

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

June 11, 2013

Adjourned Meeting

COUNCILORS PRESENT:

Ron Lundbom, Mayor
Steve Schuette, Council President
Gene Officer, Councilor
Don Caldwell, Councilor
Donn Willey, Councilor
Paul Smith, Councilor

COUNCILORS ABSENT:

Doug Gochnour, Councilor

STAFF PRESENT:

Peggy Gray, City Manager
Rich Tirico, Police Chief
Valerie Luttrell, Dispatch Manager
David Holland, Public Works Director

GUESTS PRESENT:

None

Agenda Item No. 1 – Open and Note Attendance

The John Day City Council meeting opened at 7:00 p.m. Mayor Ron Lundbom noted that all Councilors were present with the exception of Councilor Doug Gochnour, who was absent and excused.

Agenda Item No. 2 – Approval of City Council Minutes of May 28, 2013

The minutes of the May 28, 2013 adjourned meeting were included in the agenda packets and presented for the Council's approval. **Councilor Donn Willey made a motion that the minutes of May 28, 2013 be approved as presented; Councilor Gene Officer seconded the motion. The motion passed unanimously.**

Agenda Item No. 3 - Appearance of Interested Citizens

Mayor Ron Lundbom thanked those in attendance and asked everyone to please sign in. He asked if there were any additional items that anyone would like to add to the agenda. There were none presented.

Agenda Item No. 4 – Discuss for adoption Resolution No. 13-704-08, a resolution of the John Day City Council adopting Lexipol’s Standard Operating Procedures for the John Day Police Department/911 Center

Mayor Ron Lundbom presented a revised resolution to replace the resolution that was included in the council packet. The major revisions to the resolution are as follows:

1. The revised resolution has an effective date that the Manual (new term for policies and procedures) is approved and adopted.
2. The revised resolution includes an express statement providing that the prior policies and procedures are amended and superseded in their entirety.

Councilor Steve Schuette asked Police Chief Tirico where he plagiarized the manual from. Police Chief Tirico explained the manual is from Lexipol. The Police/911 Center has always operated under an SOP which has been amended from time to time. However, it is very difficult to keep up with that process because court decisions are constantly coming down that cause municipalities and counties to have to amend their SOPs to keep them in compliance with current law.

Lexipol is a service that does that through a subscription that is web-based. CIS encourages its member to subscribe. This manual will essentially replace the Standard Operating Procedure Manual for the John Day Police Department and the 911 Center.

City Manager Gray reminded the Council that the City received a grant from our insurance company CIS for half of the cost to update the Police/911 Center’s manual. She also stated the City has appropriated money for the subscription agreement with Lexipol for the updates and that the cost is split between the Police Fund and the 911 Fund.

Dispatch Manager Valerie Luttrell stated the Lexipol Program is through Gordon Graham of Graham Research Consultants, who is a very well known attorney and risk management trainer. Members of law enforcement are very familiar with his work.

Councilor Steve Schuette stated he likes what he sees in the manual but had a few questions to run by the Police Chief. He questioned the deadly physical force policy; if an incident happens it states in the manual that you would assign the incident to a detective to investigate. Councilor Schuette was concerned because the John Day Police Department does not have a detective on staff. Police Chief Tirico stated in an incident like that it would be turned over to OSP and they would assign a detective.

Councilor Steve Schuette asked about the policy for the officers for storing their firearms. It states the officers will lock up their firearms and keep them out of access of children. He asked if the City was supplying the officers with something to lock them up. Police Chief Tirico stated no and that each officer has their own security. Councilor Schuette stated that if we require the officers to lock their firearms up, shouldn’t the City provide something for the officer’s to use? Police Chief Tirico stated the officer’s purchase their own weapons and each officer has their own security, he didn’t think that, at this time, it was necessary.

Councilor Willey questioned the subscription costs for the updates and asked if that was included in the grant from CIS. City Manager Gray stated no; the cost of the subscription is outside of the grant but we have included the subscription cost in both the Police Department and Dispatch Department budgets. Councilor Willey thought the manual is a wonderful idea; Councilor Schuette stated it is very well written

but thought it was written for a bigger Police Department. Police Chief Tirico stated they went through the manual and changed certain policies to fit our own individual needs.

Councilor Paul Smith questioned the updates and amendments through the manual, do they need to be approved by the City Council. Police Chief Tirico stated the manual is updated online. Dispatch Manager Valerie Luttrell stated the employees of the Police and Dispatch Center are signed up as users with individual passwords. Once the manual is adopted and we have an adoption date; we will issue the manual and put it in issue state. The employees will log in with their passwords; open it and accept it with an electronic signature stating they accepted the manual and it's the same thing with all updates. The employees have to login and accept the updates. Dispatch Manager Valerie Luttrell stated that as the administrators, once we know we have an update, we can go in to see if all of the employees have accepted the updates making sure everyone has seen and accepted it.

City Manager Gray stated City Attorney Jeremy Green has also provided an Acknowledgement Form for the employees to sign acknowledging that they have read the manual and agree to the policies set forth and that the manual supersedes all prior oral and/or written John Day Police/911 Center policies.

Councilor Schuette asked if the Police Department's Union was good with the manual. Police Chief Tirico stated yes they were happy with it. Dispatch Manager Valerie Luttrell stated their union attorney was very happy to hear that it was Lexipol's policy and said they are a well-known company. She added that the union contract supersedes this manual.

Councilor Donn Willey moved to adopt Resolution No. 13-704-08. Councilor Don Caldwell seconded the motion; the motion passed unanimously.

Agenda Item No. 5 – Discuss for signature special event agreement between the City of John Day and Jim Bay, D/B/A John Day Farmers Market

City Manager Gray stated the Farmers Market will begin their fourth season this Saturday, June 15, 2013. Included in the council packets is the Farmers Market Special Event Agreement which is the same as last year with only the dates of the events updated. The market will run from June 15, 2013 to October 19, 2013 this year.

City Manager Gray stated the Farmers Market has provided proof of insurance as required in the agreement. The event will be held at the same location as in previous years on SW Brent Street between Sterling Bank and the Bank of Eastern Oregon.

Questions regarding the County Fair Parade and if bathroom facilities were required; City Manager Gray stated there has been no issues in the past with the event and the agreement did not include the requirement of bathroom facilities.

Councilor Donn Willey moved to allow the city manager to sign the Special Event Agreement between the City of John Day and Jim Bay, d/b/a John Day Farmers Market. Councilor Steve Schuette seconded the motion, the motion passed unanimously.

Agenda Item No. 6 – Other Business and Upcoming Meetings

1. Councilor Paul Smith and City Manager Gray updated the City Council on the LOC training they attended at the airport on City Council/City Manager Relationships.
2. Public Works Director David Holland informed the City Council that the City's Wastewater Treatment Plant Operator John Robison is retiring on June 27, 2013. The City has offered the position to the Backup Treatment Plant Operator Shelby Essex and he has accepted the position effective July 1, 2013.
3. The May 31, 2013 and June 7, 2013 LOC Bulletins were given to the City Council.
4. The May 2013 Statement of Revenue and Expenditure Budget to Actual Reports were given to the City Council.
5. City Manager Gray informed the Council that the Fire Station Citizens Advisory Committee will meet on June 24 at 10 a.m. to discuss a letter writing campaign strategy.

Adjourn

There being no further business before the Council, Councilor Don Caldwell made a motion to adjourn the meeting. Councilor Steve Schuette seconded the motion and the motion passed unanimously. The meeting was adjourned at 7:50 p.m.

Respectfully Submitted:

Peggy Gray
City Manager

ACCEPTED BY THE CITY COUNCIL, JUNE 25, 2013.

Mayor Ron Lundbom