

John Day City Council
November 8, 2016
7:00 PM
Fire Station, 316 S. Canyon Blvd
AGENDA

1. **OPEN AND NOTE ATTENDANCE**
2. **APPROVAL OF CITY COUNCIL MINUTES OF OCTOBER 25, 2016.**
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 TERMS FOR 5-YEAR SEWER AGREEMENT WITH CANYON CITY**
Attachment:
 - Draft Memo to Canyon City Council
5. **APPOINTMENT TO PLANNING COMMISSION – NEAL LEDGERWOOD**
Attachment:
 - Application for Planning Commission
6. **DISCUSS REQUEST FROM TIMBER TRUCKERS PARADE COMMITTEE**
Attachment:
 - October 18, 2015 letter from Timber Truckers Parade Committee

OTHER BUSINESS

7. **OTHER BUSINESS AND UPCOMING MEETINGS**
 - Dog ordinance update
 - Recap working group with Regional Solutions Team
 - EPA Rural Advantage Grant / Broadband Planning UpdateAttachment(s)
 - LOC bulletins
 - EPA Rural Advantage Grant (Cool & Connected) Application

ADJOURN

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: November 8, 2016

SUBJECT: Agenda Item #4: Discuss Terms for 5-Year Sewer Agreement with Canyon City
Attachment:

- Draft Memo to Canyon City Council

DISCUSSION

The memorandum enclosed is a draft of the terms proposed for the 5-year agreement with Canyon City.

The proposed terms re-baseline Canyon City's payments for calendar year 2016 (July – December) at \$5,090 per month (equivalent to \$61,080 per year) and require a catch-up payment of \$5,538 for July – September 2016.

Beginning in calendar year 2017, the monthly payments increase by \$261 to \$5,351 per month (equivalent to \$64,206 per year), and continue to escalate at a fixed rate of \$3,132 per year through calendar year 2021. This results in an annual escalation of 4-5%, a modest price increase that requires Canyon City to remit 45% of its annual sewer fee collection to John Day for treatment.

The proposed terms assume Canyon City increases their monthly sewer rates by \$2 per year over the five-year agreement. This would result in both cities having a monthly rate of \$49 by 2021.

UPDATE

City Manager Green provided a draft copy of the memo to Canyon City Recorder Corry Rider for review. Mr. Rider submitted two payments to the City that were received on Friday, November 3rd, the \$5,538 catch-up payment and \$5,090 for October 2016.

NEXT STEPS

Council should review and discuss the proposed terms and any changes recommended to the Memo. City Manager Green will incorporate the Council's feedback and present the memorandum to Canyon City at their November meeting.

TO: John Day City Council

FROM: Nicholas Green, City Manager

DATE: November 8, 2016

SUBJECT: Agenda Item #5: Appointment to Planning Commission – Neal Ledgerwood
Attachment:

- Application for Planning Commission

DISCUSSION

Mr. Neale Ledgerwood has applied for a position on the John Day Planning Commission. Mr. Ledgerwood is a life-long resident of John Day who retired from the Grant County Road Department. He has served previously as a member of the School Board and for Fox Cemetery.

Per Title 2-1-3 of the City of John Day Municipal Code, members appointed for each Planning Commission position shall hold office for four (4) years from the second Tuesday of January in the year in which that position is to be filled.

There are currently three (3) vacancies on the Planning Commission. Terms for the filled positions are:

- Ken Boethin (Chair), appointed 1982, term expires 2019
- Tom Wilson, appointed 1993, term expires 2020
- Tim Unterwegner, appointed 1998, term expires 2018
- Tom Bupp, appointed 2010, term expires 2018

RECOMMENDATION

Recommend motion:

“I move to appoint Mr. Neale Ledgerwood to the John Day Planning Commission for a four-year term beginning on January 10th, 2017.”

TO: John Day City Council
FROM: Nicholas Green, City Manager
DATE: November 8, 2016
SUBJECT: Agenda Item #6: Discuss Request from Timber Truckers Parade Committee
Attachment:

- October 25, 2016 letter from Timber Truckers Parade Committee

BACKGROUND

This year's Timber Truckers Light Parade is scheduled for Saturday, December 10, 2016 at 6:00 PM. Once again the Timber Truckers Parade Committee is asking for a donation from the City of John Day. In the past we have donated \$100 from our Community Promotions line item.

RECOMMENDATION

Recommend the Council authorize City Manager Green to donate \$100 to the Timber Trucker Light Parade.

TO: John Day City Council
FROM: Nicholas Green, City Manager
DATE: October 25, 2016
SUBJECT: Agenda Item #7: Other Business

Attachment(s)

- Draft Dog Ordinance
- EPA Rural Advantage Grant (Cool & Connected) Application
- LOC Bulletins

OTHER BUSINESS

1. Dog Ordinance

City Manager Green and City Attorney Jeremy Green held a teleconference with Justice of the Peace Kathy Stinett on Friday, October 28th. The purpose of the teleconference was to review the scope of the ordinance and make revisions to the enforcement provisions so that it does not conflict with the intergovernmental agreement between the City and the Justice Court. A coordinating draft will be circulated in the November 8th council meeting.

2. Recap working group with Regional Solutions Team

City Manager Green will provide the Council with an update on his working group with the Governor's Regional Solutions Team scheduled for Monday, November 7th, 2016.

3. EPA Rural Advantage Grant (Cool & Connected Application)

City Manager Green applied for a planning assistance program sponsored by the U.S. Department of Agriculture Rural Utilities Service, EPA's Office of Sustainable Communities, and the Appalachian Regional Commission, helps rural communities use broadband service to revitalize small-town main streets.

Through Cool & Connected, a team of experts helps community members develop strategies and an action plan for using broadband to create walkable, connected, economically vibrant main streets and small-town neighborhoods that improve human health and the environment.

The City's application included letters of support from the Governor's Regional Solutions Team, Representative Cliff Bentz, and Senator Ted Ferrioli.

UPCOMING MEETINGS

1. 11/8-10/2016 – Wastewater Energy Efficiency Audit will be performed by Industrial Smart (Bonneville Power contractor) and OTEC.
2. 11/16/2016 – John Day Website Working Group – Training with Aha Consulting
3. 12/13/2016 – John Day City Council meeting will be held on Tuesday, December 13th, 7 PM.
No other Council meetings will be held in November or December.

TO: John Day City Council
FROM: Nicholas Green, City Manager
DATE: November 8, 2016
SUBJECT: Agenda Item #8: John Day Dog Ordinance (Draft for Review)
Attachment:

- Draft Ordinance

BACKGROUND

The ordinance attached is a DRAFT of a city ordinance. It includes the following elements:

- 1) **Mandatory licensing** for all dogs with permanent canine teeth or over fourth months, whichever comes first (article 4)
- 2) **Rabies inoculation** and **verification** requirement prior to licensing (article 5)
- 3) Prohibits dogs **running at large** (article 6)
- 4) Requires **removal of dog waste** on all public property and improved property other than the owners (article 7)
- 5) Defines 'dog as a **nuisance**' (article 8) if it:
 - a. Bites any person
 - b. Chases vehicles
 - c. Destroys property other than the owner's
 - d. Scatters garbage
 - e. Trespasses on private property
 - f. Disturbs any person by frequent or prolonged noises
 - g. Is a female in heat and running at large
- 6) Establishes **impoundment and release** procedures (article 9)
- 7) Defines **ethanizing** criteria (article 10)
- 8) Allows Council to establish an optional Dangerous Canine Commission as an **appeals process** to hear appeals of dangerous dog classifications (article 11)
- 9) Defines **classifications (levels 1-5) for dangerous and potentially dangerous dogs** and gives the **Chief of Police authority** to classify based on the dog's behavior, testimony provided by law enforcement officers, other employees of the city, or witnesses who personally observed the behavior (article 12); establishes appeal process to the Dangerous Canine Commission (or alternatively to the Justice Court)
- 10) Authorizes **penalties** of not more than \$500.00 for ordinance violations, with specific rates to be established by resolution (article 15)

OBJECTIVE

The objective of the ordinance is to increase prevention of incidents by making rules clearer for dog keepers and residents; signal to community that enforcement is being taken seriously; and increase efficiency for law enforcement personnel to address dangerous dogs.

CHALLENGES

Commission members and law enforcement officers may lack training and professional experience to make dangerous dog determinations; appeals process would likely need to be modified based on the IGA with Justice Court; language needs to be modified for various articles.