



106 A Ave., PO Box 208
Seneca, OR 97873
(541) 542-2161
www.SenecaOregon.com



CITY COUNCIL REGULAR MEETING November 14th, 2017

Present Council

**Bill Williams
Andrea Combs
Sue Holliday
Brad Smith
Melissa Pettyjohn**

Public

**Matt Wenick
Patty Davidson**

**City Manager/Recorder Josh Walker
Minutes taken by Raamin Burrell**

Mayor Combs called the meeting to order at 6:02 pm.

Open Floor: Mayor Combs called for open floor items from the public. Patty Davidson spoke up in appreciation of the new road signs out on the 16 Rd (Logan Valley Rd) as it comes into town. She's noted a decrease in traffic speed since the signs were put up and rearranged. She also stated an appreciation for the new and much needed locks on the restroom doors at the City Park.

Matt Wenick asked as to the progress of the subdivision lots. City Manager Walker said that we were waiting on the engineering portion of the Wastewater Facility Plan. The process has been started with the surveying, but we are waiting on a cost estimate. It is being monitored and as soon as we have an amount for the cost then the City can proceed with offering the lots by RFP. The biggest obstacle is getting the piping across the Silvies' River and whether or not it's feasible to bore under or use/build a bridge to carry the piping across. The City may have to get a separate grant or loan specific to boring under the river if we can't get the estimates down on the cost.

Mayor Combs addressed the mail received today from the Communication Connection of Northeast Oregon. It states that they are in the process of receiving a Community Development Block Grant for housing rehabilitation with funds available to participants in Grant, Union, Wallowa, and Umatilla Counties. A signature on the included participatory form signifies that we acknowledge the availability of funds and that Union County will be in charge of doling out monies. The funds are for housing rehabilitation projects and is administered by Business



Oregon. The purpose is to provide assistance to homeowners of low to moderate income housing (owned or rental properties). A signature by the Mayor acknowledges that we would like to participate by giving the local homeowners of Seneca the ability to apply for this assistance if they so choose. Mayor Combs called for a motion to sign the document giving the homeowners of Seneca access to these funds. Councilor Holliday made the motion, Councilor Pettyjohn seconded it. All were in favor, motion passed, document signed.

Approval of Minutes: Mayor Combs read the agenda item aloud. One minor correction was noted and made during the meeting. Mayor Combs called for a motion to approve and sign the October meeting minutes.

-Councilor Pettyjohn made the motion to accept the meeting minutes, Councilor Holliday seconded it. All were in favor, motion passed and Minutes signed.

Public Hearing for New Fire Station: Mayor Combs read the Agenda item aloud and officially started the hearing at 6:13 pm. Mayor Combs read the background information for the proposed new fire station and called for comments. As no one signed in for comments, Mayor Combs asked if there was an actual proposal to present at this time. City Manager Walker stated that the hearing was a part of the process for being able to accept grant funding and that there was nothing additional to note at this time. The engineering feasibility for the structure has yet to be finished and the City office will resubmit at that time. The Engineering firm is looking at both proposed sites as is required by the USDA Grant. Mayor Combs called for comments from the Council. As no comments were made, the public hearing was officially closed at 6:17 pm.

Ordinance #94: An Ordinance Ratifying the Creation of the Grant County Digital Network Coalition in Accordance with ORS 190.085: Mayor Combs read the agenda item aloud and acknowledged that this was a late submission to the agenda. City Manager Walker explained that the Council looked at initial versions of this document at the August Council meeting. This Ordinance is the final version which applies the conditions of the Coalition as City Law. Mayor Combs read the Ordinance in it's entirety. Mr. Wenick asked if there was a cost estimate, yet? City Manager Walker said that the purpose of this document is to legally form a board with the power to make decisions and accept grant funding to pay for the surveying and to get cost estimates going forward. A general discussion ensued as to the necessity of this project and the availability of broadband internet infrastructure to



help the City stay alive. Mayor Combs called for a motion to sign Ordinance #94 as written.

-Councilor Pettyjohn made the motion to sign Ordinance #94, Councilor Holliday seconded it. All were in favor, motion passed, Ordinance #94 signed.

Discussion on Property Purchase: Mayor Combs read the Agenda item aloud and reminded the Council that this was in relation to the discussion had at the previous meeting with Dr. Fitzpatrick and Mr. Brown. She stated that accepting or declining any proposal still hinges on the new fire station location and that the gentleman came to the last meeting seeking reassurance that the City was still interested in acquiring the lot (525 Barnes Ave.). They still would like to have ownership go to the City and they left us with several options for purchase. Councilor Pettyjohn stated that they are trying to work with the City and be accommodating, but we really need to see what's going to happen with the fire station first. She also suggested that the Golf Committee purchase the building to use for the Oyster Feed, storage and maybe seasonal concessions. City Manager Walker stated that there is a possibility of grant funding to purchase the building for the conversion to City Offices on the premise of having a legitimate City Hall. Mayor Combs asked if grants would include both the purchase price and the cost of upgrades and if the City would have the option of using the grant funds for other City purposes? Mr. Wenick said that there might still be a renovation grants that could be used for the older City Hall and cited the renovations of the City Hall in Burns and Mt. Vernon. Councilor Pettyjohn said that the City staff should definitely look into possible renovation grants. Mayor Combs said that we should reach out to Tammy Kowing at Mt. Vernon as to available grants for city structure renovations. City Manager Walker stated that if we found an applicable grant to apply for then we could creatively word the proposal to put the City Hall at the Barnes Ave address and renovate the Community Hall. Mayor Combs reiterated that Dr. Fitzpatrick just wanted the peace of mind to sit on the property to wait for us. They stated that they have been circumspect on potential buyers that have approached them. If they received a solid offer from a buyer then they should take it, but the City is keeping their options open. Councilor Williams asked if anyone had ever seen a City Hall on a highway before? Don't we have enough room in the current location? A General discussion ensued to answer his questions. The gist being that the answer is yes to both questions, however, the cost of heating the current City Hall for the purpose of maintaining usable fire apparatus 24/7 and the city office 4 days a week is exorbitant due to lack of insulation and adequate construction, and the City would do well to move the office and the fire station just to reduce that cost. Mayor Combs



stated that she would like to see the feasibility study as far as the new fire station is concerned and proceed from there.

Ordinance #93: To Vacate a Right of Way Known as a Portion of 2nd Street Located Within the City Limits of the City of Seneca, OR: Mayor Combs read the Agenda item aloud and asked if the Council had any questions, corrections, or a need for further discussion. All Councilors affirmed all was in order so Mayor Combs called for a motion to approve and sign Ordinance #93.

-Councilor Pettyjohn made the motion to approve, Councilor Holliday seconded it. All were in favor, motion passed, Ordinance #93 signed.

City Manager Walker stated that Ordinance #93 will be filed with the County so that the plat can be finalized both for that portion and the adjoining City commercial lots by the County Surveyor, Mike Springer.

Review of Employee Full-time Policy: Mayor Combs read the agenda item aloud. City Manager Walker stated the reason for this being on the agenda is to expand the full-time policy to encompass 32 to 40 hours per week worked in order to be included on a life insurance policy for the City. Insurance follows the State of Oregon rules for full time hours set at 40 hours per week unless a municipality has a differing policy. Mayor Combs called for a discussion or questions by the Council. Nothing was noted. Mayor Combs called for a motion to accept the full-time policy change for insurance purposes.

-Councilor Williams made the motion to approve, Councilor Pettyjohn seconded it. All were in favor, motion passed.

City Employee Staffing Update: Mayor Combs read the agenda item aloud. City Manager Walker explained that Kate Holmes (Welch) has resigned from her position as transfer station attendant as of 11/15/2017. A copy of her resignation letter was included in the Council packets. Dale Plemon came into the office and asked to volunteer, again, for the position. He was told that he must follow the rules and regulations and charge customers accordingly for extra dump fees.

Bills Before Council/Banking Signatures: Mayor Combs read the agenda item aloud and called for a motion to sign the monthly bills.



106 A Ave., PO Box 208
Seneca, OR 97873
(541) 542-2161
www.SenecaOregon.com



-Councilor Pettyjohn made the motion to approve and sign, Councilor Holliday seconded. All in favor, bills signed.

Executive Session: Mayor Combs read the agenda item aloud, thanked the people for coming to the meeting and asked that they leave the building for this session. Executive session officially started at 7:00 pm.

Executive Session officially ended at 7:22 pm.

Mayor Combs adjourned the meeting at 7:23 p.m.

Mayor: _____

Attest: _____

[Handwritten signature of Michael Combs]
[Handwritten signature of A. T. Hoke]



City of Seneca

Phone/Fax: (541) 542-2161

PO Box 208 / 106 A Ave.

Seneca, OR 97873

Attachment A

November 1, 2017

NOTICE

A PUBLIC HEARING WILL BE HELD during the regular City Council meeting scheduled on the 12th of November, 2017 at 6:00pm at the Seneca City Hall. At this meeting, there will be an official Public Hearing for:

- Proposal and Information for a New Fire Station

ALL PERSONS, OWNERS, OR RESIDENTS have the right to submit testimony in writing or by speaking at the hearing up until the close of the public portion of the hearing. Oral comments made outside the hearing, or written material submitted after the closure of the public portion of the hearing will not be considered in rendering a decision. Testimony must be directed towards the criteria for the decision and must be specific. Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue precludes appeal to the board based on that issue.

You may view documents related to the City Code at the Seneca City Hall, or you may contact City Manager Josh Walker for more information. A copy of any and all documents will be available for inspection at no cost or provided at a reasonable cost at least 7 days prior to the hearing. A sign in sheet will be provided at the hearing for those wishing to testify, and each testimony will be limited to 3 minutes.

**CITY OF SENECA
Ordinance No. 93**

**AN ORDINANCE TO VACATE A RIGHT OF WAY KNOWN AS A PORTION OF 2ND
STREET LOCATED WITHIN THE CITY LIMITS OF THE CITY OF SENECA,
OREGON**

WHEREAS, the City of Seneca has, after investigation and consideration, has determined that the nature and extent of the public use and the public interest to be sub served is such as to warrant the vacation of part of the public street described as a portion of 2nd Street located west of Highway 395 within the city limits of the City of Seneca.

WHEREAS, the City of Seneca has determined an issue with the neighboring lot lines that will be solved with less expense and time by vacating this right of way.

WHEREAS, the City of Seneca has initiated the vacation process and has followed all due and legal procedures in this matter as follows:

- No petition was needed to be filed as the vacation was initiated by the City.
- A public hearing was formally held on July 11th, 2017 as part of the regular City Council meeting with the result of all attendees and Council members being heard with no complaints or reasons against this vacation.
- A Letter of Consent was provided by the sole neighboring property owner, a business legally known as Grayback Forestry, Inc.

THE CITY OF SENECA ORDAINS AS FOLLOWS:

The City of Seneca does hereby vacate a portion of 2nd street located in the City of Seneca with a legal description and official sketch as declared on Attachment A.

This vacation was initiated by the City of Seneca for the benefit of the City of Seneca and the sole neighboring property owner, a legal business called Grayback Forestry INC., who has officially given a Letter of Consent to the City of Seneca for the purposes of this vacation.

An official public hearing has been held with no dissenting opinions or complaints filed or voiced for this vacation.

The City of Seneca does hereby declare that this vacation to be right and legal and approved by all parties involved and the general population of the City of Seneca.

PASSED by the City Council on the 14 day of November, 2017.

20172305

APPROVED by the Mayor on the 14 day of November, 2017.

Andrea Combs

Mayor, City of Seneca

R T Hah

City Recorder/Manager

ATTEST:

DATE:

11/14/2017

SUMMARY OF VOTES:

Mayor Andrea Combs

YES / NO / ABSTAIN

Councilor Sue Holliday

YES / NO / ABSTAIN

Councilor Melissa Pettyjohn

YES / NO / ABSTAIN

Councilor Clarence "Bill" Williams

YES / NO / ABSTAIN

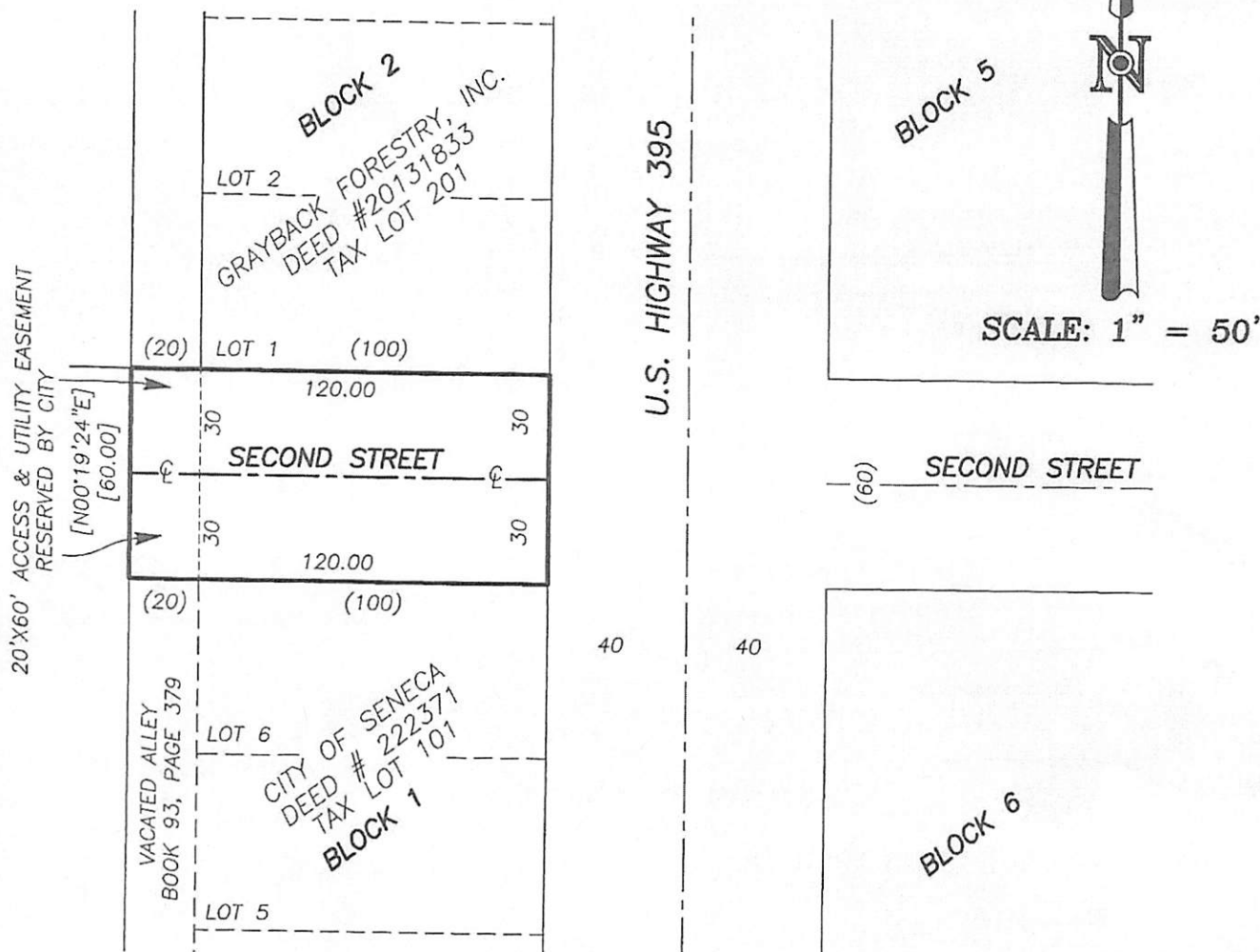
Councilor Brad Smith

YES / NO / ABSTAIN

Attachment A

20172305

SHOWING A VACATION OF A PORTION OF SECOND STREET BETWEEN
BLOCKS 1 & 2 OF THE 1930 PLAT OF SENECA;
SITUATED IN THE SE1/4 SECTION 35, T.16S., R.31E., W.M.,
CITY OF SENECA, GRANT COUNTY, OREGON



LEGEND

- () RECORD DISTANCE FROM 1930 PLAT OF SENECA
- [] RECORD BEARING AND DISTANCE FROM
LAND PARTITION PLAT NO. 2013-02

REGISTERED
PROFESSIONAL
LAND SURVEYOR

[Signature]

OREGON
JULY 9, 2002
MICHAEL C. SPRINGER
#70918

EXPIRES: 6/30/2018

PREPARED FOR: THE CITY OF SENECA, OREGON

PREPARED BY: BENCHMARK LAND SURVEYING, INC.
217 N. CANYON BLVD.
JOHN DAY, OR 97845
(541) 575-1251

OCTOBER 26, 2017

After Recording Return to: ORS 205.234(1)(c)

CITY OF SENECA 106 AVE, BOX 208
SENECA, OR 97873

Please print or type information

Instrument Cover Sheet ORS 205.234(2)

(Required if document does not meet first page recording requirements under ORS 205.234 or does not provide adequate space on the first page for the recording certificate)

I, BRENDA J. PERCY, COUNTY CLERK FOR GRANT COUNTY, OR CERTIFY THAT THE INSTRUMENT IDENTIFIED HEREIN WAS RECORDED IN THE COUNTY CLERK'S RECORDS.
BRENDA J PERCY, GRANT COUNTY CLERK

DOC#: 20172305

PG: 4

11/15/2017

\$53.50

8:36 AM



DOCUMENT TITLE(S): ORS 205.234(1)(a) (If two or more transactions, document(s) must be clearly labeled to record transaction in appropriate records)

ORDINANCE #93: VACATING A RIGHT OF
WAY

NAME(S) AND ADDRESS (ES) of DIRECT party(s): ORS 205.234(1) (b) Address not required but requested (i.e. DEEDS: Seller/Grantor - MORTGAGES: Grantor - LIENS: Debtor/Defendant Creditor/Plaintiff)

CITY OF SENECA, 106 AVE/BOX #208, SENECA, OR 97873

NAME(S) AND ADDRESS (ES) of INDIRECT party(s): ORS 205.234(1)(b) Address not required but requested (i.e. DEEDS: Buyer/Grantee - MORTGAGES: Beneficiary/Lender - LIENS: Debtor/Defendant)

The public

TAX ACCOUNT INFORMATION: Requested

IF CONVEYING OR CONTRACTING TO CONVEY FEE TITLE TO REAL PROPERTY: ORS 205.234(1) (d)
True and Actual Consideration Paid \$ _____

SEND TAX STATEMENTS TO: ORS 205.234(1) (e)

LIEN DOCUMENTS: ORS 205.234(1) (f)

Amount of lien \$ _____

ALL DOCUMENTS REQUIRING A REFERENCE NUMBER: ORS 205.160(6) (7) (j)

Original recording information: Book _____ Page _____ or Instrument # _____

If this instrument is being re-recorded, complete the following statement: ORS 205.244

"Re-recorded at the request of _____ to
correct _____
_____ previously recorded in Book _____ and page _____, or as Instrument # _____."

ORDINANCE NO. 94**AN ORDINANCE OF THE CITY OF SENECA, OREGON RATIFYING CREATION OF THE GRANT COUNTY DIGITAL NETWORK COALITION IN ACCORDANCE WITH ORS 190.085.**

WHEREAS, ORS 190.010 provides that units of local government may enter into agreements for the performance of any functions and activities that any party to the agreement, or its officers or agents, has the authority to perform; and

WHEREAS, under ORS 190.085, each party to an intergovernmental agreement creating an intergovernmental entity must enact an ordinance ratifying the creation of the intergovernmental entity prior to the effective date of the intergovernmental agreement; and

WHEREAS, the Council desires to (a) declare its intent to create an intergovernmental entity by intergovernmental agreement, and (b) ratify creation of the intergovernmental entity.

NOW, THEREFORE, the City of Seneca ordains as follows:

1. Findings. The above-stated findings are hereby adopted.
2. Short Title. This Ordinance No. 94 may be referred to as the "Grant County Digital Network Coalition Ratifying Ordinance" and will be cited and referred to herein as this "Ordinance."
3. Definitions. For purposes of this Ordinance, the following terms and phrases have the meanings assigned to them below:

"Agency" means the Grant County Digital Network Coalition.

"Agreement" means the intergovernmental agreement between the parties creating the Agency.

"Board" means Agency's then appointed board of directors.

"Council" means the Seneca City Council.

"Law(s)" mean all federal, state, and local laws, statutes, ordinances, and/or regulations directly or indirectly affecting the Network, including, without limitation, the Americans with Disabilities Act of 1990 (and the rules and regulations promulgated thereunder) and ORS chapter 190, all as now in force and/or which may hereafter be amended, modified, enacted, or promulgated.

"Network" means the broadband infrastructure necessary to establish and operate a digital network, including, without limitation, wireless infrastructure, fiber optic infrastructure, and all fiber connections to the premises constructed, operated by, or controlled by the Agency.

"Party(ies)" means, as of the date of this Ordinance, City of John Day, City of Seneca, and Grant County, individually and collectively.

4. **Intent; Effective Date.** The Council hereby declares its intent to create the intergovernmental entity (Agency) to be known as the Grant County Digital Network Coalition by intergovernmental agreement. The effective date of the Agreement is January 1, 2018.

5. **Public Purposes.** Agency's public purposes include, without limitation, the following: (a) plan for and study the best method(s) to design, construct, own, operate, and/or maintain the Network and future telecommunications infrastructure for the benefit of the Parties and their respective citizens, other governmental entities, and public and private health and safety organizations; (b) own, manage, control, and operate the Network (and any digital system obtained by Agency) and all associated Network traffic, software management, maintenance costs, and connections to public buildings; (c) provide a forum for communication and consultation among the Parties and provide an opportunity for a cooperative and equitable sharing of expenses, data, expertise, experience, and plans of each unit of local government; (d) modernize telecommunications infrastructure within the jurisdictions of each Party to ensure sufficient and efficient capacity, speed, resilience, scalability, and access to Agency's residents; (e) receive funds necessary to manage and operate the Network and Agency; (f) acquire such additional tangible and intangible assets as are deemed necessary or appropriate to fulfill the other purposes of Agency; and (g) carry out such other necessary and/or appropriate responsibilities and functions as provided by the Parties.

6. **Agency Powers; Duties; Functions.** Agency will have the authority to act in the interest of the Parties to oversee and direct operation of the Network and such other responsibilities as may be assigned by the Parties from time to time. Without otherwise limiting the generality of the immediately preceding sentence, Agency will have the following general powers: (a) adopt, through action of the Board, such bylaws, rules, regulations, and policies necessary to carry out the purposes and duties under the Agreement; (b) perform and exercise all powers pursuant to the Laws, including, without limitation, the principal acts of the Parties and ORS chapter 190, which are necessary and/or appropriate to design, construct, own, operate, and/or maintain the Network for the benefit of the Parties and their respective citizens; (c) purchase, own, hold, appropriate, and/or condemn land, property, facilities, and/or right-of-way either in Agency's name or in the name of individual Parties in furtherance of the construction, ownership, operation, and/or maintenance of the Network for the benefit of the Parties and their respective citizens; (d) enter into agreements with other public and/or private entities for the purpose of design, construction, ownership, operation, and/or maintenance of the Network; (e) issue, sell, and/or otherwise dispose of bonds, securities, and/or other forms of indebtedness, including, without limitation, the power to raise revenue bonds under ORS chapter 287A; and (f) exercise all powers pursuant to the Laws, including, without limitation, the principal acts of the Parties and ORS chapter 190, which are necessary and/or appropriate to carry out the purposes of the Agreement.

7. **Severability; Corrections.** All pronouns contained in this Ordinance and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and "including" are not limiting. Any reference to a particular law, statute, rule, regulation, code, or ordinance includes the law, statute, rule, regulation, code, or ordinance as now in force and hereafter amended. If any section, subsection, sentence, clause, and/or portion of this Ordinance is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance. This Ordinance may be corrected by order of the Council to cure

editorial and/or clerical errors. This Ordinance will become effective thirty (30) days after its passage by the Council and approval by the mayor.


This Ordinance was PASSED and ADOPTED by the Council by a vote of 4 for and 0 against and APPROVED by the mayor on Nov. 14, 2017.



By: Andrea Combs

Its: Mayor

ATTEST:



By: Josh Walker

Its: City Manager

SUMMARY OF VOTES:

Mayor Andrea Combs
Councilor Brad Smith
Councilor Melissa Pettyjohn
Councilor Bill Williams
Councilor Sue Holliday

YES / NO / ABSENT

YES / NO / ABSENT

YES / NO / ABSENT

YES / NO / ABSENT

YES / NO / ABSENT