

**CITY of LA GRANDE**  
**City Council Regular Session**

**February 3, 2016**

**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***  
**Angelika Brooks, *City Recorder***  
**Kayla Nichols, *Assistant to the City Manager***  
**Mike Boquist, *City Planner***  
**Emmitt Cornford, *Interim Fire Chief***  
**Christine Jarski, *Economic Development Director***  
**Norm Paullus, *Public Works Director***  
**Stu Spence, *Parks and Recreation Director***

**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.

Mayor CLEMENTS read from a prepared statement and apologized for his response during the January Council Session regarding the letter that was signed by five (5) Councilors suggesting Council Retreat Topics.

**CONSENT AGENDA**

- a. Consider: Approval of Regular Session Minutes;  
*January 6, 2016***
- b. Consider: Approval of Liquor License Application;  
*Global AF Enterprises, Inc., (La Grande  
Chevron Food Mart, Inc.)***
- c. Consider: Veterans' Memorial Pool Agreement;  
*La Grande Swim Club***

LACKEY requested that Item "b", *Consider: Approval of Liquor License Application; Global AF Enterprises, Inc., (La Grande Chevron Food Mart, Inc.)* of the consent agenda be

moved to Item “g” under new business as he had further questions regarding the topic.

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

**MOTION**

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

**VOTE**

**MSC.** (unanimous)

**PUBLIC COMMENTS**

Eddie GARCIA thanked the Council for not cutting the Parks and Recreational Program and Library Program and spoke regarding his belief in having no additional taxes for citizens, and stated that he believed that the Urban Renewal Program be scrutinized to avoid wasteful spending. He also noted his concerns regarding Councilors speaking through emails. BOZARTH clarified that no emails were involved in regards to the Council Retreat Topic Letter.

**PUBLIC HEARINGS**

None

**UNFINISHED BUSINESS**

- a. **Consider:** Ordinance, Second Reading; *Frontier Communications Franchise*

**STAFF REPORT**

Mayor CLEMENTS requested the Staff Report.

Robert STROPE, *City Manager*

STROPE stated that the proposed Ordinance, which was negotiated by City Manager Strobe, was presented for a First Reading by Title Only during the Council’s Regular Session of January 6, 2016.

STROPE reminded the Council that at the January 6, 2016 Regular Session, he had stated that Jeremy Green, an attorney with Bryant Lovlien & Jarvis P.C., in Bend, Oregon, developed the draft agreement and provided advice to Mr. Strobe during the process. The proposed Agreement was a complete revision of the last Agreement, which brings 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 had been paying the Franchise Fee on time and had been in compliance with the terms of the former agreement.

Frontier Communications had agreed to the terms of this new agreement.

**PUBLIC COMMENT**

Eddie GARCIA spoke regarding the Charter Franchise Agreement and believed that the agreement needed to be updated.

**COUNCIL DISCUSSION**

A brief discussion was held regarding the logistics of how the franchise fee was allocated.

**MOTION**

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

**MOTION:** I move that the proposed Ordinance establishing a Utilities Franchise Agreement with Frontier Communications be Read for the Second Time by Title Only, put to a vote, and adopted.

**COUNCIL DISCUSSION**

At the Mayor's request, the City Recorder Read the Proposed Ordinance for a Second 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.**

**VOTE**

**MSC.** (unanimous)

**NEW BUSINESS**

- a. Consider: Accepting Final Study and Report/Resolution;  
*Establish a Public Hearing Date; 2015 Sidewalk LID***

**STAFF REPORT**

Mayor CLEMENTS requested the Staff Report.

Norm PAULLUS, *Director of Public Works*

PAULLUS stated that the Council established a City Wide Voluntary Sidewalk Local Improvement District for the year 2015 during the February 4, 2015, Regular Session. A Local Improvement District offers property owners a way to improve their property and maintain existing sidewalks. This contract assisted in facilitating sidewalk repair work upon property owner request.

The 2015 Voluntary Sidewalk Local Improvement District Number 15-050 ended December 31, 2015, with the total cost of projects repaired under the LID being \$15,188.10. Staff

monitored approximately 3,500 square feet of sidewalk repairs throughout La Grande during 2015, with many property owners hiring contractors or completing the repairs themselves.

**PUBLIC COMMENT**

None

**COUNCIL DISCUSSION**

None

**MOTION**

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

**MOTION:** I move that the Final Study and Report for the 2015 City Wide Voluntary Sidewalk Local Improvement District Number 15-060 be accepted and that the proposed Resolution establishing a Public Hearing date be read by title only, put to a vote and passed.

**COUNCIL DISCUSSION**

None

At the Mayor's request, the City Recorder Read by Title Only the Proposed Resolution, together with the Portion of the Resolution Setting the Hearing Date as follows:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, ESTABLISHING A PUBLIC HEARING DATE FOR CITY WIDE VOLUNTARY SIDEWALK LOCAL IMPROVEMENT DISTRICT NUMBER 15-060 [4715]**

**VOTE**

**MSC.** (unanimous)

**b.** **Consider:** Establish a City Wide Voluntary Sidewalk Local Improvement District; 16-061

**STAFF REPORT**

Mayor CLEMENTS requested the Staff Report.

**Norm Paullus, *Director of Public Works***

PAULLUS stated that staff was recommending to Council that a City Wide Voluntary Sidewalk Local Improvement District be established for the year 2016. We continue to receive calls from property owners about how they may make improvements to their sidewalks. Implementation of the City Wide Voluntary Sidewalk Local Improvement District Number 16-061 allowed a method of financing this work and offers property owners a way to improve their property and maintain existing sidewalks. Property owners may seek other financing methods or do the work themselves. Staff had reviewed all ten (10) areas within the sidewalk program. We will continue working with those property owners who have not completed repairs in the past, concentrating on Area Nine (9). We will also continue

to work with those property owners who would like to voluntarily make sidewalk improvements or necessary improvements received on a complaint basis. This was an annual request to support public improvements in the right-of-way.

A brief discussion was held regarding ownership of Island Avenue and the difference between the different area zones.

BOZARTH asked if the Voluntary Sidewalk Program was mandatory. PAULLUS stated it was not mandatory until the sidewalk creates a hazard, which would be determined by the City Sidewalk Inspector. In response to BROWN's question, PAULLUS stated a homeowner could do the work themselves as long as the homeowner adheres to City standards.

**PUBLIC COMMENT**

Marilynn Herbst, stated that prior to her retirement she was a member of the Fit Kids Coalition and agreed that the sidewalks near Willow School needed to be improved for the children's safety

PAULLUS spoke regarding current and potential funding for improving sidewalks.

**COUNCIL DISCUSSION**

None

**MOTION**

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

Motion: I move that we establish the 2016 City Wide Voluntary Sidewalk Local Improvement District Number 16-061.

**COUNCIL DISCUSSION**

None

**VOTE**

MSC. (unanimous)

**c. Consider: Authorizing City Manager to Enter into Agreement; *Public Improvement on Private Property***

**STAFF REPORT**

Mayor CLEMENTS requested the Staff Report.

Norm Paullus, *Director of Public Works*

PAULLUS stated that recently the Hand Ford building was purchased by Jeff Crews, dba EONI, for the purpose of relocating his business to this location. In the review of the improvements at this site, it was discovered that the sidewalk and part of the angle parking was located on private property. These improvements have existed for an

extremely long time and have been used for the benefit of the public. The property owner was willing to give to the City an easement onto his property for these existing public improvements so that the public could continue their use of the private property for parking and pedestrian travel. In exchange, the property owner was asking that the parking be designated 2-hour public parking as currently exists in the downtown area without permit parking. A map was included in the staff report that indicated the area addressed and a future transition that would realign the public improvements with other similar improvements that exist immediately west of this site. This request had been reviewed and recommended for approval by the Parking, Traffic Safety, and Street Maintenance Advisory Commission.

In response to LACKEY's question, STROPE stated that Main Street would need to come to a unified recommendation regarding parking in the downtown area that would then go to the Parking, Traffic Safety and Street Maintenance Advisory Committee and then would go to Council for approval.

**PUBLIC COMMENT**

None

**COUNCIL DISCUSSION**

LACKEY thanked Jeff Crews for allowing public parking on his private property.

**MOTION**

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

Motion: I move that the City Manager be authorized to enter into an agreement with Jeff Crews, dba EONI, for public improvements to be located on private property, and that 2-hour public parking be established on the south side of Jefferson Avenue.

**COUNCIL DISCUSSION**

In response to LACKEY's question, STROPE stated that EONI would be giving the City a perpetual easement; that an easement could be created that runs with the land, and that there were no term limits.

**VOTE**

MSC. (unanimous)

**d. Consider: Amending Engineering Standards;  
*Angled Parking***

**STAFF REPORT**

Mayor CLEMENTS requested the Staff Report.

Norm Paullus, *Director of Public Works*

PAULLUS stated that the City Council Resolution that provided for the City's right-of-way design standards requires revisions to incorporate changes that occurred over time to the Oregon Standard Specifications for Construction, and changes to the Federal guidelines that the City of La Grande follows when constructing improvements within the public right-of-way.

PAULLUS noted that in addition to incorporating State and Federal changes, Staff proposes to include new design standards that allow for angled parking along minor streets (aka local streets) within the City, when justified. The City currently does not have a design standard to govern such parking, yet angled parking exists within public rights-of-way in several locations within the City, such as on side streets downtown, along the perimeter streets around Pioneer Park, adjacent to the former Salvation Army Church located along Birch Street and "Y" Avenue, along the North and South boundaries of Willow School, along "L" Avenue between Fifth and Sixth Streets, and more.

PAULLUS stated that by passing the proposed resolution, the City could maintain consistency with State design standards and Federal guidelines; and would effectively manage the existing angle parking within the City, as well as work with larger facilities in our community to improve or resolve parking conflicts that may exist in their neighborhoods.

**PUBLIC COMMENT**

None

**COUNCIL DISCUSSION**

In response to BOZARTH's question, STROPE stated that the downtown standards for sidewalks included stamped concrete as mandatory. In response to BOZARTH's request, STROPE stated that the City would bring the downtown City map back to the Council with a recommendation of the standards for the sidewalks around Greenwood and Fir along the south side of Jefferson.

LACKEY noted his concerns regarding the angle parking in regards to oversize vehicles. PAULLUS stated that the proposed standard addressed the angled parking issue and he noted that all angle parking would be reviewed and approved by the La Grande Public Works Department prior to construction, and the standard was only for use on low traffic volume roadways.

LILLARD also had concerns regarding oversize vehicles and the angle parking.

**MOTION**

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

**Motion:** I move that the proposed Resolution Amending and Readopting the City of La Grande Standard Drawings and Specifications for Construction Manual 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, REPEALING RESOLUTION 4668, SERIES 2013; INCORPORATING ANGLED PARKING DESIGN STANDARDS AND INTEGRATING WORDING AND STANDARD UPDATES WITHIN THE "CITY OF LA GRANDE STANDARD DRAWINGS AND SPECIFICATIONS FOR CONSTRUCTION MANUAL;" AND REPEALING ALL OTHER RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH [4716]

**VOTE**

**MSC.** (unanimous)

**e. Consider:** Authorizing City Manager to sign Memorandum of Understanding; *Employees Association*

**STAFF REPORT**

Mayor CLEMENTS requested the Staff Report.

Robert STROPE, *City Manager*

STROPE stated that the City was finalizing updates to the job descriptions for Utility 1, Utility II, Tech 1, and Tech II. The previous descriptions were significantly outdated. The intent was to not only update these descriptions to better align them with the current duties, but also to resolve some conflicting language as it relates to certification pay. As part of this process, it was necessary to address changes in requirements that impact mandatory bargaining subjects, specifically wages and certification pay. As the wage scale and certification pay is tied to the job descriptions in effect at the time the Collective Bargaining Agreement (CBA) was negotiated, any changes in essential duties, responsibilities, or requirements that increase or decrease those requirements would need to be addressed as it related to compensation. Therefore, a meeting was held with the Association to discuss the changes. The proposed Memorandum of Agreement for Association and City Council consideration would resolve these issues. It was not in the City's best interest to delay updating the descriptions and resolving this issue as part of the next CBA negotiations.

1. Tech 1 – this job description was last updated in 1988. Under the current job description, certifications at the Class I level are “required” for some positions. The City does have employees that have been receiving certification pay for required certifications for several years, and this MOA would correct this situation.
2. Tech II – this job description was updated in 1996. Under the current job description, the language regarding certifications was confusing. It referred to “desirable requirements” as opposed to either “desired” or “required.” If a certification was “required” in the job description, the employee was not entitled to certification pay. It was appropriate that Tech II employees be required to hold certifications based on their specific job, however, since the word “desirable” was included in the job description employees received certification pay. This has been corrected, but the change would result in some existing employees currently holding Tech II positions losing their certification pay. Therefore, there was a need to offset the loss with a corresponding salary change on an employee by employee basis.

The proposed Memorandum of Agreement (MOA) would address these compensation issues. Specifically, it eliminated certification pay for certain positions and increase the base salaries and wage scale by a corresponding amount as follows:

1. No changes to the starting salaries for Tech I or Tech II positions.
2. For individual Tech I employees currently receiving certification, their individual salary would be increased by \$0.25 per hour and they would stop receiving the current \$0.25 per hour certification pay effective at the start of the next pay period
3. For individual Tech II employees currently receiving certification pay for a certification shown as required under the updated job description, their individual salary would be increased by \$0.25 per hour for those certifications and they would stop receiving the corresponding certification pay effective at the start of the next pay period.
4. The top salaries for the Tech I and Tech II positions would be increased by \$0.25 and \$0.50 respectively to offset the impact of the loss of certification pay for any employees “topped out.”

STROPE noted that the Employees Association had agreed to the terms of this proposal, which was subject to City Council approval.

In response to Mayor CLEMENTS' question, STROPE stated that the change in pay would be specifically applied to current employees and the top of the pay scale would be raised by \$0.25 to \$0.50 pay increase for those who have topped out in their step.

In response to LILLARDS question regarding Certification pay, STROPE stated that it would benefit the City with the added incentive for employees to receive additional pay with additional certifications.

**COUNCIL DISCUSSION**

In response to LACKEY's question, STROPE clarified that the Directors' Job Descriptions had been updated and he did not state that all the Job Descriptions had been updated. He also noted that the City was creating more incentive for employees to become certified.

**MOTION**

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

**Motion:** I move the proposed Memorandum of Agreement between the City and La Grande Employees Association regarding the compensation for Tech I and Tech II employees be approved and authorize the City Manager to sign the MOA.

**COUNCIL DISCUSSION**

None

**VOTE**

**MSC.** (unanimous)

- f. Consider:** Appointing Citizens to Various Committees/  
Commissions; *Community Forestry and Landmarks*  
Advisory Commissions

Steve CLEMENTS, Mayor

The following motion was introduced by CLEMENTS; BOZARTH providing the Second:

**MOTION**

**Motion:** I move that Kevin Lair be appointed to the Community Landscape and Forestry Commission, for a three-year term, expiring December 31, 2018.

**VOTE**

**MSC.** (unanimous)

The following motion was introduced by CLEMENTS; ROCK providing the Second:

**MOTION**

**Motion:** I move that Jon Franklin be appointed to the Landmarks Commission, for a three-year term, expiring December 31, 2018.

VOTE

MSC. (unanimous)

- g. Consider: Appointing Citizen to Union County Economic Development Corporation Board of Directors

The following motion was introduced by CLEMENTS; BOZARTH providing the Second:

Motion: I move that Stephen Anderson be appointed to the Union County Economic Development Corporation Board of Directors, for the remainder of a four-year term, which will expire on January 31, 2017.

COUNCIL DISCUSSION

LILLARD confirmed the Mr. Anderson was not currently on the Board as a County representative.

VOTE

MSC. (unanimous)

- g. Consider: Approval of Liquor License Application; *Global AF Enterprises, Inc., (La Grande Chevron Food Mart, Inc.)*

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Robert STROPE, *City Manager*

STROPE noted that the Council approved Mr. Abdullah's change of ownership liquor license at the January 6, 2016 Council meeting. Mr. Abdullah had reapplied as a corporation, and again required Council approval.

COUNCIL DISCUSSION

LACKEY requested clarification regarding the Off-Premises Sales, to which STROPE stated that his assumption would be that the consumption of alcohol would be off the premises and rather than consumed on the premises.

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

Motion: I move that the OLCC Liquor License Application, Full Off-Premises Sales (with fuel pumps), corporation, change of ownership, for Global AF Enterprises, Inc., be approved and signed by the Mayor.

COUNCIL DISCUSSION

None

**VOTE**

**MSC.** (Six of the Councilors voting in the Affirmative; LILLARD abstained due to his opinion on the State's alcohol process in comparison to the regulation of legalized marijuana.

**STAFF COMMENTS**

Parks and Recreation Director Stu SPENCE informed the Council regarding the concept of "Open Streets" to encourage the community to become physically active, and to also involve the participation of businesses. The event would take place during May, July, and September.

**CITY MANAGER COMMENTS**

Robert STROPE, City Manager, stated that he was working on finalizing the summary from the Council Retreat and would be presenting that summary to the Council during the Regular Session scheduled for March 2, 2016.

**CITY COUNCIL COMMENTS**

BOZARTH stated that he accepted Mayor CLEMENTS' apology regarding his actions at the last Council meeting and he noted that he hoped that the Council could put the situation behind them and move forward with City business in the most positive manner.

BROWN agreed with BOZARTH.

POINTER confirmed that a link for the lagrandealive.tv web site was placed on the City website per his request, to which BROOKS stated that it had been.

ROCK stated that he appreciated Mayor CLEMENTS apology and believed in working together and working on the bigger issues that the City faces every day.

LACKEY also thanked Mayor CLEMENTS' for his apology and that he believed the Council needed to work cohesively with one another.

Mayor CLEMENTS had sent an email to Councilors the previous week regarding the letter for a Pathway Grant for a pathway around the Eastern Oregon University campus. SPENCE stated that he had drafted a letter for the project on behalf of the Parks and Recreation Program, to which Mayor CLEMENTS' stated he would clarify if the requestors for the letter needed one from both the Mayor and the Parks and Recreation Department.

Mayor CLEMENTS' noted that on February 18, 2016, there is a Mayors Meeting scheduled and all councilors are invited to attend, however, due to quorum issues only three (3) Councilors would be able to attend including the mayor. He

reminded the Councilors to notify the City Recorder if they planned to attend.

In response to Mayor CLEMENTS' question, STROPE stated that the Grande Ronde River Greenway Project had a couple of items that needed to be addressed in order to move forward with the project. Stream restoration work needed to be performed, and Island City needed to complete its Parks Master Plan. The project was submitted for funding last year and did not get funded at the State level. STROPE noted that he believed that another application would be resubmitted this year for approval and that Island City would be working on the project.

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 7:05 p.m. The Council is scheduled to meet again in Regular Session on Wednesday, March 2, 2016, at 6:00 p.m., in the Council Chambers of City Hall, 1000 Adams Avenue, La Grande, Oregon.

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Kayla M. Nichols  
Assistant to the City Manager

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Stephen E. Clements  
Mayor

APPROVED: \_\_\_\_\_