

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

December 13<sup>th</sup>, 2023

**COUCILORS PRESENT:**

Heather Rookstool, Mayor  
Chris Labhart, Councilor  
Eric Bush, Councilor  
Edwin Newby, Councilor  
Ron Phillips, Councilor  
Sherrie Rininger, Councilor

**COUNCILORS ABSENT:**

David Holland, Council President (excused)

**STAFF PRESENT:**

Casey Myers, Public Works Director  
Oren Wyss  
Travis Piercy (Virtual)  
Savannah Lovell (Virtual)  
Sarah Wright (Virtual)

**GUESTS PRESENT:**

Zoey Rookstool	Gregg Star
Brad Hale	Stacy Hale
Jon Meiling	Joyce Nodine
Jody Moulton	Chris Ostberg
Dolores Ostberg	Jim Spell
Rick LaMountain	John Rowell
Judy Schuette	Terry Davison
John Morris	Charlene Morris
Larry Decew	Suzette Decew
Shannon Adair	Steve Fischer
Linda Gingrich	

**Agenda Item No. 1—Call Meeting to Order**

Mayor Rookstool called the city council meeting to order at 7:00 pm.

**Agenda Item No. 2—Pledge of Allegiance**

The City Council stood for the Pledge of Allegiance.

**Agenda Item No. 3—Roll Call and Attendance**

Mayor Rookstool noted that all councilors were present besides Councilor Holland who is excused.

**Agenda Item No. 4—Amend or Accept Regular Agenda**

*Councilor Rininger made a motion to accept the agenda as presented online. The motion was seconded by Councilor Phillips and passed unanimously.*

**Agenda Item No. 5—Consent Agenda**

Items on the consent agenda for approval:

- a) Approval of Check Register
- b) Approval of Council Minutes
- c) Zoom Invoice, GoTo not renewed in December

***Councilor Bush made a motion to accept the consent agenda as presented. The motion was seconded by Councilor Rininger and passed unanimously.***

**Agenda Item No. 6—Public Comments**

Zoey Rookstool said she is very excited that the City has made 7<sup>th</sup> street a street that goes all the way through but it is very dark at the end of the street. She thinks the City should look into making it a safer place with proper lighting all the way through.

Gregg Star said it seems like people are harassing Mayor Rookstool and asked council what's been going on with that and who has been doing it. He also made a comment that the public restrooms are a mess and wanted to know who he is able to talk to during the day if he needs a question answered.

Jim Spell stated that when Rick Allen was Interim City Manager he had a plan for council to review and approve invoices in a public setting. At the last Council meeting it was noted an invoice in the amount of \$26,000 in attorney fees was approved. It has come to his attention that some invoices are marked confidential with considerable redacting. He believes these invoices are resulting from the Mayor's services from the City Attorney. He would like the council to address exactly what communication between the Mayor and City Attorney can be considered confidential by law and why is there redacting on invoices. Redacting on invoices and them being marked confidential is not justified and likely not legal. He encourages Council to address his concerns.

Councilor Rininger said she made a public records request on October 30<sup>th</sup>. She went to City Hall to request surveillance recording of an event she believes was an employee violation. When she arrived, Casey Myers was in the office and said she couldn't access those, only the sheriff can. She reached out to Todd Mckinley who said he would have to open a case to get involved. She received an email from Sarah on November 7<sup>th</sup> which was a forwarded message from someone at the City Attorney office to move forward with her request. She came back Monday November 20<sup>th</sup> and asked Sarah where her request was and she said she was waiting to hear back from the attorney and get a price from Councilor Holland. On November 30<sup>th</sup> Sherrie received an email from Savannah telling her the records no longer exist. Councilor Rininger was informed that Mayor Rookstool had screenshots available from that day but she was never offered those by the City employees.

Shannon Adair said she understands Councilor Rininger concerns but her public comment sounds like a personal problem and an HR problem that she doesn't believe should be discussed at City Council.

Casey Myers stated just to be clear the cameras were put up at City Hall for the safety of City Hall. They were not put there for any council members to monitor employees.

**Agenda Item No. 7—Action Items**

- **Council Board Updates**  
R3 Update: There were invoices sent to the City from the City of Burns. It is 25 percent of total invoices. Nick Green sent an email saying no parties should make or approve payments until the

R3 board of directors reviews and approves its invoices. The R3 board has not approved Burns to pay those invoices.

When Councilor Bush saw the invoice from Burns he was taken back because he doesn't believe they signed any agreement to pay Burns anything. Mayor Rookstool said it's very nerve racking for her to be spending money before it's there with the current state that our City is in. The City Attorney confirmed if the City of John Day wants to remove themselves from R3 today, they would be responsible for any of the funding that has happened to date.

Cam Marlowe gave a presentation about his project. The Blue Mountain Hospital has a serious housing issue and is seeking funding from R3 to purchase a multi-unit housing complex that will give future employees an interim place to reside while they look to purchase or build a home in Grant County. Mayor Rookstool stated if for some reason John Day isn't on the R3 board these projects are still available to everyone.

Terry Davison believes housing is an issue in John Day but doesn't trust the consultants on R3 and said it's not going to save us from anything. He doesn't think R3 is the answer to our problems and the City needs to get out of this before they go any further.

Judy Schuette stated every single one of the council members has known about the 25 percent this whole time. It has always been apart of the conversation and has been talked about multiple times.

Shannon Adair has been to all of the R3 meetings. She agrees it is complicated and because it is so complex she asks Council to sit in on those meetings to fully understand the details.

Charlene Morris said it is against the Oregon Budget Law to spend money that has not been appropriated.

Councilor Bush doesn't think the risk for R3 is small when processes are not being followed. He stated the City needs to stop spending money before they have it. If that's the way R3 is going to operate he doesn't think the City should be a part of it. He said they can get the money from the state without R3.

Councilor Rininger said she has not been comfortable with this from the beginning. She said this is getting ridiculous and she doesn't see it moving forward at the rate it should be. She thinks the City needs to get something started on their own.

R3: Start—12:50 End—1:09:29

***Councilor Rininger made a motion to terminate the agreement between the City of John Day and R3 and provide notice to the R3 board and allow Mayor Rookstool and the City Attorney authority to do so. The motion was seconded by Councilor Phillips and passed 5-1 with Councilor Labhart being opposed.***

Grant County Digital: Start—1:09:29 End—1:18:38

- **Signage Letter**

Larry Decew urges the City Council to approve a civic-improvement project conceived and developed by members of the John Day Change Club. OHSU endowed the John Day Change Club with a \$5,000 grant to undertake a community improvement project. The club decided to pursue the installation of two new pedestrian safety signs near the JDCC Parks and Rec headquarters where the 7<sup>th</sup> Street walking trail crosses NW Bridge Street. If Council approves this project, the John Day Change Club will pay the \$2,174.93 cost of the signs and \$1,240 for replacement batteries. All they ask is for the Public Works Department install the signs, which they could reimburse labor costs up to \$300.

***Councilor Phillips made a motion to allow the John Day Change Club to move forward with the sign placing, if budget allows the City will cover the cost of labor. The motion was seconded by Councilor Phillips and passed unanimously.***

- **Treatment Plant Update**

The National Marine Fishery said the environmental piece of the waste water treatment plant has met the threshold for expedited review. Once the environmental review is published, the Business Oregon grants and loans will be available so the bidding process for an engineer and vendor can begin. The Purple Pipe final design work is on-going and 70% complete. In January Nick Ducote would like to have the City Manager and Council review the Flagline scope proposal so they are able to move forward with this. The cost estimate to extend Purple Pipe service to Malheur Lumber will exceed the available funding.

Jim Spell doesn't think they should take money from the Purple Pipe and add it to the cost of the Treatment Plant.

- **OSHA Update**

The asbestos testing has been done. Mayor Rookstool didn't have an update other than what was posted on the website because Casey Myers has been taking care of this and was no longer present.

Councilor Rininger said something was brought up at the last meeting about the fines that the City received from OSHA and wanted to put it on record it had nothing to do with Council, it was the employees.

This will be tabled until the next meeting.

- **City Manager Contract**

Melissa will be in the office on January 2<sup>nd</sup>, 2024. There is a Meet and Greet that same day at the Fire Hall from 4-6 pm.

***Council Rininger made a motion to approve the employment agreement subject to any revisions that the Mayor and Council President determine are necessary and appropriate and authorize Mayor Rookstool to sign the final agreement on behalf of the City. The motion was seconded by Councilor Bush and passed unanimously.***

- **Resolution 23-908-08**

***Councilor Rininger made a motion to approve Resolution No. 23-908-08 A Resolution of City of John Day revoking the limited administrative and managerial authority granted to the Mayor (and his or her designee(s)) under Resolution No. 93-901-01 as of January 2<sup>nd</sup>, 2024 at 12:01 am. The motion was seconded by Councilor Phillips and passed unanimously.***

- **Townhall Agenda Items and confirm location**

The Townhall will be at the Senior Center on January 24<sup>th</sup>, 2023. Councilor Bush would like to discuss strategic planning at the Townhall.

- **City Charter**

After reviewing several Oregon City Charters, Councilor Labhart found that our City Charter needs reviewed and updated. He would like to suggest that the Council appoints a Charter Review Committee. This committee would be made up of citizens throughout the community of John Day. Once the committee has reviewed and suggested updates, their recommendations would be forwarded to Council. If the Council chooses to revise the Charter, those changes would be summarized and a ballot measure would be placed for the next available election. Mayor Rookstool suggested tabling this until the first meeting in February to give the new City Manager some time to settle in.

- **Main Street Restrooms**

Councilor Phillips and Councilor Rininger said our public restrooms need more attention and they have received many complaints about them. Councilor Labhart checks the Hill Family Park restrooms every single day and hasn't seen any major problems. Mayor Rookstool believes by having public restrooms it is important to keep them sanitary and safe for the public.

**Agenda Item No. 8—Additional Department, Council or Other Comments**

No Council meeting December 26<sup>th</sup>, 2023

Meet and Greet January 2<sup>nd</sup>, 2024 at the Firehall at 4pm

Regular Council meeting January 9<sup>th</sup>, 2024

Town Hall January 23<sup>rd</sup>, 2024 at the Senior Center

**Adjourn**

***There being no further business before the council, Councilor Bush moved to adjourn the meeting at 9:20 pm. The motion was seconded by Councilor Phillips and passed unanimously.***

Respectfully Submitted:

Melissa Bethel  
City Manager

ACCEPTED BY THE CITY COUNCIL ON January 9<sup>th</sup>, 2024



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Melissa Bethel, City Manager