



## CITY COUNCIL MEETING MINUTES March 20, 2018

The scheduled meeting of the Ontario City Council was called to order by Mayor Ronald Verini at 7:00 p.m. on Tuesday, March 20, 2018, in the Council Chambers of City Hall. Council members in attendance were Ronald Verini, Norm Crume, Dan Capron, Tess Winebarger, Marty Justus, Betty Carter, and Ramon Palomo.

Members of staff present were Adam Brown, Tori Barnett, Larry Sullivan, Kari Ott, Dan Cummings, Terry Leighton, Cal Kunz, Dallas Brockett, and Dan Beaubien.

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

Ramon Palomo led everyone in the Pledge of Allegiance.

### AGENDA

This Agenda was posted on March 16, 2018. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website [www.ontariooregon.org](http://www.ontariooregon.org).

WINEBARGER moved, CAPRON seconded, **TO ADOPT THE AGENDA AS PRESENTED**. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

### CONSENT AGENDA

CARTER moved, CAPRON seconded, to adopt the Consent Agenda, which included Council Meeting minutes of February 20, 2018, and Council Work Session minutes of March 8, 2018. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

### PRESENTATIONS

#### Revitalize Ontario Report (Report attached)

Kayla Kirksey, Economic Development Coordinator, Revitalize Ontario!, presented.

Councilor Carter complemented Ms. Kirksey on her presentation.

Councilor Justus stated they'd all heard Ms. Kirksey say that a full-time person could accomplish so much, so Revitalize Ontario! would be looking for more money for the downtown area. If they wanted downtown to grow, and if they wanted it to do all the things that Oregon Main Street cities did, they were going to have to have somebody down there organizing it. If they were to ask Dan Cummings, he'd tell you it had been a great partnership.

Councilor Carter asked how receptive the downtown merchants were with this project.

Ms. Kirksey stated many of the merchants who were not really aware of the project in the past, were more excited now. She had signed up four new businesses to participate in the wine walk.

#### Code Enforcement Report

Cal Kunz, Police Chief, and Dallas Brockett, Code Enforcement Officer, presented.



Chief Kunz stated: We were asked to spend a few minutes to give an update on civil penalties. On a side note, I can see that we are just getting the ball rolling, but I can also already see the positives coming from this. Just yesterday somebody came to the front desk and got my attention, it was a citizen that had received some paperwork from Ontario Code Enforcement. He got to the point where he was at his deadline, but he provided and showed me documentation that he was trying to correct the problem and he'd actually ordered the equipment necessary to solve the problem, and wanted to show me. I was able to take all that information, it was Officer Carter's case, and showed him and he was able to work with that homeowner to make sure the problem was solved. That's one example. We've had several already of people being very motivated to be compliant which we appreciate because as I said throughout this process is our goal as a police department is to get voluntary compliance. I think we can agree that we just want our city to be safer, and cleaner. We have property owners who are stepping up to the plate and trying to take responsibility. That's a success. In a very short period of time, as it just started, we are already seeing some successes from it. With that, we'll just take a few moments of your time, but Dallas has the numbers and whatnot, so I'll let him take over.

Dallas Brockett, Code Enforcement Officer, stated: Mayor and members of the Council, thank you for your time. I dug up some stuff, kind of how it's going so far. I will say that we are getting a lot of more interaction with the community, a lot more phone calls and voice mails of people, even the ones that are saying, that are complying, saying, "Hey can you come by and just make sure that it's done, just make sure that we're in compliance?", so that's good to see, to have more community involvement and voluntary compliance. So far, the numbers, total abatement letters sent under this new process is 35; total civil penalty letters that were sent, so somebody that's not compliant and they get a civil penalty letter with an invoice attached to that, is 18. That number is a little more because there's some properties that got more than one letter because they continue to be non-compliant. Total properties out of 35 that were complaint was 20, so that's a decent ratio, I think. The total amount of civil penalties sent so far is \$28,450. As of right now, I don't think that anybody has paid. Only three people have actually requested a hearing, which I think is pretty good. I think all those, or at least two out of the three of those, myself, Officer Carter, and the City Manager, had worked together. They actually complied, got it done, said hey I've got it done, and we worked something out so we didn't have to go through the entire appeal process with the Hearing's Officer and all that time. We actually got their attention and they cleaned up it up. The total amount of money out of that \$28K that was dismissed because of them complying finally, was \$1,300. So we got \$26K and some change that's still out there that's not paid at this time.

What we're working on....I know that Adam is working on the Hearing's Officer, he knows somebody that is going to work with us to be our Hearing's Officer. To my knowledge, at least from Corinna today, with finance, we're still working on trying to get the GIS tax lot information for Conduits so we can start lien docket information. Right now, I think one out of all these is ready to be put on the lien docket. That's the numbers I have. Any questions?

Councilor Justus asked if he had a break-down of how many code enforcement citations you've given to the Southeast, Southwest....

Officer Brockett: I have a list of all of them right here. I could get that to you.

Councilor Justus wanted to make sure that all four quadrants were getting equal treatment.

Officer Brockett: I know that Officer Carter and I we just recently did a saturation on the Northeast side of town, so probably, in looking at the list here really briefly, probably a third of it is the Northeast part of town. We really didn't do a saturation, or work on the Northeast side a lot. It's kind of industrial and we don't get to work on that side as much as we'd, so we kind of focused on that area first, and just went up and down every street. I would say about 1/3 of that so far is probably the Northeast, in looking at my list.

Councilor Justus asked if there was a schedule for which quadrant would be done.

Officer Brockett: Not really. Officer Carter, who normally works the North side of town, and then I work on the South side of town, so we don't overlap cases, unless we do a saturation like this, and then we'll, for instance, Officer Carter will take NE 1<sup>st</sup> Street and NE 2<sup>nd</sup> Street and all the avenues in between them, and I'll take NE 3<sup>rd</sup> Street and NE 4<sup>th</sup> Street and the avenues in between. We just kind of break it off like that. Generally, Carter's North

and I'm South. There's not really any schedule. We try to break it up evenly as much as we can. Every month we try to pick a different quadrant so it's not just focused on one.

Councilor Justus asked if anyone done anything with the theater.

*Officer Brockett: Which one? The one down here...*

Councilor Justus stated it was the one on 3<sup>rd</sup>.

*Officer Brockett: No, I have not.*

Councilor Justus asked if that was on anybody's radar.

*Officer Brockett: It's kind of on my radar, I know it's kind of a hot topic, such as the Mall and Bob's and a couple other places, but we don't have any open cases on it right at the moment.*

Councilor Justus stated there was pigeon poop all over the sidewalk, and a crack in the side of the building.

*Officer Brockett: Okay, we'll, I think the derelict structures is passed the 30 days, and once we get the fees and stuff scheduled, that'll probably be one that we may want to look at.*

Councilor Capron asked about the out of state property owners.

*Officer Brockett: We get more response from them. I'm getting a lot more phone calls. Officer Carter and I commented on that the first couple weeks. Probably three or four phone calls or voice mails every day. Constantly calling up and hearing from the property owners.*

Councilor Crume asked if there was a progress report on that property that he'd mentioned to him about a month back, down on Fortner. The citizen that complained to him came into his office again that day and said he hadn't seen anything yet.

*Officer Brockett: It's the one kind of on 3<sup>rd</sup> Street and Fortner, with the Volkswagen bus. WE sent a civil penalty to that property owner of \$1,000. That was even with somewhat compliance, because he did clean up a lot of the carpet and some other stuff on the NW 3<sup>rd</sup> Street side, but the Fortner side is still bad, so it's something we still need to follow up with that property owner and send another penalty and see if we get some compliance. If not, we'll send a company in and have it done.*

Councilor Crume asked about the policy regarding with the person who makes the complaint. Did the department follow up with them?

*Officer Brockett: I think to build a better community relationship, it should be. That's something that we should definitely work on, to try to follow up with the complainant. I will man up to that, but I'm not very good at doing that, but I should be better. I think Officer Carter is a lot better at that community involvement and calling back the complainant. We get so swamped with so much follow up with dogs and some other stuff and getting pulled into some administrative stuff to help the Sergeants, getting pulled away from a call dispatch send us to, and it goes on and on. It's something I want to work on, and build a better community relationship.*

Councilor Crume stated the last time Office Brockett had been before them, they discussed dogs taking up a lot of his time. Had he come up with a solution?

*Officer Brockett: Officer Carter and I have drafted some things together. I'm actually, we're both part of the Oregon Code Enforcement Association, so I sent an email to the Secretary that sent a mass email to all the Code Enforcement Officers in Oregon, and I got a lot of feedback on what other cities do in Oregon as far as laws and stuff on dogs, and it varied. A lot of is very similar to what we have, whereas, Pendleton is \$500 if your dog's loose, and they actually have a judge that will uphold that fine and if somebody doesn't pay that, they will actually send*

out a warrant for them to be arrested. I met with Judge Mahoney and had some discussions and concerns about the dog issues that we have.

#### **Grass Strip and Other Airport Happenings**

Dan Beaubien, Airport Manager, presented a summary of what had been taking place at the airport.

Regarding the grass strip, there were some kids building a glider at the airport, and one thing needed for a glider was a place to park. The grass strip made the Ontario Airport unique. They had been working on the project over the past year. He had contacted the FAA and learned what the requirements would be for creating the strip. It sat between the runway and the old golf course. It could also be utilized as an emergency landing strip for any aircraft that could be in trouble. He was just looking for Council approval to continue moving forward.

Council consensus to continue.

### **OLD BUSINESS**

#### **Temporary Modular Lease at Ontario Airport: FBO Frazier Aviation**

Adam Brown, City Manager, presented.

A modular building had been placed at the Ontario Airport in accordance with the Federal Aviation Administration and unanimous approval of the Ontario Airport Committee to provide much needed space.

This was the third time that this modular had come before the City Council in an effort to secure a temporary land lease. It was tabled the first time so records could be obtained to insure any and all late payments to the city could be reconciled. The second time it was brought to the City Council for approval it was tabled due to language in the contract stating that the rate was too low and the time it has been already at the Airport should be paid even though it was not in use. Both of these issues have been resolved.

After meeting with the City Attorney, City Manager, City Community Development Director, Airport Manager, Fixed Base Operator and his attorney, it was mutually agreed to move forward with the temporary land lease between Frazier Aviation and the City of Ontario. A revised lease was drawn up and agreed by all parties.

Before it could be put into full use, the facility needed adequate access, a ramp, skirting and paint. These were waiting on the approval of a lease with the city before beginning work on the necessary projects.

CRUME moved, CARTER seconded, **THAT THE CITY COUNCIL APPROVE THE TEMPORARY LEASE FOR THE MODULAR AT THE AIRPORT AS PRESENTED.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

#### **Contract Renewal with Larry Kitamura for Airport Property Use**

Larry Sullivan, City Attorney, presented.

A lease for land at the southern termination of the airport runway was renewed last on February 1, 2016. The one year lease expired on February 1, 2017, and was not renewed. This current action was to address a catch-up lease to bring the tenant current with his use of the property. On March 8, 2018, the Council heard comment from Mr. Kitamura, who requested additional time to do research on the property and to review the proposed contract in more detail. Council agreed to table the action to the next meeting.

A request to meet with the City Manager was sent from the City Recorder on June 19, 2017, and garnered no response. Notification of the lease expiration and request to make contact with the city was sent from the City Manager by certified mail on July 11, 2017. The tenant made one attempt to call the landlord. His call was returned unsuccessfully and staff has not heard from the tenant since that time.

Mr. Kitamura was sent an eviction notice from the City Attorney in January, 2018. He made a visit to City Hall to work out a way to stay on the property. Mr. Kitamura has met with the City Manager and expressed a desire to be caught up on his lease. They agreed to an 18-month lease at the same rate as the prior lease, said lease would expire in August, 2018. Between now and then, staff would either bid the ground out for lease or come to a new agreement with Mr. Kitamura. The lease rate was \$300 per acre at 2.67 acres. An 18-month lease would be a total cost of \$1,201.50, due upon signing. Proceeds of the lease go to the airport.

Staff was asking that Mr. Kitamura pay legal costs associated with pursuing renewal of his lease. Also, it was recommended that Mr. Kitamura pay for legal fees incurred by having to contact him using the City Attorney. The legal expenses were \$175.00.

The lease was more than 13 months past due. The tenant needed to get caught up and staff needed to work on a new lease. The tenant continued to use the property after the expiration of his lease, so the lease renewal should date back to the end of the last lease.

If the Council chose to take no action, staff would continue with the eviction proceeding and collection of past lease amounts due, as well as legal expenses.

CRUME moved, WINEBARGER seconded, **THAT THE CITY COUNCIL RENEW THE LEASE BETWEEN MR. LARRY KITAMURA AND THE CITY OF ONTARIO AS PROPOSED IN THE LEASE DOCUMENT AND TO INCLUDE PAYMENT OF THE COST OF LEGAL EXPENSES OF \$175.00 AS A CONDITION OF THE LEASE RENEWAL.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

#### NEW BUSINESS

#### Resolution #2018-116: Support for Splash Pad Grant Application from the Oregon Department of Parks & Recreation

Adam Brown, City Manager, presented.

A master plan was conducted by the Friends of the Aquatic Center and Seder Architecture and Urban Design in the spring of 2017. The ultimate goal of the master plan was to renovate the Ontario Aquatic Center.

The study identified a splash pad as Phase I of the renovation. This is a low cost way to open an activity at the Ontario Aquatic Center. Funds were budgeted for the Aquatic Center from Transient Occupancy Tax. The splash project was budgeted in the 2018 Capital Improvement Program.

The City Council awarded construction for the Ontario Aquatic Center Splash Pad in the amount of \$262,670. Approximately \$100,000 additional cash and in-kind donations had also been received. More revenue was needed to complete the project, which included restroom facilities, as the State Department of Health required ADA restroom facilities and a water fountain.

The City of Ontario awarded a construction contract in January of 2018 to Anderson Pool Works. Ground breaking for the splash pad occurred on February 19, 2018. Work began on site preparation that same week. Planning and coordination of construction activities, in-kind work donations, permitting, and contractor scheduling continued.

The construction contract awarded to Anderson Poolworks, just for the splash pad, was for \$262,516. Other elements of the design would be paid for by business sponsorships and other grants.

The city was currently applying for a Local Government Grant from the State Department of Parks and Recreation. The grant request aligned with the county needs assessment done by the State of Oregon and the State Comprehensive Outdoor Recreation Plan. The grant application deadline was April 1, 2018. Action was needed prior to the end of the month to be considered for this year's funding.

CAPRON moved, JUSTUS seconded, THAT THE CITY COUNCIL APPROVE RESOLUTION #2018-116, A RESOLUTION AUTHORIZING THE CITY OF ONTARIO TO APPLY FOR A LOCAL GOVERNMENT GRANT FROM THE OREGON PARKS AND RECREATION DEPARTMENT FOR DEVELOPMENT OF RESTROOM FACILITIES AT LION'S PARK AND DELEGATING AUTHORITY TO THE CITY MANAGER TO SIGN THE APPLICATION. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

PUBLIC HEARING

Ordinance #2737-2018: Annexation of Tax Lot 3500, Assessor Map 18S4705BD – Urban Growth Area Single Family Residential (RS-50) to City Single Family Residential (RS-50) – FIRST READING

It being the date advertised for public hearing on the matter of Ordinance #2737-2018, the Hearing was declared open. There were no objections to the city's jurisdiction to hear the action, no abstentions, ex-parte contact, and no declarations of conflict of interest.

Dan Cummings, Community Development Director, presented.

The applicant owned a parcel of land, known as 18S4705BD, Tax Lot 3500. The applicants wished to annex and rezone the property into the city to connect to city sanitary sewer due to a failed septic system. The subject property was within 300 feet of the city sanitary sewer system. Under state regulations, the applicants were not allowed to repair their septic system, so they had to annex to connect to city services. This application, if approved, would result in the annexation of 0.41 acres, plus the right of way for NW 4<sup>th</sup> Avenue, adjacent to the lands, into the city, and also rezone the property from Urban Growth Area Residential (UGA-R) to City Single Family Residential (RS-50).

This request for annexation and rezone needed a recommendation for approval or rejection from the Planning Commission to the City Council. The Ontario Municipal Code (OMC) designated the Planning Commission as the decision making body for a request for rezone, without City Council participation. The OMC designated the City Council as the decision making body for a request for annexation, without Planning Commission participation. State law required an ordinance be adopted by the local governing body to accomplish a rezone. The city's governing body was the City Council, and they were the only body that could adopt an ordinance; therefore, a request for rezone should go before the Council for a final decision. Staff believed the best procedure was consistency with state law; therefore, this matter needed a recommendation from the Planning Commission, and then forwarded to the City Council for their decision.

The proposed development had to comply with applicable provisions of the OCC (City of Ontario Zoning Ordinance as set forth in the Ontario City Code), and the City of Ontario Comprehensive Plan. Generally, unless otherwise noted, if a request was found to be consistent with the Zoning Ordinance, it was considered to be consistent with the Comprehensive Plan.

**A. Rezone**

1. *Section 10B-20-30 REQUIRED FINDINGS, DECISION CRITERIA. In preparing findings to support a quasi-judicial zoning map amendment decision, the following findings shall be addressed except when alternatives are set forth or where a required findings clearly does not apply to the current action:*

- a. *The zoning map amendment is in conformance with statewide planning goals and guidelines.*
- b. *The zoning map amendment is in conformity with the acknowledged comprehensive plan.*
- c. *The applicant has demonstrated a mistake or error in the original zone designation or the applicant has demonstrated a change in physical, social or market conditions generally affecting the area which make the proposed change appropriate.*
- d. *A public need is demonstrated for this zoning at this location and is not the granting of a special privilege for a single property or small group of properties.*



e. The property affected by the change is adequate in size and shape to facilitate its use and development as permitted under the new zoning classification.

f. The property affected by the proposed change of zone is properly related to streets and public facilities and with services adequate to meet the demands of the uses allowed in the new zone.

g. The proposed zoning map change will not result in adverse effects upon surrounding properties or surrounding uses from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land.

**Findings of fact based on the answers and information given in the application made a part hereof:**

a. The City of Ontario Municipal Code Implements policies contained in the City of Ontario Comprehensive Plan, which conforms to the Statewide Planning Goals; if a proposed rezone meets all criteria and standards contained in the OMC, the request will be consistent with Comprehensive Plan Policies and therefore conform to the Statewide Planning Goals. The existing property is zoned UGA Residential and is proposed to be rezoned to City RS-50 Single Family Residential.

b. The subject properties are currently zoned UGA Residential and the request is to rezone to the companion City RS-50(Single Family Residential) Zone that is the same zone as adjacent and nearby properties. The requested zone allows basically the same use as the UGA zone, and is reflected in the Comprehensive Plan. No Comprehensive Plan amendment is necessary for this rezone; therefore, the proposal is consistent with, and conforms to, the Comprehensive Plan.

c. The applicants have requested annexation into the City of Ontario concurrent with the request for rezone; a City Zone must be applied to the property once within City Limits. The existing zone is not a mistake, and there is no need to demonstrate a change in conditions in the surrounding area; the change in zone is necessary and appropriate.

d. This request is legally necessary due to the annexation of the property; granting of this request is not a special privilege and no public need has to be demonstrated. The property is residentially designated under the Comprehensive Plan so a residential zone is the most appropriate for the property.

e. The property exceeds the size requirements for residential property, and is rectangular in shape. The property is already residentially developed and meets setback and other size requirements.

f. The property owner is requesting annexation and rezoning to connect to City Sanitary Sewer due to failure of their septic system, which said city system is available in NW 4<sup>th</sup> Avenue. The owner is extending the City main line from the east side of their property to the west boundary of the property and is asking to defer the extension of the City water line and city street to city standards. City fire and police services will be available upon annexation for the property.

City streets, including curb, gutter, sidewalks and remaining public utilities will be deferred under a Deferred Improvement Agreement (DIA) being recorded prior to or concurrent with final approval of this action or connection to the Sanitary Sewer line.

g. Uses allowed by the current zone are basically identical to the proposed zone. No significant difference in allowed uses will occur as a result of the rezone. Allowed uses under city residential zone designations are no more likely to produce dust, noise, etc., than those under the UGA residential zone.

**Conclusion:** The proposed rezone is consistent with all applicable criteria and standards.

**B. Annexation:**

1. *10B-45-10 INITIATION OF ACTION. When a person, authorized by statute, wishes to extend the city's boundaries, an application on forms supplied by the city shall be filed with the Planning Director and which include: annexation consent forms, by the property owners, and by tenants if required by law or court decision; request for a change in zoning map designation, or plan change if required; request for other quasi-judicial action if required; fees, and other exhibits and requirements for a quasi-judicial action as set forth in this Title. All land use actions associated with the annexation shall be consolidated, as feasible, and one fee paid.*

2. *Oregon Revised Statute 222.125: Annexation by consent of all owners of land and majority of electors; proclamation of annexation. The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.*

**Findings based on the answers and information given in the application made a part hereof:**

1. The applicants have paid the fees and provided the proper application with signatures.
2. The property is annexable because it lies inside the Urban Growth Boundary and is contiguous with current city limits.
3. The property is currently zoned for Residential use in the Urban Growth Area; the requested zone, City Single Family Residential (RS-50), is consistent with contiguous property.
4. Findings from preceding sections of this report are herein included by this reference. A change to the comprehensive plan map or text is not necessary to annex the property; however, the annexation of the property must be consistent with all applicable Comprehensive Plan Policies.
5. Annexation would benefit the city by increasing tax revenue, and, by providing more residential lands in a highly developable area.

**Conclusion:** All criteria and standards applicable to a request for annexation have been met. The property may be annexed.

Annexation would benefit the city by increased tax revenue, and, depending on the outcome of the Council decision on the public utilities, there could be addition costs associated with this action.

The request was filed on December 1, 2017, by the applicant. DLCD was given its 35-day notice, and the 20-day notice to the affected persons and agencies were sent 20 days prior to the hearing as required by law. The Public Hearing for this action was set for March 20, 2018, which met the notice requirements.

The quasi-judicial Zoning Map amendment procedures were designed and authorized to adjust zone boundaries and create new zoning classifications on the official Zoning Map within areas on the land use plan indicated for the uses allowed by the map change. Such changes would be in conformity with the land use goals of the state. The decision of the Planning Commission would be the final decision of the city unless an appeal was filed as authorized by this Title. (LANGUAGE IN 10B-10-05 SUPERSEDES THIS LANGUAGE) WHICH READ: *The ultimate decision-making authority for legislative actions and zone changes brought under the provisions of this Title shall rest with the City Council. Certain actions of the Planning Commission are in the form of a recommendation to the*

*City Council. The land use actions for which the Commission provides only a recommendation to the Council are amendments of the comprehensive plan and zoning ordinances or Zoning Map.*

The Council could, by motion, based on public testimony or need for more clarification, refer this matter back to the Planning Commission. The Council could table this action and continue this item to a future date certain meeting, to obtain clarification on issues raised at this Public Hearing.

The Planning Commission, at a Public Hearing on March 5, 2018, made a motion that the request for annexation be approved and rezoning of the subject property from UGA Single Family Residential (UGA RS-50) to City Single Family Residential (RS-50), as set forth in ACTION 2017-12-21AZ be recommended for approval by the City Council, based on the information, findings, and conclusions at said Public Hearing.

The Planning Commission made a motion to recommend the City Council have the city extend the sewer and water lines to the end of this property and this property only pay for their share of the extensions. This recommendation was based upon information provided at the Planning Commission meeting.

The Planning Commission made a motion to recommend the City Council have staff revise the city ordinances that would require connection to city water system when connection to city sewer connection was made due to the new NPS requirements.

The Hearing was opened for public testimony.

Proponents:

None.

Opponents:

None.

There being no Proponent and no Opponent testimony, the Hearing was closed.

JUSTUS moved, CAPRON seconded, **THAT THE REQUEST FOR ANNEXATION OF THE SUBJECT PROPERTIES INTO THE CITY OF ONTARIO, AND THE REQUEST FOR REZONE OF THE SUBJECT PROPERTIES FROM UGA SINGLE FAMILY RESIDENTIAL (RS-50) TO CITY SINGLE FAMILY RESIDENTIAL (RS-50), AS SET FORTH IN ACTION 2017-12-21AZ AND REMOVING THE LANDS FROM THE RURAL FIRE DISTRICT BE APPROVED BY THE CITY COUNCIL, BASED ON THE INFORMATION, FINDINGS AND CONCLUSIONS IN THIS REPORT AND MEETING.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes Verini-yes. Motion carried 7/0/0.

JUSTUS moved, CAPRON seconded, **THAT THE CITY COUNCIL ADOPT ORDINANCE #2739-2018, AN ORDINANCE ANNEXING INTO THE CITY AND REZONING OF A PARCEL OF LAND BEING LOCATED AT 2601 NW 4TH AVENUE, FROM UGA SINGLE FAMILY RESIDENTIAL (UGA RS-50) TO CITY SINGLE FAMILY RESIDENTIAL (RS-50), ON FIRST 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.

CRUME moved, CARTER seconded, **THAT THE CITY COUNCIL HAVE THE CITY EXTEND THE SEWER AND WATER LINES TO THE END OF THIS PROPERTY AND THIS PROPERTY ONLY PAY FOR THEIR SHARE OF THE EXTENSIONS.**

Councilor Justus asked if there was any estimate on the cost.

Mr. Cummings stated there were no solid numbers yet, but some guestimates, yes. He was not happy with them, so they were going to rework them.

CRUME withdrew his motion; CARTER redrew her second.

Council consensus to have Mr. Cummings return to the Council with the cost of alternatives for extending the water and sewer line.



Councilor consensus to have staff revise the city ordinances that requires connection to city water system when a connection was made to city sewer due to the new NPS requirements.

HAND-OUTS/DISCUSSION ITEMS

Check Register: February-March 15, 2018

No comments (Attached)

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Councilor Justus stated he had attended the PW Committee meeting, and wanted to know if the 2012 Committee had been approached about turning the 15-year NPDES permit into 30-year one. The question had also come up about the lift station and the impending failure.

Mr. Brown stated it had been in his presentation, but not specifically about a 30-year permit. On the lift station, he didn't want to wait for failure. Possible solutions would be forthcoming.

- Councilor Capron stated Mr. Brown was going to bring back some information regarding the Chamber. Was that still moving forward?

Mr. Brown stated not quite yet. He had some documents, but he wanted to review them before bringing them to Council.

- Councilor Capron reiterated his interest in moving forward with paperless billing.

Kari Ott stated the module for that action in the Springbrook Software would be a little over \$2K. She also needed to review the BDS contract.

- Councilor Capron stated he read a letter on Facebook regarding the sales tax issue. The writer wanted to see coins and bullion exempt at all levels, not just wholesale. Idaho exempted those items.

Mr. Brown stated that had not been asked before. He would research the issue.

- Councilor Capron informed them the last Fish Fry Friday was this week.
- Councilor Carter stated she had a staff member who would be contacting Debbie about possibly becoming a member of the Recreation Board.

ADJOURN

CAPRON moved, WINEBARGER 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

ATTEST



Tori Barnett, MMC, City Recorder