



**CITY COUNCIL
REGULAR MEETING
October 10th, 2017**

Present Council

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

Public

**Shane Koppel
Desiree Sam
Vern Brown
Dr. Fitzpatrick**

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

Mayor Combs called the meeting to order at 6:05 pm.

Open Floor: Mayor Combs called for open floor items from the public. There were none.

Approval of Minutes: Mayor Combs read the agenda item aloud. Due to the fact that the minutes from the regular Council Meeting on September 12th, 2017 were not in the Council packets, Mayor Combs read the entirety of the minutes aloud. Mayor Combs called for a motion to approve the minutes.

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

Discuss Possible Purchase of 525 Barnes Ave.: Mayor Combs read the Agenda item aloud. In attendance for this portion of the meeting are Dr. Fitzpatrick (owner) and Vern Brown (Realtor) to speak about the property sale possibilities. Mr. Brown introduced himself and Dr. Fitzpatrick. He began by stating that the property was purchased years ago by Dr. Fitzpatrick with the intent of opening the Medical Clinic, however, there was never enough business to sustain the costs of running this location. Initially there was the plan to keep the place open, then to retain ownership of the building, and now Dr. Fitzpatrick has moved on to other projects and wants to sell the property. It makes sense to them to make the City an offer and sell the property to the City for its uses. He heard that there had been talk



of moving the City offices to the same area, along with a possible Fire Station nearby. Over the years they have had a few offers for the property, but nothing that was viable. They are here, at the meeting, to start a discussion about the property and they understand that the City can't commit to anything right now. Mr. Brown went on to state that he personally has experience working with contracts involving municipalities and that he understands that each city has different funding sources and uses for public funds and that most cities have limited ready cash available for purchases. He had a couple of ideas to give to the Council. Obviously, a cash sale would be the least expensive, but they'd like to be able to make arrangements for the City to make the purchase of the lot. Mr. Brown proposed a rent-to-own for the City where the City would pay \$750.00 a month for 10 years, with a letter of intent that states that at the end of the 10 years the deed would be signed over to the City. At that rate, the price for the lot would be \$90,000.00. While the overall amount may seem high to the Council, the understanding is that Dr. Fitzpatrick would still be paying the property taxes for those 10 years, which would save the City a considerable amount off the total potential cost of the lot. Mr. Brown said that they would like to have an open discussion with several possibilities for the sale to the City. Whether it is a property exchange or some other out-of-the-box idea, they'd be open to listening and considering it. They'd also like to get a sense of whether or not the Council is still interested in the property. If they are then the discussion will continue. If not, then they will move on and look elsewhere to sell the property. Mayor Combs stated that the City does still have an interest, but it has to be a smart move for the City. Centralizing the City offices and other benefits have been discussed and the City is interested. However, the City's plate is full with the new Wastewater Facility and the new subdivision. Mr. Brown understands and has been candid with City Manager Walker in their conversations about their interest and that they believe in the City of Seneca and the amount of potential here. They are still interested in other lots in town. It all comes down to good business which dictates to come to a conclusion as to interest or to move on. They aren't asking for a definite answer right now, just confirming a level of interest. Would the rent-to-own idea be something the City would be interested in? Dr. Fitzpatrick contributed that they would just like to keep an open dialogue with the City as far as all the possibilities for proposals. For him, the fun part is tossing ideas around, no matter how far out-of-the-box the ideas are. Councilor Williams asked if there had been any recent interest in the property? Mr. Brown said that the most recent was a lady from Portland who wanted to live in back and have a salon up front, but this didn't end up going through. He thinks it would be an excellent site for Scot Campbell's business as far as having a store front along the highway. They have also turned down various "drug lords" that have offered for the building. The town could really



use a café again, as the property was previously. They both believe that Seneca has some great potential and would like to see the City succeed. Mayor Combs thanked them for coming and appreciates them bringing new ideas and possibilities to the table and for giving the Council time to mull them over and discuss. Councilor Holliday asked if Dr. Fitzpatrick was interested in retiring here? He said it was a definite possibility depending on what is available. Mayor Combs asked the Council if they'd like to have more discussion about this topic at this time or table it for the next meeting? The Council agreed to put it on the next agenda for discussion.

Update on Nuisance Notifications: Mayor Combs read the agenda item aloud. She also stated that she appreciated having the line by line updates and that it was great to see that most have taken advantage of City services in helping to abate those nuisances. She thanked the City staff for communicating with those who received notices and working with them to remove various nuisance conditions around the City. Mayor Combs went on to state that the "Thank You" letter draft that was in the council packet was a really good idea and she would sign as soon as they were ready to be mailed. City Manager Walker gave a brief update to the Council for the abatement. There is asbestos in the outer wall shingles, a small section of vinyl flooring in the kitchen and a small section of ceiling dry-wall in the bathroom. Desiree Sam had questions about her nuisance notice and asked that the City help in hauling off her trailer from the rear of her property. Shane Koppel said that he would tow it for her as soon as she was ready, just let him know. She said she had a few things stored in there that she would need to remove and would call when ready. She also asked about the abandoned or junk vehicle part of her notice. She has come into the office and explained to Raamin that the truck is a project vehicle of her husbands and that they are not able to move it. Raamin interjected that this was on the update to the Council. City Manager Walker explained the abandoned vehicle ordinance and the junk vehicle part of the nuisance ordinance. Since there were other nuisances existing on the lot at the time the initial report was made to the Council, it was lumped in. However, the Council has the option to be lenient for things like a project vehicle that is out in the open. Mayor Combs agreed that the idea was not to single out a vehicle, it was the whole package that needed cleaning up. If they are wanting to keep a single vehicle on the lot as a project then they were ok.

Update to Council on Breach of Utility Contract/Payment Plan and Decision for Moving Forward: Mayor Combs read the Agenda item aloud and confirmed that only one payment has been made toward the Contract. She asked about the \$160.00 payment made on 8/31. City Manager Walker explained how it



was applied to both their old account that still had a balance due and the remainder was applied to their current account. There was some discussion as to the dates payments were made and how they were applied to their accounts. City Manager Walker added that an envelope was in the drop-box this morning that contained the notice and bill sent to them along with several comments written on them. One comment was a statement that they'd paid everything, another was that the City was overbilling them. There was also a message on the City machine that was left minutes after the City office was closed on Thursday from the account holder asking for an explanation and expressing a want to meet with the City staff. City Manager Walker returned the call and left a message stating that we'd done a review of all of their accounts since June, when the contract was signed, and that we would like to explain the billing. There was no response from the account holder. A general discussion ensued involving the Breach of Contract and the account holder's continued lack of paying bills on time. Mayor Combs asked if it would be cleaner to just file a small claims court file against them and let the court deal with it? Councilor Pettyjohn added that the contract states that if payments were missed then there would be an immediate shut-off of services and the entire bill was due in full. Councilor Holliday stated that she is tired of people taking advantage of the City by not paying their bill or thinking they can get away with breaking the City laws. City Manager Walker stated that the only reason why this was brought to Council is because the Council negotiated the Contract with the account holder in good-faith that it would be followed. He is simply wanting transparency with the Council as to this process and is seeking their decision on the breach of contract with the City and what, precisely, was to be in the notice to the account holder. Mayor Combs said that she would offer an opportunity for them to bring the account current before summarily shutting them off, and reiterated the amounts needed to do so. Also, due on the 15th, would be the current utility bill and the October payment on the contract. Then, if the account is not kept current after that, then they are delinquent in their contract with the City, services will be shut off, all accounts will be billed in full, due immediately, and the City is done. All of this needs to be explicit on the notice sent. Councilor Pettyjohn asked if we could also send a reminder invoice to them about the payment due on the contract along with their monthly bill. City Manager Walker said that the system isn't set up to do that, but we would figure out a way to get them an invoice as a reminder. Mayor Combs called for a motion to send a 24-hour shut off notice, with explicit instructions as to the amounts owed and that this was going to be the only leniency for them.

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



Discuss use of/Selection of a Collections Agency for Significantly

Delinquent Accounts: Mayor Combs read the Agenda item aloud and stated that this was a recommendation to use a collections agency instead of people ignoring City notices or leaving town without paying their bills. She asked if the amount in the Council packet was solely for current residents. Raamin stated that it was a combination of large old accounts and severely delinquent current accounts. For example, part of the amount was the cost of the current abatement procedure. Mayor Combs called for a motion to approve the use of a collections agency at the rates provided in the packet to the Council.

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

Discussion of Memo from Nick Greene to all City Councils: This was added to the agenda by City Manager Walker at this time. Mayor Combs asked what the memo was about? The memo is regarding the 9-1-1 ballot measure that will be before the County in the next voting session. City Manager Walker explained that the City of John Day has previously been fronting all the cost of the 9-1-1 dispatch call center out of its own funds and this is not sustainable. This isn't right or feasible and the cost should be spread between all affected areas. If the ballot is passed, it will be a 38-cent increase per \$1000.00 value on property taxes. If it is not passed, then the 9-1-1 dispatch program will be outsourced to a private contractor and probably relocated and re-staffed out of the area. The City Council has the option to support this measure, but City employees may not voice an opinion. A discussion ensued voicing support for this measure.

FY 2017-2018 Audit Signatures: Mayor Combs read the agenda item aloud and asked if this was the same that was signed in previous years? City Manager Walker said it was but with the corrected amounts for this year's audit. Mayor Combs called for a motion to sign the audit.

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

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

-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 7:28 pm.

Executive Session officially ended at 7:45 pm.

Mayor Combs adjourned the meeting at 7:46 p.m.

Mayor: _____

Attest: _____

John Combs
J. T. Work