

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

February 01, 2022

COUNCILORS PRESENT:

Ron Lundbom, Mayor
Shannon Adair
Heather Rookstool
Elliot Sky (virtual)
David Holland
Gregg Haberly

COUNCILORS ABSENT:

CITY STAFF PRESENT:

Nicholas Green

CITY STAFF (VIRTUAL):

Aaron Lieuallen

GUESTS PRESENT (IN-PERSON):

Sam Palmer
Dusty Williams
Frances Preston
Charlene Morris
John Morris
Steve Schuette
Judy Schuette
Bennett Hall
Bob Pereira
Carl Swank
Heather Swank
Sherrie Rininger
Mark Webb
Tom Olson

GUESTS PRESENT (VIRTUAL):

LW
Lisa Holland
Bob Keefer, SDAO
Dawn DeGrande
Jim Spell
Liz Aleman
Marlin Johnson
Mindy Winegar
Morgan Green
Rich Lallatin
Scott Moore
Logan Bagette
Michael Anderson
Roberta Fox
Scott Moore
John Paul
Chris Labhart
Multiple anonymous callers

Agenda Item No. 1— OPEN AND NOTE ATTENDANCE

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

Agenda Item No. 2— APPROVAL OF PRIOR MINUTES

None presented.

Agenda Item No. 3— APPEARANCE OF INTERESTED CITIZENS

Mayor Lundbom asked if anyone was appearing regarding an item not on the agenda.

Action Item No. 4— CONSENT AGENDA ITEMS

None presented.

Action Item No. 5—CONDITIONAL USE PERMIT CUP-21-05 (7:01 p.m.)

City Manager Green stated Mr. John Morris provided relevant testimony prior to the deadline on January 25th, but he did not have it in his possession at the time of the meeting. He is providing it to the council and asking them to deliberate on the new information and then they will discuss a potential revote. Mayor Lundbom noted both he and Councilor Adair are recused.

Councilor Rookstool moved to incorporate Mr. Morris’s written testimony into the official record as Exhibit L. Councilor Holland seconded and the motion passed unanimously.

Mayor Lundbom asked if the council had an opportunity to read the letter, which they stated they did. Councilor Holland addressed Mr. Morris’s statements one by one, beginning with the claim Mr. Green failed to address the potential for other projects that have not been completed being used in conjunction with the traffic study for the pool as it relates to the vehicle capacity for the pool facility. Holland said that Mr. Green did address this issue in his staff report, and that in both the with and without scenarios for the improvements the streets operated well within performance standards, including after the buildout of the full Innovation Gateway plan, including the pool. Holland summarized that even without those improvements the street system has enough capacity to support the pool. Holland address the claim that false statements were made stating no negative comments were received related to the pool’s location. Holland clarified the statement in the staff report related to written public comments submitted to the City prior to the planning commission hearing. That public comment was not received by property owners in the affected area. The staff report is an accurate statement because the City did not receive any written comments from the public or the people in the affected area prior to the Planning Commission hearing. He noted there were comments made at the Parks & Recreation District’s neighborhood meeting (during the pre-application phase). Holland addressed the claim of potential historical sites due to Native American habitation, but pointed out there are no known or registered archeological sites at the site dedicated for the pool, registered with the state or any other agency. As to whether there are or are not, would be dealt with at time of construction, because there are no known sites. Mayor Lundbom inquired about the ditch. Holland pointed out the ditch is not going away (as part of this application). They can’t do away with the ditch, there are water rights downstream, including his. The Tribes and Grant Soil & Water talked about piping that ditch for years and the only reason the project has not been funded is that not all the property owners are not willing to participate. He’s dealt with these issues as a member of the ditch, but he does not see how it is relevant as a historical site and that Parks & Rec has already moved the location and piped it in numerous locations, and water rights had been abandoned at the end of the ditch, so the state requested it enter into Davis Creek, which was done by the city years ago. There has already been so much change over the years he does not know that it’s pertinent, but there has been nothing submitted related to its historicity, so it is not relevant to this application or these proceedings. Rookstool commented on archeological monitoring available at time of construction if needed. [Mr. Morris objected to Councilor Holland’s statement. Mayor Lundbom reminded him this is not time for

open discussion]. Green reminded council they are deliberating with each other. Councilor Haberly stated you don't want to open up a can of worms about that ditch. Holland further noted it is not within the city council's responsibility or the planning commission's to determine whether the Parks & Recreation District held an illegal meeting, and as of this date, no regulatory agency with jurisdiction has made that determination. Mr. Morris is expressing an opinion that the neighborhood meeting was illegal, but provided no evidence, and certainly the City has no authority over a different agency and those issues need to be addressed with that agency, not with the city council or the planning commission. He reiterated, he is not saying Mr. Morris's concerns aren't warranted, he's just saying we don't have the authority to regulate it. Rookstool and Holland noted the District met the City's requirements by holding the meeting as required by our Code, which has already been addressed. Morris further claimed no public notice was mailed to the residents within 100 feet of the affected area as per planning commission requirements. Holland noted this is not a true statement. Notice was mailed on October 18, 2021 and was certified, and that certification is available through the public records request process. Mr. Morris complained he was not allowed the full seven days for rebuttal, he was only given six days, and wants to be given seven days. Since there was no additional testimony submitted by anyone, including Mr. Morris, at the end of the seven-day extension, there was nothing for Mr. Morris to rebut. As a result, it is and was not necessary and since he did not meet the deadline he questions whether we even need to accept this testimony. But to the extent there was confusion about the intent of the original motion, council allowed him a full 14 days to provide supplemental testimony. Therefore, the seven-day rebuttal process does not even play into effect. Rookstool concurred and said there were expectations more testimony would be submitted but there was not, so there was nothing to rebut other than his prior 15-page document. Finally, the last complaint is a financial complaint about the City and whether or not the information provided to the State on the \$2 million grant was accurate. Holland noted in addressing this issue, financing is not a code requirement in determining compliance of a planning application. It becomes irrelevant in this matter. He does agree that any misleading information submitted needs to be addressed by council, but at a later time during regular session, and he would like to see that happen as he has clarifying information to present to council at a later date, but that complaint is irrelevant to these proceedings. He felt these comments cover the extent of Mr. Morris's concerns expressed in his letter and that most of this was addressed previously. Lundbom took exception to the statement we did not recognize Rep. Findley or Senator Owens after the award was made, which the City did do, but again, this is for a different time as it is not relevant for this hearing. Rookstool pointed out Exhibit 1 in Mr. Morris's letter, which is a statement from Judge Myers, and said she thought this was relevant. Holland said it was addressed in the transportation system plan and was addressed as the existing transportation system has sufficient capacity for the facility. Rookstool said her comment was related to communications between City and County officials, but Holland said it is irrelevant as it relates to these proceedings. She also pointed out what she felt were "red flags" in Mr. Morris's statement to council. Holland concurred, but said they need to be addressed in a different manner in a different meeting forum. No further comment was received by council.

Green asked Council to make a new motion, and if the vote is to approve the application, that this new vote is with conditions as previously reviewed, and that this vote supersedes all prior votes.

Councilor Rookstool moved to revoke on CUP-21-05 to include all prior statements and evidence and supersede all prior votes. Holland seconded and the roll call motion passed unanimously, with Sky, Holland, Rookstool and Haberly voting in favor of the application, Lundbom and Adair abstaining.

Green reviewed the amended Final Order and findings, which Green updated to include Exhibit L and that he edited to incorporate tonight's proceedings, with the revised roll call vote in the affirmative for

approving the application including all conditions previously reviewed by Council as stated in the staff report.

Councilor Holland moved to approve the amended Final Order for CUP-21-05. Rookstool seconded. The motion passed unanimously, Lundbom and Adair abstaining.

Action Item No. 6—CORONAVIRUS STATE FISCAL RECOVERY FUNDING (CSFRF) GRANT AGREEMENT (7:35 p.m.)

Green provided the grant agreement for \$1.5 million for council approval. He said upon approval, he'll return it to the Dept. of Administrative Services and they will wire the funds.

Councilor Rookstool moved to approved CSFR Grant Agreement No. 8154 and authorized Mayor Lundbom to sign on behalf of City. Councilor Habery seconded and the motion passed unanimously.

Action Item No. 7—RESOLUTION NO. 22-880-01 (7:37 p.m.)

Green pointed out the City had attempted on two prior occasions to secure USDA funds for the fiber optic build from Seneca to Burns, but neither application was funded. However, the rules have been revised and are now in the City's favor. He stated he'd like council to approve this resolution to authorize him to apply for \$4 million in funds to build this segment, which they set out to build in 2017. Green said he would have the engineers evaluate both above-ground and below-ground options. Rookstool asked if below-ground costs more, Green said it does and it takes longer to permit. She asked about timeframe. Green said the current USDA ReConnect award to OTC is in construction and their goal is to have it completed within the next 12 months but we are going to give them 24 months in our agreement. He also said USDA is speeding up their review cycle, so this would likely be reviewed and awarded this year. Mayor Lundbom inquired about the status of the in-town (EDA) grant. Sky asked about the timeframe for EDA, when we can issue contracts and which segments would be built first. Green said we are in legal review, and upon clearing legal review, it will go back to Seattle to the regional office for award. Then we will get a notice to proceed, finalize the design, and go out to bid for construction. If we have a notice to proceed in mid-March, within 30 days we would have the professional services agreement for design bid out and awarded. In May, we would award the construction contract, and they would construct in July, August and September. Sky asked if that timeline included building renovations on the CyberMill. Green said it did not, we would have three years to complete the tenant improvements and that would depend on availability of labor and materials.

Councilor Adair moved to approved Resolution 22-880-01. Councilor Rookstool seconded and the motion passed unanimous.

Agenda Item No. 8—OTHER BUSINESS & UPCOMING MEETINGS (7:43 p.m.)

Mayor Lundbom reviewed upcoming meetings.

Agenda Item No. 9—COUNCIL WORK SESSION – CITY MANAGER TRANSITION PLANNING (7:44 p.m.)

Green reviewed the draft documents associated with the city manager recruitment. He said he's concerned about keeping the Chief Planning Official and City Manager roles together. He said he's

processed about 12 site design reviews a year, 16 land use reviews in 2021, 3-4 code amendments, zone changes, master-planned developments, and public facilities like the pool that produced hundreds of pages of documentation. He said he thinks it's problematic to keep both roles in the same job description. It's also challenging politically. Allegations of bias, prejudice and wrong-doing levelled at the person who is the city manager, who is responsible for fundraising on public project but also has to be the planning official and has to perform ministerial acts related to the code because there is no one else to do it, opens the City up to unnecessary scrutiny. Green recommended moving several functions currently in the city manager's job description to the planning official, and designating said person as the Deputy City Manager rather than the Community Development Director, which would free up that person to remain externally-facing and not bogged down in the day-to-day administration. He further recommended council consider separating Grant County Digital formally at some point but to have a meeting with them to talk through what that would look like, specifically as it relates to the infrastructure. Do we want the City of John Day to own the infrastructure? Do we want Grant County Digital to own it? He said it is not likely the city council will find a city manager who knows anything about municipal broadband. He provided a summary of the tasks on his plate prior to leaving in June. He said he'd like to get as many of these things done as he can and asked that council not add anything new to his plate so that he can focus on these items, to the extent he can. His priority is getting all of the grant funding under contract for the treatment plant, the permit issued by DEQ, and the final financing with USDA and PER (preliminary engineering report) accepted. Councilor Adair asked council to address how they want to accept applications for the city manager. Green said the City's attorney, Jeremy Green, would come out February 22nd to discuss with them the process and procedures. Green would like to have an updated job description for him for the city manager role. Holland said they have discussed these positions for over a year and that he actually hired one of them, but due to family issues the position didn't stay filled long, so we have never gotten them filled even though council approved them and saw the need for it. Holland said it's important to ensure the next city manager does not get overwhelmed. He also said he felt it important to coordinate with the current city manager to ensure the city can fulfill its grant requirements for the awards we have received. That needs to be a high priority during our consideration, either as a consulting position with Nick, since he is qualified to do it, or that we ensure the person we hire has the ability. He said he's unsure what the answer is, but wants to ensure we avoid finds, losing grants, or getting into trouble with the funding agencies because we aren't fulfilling our requirements. He said he knows from his past experience working with the city that some of those requirements are very technical. Green said he believes we have about 26 awards and roughly \$20 million in active funds we're still under contract for in some manner to about 8 different agencies. He's willing to help ensure an orderly handoff, but the person who is the signatory has to be a city employee, but he said he'd be willing to help with the handoff to avoid creating risk for the City. Some will be in the middle of negotiations, some will already been awarded, and others will be in review. Rookstool asked if about funding the costs and Green confirmed project management costs are associated with most of them.

Council excused Green for a family commitment at 7:57 p.m.

Mr. Dusty Williams commented that incorporating the one percent grant admin fee into the wages for the new city manager would potentially result in a more qualified applicant.

Agenda Item No. 10—COUNCIL WORK SESSION – POLICE AGREEMENT (7:58 p.m.)

Council invited Commissioner Palmer to approach the table. He provided background, which he described as a failure to negotiate by the city and the county. Some time passed, crime increased in the

city, the Sheriff's deputies were overworked, and Haberly met with him to address the policing need. Commissioner Palmer said he coordinated with the Sheriff and later John Day resident John Rowell asked if he could be involved in those talks, and he then invited Councilor Rookstool since she had been so heavily involved in the police issue. He said they looked at other city-county policing agreements and chose the format used by the City of Sisters. He said they had a work session in the county courtroom with himself, the Sheriff and John Rowell to review their proposal, which they then sent to the County's legal counsel. They then presented two different options, one with the COPS grant transferred, one with it not, and that was sent by the County's attorney to the City's attorney to see if it was acceptable to the City. In moving forward, he said once they could get close to what the City's needs may be or what they can provide that feedback to the County, then that document could be taken back to the county court for approval, then back to the council for public vote. They proposed the City pay the full cost for three officers and a secretary (four positions), less the value of the COPS grant if it is transferrable. He said he needs a response from the council to take back to the Council, but reiterated his opinion that public safety and public roads are separate issues. Mayor Lundbom pointed out that the City responded to mutual aid calls in Dayville and Long Creek to support the Sheriff, and that he frequently saw the JDPD as "free backup" for the County. Palmer noted the County assisted the JDPD on murder investigations, but Lundbom pointed out John Day residents pay for that (through their property taxes). Palmer stated the mutual aid agreements are or should be in writing. Lundbom asked if the County had held any discussions about countywide policing. Palmer said they had not. He said he is open to suggestions. Bond issue has come up. Increased transient room tax came up, full-time or just during the summer. He noted if it's a bond, everybody pays but the transient room tax is paid by others. Rookstool said she feels like our community needs the cops we had before, not countywide patrol and coverage, and that she felt they want the coverage they had before we let the police go. Councilor Holland disagreed. Rookstool said she felt the community is expecting John Day city police coverage, which they won't get with a county bond. Adair disagreed. She said we gave the residents the opportunity to vote, and they did not vote in favor of additional funding. She said she has talked to several people who don't feel they need the same level they had before. What she asked of the county is whether there are enough officers now. Palmer said no, they will probably get grieved for not having enough officers and jeopardizing officer safety. He said officers were recently faced with a weapons incident that placed their lives in danger. He confirmed that the level of officers today is not adequate to cover drugs, burglaries, robberies, etc. Adair concurred, and said she is in favor of helping public safety in our communities, but wondered if it would not be better to pull not just John Day funds for John Day officers, but for all our communities to support a larger staff at the county level for all our communities, including John Day. She felt that is a bigger discussion that needs to happen to solve public safety. Palmer referred back to the document that one of the officers John Day funds in their proposed agreement would be a liaison to the City and would give reports to the city council. He said he believed most crime occurs in the valley and this document allows for the flexibility for John Day to pay for county staff that would give the service they pay for in John Day while also providing coverage for the other areas of the valley. Adair reiterated her concern that John Day residents are paying more than what they bring in through property tax dollars under the County's proposed agreement. Palmer said the County is looking for John Day to tell them what they can pay. Rookstool said we had a \$300,000 line item in our budget for police. Lundbom said we moved those funds into the General Fund in the event we reach an agreement.

Tom Olson said he brought up to Councilor Haberly that we used to get by with two police officers. Haberly said things are different now. Olson said he wrote a letter to the editor saying there was money but Nick Green spent it on other things. We need the police back. We need to have 2-4 police, and the money is there, but it's being spent on greenhouses that fail, and on other projects that will fail, and we

need to get back to the basics and stop wasting people's money on other things that don't work, and hiring other people tells me there is money for police.

Steve Schuette asked if the police department was disbanded. Council confirmed the department was suspended. He said council needed to make two decisions: Whether to bring the city police back and how to fund it, if the COPS grant is enough; or if you decide not to do that, whether to pay the County to service John Day, where you won't get near the coverage. As a John Day resident, he said he already pays county taxes the same as any other city resident, so why should he pay more for the County sheriff than other county residents?

Sky said he felt a proposal that singles out the citizens of John Day and that they want us to single-handedly solve the County's law enforcement issues is not fair to our constituents. He would like to see the County Court review other options that are equitable between the cities, or a bond. He said it's pretty clear the City of John Day, as it has lost population, has paid more and more into policing to the point that it wasn't sustainable, so to ask John Day residents to continue to foot that bill isn't fair, especially when we also pay for County services.

Frances Preston (Prairie City) said this seems similar to what they do in Prairie City to contract with the County for occasional coverage, but last year every small city in this county was desperate for money, so they just don't have money. She said she feels they are already in a state of emergency when it comes to law enforcement, we are six months into this, we have grievances, we have issues with the union, we need to do something through the County Court to take care of the Sheriff and his deputies and move toward emergency management of this situation. There is money in the state for all sorts of things, there has got to be a way that we can get money to help secure the safety of Grant County.

Mayor Lundbom asked Commissioner Palmer about 9-1-1 and said our fee in John Day last year was close to \$40,000, but he didn't see anything in this agreement related to 9-1-1. Palmer said he couldn't speak for the Sheriff but believed the County would absorb that. He pointed out by law the County has to cover John Day if it doesn't have a police department, but they have to cover everywhere else also.

Rookstool asked for a status update on the COPS grant, but it was not determined. Haberly said Kate Brown doesn't want law enforcement.

Judy Schuette said she'd like to hear more discussion or assurances that the council will make a decision about whether we are going to keep our police department or not. Mayor Lundbom said he made his decision. We have \$300,000 in General Fund property tax receipts, some State Shared Revenue, but last year police cost us \$470,000. We were short and contrary to what Tom said there's no way we can bridge that gap, which has been getting bigger and bigger and bigger. He also said he was on the negotiating for the police and the first words out of the negotiator's mouth were "I want a 35 percent raise for my guys," to which City Manager Green responded "next budget cycle you'll break us," to which he responded having no money isn't a reason not to have police. Lundbom said these numbers (presented by the County) would be subject to collective bargaining next year and that concerns him.

Palmer said there's a deficit of police officers statewide and some areas are offering hiring bonuses. Sky said he keeps hearing that the County won't address this issue until the City makes a decision on its police department but he doesn't see why those have to be sequential discussions. The County should be deliberating now so that we are ready to pull the trigger on something. There doesn't need to be this artificial pause until John Day has finalized what they are doing with their police department.

Palmer said we as the elected officials need to set a framework and then take it to our respective bodies for public input, discussion and vote. He doesn't think he can make a decision until the City does. Lundbom said he feels the same way about the County.

Steve Schuette said Councilor Adair misspoke about the earlier vote – the bond was actually voted in favor by a majority of voters but didn't clear the 50 percent threshold. He thinks if you redid it, you would get the majority of residents to vote for the bond. Holland noted the City missed the window to refer the measure in the November election, and even if it had, would not have seen any funding until the following fiscal year, so we would have still had a funding gap.

Frances Preston from Prairie City said the Sheriff has been before the County Court two times but we need to help, even if it means sending letters to Kate. We don't need to wait for someone to get killed before a situation of recruiting can occur.

Councilor Haberly said Sisters has way more money than we do and they still can't afford a police department. Rookstool pointed out that they pay the county. Palmer said that's the agreement they modeled. Schuette said you're comparing apples and oranges, their county probably has 70 officers. Palmer said he could look into whether the County could float a bond. Mr. Olson said people don't want to pay more in taxes here. One of Nick Green's mandates was to bring in businesses and increase the tax base. He hasn't done that. How much more time are you going to give him? He has not succeeded. And the point is, there are ways to fund the police that he will not do because he wants that money to get his bonuses. The audience booed Mr. Olson and Council noted he was out of order. Councilor Adair said that is not Nick Green's mandate, nor does he determine whether the police department gets funded, that's a city council decision. She said she would love to see the County float a bond and see if that addresses the problem. She for one does not feel that all of the funds available for John Day's economic development should be spent just on police, she thinks we will fail as a community if we continue doing that.

Lundbom said we had previously offered a fund exchange with the County, and prior to that had offered to borrow funds from the County Road Fund to build residential streets for new housing through the City's Urban Renewal Agency (URA), and the County has not responded to either proposal. Adair said if that isn't legal – though we have an opinion from our attorney saying it is – she would like to see the County's legal response. Palmer said the citizenry didn't like the fund exchange proposal. Lundbom said the URA is working and could add 50-100 homes, which adds to the County's tax base as well as the City's, and that's the reason we want to improve these roads. Palmer said he fears a vicious cycle, if we don't have public safety nobody will move here. Palmer said the SRS and PILT funds could be held in reserve and used for specific projects based on applications from the cities.

Lundbom said he would like to continue discussions about policing but also have discussions about improving the roads in all cities in Grant County. Palmer said his constituents are telling him they have to be separate discussions. Rookstool said multiple boards and groups need to approve Road Fund expenditures. Lundbom said the City has tried to reach out to the Court and it has fallen on deaf ears.

Councilor Adair said she would like to see a professional response from the County with regard to the City's prior proposals. Palmer said he was told a response was sent to the City's attorney and there was no response – and they were waiting to hear back from the City's attorney. Lundbom disagreed and said the City sent a legal opinion to the County Court, which Palmer said he had never seen. Lundbom said he would make sure he has it.

Mr. Webb stated it's more nuanced to use County Road Funds than people might think, but he is dumbfounded the County hasn't provided the City with a written response to their legal opinion or prior proposals. The County should be able to get an honest, transparent and legal response fairly quickly. Adair said that is what she would love to see. Palmer said he would chase it down tomorrow. Webb said there are reasons now that you might want to push this on the Road Fund given how large it is, but you would have to protect the principal, that's statutory. Council said those are the kinds of discussion they have been asking to have with the County so that we can work together and so we do know whether they can or can't be used for new residential road construction. Lundbom said the City's attorney's stated all of the relevant ORS's in their legal opinion and it was posted to tonight's agenda.

Dusty Williams asked the city council what they did with the SRS funds sent to the City annually. Council responded the funds are being spent on maintenance of city streets and that funding has gone into our city road fund. Lundbom pointed out that the cost of service has outpaced the road funds, which have only been spent on roads. Holland said that doesn't mean only pavement and gravel. It pays equipment costs, fuel costs, rock crushing, plowing, chip sealing, pot-hole patching, and labor, in addition to new pavement. That money is used to fund the City's road maintenance costs. The only other source of revenue is the state fuel tax, which is distributed based on population and is not a huge amount. Williams asked how we can afford two ex-law enforcement officers as maintenance but not as police officers. Holland said they were being paid out of other funds, including capital improvement projects that they are working on, not out of the General Fund that pays for police. Only two officers remained after Chief Durr retired and one resigned, and they were too overwhelmed to patrol the entire city alone. Holland agreed with Sheriff McKinley that this is a countywide issue whether the City of John Day has a police department or not. He is understaffed for the size and geographic area of this county. Holland said the overall problem needs to be addressed at the county-level with the all the citizens of the county contributing a fair portion. For John Day to pay \$370,000 to the County where Dayville, Long Creek, Seneca, Canyon City all pay nothing in additional revenues is unfair to the citizens of John Day. He doesn't disagree cities should pay a higher proportion to help with the entire county. Williams [mistakenly] claimed the 100 new homes to be built here would result in 2,000 – 4,000 new people in John Day depending on whether it's a couple or a family [which would be 20-40 people per home]. He claimed that 4,000 more people would create a need for additional law enforcement.

Ms. Preston said outlying communities stopped calling because they weren't getting service, but if those smaller cities can do without police, maybe we need to figure out what their secret is. Councilor Adair said she didn't think they could promote that.

Adair made a recommendation that we get an official response to our original offer from the County, and if we can get a response back from their attorney about why that won't work or they won't sign it. That was never responded to. Palmer said he would put that on the County's next agenda. He said if the COPS grant is available and John Day can run for another four years we can work some of these bugs out. Palmer recalled he had seen our attorney's legal opinion on the use of SRS funds but doesn't know where the conversation went after that.

Rookstool said she has other items she wants to discuss, like the budget reports, which she hasn't seen since she came onto council. Councilor Holland said they were dropped when we went paperless. Green proposed the digital system to save thousands of dollars in printing and labor costs each year. Lundbom said he didn't have a problem sharing those with the public. Holland said it's going to open up questions that could be a problem for office staff to have to answer. Rookstool said council discussed at the last meeting that it was going to be on the agenda. Holland said he remembered a discussion but he didn't

remember making a decision. Nick said he could if you want me to, but we never told him what we wanted. Rookstool said she wanted to also bring onto the record the response from Senator Findley about the pool funding. John Morris's rebuttal to his own testimony shows a document produced by Representative Owens's office that misstates what the City requested. Holland said he has proof that shows that was a mistake on the State's part, not on the City's part, but he definitely wants to have it clarified on the next agenda.

Councilor Adair moved to adjourn the meeting at 9:05 p.m.


Mr. Morris asked when the Council would address his letter that he sent the council today. Holland said they would do it at their regular council meeting on February 8th. Morris asked that there be no further fees associated with his appeal. Holland said there's a single fee that they paid. Mrs. Morris said there's a document they signed that consents to additional charges. Holland said that breakdown does not mean they will be charged for staff time related to their appeal, which he confirmed today with the city manager. Holland said he would ask the city manager to confirm that with them directly. Council discussed the appeal procedures and timing with the Mr. Morris and indicated they would have had to defer their decision to this meeting regardless of whether they had his additional testimony or not, because they would have needed time to review it and it wasn't submitted until 2:22 p.m. the day of the hearing.

Councilor Adair reiterated her motion to adjourn at 9:12 p.m. Councilor Holland seconded and the motion passed unanimously.

Respectfully Submitted:

Nicholas Green, City Manager

ACCEPTED BY THE CITY COUNCIL ON FEBRUARY 22, 2022.



Ron Lundbom, Mayor