

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

March 8th, 2022

COUNCILORS PRESENT

Ron Lundbom
Shannon Adair
Heather Rookstool
Elliott Sky
David Holland
Greg Haberly

COUNCILORS ABSENT

Don Gabbard, virtually
Aaron Lieuallen, virtually
Scott Moore, virtually

CITY STAFF PRESENT

Nick Green- Executive director
Tia Kastner- Secretary

GUESTS PRESENT

John Morris- 60016 Hwy 26 John Day
Andrea Stauty- 216 NW 2nd Ave John Day
Christopher Stauty- 216 NW 2nd Ave
Sam Palmer- County Commissioner
Sherrie Rininger- John Day
Wayne Hunnicutt, 367 NW Charolais Hts Dr
Liz Aleman, 367 NW Charolais Hts Dr
Brian Hubbard, 409 S Canyon Blvd
Jeanette Radinovich, John Day
Mindy Winegar, virtual
Louis Provencher, virtual
A, virtual

541-575-1647, virtual
Logan Bagett, virtual
Benji Lippert, virtual
Morris, virtual
Allison Field, virtual
Russ Comer, virtual
Michael Anderson, virtual
Joshua Walker, virtual
S, virtual
541-620-1125, virtual
503-704-7541, virtual

Agenda Item No. 1—OPEN AND NOTE ATTENDANCE

Mayor Lundbom called the meeting to order at 7:01 pm, noting everyone was present.

Agenda Item No. 2—APPEARANCE OF INTERESTED CITIZENS

Mayor Lundbom asked if anyone was appearing regarding an item not on the agenda. *None appeared.*

Agenda Item No. 3—APPROVAL OF PRIOR MEETING MINUTES

No prior minutes were presented.

Agenda Item No. 4—CONSENT AGENDA

- Field's Tree Service
- Amendment No. 1 to SCA Grant Agreement No. 33832
- BEO Credit Card Issuance-

Councilor Rookstool asked to review this item. City Manager Green reviewed the consent agenda memo and explained he was asking for council to set credit limits for department heads and the city manager.. City Manager Green recommended the City Manager and Mayor be authorized by title to make changes to the users and limits or just users during the personnel handoff. He added that BEO handles all of the city banking currently so the request is to transfer their current credit cards to Bank of Eastern Oregon also.

Councilor Adair moved to approve the consent agenda and authorize the City Manager and Mayor Lundbom to sign and execute.. The motion was seconded by Councilor Rookstool and approved unanimously.

Action Item No. 5—SELECTION OF NEW COUNCILOR

Mayor Lundbom asked if all the councilors had reviewed the applications for the four applicants. Chris Labhart, Liz Aleman, and Brian Hubbard spoke to why they felt they should be appointed with no questions from the council. Christopher Stauty spoke to his reasons for appointment.

Christopher Stauty presented and spoke about why he should be selected. Councilor Adair asked him what he meant by “the people need to know the truth” on his application. He explained that residents come and express their opinions to him while shopping at the feed store where he works. He noted the comments were that the city council is covering things up and not telling them everything behind the pool, police, other concerns of the community; he noted he did not want to accuse the council of hiding things but that it needs to be more broadened so that people understand exactly what they are voting or signing up for. He further stated, the city needs to express wholeheartedly what they are doing as a city to the people.

Councilor Adair thanked the applicants for their engagement and desire to get the information firsthand. Mayor Lundbom noted there are currently vacancies on the budget committee and planning commission where those not selected could volunteer to be involved. Councilor Rookstool added there will also be positions available in the November election. There was discussion about opportunities for involvement and engagement in local government.

Mayor Lundbom called for an oral vote on each applicant with the result of:

- 4 for Chris Labhart
- 0 for Liz Aleman
- 1 for Brian Hubbard
- 1 for Christopher Stauty

Chris Labhart was immediately sworn in and began work on the City Council.

Action Item No. 6— CITY POLICE

Councilor Rookstool explained that she requested the item be added to the agenda because a decision needs to be made about what is happening with the police. She asked the council to decide whether or not they will be paying the requested amount, if not that, propose an alternative amount, but render a decision so if not, the County can move forward with doing something for budget reasons. She expressed concerns about available service and constraints. Councilor Sky asked Commissioner Palmer about what the discussion was at the recent Court meetings; he had seen it on the agenda but could not access the discussion. Commissioner Palmer noted he had removed the item from discussion at the last meeting because he had expected to have an update from the John Day City Council but realized there had not been another Council meeting since the meeting where he provided an update on the most recent proposal. Councilor Rookstool added that the Cops Grant is not transferable to the County that there needs to be a decision made on what to do with that money. Commissioner Palmer summarized his discussion with the mayor regarding their attorney's concerns about transferring money for city road projects but noted that it was a moot point since the city had secured a loan from Business Oregon. Mayor Lundbom asked about the loan that was secured for Business Oregon. City Manager Green stated it was a grant from Business Oregon for the repair of 4th street and that there will be a discussion about a loan today for the Urban Renewal Agency. Councilor Sky asked for clarification about whether this applied to all the previous asks of county investment in road projects, such as Ironwood. Commissioner Palmer stated his understanding was that the County could loan money but not just give money to the City above and beyond what they are already giving. Councilor Sky asked if there were ways for the County to give different kinds of contributions to the City for road projects. Commissioner Palmer stated that he assumed the County could help with work being done such as if the City needed equipment they could work together to make that in-kind work happen. Councilor Rookstool noted there has been partnership work between the city and county recently; Councilor Holland added that in the recent history, the cooperation and willingness is not what it used to be, without placing blame, he wanted to observe that there had been a noticeable shift in the amount of in-kind cooperation between the entities as all the various officials have changed. Several councilors and Commissioner Palmer spoke to the importance of working to change that dynamic to a more cooperative relationship, starting with these conversations, to better serve all their constituents. There was discussion about an equitable cost sharing agreement, where cities would be billed based on their proportionate use of the sheriff's department, such as calls for service. Mayor Lundbom voiced concerns about residents being resistant, due to feeling like they are paying twice-once with the property taxes being remitted and again based on service calls or a contract for services. He also was concerned about what future renegotiations would need to look like if costs were not being covered by the existing contract/fees. Councilor Holland noted they need a better valuation as elected leaders on the voter opinion and suggested the County needs to come up with a plan, maybe a bond, that goes out to the community to see if they are willing to pay more for coverage, adding there are multiple ways to do that at a county level but he as a resident, and a councilor, does not want the entire tax revenue and most of the state shared revenue to continue being allocated for additional coverage. There was further discussion among council about a potential cost share model, whether it would affect the dispatch cost share, and a viable solution to fund some of the burden for services provided by the sheriff. Additional discussion about need for public safety and sharing the burden of cost was had between the council and Commissioner Palmer, noting there is concern for their department with the current load and a bond not being possible until the November ballot. Council consensus was to continue towards a county-wide solution in which John Day

pays a fair share for the burden of services proportionate to the additional costs beyond what each city already remits to the county through property tax rather than agreement that singles out John Day as the only entity responsible to pay additional costs for services. It was suggested that a County wide Public Safety Committee be put together; potentially comprised of representatives from each city. Commissioner Palmer confirmed that the Sheriff has put together a budget which includes new officers without anticipated additional revenue but the budget still needs to go for review though to be approved by the committee. City Manager Green emphasized the reason they are having these conversations is that while cost for public safety have gone up, population has declined countywide, resulting in a need for increase tax per resident to sustain the service. He told Commissioner Palmer he has never heard from the county regarding their plan to address the population decline. Palmer noted he didn't know if there was a plan to which Green stressed it is elected official's responsibility to have a plan. Commissioner Palmer, City Manager Green, and the City Council had a heated discussion about what singular and combined approaches should look like to address shared problems. The County budget committee members and scheduled meetings were also discussed. City Manager Green suggested a separate motion regarding the surrender of the COPS Grant, noting they do not plan to accept and will notify DHS; this would allow him to remove it from the proposed budget but set funds aside in contingency; in the event an agreement is reached in the coming fiscal year, there would be money available.

Councilor Adair moved to surrender the COPS Grant as outlined by City Manager Green. The motion was seconded by Councilor Sky and passed unanimously.

Councilor Holland moved that the City is willing to work with the County and willing to help and pay their share but not willing to pay for the full cost of 2-3 officers on their own. The motion was seconded by Councilor Haberly and passed unanimously.

Action Item No. 7—MAIN STREET RIVITALIZATION GRANT

City Manager Green presented on the scope of the grant application; noting public art needed to be added as one of the six focus areas identified in the agenda memo.. The grant request is for \$200,000, the City will match 30% in the Main Street District and the other 70% could be reserved for the entire area or included within the Main Street District, depending on the applications that come in.. This would give the City \$400,000 dollars for downtown revitalization, if the state funding is not awarded the City will still invest the \$200,000 they had set aside for match. In clarification for the Mayor, Green added that if they do not receive the grant, the new Community Development Director, Corum, could come up with an investment proposal after work with the business owners to present to the council. City Manager Green clarified for Councilor Rookstool the funds for the match were part of the HB5006 Kam Wah Chung grant.

Councilor Adair moved to approve City Staff to submit the application to the 2022 Main Street Revitalization Grant. The motion was seconded by Councilor Sky and passed unanimously.

Action Item No. 8—THE PIT STOP DESIGN

City Manager Green presented on the Pit Stop plan set included in the agenda. Councilor Sky asked about intention to provide space under the canopy for food trucks; there was discussion and

clarification that utilities had been installed at the property line and there was flexibility for trucks to be in the parking spaces or rearrange the seating as shown under the canopy. City Manager Green also mentioned needing to cut the corner of the fence to give room for the existing developments of the neighboring property. Sherrie Rininger asked about there being a curfew for the property and Councilor Rookstool clarified the current curfew is 10pm unless a noise permit had been approved. Following inquiry by Councilor Holland, City Manager Green clarified the intent of the “canopy” is to be a permanent structure that could handle snow loads and create shade; the angles, depths and heights could be discussed as he was only seeking approval of the site plan. Councilor Labhart suggested the Pit Stop, being adjacent to the Warms Springs office, would be a good location option for the totem pole relocation movement. Several councilors spoke to concerns about relocating the pole including: practicality of mobility, original cultural significance and intent of the location, the cultural implications and relationship, or lack of, to the Warms Springs tribe, and ownership of the land and pole itself. City Manager Green proposed the Director Ketchum could reach out for a tribal consult and to the property owner and local stakeholders. Mayor Lundbom asked Bennet Hall, editor, about the information he had gathered for his article; Mr. Hall noted he had not acquired more information except a phone call with Chief Gary Burke, Raymond Burke’s son. He confirmed the tribe was accepting of being associated with the pole but, as Councilor Adair noted, traditionally they are not a tribe that makes totem poles; regionally totem poles are found in coastal tribes. Mayor Lundbom summarized that he would like to know more if they pursue preservation attempts.

City Manager Green noted if council was comfortable with the proposed design, he would come back with pricing, materials, and options to get in to construction; there can be cost savings to executing in conjunction with other projects with the goal of being open and somewhat operational by the time the cyclists come in the fall.

Councilor Sky moved to approve the plan set and authorize the city staff to begin final design and prepare cost estimates for bids for construction. The motion was seconded by Councilor Adair and passed unanimously.

Action Item No. 9—TREATMENT PLANT RFP (DRAFT), WPCF PERMIT AND PROJECT UPDATE

City Manager Green explained that the Water Pollution Control Facility permit attached with the agenda will be the permit to operate the new treatment plant, once any comments received in the global review have been adjudicated by DEQ. The next phase is to start developing the recycled water plan, as the permit includes parameters for various aspects of the water reuse; Green further restated the agenda memo information. Green also noted he included the purple pipe trunk line distribution system; OWRD has committed 3 million dollars that is going out for bonding this spring. He then reviewed the next step in site improvements, to start finalizing the alignment for the extension of 7th Avenue. He reviewed the agenda attachment asking for final comment from the council before they begin engineering. Green also proposed the steps for development, decommission, demolition, and redevelopment of the surrounding area. City Manager Green also reviewed some of the scope of the RFP that is being prepared.

Council then reviewed how the proposed 7th Avenue would integrate with the existing trails to replace the sidewalk for various portions. Green noted there were designated on street parking areas that would likely have sidewalk but primarily the paved walking trails would be utilized for pedestrian traffic. City Manager Green discussed sale of surrounding land, noting there was already interested buyers.

Council then discussed the current approach to land sales at the Airport Industrial Park, noting staff had listed the available lots on the website and was handling all of the transactions. Some councilors suggested using a broker or real estate agent but it was agreed that desired sales were being achieved in house and they could increase lot availability information for the new lots via a webpage. City Manager Green finished reviewing the agenda memo, particularly regarding the corner of Patterson Bridge and 7th Avenue.

Councilor Adair suggested that the city council discuss and make official a contract with City Manager Green to continue working with the City following his employment to ensure continuity for the various stakeholders and partners of the capital improvement projects. Green noted he had discussed the opportunity with the admin committee and city attorney, who confirmed once he is no longer employed there could be a contract for services similar to what is in place with Anna Bass for the City Recorder work. He also noted a Conflict of Interest waiver would need to be signed initially. He noted there are currently six capital projects worth 25 million that he would be willing to assist with until the city feels confident in taking them over but he has other clients already for his consulting firm. Council asked questions about the conflict waiver and Green noted they would need to discuss the waiver and potential contract with the attorney. Council discussed and there was a consensus to have City Manager Green direct the attorney to reach out and schedule a meeting with the admin committee. Councilor Rookstool asked for clarification of members of the admin committee; Green confirmed it was Mayor Lundbom, Councilors Holland and Adair. He also added that they would bring any sort of discussion with the attorneys back to the council for further review.

Action Item No. 10—OREGON PINE BRIDGE REPLACEMENT

City Manager Green explained an opportunity to purchase an old World War Two bridge had arisen and asked to present bridge replacement options for the Oregon Pine Bridge to the City Council. He noted the need to make a decision because broadband conduit, reclaimed water pipes, and sewer will be collocated on the bridge.

Agenda Item No. 11—R3 STRATEGIES UPDATE

1:48 City Manager Green noted he and Councilor Adair would be meeting with the other city managers and city councilors appointed tomorrow (March 9th, 2022) to discuss the proposal; Green emphasized a big need for all three cities was housing and discussed how they could collaborate to address the development hurdles. Councilor Rookstool asked about an exit clause; Green clarified there was an exit clause but to limit financial detriment to the other cities there was a six month notice that locked cities into the current fiscal year.

City Manager Green also asked for confirmation from the council regarding the Comprehensive Plan requirement regarding consent to annexation before utility hookups. The 2011 agreement with the County requires any land partition or land development in the urban growth area be reviewed by the city and consent to annexation before a development application is approved Green noted this has been his historical administration with the exception of some land partitions for existing development that was such a mess, there was no good path to untangle. Council was in consensus that they did not want to see a proposal for changes to the Comprehensive Plan and noted they anticipate this will be brought

up with those along Screech Alley. City Manager Green explained some options for creative financing and local improvement districts for existing or new developments needing to connect. Council was in consensus that continuing to connect those in the UGB subject to the current requirements of the Comprehensive Plan was the best path forward.

Agenda Item No. 12—OTHER BUSINESS AND UPCOMING MEETINGS

Mayor Lundbom reviewed the other business and upcoming meetings in the agenda memo. City Manager Green encouraged attendance of the budget training and noted there had been three applications for city manager. Mayor Lundbom added the city manager performance review to the agenda; noting the average scores and notes for each evaluation criteria with an overall average of 3.07 and recommendation for rehire. Councilors Sky and Rookstool noted they would be absent at the next meeting and city staff confirmed for Councilor Rookstool that City Hall is now open Monday through Friday from 8a.m. to 4p.m.

Council discussed holding an open house rather than a town hall to show the city's residents the projects the city has been working on; noting the opportunity to mingle with councilors rather than question and answer style. There was discussion about which projects to include information regarding at the open house.


City Manager Green also provided an update on the progress with SHIPO regarding necessary clarification of the history of Gleason Pool and elaborated on some of his findings in research of city records.

Councilor Rookstool moved to adjourn the meeting at 9:04 PM. The motion was seconded by Councilor Haberly and passed unanimously.

Respectfully Submitted:

Nicholas Green, City Manager

ACCEPTED BY THE CITY COUNCIL ON MAY 10, 2022.



Ron Lundbom, Mayor