



**CITY COUNCIL  
REGULAR MEETING  
January 15<sup>th</sup>, 2019**

**Council Present:**

Brad Smith  
Barbara Northington  
Lilly Foster  
Sue Holliday

**Public in Attendance**

Matt Wenick  
Josh Walker (arrived late)  
Richard Schwartzer  
Dale and Tina Jahn

**City Manager/Recorder Raamin Burrell  
Minutes taken and recorded by Raamin Burrell**

**Meeting called to order by Mayor Smith at 6:02 p.m.**

**Open Floor:** Mayor Smith read the agenda item aloud and called for open floor items. Mr. Wenick asked as to the status of the sewer bid proposals. City Manager Burrell gave a short summation of the process remaining with the project set to go out to bid by the first week in February. Mr. Wenick asked why he was told that the project was going out for bid by the 15<sup>th</sup> of January and what caused the continued delays. It was explained that various entities that are reviewing the final documents and have to issue final approvals have been busy with other projects. They've been contacted and are back on track. He asked about the length of the bid period and public comment periods. City Manager Burrell said that after much review and conversation, the city can go out for bid on the project but cannot award any contract until the public review period has ended and the release of funds has been authorized by Business Oregon. This will allow for various contractors interested in bidding on the project the time to place a bid and make tentative schedules for the project for this summer. The projected time frame for the bid to be out was up to 60 days in order to allow all of the pieces to fall into place. Mr. Wenick asked about the dates and that this projected time frame would put the awarding of the contract into April instead of being awarded in March like what was proposed at the December council meeting. City Manager Burrell stated that it all depended on the time frame required. If everything was projected to be finalized in a shorter time frame, then the bids would be issued for a shorter amount of time and could still be awarded in March. Mr. Wenick the asked for a guarantee because he's been questioning this process every month since August and he keeps hearing about how other things have come up to delay the process. He stated that he deals with government in his job every day and there's not this much blind-siding to these types of processes. He wanted a guarantee that this was the last hurdle because he was told at



the last meeting that the bids would be issued in the first half of January. And because of that, he made arrangements for his new home to be built in April and May. He reminded us that this was a grant that expires in September of 2019, it's been going for 5 years and there's still setbacks. City Manager Burrell told Mr. Wenick and the council that was why she'd been making all those contacts, getting the information, tying people down to realistic numbers and dates so that this has the opportunity to be done in the time allotted. Mr. Wenick stated that it was good that she was calling and getting things lined out, but he's been at every Council meeting trying to get answers and needs to know that this is the last hurdle. The answer is yes. All of the design specs and final environmental reviews are in the hands of the final reviewers and the next steps are in process. As far as anyone involved in this process knows, there are no other hurdles that can't be adjusted for. Mr. Wenick confirmed that this is the last step and stated that every delay on this is costing him money. City Manager Burrell said that she understood and that every delay costs the City money, too. Councilor Foster asked that we call and check up on everyone by the first of next week. It's easy for them to say they're working on it, but it is our responsibility to be checking up on them. City Manager Burrell reiterated conversations had with Business Oregon, HECO Engineers, and Ducote Consulting (grant administrator) detailing what is left to do and the importance of going out sooner. Mr. Wenick asked about the bid time frame. City Manager Burrell stated that she'd tentatively proposed a 60-day bid period so that all of the other processes would be guaranteed to be finished. Mr. Wenick stated that standard was a 45-day bid period and he suggested we stick to that. City Manager Burrell stated that the time frame could change depending on how fast the other parts get finished. The reason being that it is not legal for the city to award a contract prior to the release of funds. Such that Business Oregon suggests that we don't even schedule to open and review the packets until the release of funds is issued. If there's an opportunity to have the bid out for 45 days or less, then she agreed that it would be better and can be arranged. Mayor Smith agreed that we should stick with the 45-day bid period. City Manager Burrell said that we could do that, we just could absolutely not award a contract until the release of funds. If the release of funds doesn't happen until days after the end of the bid period, then so be it.

Mr. Wenick asked about the progress of the bids for the Edward Hines Way road project. City Manager Burrell stated that the first pre-bid site review went great. She somehow had one date in the advertisement in the paper and a different date on the actual bid packet, so the next site review would be next Tuesday. The first reviewer had a lot of good questions and good information. Several people have been contacted for interest in bidding and most have requested bid packets. Mr. Wenick asked if the water and sewer lines would be put in place prior to the road being done and by whom. The answers were yes and the city, respectively and that Public Works Director Josh Walker would be supervising the work. He just wanted to be sure it's going to get done and done right. City Manager Burrell confirmed with Mr. Walker that afternoon that he would be the lead and supervisor on that project. Mr. Wenick restated that this has been a long, frustrating process and that he's appreciative of the effort involved in getting it done.



Mr. Schwartzler reminded the Council that years ago the city maintenance person was responsible for checking on the fire apparatus as well as running the siren on a weekly basis. Due to lack of emergencies the activities of fire department have dwindled off and there's been no checking of the equipment. He was wondering if the city would reinstate that process. Councilor Northington asked if there was a specific checklist? Mr. Schwartzler said there had been and that there was also a copy in the SOG (Standard Operating Guide). City Manager Burrell stated that she was unable to find a copy of the checklist in the office, nor the SOG. Mayor Smith said that Mr. DeRosier had checked on them occasionally because they'd had conversations about the condition of the two that fit in the fire hall. Mr. Schwartzler said that he checked on the batteries and cables about once a month, but that was it. Mayor Smith asked whether Mr. DeRosier knew that was his job? City Manager Burrell said that according to his job description and his contract it was not his job to perform weekly checks on the fire equipment specifically. His contract states, "repair and maintenance of all city-owned equipment and vehicles", not specifically the fire apparatus. That being said, she'd been told 2 years ago by the Fire Chief that it was the responsibility of the fire department personnel to do the weekly checks and running of the apparatus and that they would communicate with whomever the lead maintenance person was as to repairs needed. As that information hadn't been updated in two years, it was her understanding that was still in effect. Mayor Smith stated that Mr. DeRosier probably just didn't know that he could do the checks. Mr. Schwartzler was surprised but said that that's what happens when staffing changes, that sometimes duties get forgotten. That's why he brought it Council so that the City would still have that protection. Councilor Northington asked if it was a state requirement that the equipment be checked weekly? Mr. Schwartzler said it wasn't, but that most departments are active enough that they do the checks, but that is not the case here. He just wanted to see if the weekly checks by the city maintenance person could be reinstated. Mr. Wenick added that previous maintenance personnel checked the engines and the ambulance every week and that's how they've found previous issues with equipment.

Tina Jahn wanted to report that Dale and Jodi Harig had a water leak and couldn't find anyone in town that had a water key to shut the water off. She wanted to see if there was some way to have public access to a water key for emergency purposes. There was a concern that if someone had their water shut off for non-payment that they would also have access to turn it back on. Mr. Wenick asked if it was part of the maintenance agreement that he be available 24 hours for such an emergency. City Manager Burrell stated that up until then it was handled by Mr. Walker. Councilor Holliday agreed that it would be difficult for Mr. DeRosier to be here quickly since he lives so far away. Mayor Smith suggested that keys to the shop be given to the Council so that they could have access to the water key. A suggestion was to have the key hanging by the door inside the shop with a label. City Manager Burrell said that would be agreeable.

Later in the meeting Mayor Smith informed the Council of a conversation he'd had with the John Day City Manager Nick Green. Manager Green had asked if the City



of Seneca would be interested in being included in an expansion of the Parks and Recreation taxing district. He estimated it would be a tax of \$.75 per \$1000.00, but a presentation wouldn't be available until March. He was just checking to see if Seneca would like to be included in the discussion. Mayor Smith said that we would listen to the proposal. Mr. Wenick stated that most people involved in Parks and Recreation wouldn't be interested if it's that much of an increase. He said that it's only \$5 extra per kid per sport outside of the parks and rec district to participate in the sports programs.

**Selection of New Mayor/Council Member Swear -in:** Mayor Smith read the agenda item aloud. City Manager Burrell said the Council had to discuss whether or not to keep Mr. Smith as the Mayor. There was a brief discussion by Council.

*-Councilor Foster made a motion to keep Brad Smith as the Mayor, Councilor Holliday seconded it. All in favor, motion passed to make Brad Smith the Mayor.*

City Manager Burrell issued the Oath of Office to the newly and re-elected Councilors Sue Holliday, Lilly Foster and Barbara Northington. The Councilors were officially sworn in and accepted.

**Approval of December 18<sup>th</sup>, 2018 Minutes:** Mayor Smith read the agenda item aloud, confirmed that the Council had read the minutes and asked for any corrections or changes. None noted. Mayor Smith called for a motion to approve and sign the minutes.

*-Councilor Northington made the motion, Councilor Foster seconded it. All in favor, motion passed to approve and sign the minutes.*

**Unsolicited Land Purchase Proposal:** Mayor Smith read the agenda item aloud and stated that we've talked about this for a couple of months now. He asked if the Council had read the adjusted proposal and the letter from the Jahn's. Tina Jahn started by stating that it seemed like the Council was up to date on the history of what's been going on with the property. Mrs. Jahn gave a brief review of their part in the process including being in somewhat consistent communication with Mr. Walker and being adamant that they were still interested in purchasing the property. It wasn't until they came back to town this last September to find that Iron Triangle had finally expanded their business out to their lot line, now blocking the view of the Strawberry Mountains from the Jahn's property, that they realized that Iron Triangle had purchased part of the property they'd been interested in. That was when the Jahn's got more adamant about buying the property so as to keep what's left of the buffer zone between the industrial park and the residential area. Their proposal has changed over the last few Council meetings to adjust to what the Council deems necessary as caveats to sell the property. They just want to improve the lot and help with noise reduction by



planting trees and maintaining it as an open and natural space. The City fire department would still have access to the pond and they would follow the Oregon vector control for the mosquito problem. All of which would be at their own cost and they're willing to pay more for the property in order to achieve this goal. Their intent is to fully retire here and be more involved in and participatory in community events.

Councilor Northington asked about the business under which the proposal was submitted. Mrs. Jahn said that the CPR/1<sup>st</sup> Aid-Breath of Life was a business they've owned since 1998 and have primarily used the CPR/1<sup>st</sup> Aid side of the business providing training and classes. The Breath of Life side hasn't had to be officially used but the tenets have been implemented on several properties that they've owned. She thought that at one of the previous meetings it was stated that the property had to be purchased by a business, but anyone could buy property. City Manager Burrell interrupted with a correction stating that, per the Seneca City Code, in order for an industrial zoned property to be used for "public or semi-public use", it had to be owned by a business and a conditional use permit was required. Councilor Northington asked that this wasn't something the business specifically had done on other properties? Mrs. Jahn agreed but because it hadn't yet been necessary to use it. Councilor Northington expressed the concern that she didn't want to sell them something then 5 years down the line there's big buildings on there and industry going on. Mr. Jahn said that it seemed like there was this fear that people don't believe what their saying so legally it could be drawn up so that they won't be able to do anything with the property other than what they've proposed. Councilor Northington stated that the previous proposal had the caveat that they reserve the right to put a business on the lot in the future, but this one doesn't, so she was satisfied that it was corrected. Mrs. Jahn explained why that was even included in the previous proposal. At the November meeting it was said that the city wanted to keep the lot empty, then it was stated that city would be interested in putting a business on it in the future. So, they only included it in order to attempt to meet the need of what the Council seemed to want.

Councilor Northington brought up the issue with the pond being a designated wetland area. City Manager Burrell said that she'd done more research into the subject and asked questions of people with experience in dealing with wetland and conservation areas. A suggestion was made that a "conservation easement" could be attached to the property, by the city, that would protect and preserve the wetland area of the property. The gist is that it restricts the property to never be built on or subdivided. Mr. Wenick said that he didn't recommend a conservation easement because of how restrictive the regulations are that are associated with it. If in 50 years their kids or grandkids wanted to put industry on the property, they wouldn't be able to. The Jahn's stated that that's exactly what they want to have happen. They never want to drive into town again to find that there's a business and buildings across the street. Mrs. Jahn said that's what they've been pleading for since they submitted their first proposal in 2015, was to have it remain a natural space and buffer between the residents and the industrial zone.

Mayor Smith asked how far Iron Triangle had come over. City Manager Burrell said they hadn't expanded into the lot they purchased in 2016 until this last summer



when they expanded their log deck. She didn't think anyone realized exactly how far that was until they removed the trees that were on their side and set up stacks of logs along the edge of their lot. Councilors Northington and Holliday stated that it was a lot noisier now.

Councilor Foster asked about the previous discussed option of doing a property lease. City Manager Burrell stated that for this purpose, liability-wise, as the City Manager, she does not recommend it. The insurance company asks every year to justify the various property leases. While pasture leases are at least allowed in the city code, the others are not. They then have to be provided with verification that the businesses that have leases have the City of Seneca on their insurance. Luckily, they have most of that documentation on file, but as the city administrator, she was not comfortable with writing that lease and allowing the city to accept that amount of liability. If the Council decided that was the most appropriate option, then it would be done. Mrs. Jahn agreed that a lease would not serve the purpose here. They feel that they, and the city, should protect and preserve the space for the residents. Councilor Northington agreed and added that since the pond was protected as a wetland there could be no access to the buildable portion of the lot except from 4<sup>th</sup> Street. City Manager Burrell added that even though it was mentioned in previous meetings that a "quiet business" may be acceptable to have there, the only access would be from 4<sup>th</sup> Street and no one wants business traffic on 4<sup>th</sup> Street. Mrs. Jahn agreed and stated that they'll agree to whatever caveats the city needs for the lot so long as they can create that buffer space by planting trees and having a natural space.

Councilor Northington brought up the fact that the city could use the revenue from the sale to partially recoup the \$50,000.00 match funds required by the USDA RD grant for the new fire station project. Mayor Smith said that it wasn't a big deal, we didn't need the funds, that Mr. Walker had told him not to worry about it. Mr. Wenick asked what we were discussing and it was explained that the new fire station was projected to cost around \$200,000.00; the USDA RD grant required a \$50,000.00 match fund in order to receive the \$78,150.00 they awarded to us; it was originally supposed to be a \$20,000.00 match, then they reviewed our budget and found that across all the funds we could spare \$50,000. Mr. Wenick stated that \$78,000 and \$50,000 didn't equal \$250,000. City Manager Burrell corrected him to \$200,000 and explained that a Ford Foundation grant application had just been finished for \$66,000, which still didn't cover all of it. Mrs. Jahn said that bottom line was the city could use the extra funds for whatever purpose. Mr. Jahn confirmed that Mayor Smith said that Mr. Walker had said that it was no big deal? Mayor Smith said that was he'd been told so Mr. Walker must have a plan for the funding.

Mayor Smith stated that his position on this proposal hadn't changed since 2015, that he doesn't think the city should sell that land and that the city could maintain that buffer and continue to leave it as it is. He didn't think they should sell it to them and have the city rely on them to maintain it. He believes that selling an industrial piece of land to maintain a buffer to private people is just not right and he's not comfortable with it. Mrs. Jahn asked how the city has maintained a buffer? Mayor Smith said that it's



always been that way since back when the Hines Lumber Mill was still active. Hines kept that space as a buffer and the log deck ran all the way from the shops out past what is now city limits. Mrs. Jahn stated that even though the Council shows an interest in keeping what's left as a buffer, where was the intent to keep the original lot 1900 as a buffer when Iron Triangle offered to buy half of it? They were told prior to the Iron Triangle sale that the City wanted to keep the entirety of what was lot 1900 as a buffer, then the council agreed to partition the lot and sell half of it, going back on what was told to them. That's why they don't trust that this or any future Council will keep what's left as a buffer zone. Mayor Smith suggested that maybe we could pass an ordinance designating it as a buffer zone. City Manager Burrell stated that we could do that and maybe in conjunction with that a conservation easement may be another way to cement that in perpetuity. Mrs. Jahn said that if that were the case, and stayed that way forever, that would be great, but the city doesn't have the funding to improve it and the city could use the funds from the sale for other needs. Mayor Smith said it's the money and time. Who has the time or would volunteer to take care of it? Councilor Northington noted that at the last meeting we'd discussed planting trees out there and contacting various agencies and Iron Triangle for contributions to do so. Mrs. Jahn reiterated that the city would like to keep the space as a buffer zone, when in fact half of it was sold off, which affected the trees (removed) and effected the noise level tremendously. But that's said and done. From this point forward it's been mentioned that what's left is wanted to be kept as a buffer. But the fear is that a couple years down the line, when the Council has changed, that it could be sold to whomever and there would be industry right across the street.

Councilor Northington brought up the lease that involves a fenced in section of that lot and if the owners have been approached to purchase the property involved in the lease? City Manager Burrell stated that it had been brought up to Council previously by former Manager Walker, but no decision was made by Council as to what the terms for that sale would be. Mrs. Jahn questioned that the city would sell off that portion of an industrial lot for a private use but wouldn't sell off the whole lot as a buffer zone? Mayor Smith said that the owners have had the property lease for many, many years, long before any one on the current council was on Council. Mrs. Jahn again asked how the council could consider selling a portion of an industrial lot to someone else but not to them?

Councilor Foster asked the Council, if the Jahn's are going to make the purchase as a business and the Council is saying they want to sell to a business, then how can we not consider their offer? It's an industrial lot and they're offering to make the purchase as a business. Councilor Northington said that the Council is not required to accept any offer, can hold a piece of property as long as they want, and can make a counter offer. Councilor Foster said she understood, but we've been saying that we want to sell it to a business and they're coming to us as a business. Councilor Northington said as long as it could be written in that it will always be a green space. The conservation easement would do that. Mrs. Jahn said that that's what the proposal says, too. Mr. Jahn really likes the conservation easement and questioned if anything could change that? The only



thing that could change that is if the wetland dried up and was gone for a certain amount of time. Councilor Northington said that her only objection would have been that it's sold as a buffer but then changed to industry, but since the Jahn's are willing to put that in the documentation and abide by it, then she's good with that. A question came up about if there's a cost to applying the easement. That is unknown at this time, but it would be attached to the records for the property and run with the land in perpetuity. Mrs. Jahn voiced the concern that if the wetland dries up then we again have the same situation of the buffer zone possibly being sold to industry. Councilor Northington said that if it's put into the sale agreement then that's another safeguard to keep it as a buffer. Councilor Northington asked that more information be found out about the conservation easement. Mrs. Jahn asked that since this conversation has been going on for years, can we accept to put it the sale agreement that the property stay as a buffer zone and green space. Councilor Northington said that would satisfy her, but she was only one of the Council, and that the public would still have access.

Councilor Foster asked about what would happen if the Jahn's decided to sell it in the future? She was told that Jahn's had already agreed to give the city the right of first refusal if the property were to ever be sold by them or their inheritors. It would be similar to the conditions under which the lots for the subdivision were sold, also legally binding to run with the land. Councilor Northington asked about using a vector control for the pond in how it could affect the water table that the well pulls from. Just want to know that whatever is used would be safe for consumption.

Councilor Holliday said that if everything is written down and in order then she's for selling to the Jahn's. Councilor Northington stated that since the pond is in the way, you'd have extra traffic on 4<sup>th</sup> street if there were a business there, and no one wanted that. She added that a smaller, privately-owned lot in the industrial area had been for sale for \$20,000, but was never sold. She explained to the rest of council that if they counter with a higher price then that would encourage later offers to be higher. As a city you don't want to devalue what your land could be worth. Mayor Smith said they need to make a decision. Councilor Northington said that they should have more information about the easement and the position of the leasee's on potentially buying the section they now lease. Mrs. Jahn asked if the Council would vote on selling to them while still gathering that information? Councilor Foster asked if the information asked for should be discussed prior to taking a vote? City Manager Burrell said that the conservation easement could be applied to whomever owned it and the private lease can also be continued either way. The question is whether the Council feels comfortable having a vote with the information in front of them. Mrs. Jahn said that her concern is that it's been stated that the Council may sell to a business in the future so they'd like to have the council make a decision.

Councilor Northington thought the price was still rather low and that the previous sales were low, too, but she wasn't on the Council then. Mayor Smith asked what the real market values were for the lot sold previously and this lot? Since the wetland was taken into account when assessing the value, it would be like comparing apples to oranges, but that information could be found. The current value was \$13,980,





which is \$3000/acre. The sales 2 years ago were for \$2500/acre. All of the other available industrial lots are valued at \$3000/acre. Mayor Smith said the point is that the taxes the city receives off the lots sold is increased when there are improvements and business on them, so the city makes more money off of that. Part of the point of selling those lots was that the city would also get the extra revenue from the businesses using city utilities, the extra taxes from the improvements, and creating local jobs. The city would not be making revenue off of this sale except the base amount in property taxes.

Mrs. Jahn said that what she's hearing is that it's going to be sold at some point, so why not sell to them. Councilor Northington said that a concern was that there isn't a right use for it, but in 10 years it could have more value than it does now. Mr. Jahn said that would be negating the fact that they all want it to stay a green space. Mrs. Jahn said that if you think about it that way then the subdivision lots are being sold for way too cheap because they could be worth a lot more in the future, too. The point is that this isn't Portland or even Bend. These are the values that are reasonable for here and now and holding on to this property in the hopes of getting more for it later, still defeats the purpose of keeping it a buffer zone. Councilor Northington said they could make a counter offer but doesn't know what that would be. Mrs. Jahn offered \$15,000 if that would make the Council feel better so that they could be assured of keeping the buffer. Councilor Northington she liked that better for over 4 acres even though at least a third isn't usable. She asked Mayor Smith if he liked what he was hearing better? He said he still felt the same but he didn't get to vote, it was up to the rest of the Council. City Manager Burrell corrected Mayor Smith in that he does get to vote, the Mayor is not allowed to veto. Councilor Northington said they could start the process and still find out about the easement. Councilor Foster thought these people were coming to offer to buy a piece of land that, it sounds like, the council is wanting to sell sometime anyways, and she thinks why don't we just sell it to them? If they are going to do what they've said and abide by the caveats, then why not? Councilor Holliday said she felt the same way and agreed. Mayor Smith told them to make a motion.

*-Councilor Foster made a motion to sell to the Jahn's for \$15,000 pending the requested information and the public hearing. Councilor Northington seconded it. Mayor Smith stated that a motion was made and seconded to sell the lot to the Jahn's for \$15,000 pending all of the requested information and the public hearing. Three in favor, one against, motion passes. The Jahn's accepted this offer pending the public hearing and further information.*

**Discuss Removal of the Gate at B Ave and 4<sup>th</sup> Street:** Mayor Smith read the agenda item aloud. City Manager Burrell said the reason for putting this on the agenda was due to the fact that the secondary access road that "everybody" used to access the industrial park from 4<sup>th</sup> street is now cut off and has a row of logs in the way. So, now "everyone" that still access the industrial park from 4<sup>th</sup> street is cutting around the gate at B Ave and damaging the property and the road base. Mayor Smith said just take it down and that he didn't even remember why it was there.



**Resolution 01-19: Volunteer Resolution:** Mayor Smith read the agenda item aloud. City Manager Burrell explained that this has to be done every year for the liability insurance.

*-Councilor Northington made the motion, Councilor Holliday seconded it. All in favor, motion passed to approve and sign Resolution 01-19.*

**Review Public Works Contract Proposal:** Mayor Smith read the agenda item aloud. City Manager Burrell asked Mr. Walker if she'd made all the updates they'd discussed earlier. This contract would be between the city and Mr. Walker as a Certified System Operator. Mr. Walker said that the pay rate still needed to be adjusted to a monthly fee due to labor laws relating to contractor versus an employee at an hourly rate. The concern is that an hourly rate looks more like an employee and tracking minor things like checking emails and fielding phone calls are difficult to keep accurate. Basically, he would like to see that a certain number of hours for a certain amount of days per month be set at a monthly rate. City Manager Burrell explained for the Council that the not to exceed 15 set hours per month were figured on Mr. Walker doing rounds 3 days a week; that would be set at a monthly rate of \$600. Then if other projects were worked on, he'd be paid at the hourly rate cited above the base \$600/month. She also confirmed that Mr. Walker was willing to accept \$40/hour for the contract rate. He agreed. Mayor Smith called for a motion to accept and sign the contract pending the corrections.

*-Councilor Northington made the motion, Councilor Holliday seconded it. All in favor, motion passed to accept and sign the Certified System Operator contract with Mr. Josh Walker pending the corrections noted.*

**Bills Before Council:** Mayor Smith read the agenda item aloud and called for a motion to pay the bills.

*-Councilor Holliday made the motion, Councilor Foster seconded it. All in favor, motion passed, bills signed.*

**Meeting Adjourned at 7:40 p.m.**

Attest: \_\_\_\_\_

A handwritten signature in blue ink, appearing to read "Brad L. H.", is written over a horizontal line.

Mayor

### Industrial Lot 1702 Proposal

CPR/1<sup>st</sup> Aid-Breath of Life, INC., owned by Tina Jahn and a part of the Jahn Trust, hereby formally submits a proposal to purchase lot 1702 in the Industrial Park of the City of Seneca. See Attachment A for tax lot information and map.

#### **Proposal:**

Dale and Tina Jahn via Breath of Life, INC., acting of our own accord and for the well-being of the City of Seneca, would like to purchase this industrial lot in the interest of public access, green space, and preserving the buffer zone between the current industrial companies located in Seneca and the residential zone that borders it. As allowed in the Seneca City Code, a public or semi-public use of the property by the owning business is allowed in an industrial zone via conditional use permit and as approved by the City Council. As per the Seneca City Code, all rules and regulations would be adhered to as far as creating a screen between the lot and the connected residential property by planting numerous trees, bushes, and/or fencing as appropriate. The City and its residents would be welcomed and encouraged to contribute their ideas and/or opinions toward the creation of this green space.

#### **Caveats:**

- The intent for this purchase is to preserve the buffer zone between the industrial and the residential zones.
- As part of the deed of purchase, we would guarantee the City first option to buy back the industrial lot as requested by the City Council. This would apply to the selling of the lot in the future or in the event of our deaths. This caveat would also be written into our Trust as a guarantee of our intent to the City. While these conditions were not asked of any of the other purchasers of any other property in Seneca, we are willing to give the City this consideration.
- The Seneca Volunteer Fire Department would be allowed unconditional and unfettered access to the seasonal pond that is located on the property.

#### **Price:**

Breath of Life formally offers the price of \$13,980.00 for the 4.66-acre lot to be paid to the City, in full, upon signing of the deed. We will also cover all of the closing costs. While the City has set a cost precedent of \$2,500.00 per acre in the industrial zone, this sum equals \$3,000.00 per acre and further evidence of our intent to preserve this property as a green space.

Thank You for Your Consideration.

CPR/1st Aid-Breath of Life, INC.  
Tina Jahn (and Dale Jahn)  
PO Box 987  
Jefferson, OR 97352  
(503) 396-1710



## Resolution 01-19

# A RESOLUTION EXTENDING WORKERS' COMPENSATION COVERAGE TO VOLUNTEERS

**Whereas**, the City of Seneca has determined a need to adopt a resolution extending workers' compensation coverage to volunteers of the City of Seneca, in which the following is hereby elected:

Pursuant to ORS 656.031, workers' compensation coverage will be provided to the classes of volunteers listed in this resolution, noted on CIS payroll schedule, and verified at audit:

### 1. Public Safety Volunteers

Applicable \_\_\_\_\_ Non-applicable \_\_\_\_\_

An assumed monthly wage will be used for public safety volunteers in the following volunteer positions (check all that apply):

- Police reserve
- Search and rescue
- Firefighter (\$800/month)
- Emergency medical personnel
- Ambulance drivers
- Other – Transfer Station Attendant (\$300/month)

### 2. Volunteer boards, commissions, and councils for the performance of administrative duties.

Applicable \_\_\_\_\_ Non-applicable  X

### 3. Manual labor by elected officials.

Applicable \_\_\_\_\_ Non-applicable  X

### 4. Non-public safety volunteers

Applicable \_\_\_\_\_ Non-applicable  X

### 5. Public Events

Applicable \_\_\_\_\_ Non-applicable  X

Volunteers at the following public events will not be covered under workers' compensation coverage:

- a. Seneca Annual Oyster Feed

### 6. Community Service Volunteers/Inmates

Applicable \_\_\_\_\_ Non-applicable  X



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



**7. Other Volunteers**

Volunteer exposures not addressed here will have workers' compensation coverage if, prior to the onset of the work provided that the City of Seneca:

- a. Provides at least two weeks' advance written notice to CIS underwriting requesting the coverage;
- b. CIS approves the coverage and date of coverage; and
- c. CIS provides written confirmation of coverage.

**The City of Seneca agrees to maintain verifiable rosters for all volunteers including volunteer name, date of service, and hours of service and make them available at the time of a claim or audit to verify coverage.**

**Now, therefore, be it resolved** by the City of Seneca to provide workers' compensation coverage as indicated above.

Adopted and Attested by the City of Seneca this 17<sup>th</sup> day of JANUARY, 2019.

Brad L. Smith Mayor  
Printed Name - Title

Brad Smith  
Signature of Authorized Representative

Attest:  
RAAMIN BURRELL - CITY MANAGER  
Printed Name - Title

[Signature]  
Signature