



CITY COUNCIL MEETING MINUTES April 17, 2018

The scheduled meeting of the Ontario City Council was called to order by Mayor Ronald Verini at 7:00 p.m. on Tuesday, April 17, 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, Kari Ott, Dan Cummings, Terry Leighton, Cal Kunz, Cliff Leeper, Betsy Roberts, and Larry Sullivan.

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

Dan Capron led everyone in the Pledge of Allegiance.

AGENDA

This Agenda was posted on April 13, 2018. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

CARTER moved, WINEBARGER 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

WINEBARGER moved, PALOMO seconded, to adopt the Consent Agenda, which included Council Meeting minutes of February 27, 2018, Council Work Session minutes of April 5, 2018, and Council Meeting minutes of March 27, 2018. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

OLD BUSINESS

Resolution #2018-119: Support Application for a Grant for a War Memorial Fountain at Lanterman Kiwanis Park; Agreement Between the City of Ontario and Cydney Cooke, Incorporated, for Administration of the Grant

Adam Brown, City Manager, presented.

Cydney Cooke, Cydney Cooke Incorporated, brought the city a proposal to write and administer a grant for a War and Veteran's Memorial grant. Staff recommended working with Cydney Cooke Incorporated to write and administer a grant for a memorial fountain at Lanterman Kiwanis Park.

Ms. Cooke proposed a grant opportunity to the City of Ontario at the April 5, 2018, Work Session, to receive a grant for and to construct a Veterans and War Memorial at a city park. After reviewing all of the parks in the Parks Master Plan with Ms. Cooke, staff identified a potential partnership with the Kiwanis Club and their vision for Lanterman Kiwanis Park. The Master Plan for Lanterman Kiwanis Park included a fountain. The fountain could be used as a War and Veterans Memorial, which would add meaning and significance to the park. This also became a mutually beneficial project for the Kiwanis Club and the city's veteran service organizations such as the VFW, American Legion, County Veterans Office, and Veteran Advocates of Ore-Ida.



The grant application was due by April 25, 2018. Ms. Cooke would prepare the grant application and submit it to the Oregon Department of Parks and Recreation. If awarded, it was proposed that Ms. Cooke, by agreement, administer the grant for costs allowed under the grant agreement. This would allow work to proceed according to the Parks Master Plan without having to encumber staff time, which was scarce.

A 10% match requirement was needed for the grant. Donations could be raised for the matching portion of the grant through both the City of Ontario and the Kiwanis Club.

Timing was critical as the grant deadline was April 25, 2018.

The City Council had to express support for the project to meet the application requirements. Also, the City Council had to approve the agreement between Cydney Cooke Incorporated and the City of Ontario.

Cydney Cooke stated: *As Adam said, we were looking over Parks and Rec, and we came across the Lanterman Kiwanis map, and they basically have a whole grouping of ideas that they want to do, and doing some further research I discovered the Bob Lanterman was actually a veteran of WWII. He was in Europe at the time. He's also a graduate of Ontario School District, and part of the Kiwanis Club.*

So, who are we honoring? We want to honor seven of the Vietnam veterans, as well as the forgotten soldiers, nurses, aides, and the soldiers without guns. Me and the Kiwanis Club discovered what would make this memorial very different than all others, in the fact that nurses do not receive much representation, as well as the other non-infantry soldiers. Normally, memorials are given to the ones who held the gun, or jumped on the bomb, or did something crazy. Nobody talks about the people behind the scenes that have to deal with the gunshot wounds, who also risk their lives, as well as Bob Lanterman and Josh Brennan. We talked to Josh's mother, Janice, today, and she said that she would love to have her son featured in the memorial park, and if we gave her enough time, she'd actually try to come out either during the ground-breaking or the opening.

Our parks plans, this park will have an archway, dedicated to Mr. Bob Lanterman, as well as a water feature. At first, we discussed the fountain, but a couple of Kiwanis members were upset a little bit about the actual maintenance of the fountain, and all that comes with that, so they want a water feature, they're just not sure exactly which one to get. But, we've done a budget and prices, and it all fits in our plan. In time, the water feature is going to be a flagpole to represent all five branches, as well as one for POW, which is the Prisoners of War, again another group of people that aren't readily recognized for their efforts. Also, throughout the park there will be stone benches dedicated to either a person or a group of veterans who fought for the liberties of all, whether they died in combat or after. Two picnic shelters that will be dedicated to the easily forgotten soldiers, such as the extraordinary women, the nurses, and those who were not considered infantry. We really wanted to incorporate women because in the military women weren't allowed to do much early on, and it was not until, I believe, 2016, that they were actually able to become infantry. So, before that, women were just behind the scenes.

Lastly, the park will have state of the art park equipment, swings, football/basketball courts, and a walking path.

By working with everybody to do this project, I really realized how much this community wants and supports this park and supports their veterans. It was just a great learning experience. I've met so many people. I'm just really thankful for this opportunity.

Mayor Verini stated he appreciated this, and knew the veterans would, too. One comment she had made about women being behind the scenes, on the contrary, even in Vietnam, the women were right up there, up front and personal. They weren't authorized to do that, but they were there, giving their lives.

CARTER moved, WINEBARGER seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2018-119, A RESOLUTION AUTHORIZING THE CITY OF ONTARIO TO APPLY FOR A LOCAL GOVERNMENT GRANT FROM THE OREGON PARKS AND RECREATION DEPARTMENT FOR DEVELOPMENT OF A WAR MEMORIAL FOUNTAIN AT LANTERMAN KIWANIS 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.

CAPRON moved, JUSTUS seconded, **THAT THE CITY COUNCIL APPROVE AN AGREEMENT BETWEEN THE CITY OF ONTARIO AND CYDNEY COOKE INCORPORATED FOR GRANT WRITING AND ADMINISTRATION SERVICES FOR THE WAR MEMORIAL GRANT.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

NEW BUSINESS**Ordinance #2740-2018: Amend Ontario Municipal Code 3-25-3; Adding 3-25-3(Q) Regarding Exemption of Precious Metals, Coins, Currency, and Bullion from the 1% Sales Tax [First Reading]**

Adam Brown, City Manager, presented.

The City Council adopted Ordinance #2729-2017 on September, 2017, implementing the collection of a 1% sales tax. Citizens of Ontario filed a Petition in opposition of the ordinance, placing the action on the May 15, 2018, ballot. The Petition stayed Ordinance #2729-2017, pending results of the election.

At the April 5, 2018, Council Work Session, an Ontario business owner spoke before the Council, and requested the exemption of precious metals, coins, currency, and bullion from being subjected to the collection of the 1% sales tax, stating sales of the product only saw about a 2% profit. Adding any sales tax to those items would take his business of the realm of competitiveness with dealers in Idaho. Council directed staff to bring an ordinance forward which would amend the sales tax enacting ordinance, to include the exemption. The ordinance was created and reviewed by the City Attorney, and was now before the Council for review, discussion, and action.

The document was ready for reading by Council. Changes could be made during the reading at the discretion of the Council if comments were received from the public, or there were suggested changes from the Council. Should the sales tax ballot measure be defeated in the May 15th election, the amendment would become moot.

With an approximate profit margin of 2% on product, the exemption would not prove a significant loss to monies collected through the 1% sales tax. This exemption would not change the revenue estimate for the sales tax since it was not included in the consultant's report.

A second reading should be calendared for the May 3, 2018, Council Work Session. If approved on final reading, the earliest the ordinance amendment would go into effect was June 3, 2018.

WINEBARGER moved, PALOMO seconded, **THAT THE CITY COUNCIL ADOPT ORDINANCE #2740-2018, AN ORDINANCE AMENDING SECTION 3-25-3 OF TITLE 3, CHAPTER 25, OF THE ONTARIO MUNICIPAL CODE TO ADD SUBSECTION (Q) REGARDING THE EXEMPTION OF COLLECTION OF THE 1% SALES TAX ON PRECIOUS METALS, COINS, CURRENCY, AND BULLION, 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.

Snake River Correctional Institute Lower Lift Station Emergency Repairs

Betsy Roberts, City Engineer, presented.

The Snake River Correctional Institute (SRCI) Lower Lift Station had two significant failures in the past month and needed to be repaired on an emergency basis. Additionally, the Public Works Committee had met and agreed to recommend to the Council that the city should request full funding of the repair from the Department of Corrections (DOC), because this lift station served the DOC solely.

ACS had been the city's sole proprietor for SCADA services. They provided a company specific product, monitored the SCADA system remotely, and responded to emergency situations. They worked closely with Vale Electric when the services of an electrician were required in conjunction with ACS's control work. For those reasons, the work identified needed to be considered a sole source contract.

There were two raw sewage near spills at the Snake River Correctional Institute (SRCI) Lower Lift Station over the past month. On March 16th there was a total loss of all power, such that even the generator was not tripped. Fortunately, the alarm did sound at 10:30 PM. Public Works staff reacted immediately and averted a spill. Staff contacted ACS and Vale Electric to provide support, to attempt to restore power to the site and keep the pumps functioning. Staff, ACS, and Vale Electric were at the site all night running the pumps and evaluating and monitoring the situation. Somewhere through the night, they found the bad connection and were able to restore power. At that time, ACS and Vale Electric made wire connections that had been broken and replaced the main breaker. The Lift Station worked sufficiently for about two weeks as more significant repairs were discussed.

On March 29th at 2:30 PM, pumps once again shut down. This time, the team found eight (8) broken wires on the terminal. This resulted in all communications out of the wet-well being severed, meaning that there were no signal from "floats" in the wet-well to the control panel to tell the pumps to either start up or shut down. Public Works staff immediately contacted Vale Electric to repair the wiring.

Over this past summer, the city engineering staff reviewed the SRCI Lift Station and found the electrical system to be in very poor condition. Staff developed an evaluation report and provided that to the city and Public Works staff. The report suggested alternatives for improvements ranging from minimal repairs to full replacement with a siphon system. After review, the staff recommended to the Council that, at the least, the city should conduct the minimal electrical repairs. This recommendation was prepared prior to the two incidents noted above. The repair budget was going to be put into the coming fiscal year, but obviously needed to be tapped into now.

When this situation, and the Capital Improvement Program (CIP), was brought before the Public Works Committee for discussion, the Committee felt that the DOC should be responsible for making improvements on infrastructure used solely by them and made the following motion:

The motion was made by Mr. Hill, seconded by Mr. Wilson, that the Public Works Committee recommend to the City Council, and it be put on the next agenda, that they bill the State of Oregon Prison System for 100% of the Manhole replacement and lining, and the Repairs at the Lower Lift Station: Mr. Bernie Babcock – Yes; Mr. Riley Hill – Yes; Mr. Scott Wilson – Yes: Motion Passed 3-0-2 (Woodcock-absent, one vacant).

The manhole replacement and lining work referred to a project identified in the current CIP to replace the frames and lids for 37 manholes along the gravity sewer line that conveyed sewage from SRCI to the city's Wastewater Treatment Plant. The new frames and lids would be epoxy coated and could cost up to \$1,000 for each manhole.

Currently, Public Works staff continued to work with Vale Electric and ACS to determine a cost to conduct the needed emergency electrical and controls repairs. Financial information was not yet available, but was estimated to be less than \$85,000 for the emergency repairs at SRCI. There was funding available in the Wastewater Fund under Line Item: 110-165-719317.

This was an emergency situation, so work would be conducted immediately as parts and final quotes were provided and scope was agreed upon. The work was propriety and the majority would be conducted by the city's SCADA provider, ACS. This was an emergency situation, so there was really no good alternative.

Councilor Crume stated it all sounded good, but he didn't believe the state would pay for it until there was a new contract in place, which addressed what they'd pay for and what the city would fix. Did that sound about right?

Larry Sullivan, City Attorney, stated he'd need to review the contract.

Councilor Justus, speaking as the ex-officio of Public Works, stated this lift station had been a point of contention. Public Works wanted this before the Council, so the Council would understand that Public Works was very, very, very concerned about this lift station. The state was the one that was not communicating. He wanted them charged for the emergency repairs that had taken place, too. It would start negotiations. The state started out \$200K in the hole, and that's where the city should start with them, instead of giving them a clean slate. The city was going to have to push, hard. The contract was expiring in September. How much interaction had been had with the state?

Ms. Roberts stated they had their next meeting on Friday.

Councilor Justus stated in September, when it was time to extend the contract again, because nothing had been done, he would be a no vote. Plug it up. Give them the bill for \$200K, not a zero bill.

Councilor Palomo stated the report read that broken wires caused all this. Was that from the years it was out there, common wear and tear, or was it something malfunctioning in the equipment? The first one took a reconnection, then on the 29th, eight more wires were located that should have been found the first time.

Ms. Roberts stated the electrical system was the most critical element of this whole lift station. There was no signal between the wet-well and the very corrosive gasses that leaked out, went up with the cable, from the floats all the way up to the panel box. That meant sewer gas was coming up through there, which corroded the wiring inside the panel. That hadn't been sealed before, but it would be. It was not normal wear and tear. Somewhere along the line, that was not done, and it wasn't picked up on. It was seen in the evaluation, but they wanted to do all the repairs at one time. They didn't want to seal it, then have to break the seal to fix wiring, just to reseal it. They thought they could make it to the end of the fiscal year, but the wiring just didn't make it.

Mayor Verini stated when this contract was originally signed, were there any stipulations regarding population at the prison? Had they exceeded the original numbers?

Mr. Brown stated they held numerous meetings with DOC, up to the extension, but then things dropped. They had not exceeded the numbers in the contract with regard to population and employment, but there were other areas of service that were exceeded, such as density. The contract also had provisions for new regulations, so the city did have some leverage. There was some changeover, too, and staff would be meeting with the new facilities manager on Friday. Mr. Sullivan would be included in the conversations, too.

Councilor Winebarger asked, as a point of clarification, that the figure “up to \$75K” should be changed to “up to \$30K”?

WINEBARGER moved, CRUME seconded, **THE CITY COUNCIL APPROVE A SOLE SOURCE CONTRACT WITH ADVANCED CONTROL SYSTEMS (ACS), THE CITY'S SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) PROVIDER, FOR UP TO \$30,000 TO CONDUCT EMERGENCY REPAIRS SERVICES AT THE SRCI LOWER LIFT STATION. AUTHORIZATION OF THE CONTRACT AND AMOUNT IS BASED ON ACCEPTANCE BY THE CITY MANAGER AND CITY ENGINEER, WHO WILL REVIEW THE SCOPE AND FEE AS SOON AS IT IS AVAILABLE.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

CARTER moved, CAPRON seconded, **THAT THE CITY COUNCIL BILL THE STATE OF OREGON DEPARTMENT OF CORRECTIONS FOR 100% OF THE MANHOLE REPLACEMENT AND LINING, AND THE REPAIRS AT THE LOWER LIFT STATION AS RECOMMENDED BY THE PUBLIC WORKS COMMITTEE.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

HAND-OUTS/DISCUSSION ITEMS

Budget Committee Opening

Due to the resignation of committee member Charlotte Fugate, there was now a vacancy on the Budget Committee. David Armstrong, Stephen Meyer, and Mary Jo Evers had all submitted applications seeking appointment to fill the vacancy.

Councilor Justus stated Mary Jo Evers had reached out to him on Facebook, indicating she'd be interested in the position, so he forwarded her an application. She had mentioned to him that she would have to get her Board's approval to sit on the city's Budget Committee, as she was the CFO for the Ontario School District. He would love very much to have her, just because of her expertise, but he didn't want to approve her and come back in two weeks saying they needed to appoint somebody else.

Mayor Verini stated they couldn't wait to appoint someone, as they had a meeting next Tuesday, the 24th. Whoever they appointed needed to be up to date before that.

Councilor Justus stated for full disclosure, Stephen Meyer was his neighbor; he was also a realtor for Four Star Real Estate. He had been on the Budget Committee before. He had submitted his application in December. He knew what he was doing, and he understood the budget process. He made the most sense.

Councilor Capron stated in his conversations with David Armstrong, he was interesting and had new ideas, bringing in a younger point of view. He was on Facebook a lot, making suggestions about the budget. He was out in the community a lot. He had also coached soccer.

Mayor Verini stated he [David Armstrong] also sat on the Board of Directors for Community in Action, and he worked very closely with the budget committee over there, and also in finance.

Councilor Crume stated all three applicants were qualified to do the job. He'd never met Mr. Armstrong before, but because he was new to the committee, with the atmosphere in the city, maybe the city getting some fresh ideas wouldn't be a bad thing. He was more surprised the city had received three applications, since there was so much going on in the community. But, Stephen had done a great job when he was on the committee, too, and he had known him for several years. He also agreed with the Mayor in that they couldn't really hold up the process for Mary Jo, since meetings were coming up.

CRUME moved, WINEBARGER seconded, to appoint David Armstrong to fill the vacant seat on the Budget Committee. 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 Winebarger stated she had attended an LOC Board meeting last week, and it was great. The state was watching Ontario very closely on the sales tax issue. A lot of questions were being asked by other cities.
- Councilor Winebarger stated she had made a connection with Amanda Fritz, a Portland Commissioner. The Portland Commissioners didn't really get super involved with other cities, but Commissioner Fritz was interested in the sales tax, among other things. She asked what kinds of things were affecting Ontario; what decisions being made in Portland hurt this area? They exchanged email addresses, and Commission Fritz told her that one thing she and the Commission had been working on was trying to look at the little cities. Commissioner Fritz told her she hadn't been aware of the number of cities in Oregon under a 500 population, and she wanted to reach out and do more communication.
- Councilor Winebarger stated the League's main focus this year was going to be housing and homelessness, as it was something the entire state was seeing. They'd discussed various way of approaching the legislature.
- Councilor Winebarger stated the LOC survey was coming soon, sometime in May, tracking what types of things they cared about. It was done anonymously, but was combined for everyone to review.
- Councilor Crume verified the graffiti machine would be available and ready for him to use on Serve Day. He'd also like a list of places to clean up, if one was available. He wanted to ensure he had permission to clean up the area on the first Jersey barrier going down into the underpass, heading East, on the right side. It was right behind Mike Miller's insurance agency building. He believed the property was owned by Larry Tuttle. He wasn't going to drive on that property and clean that up if he didn't have solid permission to do that.
- Councilor Crume stated everyone needed to read the newspaper for that night. It made him smile.
- Councilor Justus stated the Chocolate and Wine Walk was coming up May 5th, 4-7pm. They needed volunteers, beginning at 3pm (bartenders, chocolate servers). It was \$45 per person, 26 stops, six wine stops. Weiser Classic Candy was providing the chocolate, selected specifically to match the different wines. Tickets could be purchased at Four Star Real Estate.
- Mayor Verini stated with regard to Citizens for a Better Ontario, it was extremely exciting to see the inner communication between the citizens and people that were pro and con on the 1% sales tax. He believed they were getting some traction. There were two events coming up – one Friday, April 20th, which would be a Facebook event, sponsored by the PAC. The second event would be April 23rd, noon to about 1:30.
- Mayor Verini stated as a city and as a PAC, there would be an event on the 23rd, sponsored by the Chamber of Commerce, held at the Ontario Middle School, beginning at 6:00pm. The opposition had been invited to attend, but no response had been received yet. There would be three on the panel – Mr. Brown, Councilor Crume, and himself.

Councilor Capron stated he had asked the opposition about attendance, and they told him they were afraid of retaliation.

Councilor Crume stated he was happy to sit on the panel, but he'd only do it with the full support of the Council.

Councilor Justus stated the letter Norm wrote, that was put on the Citizens page, was amazing. The feedback had been amazing, too. Having Norm on the panel, talking about how yes, he could understand why someone would vote no, but after sitting in that Council seat for nine years, he now understood why it needed to be yes. That would be more powerful than any other Councilor up there, because he had been adamantly a no person, because all the city had to do was get the budget straight and it would solve all their problems. But, that was not the issue. Norm was the exact right choice to be on the panel.

Mayor Verini stated his hope that the entire Council would be in attendance, as they should stand united.

- Councilor Justus stated on May 1, 2018, there would be a sales tax forum at Four Rivers School, and Councilor Palomo would be attending, acting as translator. That would begin at 6pm.
- Councilor Crume stated the Strategic Planning meeting was set to begin at 4pm, but he had to work until 5pm. He'd be there, just late.

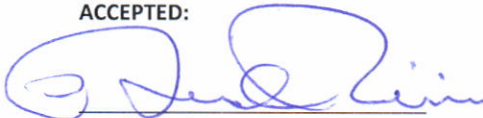
- Councilor Winebarger stated she was aware that Councilor Crume had been discouraged, and felt he had a target on his back, but that was due to the stance he held before on the tax, and because he was such a long-standing member of the Council. She agreed that he was perfect, if he was comfortable with it, to sit on the panel.
- Councilor Carter agreed. It should be the Mayor, Council President, and the City Manager, as they represented all of the Council.
- Adam Brown stated the strategic planning session had been designed so that whenever anyone could make it, they'd be welcome. Kayla Kirksey was going to assist in the organization and facilitation of the session. It was scheduled to conclude at 6pm, so anyone who wanted to attend Representative Findley's town hall meeting, they'd have time to do that.
- Adam Brown stated staff was a bit behind on distributing the budget documents, compared to last year. Target date was now Friday, April 20th.
- Adam Brown stated on Thursday, he would be going to Portland with Cliff, Betsy, and Paul from CH2/Jacobs, to meet with representatives from the governor's office, DEQ, and EPA Region X. He had told Representative Findley about the meeting, who appeared excited about it, and asked Adam to provide an overview upon their return. They'd leave early Thursday, returning the same day.
- Chief Terry Leighton requested time for him and the Police Chief to make a quick presentation. He stated the history of the challenge coin had started back during the war. Coins were originally traded by veterans as a form of memorabilia. It had now gone to trading between veterans, police officers, and fire fighters, and were now called challenge coins. They were collection items. He and Chief Kunz, due to their great working relationship and their departments operating as a unified group, had decided they wanted to develop a challenge coin that represented both departments. So, Ontario had the first police/fire challenge coin, and they wanted to present one to each member of the City Council.

Mayor Verini stated it was an honor to receive the coin. He reminded them all that if they were in a bar and they were the one who didn't have a coin, they had to buy!

ADJOURN

CRUME moved, JUSTUS 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