

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

February 23, 2021

COUNCILORS PRESENT:

Ron Lundbom, Mayor
Paul Smith, Council President
David Holland
Shannon Adair
Elliott Sky
Gregg Haberly
Heather Rookstool

COUNCILORS ABSENT

CITY STAFF PRESENT

Nicholas Green, Executive Director
Daisy Goebel, Associate Planner
Aaron Lieuallen, Senior Project Manager

Chantal DesJardin, Sr. Acct. Clerk (virtual)
Garrett Crostek, City Attorney (virtual)

GUESTS PRESENT (VIRTUAL UNLESS INDICATED AS IN-PERSON)

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|-------------------------------|---|
| Chris Fox (in-person) | Jw |
| Patti Rathbone | Lisa Delano |
| Ken Katzaroff | S |
| Michele | Thomas B |
| Glenda Moyer, FHCO | +15038904300 |
| Logan Bagett | +15416201890 |
| Stephanie LeQuieu (in-person) | +15416203023 |
| Michael Shockley | +15416204370 |
| R | L |
| +13602416698 | Roberta Fox |
| +15416201125 | Andy Day (in-person) |
| +15416203023 | Mindy Winegar (in-person) |
| +15416203030 | Lane Burton (in-person) |
| +18315961771 | Sam Palmer, County Commissioner (in-person) |
| Dawn DeGrande | |
| Dusty Williams | |

Agenda Item No. 1—Open and Note Attendance

Chairman Lundbom called the meeting to order at 7:00 p.m., noting everyone was present.

Agenda Item No. 2—Approval of Prior Minutes

No minutes were presented for approval due to City Manager being on leave.

Agenda Item No. 3—Appearance of Interested Citizens (7:01p.m.)

Mayor Lundbom welcomed the audience and asked if there was any business to add to the agenda. *Staff noted Stephanie LeQuieu was added for a new Agenda Item 9.*

Agenda Item No. 4—Consent Agenda

No items presented.

Action Item No. 5— Ordinance No. 20-187-08, An Ordinance Amending The John Day Development Code To Strengthen And Clarify Enforcement Provisions Within The Code (Type IV Procedure) (7:02p.m.)

Mayor Lundbom introduced Action Item No.5. Green discussed the general process for the code amendment hearings. He noted these ordinances have been in development for many months and represent significant public feedback. He also acknowledge the challenges of COVID-19 and the impact it has had on public hearings and our community. He noted the purpose of these hearings is not to create winners and losers. However, when we adopt standards, they must be enforced fairly and consistently, providing due process to our residents and property owners. They cannot be ignored or overlooked, nor should they be applied inconsistently because some people disagree with them. He asked that if councilors disagree with a standard or would like to see it amended, that they make that recommendation, and if they cannot reach a consensus that they continue the hearing, and this should apply to all the amendments reviewed tonight.

Green began describing the proposed ordinance and his observations. Garrett Chrostek, City's Land Use Attorney, redirected staff and noted the Mayor needed to read the legislative procedures and open the formal hearing. He provided the legislative procedure script via email that was not included in the packets and read the procedures for the first hearing.

7:10 p.m. Councilor Rookstool moved to open the public hearing for Ordinance No. 20-187-08, An Ordinance Amending the John Day Development Code to Strengthen and Clarify Enforcement Provisions within the Code (Type IV Procedure). Councilor Adair seconded and the motion passed unanimously.

Mr. Chrostek read the legislative procedures for the hearing.

7:13 p.m. Mayor Lundbom asked councilors to declare any conflicts in roll-call manner. *None appearing.*

7:14 p.m. Chrostek asked if any member of the audience wished to challenge the ability of the city council to hear this matter. *None appearing.* Mr. Chrostek asked that Green's opening remarks be included in the public record for this hearing.

7:15 p.m. Green presented the supplemental staff report. Green asked council to evaluate whether they feel this ordinance is needed regardless of who is employed as city staff. He reiterated the purpose of this ordinance is to allow for standardized procedures to be adopted for development code enforcement, and that those standards are already adopted in the public nuisance code adopted by ordinance in 2015 (enclosed in the staff report). Green addressed written comments submitted by Riverside Home Park, noting the City did engage in voluntary negotiations to acquire Riverside in 2019 but ended them voluntarily to pursue other opportunities. The City never made any attempt to condemn any private property or do any regulatory takings. He also clarified that staff spent several hours with the Park owners both prior to their notice of intent to inspect the Park (enclosed in the supplemental staff report) and following the inspection the city manager and Code Enforcement Specialist Savannah Lovell met with Mr. Fox for two hours to review the findings. He also noted the City did not issue citations for any of the inspection findings, as it is not the City's intent to issue fines, but we do have a responsibility to see that code violations are abated. He recognized the efforts Riverside has gone to in order to address the nuisance code and development code violations that were identified. He also noted the city staff does not object to mediation. Finally, he pointed out to the city council that at present, the city of John Day concentrates a lot of responsibility on the City Manager, which under various ordinances is designated as the City's health official, planning official, floodplain administrator, and building official, in addition to being the manager of the Urban Renewal Agency. The City does everything possible to ensure staff are trained and qualified for their positions. If there is an instance, either by the staff or City Manager, where council feels we are not achieving a standard, the council has the ability through their appointment powers and hiring authority to discipline and make corrections. **Green asked that all written comments received from Riverside Home Park provided to the city council in the supplemental staff report be incorporated into the public record.**

7:23 p.m. Mrs. Goebel presented the staff report. Goebel noted the process for this ordinance and its proceedings have been revised multiple times due to staff errors and to public comments received during various hearings. She stated the purpose of this ordinance is to support the enforcement of the development code and abatement of code violations in a way that is fair and can be evenly applied. It links the development code to the enforcement procedures of the nuisance ordinance. It has a provision in Section C to allow the City to grant permits to properties in violation if they agree to an abatement agreement since not all development code violations can be immediately fixed. She noted the fees in Section E were

also updated to clarify the procedure for recovering fines, when applicable. She noted we generally do not fine property owners. The vast majority of the time code enforcement is a phone call to the property owner to get them to apply through the proper channels and to seek voluntary compliance. These procedures are needed in the event we cannot achieve voluntary compliance. She reiterated the need for vicarious liability so staff do not have to play the blame game trying to determine responsibility between a tenant and landlord, which is consistent with state law and other city ordinances. She noted we did remove a provision at Riverside's request that defined a prior notice as a violation and clarified that a prior notice is not a violation, and added the term *qualified* designee to ensure someone who is appointed to enforce the code is qualified, and that the code already allows this precedent and specifically allows the City Manager to designate a floodplain administrator and to represent the City in pre-application conferences. Finally, she noted non-conforming uses (pre-existing conditions that were permitted) are not subject to enforcement under new regulations. Finally, she stated revoking permits and issuing fines is only used when voluntary compliance cannot be achieved.

7:30 p.m. Mayor Lundbom asked if the city council had any clarifying questions related to the staff reports. Councilor Rookstool asked about a specific regulation in the public nuisance ordinance related to heat pumps. Staff clarified that permits can be issued under the proposed ordinance to bring units into compliance or to address identified violations, and these procedures only apply to properties that have been determined to be in violation, not to general applications. Councilor Smith asked if any of the procedures in the public nuisance ordinance are being changed. Staff responded that this amendment does not change the nuisance code at all, it simply allows the staff to use the procedures outlined in that ordinance for development code enforcement. Councilor Rookstool asked additional questions about the public nuisance ordinance prohibitions and staff clarified again that those regulations were previously adopted and are not being adjusted by this code amendment, nor are those regulations up for discussion during these proceedings. Councilor Haberly also commented on the public nuisance ordinance and asked that it be amended at a future date. Green redirected council that this is an opportunity to ask clarifying questions about the code amendment that is being proposed prior to opening the hearing for public testimony.

7:36 p.m. Mayor Lundbom re-read the procedures for providing public testimony and asked if anyone wished to speak on this matter. Green noted Mr. Katzaroff wished to speak, but he asked if individuals in the audience could speak first and he would go afterward. Mindy Winegar (John Day Resident) stated there is a lot in these amendments that need to be relooked and the public needs more time because they saw the nuisance ordinance that made everyone panic and that some of this language, like the 1,000 sf limitation on manufactured homes, could hurt some of our lower income residents. Chris Fox, Riverside Home Park (677 W. Main St., Space 137, John Day) spoke about the culture of Grant County and stated these statutes are similar to places that are very busy and are easier to live in. He noted the demographic, limited number of people, and past practices in John Day are unique to this

location and there is concern about multiple pages of code being adopted. He stated he has a long diatribe and documentation that his perspective is different from the city manager's, and that there was a similar effort in Multnomah county where the county hired the city to re-evaluate its codes and stated he does not believe Grant County maintains accurate permit records. Andy Day (NW Valley View Lane, John Day) said the proposed ordinances push a lot onto people themselves, some of whom are less fortunate, and it could increase costs above what they can handle. He asked what the cost of each permit is if they are going to be required. He stated he believed anyone in this room could be fined if these ordinances are adopted because all are not compliant, and asked council to go through them carefully with a focus on safety, not necessarily for a look. He reiterated for him it's a cost matter. Lane Burton (E. Main, John Day) said there has to be some place for everybody and spoke in favor of keeping John Day affordable. Mr. Katzaroff (1420 5th Ave, Ste 3400, Seattle, WA 98101) representing Riverside Home Park noted his practice represents developers and applicants, and he has never before taken a case in opposition to a local government. He noted he was engaged to correct an illegal revocation of one of Riverside's permits. He stated he wished to make clear the level of trust between the City and Riverside is broken, and he sees a different picture. He noted during the meeting between his client and City in the fall of 2019 he still has not received a list of code violations they have requested multiple times. He noted there was an attempt to revoke a permit without revocation procedures in the City's code and without due process. He appealed and it was voluntarily withdrawn. Then in March 2020 this amendment was proposed and was passed without proper notice to his office, despite requesting to receive notice. He stated the City did not follow what was required under its own ordinances or state law on three separate occasions. He said they want to work with the City but it needs to be done right, and with this particular ordinance and its tie to the nuisance code, it links nuisance violations with the ability to revoke a land use permit. He disagreed with that approach due to the hardship it would create, similar to comments made by Councilor Rookstool. He noted, specifically, under the appeal process of the Nuisance Code, an appeal must be filed within 10 days of it being determined there is a code violation. If the City ties the land use code to this ordinance, the City will be in violation of state law, specifically, ORS 227.175, which states land use decisions must have at least 12 days to appeal. He does not believe this linkage could survive without another amendment to the nuisance code. He also noted Riverside is unique in that it has 15 percent of the housing in John Day and that people have lived there for 40 years. They may or may not have violations that are technical in nature or may present a real risk, but this ordinance allows the City to effectively prevent Riverside from providing additional housing through placement permits because it only has three tax lots. He stated this would effectively weaponize the code by allowing the City to fine people \$500 per day for these violations. He concurred it is appropriate the City Manager have the authority to delegate responsibility and authority, but that there is no requirement for experience or ability to perform that function in this proposal. He reiterated prior failures as an example of an expertise level that is not being met currently and that if the city manager can appoint anyone he wants, we will see more legal challenges to the City. He asked that his comments made for this matter be reflected and included in the

comments for all of the other three ordinances being considered tonight. Glenda Moyer (FHCO, La Grande, OR) asked council to look into how many residents are receiving housing subsidies from the Housing Authority. She stated the Housing Authority cannot offer subsidies for housing that does not pass health and safety inspections, and for the trailer park, that includes tie downs and foundations. She also suggested the City review how many homes would qualify to receive that subsidy and how many would not due to health and safety concerns.

7:58 p.m. Mayor Lundbom asked Council if they wished to speak. Councilor Adair said her perspective is that the comments given tonight were more about the nuisance ordinance, not these procedures. Councilor Rookstool concurred, stating most public feedback she has received was about John Day becoming similar to living in a Home Owners Association. Green reminded council the public testimony portion of the hearing is still open and asked council to determine if they wish to continue with additional public testimony or close that portion of the hearing.

8:02 p.m. Councilor Adair moved to close the public hearing. Councilor Smith seconded and the motion passed unanimously. Councilor Rookstool reiterated that she couldn't focus on the code enforcement amendments proposed tonight because she was concerned about the public nuisance ordinance adopted in 2015. Mayor Lundbom referred to the cost of abatement to the City when the development code is not followed. Councilor Holland reiterated that the nuisance code is a separate issue that needs to be taken up at a different time and is not part of these procedures. All the staff asked the council to look at are the procedures for abatement, because that is the only place we have abatement procedures listed anywhere. Mr. Chrostek concurred and noted that the question raised by Mr. Katzaroff, this is not to supplement the appeal rights set out in the development code, it is just to address the physical abatement procedures. It is not going to reduce appeal deadlines. It is so that once a violation is determined, that abatement option in the Nuisance Code is then available to the City to utilize for development code violations. Councilor Smith asked if the procedures from the nuisance code could be separated and adopted in this amendment, rather than referencing the nuisance code. Chrostek stated it could be as simple as stating "Violations of the Development Code may be enjoined, abated or removed pursuant to the procedures set forth in Title 8, Chapter 2 [Nuisances]." Councilor Smith asked if we could untie these two ordinances and just include the abatement language. Councilor Rookstool concurred. Green reminded council that the procedures in Title 8, Chapter 2 are already in place and can be enforced as-is. The concerns raised have not materialized because the City does not look for enforcement opportunities, we respond to complaints, and we frequently decline to pursue enforcement when it appears to be a civil matter between neighbors that isn't a clear violation of the code. Goebel asked Mr. Chrostek if we could just transfer the appropriate abatement procedures from the nuisance code into the proposed ordinance. He stated we could. Green said if those procedures were to be separated and incorporated into this ordinance, we would need to bring this back for re-review by the council so that it is clear what the revised ordinance entails. Council discussed

options and failed to reach a consensus. Chrostek suggested they could continue the hearing to a future date and time; keep the hearing closed and just ask for written comments for deliberation at a future hearing; or direct staff to resubmit through the planning commission. Council continued deliberations about how to create clear and enforceable procedures and to give the community time to understand what is being proposed as well as the cost of enforcement to the City and its residents and the City's efforts to amend the development code to recover economically from the City's extended decline. Green acknowledged errors have been made in the planning process. He also identified there was little demand for development or enforcement until recently and the City did not have a standardized process to address these matters.

8:27 p.m. Councilor Adair moved to continue the hearing to March 23rd, with public comment allowed in writing until 5 p.m. March 12th. Councilor Rookstool seconded and the motion passed unanimously.

Action Item No. 6— Ordinance No. 20-188-09, An Ordinance Amending the John Day Development Code Revising Language Related to Manufactured Homes and Manufactured Dwelling Parks (Type IV Procedure)

Mayor Lundbom called the meeting to order at 8:30 p.m. He then read the legislative procedures.

8:32 p.m. Mayor Lundbom asked councilors to declare any conflicts of interest. *None appearing.*

8:32 p.m. Mayor Lundbom asked if any member of the audience wished to challenge the ability of the city council to hear this matter. *None appearing.*

8:33 p.m. Mayor Lundbom asked staff to review the staff report. Green described the general purpose of this amendment, noting the city of John Day and Grant County adopted comprehensive plans at the same time in 2003 and both plans are now nearing the end of their 20-year planning period. Both plans were based on data from the 1990s that assumed growth that did not materialize. Neither plan contemplated the population decline and job loss we have experienced. He noted Portland State University forecast steady population growth that would have realized a population in John Day of 2,304 by 2020; we missed that project by 554 residents. We now have an aging population and there are a lot of socioeconomic factors that have to be considered when it comes to housing policy. He noted we have made several adjustments to our development code as outlined in the staff report to reduce restrictions on housing and zones where housing is allowed, adopted an aggressive housing incentive program to encourage new home starts, and contracted for a housing market assessment and an economic opportunity assessment, which have been formally adopted, to encourage economic

growth and population recovery, all of which had extensive public comment and engagement throughout. As it relates to manufactured home parks, we are not trying to restrict future manufactured home parks and nothing in this code purports to do that. We are trying to ensure our development code standards are current for future development. He reiterated this proposal does not apply to existing manufactured home parks and is not intended to address tiny homes, which staff are evaluating but are not prepared to bring forward for a decision. **Green asked that the supplemental staff report, including comments by Riverside Home Park, be incorporated into the public record.**

8:37 p.m. Mrs. Goebel described the staff report and specific language proposed. She noted the changes recommended by the planning commission, including the requirement for play areas and open space for all parks, not just for those that accommodate children. The City also retained density and setback requirements from the current code.

8:39 p.m. Mayor Lundbom asked the council if they had any clarifying questions for staff. Councilor Smith asked how this relates to existing manufactured home parks. Staff re-confirmed that this does not apply to existing parks.

8:40 p.m. Mayor Lundbom opened the meeting for public testimony. Ken Katzaroff (1420 5th Ave, Ste 3400, Seattle, WA 98101) stated Riverside does not object to this amendment, particularly since staff have clarified it does not apply to existing parks. He noted this amendment still appears to include a prohibition on short term rentals and in a previous letter to the planning commission he highlighted that prohibition is not allowed for manufactured home parks. He asked staff to address this prior to adoption. He also recommended not waiting on the tiny home conversation as most are not stick built, they are pre-fabricated and this ordinance would prohibit all tiny homes if they are manufactured off-site. Lundbom asked Mr. Chrostek to clarify, who verified that the particular state statute Mr. Katzaroff referenced is ORS 197.493 (1)(b), which states a state agency or local government may not prohibit the placement or occupancy of a recreational vehicle located in a manufactured home park when occupied as a residential dwelling. Short term rentals are not classified as a residential “dwelling” – the intent of this prohibition is not related to RV’s used as a dwelling unit inside a manufactured home park. Mr. Katzaroff noted his original comments dating back to March 2020 were tailored to achieving clear and objective standards and he believes staff have achieved that with these revisions.

8:46 p.m. Councilor Adair moved to close the public hearing. Councilor Holland seconded and the motion passed unanimously. Council discussed the proposed amendments, specifically the 1,000 sf restriction. Councilors Holland and Smith noted they would be in favor of reducing this size restriction for individual lots in the future. Green noted the code does allow for temporary placements of smaller units for up to six months and longer with planning commission approval but he is concerned about some of the tiny homes that have had to be abated. Councilor Adair

stated she is not ready to adjust this down due to the lack of clear standards and the wide range of potential housing types that could be permitted. Councilor Rookstool asked for clarification on garage ports and attached garages, which are required to use the same materials and colors as the manufactured home under this proposal as noted in Section 5-2.2.100(F)4. Staff clarified that requirement would be triggered in the event a land use application for a manufactured home included a garage or carport, but would not be triggered for accessory structures added later, which are permitted under a separate section of the code. The language proposed mirrors state law as closely as possible. Council deliberated further including the option to strike this provision, but staff recommended staying consistent with the language already adopted by the state legislature. Councilor Sky concurred and explained his perspective on the need for this language.

9:02 p.m. Councilor Adair moved to read the ordinance by title only. Councilor Holland seconded and the motion passed unanimously. *Mayor Lundbom read the ordinance by title only.*

9:03 p.m. Councilor Adair moved to adopt Ordinance No. 20-188-09, An Ordinance Amending The John Day Development Code Revising Language Related To Manufactured Homes And Manufactured Dwelling Parks (Type IV Procedure). Councilor Holland seconded and the motion passed unanimously.

Action Item No. 7— Ordinance No. 21-190-01, An Ordinance Amending the John Day Comprehensive Plan to Adopt the Recreation Economy for Rural Communities Action Plan (Type IV Procedure)

Mayor Lundbom called the hearing to order at 9:04 p.m. He then read the legislative procedures.

9:05 p.m. Mayor Lundbom asked councilors to declare any conflicts of interest. *None appearing.*

9:06 p.m. Mayor Lundbom asked if any member of the audience wished to challenge the ability of the city council to hear this matter. *None appearing.*

9:06 p.m. Mayor Lundbom asked staff to review the staff reports. Green described the RERC planning process, which included public feedback as well as representatives of 22 public agencies in John Day and around our region. This information was presented during council meetings and was recommended for approval by the planning commission at their hearing held on January 12. He noted the plan directs activity and does not affect underlying land use, but does emphasize trail building and improving connectivity. It is not intended to restrict housing developments and he noted the depiction in the RERC report is showing a re-meandered John

Day River, which is an artist's rendering of what the river originally looked like (prior to dredge mining), but it actually runs in a straight line. No trails are proposed on private property in this plan. He did note at a neighborhood meeting several years ago there was a request made to have a bridge from Riverside Home Park north across the John Day River to provide their residents with access to the city trails and provide a more direct route to the 7th Street Sports Complex, but the City does not have to build it if the park owners object. **He asked that the supplemental staff report including comments received by Riverside Home Park be incorporated into the public record.**

9:09 p.m. Goebel discussed the goals as outlined in the staff report and the intent to use this Plan to improve quality of life for all residents, including achieving the City's socioeconomic development goals. She noted this is not just a document about tourism, it also includes goals around local livability. She stated the intent of incorporating it into the comprehensive plan was to create a blueprint for expanding outdoor recreation as a pillar of our economy.

9:12 p.m. Mayor Lundbom asked if council had any clarifying questions. *None appearing.*

9:13 p.m. Mayor Lundbom asked for public comment. Mr. Katzaroff (1420 5th Ave, Ste 3400, Seattle, WA 98101) stated he has done an extensive review of Riverside's title report and is not clear how we would propose an integrated trail system on both sides of the river that does not impact private property when Riverside's property extends into the river. *No other public comments were made.*

9:14 p.m. Councilor Adair moved to close the public hearing. Councilor Smith seconded and the motion passed unanimously. Councilor Smith stated he pulled the Innovation Gateway Transportation Solutions Map and stated he did not see any trails on the south side of the river east of the City's property. Green confirmed the trail on the north side of the river is already constructed, and the plan was to loop the trail back on the south side of the river on our property. In the depiction, we show the trail extending to the northernmost street of Riverside Home Park, with the thought that their residents would not have to go out to the highway and around that busy street to get to the river, they could go from the home park west directly to the city trail system. The same applied for the northeast end, across the bridge north to the city trail that would cut at least ten minutes of walking out of the equation to get to 7th Street. That portion of the trail has not yet been constructed. Councilor Adair noted she loves the plan and we were lucky to get the grant to create it. Councilor Smith concurred. Councilor Sky asked if the city received comments on its focus on tourism or in general. Staff said the feedback has been largely positive. Councilor Rookstool reiterated the importance of these types of investments for our local businesses and specifically the importance of the summer tourism season to help push the small businesses through the slower winter months. She also noted the importance of downtown parking and helping the community recognize the value of tourism as

well as the community benefit of these proposed amenities. Mayor Lundbom reiterated the importance of creating access to the forest from John Day as well.

9:20 p.m. Councilor Holland moved to read Ordinance 21-190-01 by title only. Councilor Adair seconded and the motion passed unanimously. Mayor Lundbom read the ordinance by title only.

9:21 p.m. Councilor Holland moved to adopt Ordinance No. 21-190-01, An Ordinance Amending the John Day Comprehensive Plan to Adopt the Recreation Economy for Rural Communities Action Plan (Type IV Procedure). Councilor Adair seconded and the motion passed unanimously.

Action Item No. 8— Ordinance No. 21-191-02, An Ordinance Amending the John Day Development Code to Reduce the Notification Period for Type IV Legislative Procedures from 45 to 35 Days (Type IV Procedure)

Mayor Lundbom called the meeting to order at 9:21 p.m. He then read the legislative procedures.

9:22 p.m. Mayor Lundbom asked councilors to declare any conflicts of interest. None appearing.

9:23 p.m. Mayor Lundbom asked if any member of the audience wished to challenge the ability of the city council to hear this matter. None appearing.

9:23 p.m. Mayor Lundbom asked staff to review the staff report. Green briefly described the purpose of the amendment, as outlined in the supplemental staff report and staff report submitted to the city council. He noted DLCD has moved to an electronic system for notice and review of post-acknowledgment plan amendments and now only requires 35 days' notice.

9:24 p.m. Mayor Lundbom asked for public comment. Mr. Katzaroff (1420 5th Ave, Ste 3400, Seattle, WA 98101) stated his written comments highlighted this amendment does not purport to amend the comprehensive plan, which also requires 45 days' notice, and so an additional amendment would be needed. *No other comments.*

9:25 p.m. Councilor Adair moved to close the public hearing. Councilor Smith seconded and the motion passed unanimously. Mrs. Goebel explained the specific requirements within the comprehensive plan that tell us how to amend the comprehensive plan. It is already a little different than the development code amendment procedures, which also require a Type IV review process, but specifically reference the chapter of the development code and not the comprehensive plan. Staff noted they should have submitted this as a comprehensive plan

amendment as well as a development code amendment. Mr. Chrostek suggested the matter be voted down to allow staff to resubmit a revised amendment, if the council wishes to amend the notice window. Councilor Sky asked if we passed this today, does it really affect staff or create conflicts. Green noted at the pace we are going it will come up again for future amendments like the airport industrial park land use, future rezoning of downtown and for future comprehensive plan amendments. Council deliberated and ultimately concurred with the resubmission. Mr. Chrostek recommended council formally decline the ordinance.

9:33 p.m. Councilor Adair moved to deny Ordinance No. 21-191-02, An Ordinance Amending the John Day Development Code to Reduce the Notification Period for Type IV Legislative Procedures from 45 to 35 Days (Type IV Procedure). Councilor Holland seconded and the motion passed unanimously.

Action Item No. 09— Stephanie LeQuieu – Oregon RAIN (9:34 p.m.)

Mrs. LeQuieu discussed the new natural foods store that opened on Saturday as well as RAIN's upcoming leadership seminar that will be presented on March 12th. She provided brochures for the councilors.

Action Item No. 10— Other Business & Upcoming Meetings

Council reviewed upcoming meetings and staff's proposal for the Hill Family Park Bridge. They asked to move the bridge discussion to the March 09 meeting.

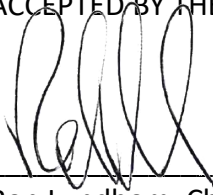
Councilor Holland moved to adjourn the meeting at 9:40 p.m. The motion was seconded by Councilor Rookstool and passed unanimously.

Virtual Meeting Comments: None.

Respectfully Submitted:

Nicholas Green, City Manager

ACCEPTED BY THE CITY COUNCIL ON MARCH 09, 2021.



Ron Lundbom, Chairman