

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

October 22, 2019

**COUCILORS PRESENT:**

Ron Lundbom, Mayor  
Steve Schuette, Council President  
Shannon Adair, Councilor  
Gregg Haberly, Councilor  
David Holland, Councilor  
Elliot Sky, Councilor  
Paul Smith, Councilor

**COUNCILORS ABSENT:**

**STAFF PRESENT:**

Nicholas Green, City Manager  
Chantal DesJardin, Secretary  
Monte Legg, Public Works Director  
Julie Larson, Senior Account Clerk

Aaron Lieuallen, Senior Project Manager  
Ron Smith, Fire Chief  
Adam Heninger, Agribusiness Project Manager

**GUESTS PRESENT:**

Rudy Diaz, Blue Mtn Eagle  
Mike Ricker, 677 W Main St, Spc. #Z  
Sherrie Rininger, etc.  
Logan Bagett, Elkhorn Media Group  
Steven Baldwin, Elkhorn Media Group  
Jim Spell

Angie Jones, People Mover  
Kattie Piazza, House to Home  
Jake Bellinger, True Value  
Jim Bellinger, True Value  
David Oakes  
Heather Rookstool, Java Jungle

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

Mayor Lundbom called the meeting to order at 6:00 pm, noting everyone was present.

**Agenda Item No. 5—Riverside Home Park LLC**

Mike Ricker introduced himself and provided a brief background of his history in the community, along with work he has done in Alaska in regards to ADA advocacy. He then went on to discuss some of the concerns he had regarding the lack of adherence to the city code and other laws by Riverside Trailer Park. He also provided a list to the city council which included: cats and fleas, abuse of landlord power over renters, left behind garbage, tenant hoarding, tenant parking rights, undesired private and social drug activities, along with noncompliant: fire chimney, speed bumps, fencing, signage, and the 2005 city code update. He noted specific instances of development code violations, pest infestations, and lack of investment in the property by the owners. Mr. Ricker stated that they are gathered to come up with guidance, not a fix, because he knows it will take at least 20-30 committed members of the park to help make change. He noted that many of them do not want DHS involved, some because of illegal drug use; he also spoke on his struggle with alcohol abuse and current marijuana use for symptoms of Multiple Sclerosis. Mr. Ricker spoke on his family's history managing the trailer park and the decline in conditions of the spaces; noting it brings him to tears. He emphasized he spoke to about a third of the trailers and

they all were in support of the owner following the rules and clean-up of the property. An example was given of two female tenants who had been given an eviction notice, should never have been rented to but now have nowhere to go and Mr. Ricker feels that it is wrong to put two women out on the street. Mr. Ricker also spoke on his ideas for additional development for housing and the shortage of HUD housing; adding that he personally had to buy a camp trailer to live in when his wife left him because he could not find somewhere. He noted there is a shortage of home health workers and housing for elderly forcing multigeneration households. Mr. Ricker stated there is room for expansion, they should allow someone to expand a trailer park on the flats. Mayor Lundbom confirmed he was talking about county property along 3<sup>rd</sup> Street Extension and stated the city cannot develop on someone else's property; Mr. Ricker noted it is all public, the problem is city and county, because members of the community have family all throughout the valley. Mayor Lundbom asked Green what options the city has to help; Green replied the city is pursuing code enforcement on a variety of issues they have identified, while maybe not visible, under the nuisance code or development code. He added that they are having these conversations with Chris Fox to encourage compliance and education on development code. Green noted they city worked through the process of bringing the delinquent utility account, which was arrears about \$15,000, into current status. Mr. Ricker proposed that Chris Fox and his mother are receiving \$90,000 a month in rent. Council made comments regarding the lack of ability to verify his financials; Green noted internal operations are not the city's business, their role is ensuring compliance with the city code. Several councilors also noted they had received reports of building code violations from other tenants. There were comments about tenant rights and options for tenants to report their landlord to the appropriate agency regarding various violations. Mr. Ricker noted there needed to be a taskforce to put these slumlords in jail, like they do in New York; nothing has been done locally. Green replied the city is doing things to address concerns and issues. Mr. Ricker stated they need a taskforce because it needs to be more in depth, more personal, but residents do not want to be involved because of DHS, they don't want the state involved in their lives. Councilor Sky asked if people are afraid to speak up due to lack of other options; Ricker confirmed his neighbors made that exact statement, despite the fact that they have spent the last four years without adequate heating and have been forced to subsidize it with their oven. Councilor Smith asked what he felt the vacancy was; Mr. Ricker replied he doesn't believe any of the trailers are vacant but some spaces are empty because they don't have the proper facilities. He also stated the Google Earth clearly showed the property had not been maintained over the last 60 years and the number of space vacancies is similar to that shown (from 2016). Mr. Ricker also stated the county code says they have to have a conditional use permit, guidelines of which require things like an exterior fence, signs, and a numbering system for emergency vehicles, all of which are not in place. He elaborated on his concerns about fire response, lack of ADA considerations, slumlord tactics by the owner, and barely livable conditions of most of the trailers.

City Manager Green suggested to the council, they could form a city group to do a visual inspection and identify any code violations of the development code, public nuisance code for the whole park, versus the case by case approach they have been taking. He noted they can bring the fire marshal and a state certified home inspector to identify fire hazards or other incipient hazards to get a sense of the extent of remediation and abatement activities that need to take place. This will give the council a more comprehensive view to decide how to move forward. He also noted each violation is a fine is up to \$500/day for failure to abate if they choose not to remediate; it will take significant time and financial investment by the city to assess the extent of the situation, the staff is willing if the council wants to move forward. Mayor Lundbom asked if the owner will be resistant or willing to work with the city to come into compliance; Mr. Ricker noted the owner knows he will not let up on these issues and continue to fight. Green suggested to the council they have that conversation with Mr. Fox and not make assumptions. Councilor Holland noted their hands are tied in certain areas; there are state laws

the landlord must abide by, so the State has to be involved in that enforcement. He supports Green's suggestion regarding enforcement of the city code but there are limitations and some of the issues probably require a higher agency. Mr. Ricker stated the trailer park community could actually go after the owner and take control of the park; all across the states, tenants step up and consolidate to a non-profit, buy the park to pay off the owners, and management changes. Mayor Lundbom noted they will direct the City Manager to do a thorough assessment of the potential violations, have discussions with the owner, and to come back with a more comprehensive evaluation of the scope of enforcement. Councilor Sky noted the first step should be to speak to the owner, it is not one isolated code violation by a single owner; it is important to understand the magnitude and try to foster communication on a personal basis to address concerns before barraging him with violation notices. Green noted there have been many conversations about violations over the last few months with the owner, most regarding sewer but transitioning into maintenance issues; the owner has some legitimate challenges in financials and management but concerns coming to light likely fall under egregious and need to be addressed. Councilor Sky emphasized anyone living here should be in a safe place with safe electricity and sufficient insulation for the winter; whether in the trailer park or fancy house, there should be a bottom line of safety ensured.

City Manager Green stated he will move forward with the assessment, have a conversation with Mr. Fox and Mrs. Fox, and work up some options to bring back to the council. Mr. Ricker offered his free attorney services available to him and research capabilities, everything he has in his life, even though he isn't doing this for himself. He spoke further on his family's history in the community as shepherders and the negative emotional impact of the conditions of the park. Mayor Lundbom asked how many people he had spoke with and if he felt most the people at the park shared his opinions. Mr. Ricker stated he spoke to fifty people, but not all were supportive because some are scared of DHS and the owner. Councilors asked why residents would be scared of DHS; Mr. Ricker stated it is like a mother-in-law on their back. Green noted at this stage, the city's intervention needs to be limited to the physical environment and enforcement areas they deal with; other agencies don't need to be involved, at this point, unless the city identifies so. Councilors noted they should focus first on what they can achieve; Green added another area of concern that will impact the city is failing infrastructure and lack of investment in replacement so far. Mr. Ricker also asked about the bus station construction down at the old mill, citing the shop and big parking lot being used by the People Mover; Green clarified the shop is for Public Works, the People Mover has their own shop any parking happening is visitor parking for the greenhouse. Mr. Ricker cited government accounting and noted Grant County cannot own a business that competes with the private; they can do bus routes because it is civil minded but cannot be doing tours. Green confirmed it is city property, there are no plans for buses down there. Council thanked Mr. Ricker for his comments and noted they would get back to the residents about what items they can address. Mr. Ricker spoke further on groups that could assist; he also stated the city has come a long way but there is more they could do for ADA. He was part of a group that did a survey of all the ADA considerations in the valley thirty years ago; he challenged councilors to get in a wheelchair and travel around the city sidewalks to see the challenges caused by cracks, steep slope, and obstructions from businesses. Council noted the sidewalks were designed and built to ODOT's standards at the time, but ADA requirements have changed a lot since then the city is working to do what they can with the resources available. Mr. Ricker stated that they need a specialist to help with ADA stuff, he was a specialist previously for the USFS and in Alaska and can help. Mayor Lundbom thanked him for his offers to help the city.

**Councilor Adair moved to adjourn the work session at 6:37PM. The motion was seconded by Councilor Holland and passed unanimously.**

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

**Mayor Lundbom called the meeting back in to order at 7PM, noting everyone was still present.**  
*No minutes presented.*

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

Mayor Lundbom welcomed the audience, reminded everyone to sign in, and asked if there was anything to add to the agenda. *No requests were made.*

## **Agenda Item No. 4—Ron Smith**

Mayor Lundbom presented a recognition plaque to Fire Chief Ron Smith thanking him for his 15 years of service to the city following a full career of 27 years serving in Sandy. Chief Smith stated it was an honor, a privilege and a hoot; he reminded everyone he is a small cog in a wheel, the volunteer firefighters are the ones that make it happen--they do a great job-- by dedicating hundreds of hours a year. He noted that he is not going anywhere, just stepping down to a backup role; Don Gabbard, who has been the assistance chief for about eight years, will be taking over and splitting a full-time workload between fire and public works.

## **Agenda Item No. 6—Downtown Parking**

City Manager Green reviewed the information presented in the PowerPoint regarding the four sites for downtown parking. He noted that the South Canyon Electric Vehicle site was slated to be reviewed by the Planning Commission at the joint meeting on November 12<sup>th</sup>, OTECC's interest stems from need for an access point to their substation. There was clarification that the city owns the parking area at city hall, there is an access easement on the far east side that can easily be incorporated into their parking layout. He summarized that in total they would be looking at \$120,000 in acquisition, including fees and surveying, and \$250,000 in development costs to do all three sites.

Angie Jones asked if they had made considerations for bus stops in their development plans since two sites are currently stops on routes; Green noted it was a great suggestion and he definitely felt there was room to achieve that. Mayor Lundbom asked Sherrie Rininger what she felt the downtown people would say; she asked what it was going to cost them and if the council still planned to charge the downtown businesses for improvements. City Manager Green commented he thought they should first decide whether they want to do it, then decide how to split the cost up. The street fund does not have \$250,000 for development and would require a loan; if there is benefit to the downtown merchants of having the increased parking, it makes sense that they share in the cost. They would have to figure out what that cost sharing agreement looks like, considering things like how many would participate. Sherrie Rininger and Heather Rookstool both emphasized to the council that they felt car parking was not the problem but rather larger, oversized vehicles. Rininger also inquired again about using the Elk's Lodge parking lot. Green emphasized again that the city does not speak for the Elk's and is not going to get into parking options while they are undergoing potential land changes. There was additional speculation about how the lot was being divided and sold. Angie Jones stated the decision to sell the land under the Senior Center is the only thing that has been voted on; Green added that the Land Partition has not been approved yet, the city just started the review.

There was discussion about signage, restrictions, and policing of the parking with Rookstool stating that she didn't feel those willing to pay towards improvements would be if there was not going to be manpower to ask those parking RV's on Main Street to move. Green noted he does not foresee an issue with parking restrictions or signage as long as they have a designated location for those vehicles to park in the area. Councilor Adair noted one of the points at the conference was if you provide an intriguing downtown and a place to park, people will walk. She feels signage should be restricting length not type of vehicle; all the merchants need to get together and communicate about what they want for parking because they haven't had enough feedback to see if everyone really thinks it matters. Green noted the city hall and South Canton lots could provide about six longer spaces but the other lots were not suitable; Councilor Holland added that the People Mover could be utilized for transportation, as it stops in each of those locations, if someone didn't want to walk to either end. Mayor Lundbom inquired about financing options; Green stated they would have to do a loan, so if they decide any or all of it is needed, he would rather they do it conjunctively, in order to save money on underwriting costs from multiple loans. Council discussed various aspects of each development and anticipated needs; there was not a clear consensus about the need for employee parking, bathrooms, or tourist parking. Jim Bellinger suggested developing a lot on N Bridge Street; it was clarified the lot was recently purchased and is funded for development as a domestic shelter and support offices. There were comments about the walking condition of the hill to City Hall in the winter, the lack of public restrooms along the highway. Councilor Holland, Councilor Sky, Councilor Smith, and Sherrie Rininger all voiced their support of developing the South Canton lot and City Hall lot due to their ideal location on either side of downtown, access to the People Mover options, and longer vehicle parking. Councilor Holland and Councilor Adair expressed hesitation to develop the North Canyon lot because of limits to usability and lack of clear commitment that it would actually be utilized as employee parking. David Oakes commented that while a newer resident, he has been visiting for years to hunt so he knows the challenge if trying to park with a trailer and he feels the South Canton lot would be perfect.

**Councilor Adair motioned to have the city move forward with further details on how to accomplish at city hall and the Wright Chevrolet locations (SW Canton lot) parking and restrooms. The motion was seconded by Councilor Schuette and passed unanimously.**

There was discussion between Sherrie Rininger and Councilor Adair about information learned at the Main Street Conference for funding options. Adair noted grants weren't really discussed in specifics, other than to mention there various funding options out there; it was more focused on layout of downtown and marketing. Green noted he had never seen grants for parking but Travel Oregon may have something that could help with developing restrooms. Sherrie Rininger suggested they look into the resources through the Main Street Program; Green noted that grant only occurs every two years and he isn't confident they would win it a third consecutive time. There was discussion about the development concepts, funding, and options for improvement variation to manage costs.

### **Agenda Item No. 7—3<sup>rd</sup> Street Extension PLA with Grant County**

City Manager Green noted there are three property owners on East Main that need to connect to city sewer. There is an awkward lot owned by the County between those properties and the city's right of way (seen in attachment); to connect to city sewer, they would need to have private utility easements with the County to cross through and the City to utilize the right of way to connect at Third street. Green noted it is a messy approach, so they proposed to the county a property line adjustment where the city accepts from the county an eastern portion of lot 1300 to bring the sewer line up to a point in the back of the properties they would then extend connection to. This would simplify it to an access easement

from the back of each property to the new connection point. Because it is an acquisition, it would be a no cost adjustment to avoid easement records, the County Commission is fine with the city accepting the property and responsibility for maintenance. Green noted it is a weird piece that was probably an artifact of the creation of Third Street Extension; it is either steep slope up to the road or in the floodplain and has no development purpose because it is not buildable. Council noted it cleans up the property lines and simplifies utility access.

**Councilor Sky moved to have the City Manager work the property line adjustment for property along Third Street Extension with Grant County for the acquisition as discussed. The motion was seconded by Councilor Haberly and passed unanimously.**

**Agenda Item No. 8—Executive Session**

Mayor Lundbom read the notices of executive session.

**Councilor Schuette moved to enter executive session pursuant to ORS 192.660(2)(f) at 7:42PM. The motion was seconded by Councilor Haberly and passed unanimously.**

**Councilor Schuette moved to leave executive session at 7:54PM. The motion was seconded by Councilor Holland and passed unanimously.**

**Councilor Schuette moved to enter executive session pursuant to ORS 192.660(2)(e) and ORS 192.660(2)(f) at 7:55PM. The motion was seconded by Councilor Haberly and passed unanimously.**

**Councilor Schuette moved to leave executive session at 8:26PM. The motion was seconded by Councilor Holland and passed unanimously.**

**Agenda Item No. 9—Other Business & Upcoming Meetings**

Mayor Lundbom checked in with staff. *There were no further comments.*

**Adjourn**

**There being no further business before the council, Councilor Schuette moved to adjourn the meeting at 8:26PM. The motion was seconded by Councilor Adair and passed unanimously.**

Respectfully Submitted:

Nicholas Green  
City Manager

ACCEPTED BY THE CITY COUNCIL ON NOVEMBER 12, 2019



Ron Lundbom, Mayor