

**John Day City Council Meeting  
Tuesday, April 12, 2022  
316 S. Canyon Boulevard**

**7:00 PM City Council Meeting**

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- 1. OPEN AND NOTE ATTENDANCE**
- 2. APPEARANCE OF INTERESTED CITIZENS** – At this time we will welcome the public and ask if there is anything they would like to add to tonight’s agenda.
- 3. APPROVAL OF PRIOR MINUTES** – None

**CONSENT AGENDA**

- 4. CONSENT AGENDA ITEMS**  
Attachments:
  - 2008 Dodge Bluebook
  - Photograph of 208 Dodge Ram

**ACTION ITEMS**

- 5. GRANT COUNTY FAIRGROUND – DISCUSSION OF ORS 565.610**  
Attachments:
  - None
- 6. RESOLUTION NO. 22-884-05, A RESOLUTION OF THE CITY APPROVING THE SALE OF CERTAIN REAL PROPERTY LOCATED IN CITY**  
Attachments:
  - Resolution No. 22-884-05
  - Exhibit B. Preliminary Design of SW Canton Street Parking Lot
  - Sketch of City Land for Library
  - CDS Grant Application
- 7. THE PIT STOP SITE FINAL DESIGN**  
Attachments:
  - Pit Stop Plan Set

- Pit Stop Street Improvements
- Pit Stop Street Improvements Estimate

**8. OREGON PINE BRIDGE REPLACEMENT**

Attachments:

- Bridge Quotes

**9. SERVICE AGREEMENT BETWEEN THE CITY OF JOHN DAY DBA GRANT COUNTY DIGITAL NETWORK COALITION AND OREGON TELEPHONE CORPORATION RELATED TO PROVISION OF INTERNET SERVICES UNDER THE 2019 USDA RECONNECT FUND GRANT**

Attachments:

- Service Agreement

**10. BUDGET COMMITTEE APPOINTMENTS**

Attachments:

- Rininger Application

**11. POOL FACILITY UPDATE & FAQ**

Attachments:

- Pool Facility FAQ
- Pool Facility FAQ PowerPoint
- Construction Project Design
- Architectural Narrative
- Draft Pool Budget

**12. RESOLUTION NO. 22-885-06, A RESOLUTION TO DECLARE ACCOUNTS UNCOLLECTIBLE AND TAKE OFF THE BOOKS AS RECEIVABLE**

Attachments:

- Resolution No. 22-885-06

**13. OTHER BUSINESS & UPCOMING MEETINGS**

Attachments:

- None

**TO:** John Day City Council  
**FROM:** Nicholas Green, City Manager  
**DATE:** April 12, 2022  
**SUBJECT:** Agenda Item #4: Consent Agenda Items  
Attachment(s)

- 2008 Dodge Bluebook
- Photograph of 2008 Dodge Ram

## **BACKGROUND**

The City of Burns has asked to do a vehicle transfer with the City (Item 1).

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### **Item 1) Equipment Transfer**

Burns is requesting to purchase our Chevy Silverado with the police equipment package in exchange for paying the \$38,517 (balance owed) on the lease and donating a 2008 Dodge Ram Quad-cab. The Ram is currently used by their public works department and has an estimated blue book value of \$13,642 (see blue book and photo, enclosed).

I have discussed the transfer with our PW department and they concurred with the transfer. The Quad-cab meets their needs and the additional cash would put more money into their motor pool fund beginning next FY as no future payments would be needed to cover the Silverado. It would also benefit Burns PD to have the police equipment package, which our PW department doesn't need.

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### **Item 2) N/A**

None.

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**Recommendation:** Approve the consent agenda, as submitted.

**TO:** John Day City Council  
**FROM:** Nicholas Green, City Manager  
**DATE:** April 12, 2022  
**SUBJECT:** Agenda Item #5: Grant County Fairground – Discussion of ORS 565.610  
Attachments:

- None

## **BACKGROUND**

Mindy Winegar, Fairground Manager, has asked to meet with the council to discuss ORS 565.610. The full text of the statute is available at this link:

[https://www.oregonlegislature.gov/bills\\_laws/ors/ors565.html](https://www.oregonlegislature.gov/bills_laws/ors/ors565.html)

Text as it relates to businesses licensed by the City of John Day is below.

## **REGULATIONS AND LAW ENFORCEMENT AT COUNTY FAIRS AND OTHER EVENTS**

**565.610 Conducting business on or near grounds of fair or society.** (1) A person may not set up any shop, booth, wagon or other vehicle for the sale of spirituous or other liquors, cigars, provisions or other articles of traffic, or sell or otherwise dispose of any liquors, cigars, goods, wares, merchandise, meals, lunch or any article of traffic whatever on any grounds owned or occupied by a county fair board or any county or district society formed for the promotion and encouragement of agriculture, stock growing or horticulture, or within one-half mile of such grounds, without having paid the county fair board or such society the license for the privilege, or obtained the written consent of the county fair board or of the president and secretary of such society.

(2) Nothing in this section shall restrain any person except during fairs or exhibitions or other public events or meetings on the grounds of any county fair board or of such societies, and for two days prior and two days subsequent thereto. **This section does not extend to any person regularly and continuously carrying on business within one-half mile of the premises mentioned.** [Amended by 1953 c.675 §12; 1969 c.239 §5; 1973 c.537 §8; 1977 c.55 §28; 2005 c.22 §385; 2005 c.777 §42; 2013 c.492 §16]

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** April 12, 2022

**SUBJECT:** Agenda Item #6: Resolution No. 22-884-05, A Resolution of the City Approving the Sale of Certain Real Property Located in City

Attachments:

- Resolution No. 22-884-05
- Exhibit B. Preliminary Design of SW Canton Street Parking Lot
- Sketch of City Land for Library
- CDS Grant Application

## **BACKGROUND**

City staff have held several discussions with the Grant County Library Foundation around strategies to secure additional funding for the new Grant County Library along with additional downtown parking. Resolution No. 22-884-05 encapsulates our proposed approach, which is now ready for review by the city council.

## **DISCUSSION**

Resolution No. 22-884-05 consists of the following measures:

- 1) **City will acquire the Library Foundation's one-acre parcel located at 125 NW Canton Street for the purchase price of \$125,000.** Funds will be transferred to the Foundation upon closing the property transfer agreement shown in Exhibit A of the resolution. The purpose of this transaction shall be to secure additional parking for the City, as shown in Exhibit B, and to provide \$125,000 in additional funding for the Foundation to help build the new library. Proceeds from the HB 5006 grant for Kam Wah Chung shall be used for this purchase.
- 2) **City will donate approximately 2.8 acres of land at the Innovation Gateway along the new 7<sup>th</sup> Street extension to Foundation to build a new Library.** Foundation's parcel at 125 NW Canton is located in the 100-year floodplain, City's land is adjacent to the riverfront but is not located in a Special Flood Hazard Area. City will have two years to complete improvements to the property, which is expected to have an appraised value of approximately \$75,000 per acre once improved (similar to the appraised value of Gleason Park).
- 3) **City will agree to certain post-closing obligations.** As noted in Section 6, they are:
  - a. Removing the sand shed, gravel piles, and any other non-native materials with the exception of the barbed-wire fence and drying beds for the treatment plant, which shall remain in place until the demolition and decommissioning of the wastewater treatment plant, at which point fence and drying beds shall also be removed by the City.
  - b. Building the 7<sup>th</sup> Street Extension and all horizontal improvements up to the western boundary of the parcel the Foundation is acquiring, so that the Library will have a full complement of utilities and paved streets to access to the new Library.
  - c. Assisting the Foundation with the Site Design Review for the Library the new location.
  - d. Apply for and administer grant funding for the Foundation for the construction of the new Library, specifically the CDS grant and CDBG grant.

- e. Assume the lease agreement obligations associated with OPRD's use of the property for the current Kam Wah Chung facility through June 30, 2025. OPRD may elect to cancel the agreement earlier if the new KWC facility is constructed and fully operational prior to this date.
- f. Create a legal easement for Madden's to access the back of their property located east of this lot (shown in the enclosed parking plan).

Library Foundation will grant access easements to City for access to the property and trail improvements, and a permanent easement for the trail will be put in place as well as right-of-way dedication for the future 7<sup>th</sup> Street.

Though not required for this transaction, staff have included language in the resolution related to the future sale of the approximately 4,800 sf of land located at the southeast corner of the parcel. This area is currently occupied by a storage building that houses artifacts not on display for the KWC site. Staff recommend council approve the sale of this parcel to Maulin, Inc. (owners of adjacent Best Western motel) through a property line adjustment after termination of the KWC lease agreement. Maulin is interested in purchasing this property to create an extended stay option for the Best Western and owns the adjacent parcels (save this one) to complete this development. Staff recommend selling to Maulin at our cost, which is \$3 per square foot.

## **SUMMARY**

This approach confers multiple benefits to multiple parties, all of which are in line with the City's strategic plans:

- 1) City will secure an additional 7 regular downtown parking spaces plus 9 oversized vehicle parking spaces for downtown businesses and KWC visitors, in addition to the oversized vehicle parking that will be available at the KWC site – meeting one of the key priorities of the downtown merchants for expanded downtown parking.
- 2) Foundation secures \$125,000 in cash plus approximately \$196,000 in land value, for a total of \$321,000 in funds that can be used as match for a \$1.5 million CDBG grant to build the new library, with the potential for additional funds of up to \$1,925,000 through the CDS grant staff submitted on behalf of Foundation (see enclosure 4, CDS grant application).
- 3) Best Western has the option to gain additional land for an extended stay option for their motel, which increases available transient lodging (and transient lodging tax receipts) for City and County.

City's assistance to Foundation is limited to capital construction. Our expectation is that the County will continue to fund the Library as a county asset, as they do now and have in the past.

Foundation's board will need to pass a resolution approving the sale and authorizing their officers to close the transaction. Their board has voted to move forward putting this item on our agenda with the John Day City Council public vote to approve entering negotiations with a final decision within 30 days and following legal review.

## **RECOMMENDATION**

Approve Resolution No 22-884-05, subject to final review and approval by the Library Foundation Board of Directors and city attorney, and authorize City Manager to complete the sale and associated post-closing obligations [with any amendments recommended by council].

Alternatively, council can defer passing the resolution to our next meeting, which is May 10<sup>th</sup>.

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** April 12, 2022

**SUBJECT:** Agenda Item #7: The Pit Stop Final Design  
Attachments:

- Pit Stop Plan Set
- Pit Stop Street Improvements
- Pit Stop Street Improvements Estimate

**BACKGROUND**

Staff will review the final design for The Pit Stop and the enclosed budgetary cost estimate with council.

**RECOMMENDATION**

Approve the budgetary cost estimate for the street improvements and authorize staff to proceed with the construction bids.

**TO:** John Day City Council  
**FROM:** Nicholas Green, City Manager  
**DATE:** April 12, 2022  
**SUBJECT:** Agenda Item #8: Oregon Pine Bridge Replacement  
Attachments:

- Bridge Quotes

**BACKGROUND**

Staff will review the design options and cost estimates for the Oregon Pine Bridge Replacement with Council.

**DISCUSSION**

Staff reviewed four options (three new bridges plus rehabilitating the existing bridge). We are recommending the Franklin Corp design, similar to the Hill Park, and are estimating a cost of \$143,500 for purchase of the bridge and installation – this is the total cost, fully installed.

Oregon Pine Bridge estimate	
Survey	\$2,500
Engineering	\$5,000
Rail car bridge and railing w/ delivery	\$90,000
Dirtwork	\$5,000
Footings	\$16,000
Crane	\$25,000
	\$143,500

**RECOMMENDATION**

Approve the preferred plan set and cost estimate and authorize staff to procure the bridge.



**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** April 12, 2022

**SUBJECT:** Agenda Item #9: Service Agreement between the City Of John Day DA Grant County Digital Network Coalition and Oregon Telephone Corporation related to Provision of Internet Services under the 2019 USDA Reconnect Fund Grant

Attachments:

- Internet Service Agreement

## **BACKGROUND**

Staff have reviewed and approved with legal counsel the enclosed service agreement between City of John Day/Grant County Digital and Oregon Telephone Corporation. Agreement must also be ratified by the Grant County Digital Board of Directors.

## **DISCUSSION**

Agreement provides for 20 years of 1-Gig internet service at four locations (John Day, Seneca, Monument and Long Creek) in exchange for \$1 million in grant funding from City of John Day/Grant County Digital to OTC.

Grant funds will be dispersed 100% in advance (upon signing agreement) with 50% as a grant and 50% as a loan at five percent interest, which interest shall be forgiven provided the service delivery is completed within 24 months of signing agreement. OTC expects to complete service later this year.

## **RECOMMENDATION**

Authorize staff to sign the agreement and effect the funds transfer, subject to final review and approval by the Grant County Digital Board of Directors.

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** April 12, 2022

**SUBJECT:** Agenda Item #10: Budget Committee Appointments  
 Attachments:

- Rininger Application

**BACKGROUND**

Staff have received an application from Sherrie Rininger for the budget committee. Tom Olson has also requested reappointment.

**DISCUSSION**

With these two appointments, our budget committee will consist of the following members:

<b>Committee Member</b>	<b>Appointed</b>	<b>Re-appointed</b>	<b>Term Expires</b>
<i>Sherrie Rininger</i>	2022		2024
<i>Tom Olson</i>	2017	2019, 2022	2024
Katrina Randleas	2018	2021	2023
Beth Spell	2018	2021	2023
Sarah Brown	2021		2024
<i>Vacant</i>			
<i>Vacant</i>			

**RECOMMENDATION**

Appoint Rininger and Olson to the budget committee for a three-year term to take effect January 1, 2022 and expire December 31, 2024.

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** April 12, 2022

**SUBJECT:** Agenda Item #11: Pool Facility Update & FAQ  
Attachments:

- Pool Facility FAQ
- Pool Facility FAQ PowerPoint
- Construction Project Design
- Architectural Narrative
- Draft Pool Budget

**BACKGROUND**

These frequently asked questions (FAQs) are designed to address questions about the new swim center.

Staff will review the answers along with the other materials generated for the project (see attached).

**TO:** John Day City Council  
**FROM:** Nicholas Green, City Manager  
**DATE:** April 12, 2022  
**SUBJECT:** Agenda Item #12: Resolution No. 22-885-06, A Resolution to Declare Accounts Uncollectible and Take Off the Books as Receivable  
Attachments:

- Resolution No. 22-885-06

## **BACKGROUND**

Resolution No. 22-885-06 removes uncollectible accounts from our accounts receivable financials.

## **DISCUSSION**

Two property owners have unpaid and uncollectible account balances. These are aging receipts and need to be removed by resolution.

## **RECOMMENDATION**

Approve Resolution 22-885-06, A Resolution to Declare Accounts Uncollectible and Take Off the Books as Receivable

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** April 12, 2022

**SUBJECT:** Agenda Item #13: Other Business and Upcoming Meetings  
Attachment(s)

- None

**OTHER BUSINESS**

- No council meeting April 26 due to Open House at the Fairground Pavilion

**UPCOMING MEETINGS**

- April 19, Budget Committee Meeting – Fire Hall, 6:00 PM
- April 20, City Council Executive Session – Candidate Screening for City Manager Position – Fire Hall, 7:00 PM
- April 26, Open House – Fairground Pavilion, 5:30 – 7:30 PM
- May 4, City Council Executive Session – Candidate Interviews – Fire Hall, 9 A.M. – 4 P.M. (specific times TBD based on number of candidates)
- May 10, City Council Meeting – Fire Hall, 7:00 PM
- May 24, City Council Meeting – Fire Hall, 7:00 PM – Council Budget Hearing
- June 14, City Council Meeting – Fire Hall, 7:00 PM – Budget Adoption