

**John Day City Council Meeting  
Tuesday, December 13<sup>th</sup>, 2022  
316 S. Canyon Boulevard**

**7:00 PM Council Meeting**

**Please join my meeting from your computer, tablet or smartphone.**

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**Suggested Public Meeting Process per League of Oregon Cities**

1. The Mayor will begin an agenda item
2. Staff and/or the presenter will provide context
3. City Council will deliberate
  - a. City Council may ask questions of Staff and/or the presenter
4. The Mayor may solicit public comment
  - a. Members of the public will then be invited to the podium to speak for no more than 3 minutes on the topic. Members of the public must address the Mayor in their comments
  - b. The Mayor may then direct comments towards other members of Council or City Staff
5. The Mayor will request a motion on the topic if applicable

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**
  - 22 1025 Council Minutes for Approval
  - 22 1122 Council Minutes for Approval

## **ACTION ITEMS**

### **4. BUSINESS PARK SALES**

Attachments:

- 4a. Industrial Park Prelim Plat
- 4b. Business Park Lot Sales
- 4c. Appraisal - Iron Triangle Logging Property - John Day - 6-28-19
- 4d. Email with Business Oregon – Brownfields Trust Deed Error
- 4e. Lease Agreement with Dave Lynn\_01.02.2021

### **5. RESOLUTION 22-899-20 A RESOLUTION OF THE CITY OF JOHN DAY, GRANT COUNTY, OREGON APPROVING AN INTERFUND LOAN TO THE CITY OF JOHN DAY URBAN RENEWAL PROGRAM**

Attachments:

- 6. Resolution 22-899-20

### **6. 395 SIDEWALKS UPDATES**

### **7. CITY PROJECT UPDATES**

Attachments

- 7. Financial Summary 12.12.2022
- 7a. Exhibit A. Financial Awards Summary (2016-Present)
- 7b. Exhibit B. Grants (Direct Awards)
- 7c. Exhibit C. Grants Completed
- 7d. Exhibit D. Grants In-Progress
- 7e. Exhibit E. Grants (Externally Managed)
- 7f. Exhibit F. Loans In-Progress
- 7g. Exhibit G. Active Contracts
- 7h. Exhibit H. Capital Project Summary
- 7i. Exhibit I. Property Transactions
- 7j. Catalyst Contract Termination Notice

### **8. POOL UPDATES**

Attachments

- 8a. DAS LRB Letter
- 8b. Rep Owens LRB Letter

*Continued on the next page*

**9. OTHER BUSINESS & UPCOMING MEETINGS**

Attachment(s):

9a. 22 1229 Notice for City Council Hearing - Code Amendments  
AMD-22-02 to 22-04

9b. 22 1229 Public Notice Posting Affidavit BME

- a) December 29<sup>th</sup> Meeting Topics
  - Outstanding Legal Deliverables
    - Catalyst Termination Agreement
    - Council Rules
    - City Handbook
  - Wastewater Treatment Plant Updates
    - Purple Pipe RFP
    - Golf Course Reclaimed Water
  - Planning topics (see attached)
- b) Council and Board Vacancies
- c) City Job Openings
- d) Questions from the Meeting

**TO:** John Day City Council  
**FROM:** Corum Ketchum, Interim City Manager  
**DATE:** December 13th, 2022  
**SUBJECT:** Agenda Item #4: Business Park Sales  
Attachments:  
4a. Industrial Park Prelim Plat  
4b. Business Park Lot Sales  
4c. Appraisal - Iron Triangle Logging Property - John Day - 6-28-19  
4d. Email with Business Oregon – Brownfields Trust Deed Error  
4e. Lease Agreement with Dave Lynn\_01.02.2021

## **BACKGROUND**

The John Day Innovation Gateway (name change TBD) industrial park is nearing sale.

Attached are items that show the preliminary plat for the park (4a), projected values of sites (4b and 4c), and related documentation (4d and 4e).

### Other Considerations

1. The lease agreement for the former Iron Triangle shop with Dave Lynn (\$1,250 per month) can be terminated with 30 days' notice from either party. Mr. Lynn will need to be notified if there is an interested buyer.
2. A correction that will need to occur: Business Oregon has a Trust Deed on the property since they financed it, but the legal description for the deed was incorrect at the time it was filed. It is clouding the title for the adjacent property owned by Iron Triangle (see the email attached). That will need to be corrected, and an amended Trust Deed filed with the clerk before we start selling parcels.
3. Follow existing sale procedures for City Industrial Properties: Buyers need to bring cash or their own financing and no owner carries. When a buyer offers the asking price, staff will execute a simple purchase and sale agreement under our expedited land sale procedures, and if they want more than two lots, they will need Council approval.
4. The City will retain lot 11 for the solar array and to complete our brownfield mitigation process

## **DISCUSSION**

The list prices are in the spreadsheet attached, based on our prior sales history (\$1 per sf for land) decided on via consensus during the May 10<sup>th</sup>, 2022, meeting, and the improvement value of the shop (\$210,000) based on the May 2019 appraisal, attached. The shop is likely worth more today, but interest rates are higher, so buyers will be fewer.

*Does Council want to make any changes to the sales price of City property?*

Council will need to determine the method of solicitation or advertisement for the Business Park lots via a combination of the following options:

Option 1: Soliciting a request for qualifications (RFQ) to advertise via a realtor

This option will allow the city to advertise to more markets and potential buyers. Realtors will be able to aggregate the park sites for sale on a multiple listing service (MLS). Realtors will take a commission for this service. This commission will be determined through the RFQ process.

Option 2: Solicitation through existing channels.

The City lists available land through its website and is working with marketers at Straw to Gold to promote the Innovation Gateway. Historically, the City has sold its properties through word of mouth using its own channels.

The Business Park will need a new road created to service the lots. The street name of *Park Avenue* is suggested. Council may make other recommendations.

## **RECOMMENDATION**

“I make a motion to approve the street name of Park Avenue\* for the Business Park”;

(optional)

“I make a motion to authorize the City Manager to submit a request for qualifications to select a realtor for the Business Park lots”

*\*Or another street name*

**TO:** John Day City Council

**FROM:** Corum Ketchum, Interim City Manager

**DATE:** December 13<sup>th</sup>, 2022

**SUBJECT:** Agenda Item #5: Resolution 22-899-20: A RESOLUTION OF THE CITY OF JOHN DAY, GRANT COUNTY, OREGON APPROVING AN INTERFUND LOAN TO THE CITY OF JOHN DAY URBAN RENEWAL PROGRAM

Attachments:  
5. Resolution 22-899-20

**BACKGROUND**

Improvements to urban renewal subdivisions have been occurring throughout the past 6 months.

- Holmstrom Heights is ready for sale
- Ironwood Phase 1 has begun clearing land and roughing in roads
- The Ridge has roughed in infrastructure and is waiting on City Attorney approval before final platting and sale can occur.

To meet the intergovernmental agreement set between the John Day City Council and John Day Urban Renewal Agency (Resolution 22-891-12 and 2022-02 respectively) to make infrastructure improvements at the above projects (and related development agreements), the City has been making development incentive payments while waiting for the Business Oregon Infrastructure Finance Authority Special Public Works Fund loan to originate (IFA SPWF Loan). That loan is expected this month.

This resolution approves the loaning of funds from the Water Fund to the Urban Renewal Agency to cover the expenditures that have occurred prior to the Loan being received. The loan amount will be repaid to the City with interest comparable to what the City would have earned if that cash had remained in the City’s Local Government Investment Pool account (upwards of 3.10%).

**RECOMMENDATION**

“I make a motion to pass Resolution 22-899-20: A Resolution Of The City Of John Day, Grant County, Oregon Approving An Interfund Loan To The City Of John Day Urban Renewal Program”

**TO:** John Day City Council  
**FROM:** Corum Ketchum, Interim City Manager  
**DATE:** December 13<sup>th</sup>, 2022  
**SUBJECT:** Agenda Item #6: 395 SIDEWALKS UPDATES

**BACKGROUND**

ODOT Staff are invited to present to Council on the status of their 395 sidewalks project.

**RECOMMENDATION**

None needed.

**TO:** John Day City Council  
**FROM:** Corum Ketchum, Interim City Manager  
**DATE:** December 13<sup>th</sup>, 2022  
**SUBJECT:** Agenda Item #7: City Project Updates

Attachments:

- 7. Financial Summary 12.12.2022
- 7a. Exhibit A. Financial Awards Summary (2016-Present)
- 7b. Exhibit B. Grants (Direct Awards)
- 7c. Exhibit C. Grants Completed
- 7d. Exhibit D. Grants In-Progress
- 7e. Exhibit E. Grants (Externally Managed)
- 7f. Exhibit F. Loans In-Progress
- 7g. Exhibit G. Active Contracts
- 7h. Exhibit H. Capital Project Summary
- 7i. Exhibit I. Property Transactions
- 7j. Catalyst Contract Termination Notice

**BACKGROUND**

On November 8<sup>th</sup>, the City Administrator and Mayor received notice from Catalyst Policy Advisors LLC (President Nick Green) of the firm's intent to terminate their contract with the City (attachment 7j). The City Administrator has negotiated December 31<sup>st</sup> as a contract termination date.

Nick Green and Interim City Manager Corum will give the Council an update of the projects and grants the City has outstanding. The Financial Summary Memo and related documents are attached.



**TO:** John Day City Council  
**FROM:** Corum Ketchum, Interim City Manager  
**DATE:** December 13<sup>th</sup>, 2022  
**SUBJECT:** Agenda Item #8: City Pool Updates  
Attachments  
8a. DAS LRB Letter  
8b. Rep Owens LRB Letter

## **BACKGROUND**

During the November 22<sup>nd</sup>, 2022, City Council meeting, City Manager Ketchum request Council consider accepting the state lottery revenue bond (LRB) grant from the Oregon Dept. of Administrative Services (DAS). Ketchum presented that the City must be able to create a new plan for a pool facility that included the following information:

1. Design of a scaled down facility,
2. Construction costs for such a facility,
3. Funding sources that total the estimated amount, and;
4. Siting and planning for the above.

Additionally, the City should consider:

5. Project implementation given limited resources and timing, and;
6. Facility management strategies.

Council nominated Councilor Labhart to investigate these questions. Councilor Labhart has reached out to DAS and Rep. Owen's office for clarification on the funding for the project.

- DAS has stated that if the City can produce the above for a scaled down pool, an agreement for LRB funds can be signed by the drop-dead date sometime in mid-February. This gives the City approximately 6 to 8 weeks to produce this information (attachment 8a). If not, the City can request to be considered in the next round of LRB funding in 2023-2025 biennium, without a guarantee of funding.
- Owen's office has stated that the City must secure additional funding on its own before his office will request additional funds for the pool (attachment 8b).

Councilor Labhart has invited members Parks and Recreation Board to speak to their perspective on an alternative approach.

## **DISCUSSION**

As a result of these council actions authorizing and appropriating funds, the combined revenues available for the new pool's construction are \$3,079,939.25, comprised of the \$2M lottery bond proceeds, \$1M in additional debt approved in Resolution 22-890-11, and \$79,939.25 from the sale of Gleason Pool.

To date, we have expended \$407,586.56 in pre-agreement costs for the design of the new pool. DAS will reimburse these capital outlay expenditures if the City accepts the grant agreement.

As a result, should the council proceed with plans for a new pool and accepts the grant agreement, there will be \$2,672,352.69 in funds remaining for the pool's final design and construction.

Council must decide if it wishes to work with staff to create plans for a scaled down pool ahead of DAS' mid-February drop-dead date. Given the limited amount of time between this meeting and then, staff are requesting Council decide tonight on whether to proceed with planning for a scaled down facility.

### **RECOMMENDATION**

To accept the funds, the City must be able to demonstrate that enough funding has been committed toward the capital construction of a pool, and that a facility could be built for the funds that have been committed.

Based on the conversation at this meeting Council must:

- Decide whether to accept the grant agreement.
- If so, Council must direct staff and nominate Councilor(s) to work to create an acceptable plan for a scaled-down pool facility

**TO:** John Day City Council  
**FROM:** Corum Ketchum, Interim City Manager  
**DATE:** December 13<sup>th</sup>, 2022  
**SUBJECT:** Agenda Item #9: Other Business and Upcoming Meetings  
Attachment(s):  
9a. 22 1229 Notice for City Council Hearing - Code Amendments  
AMD-22-02 to 22-04  
9b. 22 1229 Public Notice Posting Affidavit BME

## **OTHER BUSINESS**

- a) December 29<sup>th</sup> Meeting Topics
  - Outstanding Legal Deliverables
    - Catalyst Termination Agreement
    - Council Rules
    - City Handbook
  - Wastewater Treatment Plant Updates
    - Purple Pipe RFP
    - Golf Course Reclaimed Water
  - Planning Topics (see attached)
- b) Council and Board Vacancies
- c) City Job Openings
- d) Questions from the Meeting

## **UPCOMING MEETINGS**

- December 29<sup>th</sup>, City Council Meeting – Fire Hall, 6:00 PM
- January 10<sup>th</sup>, City Council Meeting – Fire Hall, 7:00 PM
- January 24<sup>th</sup>, City Council Meeting – Fire Hall, 7:00 PM