

CITY of LA GRANDE
City Council Regular Session

April 3, 2024

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

MINUTES

COUNCILORS PRESENT:

Justin Rock, *Mayor*
David Glabe, *Mayor Pro Tem*
Corrine Dutto, *Councilor* (via phone)
Nicole Howard, *Councilor*
Denise Wheeler, *Councilor*

COUNCILORS ABSENT EXCUSED:

Mary Ann Miesner, *Councilor*
Molly King, *Councilor*

STAFF PRESENT

Robert Strobe, *City Manager*
Stacey Stockhoff, *City Recorder*
Keri Quinn, *Assistant to the City Manager*
Gary Bell, *Police Chief*
Michael Boquist, *Community Development Director*
Teresa Gustafson, *Urban Forester*
Stu Spence, *Parks and Recreation Director*

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

Mayor ROCK 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:** Approving Regular Session Minutes; March 6, 2024

The following Motion was introduced by HOWARD; GLABE providing the Second:

MOTION

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

VOTE

MSC: 5-0 (Yes: ROCK, GLABE, DUTTO, HOWARD, and WHEELER; No: None)

PUBLIC COMMENTS

Teresa GUSTAFSON, Urban Forester for the City, announced La Grande had been certified as a Tree City USA for 2023. She further noted the standards that had to be in place for consideration for the award. She mentioned there was a report on the City's website that was available to view regarding information on trees throughout the City and gave a brief preview of statistics within the report. GUSTAFSON

stated that the City of La Grande achieved Tree City USA recognition for the thirty-fourth (34th) year by the Arbor Day Foundation, as well as received its thirty-second (32nd) consecutive Tree City USA Growth Award. She gave an update on the Arbor month activities and shared that Saturday, May 4, 2024, would be Community Tree Planting Day.

A photo was taken of the Councilors with a Tree City USA banner.

Ryan LUCKIN, Vice President of Marketing with Ziplly Fiber, presented the City with an award for America's Fastest Internet. He explained that the network that was built in La Grande serves 5,000 addresses in the City. It was the fastest residential service available in the country and La Grande was the first City to be awarded with this recognition.

Sarah MARCOTTE, Executive Director of La Grande Main Street Downtown (LGMSD), explained they were planning a Community Cleanup Project to be held on Saturday, April 20, 2024. She asked for matching funds from the City and explained the items they would need. WHEELER asked if the volunteers could bring some of their own protective equipment, such as gloves, to which MARCOTTE replied she would add that suggestion to their flyer. STROPE noted a program existed between the City and County where they could match funds and was confident an arrangement could be made to help out.

Evan HUMPHRY, a resident of La Grande, would like to see the Safe Routes to School Program pursued and believed it would be greatly beneficial to the community. He thanked the Councilors for their work on this matter.

Sarah ANDERSON, a citizen of La Grande, would also like to see the City continue to pursue Safe Routes to School. She brought a report from Safe Routes to School and highlighted, what she believed, were the important items to focus on. She also pointed out that funding options were within the report as well and thanked the Council for their time and service.

PUBLIC HEARINGS

- a. **Consider**: Ordinance; First Reading; Adopting and Enacting New Code of Ordinances

RULES OF ORDER

Mayor ROCK announced that the Public Hearing was open at 6:22 p.m. and asked City Recorder STOCKHOFF to read the Rules of Order in their entirety.

STAFF REPORT

Mayor ROCK requested the Staff Report.

Robert STROPE, *City Manager*

STROPE explained that the City of La Grande deemed it necessary to codify the City's Ordinances and desired to provide community members with a City Code that was accessible and convenient. Civic Plus Staff and City Staff had worked diligently the past year in collecting, categorizing and reformatting ordinances into a structured, comprehensive and accessible document, that would eventually be known as the La Grande Code. This process involved reviewing adopted ordinances to assure they reflected current legal requirements and made required changes based on new legislation, legal precedents and/or removal of obsolete provisions. It also involved indexing, cross-referencing and organizing ordinances by subject matter to enhance usability and searchability. Once the project was completed, the City Council would adopt the new Code in a single motion. The process was not intended to make new laws or regulations.

STROPE stated that on October 31, 2023, the final proof draft of the Code of Ordinances for the City of La Grande was returned to City Staff from Municode. City Staff and the City Attorney proofread the draft to assure agreed upon substantive changes have been made.

STROPE then noted on November 27, 2023, City Council and City Staff held a Work Session to discuss the codification process and reviewed the draft. Following the Work Session, minor changes were provided to Municode Staff to finalize the Code of Ordinances for adoption. The Code of Ordinances was shipped to the City of La Grande, which was received on March 5, 2024. The last step in the process was to adopt the proposed Ordinance. Once effective, the Code of Ordinances would be available on the City website for community members and one hard copy (book) would be made available for public view in the City Manager's office.

PUBLIC TESTIMONY

None.

COUNCIL DISCUSSION

HOWARD voiced support for the Ordinance.

Upon Mayor ROCK's request, City Recorder STOCKHOFF read the proposed Ordinance by Title Only.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, ADOPTING AND ENACTING A NEW CODE FOR THE CITY; PROVIDING FOR

THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND DECLARING AN EFFECTIVE DATE

Mayor ROCK announced that the Public Hearing would be continued to May 1, 2024, at which time the proposed Ordinance was scheduled to be read a Second Time by Title Only and considered for Adoption.

UNFINISHED BUSINESS

None.

NEW BUSINESS

- a. **Consider:** Resolution; Consenting to Union Co. Truancy Ordinance Implementing Measures to Reduce Incidents from Union County Public Schools

STAFF REPORT

Mayor ROCK requested the Staff Report.

Robert STROPE, *City Manager*

STROPE stated that the entities of Union County, La Grande School District No. 1, North Powder School District No. 8J, Elgin School District No. 23, Imbler School District No. 11, Union School District No. 5, and Cove School District No. 15, in conjunction with InterMountain Education Service District, desired to have a county-wide truancy program that endows Law Enforcement and School Officials with the authority to issue infraction citations and take other action with regard to students and a student's parent, guardian or other responsible adult who failed to comply with school attendance requirements of state laws and rules. The purpose of Union County Ordinance 2024-01 created rules for enforcement procedures intended to reduce the incidents of truancy within Public Schools in Union County.

STROPE noted that the Union County Board of Commissioners had authority to regulate matters of County concern within the County, under the provisions of the Constitution of the State of Oregon and the revised statutes of the State of Oregon. The Ordinance applied to students in Kindergarten (K) through 12th grades, enrolled in public school located within Union County, including within the incorporated cities of North Powder, La Grande, Island City, Summerville, Union, Cove, Elgin and Imbler. This Ordinance did not apply to students attending private schools located within Union County.

STROPE also stated that while the Ordinance would allow the La Grande Police Department (LGPD) to act, the intent would be for the Union County Sheriff's Office (UCSO)

School Resource Officer or La Grande School District staff to take enforcement actions, not LGPD.

STROPE stated pursuant to ORS 203.040, for Union County to enforce the Ordinance within the City of La Grande, the City Council must provide consent.

George MENDOZA, School Superintendent for La Grande School District, noted chronic absenteeism was a growing problem for schools within Union County. Through working with other Superintendents, the Union County District Attorney, Union County Commissioners, and the Sherriff's Department, they were able to create an Ordinance that was similar to those of Crook and Malheur Counties.

MENDOZA explained the importance of students showing up for school and the different avenues that had been used by the School District to improve attendance within their means. He mentioned that formalized plans with the students and parents does not always change behavior and stated that maybe a sit down with a judge would help those situations.

MENDOZA noted that per ORS 339.065, sickness of a student, a student's family member or an emergency are excused absences. This question had been asked of him several times and he wanted to point this out to the Council.

Randy SHAW, Board Chair of La Grande School District's School Board, voiced the School Board was in full support of the Ordinance.

Union County Sheriff Cody BOWEN addressed a question he had been asked by concerned parents, whether officers would be harassing children during school hours if they were outside of school. He stated that absolutely would not happen, the Ordinance itself would not pose any burden on law enforcement officers or school enforcement officers.

Kelsie McDANIEL, Union County District Attorney, discussed how a meeting with the student, their family and a judge was meant to be a last resort and was typically used to find creative ways to get the child to attend school. McDANIEL stated this should be seen as a tool to increase attendance and make sure the students were successful and safe.

WHEELER asked if there was something set up in case of a child having a long-term illness, to which MENDOZA answered they would work with families that were in those types of situations and gave a list of alternatives including taking assignments home and online classes.

DUTTO stated attendance was clearly linked to success in school and believed parents were ultimately responsible for their children's attendance at school. She discussed her concerns about the Ordinance with Superintendent Mendoza through email and those concerns had been addressed. DUTTO stated support for the Resolution.

GLABE stated that he read the document provided and did not see exemptions for sickness and wanted to know where to find it, to which MENDOZA stated it was not in the Resolution but the language about sickness was in ORS 339.065. STROPE confirmed that the language regarding sickness was covered under ORS 339.065 (Section 2.a). GLABE voiced his opinion that he felt that language should be within the document language so that it was easily accessible.

In regards to the fine of \$500 up to \$1,000, GLABE believed it to be an egregious amount and asked how those figures came about, to which McDANIEL explained that Union County was the third in the State to consider this kind of Ordinance, the penalties were mirrored from two other counties. She further explained that in the Ordinance (#2024-01), under Penalties (Section 6.3.), it was stated that the Circuit Court may impose a civil penalty. Other Ordinances that were looked at stated that a penalty was required, the Superintendents and community partners working on this did not want that. McDANIEL further informed that per Oregon State Law, a judge could not impose a fine that was unrealistic for an individual given their financial status.

GLABE asked if there was any hard data to support this type of Ordinance, to which MENDOZA answered that the data was there when kids show up and participate, they do graduate. He further explained that the school did what they could to work with families to get a child to school regularly and described the different options provided to parents and students to help the student's education and stay connected to the school system.

WHEELER asked if the school resource officer would still be available and involved, to which BOWEN answered that they would still be involved with the schools in the same capacity.

PUBLIC COMMENTS

None.

COUNCIL DISCUSSION

HOWARD voiced support and thanked everyone who collaborated on the Ordinance.

The following Motion was introduced by GLABE; HOWARD providing the Second:

MOTION

MOTION: I move that the proposed Resolution consenting to Union County Ordinance 2024-01 be read by Title Only, Put to a Vote, and Passed.

COUNCIL DISCUSSION

None.

Upon Mayor ROCK's request, City Recorder STOCKHOFF read the proposed Resolution by Title Only.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, CONSENTING TO UNION COUNTY ORDINANCE 2024-01 IMPLEMENTING MEASURES TO REDUCE INCIDENTS OF TRUANCY FROM UNION COUNTY PUBLIC SCHOOLS [4859]

VOTE

MSC: 5-0 (Yes: ROCK, GLABE, DUTTO, HOWARD, and WHEELER; No: None)

b. Consider: Ratifying Expenditure for Fencing Installation; Greenway Trail Extension Property

STAFF REPORT

Mayor ROCK requested the Staff Report.

Stu SPENCE, *Parks & Recreation Director*

SPENCE explained that the Parks and Recreation Department and Public Works Department Staff began laying out the trail extension in the fall of 2023. When nearby property owners saw the trail orientation, they presented a sales agreement from 2011, that was new information to Parks and Recreation Staff. It required that a fence be installed on the property line bordering the trail project. On the advice of the City Attorney, an amendment to the agreement was agreed upon regarding the placement of fence and an allowance for the adjacent property owners to pay for privacy slats at their expense. Subsequently, Staff sought quotes and was only able to find one contractor who would do the project. Although initial inquiries regarding the cost of the project appeared to be under the \$10,000 range, the actual fencing bid came in over \$10,000; and given it was not specifically identified in the FY 2023-2024 Adopted Budget, the expenditure must be approved by the City Council. These funds would be made up by a mix of grant funding, project savings, and General Fund dollars. This would not overspend the existing Parks & Recreation Department budget. In order to assure the project was completed on time, at the City Manager's direction, the Parks and Recreation Director accepted the bid. Based on

this, the suggested motion is to ratify the expenditure rather than approve it.

PUBLIC COMMENT

None.

COUNCIL DISCUSSION

None.

The following Motion was introduced by HOWARD; GLABE providing the Second:

MOTION

Motion: I move to ratify the expenditure of \$24,250 for fencing to be installed along the border of the Greenway extension property and adjacent to the nearby property owners.

COUNCIL DISCUSSION

None.

VOTE

MSC: 5-0 (Yes: ROCK, GLABE, DUTTO, HOWARD, and WHEELER; No: None)

UNION COUNTY COMMISSIONER UPDATE

Commissioner Matt SCARFO stated the County had a first reading of the revised burn Ordinance and wanted to let community members know that they could review it on the County's website and to call the Union County office with any questions at 541-963-1001. The second reading of the Ordinance would be held on April 17, 2024, at 9:15 a.m., at 1106 K Avenue in La Grande.

SCARFO shared an update on the Fairgrounds Project and mentioned that the OEM (Oregon Emergency Management) Director, Erin McMahon, would be touring the Fairgrounds on May 2, 2024. He was hopeful that there may be funds available through the E-Board and that the topic may be added for their meeting in June.

SCARFO announced there would be a fundraiser by Friends of the Fairgrounds held on Monday, April 8, 2024, at 5:30 p.m., at the Fairgrounds. There would be dinner and an auction and invited community members to the event.

STAFF COMMENTS

SPENCE stated the Greenway Trail Extension Project would be under way by May, and completed by June of this year.

SPENCE revealed the City received the final match funding for the Riverside playground replacement. Over 45 businesses and individuals pledged money and noted that the majority of the people who were asked to pledge, said yes to a donation. The grant application was turned in the previous week for \$400,000 from Oregon State Parks. SPENCE noted all 45 businesses and individuals were listed on the grant and felt positive about the impact that number of contributors would have on the application process. The

final decisions for the grant were to take place in September, 2024.

SPENCE noted the pump track would be under construction in July, 2024.

WHEELER asked if the restrooms were open to the public at Bernie Park, to which SPENCE answered yes. The restrooms needed some extra work but they were open.

Chief BELL was pleased to share that their newest Police Officer, Donovan Gonzales, graduated from the Basic Police Academy on Friday, March 29, 2024. The City Manager attended the ceremony for Gonzales and it was appreciated.

BELL announced that on Saturday, April 27, 2024, the Police Department's Drug Take-back Event would be held at 10 a.m. in the Safeway parking lot. Citizens could also drop off at the police station and other locations around town.

CITY MANAGER COMMENTS

STROPE reminded the Council that every Monday in April had a Work Sessions scheduled on the calendar.

STROPE stated a meeting was to occur with the City Attorney regarding the draft Charter revisions and discussed details concerning elections that would occur if a Councilor vacated their position with two or more years left on their term.

STROPE mentioned that the City of La Grande was hosting the League of Oregon City (LOC) President's Regional Meeting Luncheon on Thursday, April 18, 2024, for elected officials and reminded the Councilors that they were all invited.

STROPE noted that the Budget Committee would be touring various City facilities on Tuesday, April 23, 2024, and he believed it was going to be a positive event for the Committee to participate in.

STROPE stated that budget meetings with the Department Directors, to finalize requested budget numbers, were completed that day for each department and progress was being made towards completing the Proposed Budget. The Budget Committee Hearings were scheduled to be held in May, 2024, with the adoption of the budget scheduled to be held in June, 2024.

CITY COUNCIL COMMENTS

Mayor ROCK proclaimed the month of April, 2024, as Arbor Month.

There being no further business to come before this Regular Session of the Council, Mayor ROCK adjourned the meeting at 7:05 p.m. The Council is scheduled to meet again in Regular Session on Wednesday, May 1, 2024, at 6:00 p.m., in the Council Chambers of City Hall, 1000 Adams Avenue, La Grande, Oregon.

**Stacey M. Stockhoff
City Recorder**

**Justin B. Rock
Mayor**

APPROVED: _____