



City of Seneca

Phone/Fax: (541) 542-2161

PO Box 208 / 106 A Ave.

Seneca, OR 97873

**CITY COUNCIL
REGULAR MEETING
July 11th, 2017**

Present Council

Bill Williams

Melissa Pettyjohn

Andrea Combs

Sue Holliday

Brad Smith

Public

Matt Wenick

Dave Hannibal

Brandon Smith

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

Mayor Combs called the meeting to order at 6 pm.

Open Floor:

Mayor Combs called for open floor items from the public.

- Mayor Combs brought up the possibility of have a community clean-up day prior to and City-wide yard sale for the weekend of the Solar Eclipse. She proposed that if 7 or more families wanted to have yard sales, then the City would pay for the “yard sale” package from Blue Mountain Eagle in order to advertise and get people here for the weekend. We would advertise on the City website, also. People could set up tables at the City Park, School parking area, and maybe the empty lot next to City Hall, or at their homes. The City would just need the addresses so they can be included in the advertisement.
 - Councilor Pettyjohn asked about the Artisan Fair. Raamin informed the Council of the lack of participation or interest in the Artisan Fair and proposed not having it. Also since there has been no interest in either tent or RV sites, that instead of having people on the Golf Course, allow tent campers to stay in the back half of the City Park and ball field, if we have any. With the same fees being applied to tents and dry RV camping, if anyone shows interest. All were in agreement.
 - Matt Wenick, representing the Golf Committee brought up having the cook shack open for the whole weekend, not just the Sunday, when the Artisan Fair would have been going on. If there is a City Yard sale, then it would make sense to be open maybe Friday, Saturday, and Sunday.



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- All agreed that would be a good idea, anyway, just due to the amount of forecasted traffic for the weekend.
- City Manager Walker also stated that while there seemed to be very little outside interest in staying in Seneca, he'd heard of lots of friends and family of residents that would be here for the Eclipse and agreed that having the Cook Shack and golf course open for use would be more beneficial to the City.
 - *Mayor Combs called for a motion to advertise a City Yard sale in the Newsletter in order to get participation and then advertise in the Blue Mountain Eagle. Councilor Pettyjohn approved the motion, Councilor Holliday seconded it, all approved and passed.*
 - City Manager Walker proposed a special meeting to go to the City Park to review where to place the new cook shelter and any other possible buildings at the Park. As part of this meeting also there will be a couple of Resolutions that will need to be approved and signed that pertain to the Wastewater Facility Plan. Matt Wenick from the Golf Committee said that they would also attend for the part at the City Park, as part of the monies for the project will be coming out of the Golf Fund. A discussion was had as to the best time and day. The consensus was to have this special meeting on Friday, July 14th, 2017 at 5 p.m.
 - City Manager Walker also had an idea for the Golf Course, since it would now be open during the Eclipse. He proposed getting glow-in-the-dark golf balls and having a driving contest during the time of the totality. Then the person with the longest drive would win a prize of some sort.

Approval of Minutes:

Mayor Combs read the agenda item aloud. She confirmed that the minutes from the Regular Council Meeting on June 13th, 2017 and from the Special Council Meeting on July 26th, 2017 were read prior to the meeting by all Councilors. Mayor Combs asked if there were any additions or corrections that needed to be made to either set of minutes before signing.

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

Zoning Violation Complaint:

Mayor Combs read the Agenda item aloud. As the person who brought the complaint to the City's attention was not in attendance, then City Manager Walker



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presented the complaint. Ken McWilliams came in to the City Office this week to formally file a complaint that the shop that was recently built on the neighboring property to his rental property. While the building, itself, is not over the assumed property line, the eaves for the building hang well over causing snow, snow melt, and rain water to flow onto an established firewood pile on the lot. Mr. McWilliams didn't know what the actual distance was for set-backs in the City but he was pretty sure it's too close to the property line, to begin with. City Manager pulled out the site plan that was submitted by the Owner and it shows the plan having the appropriate distance for the setback. A concern is that without finding the original pins for the property lines, taking pictures of the building in relation to the fence line or even measuring the distance may give false information due to not knowing if the fence is exactly on the lot line. However, with the complaint that the eaves hang well over into the neighbors' yard causing a hardship, then a notice may be sent to the property owner with the stated complaint and ask for corrections to this issue or documentation showing that the building is not in violation. A part of the complaint filed by Mr. McWilliams is that he was considering selling the property in the future and doesn't want to sell with any issues with neighboring owners. Mayor Combs referred to the Variance Permit that was approved for that building and asked if the Owner was in violation of the variance the accessory building was built in conflict with City Code. City Manager Walker was asked to explain the process from here. A notification is sent to the Owner of the property that is the subject of the complaint stating that a complaint has been filed with the City Manager. Also in that notice would ask the Owner to correct the issue as soon as possible.

- Councilor Pettyjohn asked as to the conditions of the Variance Permit that stated once the new building was finished that the old one would be torn down. The question is whether or not the old building is still there? The answer is yes, the old building is still there, however, without checking with the Grant County Planning department, the City has no way of knowing if the building is legally completed. The City office would check with Grant County as to the status of the building permit.

Mayor Combs asked that the Council, acting as the Planning Commission, have the City office draft a letter to the owner explaining the situation and complaint and asking for a timely response.

Public Hearing: Vacation of Right of Way (a portion of 2nd Street):

Mayor Combs read the agenda item aloud and then opened the Public Hearing. As no one signed up to speak and no letters were submitted prior to the meeting, no public comments will be heard. City Manager Walker would like a moment to fill in



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Dave Hannibal, representative of Grayback Forestry, is in the process for the vacation. When the right of way is vacated by a municipal entity, the ownership of that right of way is split equally between the owners of the immediately adjoining properties. In this case, a section of 30' by 100' would default to Grayback Forestry, and an equally sized section would default (remain) property of the City. This hearing is a step in the process of vacating the right of way. Mr. Hannibal stated that with this new information he would let the previous proposal stand for now until such time as changes needed to be made. The Council discussion is begun. The Council was unaware of this statute until it was brought to their attention in the Council packets. The City would still like to go through with the vacation as it is still in the City's best interest to do so. Mayor Combs closed the Public Hearing at 6:30 p.m.

Mayor Combs explained the documentation that was in the Councilor packets and stated that the Council will revisit pricing and lot spaces. The next step in the vacation process is to submit 'Letters of Consent' from the owners of the properties adjoining the right of way to the Grant County Clerk's Office. Then the land is surveyed and platted, the Council then passes an Ordinance to vacate the right of way and files a copy with the Grant County Clerk's Office. The land can then be assessed for value with the purpose of selling in the future. The City will officially send a request for a Letter of Consent from Grayback Forestry. City Manager Walker stated that the City will still need to know how much space, beyond the 30' by 100' that Grayback is interested in purchasing. Mr. Hannibal said that he would relay the information on and that they would further consider what space they'd like.

Land Swap:

Mayor Combs read the title of the Agenda item aloud. City Manager Walker wanted to give the Council a refresher on the topics. Kenny Miller had made a proposal last fall, but the City Council declined the proposal citing that the City needed more information as to the process prior to making any decisions. The section of the City lot that Mr. Miller is interested in trading will have to be surveyed and separated from the current lot. Then it will need to be assessed for value so that the City can make a proper determination of the value of the land to be traded. By law, the appraisal costs have to be split between interested parties. As it stands, the City may still be interested. The new piece of information is the proposal submitted Dr. Fitzpatrick regarding swapping the Medical Clinic property with several other lots in town based upon an assumed value of the Medical Clinic property of \$100,000. The same process has to be followed with the reminder that the City, legally, cannot take a loss in any property swaps. If the value of the exchanged



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property ends in a loss for the City then the City can be compensated by the difference in the dollar value. Mayor Combs skimmed the proposal from Dr. Fitzpatrick aloud. It states that they want lots 1 & 2 of the new subdivision, the lots next to City Hall, and \$40,000 in exchange for the Medical Clinic property. Councilor Smith doesn't want the City to have anything to do with land swapping and asks why it is on the table and/or necessary? City Manager Walker explained that the whole idea to benefit the City in the long run by making appealing lots for new residents and to bring in more permanent residents. Mayor Combs stated that she doesn't like the proposal, but that the idea of providing land for sale by the City would be a benefit. City Manager Walker would like the Council's permission to draft a response to Dr. Fitzpatrick that includes the Council's decision on the matter currently and that in order to move forward Dr. Fitzpatrick will have to have the Medical Clinic appraised at his own cost. According to the Grant Count Assessors' Office, the property is only valued at \$47,130. Mayor Combs agreed that he should bring in an appraiser, but the City is not interested giving up all of those lots plus money for the Medical Clinic. Definitely not interested in paying money as any part of a potential land swap. City Manager Walker reiterated that this is just a proposal and up for debate and discussion, not a final offer on the part of Dr. Fitzpatrick. He'd like to have Dr. Fitzpatrick come to the Council meeting himself to submit a proposal so that they can ask him questions directly. Mayor Combs agreed and asked if Kenny Miller was still interested, and yes, he is, but all in due time, not in any hurry. City Manager Walker said that the section that Mr. Miller wants has to be surveyed and separated from the existing lot and kept in line with Mr. Miller's existing lot line. This would separate the existing lot leaving a large section that the City could sell or use in the future. Mayor Combs called for a motion to approve surveying that section for Kenny Miller and the right of way for 2nd street that is part of the vacation proceeding.

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

Resolution 11-17: Receive Funds & Transfer Appropriations in the Transfer Station Fund:

Mayor Combs read the title of the Agenda item aloud. Since the Resolution was added to the Agenda after the Council packets were delivered, Mayor Combs read the entire Resolution aloud to the Council. City Manager Walker explained the process of receiving monies from CIS Insurance due to the ongoing Workman's Comp claim. If there is a possibility of bringing the injured employee back to work with



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safer equipment, then CIS awards \$7500.00 to the City. The new transfer station trailer, that includes a crank-style tarp system for covering the load is less than \$10,000 proposed by the Resolution, but it was not in the fiscal year 2017-18 budget to purchase any new equipment for the transfer station. IN short, the City will end up paying \$2500.00 for a new dump trailer with a tarping system.

-Councilor Smith made the motion to approve, Councilor Holliday seconded it. All were in favor, motion passed, Resolution 11-17 signed.

Resolution 12-17: Declaring the City's Election to Receive State Revenues:

Mayor Combs read the agenda item aloud. Since the Resolution was added to the Agenda after the Council packets were delivered, Mayor Combs read the entire Resolution aloud to the Council. City Manager Walker then explained that this is the same resolution that the Council must pass every year in order to legally receive funding from the State.

-Councilor Pettyjohn made the motion to approve, Councilor Holliday seconded it. All were in favor, motion passed, Resolution 12-17 signed.

Review RFP for Shirrtail Creek Subdivision Sale Lots:

Mayor Combs read the agenda item aloud. City Manager Walker explained that all the changes and updates that the Council talked about at the previous meeting have been adjusted in the document and we ask that the City Council give it one last look before it's submitted to the City Attorney for review. He also explained that the Grading Scale that was attached to the RFP is for the City Council only, and is just a reference to help with scoring the RFP's when they come in. Mayor Combs said she liked the main draft, but suggested adjusting the grading scale. City Manager Walker explained that the grading scale is an approximate representation of what scores the Council could give for each item listed. Obviously not everything in any RFP will fit exactly into each definition or criteria, hence it being used as a reference, not an absolute scale. City Manager Walker then asked if the main body was ready to be submitted to the City Attorney. Mayor Combs called for a motion to send the draft of the RFP to the City Attorney for review.

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

Abatement Proceedings:



Mayor Combs read the agenda item aloud. Mayor Combs asked that the Council had reviewed the response to Ms. Graves from the City Attorney, Wyatt Baum. Mayor Combs and the Council agreed that City Manager Walker brought up the official notice of abatement and explained the legal process. As stated in the public hearing for the Abatement, the final steps in the Abatement process is the passing of a Resolution showing the City Council's commitment to follow through with the abatement process along with a cost estimate for the demolition and clean up. Mayor Combs stated that the person who is living on the property (Raymond Scott Martin) had asked to be notified and she asked City Manager Walker to speak with him personally as to getting his personal property off of that lot in preparation for the abatement.

Resolution 06-17: The Abatement of Dangerous Buildings:

Mayor Combs read the agenda item aloud, then read the entire Resolution aloud for the Council and public present at the meeting. City Manager Walker explained that as part of the process, a copy of the signed resolution and another copy of the Notice to Abate would be sent to the Owner. Mayor Combs called for any comments or changes from the Council and asked for a motion to sign the Resolution. No changes or comments were offered.

-Councilor Williams made the motion to approve, Councilor Holliday seconded it. All were in favor, motion passed, Resolution 06-17 signed.

Approval and Signatures for Pasture/Lease Agreements:

Mayor Combs read the agenda item aloud and called for a motion to sign the annual agreements.

-Councilor Pettyjohn made the motion to approve, Councilor Holliday seconded it. All were in favor, motion passed, annual agreements signed.

Signing of Grant Administration Amendment for Environmental Review:

City Manager Walker explained that this item was accidentally left off the Agenda but was supposed to be brought up for signature in the previous Council Meeting. This is an amendment to the original contract with Ducote Consulting as the Grant Administrator for the Wastewater Facilities Project. Mayor Combs explained the process and that individual contractors and the IFA prefer to have the Grant Administrator serving both roles of Grant Admin and doing the Environmental Review that is necessary for the project.



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

Bills Before the Council:

Mayor Combs read the agenda item aloud and called for a motion to approve and sign the bills.

-Councilor Holliday made the motion to pay and sign the bills. Councilor Pettyjohn seconded it. All were in favor, motion passed, checks were signed.

Mayor Combs adjourned the meeting at 7:35 p.m.

Mayor:

Andrea Combs

Attest:

H T Hall

RESOLUTION 11-17

**A RESOLUTION TO RECEIVE FUNDS & TRANSFER
APPROPRIATIONS IN THE TRANSFER STATION FUND**

TRANSFER STATION FUND ELECTION TO RECEIVE REVENUES:

	<u>Existing</u>	<u>Changes</u>	<u>Adjusted</u>
Misc. Resources	\$500	\$7,500	\$8,000

The City is set to receive reimbursement funds for upgrading the safety of City equipment used for the Transfer Station.

TRANSFER STATION FUND APPROPRIATION TRANSFERS:

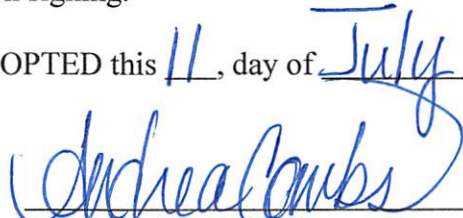
	<u>Existing</u>	<u>Changes</u>	<u>Adjusted</u>
Contingency	\$36,300	\$(2,500)	\$33,800
Capital Outlay- Equipment	\$0	\$10,000	\$10,000

The City will use the received funds of \$7,500 plus \$2,500 from the Contingency Fund to replace equipment used for the Transfer Station with safer and more efficient equipment.

NOW, THEREFORE, BE IT RESOLVED, the Council of the City of Seneca do hereby adopt this resolution appropriating the above-outlined funds.

This Resolution shall become effective upon signing.

This resolution was duly PASSED and ADOPTED this 11, day of July, 2017.



 Andrea Combs, Mayor

Attest:



 Josh Walker, City Recorder

RESOLUTION 12-17


A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES

Be it resolved the City of Seneca hereby declares the city's election to receive state revenues:

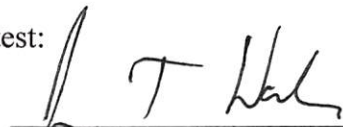
Section 1. Pursuant to ORS 221.770, the city hereby elects to receive state revenues for fiscal year 2017-18.

This Resolution shall become effective immediately.

This resolution was duly PASSED and ADOPTED this 11, day of July, 2017 and takes effect upon signing by the Mayor.

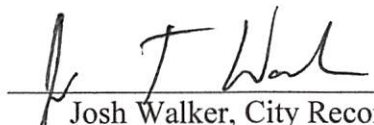


Andrea Combs, Mayor

Attest: 

Josh Walker, City Recorder

I certify that a public hearing before the Budget Committee was held on April 18th, 2017 and a public hearing before the City Council was held on June 13th, 2017, giving citizens an opportunity to comment on use of State Revenue Sharing.



Josh Walker, City Recorder

RESOLUTION 06-17

A RESOLUTION FOR THE ABATEMENT OF DANGEROUS BUILDINGS

WHEREAS the City Council for the City of Seneca had previously determined that the buildings (a dwelling and a shed) currently erected on the "Property" located at 106 B Ave, Seneca, OR 97873, also known as the "Property" located at tax lot 16S31E35CD Lot #4500, Block 13 Lot 3 as determined by the Grant County Assessor's office, are deemed to be a Declared Nuisance;

WHEREAS the City Council for the City of Seneca, has duly and diligently followed the processes set forth in the City Charter to determine a Nuisance and legally notify the "Owner" of said property, a person by the name of Joy M. Graves ("Owner"), as to this nuisance with an appropriate time frame to contact the City, the City Council and/or abate said nuisance;

WHEREAS the City Council for the City of Seneca has duly and diligently followed the legal process set forth in the City Charter to further hold a Public Hearing (as part of the regular Council meeting on June 13th, 2017) as to the proper determination by open discussion by attendees and testimony by the Fire Chief of the City of Seneca as to whether or not the afore deemed buildings are, in fact, Dangerous Buildings and in need of immediate abatement;

WHEREAS the City Council for the City of Seneca, to further follow City Code, have required an estimated cost assessment for the abatement by the City be done and presented by the City Manager and is estimated as follows:

ITEM	ESTIMATE
Labor: 48 Man Hours @ \$17/hr	\$816
Equipment: 10 Hours Backhoe @ \$50/hr	\$500
Equipment: 3 Days w/Dump Trailer @ \$200/day	\$600
Dump Fees: 6000lbs @ \$.04/lb	\$300

Sub-Total	\$2216.00
Admin Fee	<u>\$443.20</u>
GRAND TOTAL	\$2659.20

WHEREAS the City Council for the City of Seneca, by the power vested in it by the City Charter of the City of Seneca, OR, do hereby officially declare the buildings located at the Property to

be Dangerous Buildings and hereby order the nuisance to be abated by the City on behalf of the City and the Owner, with the totality of the costs for the abatement to be paid solely by the Owner. Furthermore, should the Owner refuse or be unable to pay said cost for abatement, all costs will be applied as a Lien against the Property, and will remain as such until such time as the Lien and filing costs are paid in full.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Seneca that the deemed Dangerous Buildings be summarily abated by way of demolition by the City. Any abandoned property being handled appropriately and held for the Owner, all garbage, trash, abandoned vehicles, scrap metal, and lumber, etc. will be disposed of by the City at the Owner's expense, and any trespassers will be notified to vacate and remove all personal items from the premises by the Grant County Sheriff's Office acting on behalf of the City of Seneca.

The Owner of the Property will be notified of the Council's decision via certified letter with a copy of this Resolution and will have the appropriate amount of time, as dictated by the City Code, to respond and/or summarily abate the nuisance. At the end of the response period, should no response and/or abatement be attempted by the Owner, specifically, summary abatement will proceed.

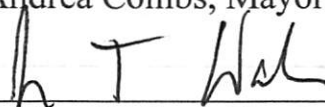
This Resolution shall become effective upon signing,

ADOPTED by the common council this 11 day in the month of July in the year 2017.



Andrea Combs, Mayor

Attest:



Joshua Walker, City Recorder/Manager