

John Day City Council
August 23, 2016
7:00 PM
Fire Station on S. Canyon Blvd
AGENDA

1. **OPEN AND NOTE ATTENDANCE**
2. **APPROVAL OF CITY COUNCIUL MINUTES OF AUGUST 9, 2016.**
3. **APPEARANCE OF INTERESTED CITIZENS** – At this time Mayor Lundbom will welcome the general public and ask if there is anything they would like to add to tonight's agenda.

ACTION ITEMS

4. **IMPLEMENTING PARKING RESTRICTIONS IN DOWNTOWN AREA**
5. **FEMA OVERVIEW & CONCURRENCE FORM FOR FLOOD MAP UPDATES**
Attachment(s)
 - Overview & Concurrence Form
 - Letter of Map Revision
6. **SYSTEM DEVELOPMENT CHARGES (SDC) REPORT**
Attachment(s)
 - Report on SDC charges for the year ending June 30, 2016, in accordance with ORS 223.311
7. **WASTEWATER FACILITY UPDATE**
Attachment(s)
 - Memo on wastewater facility progress
8. **EXECUTIVE SESSION**

OTHER BUSINESS

9. **OTHER BUSINESS AND UPCOMING MEETINGS**
 - Research into Dan Graikowski request for rezoning of Downtown District
 - Request for Council endorsement of 'Save Outdoor School for All' campaign
 - Update on City website and electronic records management progress
 - City Audit Schedule
 - Public Contracting Ordinance status update
 - Inclusion of Comprehensive Plan and Goals for CIP planningAttachment(s)
 - LOC bulletins
 - Save Outdoor Schools campaign request
 - Comprehensive Plan and Goals list

ADJOURN

TO: John Day City Council
FROM: Nicholas Green, City Manager
DATE: August 23, 2016
SUBJECT: Agenda Item #4: Implementing Parking Restrictions in Downtown Area

Background

Ms. Tasha Marciel is the owner of a business located at 150 SE Dayton Street. She contacted City Manager Green on 8/4/16 inquiring about parking restrictions in the Downtown area. Her concern is that T&H Automotive and other proprietors may be utilizing all of the parking along Dayton Street as long-term parking while waiting to service vehicles, thus preventing her customers from parking along the curbside adjacent to her business. She has requested that the Council consider implementing a 1-2 hour parking restriction in the Downtown area, specifically along the west side of Dayton Street. The City does not currently have traffic regulations for the downtown area.

Authority for Traffic Regulation

Title 11 of the City Code of John Day authorizes the City Council to regulate parking, by resolution or motion, in the following ways:

- 1) Classifying portions of streets and alleys upon which either parking or standing, or both, shall be prohibited, or prohibited during certain hours.
- 2) Establishing the time limit for legal parking in limited parking areas.
- 3) Designating on each side of a block where required not more than two (2) loading zones.
- 4) Establishing bus stops, bus stands, taxicab stands and stands for other passenger common-carrier vehicles.
- 5) Designating the location of passenger loading zones for use in front of the entrance to any hotel, auditorium, theater, church, school or public building.
- 6) Designating the angle of parking if other than parallel to the curb.
- 7) Designating City-owned or leased lots or property on which public parking will be permitted.
- 8) Designating lots or areas within which, or streets or portions of streets along which, parking meters will be installed and the denomination of coins to be used or deposited in parking meters.

Options

Council may move to authorize parking restrictions along one or both sides of Dayton Street during business hours and establish a specific time limit for said parking; or,

Council may forego implementing parking restrictions at this time.

TO: John Day City Council
FROM: Nicholas Green, City Manager
DATE: August 23, 2016
SUBJECT: Agenda Item #5: FEMA Overview & Concurrence Form for Flood Map Updates

Background

The Army Corps of Engineers completed the Flood Study for the John Day River and Canyon Creek in December 2014. The Corps' field representative, Paul Sclafani, met with local government representatives including City Manager Green and Councilmember Provencher on July 25th, 2016, to discuss next steps in the process for updating the City's floodplain maps to reflect the data collected in the 2014 study.

Map Revisions

Proceeding with the map revision approval request to FEMA requires the City and County to complete the following steps:

- 1) Letters of Request from Communities – the letter is included in the packet based on a template provided by the Corps of Engineers.
- 2) LOMR Forms (MT-2 Forms) – Letter of Map Revision (LOMR) forms are submitted to FEMA with the application. Each community will sign one form. The John Day form is included in the packet. Signature Block 1 is for the City Manager (Floodplain Administrator for the City). Signature Block 2 is for the Mayor. Signature Block 3 is for Mr. Sclafani.

Upon receipt of the LOMR letters from each community, the Army Corps of Engineers will submit the 2014 study and application for map revisions to FEMA. This will initiate the review cycle for map updates, which can take up to two years.

Recommendation

Council should motion to authorize Mayor Lundbom and City Manager Green to sign the Letter of Request from Communities and LOMR forms to begin the floodplain map revision process with FEMA.

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: August 23, 2016

SUBJECT: Agenda Item #6: System Development Charges (SDC) Report

City Recorder Anna Bass will present a report on SDC charges for the year ending June 30, 2016, in accordance with ORS 223.311.



CITY OF JOHN DAY

MEMORANDUM

TO: JOHN DAY CITY COUNCIL
FROM: NICHOLAS GREEN, CITY MANAGER
SUBJECT: WASTE WATER TREATMENT FACILITY – PROGRESS UPDATE
DATE: AUGUST 23, 2016
CC: TODD HESSE, DEQ

EXECUTIVE SUMMARY

This memo provides background information on the City of John Day's existing waste water treatment facility (WWTF) and progress on upgrading to a new WWTF.

BACKGROUND

Construction of the City's original wastewater collection system began in 1949. Major additions were completed in 1970 and 1978. Since 1978 the system has been expanded several times to support the City's needs and to keep the facility in operating condition.

The existing WWTF is located on the northwestern end of the City at the end of 7th street. It consists of a mechanical plant including influent lift station, headworks structure, two (2) primary clarifiers, two (2) trickling filters, one (1) secondary clarifier, gas chlorination and a chlorine contact basin. Following treatment, secondary effluent flows by gravity to four (4) percolation ponds for disposal. The ponds are located on the north side of the John Day River, with approximately 80 feet of separation. The dry weather design flow of the current facility is 0.6 million gallons per day (MGD).

The City of John Day contracted with Anderson Perry & Associates in 2008 to develop a new Wastewater Facilities Plan to evaluate the existing wastewater treatment facilities, potential improvements, and means of financing an improvements project. On August 26th, 2008, the City Council moved to construct a new WWTF at the site of the existing plant after reviewing the results of the study.

As reported by Anderson Perry, the average daily flow at the facility from 2001-2008 was 0.240 MGD, with a maximum daily flow of 0.840 MGD on May 20th, 2008, and a minimum daily flow of 0.115 MGD on September 25th, 2005. In the eight years since that study, the average daily flow has decreased slightly to 0.232 MGD, with peak flows occurring during the flooding of May 2011 at 1.79 MGD.

The year 2011 total estimated cost for the project proposed by Anderson Perry and adopted by the Council was \$8.29M. The Plan called for construction of a new activated sludge treatment facility with continued discharge into the existing percolation ponds. This proposal necessitated increasing the level of treatment needed to meet current and future permitting requirements and included a new lift station; new activated sludge treatment process; a new UV light disinfection system; two (2) aerobic digesters for sludge treatment; new yard and process piping including a

Given the scale of the proposed investment for a new WWTF, it is in the best interests of the City to evaluate the technical feasibility, costs and benefits of a hydroponics WWTF option, while concurrently updating the planning assumptions and costs associated with the option selected in the 2008 Plan.

HYDROPONIC WWTF CONCEPTUAL FRAMEWORK

A commercial-scale water reclamation and reuse system harvests water directly from the City's sewer system and "utilizes co-engineered processes to treat the wastewater for beneficial reuse."² The WaterHub system in Atlanta (Figure 1) reclaims up to two-thirds of the treatment area's wastewater for commercial and industrial use, and also provides a state-of-the-art research facility for hydroponic horticulture.



Figure 1. Emory University's WaterHub, a production-scale greenhouse used to hydroponically treat wastewater effluent

A similar system in John Day could produce reclaimed water for a variety of uses, including CEA, irrigation and landscaping, and utility operations. It also has the potential to create economic value by scaling the greenhouses used for effluent treatment to grow cash crops for manufacturing and export. These crops could include bamboo, flowers, lavender, ornamental grasses, medicinal herbs, and processed plant derivatives for personal hygiene products, clothing and textiles, and essential oils.

A diagram of the hydroponics WWTF conceptual framework is shown in Figure 2. This framework rests on three integrated pillars that support the overall framework: 1) Wastewater reclamation; 2) Controlled environment agriculture; and 3) Renewable energy resources.

Wastewater reclamation. Wastewater reclamation is accomplished through the treatment process. The WaterHub treatment facility uses an 11-stage process that includes a rotary screen, anoxic moving bed bioreactors, aerobic moving bed bioreactors, hydroponic reactors, a clarifier tank, disk filter, ultraviolet disinfection, a 50,000 gallon storage tank for reclaimed water,

² <http://sustainablewater.com/why-reuse-water/>

advanced biomass fuel that can be used as a direct coal replacement in power plants or industrial facilities like the WWTF, with a future facility proposed in or near John Day or Prairie City.³ Other renewable energy resources that could be explored include fats, oils and grease (FOG) for biogas as well as solar arrays.

ECONOMIC BENEFITS

A new WWTF that takes advantage of economies of scale and forward-looking design innovations has the potential to create new jobs and an entirely new industry in John Day, while simultaneously bolstering existing industries. This would create multi-dimensional economic benefits. The City could also be eligible for multiple low interest loans and grants related to Rural Business Services, including Rural Business Enterprise Grants (RBEG), Rural Business Opportunity Grants (RBOG), the Renewable Energy for America Program (REAP), as well as Rural Economic Development Loans (REDL) and Rural Economic Development Grants (REDG).⁴

Additionally, as cash crops are harvested and sold as exports, the revenue generated from those crops can be used to further offset the operations and maintenance costs of the facility, as a revenue source for future capital improvements, or to reduce the annual sewer rates charged to residents.

PROJECT FINANCING

The 2008 Plan included a range of cost scenarios for the proposed \$8.29M facility. Based on the Plan, if the City were to fund the new facility without any grants and without Canyon City contributing any funds to the project, monthly sewer rates would need to be raised to approximately \$64-68. Were the City to finance the project through property tax increases under the same set of assumptions, the City would need to raise taxes to approximately \$5.50 to \$8 per \$1,000 assessed value. A new set of cost assumptions based on the hydroponics facility design will need to be analyzed.

The City would also benefit from conducting its own population and income survey of residents. The 2014 American Community Survey (ACS) population estimate for John Day was 1,663 residents, with a median household income of \$32,614. The median income for the state was \$50,521 for the same period. Census data are often overestimated and are frequently computed for small communities. By conducting its own survey, the City may become eligible for better financing options.

The main utility funding agencies in the state of Oregon are:

- US Department of Agriculture's Rural Development Program (USDA RD)
- Oregon Business Development Department's Infrastructure Finance Authority (IFA)

³ Oregon Torrefaction, LLC [Request for Proposals](#), 2016. See also www.oregontorrefaction.com/torrefaction.html

⁴ USDA [Rural Business Services](#) website, 2016.

SUBJECT: WASTEWATER TREATMENT FACILITY – PROGRESS UPDATE

the City-owned property that is zoned industrial and could potentially be leased to the City for the new facility, however, tax lot 300 is in the county General Industrial Zone and the John Day Urban Growth Boundary and would require development approval through Grant County (see Exhibit 2 for floodplain maps).

NEXT STEPS

The City should proceed on two fronts: 1) developing a preferred alternative for a WWTF project; and 2) investigating project financing options.

- Because the 2008 Plan did not develop the hydroponics option or look at the lagoon alternative for storage of reclaimed water, these elements will need to be added as an addendum to the Plan, along with updated cost projections on the 2008 facility options.
- A Literature Review and Income / Population survey may be needed to ensure the City is using the most accurate data for the design options and financing.
- City Manager Green will coordinate with DEQ, Sustainable Water, Anderson Perry and other stakeholders to develop a project scope and timeline for the Council.

SUMMARY

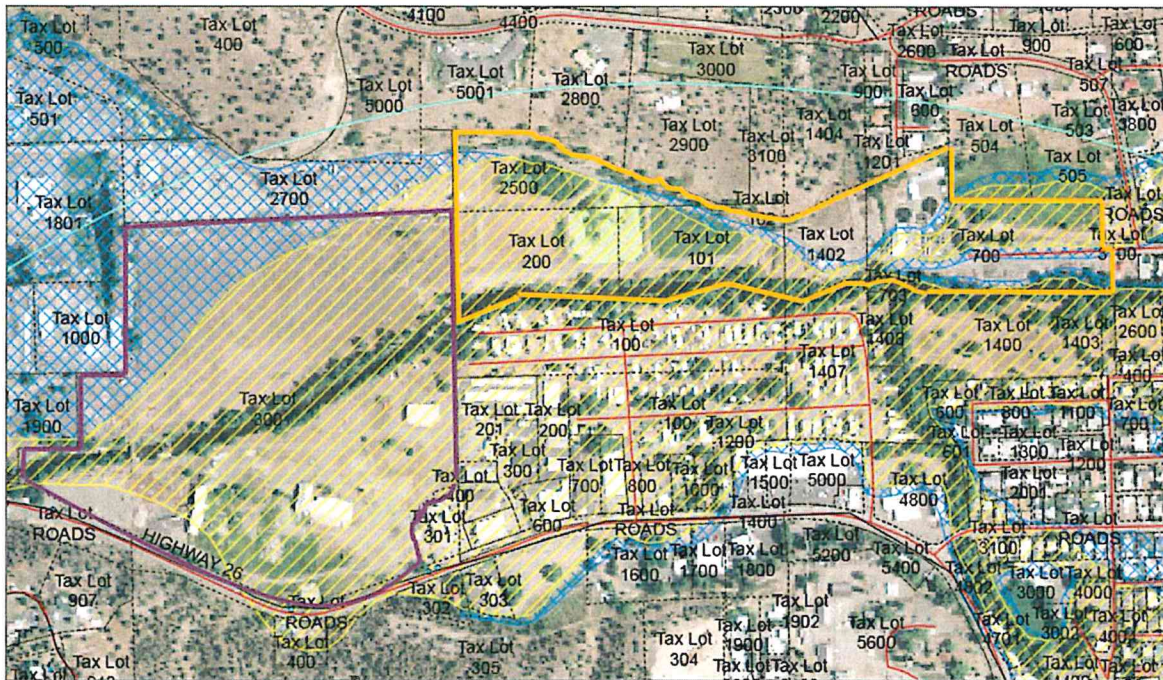
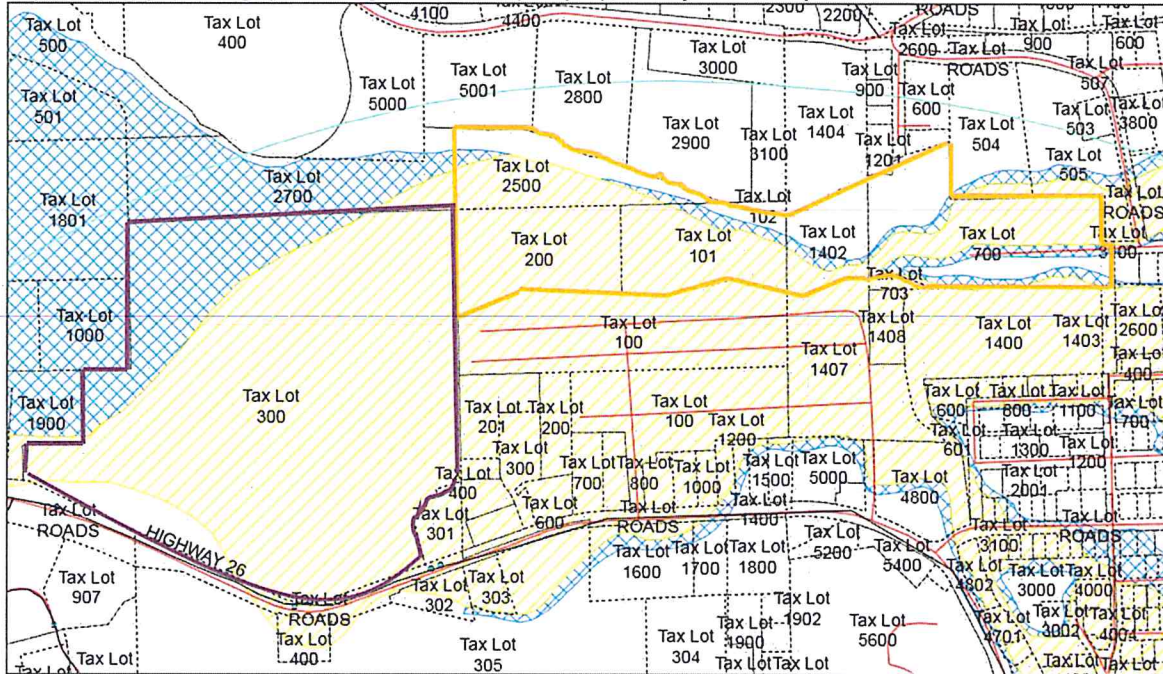
The City of John Day has a unique opportunity to make a capital improvement that will set a new standard for renewable and sustainable innovation in the state of Oregon. The proposal has the potential to create a new industry in John Day along with associated job growth, while simultaneously off-setting the costs to finance, operate and maintain a new WWTF. Given these potential benefits, an update to the 2008 Plan is warranted before the City proceeds with this capital investment.

SUBJECT: WASTEWATER TREATMENT FACILITY – PROGRESS UPDATE

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|---|---|--|--|--|--|
| Monitoring | Per permit requirements, not specified in OARS | Monitoring for E. coli organisms must occur once per week at a minimum | Monitoring for E. coli organisms must occur once per week at a minimum | Monitoring for total coliform organisms must occur three times per week at a minimum | Monitoring for total coliform organisms must occur once per day at a minimum. Hourly monitoring for turbidity. |
| Setback ² (distances are the minimum requirement) | 150 feet between irrigation and human water supply source, setbacks for public health and environment defined in permit | 100 feet between irrigation and property line for sprinklers 100 feet between irrigation and human water supply source | 70 feet between irrigation and property line for sprinklers 100 feet between irrigation and human water supply source | 50 feet between irrigation and property line for sprinklers 10 feet between irrigation and human water supply source | Setback distances for food prep or drinking fountains only (no contact allowed) |
| Access | Public access must be prevented | Milk producing animals may not come in contact with wastewater Personnel at use area must be notified of the type of irrigation water | Landscape irrigation must prevent public from contacting wastewater Public notice required when using for agricultural purposes and sprinklers used | Personnel and public notice required when using for agricultural purposes and sprinklers used Public must be restricted from direct contact with wastewater | Personnel and public notice required when using for agricultural purposes and sprinklers used |
| Management (signage required for some uses, this does not include crops on private property) | Irrigation with recycled water is prohibited for 30 days before harvesting. Sprinkler irrigation is prohibited unless adequate | No irrigation 3 days before harvesting crops | No irrigation 3 days before harvesting processed food crops Edible portion of orchard or vineyard crops cannot contact the ground | No irrigation 3 days before harvesting processed food crops Edible portion of orchard or vineyard crops cannot contact the ground | No requirements / restrictions for crop use on private property |

Exhibit 2. Floodplain Map of City and Adjacent Property for new WWTF

City Property (Orange) and adjacent land (Purple); 100-year floodplain is in Yellow.



TO: John Day City Council
FROM: Nicholas Green, City Manager
DATE: August 23, 2016
SUBJECT: Agenda Item #8: Executive Session

The Mayor will read the following statement prior to entering into executive session.

Executive Session – Mayor’s Statement

The John Day City Council will now meet in executive session to review and discuss confidential attorney-client privileged communications. This executive session is held pursuant to ORS 192.660(2)(f), which permits the council to meet in executive session to consider information or records that are exempt by law from public inspection.

Representatives of the news media and designated staff will be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in the executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.

TO: John Day City Council
FROM: Nicholas Green, City Manager
DATE: August 23, 2016
SUBJECT: Other Business and Upcoming Meetings
Attachments:

- LOC Bulletins
- 'Save Outdoor School for All' email to City Manager
- Comprehensive Plan and Goals List

OTHER BUSINESS

1. Research into Dan Graikowski request for rezoning Downtown District.

City Manager Green reviewed the City Council minutes from July 1, 2004 through June 30, 2006 (FY05 – FY06), the period in which the planning discussion took place relative to the downtown zone and updating the development code.

Public hearings were held on June 2nd and June 14th, 2005. The purpose of these hearings was to receive public comment on Ordinance No. 05-118-6, which updated the downtown development code. Council also discussed the zoning requirements during council meetings prior to the public hearings.

Mr. Grankowski was present for the public hearing on June 2nd. He was also present at the Council Meeting on May 10th during which the topic of the downtown rezoning was discussed. At no point did he mention an agreement between himself and a representative of the City with respect to his properties on 1st Ave and Bridge Street. City Manager Green could find no other reference to his statement that a city representative told him his properties would be grandfathered in after they were burned as part of the burn to learn program.

2. Request for Council endorsement of 'Save Outdoor School for All' campaign

The City was contacted on 8/4/2016 with a request that the Council endorse the Save Outdoor Schools for all campaign. Currently, the Save Outdoor School for All campaign is working to secure unallocated lottery dollars to fully and permanently fund all 5th or 6th graders in the state to attend a weeklong outdoor school program. (The program is not at all funded, therefore, parents and/or schools must pay out of pocket or fundraise to send their students to an outdoor school program. This inhibits many school districts and families who cannot afford extra expenses.)

The campaign collected enough signatures to qualify for the November ballot, and are now working to ensure all Oregonians vote yes on the ballot measure in November. In order to do this, they have requested our community's support. They are looking for the local businesses and organizations, as well as city councils, to publicly endorse the campaign saying they are in support of their efforts. (Thus far, they have the support of the Bend city council.) They would like to use the city's logo on their partners page <http://www.outdoorschoolforall.org/partners/> and the City would become a part of their weekly social media shares.

If the council moves to endorse the campaign, City Manager Green will fill out the necessary info and send them our logo. See OSFA Fact Sheet attached for more information.

3. Update on City website and electronic records management process.

City Manager Green has contracted with Aha consulting to create a new City website. Aha consulting is a premier web designer for public-sector organizations, focusing specifically on municipal governments. They were recently acquired by MuniCode, a firm that offers codification services, online code hosting, and electronic records management. City Manager Green is developing a technology investment roadmap to be presented at a future council meeting that will help prioritize internal investments to digitize, archive, search and retrieve public records, as well as streamline internal processes. His intent is to use the MuniCode integrated services to accomplish this, but he is also exploring alternative vendors.

4. The City Audit has been moved from September 14-16 to Sept 21-23.

5. Public Contracting Ordinance status update

City Manager Green inquired about Councilor Provencher's comments related to the new public contracting ordinance. City Attorney Jeremy Green stated the following:

- The emergency declaration was related to the public improvements need (specifically replacing the sewer system pump) and that if this clause is not included there is a 30-day mandatory waiting period before the adopted ordinance can be implemented. Declaration of said emergency is at the discretion of the Council.
- Grant language is not necessary to include as it is not governed by the model rules of the state related to public contracting. Should the City become a grantor we can address that on a case-by-case basis.
- The appeal / protest requirements are not explicitly mentioned because they are referenced in the model rules under ORS 279.

6. Inclusion of Comprehensive Plan and FY16 Goals list

A Copy of the current Comprehensive Plan is included in the packet and is available on the City website in under the John Day Planning Commission link.

The FY16 Goals developed in the Council meeting held on February 23rd, 2016, were as follows:

- 911 Fund – put pressure on the State Legislature to increase the state 911 tax revenue or find another revenue source.
- US395: Sidewalk Improvements Project from SW 6th Ave to GUHS. Design phase begins March 2016; construction is scheduled to begin January 2018.
- US26/Main Street Beautification Project – City's grant application for this project made the semi-short list for new sidewalks and street lighting from the intersection west to NW Canton Street. 2021 construction date is anticipated if the grant is approved.
- Continue to market the industrial park and the City of John Day and the local area. Need to complete the alternative sale procedure for the industrial park.
- Wastewater Treatment Plant Replacement Project – continue to build the reserves by raising sewer rates each year, research other options for wastewater treatment facilities (i.e. lagoons), and continue to research upgrades that can be done now and still be compatible with a new wastewater treatment facility.
- Street Maintenance Funding; continue to support and promote SRS funds.
- Promote City volunteerism, through the City newsletters, local paper and community outreach.

UPCOMING MEETINGS

1. 8/25/16 – OTEC Energy Conservation Meeting for Water and Wastewater – OTEC Conference Room, 9 AM - 2PM.
 2. TBD – Project Design Team Meeting for new website (City Staff); Input and participation from Councilmembers is welcome.
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