

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

**May 8, 2012**

**Adjourned Meeting**

**COUNCILORS PRESENT:**

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

**COUNCILORS ABSENT:**

**STAFF PRESENT:**

Peggy Gray, City Manager  
David Holland, Public Works Director  
Ron Smith, Fire Chief  
Richard Tirico, Police Chief  
Monte Legg, Public Works Foreman

**GUESTS PRESENT:**

Anna Bass, OPG  
Amy walker, OPG

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

The John Day City Council meeting opened at 7:00 p.m. Council President Steve Schuette noted that all Councilors were present.

**Agenda Item No. 2 – Approval of City Council Minutes of April 24, 2012**

The minutes of the April 24, 2012 adjourned meeting were included in the agenda packets and presented for the Council's approval. Councilor Don Caldwell moved that the minutes of April 24, 2012 be approved as presented. Councilor Donn Willey seconded the motion, the motion passed unanimously.

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

Council President Steve Schuette 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. There were none presented.

**Agenda Item No. 4 – Public Hearing to Discuss the Budget for Fiscal Year 2012-2013 as approved by the John Day Budget Committee**

Council President Steve Schuette opened the Public Hearing to discuss the budget for Fiscal Year 2012-2013 as approved by the John Day Budget Committee. Council President Schuette noted the following information was included in the council packets:

- ✓ Notice of Budget Hearing and Budget Summary
- ✓ Minutes of the March 20, 2012 Budget Committee meeting

The Notice of Public Hearing was published in the April 25, 2012 edition of the Blue Mountain Eagle as required by Oregon Budget Law. The purpose of the public hearing is for the Council to receive comments on the fiscal year 2012-2013 budget and state revenue sharing use within the budget.

At this time there were no members of the audience present that wished to comment on the budget; Councilor Chris Labhart requested to keep the public hearing open and move onto the next agenda item.

**Agenda Item No. 5 – Discuss for Adoption Ordinance No. 12-155-05, an Ordinance declaring the City's Election to Receive State Revenues**

Council President Schuette introduced Ordinance No. 12-155-05, an ordinance declaring the City's election to receive state revenues. City Manager Gray stated this is an ordinance we adopt each year in order for the City of John Day to receive state revenue sharing money. The state revenues include gas tax (Street Fund); cigarette tax, liquor tax, and state revenue sharing tax (part of liquor tax) (general fund); and 911 tax (Dispatch Fund).

Councilor Labhart asked if all of the state revenues went up. City Manager Gray stated we try to be conservative in our budget estimations and stated we flat lined the 911 tax revenues in the proposed budget.

Councilor Donn Willey moved to read Ordinance No. 12-155-05 by title only. Councilor Doug Gochnour seconded the motion; the motion passed unanimously.

Council President Schuette read Ordinance No. 12-155-05 by title only as follows:

Ordinance No. 12-155-05, an ordinance declaring the City's election to receive state revenues.

Councilor Doug Gochnour moved to adopt Ordinance No. 12-155-05. Councilor Gene Officer seconded the motion, the motion passed unanimously.

**Agenda Item No. 6 – Discuss Proposal from Jim and Tootie Cernazanu regarding Encroachment Issue**

Council President Schuette stated the City did not hear back from Jim and Tootie Cernazanu and tabled this agenda item.

**Agenda Item No. 7 – Discuss Application for Bicycle, Pedestrian, and Transportation Enhancement Grant to Complete the US/Main St. & Canyon Blvd., Sidewalk/Beautification Project**

Council President Schuette opened the discussion for submission of an ODOT application for a Bicycle, Pedestrian and Transportation Enhancement grant to complete the US/Main St. & Canyon Blvd., Sidewalk/Beautification project. City Manager Gray explained ODOT has combined the Transportation Enhancement (TE) and the Oregon Bicycle and Pedestrian Programs; there will be one application process, one review process, and one selection process. City Manager Gray explained that at the Council's goal setting session earlier this year, the Council requested staff to continue seeking grant applications to complete the Downtown Improvements project. Staff would like to apply for this grant for the section from the Canyon Creek Bridge east to the US 26/395 intersection. This section was not included in our current \$800,000 TE grant award. The project would essentially be the same project as the US 26/Main St/S. Canyon Blvd., project; both sides of the street, bringing as many overhead lines to underground as possible, new sidewalks where necessary and new pedestrian lighting.

Public Works Director Dave Holland explained to the City Council this section has a narrow 50' state right-of way and could require right-of-way acquisition or eliminate some parking in order to make the 6' ADA sidewalk standards. Public Works Director Holland explained that most of the businesses from Bridge Street to the Canyon Creek Bridge have their own parking, Best Western, Chamber of Commerce, the Baptist Church, the Tribe all have their off street parking. Councilor Gene Officer's business, County Preferred Group Real Estate, has two on-street parking spaces in front of his office, but he also has parking spaces in back of his business. Public Works Director Holland stated it would be cheaper to eliminate the parking on the north side of the street versus purchasing 2'-3' of ROW from each business on the north side. He did not feel it would make a drastic impact on the parking situation; however, he stated that is just one option, the other option is to purchase 2'-3' of right-of-way and keep the existing parking. Discussion took place regarding retaining walls, approaches that could cause problems; however, Public Works Director Holland stated if we eliminated the parking just on the north side that would give us enough room to give us 6' sidewalks from Bridge Street all the way down to the Bridge. The section between Bridge Street and Main Street will be tougher to try to get something done; we could possibly eliminate two parking spots in front of the Bank of Eastern Oregon and Sterling Bank as they have their own parking lots behind the banks. He explained ODOT will not let you narrow the width of the travel lanes, the only avenue we have is to eliminate parking or purchase more right-of-way in order to get wider sidewalks. He explained currently we have 4' sidewalks and in some places it's barely 4'.

City Manager Gray stated the application would not be reviewed favorably if we had less than 6' sidewalks. We tried to have narrower sidewalks due to ROW constraints and the application was denied in previous applications.

Public Works Director Holland also stated we have an issue with the Bridge Street/Main Street intersection. He explained the intersection is offset and doesn't hit the highway at a 90 degree angle. Our ROW actually goes into the historical church's yard; we would like to widen the intersection and straighten it out and we would like to address this issue as part of this application as well. He stated his estimates so far, without the Bridge Street intersection and purchasing ROW, is about \$457,000; however, before he gives a firm estimate, he wants to get ODOT's scoping figures. He stated it could go up into the \$600,000 range relatively easy.

Councilor Officer stated he has personal concerns with his two parking spots in front of his office. He stated he also has four parking spots in the back and employees only use it. To take the two parking spots away; would not be good for his business. He also expressed concerns about being responsible for the upkeep of the sidewalk that is in the state's ROW. He stated losing the two parking spaces would be a great disadvantage to his business.

Councilor Doug Gochnour asked if there would be any advantage to our citizens to hold off on applying for the grant until we get the other end done so the people could see how it looks and accept it. City Manager Gray explained the staff thought if we could do the projects together at the same time, we could save in mobilization costs. Public Works Director Holland stated by using the same contractor and doing them both at the same time saves in bidding costs as well as mobilization costs and it would save the City a significant amount of money. However, Public Works Director Holland stated he is adding all those costs into the estimate to make sure we are not estimating too low.

Council President Schuette stated he felt we need to include the purchase of ROW in our estimates for the project. City Manager Gray stated we can include the cost for the purchase of right of way in our application; it will increase the total cost of the project which will also increase the cost of the City's match.

Council President Schuette said the discussion was good; however, this doesn't matter unless we get the grant. Councilor Gochnour asked if the City has a match requirement for this grant. City Manager Gray stated there is a 10.27% match requirement and we budgeted \$18,000 for the match in the 2012-2013 budget.

Councilor Labhart moved to apply for Notice of Intent for a Bicycle, Pedestrian, and Transportation Enhancement grant to complete the US/Main St. & Canyon Blvd., Sidewalk/Beautification project. Councilor Don Caldwell seconded the motion, the motion passed by a vote of 5 (yes) – 1 (no).

**At this time Councilor Labhart moved to close the public hearing on fiscal year 2012-2013 budget. Councilor Caldwell seconded the motion, the motion passed unanimously. The public hearing on the fiscal year 2012-2013 budget closed at 7:25 p.m.**

**Agenda Item No. 8 – Discuss Recommendation from the Selection Panel – Proposals Received for the Fundraising and Capital Campaign Advisory Services for the Construction of the New Fire Station**

Council President Schuette requested an update from the Selection Panel in regards to the proposal received for the Fundraising and Capital Campaign Advisory Services for the construction of the new fire station. Councilor Donn Willey reported the City received four proposals as stated in the agenda as follows:

- PARC, Bend, OR
- Sharon Leighty & Co., Bend, OR
- Charitable Success, Jackson, CA
- Westby Associates, Inc., Vancouver, WA

The Selection Panel, consisting of himself, Fire Chief Ron Smith, Chris Cronin, Jerry Daake and City Manager Gray, met on Thursday, May 3<sup>rd</sup>, it was the consensus of the panel to read the proposals individually and meet again on Monday, May 21<sup>st</sup> to discuss the next step and update the City Council at the May 22<sup>nd</sup> council meeting. Councilor Willey stated we did get good proposals back and had a good meeting and discussion.

**Agenda Item No. 9 – Other Business and Upcoming Meetings**

1. League of Oregon Cities bulletins were included in the council packets.

2. Council President Schuette reminded the City Council about the LOC Regional meeting at the Grant County Regional Airport on Wednesday, May 16<sup>th</sup> beginning at 5 p.m. Councilors Gochmour and Caldwell stated they would attend the meeting.
3. Interviews for the Mayor’s position have been scheduled for the May 22<sup>nd</sup> council meeting with the first interview beginning at 7:05 p.m. Council President Schuette stated each interview will last twenty minutes and the interviewee will have to use his time wisely in order to get through the questions. Council President Schuette stated he had a conversation with Chris Cronin today, she is seriously considering throwing her name in for the Mayor’s position. However, we set a deadline of April 16<sup>th</sup> at one point for application. He asked for council discussion whether to allow someone else to get in on the interviews if she decides to apply or tell her it’s too late. It was the consensus of the Council to move forward with the scheduled interviews and if the Council is not satisfied with the current applicants, the council will reopen the position and ask for more applications. It was noted for the record that Richard Colbeth withdrew his application on May 3, 2012; his letter withdrawing from the Mayoral race was included in the council packets.
4. Public Works Director Holland gave an update on the water usage for the Regional Acute Care Facility SDC calculation compared to the Heppner facility’s water usage. Public Works Director Holland stated the Heppner facility sent the water bill information for 2010-2011; however, they didn’t send all of the months, skipping January and February on both years. The Heppner facility water usage included irrigation; which was not taken into consideration when figuring the John Day’s Regional Acute Care Facility’s water SDC. Holland stated this is something we do need to consider in future SDC water calculations and apologized for not thinking about it; however, staff is new to the SDC calculations and we’re still learning. He calculated the Heppner facility’s water usage in 2010 came out to 9.7 ERUs; in 2011 it came out to 8.15 ERUs; and we charged John Day’s facility 4.5 ERUs. We came out considerably lower in the water calculation for the John Day facility using the office and the per bed calculation and not taking the irrigation into consideration. In regards to the sewer SDC calculation, we used the sewer winter month’s calculation as the irrigation water is not going into the sewer. It came out to 4.8, just slightly higher than what we calculated. Public Works Director Holland spoke with Larry Baarstad, the contractor and he was satisfied with what we calculated and he was going to relay the information to Kimberly Lindsay of Community Counseling Solutions.

### **Adjourn**

There being no further business before the Council, Councilor Don Caldwell made a motion to adjourn the meeting. Councilor Donn Willey 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, May 22, 2012

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Council President Steve Schuette