

**CITY OF JOHN DAY  
CITY COUNCIL MINUTES  
JOHN DAY, OREGON**

**March 13, 2012**

**Adjourned Meeting**

**COUNCILORS PRESENT:**

**COUNCILORS ABSENT:**

Bob Quinton, Mayor  
Steve Schuette, Council President  
Gene Officer, Councilor  
Donn Willey, Councilor  
Doug Gochmour, Councilor  
Don Caldwell, Councilor  
Chris Labhart, Councilor

**STAFF PRESENT:**

Peggy Gray, City Manager  
David Holland, Public Works Director  
Valerie Luttrell, Dispatch Manager

**GUESTS PRESENT:**

Mikayla Luttrell  
Jumi Pak  
Elizabeth Pace  
Serena Pace  
Betty Freeman  
Kaona Montell

**Agenda Item No. 1 – Open and Note Attendance**

The John Day City Council meeting opened at 7:00 p.m. Mayor Bob Quinton noted that all Councilors were present.

**Agenda Item No. 2 – Approval of City Council Minutes of February 28, 2012**

The minutes of the February 28, 2012 adjourned meeting were included in the agenda packets and presented for the Council's approval. Councilor Gene Officer moved that the minutes of February 28, 2012 be approved as presented. Councilor Donn Willey seconded the motion, the motion passed unanimously.

**Agenda Item No. 3 - Appearance of Interested Citizens**

Mayor Quinton thanked those in attendance and asked everyone to please sign in. He asked if there were any additional items that anyone would like to add to the agenda. Mayor Quinton welcomed and introduced Mikayla Luttrell and her foreign exchange student from South Korea Jumi Pak, both attend Grant Union High School.

**Agenda Item No. 4 – Discuss request from Betty Freeman to Proclaim next week Girl Scout Week in honor of their 100<sup>th</sup> Anniversary**

Mayor Quinton introduced local Girl Scout Leader Betty Freeman. Mayor Quinton stated Mrs. Freeman would like the John Day City Council to proclaim the week of March 12 – March 17, 2012 as Girl Scout Week in the City of John Day as this is the 100<sup>th</sup> year anniversary of the Girl Scouts.

Mrs. Freeman invited the Council to join the Girl Scouts on Wednesday, March 14, 2012 at 7 p.m. at the Humbolt School cafeteria to celebrate their 100<sup>th</sup> anniversary and a history on the Girl Scouts of the USA was presented to the Council.

Mayor Quinton welcomed three girl scouts that were in attendance; Mayor Quinton stated with the leadership skills learned by being a Girl Scout, he hoped to see one or all of them sitting around this table as a future leader taking the current council's places.

Councilor Labhart moved to proclaim the week of March 12 - 17, 2012 as Girl Scout Week in the City of John Day. Councilor Don Caldwell seconded the motion, the motion passed unanimously.

Mayor Quinton read the following proclamation:

**In recognition of all of the girls and adults who have participated in the Girl Scout Program**

**For the past 100 years, I do proclaim the week of March 12 through March 17, 2012**

**As Girl Scout Week in the City of John Day, Oregon**

Mayor Quinton thanked Mrs. Freeman for dedicating her time to be a Girl Scout Leader and thanked all the parents who are also involved in the Girl Scout program.

**Agenda Item No. 5 – Discuss for adoption Ordinance No. 12-154-04, an Ordinance amending Ordinance No. 01-100-1, an Ordinance granting Jack McKenna, Charles McKenna, and Cleora M. McKenna, d/b/a Blue Mountain Cable Co., a franchise to operate and maintain a coaxial cable subscription system throughout John Day, Oregon, and extending the term of the cable franchise granted under Ordinance No. 01-100-1**

Mayor Quinton introduced Ordinance No. 12-154-04, an ordinance amending Ordinance No. 01-100-1, granting Jack McKenna, Charles McKenna, and Cleora M. McKenna, d/b/a Blue Mountain TV Cable Co., a franchise to operate and maintain a coaxial cable subscription system throughout John Day, Oregon, and extending the term of the cable franchise granted under ordinance No. 01-100-1.

Mayor Quinton explained to the Council this is the franchise agreement with Blue Mt. TV Cable Co. (3% per annum of gross revenues) and stated this Ordinance extends the term of the cable franchise granted under Ordinance No. 01-100-1 with the amendments as follows:

- Amendment No. 1 - The title of the Franchise Ordinance removes Jack and Cleora M. McKenna and names Charles McKenna and Tammy McKenna, d/b/a Blue Mtn. TV Cable Co. City Manager Gray stated Jack McKenna requested this amendment.
- Amendment No. 2 - Section 1. The City of John Day, a municipal corporation of the State of Oregon, hereinafter referred to as the “City,” hereby grants to Charles McKenna and Tammy McKenna, d/b/a Blue Mt. TV Cable Co, hereinafter referred to as “Grantee,” and their permitted successors and assigns, with limitations as herein prescribed, a non-exclusive right, privilege, and franchise to construct, reconstruct, operate, and maintain in, over, upon, and under the streets, alleys, public ways, easements, and places of the City coaxial cables and related equipment to provide a cable communications system, and in connection therewith to create poles with or without crossarms and stretch wires and cables on all streets and to install, after having first obtained permission from the City Administrator, underground conduits with necessary appliances and other equipment necessary for Grantee’s operations, and to erect antennas and other appurtenances, and to maintain and use the same in connection with said cable communications system, and this grant is for no other purpose whatsoever.
- 3. Extension of Franchise. - City and Franchisor extend the term of the Franchise Ordinance for one additional term of ten (10) years, commencing on April 1, 2011 and ending on April 8, 2021.

Councilor Gene Officer moved to read Ordinance No. 12-154-04 by title only. Councilor Don Caldwell seconded the motion, the motion passed unanimously.

Mayor Quinton read Ordinance No. 12-154-04 by title only as follows:

Ordinance No. 12-154-04, an Ordinance amending Ordinance No. 01-100-1, an Ordinance granting Jack McKenna, Charles McKenna, and Cleora M. McKenna, d/b/a Blue Mountain Cable Co., a franchise to operate and maintain a coaxial cable subscription system throughout John Day, Oregon, and extending the term of the cable franchise granted under Ordinance No. 01-100-1.

Councilor Donn Willey moved to adopt Ordinance No. 12-154-04. Councilor Doug Gochnour seconded the motion, the motion passed unanimously by a vote of 7 for and 0 against.

**Agenda Item No. 6 – Discuss for signature First Extension to Rural Fire Protection District Agreement**

Mayor Quinton introduced the First Extension to Rural Fire Protection District Agreement and gave a brief background explaining the current agreement expired June 30, 2011 and both parties agreed because of the impending election for the new fire station to extend the current agreement.

City Manager Gray stated the Rural Fire Protection District adopted the extension at their meeting held on the same date (March 13, 2012). Mayor Quinton explained that should the fire station bond pass, then the City and the Rural District would enter into a new agreement.

Councilor Chris Labhart moved to allow City Manager Gray to sign the First Extension to Rural Fire Protection District Agreement as presented. Councilor Don Caldwell seconded the motion. The motion passed unanimously.

**Agenda Item No. 7 – Discuss filling the Mayor’s position, created by the resignation of Mayor Quinton**

Mayor Quinton read Section 20. Vacancies: Filling of the John Day City Charter as follows:

“A vacancy in the council shall be filled by appointment by a majority of the Council”. Mayor Quinton stated this is very vague and (from his interpretation) it does not state that the Council has to go outside of the city council to appoint a Mayor; it just says the council can appoint someone to fill a vacancy. With that being said, should the council decide to go outside of the council, the council does not have to appoint from the applications received if they don’t want to and until a new Mayor is appointed, the Council President will serve as Mayor.

Councilor Officer asked if there was a timeframe for this appointment; we have a Council President. Mayor Quinton stated the Charter does not state a timeframe, stated he didn’t think it needed to be done tonight or at the next meeting and that it was up to the City Council.

Councilor Doug Gochnour agreed that he would like the Council to take their time in making a decision and not do anything hastily. Councilor Officer stated if someone on the Council would indicate their willingness to do it (fill the Mayor’s position); it would behoove the Council to fill the position; however, I don’t think we should rush into it. Mayor Quinton stated being Mayor requires more time dealing with correspondence and other issues than what is required as a councilor.

Councilor Chris Labhart asked if Council President Steve Schuette could serve as Mayor Pro-Tem and then appoint someone else as Council President to replace Steve if he can’t be present for a meeting. Councilor Labhart stated the Charter does not mention pro-tem but it means they are not elected and it is just a temporary position. Councilor Gochnour stated you could still have a meeting even if the Mayor and the Council President were both gone, the remaining five could appoint an acting chair. Councilor Labhart stated we have to have someone in that position (Mayor). Mayor Quinton stated Steve’s term ends the end of this year, but it buys the Council time to make the decision.

Councilor Gochnour stated if we are going to explore looking outside of the council for the Mayor’s position; we would want to know if anyone on the City Council is interested in the position before going out to the public. Mayor Quinton stated it’s very important that it is the right person in this position, the person in this position needs to understand you’re not going to go out and change the world; it doesn’t work that way. They can’t make promises to people and put the City on the hook; those are the things that concern him. If the Council only has one applicant, if they don’t think he can do the job, the Council is not bound to fill that position.

At this time no one at the table wanted to commit to filling the Mayor’s position. Mayor Quinton asked the Council to think about a person in the community to fill the position and tabled this item and asked that it be placed on the next council agenda for further discussion.

**Agenda Item No. 8 – Other Business and Upcoming Meetings**

1. League of Oregon Cities bulletins were included in the council packets.
2. Mayor Quinton reminded the Councilors that the City Manager’s evaluations are due back to him by March 21, 2012.
3. Mayor Quinton read an electronic message from Les Zaitz to City Manager Gray stating the Grant County Economic Council was successful in raising sufficient funds to produce the “Welcome to Grant County” banners – enough for every community. The Grant County Economic Council will be providing four of the pole banners, including mounting hardware, to the City of John Day and will be delivering them in the next two weeks.
4. Citizens Advisory Committee meeting for the new fire station meets Thursday, March 15<sup>th</sup>, John Day Council Chambers.
5. Packets for the proposed Budget year 2012-2013 were given to the Councilors. First Budget Committee meeting will be held Tuesday, March 20, 2012 at 7 p.m.
6. The February 2012 Statement of Revenue and Expenditure Budget to Actual Reports were given to the City Council for their review and information.
7. Councilor Labhart stated the US Senate has passed the Secured Rural Schools Act for another year; now it goes to the house and asked the Councilors to call their representatives asking for their support.

**Adjourn**

There being no further business before the Council, Councilor Don Caldwell made a motion to adjourn the meeting. Councilor Steve Schuette seconded the motion and the motion passed unanimously. The meeting was adjourned at 7:40 p.m.

Respectfully Submitted:

Peggy Gray  
City Manager

ACCEPTED BY THE CITY COUNCIL, MARCH 27, 2012

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Mayor Bob Quinton