



CITY COUNCIL MEETING MINUTES September 26, 2017

The regular meeting of the Ontario City Council was called to order by Mayor Ronald Verini at 7:00 p.m. on Tuesday, September 26, 2017, in the Council Chambers of City Hall. Council members present were Ronald Verini, Norm Crume, Tessa Winebarger, Dan Capron, Betty Carter, Ramon Palomo, and Marty Justus.

Members of staff present were Adam Brown, Tori Barnett, Terry Leighton, Larry Sullivan, Kari Ott, Cal Kunz, and Cliff Leeper.

The meeting was recorded and copies are available at City Hall.

Dan Capron led everyone in the Pledge of Allegiance.

AGENDA

Mayor Verini stated, due to no business under certain headings on the Agenda, he removed 5) Consent Agenda, 6) Special Action, and 7) Presentations.

Tori Barnett, MMC, City Recorder, requested the removal of headings 9) New Business and 10) Public Hearing.

CARTER moved, PALOMO seconded, to **ADOPT THE AGENDA AS AMENDED**. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

PUBLIC COMMENT

Gordon Curtis, Ontario: *I've been up here before. My name is Gordon Curtis. I live in Ontario, Oregon. I pretty much have the same thing to say as I said before in the Work Session, except that I believe we need a full time Mayor and no City Manager, and I think because of what we're seeing right now is because of mismanagement of previous administrations and current administration. That gentleman sitting over there makes more money than I make in two years, and I don't think that's necessary for a town of this size, and yet you're asking for a sales tax because you can't come up with a budget to meet the expenses being made. I'm in business, or I was in business, I'm not any longer, when I was in business, if I couldn't meet payroll, or I couldn't make the expenses, I cut someplace. I didn't have the luxury of going around the voters and saying, okay, because we can, we're going to implement a sales tax. A sales tax has been an issue for a long, long time in the State of Oregon, and every time it's gone for a citizen's vote, it's been voted down. If you gentlemen go ahead and vote that in tonight, I'm going to do the very best that I can to get every one of you bozos recalled.*

Mayor Verini thanked Mr. Curtis for his comments.

Steven Dinius, Ontario: *I'm Steven Dinius, as I said, my father Eldon had the business here across the street from Burger West for a few years. The Chevron station and two Shells in Nyssa, so I've lived in Nyssa and I've lived in Ontario, and I've seen some differences between Nyssa and Ontario in important ways. Now Nyssa's had plenty of adversity in the 39 years I've lived in this county, too, and before that, they had a lot of their school plant burn down in a big fire, and they did their best, they did their best to remedy that problem. They built one of the best facilities I've ever seen in my youth, and I've been to other schools in sports, and Vallivue High, the old one, was the closest I could think of that even looked as good as that. I've never been to Nampa High. But, I can't figure it out, see, and there's other things I have to argue about. I still, still cannot fathom why we let this, we let mismanagement of a pipe, where the pipe was supposed to go to the Water Treatment Plant, just go away, and we spent even more money to fix that. That, that, to me, sounds like pretty much the entire deficit, in another year you'll probably figure out where to go and better economic times possibly, could, I wanted to say something. I've had lots of friends that lived here years ago. They don't live here anymore. I had, had one friend that does live here still. He works in Meridian, 'cuz that's where he can get a job. I don't see where all these jobs are coming from. I think maybe the prison. I think everybody's got a job at the prison. I don't, you know, I don't, I don't really think much of the prison. I don't want to go there, but I, I, I have, I have to say, there were, there were ways, there were ways to get past this years ago, and I too have watched this happen for three and a half decades. I've been here a long time. I've been in this county nearly 40 years, and I see how Nyssa's handled things, cautiously, and carefully, and with the approval of their citizens, and, to the point where this last year they approved, that they approved the bond to rebuild the remainder of the school plant that wasn't, that wasn't covered in the previous construction,*



and they already rebuilt an elementary school and, and they moved the junior high. They moved everything around basically. The high school's in the Cortland Hall, where I had my high school prom in 1982. I know that place pretty well. I grew up there. But, I don't get this. I think we want too many things that we, necessarily have to have. The swimming pool? Well, it's dead so we can't fix the heater. It's...Nyssa doesn't even have a pool. They buried it and put grass back over it. Payette does their best with theirs. A lot of people build pools in their backyards anyway. This is, this is a problem that's gotten solved. That's your alarm clock. Anyway, that's, that's, you know, my dad, my dad had to deal with the money he had, and, unfortunately, unfortunately, the economic circumstances he went through had a lot to do with the introduction of super unleaded gas and the fact that his pumps locked up and he had to keep pumping gas down in that thing to get it to finally start, and nobody bought it, really. Well maybe Governor Andrews showed up one time, and a guy with 4-door Thunderbird Sport Coupe. That really hurt us, and eventually he declared bankruptcy and went back to work in Nampa where he died in 2011 eventually. I miss him, and, and, and I, I miss a lot of my friends, but they're not coming back that soon. What's left, what's left here? You got low income, you got disabled, you got retired, you got a lot of people who, even if my math in the letter in the paper today is kind of two decimal points off, we still can't afford this on the very limited budget we have, and might I please add, that I'm glad that the Origins Faith Community went and opened, reopened a food kitchen for everybody at the Methodist Church. That was, that was very admirable, and I'm proud of that. You can't, you can't just keep moving around like a vagabond like the people that have to use it. We have to do something because people, people have to rely on these things, then the things aren't that stable. But, I don't think it's as dire as everybody seems to think it is. If it is that dire, then I'll probably be the first one to support the motion to disincorporate, but I don't care to do that, and I personally want to be buried over in the cemetery next to the dead mall I spent my childhood in, and the fact is the old folks in the trailer park next door don't want to be caught dead in it.

Mayor Verini thanked Mr. Dinius for his comments.

Mr. Dinius: I edited that a lot, 'cuz it was probably a lot angrier and I just, but I just wanted to get down the point. You've read my letters in the Argus, you know what I'm saying. Thank you very much.

Mayor Verini again thanked Mr. Dinius for his comments.

OLD BUSINESS

Ordinance #2729-2017: Amend OMC 2-25 to Establish and Enforce a 1% Sales Tax on the Sale of Retail Goods within the City, and to Create Exemptions, on Second and Final Reading by Title Only

Adam Brown, City Manager, presented.

This would be the Second Reading, as the First Reading had occurred last Thursday. They'd looked at this for about four meetings, and had made some fixes along the way. They made some editorial tweaks between last week and this week, and Mr. Sullivan would address those.

Larry Sullivan, City Attorney, stated the Charter required the oral reporting of any changed between a First and Second Reading. In section 3-25-2(r) the definition of Unit of Government, there was a word missing in the first line, that had been added. The word "Government" was added after Federal. On the third line, the word statutory had been misspelled, and it was now spelled correctly. Those were the only two changes.

Mr. Brown stated the Second Reading was before the Council for consideration. There would be an opportunity for the public to appeal the action.

Mayor Verini asked if anyone in attendance had anything they'd like to add before moving forward.

Roy Scott: Yes, my name is Roy Scott. I own Ernie's Electric and Ernie's EMP here in Ontario. I do not live in the city, but I own a business here and let's talk about fair. Why did Home Depot come and build in our town? Why did Walmart come and build in our town? And it was if you, if you honestly look at it, the reason was probably because of the tax or lack of sales tax here in Oregon, okay? Now, I don't know if this is just rumor, but forever I have heard that Walmart and Home Depot and some of those other large national companies have gotten property tax concessions for coming into town, okay? Like I said, whether that is true or not, I'm sure it would be a matter of record for somebody to look up, but if that is true in any way, shape, or form, that again would show toward mismanagement of our city. Now, Home Depot comes into town - let's talk about fair. We don't want to give small businesses an exemption. When Home Depot moved into town, I had the largest Milwaukie Tool dealership in the Treasure Valley, okay? Home Depot took away one-third of my business, because we were price-matching with them, they turned on us, and Milwaukie pulled our account unless we could buy \$100K worth of tools every year. Is that fair? You guys had a chance to get in on legal marijuana in this state, and you shot your cash cow in the face, and talking to many of you, and one in particular, I will not point fingers, but Norm, the day before the public input session on marijuana in this town, you flat told me, me and the rest, the Council, know we are voting no, and no one is going to change my mind about it. I lost virtually any respect for you that I ever had. No tax in Oregon, period. I know we need money. If we can't afford a pool, we don't have a pool.

If we can't afford a greenbelt, we don't get a greenbelt. You guys went out of your way to build bypasses around town, and then complain when people weren't coming into town, okay? This is stupidity, and it will be voted down. I'll put up a sign in my parking lot saying go to Vale, go to Nyssa, they want our business, and further, if this passes, I have a question. How are you gonna enforce it, because I've talked to many business owners that flat say we won't pay it, so are you gonna send goons to my shop when I refuse to? Are you gonna cut my city services? What are you gonna do? Are you gonna hire a bunch of auditors to go into everybody's business? This is ridiculous. If we have all the staff that would be required to implement a sales tax, then maybe it would be worth it, but you're gonna have to build new buildings, you're gonna hire more people, the government's just gonna get bigger, pretty soon it's gonna be 2%, then 3%, and then we'll be Idaho. Thank you.

Mayor Verini thanked Mr. Scott for his comments.

Charlene Pelland: *My name is Charlene Pelland, I live at **** in Ontario. I'm hearing a lot of negative things here tonight, and I just want to stand up and say that I am very grateful for the people that are sitting up here and the initiative they have taken to look at other ways of bringing income into our city. I look around and I see going into the grocery stores, going into, going to the gas station, and I buy a lot of gas every, two or three times a week, and they raise gas like it's going out of style. One day it's 15¢ higher than it was the day before, and nobody blinks an eye at it. We pay the extra price because that's what owners can do. We're talking 1¢. I don't think 1¢ is going to kill us and, and you look at what that 1% brings into this city, it's huge. And when you look at if you don't do that, we have one of the highest property tax I have ever heard of in the nation, and that's all, we don't care about our property tax increases 'cuz we don't want to pay a 1¢ sales tax. To me, it's worth the 1¢. Thank you.*

CRUME moved, PALOMO seconded, **THAT THE CITY COUNCIL READ, ACCEPT COMMENTS, AND ADOPT ORDINANCE #2729-2017, AN ORDINANCE ADDING CHAPTER 25 TO TITLE 3 OF THE ONTARIO CITY CODE TO ESTABLISH AND ENFORCE A 1% (ONE PERCENT) SALES TAX ON THE SALE OF RETAIL GOODS WITHIN THE CITY OF ONTARIO, AND TO CREATE EXEMPTIONS FROM THE TAX, on Second and Final Reading by Title Only.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

Resolution #2017-133: Reimbursement to Businesses up to \$1,000 for Expenses Incurred for Software, Hardware, or Other Costs Associated with Sales Tax Collection

Adam Brown, City Manager, presented.

Upon direction of the Council, a resolution was drafted to reimburse business owners up to \$1,000 for costs incurred for collection of the sales tax. The reimbursement trigger was the actual collection of taxes. Per the ordinance, if funds were collected in the first quarter of 2018, in April, upon collection, the city would accept applications for reimbursement. The time period for reimbursement would go through the end of December, 2018. The action and resolution conformed to the feedback and input received from the Council.

WINEBARGER moved, CARTER seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2017-133, A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET AUTHORIZING A REIMBURSEMENT FOR EXPENSES INCURRED BY BUSINESSES OF UP TO \$1,000 FOR UPDATING SOFTWARE, HARDWARE, OR OTHER COSTS RELATED TO SALES TAX COLLECTION.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

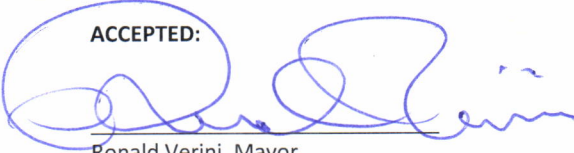
Councilor Justus stated before he left, he attended a Public Works Committee meeting, and it was decided that the Council would be informed that Public Works wanted the lift station associated with the prison, that that contract was up for negotiation and was going to expire in September, and that they wanted the Council to be advised that to extend that contract with the understanding that the state would have liability for that lift station if it should fail during this next year. It was his understanding that that communication was not brought to Council and that the Council extended the contract for one year and did not hear that the Public Works Committee had a that recommendation. He wanted to bring to the Council's attention, that Public Works had made a recommendation that the state be aware that they would be liable or equally liable if that lift station should fail after this contract expired. He thought it was really important that when they used these committees who made recommendations, that they, as a Council, hear them. Whether they took the advice or not, they asked those people for their time, they asked them for their advice and expertise, and then not to use it or to even give the Council a chance to hear it, was an issue.

Mr. Brown replied that if that was the case, staff missed the boat in including the detail to it. He was not at that Public Works Meeting, and Councilor Justus was also absent, so between the two of them, that information was not presented to Council. He didn't believe the state would have been favorable to that, but that was beside the point. The point Councilor Justus was making was that when the Public Works Committee made a recommendation, it needed to be presented to Council, so they messed up.

ADJOURN

CARTER moved, CAPRON seconded, that the meeting be adjourned. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

ACCEPTED:



Ronald Verini, Mayor

ATTESTED:



Tori Barnett, MMC, City Recorder