

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

July 10, 2018

**COUCILORS PRESENT:**

Ron Lundbom, Mayor  
Gregg Haberly, Councilor  
Shannon Adair, Councilor  
David Holland, Councilor

**COUNCILORS ABSENT:**

Paul Smith, Councilor  
Steve Schuette, Council President  
Brandon Smith, Councilor

**STAFF PRESENT:**

Nicholas Green, City Manager  
Valerie Maynard, ECC Director  
Aaron Lieuallen, Senior Project Manager

Chantal DesJardin, Secretary  
Ron Smith, Fire Chief  
Mike Durr, Interim Police Chief

**GUESTS PRESENT:**

Logan Bagett, Elkhorn Media Group  
Sherrie Riningger, Etc.  
Kenley Boss

Rick Hanners, Blue Mountain Eagle  
Elliot Sky, Mt. Vernon

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

Mayor Lundbom called the John Day City Council meeting to order at 7:18 pm and noted that Brandon Smith, Steve Schuette, and Paul Smith were absent and excused.

**Agenda Item No. 2—Approval of City Council Minutes of June 26th, 2018**

**Councilor Holland moved to approve the June 26th minutes as presented. The motion was seconded by Councilor Adair and passed unanimously.**

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

Mayor Lundbom welcomed the audience and asked if anyone had any items they wished to be added to the agenda.

**Agenda Item No. 4— Resolution No. 18-795-19, A Resolution of City of John Day Limiting Certain Claims Arising from Recreational Use of Public Trails and/or Structures in Public Easements and Unimproved Right-Of-Way in City of John Day**

City Manager Green noted he had talked the attorney about the new trails, particularly the bike park that is opening up soon. It was identified the recreational immunity laws, that were restored in the 2017 session, require communities smaller than 500,000 to pass a resolution to take full advantage of the protections under the ORS. The attorney drafted a resolution that will ensure John Day is included under the immunity laws. The resolution applies to both public and private land, any property that is open to public access within city limits. Council made comments regarding the state making a provision excluding smaller communities, when they are so broadly applicable.

**Councilor Holland moved to adopt Resolution 18-795-19, A Resolution of City of John Day Limiting Certain Claims Arising from Recreational Use of Public Trails and/or Structures in Public Easements and Unimproved Right-Of-Way in City of John Day. The motion was seconded by Councilor Adair and passed unanimously.**

**Agenda Item No. 5—Greenhouse Intent-to-Award**

City Manager Green stated they would not be doing an intent to award. The two proposals came in on time and selection committee determined they met the requirements for the RFP. The proposals were very technical and the committee realized they needed to ask clarifying questions to get a full understanding in order to score appropriately. The city's attorney provided the state law guidelines to engage both companies with specific questions to understand the proposals. The committee will score and rank the proposals and present a recommendation at the next council meeting.

**Agenda Item No. 6—Resolution 18-796-20, A Resolution of City of John Day Adopting Model Cost Accounting Guidelines for Public Improvements by Contracting Agencies Pursuant to ORS 279C.310**

City Manager Green explained when there weren't viable bids for the design-build RFP, they re-evaluated and decided there were certain aspects the City could do. But, in self-performed public improvement projects that exceed \$5,000 costs have to be accounted for, i.e. hours, materials, equipment costs, with a project code. These do not have to be reported and it is not clear who would need the information but it has to be available. The Department of Administrative Services (DAS) provides model accounting rules; the resolution says that under those types of projects the City will use the account principles from DAS to be compliant with state requirements. Green noted it is not much of additional burden on the City, it is tracked but currently not consolidated into one project file.

**Councilor Adair moved to adopt Resolution 18-796-20, A Resolution of City of John Day Adopting Model Cost Accounting Guidelines for Public Improvements by Contracting Agencies Pursuant to ORS 279C.310. The motion was seconded by Councilor Holland and passed unanimously.**

**Agenda Item No. 7—Resolution 18-797-21, A Resolution Authorizing City of John Day to Obtain a Loan from the Special Public Works Fund by Entering into a Certain Special Public Works Fund Development Project Financing Contract (and Certain other Required Documents) with the Infrastructure Finance Authority of the Oregon Business Development Department**

City Manager Green noted this resolution will authorize him and Mayor Lundbom to sign the loan documents for the greenhouse. A twenty-five year loan of \$350,000 for the capital costs, approved by the budget committee, will be paid by the sale of produce with annual payments of about \$20,000. A stipulation of the agreement states at least \$25,000 in revenue must be generated to cover the cost of the loan, the pro forma estimates much more than that will be generated. Based on greenhouse production estimates and current market rates for produce, Green feels confident they can meet the payments. Mayor Lundbom asked about the profit requirement and limit on expending other revenue to cover the cost of the loan. Green stated other revenue within the fund can be used cover the cost along with general fund revenue, if needed, but he thinks under these terms and rates the greenhouse will cover the costs.

**Councilor Haberly moved to adopt Resolution 18-797-21, A Resolution Authorizing City of John Day to Obtain a Loan from the Special Public Works Fund by Entering into a Certain Special Public Works**

**Fund Development Project Financing Contract (and Certain other Required Documents) with the Infrastructure Finance Authority of the Oregon Business Development Department. The motion was seconded by Councilor Holland and passed unanimously.**

**Councilor Holland moved to authorize the City Manager to sign the Special Public Works Fund Loan L18006 agreement. The motion was seconded by Councilor Haberly and passed unanimously.**

#### **Agenda Item No. 8—2019 LOC Legislative Priorities**

City Manager Green explained the League of Oregon Cities sends out a request for cities to rank their top and bottom four legislative issues to help the League prioritize legislative issues for the 2019 session. There were twenty-nine issues listed, some Councilors identified issues they felt were important and some had not filled out the form but expressed support in prioritizing or lack of priority. There was a consensus reached that the top four issues recommended should be: 9-1-1 Tax, Broadband Infrastructure, Infrastructure Financing and Resilience, and PERS Unfunded Liability Revenue Stream Dedication. Mayor Lundbom asked the City Manager to select the bottom four based on discussion and those that do not apply to the City of John Day such as Speed Cameras and Speed Limit Methodology.

#### **Agenda Item No. 9—2019 Special City Allotment (SCA) Grant Program**

City Manager Green explained the Special City Allotment Grant Program has increased each grant total from \$50,000 to \$100,000 and now allows for up to two active grants at one time. The funding is for street maintenance, construction, design planning, any project that falls under transportation. Green asked the Council to pick a top and second project, which is how the program will rank them. He noted there are many projects to choose from, some of the recently discussed include: the Charolais Heights intersection, Valley View Drive extension to Patterson Bridge Road, 7<sup>th</sup> Street extension, chip sealing and maintenance, or some established streets that need greater improvement. There was discussion about the needs, importance, benefits, timing, and downfalls to choosing each project. It was noted that the grant would not fully finance some of the larger projects but a larger project may prevent exacerbating some of the issues with other streets. On the other hand one grant could fully finance spot maintenance and chip sealing. Green noted the landscape architect will not have the design for the 7<sup>th</sup> street extension until nearly 6 months after the SCA Grant is awarded and it is not a good idea to have trucks driving on a newly paved road when completing construction of the new wastewater treatment plant. There was discussion about how different improvements would tie in to the Innovation Gateway and affect the development in association with the Housing Incentives Plan. Green noted the projects are in the Transportation Street Plan (TSP). Councilors noted several councilors were absent and asked the City Manager to come back with cost estimates for projects for them to decide at the next council meeting.

#### **Agenda Item No. 10—Other Business and Upcoming Meetings**

Aaron Lieuallen gave an update on the John Day Bike Park. Lieuallen stated the hope is that the construction of the Phase 1 trails for the bike park will be done in the next two weeks. The Economic Council will then work with the City, School, Parks and Rec. to work on the trailhead, signage, and parking to have a soften open before school starts. He explained Phase 1 is a single track trail for mountain biking, there are offshoots with varying skill levels. Under the bike park page on the city website is a trail matrix that explains more about the development of trails. More trails will be completed as financed. There was discussion about snakes and it was noted there would be signage similar to those at the 7<sup>th</sup> Street Complex warning of snakes in the area.

Mayor Lundbom reviewed the upcoming meetings. City Manager Green noted the TGM Award will be finalized and there will be a kick-off with Walker Macy within the next two months.

Interim Chief Mike Durr stated they will have the replacement charger within the next week and Sam Stinnett started with the city the previous day.

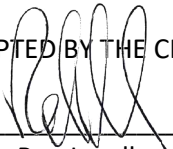
**Adjourn**

**There being no further business before the council, Councilor Holland motioned to adjourn the meeting at 8:03PM. The motion was seconded by Councilor Adair and passed unanimously.**

Respectfully Submitted:

Nicholas Green  
City Manager

ACCEPTED BY THE CITY COUNCIL ON JULY 24, 2018

  
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Mayor Ron Lundbom