

**John Day City Council
March 25, 2014
7:00 PM
Council Chambers
AGENDA**

1. **OPEN AND NOTE ATTENDANCE**
2. **APPROVAL OF CITY COUNCIL MINUTES OF MARCH 11, 2014.**
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 REQUEST FROM GRANT COUNTY DISTRICT ATTORNEY RYAN JOSLIN**
Attachments:
 - March 18, 2014 letter from Ryan S. Joslin, District Attorney
 - Police Officer wage spreadsheet
 - Memorandum of Understanding
5. **DISCUSS FOR ADOPTION RESOLUTION NO. 14-718-04, A RESOLUTION TO DECLARE ACCOUNTS UNCOLLECTIBLE AND TAKE OFF THE BOOKS AS RECEIVABLE**
Attachment:
 - Resolution No. 14-718-04
6. **ENTER INTO EXECUTIVE SESSION UNDER ORS 192.660(2) (i) TO REVIEW AND EVALUATE THE EMPLOYMENT-RELATED PERFORMANCE OF THE CITY MANAGER**

OTHER BUSINESS:

7. **OTHER BUSINESS AND UPCOMING MEETINGS**
Attachments:
 - March 14, 2014 LOC Bulletin
 - Medical Marijuana Facility Moratorium Ordinance

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TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: March 21, 2014

SUBJECT: Discuss request from Grant County District Attorney Ryan Joslin

Attachments:

- March 18, 2014 letter from Ryan S. Joslin, District Attorney
- Police Officer wage spreadsheet
- Memorandum of Understanding

BACKGROUND:

The Grant County District Attorney's Office approached Chief Richard Gray about the possibility of entering into an agreement with the John Day Police Department to provide a Law Enforcement Investigator (LEI) position. As you can see in Mr. Joslin's letter, the primary focus of this position will be to conduct follow up investigations for sexual assault, domestic violence, dating violence, and stalking crimes.

This position would also include participation in community awareness campaigns, attendance at Domestic Violence Response Team and Sexual Assault Response Team meetings, and assisting the Deputy District Attorney to provide training to law enforcement personnel.

The LEI position is funded through the Office on Violence Against Women Rural Program grant. The position will conduct activities for 10 hours each week (.25 FTE) and is of limited duration through September 30, 2015. The funding is as follows:

April 1, 2014 through September 30, 2014 - \$1,853/month
October 1, 2014 through September 30, 2015 - \$2,084/month

This grant was previously serviced through the Grant County Sheriff's Department; however, the County now has two full-time positions that are fully funded and the grant states this position has to be for a new position and you cannot supplant.

As you are aware we have offered a new police officer a position that is dependent on the Prairie City contract. The Agreement with Prairie City states that we will provide service not less than 20 hours per week. To that end, we can meet the terms of this grant.

So what if we don't get the Prairie City Law Enforcement Agreement, can we afford to hire the fourth officer? Attached is a spreadsheet developed by Anna Bass of Oster Professional. We believe that we can hire the fourth officer as a part-time position for 20 hours per week working for the City and 10 hours per week working as the LEI position under the grant. The figures in the spreadsheet show that we come up short; however, there are a lot of variables in our budget that we believe will subsidize the fourth officer's part-time position:

- Overtime, budgeted for \$30,000; if you average each officer's overtime wage at 15 hours per month, there is a cushion of \$5,770. Using this figure, the shortfall is only \$1,402. We are fairly confident that we can make up the difference somewhere in the general fund.

- We believe that hiring a part-time fourth officer will help reduce the total number of overtime hours for the Police Department.
- The person we have offered the position has over twenty years of experience in investigating sexual assault/domestic violence types of crimes.
- The person we have offered the position will accept a part-time position dependent upon having health insurance coverage. To qualify for insurance an employee must work at least 80 hours per month, averaged over the course of the fiscal year. This position would qualify for health insurance and we have included it in the budget.

RECOMMENDATION:

Victim Assistance Director Ashley McClay will be present at the council meeting to answer any questions you may have. Anna Bass of Oster Professional will be present to answer any questions regarding her wage spreadsheet or any other questions pertaining to the funding of the position.

Police Chief Richard Gray and I believe this would be a benefit for the John Day Police Department. Our officers have strict overtime restrictions that limit their ability to conduct follow up investigations. This position would increase victim safety and autonomy by allowing for a more thorough investigation and prosecution.

The grant is for a limited duration; however, Ms. McClay stated that the District Attorney's office will apply to renew the grant before it expires. This position will be reevaluated each year during the budget process.

With the economy slowly recovering from a deep recession, we continue to feel the pinch of rising costs, stagnant revenue growth and escalating citizen expectations. We believe this is an important quality-of-life program and we need to take advantage of this opportunity as it presents itself. I recommend the John Day City Council allows Mayor Lundbom to sign the Memorandum of Understanding allowing the John Day Police Department to enter into an agreement with Grant County District Attorney's Office to provide a Law Enforcement Investigator (LEI) position. I also recommend the John Day City Council allows Police Chief Richard Gray to hire the new officer for the budgeted twenty hours of work for the remainder of the LEI contract.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: March 21, 2014

SUBJECT: Discuss for Adoption Resolution No. 14-718-04, a Resolution to declare Accounts Uncollectible and take off the books as receivable

Attachment:

- Resolution No. 14-718-04

BACKGROUND:

Resolution No. 14-718-04 is a resolution to declare accounts uncollectible and take them off the books as a receivable and turns them over to the collection agency.

RECOMMENDATION:

The John Day City Council adopts Resolution No. 14-718-04, a resolution to declare accounts uncollectible and take off the books as receivable.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: March 21, 2014

SUBJECT: Enter into Executive Session under ORS 192.660(2) (i) to review and evaluate the employment-related performance of the City Manager

BACKGROUND:

The City of John Day will now meet in executive session for the purpose to review and evaluate the employment-related performance of the City Manager. The executive session is held pursuant to ORS 192.660(2) (i) for this session, which allows the Council to meet in executive session for the purpose of evaluating the City Manager.

Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.

At this time Mayor Lundbom will ask for a motion from the Council to move into executive session under ORS 192.660(2) (i).

TO: John Day City Council
FROM: Peggy Gray, City Manager
DATE: March 21, 2014
SUBJECT: Other Business and Upcoming Meetings
Attachments:

- March 14, 2014 LOC Bulletin
- Medical Marijuana Facility Moratorium Ordinance

OTHER BUSINESS:

1. Attached is the March 14, 2014 LOC Bulletin for your information and review.
2. The League of Oregon Cities has prepared a model ordinance for cities that wish to implement the moratorium on medical marijuana facilities set out in SB 1531. The Legislature has enacted SB 1531, which purports to restrict local government regulation of medical marijuana facilities to only time, place and manner restrictions, unless a city enacts an ordinance declaring a moratorium and notifies the Oregon Health Authority (OHA) of such moratorium by May 1, 2014. Upon conferring with Mayor Lundbom, we believe it is in the best interest of the citizens of the City of John Day to direct City Attorney Jeremy Green to draft an ordinance declaring a moratorium. Jeremy is working on a draft and we will have an ordinance prepared for presentation to the City Council for discussion and hopefully adoption next month.
3. The Law Enforcement Agreement with Prairie City was approved by the Prairie City Council subject to legal review. Upon the advice of legal counsel, we have given Prairie City until March 31, 2014 to make a decision.
4. You should have received your annual Statement of Economic Interest (SEI) forms from the Oregon Government Ethics Commission in the mail by now. You must file this form if you will hold your position on April 15, 2014. Please return this form to the Oregon Government Ethics Commission as soon as possible. It must be postmarked or received no later than Tuesday, April 15, 2014.

UPCOMING MEETINGS AND EVENTS:

April 1, 2014	7:00 p.m. Council Chambers	Budget Committee Meeting
April 4, 2014	10:00 a.m. – 1:00 p.m. Grant County Airport	GEODC Annual meeting
April 8, 2014	7:00 p.m. Council Chambers	Regular City Council meeting