

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

May 21, 2019

**COUCILORS PRESENT:**

Ron Lundbom, Mayor  
Steve Schuette, Councilor  
David Holland, Councilor  
Paul Smith, Councilor  
Shannon Adair, Councilor  
Brandon Smith, Council President

**COUNCILORS ABSENT:**

Gregg Haberly, Councilor

**STAFF PRESENT:**

Nicholas Green, City Manager  
Chantal DesJardin, Secretary

Mike Durr, Police Chief

**GUESTS PRESENT:**

Rick Hanners, Blue Mountain Eagle  
Logan Bagett, Elkhorn Media Group  
Tom Olson, John Day

Nick Ducote, Ducote Consulting LLC  
Sherrie Rininger, etc  
Elliot Sky, John Day

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

Mayor Lundbom called the meeting to order at 7:00 p.m., noting everyone was present except Councilor Haberly who was excused.

**Agenda Item No. 2—Approval of Prior City Council Minutes**

*None presented.*

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

Mayor Lundbom welcomed the audience. Tom Olson asked to add the street damage on SW 4<sup>th</sup> Avenue to the agenda. City Manager Green noted it is on the agenda for next week, they are working to evaluate, and come up with a plan of attack. There was a brief discussion with Olson, Green, and the council about the flood damage to the road. Green noted that area of the road will be closed and limited to one lane of traffic.

**Agenda Item No. 4—Consent Agenda – None**

*None presented.*

**Agenda Item No. 5—Wastewater Treatment Plant Engineering Agreement & Update**

City Manager Green noted the council had received the updated professional services agreement where basically all the scope not related to the CDBG grant was stripped out. He reviewed the other services

that would be included in a different agreement, noting the current agreement will handle all the design for the core treatment processes. Anderson Perry could not give cost estimates for some of the other phases until they knew more about the design package. There are some terms that need to be finalized with the attorney's regarding indemnification clauses; Green noted they could wait a week to approve. Councilors commented that this approach cleared things up.

**Councilor Adair moved to approve the professional services agreement with Anderson Perry, subject to final review and approval by the Community Development Block Grant Coordinator, City Manager, and City Attorney. The motion was seconded by Councilor Paul Smith and passed unanimously.**

**Agenda Item No. 6—Resolution No. 19-810-11, City of John Day Fair Housing Resolution**

City Manager Green introduced Nick Ducote, environmental consultant, noting he is assisting the city with all the CDBG paperwork. Ducote explained his purpose was in assisting the city to hit the target language required in policies to meet federal requirements. Mayor Lundbom asked if some of this has already been adopted in city code; Ducote noted there is always specific language being added. He noted these are typical resolutions for grants, including Mt. Vernon and Seneca had to pass them in order to receive federal funds. Once these first draw documents are submitted the city can begin drawing from the grant. Green noted the other documents previously approved by the city, which were accepted, included a 504 Self Evaluation and Non-Discrimination Policy and Complaint Procedures.

**City Councilor Brandon Smith moved to adopt Resolution No. 19-810-11, City of John Day Fair Housing Resolution. The motion was seconded by Councilor Adair second passed unanimously.**

**Agenda Item No. 7—Resolution No. 19-811-12, A Resolution to Adopt the Section 3 Plan to Comply with 24 CFR, Part 135 of the United States Department of Housing and Urban Development Section 3**

Nick Ducote explained this is the longest and most complicated, it generally involves filling out a form once a year and some other requirements. There is some language about contractors on the project's advertising; he is not sure how that actually looks. It is largely on the contractors, the city coordinates, but he is going to get some clarification. Green noted on page 5 of the resolution, bottom of the page, it lists the city's responsibilities. He then reviewed that section of the resolution. Green noted he will be working with Mr. Ducote and Anderson Perry. Mayor Lundbom asked what a constitutes a section 3 resident, Mr. Ducote referred him to the definitions in the resolution and gave a typical example.

**City Councilor Adair moved to adopt Resolution No. 19-811-12, A Resolution to Adopt the Section 3 Plan to Comply with 24 CFR, Part 135 of the United States Department of Housing and Urban Development Section 3. The motion was seconded by Councilor Brandon Smith second passed unanimously.**

**Agenda Item No. 8—Resolution No. 19-812-13, A Resolution Adopting Four-Factor Analysis and Language Access Plan for Limited English Proficiency Persons in the City of John Day**

Nick Ducote explained they reviewed census data and spoke to city staff to compile data about limited English proficiency, the city does not meet any of the levels, so they have no reason to implement these policies. It guides the city on steps to take if someone who didn't speak English requested information.

City Councilor Paul Smith moved to adopt Resolution No. 19-812-13, A Resolution Adopting Four-Factor Analysis and Language Access Plan for Limited English Proficiency Persons in the City of John Day. The motion was seconded by Councilor Holland and passed unanimously.

**Agenda Item No. 9—Resolution No. 19-813-14, A Resolution of City of John Day Adopting an Excessive Force Policy for Nonviolent Civil Rights Demonstrations**

City Manager Green noted out law enforcement agency uses Lexipol, which are updated regularly. The city has very detailed use of force policies and first amendment assembly policies for law enforcement. The CDBG program wanted something that applies city wide; so the language in the resolution is consistent with existing policies but not very detailed.

Councilor Holland moved to adopt Resolution No. 19-813-14, A Resolution of City of John Day Adopting an Excessive Force Policy for Nonviolent Civil Rights Demonstrations. The motion was seconded by Councilor Brandon Smith and passed unanimously.

**Agenda Item No. 10—Executive Session**

Mayor Lundbom noted they did not have relevant information for an executive session and would replace the agenda item with the approval of the MOU with Ortelco that Grant County Digital had approved in the previous meeting.

Councilor Brandon Smith moved to approve the 2019 USDA ReConnect Memorandum of Understanding as amended and authorize Mayor Lundbom to sign the MOU on behalf of the City Council and Grant County Digital Network Coalition. The motion was seconded by Councilor Schuette and passed unanimously.

**Agenda Item No. 11—Other Business & Upcoming Meetings**

Mayor Lundbom noted Senator Merkley will be coming next week for a town hall May 30<sup>th</sup> and reviewed the other upcoming meetings. Green reviewed the schedule for the PAC/TAC meeting, open house, and REDS in June. Mayor Lundbom checked in with councilors and city staff.

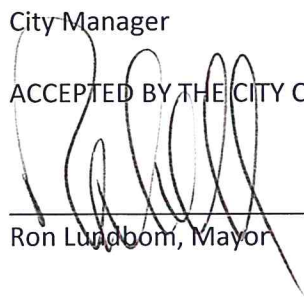
**Adjourn**

There being no further business before the council, Councilor Schuette moved to adjourn the meeting at 7:23 p.m. The motion was seconded by Councilor Adair and passed unanimously.

Respectfully Submitted:

Nicholas Green  
City Manager

ACCEPTED BY THE CITY COUNCIL ON MAY 28, 2019

  
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Ron Lundbom, Mayor