

**John Day City Council
January 12, 2016
7:00 PM
Council Chambers
AGENDA**

1. **OPEN AND NOTE ATTENDANCE**
2. **APPROVAL OF CITY COUNCIL MINUTES OF DECEMBER 8, 2015.**
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 THE REAPPOINTMENT OF RON HASHER TO THE JOHN DAY BUDGET COMMITTEE**
Attachment:
 - Current Budget Committee Roster
5. **DISCUSS FOR REAPPOINTMENT OF TOM WILSON TO THE JOHN DAY PLANNING COMMISSION**
Attachment:
 - Current Planning Commission Roster
6. **DISCUSS AND APPOINT A BUDGET OFFICER**
Attachment:
 - FY 2016-2017 Budget Process Schedule
7. **DISCUSS SETTING A DATE FOR A COUNCIL GOAL SETTING WORK SESSION**
Attachment:
 - Minutes of the February 24, 2015 Goal Setting Session
8. **DISCUSS FOR SIGNATURE PROFESSIONAL SERVICES AGREEMENT WITH SIEGEL PLANNING SERVICES, LLC**
Attachments:
 - 2016 Professional Services Agreement
 - 2015 Professional Services Agreement
9. **DISCUSS REQUEST FROM GRANT UNION HIGH SCHOOL GRAD NIGHT 2016**
Attachment:
 - Letter from Parents of GU Graduates 2016
10. **DISCUSS FOR ADOPTION AMENDMENTS TO THE SECOND AMENDED AND RESTATED EMPLOYEE HANDBOOK OF THE CITY OF JOHN DAY EFFECTIVE JANUARY 1, 2016**
Attachment:
 - Second Amended and Restated Employee Handbook (Redlined)

OTHER BUSINESS:

11. OTHER BUSINESS AND UPCOMING MEETINGS

Attachments:

- LOC Bulletins
- Timber Trucker's Parade Thank you note
- Email from Kristie Marecek LOC Small Cities Meeting
- Joint NEACT/SEACT Meeting Agenda and Presentation List

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TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: January 8, 2016

SUBJECT: Discuss the Reappointment of Ron Hasher to the John Day Budget Committee
Attachment:

- Current Budget Committee Roster

BACKGROUND:

Ron Hasher's term on the Budget Committee expires the first council meeting in January 2016. We also have one vacancy on the Budget Committee due to the resignation of Mark Witty. We advertised the position in the local newspaper and radio and did not receive any applications.

Ron Hasher has agreed to go another three-year term on the John Day Budget Committee.

RECOMMENDATION:

I recommend the John Day City Council reappoint Ron Hasher to a three-year term on the John Day Budget Committee, term to expire January 2019. We can advertise again for the vacant position or consider a direct approach to certain John Day citizens who the Council believes would be a good fit to fill the Budget Committee's vacant position.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: January 8, 2016

SUBJECT: Discuss for Reappointment of Tom Wilson to the John Day Planning Commission

Attachment:

- Current Planning Commission Roster

BACKGROUND:

Tom Wilson's term on the Planning Commission expires the first council meeting in January 2016. Tom Wilson has agreed to serve for another four-year term to expire January 2020.

RECOMMENDATION:

I recommend the John Day City Council reappoint Tom Wilson to another four-year term to the John Day Planning Commission, term to expire January 2020.

TO: John Day City Council
FROM: Peggy Gray, City Manager
DATE: January 8, 2016
SUBJECT: Discuss and Appoint a Budget Officer
Attachment:

- FY 2016-2017 Budget Process Schedule

BACKGROUND:

Oregon Budget Law requires taxing districts to appoint a budget officer each year. The John Day City Charter states the city manager shall prepare and transmit to the council an annual city budget.

RECOMMENDATION:

The John Day City Council appoints City Manager Peggy Gray as the budget officer for the fiscal year 2016-2017. Our first Budget Committee Meeting has been scheduled on April 5, 2016.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: January 8, 2016

SUBJECT: Discuss Setting a Date for a Council Goal Setting Work Session
Attachment:

- Minutes of the February 24, 2015 Goal Setting Session

BACKGROUND:

It has been a year since our last goal setting session and we need to set a date to discuss the City's goals. Attached you will find the minutes of the February 24, 2015 goal setting session.

Below is the status of last year's goals:

1. **Continue working on the new fire station** – Construction in progress; spring 2016 completion date.
2. **US26/Main St. & 395 S. Canyon Blvd. Street Sidewalk Beautification Project; Enhance Project sidewalks from 6th Ave. to Grant Union-Junior High School** – Will begin the design phase of the project this year. 2018 construction date is scheduled.
3. **Charolais Heights/NW Bridge Street Intersection Realignment** – no progress made due to street fund budget but keeping it on the list.
4. **Continue to market the industrial park** – We use the County Website to market industrial park; with a link on city's website, Grant County Economic Development Coordinator Sally Bartlett works with Business Oregon to help promote the industrial park. Sally also has more marketing dollars available and plans to advertise the industrial park on Twitter. Sally is scheduled to attend the February 23, 2016 council meeting to update the Council.
5. **Seek funding to update the Wastewater Facilities Plan** – Wastewater Facilities Plan was adopted in 2010, funding from Oregon Infrastructure Authority (IFA) is not available until our plan is at least 10 years old. However, we have found that our current plan includes updates to our current facility that can be used with a new facility. We are working with T-O Engineers of Nampa, ID; the scope of work is to provide the City of John Day with options and concepts for the installation of the bar rack at the Wastewater Treatment Plant. T-O Engineers will conduct research and provide alternatives, along with a recommendation to the City of John Day. From this research, a project can be developed and completed, at the City's direction. It is anticipated that most, if not all, of this information will be used in the project design effort.
6. **Seek funding for city street maintenance** – On December 8, 2015, the John Day City Council adopted Resolution No. 15-747-12, a resolution of the City Council of the City of John Day, Oregon encouraging the State of Oregon to address comprehensive transportation funding. A copy of this resolution was sent to the Governor, the President

of the Oregon State Senate, and the Speaker of the Oregon House of Representatives, our State Senators and State House Representatives, and the Executive Director of the League of Oregon Cities.

RECOMMENDATION:

The John Day City Council schedules a goal setting session. Last year we included our goal setting session as an agenda item at a regular city council meeting.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: January 8, 2016

SUBJECT: Discuss for Signature Professional Services Agreement with Siegel Planning Services, LLC

Attachments:

- 2016 Professional Services Agreement
- 2015 Professional Services Agreement

BACKGROUND:

Since 2006 we have used Siegel Planning Services, LLC as the City's Contract City Planner for land use planning services. Our current agreement with Siegel Planning expired December 31, 2015. The only changes proposed are an increase in Stacey Goldstein's bill rate to reflect cost of living adjustment and a reduction in the mileage rate per the current federal schedule. The execution date is January 12, 2016 with the effective date post-dated at January 1, 2016.

We use Siegel Planning Services, LLC on an "as-needed" basis. Most of the land use applications are processed in house. However, for more complicated applications and for land use questions that I can't answer; I use Siegel Planning Services as my resource. For fiscal year 2015, our expenditures totaled \$668.75. These expenditures were for the fire station site design review application and medical marijuana related issues.

RECOMMENDATION:

The John Day City Council allows Mayor Lundbom to sign the Professional Services Agreement with Siegel Planning Services.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: January 8, 2016

SUBJECT: Discuss Request from Grant Union High School Grad Night 2016
Attachment:

- Letter from Parents of GU Graduates 2016

BACKGROUND:

Attached is a letter from the Parents of Grant Union 2016 asking for the City Council's continued support of the annual "Grad Night Party." In the past the John Day City Council has donated \$100 towards this event by utilizing our community promotions line in the general fund. As of December 31, 2015, the community promotions line item has \$1,000 left in the budget.

RECOMMENDATION:

This event offers an alcohol and drug free environment for our high school graduates; keeping them safe and off the streets. I recommend the John Day City Council donate \$100 to Grant Union High School Grad Night 2016.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: January 8, 2016

SUBJECT: Discuss for Adoption Amendments to the Second Amended and Restated Employee Handbook of the City of John Day effective January 1, 2016
Attachment:

- Second Amended and Restated Employee Handbook (Redlined)

BACKGROUND:

HB 3025, the “Oregon Fair Chance Act”, took effect January 1, 2016. It prohibits most Oregon employers from requiring job applicants to disclose criminal convictions prior to an initial interview. Employers exempt from this law are (1) required by law to consider an applicant’s criminal history; or (2) those that have made a good faith determination that the relevant position is of such sensitivity that a background check is warranted. This legislation does not affect our police and dispatch department’s job application process; however, it does affect our administration and public works department’s job application. To that end, I have updated our administration job application using the CIS template and have eliminated the “box” and removed questions about criminal convictions from our administration application form.

The second piece of legislation is the required sick leave legislation (SB 454), which requires Oregon employers to provide employees sick leave. The City currently offers more sick leave than what the new law requires; however, the new law requires the other paid employees under the City’s control to start receiving it. This necessitates the City to amend our employee handbook. In addition to the new sick leave legislation, we have added a few other revisions that our insurance company (CIS) suggested we add the next time that we update our handbook.

Attached you will find the first draft copy of the Second Amended and Restated Employee Handbook. For your convenience in reviewing, City Attorney Jeremy Green provided a redlined version. Jeremy and I discussed the proposed revisions and we have the following recommendations:

1. Page 4; Section 3 c. Complaint Procedure – CIS recommended we make our complaint procedure for harassment victims more clear when the alleged harasser or discriminator was the Department Head. City Attorney Jeremy Green added language dictating the procedure in this section of the handbook indicating that the employee can go to the City Manager if the alleged harasser or discriminator is a Department Head. The same language is also included on Page 6; Section 7 b. Grievance/Complaint Resolution Steps and Process, Step 2 – City Manager.
2. Page 9; adds sick leave language as required under applicable law. City Attorney Jeremy Green and I also discussed including language that gives the non-represented regular part-time employee the same benefits as the represented regular part-time employee. This language would allow regular part-time employees to be compensated at a rate of one-half (1/2) the regular compensation (i.e. holiday, sick and vacation pay).
3. Page 10; Section 10 c. Pay Period and Payday; Paychecks - CIS recommended we add a policy that instructs employees to review their paycheck for any errors each pay period

- and to bring them to someone's attention as soon as they are discovered. City Attorney Jeremy Green added CIS's suggested language.
4. Page 14; Section 11 f. Smoking – CIS stated they heard from a few CIS members that some employees believe that vape pens or e-cigarettes really don't count as "smoking." CIS suggested we consider adding those items to our smoking policy.
 5. Page 22-23; Section 13. Substance Abuse – CIS stated our Substance Abuse Policy could be more strict when it comes to marijuana, recreational or medical. For example, the City could choose to not accommodate medical marijuana in the workplace, and specifically exclude medical marijuana from its definition of "prescription medication." The list of prohibited conduct could include a situation where the employee shows up for work with a detectable amount of any drug in his/her system. The current policy's reference to "illegal drugs" could be interpreted by employees to mean that marijuana (because it is legal under Oregon law) is acceptable. Lastly, CIS suggested we add language that prohibits employees from bringing marijuana paraphernalia to work. City Attorney Jeremy Green and I believe the proposed revisions address the issues identified by CIS and more than adequately protects the City.
 6. Page 28; Section 15 d. Sick Leave – City Attorney Jeremy Green has added language that satisfies the requirements of SB 454 bringing our employee handbook into compliance. However, we discussed that we should also define that a part-time employee that works less than 40 hours per week will receive one-half (1/2) the regular sick leave compensation. Regular full-time employees receive 8 hours per month of sick leave; part-time employees will receive 4 hours per month; which are greater sick leave benefits than required under SB 454.

RECOMMENDATION:

Please note that City Attorney Jeremy Green and I plan to make a few additional revisions based upon our telephone conversation. Also, please note that according to the Agreement between the City of John Day, Oregon and the Grant County Police Officers Association, the City needs to furnish these revisions to the Association and to affected employees seven (7) days prior to their implementation. If the association takes objection to the amended policies I may need to bring the handbook back to the council for further discussion.

Suggested Motion:

The John Day City Council approves the second amended and restated employee handbook subject any revisions the city manager or legal counsel deem necessary or appropriate.

TO: John Day City Council

FROM: Peggy Gray, City Manager

DATE: January 8, 2016

SUBJECT: Other Business and Upcoming Meetings

Attachments:

- LOC Bulletins
- Timber Trucker's Parade Thank you note
- Email from Kristie Marecek LOC Small Cities Meeting
- Joint NEACT/SEACT Meeting Agenda and Presentation List

OTHER BUSINESS:

1. LOC Bulletins are included in your council packets.
2. Attached please find a thank you card from the Timber Trucker's Committee for the City's donation of \$100 to the Timber Trucker's Parade.
3. Attached is a RSVP call for the January 21, 2016 LOC Small Cities Meeting hosted by the City of Prairie City at the Strawberry Grange from 11 a.m. to 1:30 p.m. You can RSVP by email or let me know you wish to attend and I can register you. So far Councilor Louis Provencher and I are registered to attend.
4. There will be a joint meeting of the North East Area Commission on Transportation (NEACT) and the South East Area Commission on Transportation (SEACT) on January 25, 2016 at the Grant County Regional Airport beginning at 9 a.m. There will be 14 2018-2021 Enhance Presentations, with the City's being the last two presentations of the day. This meeting is to develop the 150% list; from there the list will be cut to the 100% list. You may also view the projects online at the following link: <http://www.oregon.gov/ODOT/HWY/REGION5/Pages/18-21-Enhance-STIP-Applications.aspx>. Please see the attached for more information. If you wish to attend and have lunch you will need to let me know so that I can RSVP for you.

UPCOMING MEETINGS:

January 21, 2016	11 a.m. – 1:30 p.m. Strawberry Grange Prairie City	LOC Small Cities Meeting
January 25, 2015	9 a.m. Grant County Airport	NEACT/SEACT Meeting
January 26, 2015	7:00 p.m.	Regular City Council meeting