

**John Day City Council Meeting  
Tuesday, April 26, 2022  
316 S. Canyon Boulevard**

**4:30 PM City Council Meeting  
5:30 PM Open House – Grant County Fairground**

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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:

- Amendment No. 01 to Iron Triangle Phase 2 ESA
- RT21-008 Grant Agreement
- CD-450 EDA Grant Agreement

## **ACTION ITEMS**

### 5. **CITY MANAGER SEARCH PROPOSAL**

Attachments:

- Recruitment services proposal – GMP Consultants

### 6. **COUNCIL PRESIDENT NOMINATION**

Attachments:

- None

### 7. **NATIONAL SMALL BUSINESS WEEK 2022 PROCLAMATION 22-01**

Attachments:

- Proclamation 22-01

**8. COUNCIL VACANCY**

Attachments:

- None

**9. OTHER BUSINESS & UPCOMING MEETINGS**

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** April 26, 2022

**SUBJECT:** Agenda Item #4: Consent Agenda Items  
Attachment(s)

- Amendment No. 01 to Iron Triangle Phase 2 ESA
- RT21-008 Grant Agreement
- CD-450 EDA Grant Agreement

## **BACKGROUND**

The consent agenda includes three items: a contract modification for one professional services agreement; the OPRD Recreational Trails Grant Agreement; and the EDA Grant Agreement.

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### **Item 1) Amendment No. 01 to Iron Triangle Phase 2 ESA**

The Iron Triangle Phase 2 Environmental Site Assessment is a professional services agreement council made and entered into effect August 14, 2020 between City of John Day and Maul Foster and Alongi, Inc. The scope of work included test borings, analytical test sample results, and preparing a final assessment. The total estimated cost was Total Estimated Cost \$46,618.

Upon conclusion of the test results, staff requested they prepare a Contaminated Media Management Plan (CMMP) that describes recommended procedures that the City and its contractors should follow for identifying, characterizing, and managing contaminated soil and groundwater that may be encountered during future construction activities.

We are requesting an increase in the fee of \$25,000 to complete the CMMP and allow us to coordinate the filing of the CMMP with DEQ, which will allow us to enter the voluntary brownfield cleanup program and address the residual contaminants of concern in and around the above-ground storage tanks (ASTs). No other contamination was found during the on-site sampling. The protocol for the AST is to file the CMMP, register it with Oregon DEQ, and then ensure our contractors are aware of the contamination and potential exposure for any future development. We are not required to excavate or remove the contaminated media from the site, which would have cost significantly more than the CMMP.

A proposed contract modification is enclosed to increase the total fee to \$71,618 and extend the delivery schedule through the end of the calendar year.

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### **Item 2) RTP Grant Agreement**

The RT21-008 grant agreement from OPRD is enclosed. This agreement funds the John Day Innovation Gateway Trail System, Phase 2. Grant award is for \$147,990.50 and is issued on a reimbursement basis.

Approval of the consent agenda authorizes Mayor Lundbom to sign the agreement on behalf of the City.

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### **Item 3) EDA Grant Agreement**

The EDA Grant Agreement (CD-450) is attached. This agreement awards the \$1,804,475 announced last week. These funds are in the next fiscal year budget. The project kickoff is scheduled for May 11<sup>th</sup>.

Approval of the consent agenda authorizes the City Manager to submit the signed CD-450 enclosed and accept the grant award.

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

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** April 26, 2022

**SUBJECT:** Agenda Item #5: City Manager Search Proposal  
Attachments:

- Recruitment services proposal – GMP Consultants

## **BACKGROUND**

GMP Consultants has proposed a fee of \$15,000 to conduct a search for additional City Manager applicants.

## **DISCUSSION**

The professional fee covers all consultant and staff time required to conduct the recruitment. Professional fees are billed in three equal installments: at the beginning, halfway, and upon completion of the final interviews.

The City of John Day will be responsible for reimbursing expenses incurred on the City's behalf. Expenses (estimated to be \$3,500 to \$6,000) include:

- Websites, job boards and other advertising (approx. \$1,600 - 1,900)
- Direct mail announcements (approx. \$1,200 - 1,400)
- Consultant travel: Mileage at IRS rate and \$65 per hour
- Background checks (approx. \$170 per candidate)

The City of John Day has the right to cancel the search at any time. The City's only responsibility would be the fees and expenses incurred prior to cancellation.

Should the selected candidate leave the employment of the City within the first 12 months of appointment, we will, conduct one additional recruitment for the cost of expenses only, if requested to do so within six months of the employee's departure. If the major elements of the process are followed and a candidate is not chosen, we will repeat the recruitment once with no additional professional fee, the only cost to you would be the expenses.

## **RECOMMENDATION**

If council approves staff to award a professional services agreement to GMP Consultants based on the enclosed proposal, we will make the appropriate adjustments to the budget to reflect these charges prior to the May 24<sup>th</sup> budget hearing.

**TO:** John Day City Council  
**FROM:** Nicholas Green, City Manager  
**DATE:** April 26, 2022  
**SUBJECT:** Agenda Item #6: Council President Nomination  
Attachments:

- None

## **BACKGROUND**

The language around appointing a council president is cut and pasted below. As we were preparing the minutes (and Councilor Holland brought this to my attention), the Mayor nominated Councilor Holland and no one objected. It's not quite the same as being appointed by the council.

To ensure we have an affirmative vote, we're placing it on the agenda to clarify.

Section 17. - [Council President](#).

- (1) At its first meeting after this charter takes effect and at its first meeting of each odd-numbered year, the council shall appoint a president from its councilors.
- (2) Except in voting on questions before the Council, the President shall function as mayor when the mayor is:
  - a. Absent from a council meeting, or
  - b. Unable to function as mayor.

## **RECOMMENDED MOTION**

"I move to appoint Councilor Holland as Council President until the first council meeting of 2023 in order to fill the vacancy left by the resignation of Councilor Smith."

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** April 26, 2022

**SUBJECT:** Agenda Item #7: National Small Business Week 2022 Proclamation 22-01  
Attachments:

- Proclamation 22-01

**BACKGROUND**

Sam Goldstein, Deputy District Director, Portland District Office, U.S. Small Business Administration is a colleague who reached out and asked if the City would be willing to issue a proclamation in support of small businesses for national small business week 2022.

We have drafted the enclosed proclamation for council review and consideration. A proclamation is issued by the Mayor and is a non-binding statement of beliefs, principles or support for a specific cause.

**RECOMMENDATION**

Move to approve Proclamation 22-01.

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** April 26, 2022

**SUBJECT:** Agenda Item #8: Council Vacancy  
Attachments:

- None

## **BACKGROUND**

Due to health reasons, Councilor Haberly informed Mayor Lundbom and me that he wishes to resign his position on the council effective tomorrow, April 27<sup>th</sup>.

Councilor Haberly has struggled to participate as actively as he would like to in council meetings and felt it would best serve the interests of the city to vacate his position prior to the conclusion of his term. This was a difficult decision reached after careful consideration, but his work and family commitments need to take precedent at this time.

He asked that I express his sincere gratitude to the council for their dedication and commitment.

## **RECOMMENDATION**

Accept Councilor Haberly's resignation and authorize the City Manager to post notice of the vacancy.

If posted tomorrow, we can plan to fill the seat at our May 24th council meeting, which would give potential candidates about a month to apply.



**TO:** John Day City Council  
**FROM:** Nicholas Green, City Manager  
**DATE:** April 26, 2022  
**SUBJECT:** Agenda Item #8: Other Business and Upcoming Meetings  
Attachment(s)

- None

**OTHER BUSINESS**

- 5:30 Open House at the Fairground Pavilion

**UPCOMING MEETINGS**

- 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
- No council meeting scheduled for June 28<sup>th</sup>