

CITY of LA GRANDE
City Council Regular Session
May 5, 2021

The meeting was available for viewing via the City's scheduled Charter Communications channel 180, on the La Grande Alive website at <https://eoalive.tv/city-events/> and on the Eastern Oregon Alive.TV Facebook page at <https://www.facebook.com/EOAliveTV>.

MINUTES

COUNCILORS PRESENT:

Stephen E. Clements, *Mayor*
Gary Lillard, *Mayor Pro Tem*
David Glabe, *Councilor*
Nicole Howard, *Councilor*
Mary Ann Miesner, *Councilor*
Justin Rock, *Councilor*

COUNCILORS ABSENT EXCUSED:

John Bozarth, *Councilor*

STAFF PRESENT

Robert Strobe, *City Manager*
Kayla Rock, *City Recorder*
Stacey Stockhoff, *Assistant to the City Manager*
Gary Bell, *Police Chief*
Mike Boquist, *Community Development Director*
Kyle Carpenter, *Public Works Director*
Emmitt Cornford, *Fire Chief*
Kip Roberson, *Library Director*
Stu Spence, *Parks and Recreation Director*

Per ORS 192.670(1), Councilors and Staff participated in this Regular Session by electronic communication.

CALL TO ORDER/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;
April 7, 2021

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

MOTION

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

VOTE

MSC. SIX (6) of the SIX (6) Councilors present voted in the affirmative.

PUBLIC COMMENTS

STROPE made the Council aware that he has received one (1) phone call and two (2) emails from citizens expressing their concern regarding the extension of the Emergency Declaration. He followed up to explain that the extension was not adding restrictions in the City, but was put in place to allow the City to act quickly if needed to respond to the pandemic and assure the City could accept federal funding if the funding required such a declaration.

Mayor CLEMENTS asked if the City did not extend the Emergency Declaration, would the COVID funding still be offered to the City to utilize, to which STROPE stated that the funds from the American Rescue Plan Act (ARPA) would still be offered to our City, but for the FEMA grant funding related to COVID-19, it was important to have an Emergency Declaration in place to receive.

PUBLIC HEARINGS

- a. Consider:** Ordinance, Second Reading; *Accepting Final Sidewalk LID, 2019*

RULES OF ORDER

Mayor CLEMENTS announced that the Public Hearing was still open for the Ordinance to be read a Second Time by Title Only and considered for Adoption; and that the Rules of Order for this Public Hearing were read in their entirety during the Regular Session of April 7, 2021.

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Kyle CARPENTER, *Public Works Director*

CARPENTER stated that the Council established a City-Wide Voluntary Sidewalk Local Improvement District (LID) for the year 2019 during the May 1, 2019, Regular Session. A Local Improvement District offers property owners a way to improve their property and maintain existing sidewalks within the right-of-way. This process assists in facilitating sidewalk repair work upon property owner request and approval.

CARPENTER noted that the 2019 Voluntary Sidewalk Local Improvement District Number 19-064 ended December 31, 2020, with the total cost of projects repaired under the LID being \$14,000.75. Staff monitored approximately 1,200 square feet of sidewalk repairs throughout La Grande during 2019 and 2020, with many property owners hiring contractors or completing the repairs themselves.

CARPENTER stated that the Council accepted the Final Study and Report during the March 3, 2021, Regular Session and the First Reading of the proposed Ordinance was held at the April 7, 2021, Regular Session.

MIESNER asked if the LID could include driveways also, to which CARPENTER stated yes.

PUBLIC TESTIMONY

None

COUNCIL DISCUSSION

None

Mayor CLEMENTS announced that the Public Hearing was closed at 6:10 p.m.

MOTION

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

MOTION: I move that the proposed Ordinance establishing final assessments for the 2019 City Wide Voluntary Sidewalk Local Improvement District Number 19-064 be Read by Title Only for the Second Time, Put to a Vote, and Adopted.

COUNCIL DISCUSSION

None

Upon Mayor CLEMENTS' request, the City Recorder read the Proposed Ordinance for the Second Time by Title Only.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, ESTABLISHING THE FINAL ASSESSMENTS TO THE PROPERTY DETERMINED TO BE SPECIFICALLY BENEFITED BY THE 2019 CITY WIDE VOLUNTARY SIDEWALK LOCAL IMPROVEMENT DISTRICT NUMBER 19-064; AND DECLARING AN EFFECTIVE DATE [3251]

VOTE

MSC. SIX (6) of the SIX (6) Councilors present voted in the affirmative.

UNFINISHED BUSINESS

None

NEW BUSINESS

- a. Consider:** Establishing a City-Wide Voluntary Sidewalk Local Improvement District; #21-065

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Kyle CARPENTER, *Public Works Director*

CARPENTER stated that Staff was recommending that a City-Wide Voluntary Sidewalk Local Improvement District be established for the year 2021. The City continues to receive calls from property owners about how they may make improvements to their sidewalks. Implementation of City-Wide Voluntary Sidewalk Local Improvement District Number 21-066 allows 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

has reviewed all nine (9) areas within the sidewalk program. They would continue working with those property owners who have not completed repairs in the past, concentrating on Areas One (1) and Two (2), which was the southern side of town bordered to the north by "E" Avenue and extending from Walnut Street to the railroad tracks. Each area was set to be reviewed every five (5) years per the Sidewalk Handbook. They would 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.

PUBLIC TESTIMONY

None

COUNCIL DISCUSSION

None

MOTION

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

MOTION: I move that we establish the 2021 City-Wide Voluntary Sidewalk Local Improvement District Number 21-066.

COUNCIL DISCUSSION

None

VOTE

MSC. SIX (6) of the SIX (6) Councilors present voted in the affirmative.

b. Consider: Accepting a Certified Local Government Grant from the Oregon Parks and Recreation Department State Historic Preservation Office

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Michael BOQUIST, *Community Development Director*

BOQUIST stated that during the February 3, 2021, Regular Session of the City Council, the Planning Division and Landmarks Commission requested the City Council's support in applying for a \$10,000 Certified Local Government Grant offered through the Oregon State Historic Preservation Office (SHPO). The purpose of this grant was to update the City's Downtown Historic District Standards. This grant requires a 1:1 hard dollar match, which was included in the FY 2021-2022 Proposed Budget.

BOQUIST noted that on April 2, 2021, the Planning Division was notified that the City was successful with this grant request, with the possibility of being awarded an additional \$2,000, which the City could match in-kind. The Resolution adopted by the City Council in February, 2021, authorized the Planning Division Staff to apply for the grant; however,

during the Council discussions, the Council requested a copy of the project scope and budget for review prior to the City accepting the grant. In the Council's packet were supporting documents outlining the work that would be done by the consultant with associated estimated costs for each element of the work; 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. If the City Council approves accepting the grant, the Resolution also authorized the City Manager to sign any documents related to the grant so no further Council action would be required.

BOQUIST gave a quick background as discussed during the City Council's Joint Work Session with the Landmarks Commission on February 1, 2021. The Historic District Standards were written in 1999, as "guidelines" later changed to "standards" in 2009 by Resolution of the City Council. However, the change from "guidelines" to "standards" did not include significant regulatory edits, thus many standards were recommended, suggested or implied, but were not clear. The lack of clarity in the standards was often confusing for property owners, and had also resulted in inconsistent implementation of some standards. Through this grant, the City would hire a consultant to facilitate a public process and assist in improving and rewriting the standards to remove the ambiguity.

BOQUIST noted that during the February 3, 2021, Regular Session of the City Council, the Council discussed whether the intended outcome of this Code update could be accomplished with minor amendments prepared by Staff and the Landmarks Commission, instead of hiring a consultant for a full re-write of the Code; and whether Staff could facilitate the robust public involvement process that was required as part of the code amendment process. Staff relayed the Commission's concerns that a simpler process of only amending the existing Code could occur, but would likely result in a band-aid approach that would not provide a long-term solution that was supported by the community; and it may not provide the clarity needed in the standards, consistency with decisions, or flexibility desired for the different classifications of historic buildings. Additionally, Staff and the Landmarks Commission do not feel that the City could adequately facilitate a robust and productive public engagement process that would result in strong community support or buy-in for the proposed amendments.

BOQUIST stated that some Councilors expressed similar concerns as Staff, and stated the desire for a third-party consultant that was knowledgeable in historic preservation and had the strong public engagement skills required to

effectively facilitate the code amendment process. A consultant would be an unbiased and neutral party that may be more successful at developing and rewriting the Downtown Historic District Standards and gaining community support.

BOQUIST added that the Planning Division Staff was seeking City Council support for accepting this grant as was contemplated at the Work Session, contingent upon budget approval.

In response to LILLARD's question, BOQUIST answered that the full \$22,000 (\$12,000 from the State Grant and \$10,000 from the City) would be paid to the consultant.

Mayor CLEMENTS asked if by having some of the standards already in place, would this make the process easier for the consultant to enhance the document, to which BOQUIST stated that he believed it would help aid in the process and further explained the steps that the consultant would be taking to address the goals and outcome of the revised documentation.

In response to MIESNER's question regarding the location the consultant would be hired from, BOQUIST stated that most consultants come from the West side of the State or Bend area, although we would be looking towards the Tri-Cities and Boise area as well. We would be looking to hire a consultant that had experience working with rural communities and that could develop a comprehensive set of codes that best fit our historic district.

GLABE asked if we turned down the grant this year, could we reapply for this grant again next year, to which BOQUIST answered that we could reapply next year but explained that there could be added risks by doing so; for example, less funding and/or higher competition among applicants.

In response to GLABE's comment in regards to utilizing a State Historic Preservation Officer (SHPO) for free consultation and a template available from SHPO to aid in reconstructing our documents, BOQUIST stated the template available from SHPO was a more generalized Landmarks Code that addresses the creation of a Landmarks Commission, desired qualifications of Commission members, how often they meet, their review authority over projects such as demolitions, remodels and new construction, etc. The City currently has this Ordinance in place and was not looking to amend this Ordinance. The only document that needed to be revamped would be the Resolution specific to our downtown historic district standards which would be unique to our community and this document could not be reconstructed by using a "template" from SHPO.

In response to Mayor CLEMENTS' question, BOQUIST explained that the only document that the consultant would draft and finalize would be the Standards document. SHPO would only be able to provide guidance towards reconstructing our Ordinance that we currently have in place and that document does not need updated.

MIESNER asked if there were any other cities around the same size as La Grande that have the same types of issues with different building types, to which BOQUIST answered that they have looked at other jurisdictions and other cities that have done a better job with their code compared to our code but that each Historic District was unique. He also added that this project was too big of a task for Staff and the Landmarks Advisory Commission and felt that the best option would be to hire a consultant with expertise in historic preservation, to which HOWARD and MIESNER agreed.

Mayor CLEMENTS asked what needs to be implemented in order to get what we need from the consultant, BOQUIST stated that Staff and the Landmarks Advisory Commission would be working alongside the consultant throughout the project and expressed confidence that the project would be successful.

A discussion was held regarding the revised Standards document size when complete and the expectations for the project to include assuring the consultant takes into account La Grande's needs and unique situation.

PUBLIC TESTIMONY

None

COUNCIL DISCUSSION

None

MOTION

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

MOTION: I move that the City Council approve the acceptance of the Certified Local Government Grant from the Oregon Parks and Recreation Department – State Historic Preservation Office contingent upon Budget Approval as presented.

COUNCIL DISCUSSION

Mayor CLEMENTS thanked BOQUIST for all his hard work.

VOTE

MSC. FIVE (5) of the SIX (6) Councilors present voted in the affirmative; LILLARD voting against.

- c.** Consider: Appointing Citizen to Parking, Traffic, Safety and Street Maintenance Advisory Commission; *Rodney Sands*

Mayor CLEMENTS briefly explained the process for appointing citizens to the City of La Grande's various committees and commissions.

Mayor CLEMENTS asked if City Staff reach out to members once their term either expires or a member resigns early, to which STROPE stated yes. If the member's term expired, they would receive a letter with an application for renewal, if they desired to reapply. Usually when a member resigns early or they decide not to renew their term, they let us know the reason.

MOTION

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

MOTION: I move that Rodney Sands be appointed to the Parking, Traffic Safety, and Street Maintenance Advisory Commission for the remainder of a three-year term, expiring December 31, 2023.

COUNCIL DISCUSSION

Mayor CLEMENTS stated that he was excited to see SANDS back on a City Commission.

VOTE

MSC. SIX (6) of the SIX (6) Councilors present voted in the affirmative.

UNION COUNTY COMMISSIONER'S UPDATE

SCARFO stated that as of the last COVID-19 case check, Union County was still in the low-risk category and gave a brief update on the current status of the statewide metrics and how that effects what risk level a county would fall under.

SCARFO reported that 8,105 Union County residents, which was about 40% of the population, have had at least one (1) vaccine shot. He also stated that both the Pfizer and Moderna vaccines were available by scheduling an appointment through a vaccine clinic, Safeway, Bi-Mart, Rite Aid, or Walmart.

SCARFO noted that they were still waiting for the American Rescue Plan Act (ARPA) funds to come in and the guidelines for what the funds could be used for. He also mentioned that \$500,000 designated for Union County by State Representative Bobby Levy would be utilized for business support and Representative Levy would move the County Commissioners' request for business support to the next phase in distribution.

SCARFO gave a quick update on the proposed funding request to provide Union County Fairgrounds with sewer service.

Mayor CLEMENTS thanked SCARFO for his updates.

MIESNER asked if Governor Brown had responded to the letter that the County submitted regarding Union County

taking control of how to handle decisions during the pandemic, to which SCARFO stated she did not respond directly back to them with an answer but it was clear that at this time, the guidelines were remaining the same under her Emergency Declaration and direction.

STAFF COMMENTS

None

CITY MANAGER COMMENTS

STROPE reminded the Council that the Budget Hearing Meetings were the following week starting on Monday, May 10, 2021, and would continue to the following night or two, depending on how the meetings go.

STROPE mentioned that he emailed the April, 2021, Monthly Report to the Council.

STROPE noted that OSHA rules related to COVID-19 had been set to expire, but would remain as permanent rules within the workplace. MIESNER asked if these rules apply to someone who has been fully vaccinated, to which STROPE stated unless they change again, the rules are permanent and need to apply within the workplace whether you were vaccinated or not.

CITY COUNCIL COMMENTS

Mayor CLEMENTS proclaimed the month of May, 2021, as *Poppy Month* and May 20, 21, and 22, as *Poppy Days*.

There being no further business to come before this Regular Session of the Council, Mayor CLEMENTS adjourned the meeting at 7:12 p.m. The Council is scheduled to meet again in Regular Session on Wednesday, June 2, 2021, at 6:00 p.m., via electronic communications due to COVID-19 pandemic.

Stacey M. Stockhoff
Assistant to the City Manager

Stephen E. Clements
Mayor

APPROVED: _____