membership fee

choice be added to the Pool User Fee Resolution. Monthly memberships would automatically deduct from the customer's credit card in monthly increments. The new system would eliminate the 15-day and 30-day passes.

SPENCE noted that monthly membership prices proposed are as follows: Adult \$35.00, non-resident \$45.00; Youth/Seniors \$25.00, non-resident \$35.00; and Family (5 people) \$75.00, non-resident \$85.00. SPENCE noted that the last update to the Pool User Fees was in 2011.

SPENCE stated that the Parks & Recreation Advisory Commission unanimously recommended these changes at their May 19, 2015 meeting.

COUNCIL DISCUSSION

None

MOTION

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

Motion: I move that the proposed Resolution be read by title only, put to a vote and passed.

COUNCIL DISCUSSION

None

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, OREGON, ESTABLISHING FEES FOR VETERANS' MEMORIAL SWIM POOL AND REPEALING RESOLUTION NUMBER 4618, SERIES 2011, AND ALL OTHER RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH [4701]

VOTE

MSC. Unanimous. (SIX of the Councilors present voted in the affirmative)

d. **Consider: Awarding Contracts and Authorizing Mayor to Sign; Towing and Impound Services**

DECLARATIONS

Councilor Rock stated that he had an actual conflict of interest and would not be participating in the discussion and would abstain from voting.

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Brian HARVEY, Police Chief

Chief HARVEY stated that Ordinance 3002, Series 2002 governs nuisance vehicles and contains provisions for seizure, impoundment, and forfeiture of said vehicles.

Section 16. Nuisance Vehicles, subparagraph C, 1, states that "All vehicles towed and impounded shall be towed and impounded by a licensed tow company under contract with the City of La Grande, to a storage site operated by the towing company." Historically the City had contracted with multiple towing companies at the same time and alternated between them when the service was required. The current contracts had expired and therefore the City prepared a Request for Proposals (RFP) to solicit towing companies to provide these services.

Chief HARVEY noted that the RFP was sent to seven local vendors that provide towing services within the City of La Grande. Of those seven vendors, two submitted proposals: Captain Hook's and Rock and Sons Tire and Auto.

Chief HARVEY stated that both vendors agreed to all of the terms and conditions stated in the agreement and submitted comparable fee schedules which comply with the Resolution regarding fees for such services. It was the vehicle owner's responsibility to pay for the services under these contracts, not the City of La Grande. Both vendors have provided the same service for the past several years on an alternating basis and have provided a good service.

Chief HARVEY noted that it had been the City's practice that the towing companies that are under contract for these services were also used on an alternating basis for any needed towing of City vehicles, though this was not a requirement, it was not part of the agreement, and does not preclude the City from using other towing services for non-nuisance vehicles.

Chief HARVEY's recommendation was that the bid be awarded to Captain Hook's Towing and Rock and Sons Tire and Auto. Calls for Service would continue to be handled on an alternating basis which would be tracked electronically through the CAD system by Dispatch personnel.

COUNCIL DISCUSSION

None

MOTION

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

Motion: I move that the towing and impound services for the La Grande Police Department be awarded to Captain Hook's Towing and Rock & Sons Tire and Auto.

VOTE

MSC. (5 of the Councilors present voted in the affirmative. Councilor ROCK abstained from voting due to an actual conflict of interest.)

e. Consider: Approving and Authorizing Mayor to Sign; Joint Memorandum of Agreement, Tourism Promotion

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Robert STROPE, City Manager

In 2010, the Union County Board of Commissioners and the City of La Grande jointly entered into an agreement for Tourism Promotion services with the Union County Chamber of Commerce. In 2012, the agreement was modified to reflect a change in operation hours on Saturdays with the requirement to remain open during specific events. The agreement for services expired at the end of June, 2015. A new agreement which incorporated the original provisions as well as the changes made in 2012 was presented to the Council. It also had different events during which the Chamber was required to have the Visitor Center (Chamber Office) open. The draft had been provided to Union County for review as well as the Chamber Board of Directors. The Chamber Board had voted to approve the new agreement and it was anticipated that the County Commissioners would also approve the agreement. Changes to the last were shown in red in the staff report; 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.

STROPE noted that the he was a member of the Union County Chamber of Commerce Board of Directors, but was not compensated for this and therefore did not have a conflict of interest. Also, STROPE did not vote when the agreement was considered by the Chamber Board.

STROPE noted that the agreement was a joint agreement that had been changed to a one year agreement by Union County.

COUNCIL DISCUSSION

A brief discussion was held regarding the location of tourism promotion materials throughout the City and allocation and restrictions of funds from the Transient Room Tax.

MOTION

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

Motion: I move we approve and authorize the Mayor to Sign the Agreement for Tourism Promotion Services between the City of La Grande, Union County, and the Union County Chamber of Commerce, as amended.

PUBLIC COMMENTS

None

COUNCIL DISCUSSION

None

VOTE

MSC. (Unanimous)

STAFF COMMENTS

Chief HARVEY informed the Council of the possibility of cuts to programs and services in the community due to the lack of approving funding for an additional Police Officer. Mayor CLEMENTS' requested that Chief HARVEY keep the Council updated regarding changes to the Police Department. POINTER thanked Chief HARVEY, police staff, and donors for the new armored vehicle. Chief HARVEY in response to a question from POINTER explained the importance of the armored vehicle for both officer and public safety noting a shooting incident at a trailer park at which nearby residents could not be safely evacuated because the Department didn't have an armored vehicle that could be used as a barrier.

CITY MANAGER COMMENTS

Robert A. STROPE, City Manager, informed the audience of the retrieval process for bricks that were removed from Max Square. He also noted that donors were asked to review the current donor plaque that was placed in Max Square to ensure their names were included in the plaque.

CITY COUNCIL COMMENTS

POINTER commented on the new armored vehicle and stated that the Police Department did an outstanding job outfitting the vehicle to save lives.

Mayor CLEMENTS stated that he understood and empathized with citizens regarding reactions from the bricks being removed in Max Square. He expressed appreciation to the City Staff in solving the issues with the bricks and donor board listing. He also made comments regarding the armored vehicle and the uses for the vehicle.

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 7:18 p.m. The Council is scheduled to meet again in Regular Session on Wednesday, July 15, 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: _____