

John Day City Council

May 14, 2019

7:00 PM

John Day Fire Hall, 316 S. Canyon Blvd., John Day

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

CONSENT AGENDA

- 4. SERVICES AGREEMENTS**
 - Fields Tree Service Bid for Tree Maintenance & Removal
 - Nichols & Mitchell Audit Services

ACTION ITEMS

- 5. PUBLIC HEARING FOR RESOLUTION NO. 19-808-09 - A RESOLUTION OF CITY OF JOHN DAY APPROVING THE TRANSFER OF CERTAIN REAL PROPERTY LOCATED IN CITY**

Attachments:

 - Resolution 19-808-09
- 6. TRAFFIC CONCERNS ON BOYCE PLACE**

Attachments:

 - None
- 7. RESOLUTION 19-809-10 - A RESOLUTION OF CITY OF JOHN DAY AUTHORIZING CITY TO APPLY FOR A 2019 OREGON PARKS AND RECREATION DEPARTMENT PLANNING GRANT FOR PURPOSES OF DEVELOPMENT OF FACILITIES PLAN FOR A NEW AQUATIC AND RECREATION CENTER IN CITY; AND AUTHORIZING THE MAYOR TO SIGN THE APPLICATION ON BEHALF OF CITY.**

Attachments:

 - Resolution 19-809-10
- 8. RECREATION ECONOMY FOR RURAL COMMUNITIES PLANNING ASSISTANCE**

Attachments:

 - 2019 RERC Application
- 9. TGM, CEDS AND REDS PROGRAM UPDATES**

Attachments:

 - New City Logo
 - REDS Agenda

10. NEW CITY PLAYGROUND & RECREATIONAL TRAILS UPDATE

Attachments:

- Trail section designs
- Davis Creek PLAs (Draft)

OTHER BUSINESS & UPCOMING MEETINGS

11. OTHER BUSINESS & UPCOMING MEETINGS

- Main Street Revitalization Grant Update
- May 21 – Joint Grant County Digital/City Council Meeting, 6 P.M. @ Fire Hall
- May 21 – City Council Meeting, 7 P.M. @ Fire Hall (Wastewater Treatment Plant)
- May 28 – URA Meeting, 6:00 P.M. @ Fire Hall (Budget Hearing)
- May 28 – City Council Meeting, 7 P.M. @ Fire Hall (Budget Hearing)
- June 11 – Regional Economic Diversification Summit (No City Council Meeting)
- June 18 – Presentation to OPRD for Integrated Park System Grant, Salem
- June 25 – City Council Meeting, 7 P.M. @ Fire Hall – Budget Adoption

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: May 14, 2019

SUBJECT: Consent Agenda Item #4: Services Agreements
Attachment(s)

- Fields Tree Service Bid for Tree Maintenance & Removal
- Nichols & Mitchell Audit Services

BACKGROUND

Two professional services agreements are enclosed for council review and approval.

RECOMMENDED MOTION

“I move to approve the consent agenda, as submitted.”

Fields Tree Service Bid for Tree Maintenance & Replacement. The agreement from OPRD’s Recreational Trails Program has been fully executed and we have a notice to proceed with the trail construction projects. The first step is to trim and remove trees and overgrowth that are blocking the path of some of the trails or that are on city property and in need of maintenance. We solicited quotes and received one bid from Fields Tree Service. The Tree Service declined to bid due to workload.

Recommendation: Approve the bid and authorize city staff to award the contract as proposed.

Nicholas & Mitchell Audit Services. We solicited for audit services to identify options for a new auditing firm. Nicholas & Mitchell Audit Services (Baker City, OR) provided the enclosed bid for a three-year engagement. Nicholas & Mitchell performs municipal audits, reviews, compilations and does accounting work for Halfway, Haines, Unity and Huntington. Their firm has proposed a fixed price of \$14,000, which includes preparation of the financial statements. They proposed \$3,600 for audit services for a federal single-scope audit for FY20 and FY21, if required. Single scope audits are only required for agencies receiving \$750,000 or more in federal funds, which will occur during the treatment plant construction and/or upon award of the USDA broadband grants if the city is a recipient of these funds. The additional audit expenses will not be incurred if federal funds do not exceed \$750,000 in a given fiscal year. Our FY19 audit cost, including financial statement review, was \$24,640 and Guyer’s estimate for a single scope audit was \$5,000. Nicholas & Mitchell is a smaller practice and will help save the city money on audit expenses.

Recommendation: Approve the bid and authorize city staff to award the contract as proposed.

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: May 14, 2019

SUBJECT: Agenda Item #5: Public Hearing for Resolution No. 19-808-09 - A Resolution of City of John Day Approving the Transfer of Certain Real Property Located in City.
Attachment(s)

- Resolution 19-808-09

BACKGROUND

A public hearing is required prior to passing Resolution No. 19-808-09, which resolution authorizes the city to deed a portion of the Oregon Pine mill site to Kenny Mills in exchange for a portion of Mill's property adjacent to the site, as depicted in Exhibit E. This is a no-cost property line adjustment (PLA) that will straighten our adjoining property line with Mills Building Supply and allow Mills to continue using the land west of their building. City will receive the northernmost building on the property currently owned by Mills, which we intent to sell to JD Rents for expansion of their business. City must first acquire the Mills property through this PLA before the property line adjustment can be performed with JD Rents.

DISCUSSION

Council should move to open the public hearing for Resolution No. 19-808-09.

After receiving public comment, council should move to close the public hearing.

RECOMMENDED MOTION

"I move to approve Resolution No. 19-808-09 - A Resolution of City of John Day Approving the Transfer of Certain Real Property Located in City."

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: May 14, 2019

SUBJECT: Agenda Item #6: Traffic Concerns on Boyce Place
Attachment(s)

- None

BACKGROUND

Mr. Neale Ledgerwood lives on NW Boyce Place. He is representing the neighborhood and has asked to address the council on traffic concerns along their street.

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: May 14, 2019

SUBJECT: Agenda Item #7: Resolution 19-809-10 - A Resolution of City of John Day Authorizing City to Apply for a 2019 Oregon Parks and Recreation Department Planning Grant for Purposes of Development of Facilities Plan for a New Aquatic and Recreation Center in City; and Authorizing the Mayor to Sign the Application on Behalf of City.
Attachment(s)

- Resolution 19-809-10

BACKGROUND

Oregon State Parks and Recreation Department (OPRD) provides Planning and Feasibility Studies grants to local governments for preliminary studies undertaken to determine and document a project's viability, such as a city developing a plan as to where future parks will be located. The results are used to make decisions whether to proceed with a project, its public need and benefit, types of amenities, locations, activities and likely users, etc. It is an analysis of possible alternative solutions and a recommendation on the best alternative. The maximum award for planning grants is \$40,000.

DISCUSSION

The City and the pool steering committee are currently evaluating Oregon Revised Statute Chapter 451 — County Service Facilities – as an option for the new aquatic center. ORS 451.010 authorizes counties to establish master plans and service districts for a wide range of purposes. It specifically authorizes service districts for public parks and recreation facilities, including land, structures, equipment, supplies and personnel necessary to acquire, develop and maintain such public park and recreation facilities and to administer a program of supervised recreation services.

ORS 451 provides a structured process to evaluate options and make recommendations for the new aquatic facility. There are several components required by the process. They are:

- 1) **Developing a Coordinated Master Plan.** The jurisdiction prepares and adopts a coordinated master plan for the development of the service facility, which must be coordinated with the comprehensive plans of the affected cities and county. After a coordinated master plan has been adopted under ORS 451.120, the county court may enforce such plan by requiring that plans for the installation or operation of service facilities in areas under county jurisdiction outside the boundaries of cities or in areas within or served by a service district be submitted to the county court for approval, and that such installation or operation shall conform to the master plan.
- 2) **Form an Operating Authority (Service District).** When authorized as provided in ORS 451.410 to 451.610 a district may construct, maintain and operate any or all of the service facilities specified in ORS 451.010. All district formation and change of organization proceedings shall be initiated, conducted and completed as provided by ORS 198.705 to 198.955.
- 3) **Preliminary Plan Development.** Prior to initiation of the formation of a district, the county court may cause engineering and program plans to be prepared. The plans may include:
 - (a) Preliminary plans for the service facilities to be constructed or provided.

- (b) Estimated costs of construction, maintenance and operation.
 - (c) Recommendations as to boundaries of the district.
 - (d) Recommendations as to use of any portion of the proposed service facilities for areas in the county outside the district at some future date and the portion of the cost of such works which should be borne by such areas when use is made of any portion of the facilities.
 - (e) Recommendations as to the extent to which the proposed service facilities may be integrated into other service facilities constructed or being constructed by other districts under ORS 451.410 to 451.610 or by other public agencies and the fair and equitable amount of the cost of construction of such other facilities the district should bear.
- 4) **Governance Structure, Orders and Referendum to Voters.** The county court shall be the governing body of a county service district established under ORS 451.410 to 451.610. A district shall be known by the name or number specified in the order declaring its formation and by that name shall exercise and carry out the powers and duties conferred and declared in this chapter. Before proceeding to construct or provide any service facilities authorized by this chapter, the governing body of the district shall make an order:
- (1) Determining the service facilities to be constructed, maintained and operated and the part of the work to be undertaken immediately.
 - (2) Determining the manner of financing the construction, maintenance and operation of the service facilities.
 - (3) Determining the method by which the district shall bear the share of the cost of construction of the service facilities that is to be apportioned to the district.
 - (4) Where it appears that any service facilities to be constructed will provide service to areas outside the district at some future date, determining the equitable and fair share of the cost of construction of such facilities that should be borne by such areas, which share shall be borne by the revolving fund established under ORS 451.540, by funds obtained by the county under ORS 280.055 or by any other method of financing described by ORS 451.490 until such areas are served by the facilities.
 - (5) Where the service facilities of the district are to be integrated into other service facilities constructed or being constructed by another district or by other public bodies as defined in ORS 174.109, determining the fair and equitable amount the district should assume as its share of the construction of such other service facilities, which amount shall be paid to the other district or public body upon terms and conditions to which the governing body of the district has agreed.

The order required by ORS 451.485 and any order which amends that order shall be subject to referendum vote within the district, notwithstanding the prior authorization of such service facilities by election during formation proceedings. The referendum may be ordered by resolution of the governing body of the district, or by petition filed as provided in this section.

- 5) **Financing.** The district may, in accordance with the order adopted under ORS 451.485, finance the construction, operation or maintenance of service facilities for a district by:

- (1) Use of funds from a fund established under ORS 280.055 or 451.540 to be repaid by the district without interest.
- (2) Assessments against the property in the district with or without issuance of bonds authorized under ORS 223.205, 223.210 to 223.295 and 223.770.
- (3) Service or user charges in the district.
- (4) Connection charges.
- (5) District ad valorem taxes.
- (6) Sale of bonds.
- (7) Funds obtained under ORS 280.040, 280.050, 280.060, 280.070, 280.080 and 280.090. A district local option tax adopted under ORS 280.060 shall not authorize a tax in any fiscal year later than the fiscal year in which the district is subject to dissolution under ORS 451.620 (1) and (2).
- (8) Any combination of the provisions of subsections (1) to (7) of this section. [1955 c.685 §9; 1961 c.576 §15; 1963 c.515 §15; 1969 c.646 §9; 1973 c.785 §13; 1987 c.504 §12; 1995 c.333 §24; 1999 c.21 §75]

SUMMARY & RECOMMENDATIONS

ORS 451 provides a structured process to determine the future scope and scale of the proposed aquatic facility. The City has budgeted up to \$40,000 in FY20 as matching funds for this grant. We have requested quotes from the Special Districts Association of Oregon (SDA) Advisory Services LLC to help guide us through this process. Our match and the state funding will be used for their support, along with our pool consultants and area planners, to develop the coordinated master plan, service district area, operating model and associated construction, operations and maintenance costs, financing plan and referendum for the voters.

ORS 451 will help voters participate in the planning process and inform them about the specific facilities and services that will be provided in the district. The affected voters will then have the option to create the district and approve financing measures to construct the aquatic center.

Recommended motion: “I move to approve Resolution No. 19-809-10 - A Resolution of City of John Day Authorizing City to Apply for a 2019 Oregon Parks and Recreation Department Planning Grant for Purposes of Development of Facilities Plan for a New Aquatic and Recreation Center in City; and Authorizing the Mayor to Sign the Application on Behalf of City.”

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: May 14, 2019

SUBJECT: Agenda Item #8: Recreation Economy for Rural Communities Planning Assistance Attachment(s)

- 2019 RERC Application

BACKGROUND

The Recreation Economy for Rural Communities (RERC) is an EPA program that provides planning assistance (not money) from EPA to help us organize and structure our efforts to promote the recreational aspects of our economy. There is no local match, just our time and effort.

DISCUSSION

If we are selected, EPA would provide a team to help guide us in how to self-organize as a community trying to market its recreation economy. Specific strategies and opportunities we could explore through this program are outlined in the application narrative, and include:

- (1) Applying for ATV-use on state highways so tourists can access existing ATV/OHV parks directly from their hotel rooms in John Day (now allowed under state law but only by application);
- (2) Encouraging development of a new hotel, in-city campgrounds and bed & breakfasts to create more abundant and diverse lodging options;
- (3) New marketing and branding concepts to promote John Day's Main Street as a gateway to the surrounding public lands and communities;
- (4) Accelerator/incubator options for existing John Day businesses to expand their outdoor recreation services - specifically for ATV/snowmobile rentals, bike rentals, stand up paddle boards, outfitters, guided tours, etc.;
- (5) Targeted investments in Main Street infrastructure and whether the City should adopt a local transient lodging tax to facilitate investments in outdoor recreation, and;
- (6) New organizational structures to maintain the gains we make under this program.

The application form is a two-page narrative (attached) and is due on May 31, along with optional letters of support. I have requested letters from the organizations mentioned in our application.

RECOMMENDATION

I recommend we apply for the planning assistance grant as a structured process to work with other community stakeholders to create options for expanding our recreation economy. I have asked the organizations sending letters to work with us if we win to help lead and participate in the planning effort.

TO: John Day City Council
FROM: Nicholas Green, City Manager
DATE: May 14, 2019
SUBJECT: Agenda Item #9: TGM, CEDS and REDS Program Updates
Attachment(s)

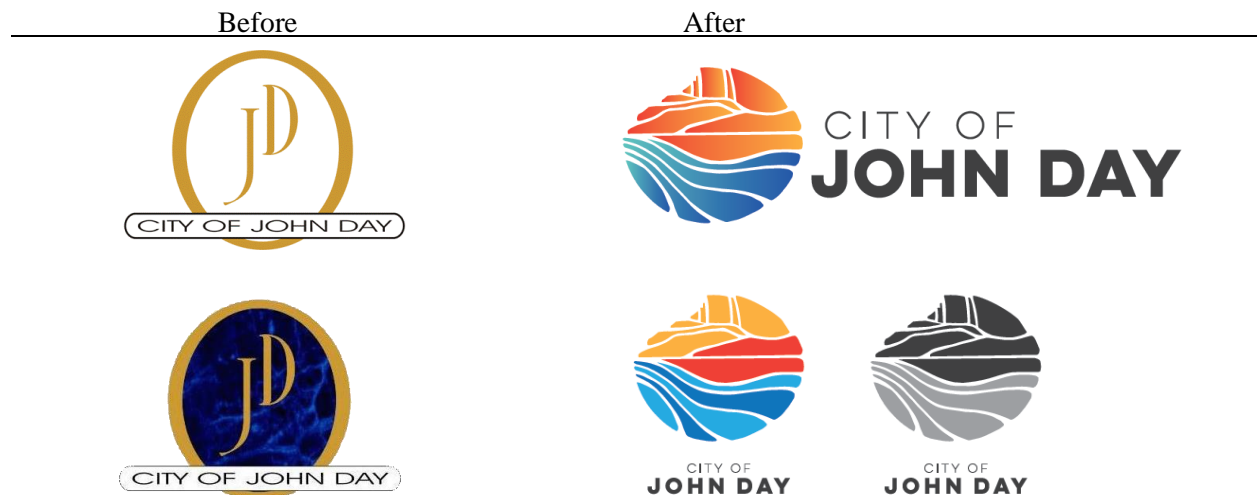
- New City Logo
- REDS Agenda

BACKGROUND

There are several for council review and approval related to the Transportation Growth Management (TGM) process, our Comprehensive Economic Development Strategy (CEDS) and planning for the Regional Economic Diversification Summit (REDS).

DISCUSSION

- (1) **TGM Survey.** The survey for the TGM area plan is ready to go live. This is part of the TGM process. It gives our residents and others in the community the opportunity to comment on our proposed designs and to share their feedback. The survey link will be shared on the City's facebook page and will also be included in this month's utility bills and newsletter. The survey includes questions about the new pool and sale of Gleason to the state. Councilors can preview the survey at this link: <https://www.surveymonkey.com/r/6DJ3QNR>.
- (2) **New City Logo.** Bell+Funk have designed a new city logo as part of the CEDS process to refresh the city's visual identity. The logo is used on letterhead and in official correspondence. A tri-color version and grayscale version are also shown below. The full design of the logo is enclosed.



- (3) **REDS Agenda.** The agenda for the Tuesday, June 11 REDS is enclosed. We may coordinate for an advisory committee meeting to be held Monday evening with an open house to follow, in order to preview the revised design concepts for the area plan. The REDS will bring together more than 30 federal, state, regional and local agencies to discuss opportunities to help diversify

our economy. Its objectives are to: (1) Strengthen relationships among stakeholders interested in supporting the City; (2) Remove obstacles and expand access to resources for economic diversification; (3) Achieve optimal resource alignment, and; (4) Advance action plans and outcome metrics for the City's comprehensive economic development strategy.

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: May 14, 2019

SUBJECT: Agenda Item #10: New City Playground & Recreational Trails Update
Attachment(s)

- Trail section designs
- Davis Creek PLAs (Draft)

BACKGROUND

The City donated \$50,000 in eclipse proceeds to the John Day/Canyon City Parks & Recreation District for construction of a new city playground and splashpad. Our public works department and city staff assisted with the playground assembly and site preparation (images below). The next step is to install the playground surface, then the Parks & Recreation District will begin work on the splash pad.



We are ready to proceed with construction of the new trail system along the John Day River and Davis Creek. Cross-sections of the proposed trail design are enclosed. We held a neighborhood meeting with residents near Canton Street and Davis Creek on March 6. Their feedback will be incorporated into the

city's plans, including the desire for improved lighting and access and giving residents the option to create more separation between their properties and the city's improvements. The proposed property line adjustment (PLA) attached is for the Davis Creek property owners and would give them the option to acquire property from the City along our northeastern boundary of Davis Creek, as shown in the sketch.

These PLAs would need to be processed in a similar manner to the Mills and JD Rents PLAs. If the property owners wish to proceed with the acquisition, the City will post a notice of public hearing in the paper and pass a resolution to do the PLA as shown.

TO: John Day City Council
FROM: Nicholas Green, City Manager
DATE: May 14, 2019
SUBJECT: Agenda Item #11: Other Business and Upcoming Meetings
Attachment(s)

- LOC Bulletins

OTHER BUSINESS

- Main Street Revitalization Grant Update

UPCOMING MEETINGS

Several scheduling items may warrant a change in our normal council schedule for May and June:

- 1) We hold a joint council meeting / Grant County Digital board meeting next Tuesday to approve the resolutions and agreements for the ReConnect grant.
- 2) Following the board meeting, we hold a special council meeting to discuss and approve agreements related to engineering and CDBG grants for the new wastewater treatment facility.
- 3) We cancel our regularly scheduled council meeting on June 11 so we can participate in the REDS and adopt the FY20 budget resolutions during our June 25 council meeting.
- 4) An executive session will also be need within the next two weeks related to real property transactions for Gleason Pool. We expect to have a draft Purchase and Sale Agreement prior to our May 28 council meeting. OPRD has a placeholder on the June 12th Commission agenda for to request their final approval of the acquisition if we can come to an agreement on value, conditions of ongoing pool use post-sale and results of the Phase I environmental assessment.
 - May 21 – Joint Grant County Digital/City Council Meeting, 6 P.M. @ Fire Hall
 - May 21 – City Council Meeting, 7 P.M. @ Fire Hall (Wastewater Treatment Plant)
 - May 28 – URA Meeting, 6:00 P.M. @ Fire Hall (Budget Hearing)
 - May 28 – City Council Meeting, 7 P.M. @ Fire Hall (Budget Hearing)
 - June 11 – Regional Economic Diversification Summit (No City Council Meeting)
 - June 18 – Presentation to OPRD for Integrated Park System Grant, Salem
 - June 25 – City Council Meeting, 7 P.M. @ Fire Hall – Budget Adoption