

**John Day City Council
July 23, 2013
7:00 PM
Council Chambers
AGENDA**

1. **OPEN AND NOTE ATTENDANCE**
2. **APPROVAL OF CITY COUNCIL MINUTES OF JUNE 25, 2013**
3. **APPEARANCE OF INTERESTED CITIZENS – At this time Mayor Lundbom will welcome the general public and ask if there is anything they would like to add to tonight’s agenda.**

ACTION ITEMS:

4. **DISCUSS FOR RECOMMENDATION APPROVAL OF OLCC LIQUOR LICENSE APPLICATION FOR NUGGET LANES**
Attachment:
 - OLCC Limited On-Premises Sales Liquor License Application by new owners of Nugget Lanes David and Jamie Benton
5. **DISCUSS FOR SIGNATURE CONSULTING AGREEMENT NO. 2013-01 WITH D. GEORGE CHADWICK, JR. AND THE CITY OF JOHN DAY**
Attachments:
 - Consulting Agreement No. 2012-01
 - Consulting Agreement No. 2013-01
6. **PRESENTATION OF THE ANNUAL SYSTEM DEVELOPMENT CHARGE (SDC) ACCOUNTING REPORT BY ANNA BASS OF OSTER PROFESSIONAL GROUP**
Attachments:
 - Spreadsheets for fiscal year 2013 SDC activities
7. **DISCUSS FOR COUNCIL CONSIDERATION - ALTERNATIVE PROCEDURE FOR SALE OF CITY REAL PROPERTY UNDER ORS 221.727**
Attachment:
 - ORS and 221.725 Sale of city real property; publication of notice; public hearing and ORS 221.727, Alternative procedure for sale of city real property; public notice and hearing
8. **DISCUSS PLACING THE NOTICE OF MEASURE ELECTION FOR JOHN DAY FIRE DEPARTMENT FIRE STATION GENERAL OBLIGATION BOND AUTHORIZATION ON THE NOVEMBER 2013 GENERAL ELECTION**
Attachment:
 - Draft Ballot Title

OTHER BUSINESS:

9. OTHER BUSINESS AND UPCOMING MEETINGS

Attachments:

- July 12, 2013 LOC Bulletin
- Invitation to Participate in the LCDC Roundtable Discussion

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TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: July 17, 2013

SUBJECT: Discuss for recommendation approval of OLCC Liquor License Application for Nugget Lanes

Attachment:

- OLCC Limited On-Premises Sales Liquor License Application by new owners of Nugget Lanes David and Jamie Benton

BACKGROUND:

David and Jamie Benton have purchased the bowling alley. They are requesting a limited on-premises sales liquor license; the OLCC liquor license application is included in your council packet.

Mr. and Mrs. Benton will be present at the council meeting to answer any questions or concerns you may have.

RECOMMENDATION:

As Police Chief Richard Tirico is currently on vacation, I was unable to speak with him in regards to this application. However, I believe the Chief should be available at the council meeting to address any concerns of the City Council.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: July 17, 2013

SUBJECT: Discuss for Signature Consulting Agreement No. 2013-01 with D. George Chadwick, Jr. and the City of John Day

Attachments:

- Consulting Agreement No. 2012-01
- Consulting Agreement No. 2013-01

BACKGROUND:

This agreement is with D. George Chadwick, Jr. of La Grande. This agreement retains him for the next year to work with us on our ongoing groundwater monitoring and reporting associated with the wastewater percolation ponds as required by DEQ and the development of a TMDL (Total Maximum Daily Loads) Implementation Plan.

Attached are Consulting Agreements No(s). 2012-01 and No. 2013-01 with D. George Chadwick, Jr. for your comparison to the current year; changes in the new agreement are as follows:

- Changed Agreement Number from 2012-01 to 2013-01
- Changed the dates in the introduction (7/1/2013) and Section 3 to July 1, 2013 through June 30, 2014
- Added \$2/hr. to rate in Section 4

RECOMMENDATION:

Last year we paid Mr. Chadwick a total of \$1,680.38 for his services, usually that number is lower; however, last year his services included the development of the TMDL Implementation Plan. Mr. Chadwick's services are very specialized, he is familiar with the operation of our treatment plant and we are very satisfied with his services. I recommend the John Day City Council allow Mayor Lundbom to sign Consulting Agreement No. 2013-01.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: July 17, 2013

SUBJECT: Presentation of the Annual System Development Charge (SDC) accounting report by Anna Bass of Oster Professional Group

Attachments:

- Spreadsheets for fiscal year 2013 SDC activities

BACKGROUND:

Each year the City Recorder shall provide the city council with an annual accounting, based on the City's fiscal year, for system development charges showing the total amount of system development charge revenue collected for each utility and the projects funded from each account.

Included in your council packet are spreadsheets prepared by Anna Bass of Oster Professional Group. Anna will be present at the council meeting to answer any questions you may have regarding this annual accounting report.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: July 17, 2013

SUBJECT: Discuss for council consideration - Alternative Procedure for Sale of City Real Property under ORS 221.727

Attachment:

- ORS and 221.725 Sale of city real property; publication of notice; public hearing and ORS 221.727, Alternative procedure for sale of city real property; public notice and hearing

BACKGROUND:

As you know city staff worked very closely with City Attorney Jeremy Green following the state requirements under ORS 221.725 for the sale of city real property; publication of notice; public hearing regarding the Enviro Board project. The State's requirements are very restrictive making the process difficult for the city as well the purchaser.

City Attorney Jeremy Green recommended that the John Day City Council consider adopting, after public notice and hearing, a procedure for the sale of individual parcels of a class of city-owned real properties (such as our industrial park), under a single program established within the city for the sale of that class of properties as allowed under ORS 221.727. The city may thereafter sell any parcel under that adopted procedure in lieu of the procedure under ORS 221.725 (Sale of city real property).

City Attorney Jeremy Green would work closely with staff and the City Council to develop a procedure that supplements the requirements of Oregon law in the sale of city owned real property.

I am in the process of checking with other cities to see if anyone uses this approach under ORS 221.727 and hopefully will have more information by the time of the city council meeting. Grant County Economic Development Coordinator Sally Bartlett is also doing some research on this subject and will be present at the City Council meeting as well.

RECOMMENDATION:

Staff feels a more conventional procedure for the sale of city real property at the industrial park is necessary and will benefit both the City and the purchaser and this approach is worth looking into. The City developed the industrial park for a specific purpose, as such; I believe a special procedure for the sale of the property is necessary and would also let the purchaser and any potential buyer know that the City of John Day is open and ready business.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: July 17, 2013

SUBJECT: Discuss placing the Notice of Measure Election for John Day Fire Department Fire Station General Obligation Bond Authorization on the November 2013 General Election

Attachment:

- Draft Ballot Title

BACKGROUND:

Attached is a draft of the Notice of City Measure Election for the new fire station general obligation bond authorization. The deadline for cities to file measure and explanatory statements is September 5, 2013 for the November 5, 2013 general election.

The draft ballot title has been sent to City Attorney Jeremy Green for his review; Jeremy suggested that I also send the draft to the Secretary of State for their review. I was informed by the Oregon Secretary of State, Elections Division that they no longer review ballot titles for compliance with ORS 260.432 because they have a specific statutory challenge process. However, the State will not issue a penalty for violation of 260.432 where the underlying document is a ballot title.

If there are any revisions made by City Attorney Jeremy Green, I will have them to you by the time of the city council meeting.

John Day Rural Fire Protection District Chair Rob Batten informed me that the John Day Rural Fire Protection District Board approved putting Notice of Measure Election on the November 5, 2013 general election ballot at their July 16, 2013 board meeting.

RECOMMENDATION:

After receiving the ballot title from the city governing body, the City must publish notice of receipt of the ballot title in the next available edition of a newspaper of general circulation in the city. In addition, the notice may also be published on the city's web site for a minimum of seven days. The notice must be published prior to the deadline to review the ballot title.

The City has the authority to place measures on primary and general elections. The Council needs to make a motion to place the Notice of City Measure Election for the John Day Fire Department Fire Station General Obligation Bond Authorization on the November 5, 2013 general election ballot.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: July 17, 2013

SUBJECT: Other Business and Upcoming Meetings

Attachments:

- July 12, 2013 LOC Bulletin
- Invitation to Participate in the LCDC Roundtable Discussion

OTHER BUSINESS:

1. The July 12, 2013 LOC Bulletin are included in your council packets.
2. Attached is an invitation from Land Conservation and Development Commission to attend a roundtable discussion in Burns, Oregon.

UPCOMING MEETINGS:

July 30, 2013	9:00 a.m. – 4:30 p.m. La Grande	Federal Funds and ROW training Peggy, David and Monte attending
August 13, 2013	7:00 p.m.	Regular City Council meeting