CITY COUNCIL MEETING MINUTES
February 19, 2019

The scheduled meeting of the Ontario City Council was called to order by Mayor Riley Hill at 7:00 p.m. on Tuesday, February 19, 2019, in the Council Chambers of City Hall. Council members present were Riley Hill, Norm Crume, Dan Capron, Freddy Rodriguez, Michael Braden, Marty Justus, and Ramon Palomo. Dan Capron was excused.

Members of staff present were Adam Brown, Tori Barnett, Jason Cooper, Terry Leighton, Kari Ott, Dan Cummings, Larry Sullivan, Cliff Leeper, Betsy Roberts, Peter Hall, and Dan Beaubien.

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

Mayor Hill led everyone in the Pledge of Allegiance.

AGENDA

This Agenda was posted on February 15, 2019. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

Mayor Hill added Item D to New Business: Cap and Trade.

JUSTUS moved, CRUME seconded, **TO ADOPT THE AGENDA AS AMENDED.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

PRESENTATION

Ken Hart, President, St. Alphonsus Medical Center, Ontario, presented a $2,000 check from St. Alphonsus to the City of Ontario for use towards assisting the homeless in the community.

CONSENT AGENDA

CRUME moved, BRADEN seconded, **TO ADOPT THE CONSENT AGENDA, WHICH INCLUDED JANUARY 3, 2019, WORK SESSION MINUTES; JANUARY 15, 2019, COUNCIL MEETING MINUTES; AND RESOLUTION #2019-108, A RESOLUTION AMENDING RESOLUTION #2018-115 WHICH REQUIRES GOOD FINANCIAL STANDING WITH THE CITY TO BE APPOINTED TO A CITY BOARD OR COMMITTEE AND CAUSE FOR REMOVAL FROM A CITY BOARD OR COMMITTEE.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

JUSTUS moved, BRADEN seconded, **TO REMOVE RESOLUTION #2018-115 FROM THE CONSENT AGENDA**. Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

CRUME moved, BRADEN seconded, **TO ADOPT RESOLUTION #2019-108, A RESOLUTION AMENDING RESOLUTION #2018-115 WHICH REQUIRES GOOD FINANCIAL STANDING WITH THE CITY TO BE APPOINTED TO A CITY BOARD OR COMMITTEE AND CAUSE FOR REMOVAL FROM A CITY BOARD OR COMMITTEE.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-no. Motion carried 5/1/1.

OLD BUSINESS

Engineering Design Task Order for South Oregon Improvement Project
Betsy Roberts, City Engineer, presented.

CRUME moved, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE THE SUBTASK WORK AUTHORIZATION FOR CK3, LLC, TO COMPLETE THE DESIGN FOR THE SOUTH OREGON STREET IMPROVEMENT PROJECT, SPECIFICALLY FOR $34,000 FOR SUBTASK 1, WITH ALLOWANCE TO SPEND UP TO $45,500 IF ADEQUATE PROJECT FUNDS ARE AVAILABLE; TO WATCH FOR BEAUTIFICATION GRANTS; AND TO NOTIFY AFFECTED BUSINESSES.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

Business Registrations
Adam Brown, City Manager, presented.

Issues the Council voiced as concerns, or items they would like addressed with regard to the business registration process:
Would like more information overall; determine the best way to pinpoint when fines would begin; determine best method to inform businesses of the requirement to register; from first contact, consider one-year leniency before fining; develop a public comment period to allow input from the community; appears they are reinventing the wheel. Staff brought what the previous Council asked for- they just needed to state what had been done; Council passed an ordinance wherein marijuana dispensaries would be required to get a license, so all businesses should; determine and define the purpose of the registration; explain why there was a fee involved, maybe stop the fee process, get everyone registered, and put it online; clearly define who is required to register; reduce the fine from $100 to $50, and allow everyone a year to get registered. If businesses registered within that year, only charge half ($12.50); if not within that one year, charge the full $25; determine who is following up on businesses after that one year period.

Council consensus to move forward on the business registration in some fashion, with Councilor Justus the dissenting vote.

Water and Sewer Exceptions for Federal Furloughed Employees
JUSTUS moved, CRUME seconded, **TO TAKE NO ACTION ON THIS ISSUE**. Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

NEW BUSINESS

Lease Renewal and Amendment for Property Between the City of Ontario and Dennis Montgomery
Adam Brown, City Manager, presented.

CRUME moved, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE AN AMENDED LEASE RENEWAL BETWEEN THE CITY OF ONTARIO AND DENNIS MONTGOMERY.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

Resolution #2019-109: A Resolution Appropriating Expenditures for SE 2nd Water and Sewer Extension Design
Betsy Roberts, City Engineer, presented.

BRADEN moved, JUSTUS seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2019-109, A RESOLUTION APPROPRIATING EXPENDITURES FOR SE 2ND WATER AND SEWER EXTENSION DESIGN, AND CORRECTING THE RESOLUTION TO REFLECT THE CORRECT TOTAL OF $12,000 FOR LINE 030-087-19315.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

Resolution #2019-110: A Resolution in Support of HB2456 Allowing for Residential Rural Housing Development
Adam Brown, City Manager, presented.

JUSTUS moved, CRUME seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2019-110, A RESOLUTION IN SUPPORT OF HOUSE BILL 2456 ALLOWING FOR RESIDENTIAL RURAL HOUSING DEVELOPMENT IN EASTERN OREGON.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

Cap and Trade
Riley Hill, Mayor, presented.

CRUME moved, RODRIGUEZ seconded, **TO DIRECT STAFF TO WRITE A LETTER STATING THE COUNCIL'S OPPOSITION TO CAP AND TRADE, AND ASKING THE STATE TO ALLOW THE BOARDER BOARD A FIVE YEAR EXTENSION TO STUDY THE IMPACTS OF THE CAP AND TRADE IN THIS AREA.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

PUBLIC HEARING(S)

Ordinance #2749-2019: Annex and Rezone 2819 SW 4th Avenue (H Bar H Properties) Tax Lot 3800, Map 18S4705C, on First Reading by Title Only
It being the date advertised for public hearing on the matter of Ordinance #2749-2019, 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 Hearing was opened for public testimony. Opponents: None. Proponents: None. There being no Proponent and no Opponent testimony, the Hearing was closed.

CRUME moved, PALOMO 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 COMMERCIAL (UGA-C) TO CITY GENERAL COMMERCIAL (C-2), AS SET FORTH IN ACTION 2018-10-17AZ AND REMOVING THE LANDS FROM THE RURAL ROAD DISTRICT AND THE RURAL FIRE DISTRICT BE APPROVED BY THE CITY COUNCIL, BASED ON THE INFORMATION, FINDINGS, AND CONCLUSIONS IN THIS REPORT AND THIS MEETING.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

CRUME moved, BRADEN seconded, **THAT THE CITY COUNCIL ADOPT ORDINANCE #2749-2019, AN ORDINANCE ANNEXING INTO THE CITY AND REZONING OF A PARCEL OF LAND BEING LOCATED AT 2819 SW 4TH AVENUE, FROM UGA COMMERCIAL (UGA-C) TO CITY GENERAL COMMERCIAL (C-2), ON FIRST READING BY TITLE ONLY.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

CRUME moved, PALOMO seconded, **TO WAIVE THE SECOND READING OF ORDINANCE #2749-2019.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

Ordinance #2750-2019: Annex and Rezone 716 SE 13th Street (Snake River Ventures, LLC) Tax Lot 1101, Map 18S4711BC, on First Reading by Title Only
It being the date advertised for public hearing on the matter of Ordinance #2750-2019, 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 Hearing was opened for public testimony. Opponents: None. Proponents: Charles Oakes stated he was the attorney of record for the applicant and would answer any questions from the Council. There being no further Proponent and no Opponent testimony, the Hearing was closed.

CRUME moved, BRADEN 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 INDUSTRIAL (UGA-I-2) TO CITY HEAVY INDUSTRIAL (I-2), AS SET FORTH IN ACTION 2018-10-19AZ 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 THIS MEETING.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

CRUME moved, JUSTUS seconded, **TO ALLOW THE INSTALLATION OF A FIRE HYDRANT BE INCLUDED IN THE DEFERRED DEVELOPMENT AGREEMENT, TO COINCIDE WITH THE STREET IMPROVEMENTS, FOR A PERIOD NOT TO EXCEED FOUR YEARS.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

CRUME moved, PALOMO seconded, **THAT THE CITY COUNCIL ADOPT ORDINANCE #2750-2019, AN ORDINANCE ANNEXING INTO THE CITY AND REZONING OF A PARCEL OF LAND BEING LOCATED AT 716 SE 13TH STREET, FROM UGA INDUSTRIAL (UGA-1-2) TO CITY HEAVY INDUSTRIAL (I-2) ON FIRST READING BY TITLE ONLY.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

Ordinance #2751-2019: Annex and Rezone 1987 NW 11th Street (HEVN, LLC) Tax Lot 3001, Map 17S4733C, on First Reading by Title Only

It being the date advertised for public hearing on the matter of Ordinance #7251-2019, 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 Hearing was opened for public testimony. Opponents: None. Proponents: Charles Oakes stated he was the attorney of record for the applicant and would answer any questions from the Council. There being no further Proponent and no Opponent testimony, the Hearing was closed.

CRUME moved, seconded by JUSTUS, **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 INDUSTRIAL (UGA-I) TO CITY LIGHT INDUSTRIAL (I-1), AS SET FORTH IN ACTION 2018-11-20AZ, BE APPROVED BY THE CITYY COUNCIL, BASED ON THE INFORMATION, FINDINGS, AND CONCLUSIONS IN THE REPORT AND THIS MEETING.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

CRUME moved, JUSTUS seconded, **THAT THE CITY COUNCIL ADOPT ORDINANCE #2751-2019, AN ORDINANCE ANNEXING INTO THE CITY AND REZOING OF A PARCEL OF LAND BEING LOCATED AT 1987 NW 11TH STREET, FROM UGA INDUSTRIAL (UGA-I) TO CITY LIGHT INDUSTRIAL (I-1), ON FIRST READING BY TITLE ONLY.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

Ordinance #2752-2019: Annex and Rezone a Parcel Located at the NW Corner of SE 5th Avenue and SE 10th Street, (H2MK, LLC) Tax Lots 1200, 1300, 1301, 1302, 1303, 1305 and 1310, Map 18S4710D1, on First Reading by Title Only

It being the date advertised for public hearing on the matter of Ordinance #2752-2019, 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 Hearing was opened for public testimony. Opponents: None. Proponents: None. There being no Proponent and no Opponent testimony, the Hearing was closed.

HILL moved, CRUME 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 GENERAL COMMERCIAL (UGA-C2) TO CITY GENERAL HEAVY COMMERCIAL (C-2H), AS SET FORTH IN ACTION 2018-12-21AZ, BE APPROVED BY THE CITY COUNCIL, BASED ON THE INFORMATION, FINDINGS, AND CONCLUSIONS IN THIS REPORT AND THIS MEETING.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

PALOMO moved, CRUME seconded, **THAT THE CITY COUNCIL ADOPT ORDINANCE #2752-2019, AN ORDINANCE ANNEXING INTO THE CITY AND REZONING OF A PARCEL OF LAND BEING LOCATED AT THE NW CORNER OF SE 5TH AVENUE AND SE 10TH STREET, FROM UGA GENERAL COMMERCIAL (UGA-C2) TO CITY GENERAL HEAVY COMMERCIAL (C-2H), ON FIRST READING BY TITLE ONLY.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

HAND-OUTS/DISCUSSION ITEMS

Check Register: January 1 – February 14, 2019 (Attached)
Mayor Hill had questions on three checks: $5,000 to Dorsey Music; $23,812 to Oster Professional Group; and $949.445 to Milliman, Inc.

Ms. Ott stated the $5,000 was a Façade Grant; the $23,812 was the monthly payment for Oster's contract; and the $949,445 was the payment for PERS.

Agenda Prep Calendar – 3rd Councilor (Attached)

Land Lease – Museum
Dan Beaubien, Airport Manager, presented. (Attached)

Grass Runway Irrigation System
Dan Beaubien, Airport Manager, presented. The area was 2,826 feet long, 90 feet wide, and equipment and labor had been donated for making the area usable as an alternate runway. 600 pounds of grass had been donated, but the area needed an irrigation system. Bids had been obtained, and it would be approximately $18,000. He had identified a fund which currently had $16,512 in it, and the Airport Committee hoped to use that money to purchase the irrigation parts.

CORRESPONDENCE/COMMENTS

Mayor Hill encouraged the Council to hold either a public hearing or to take public comments on the business registration issue. They should take public input.

ADJOURN

CRUME moved, PALOMO seconded, **THAT THE MEETING BE ADJOURNED**. Unanimous voice vote to adjourn.

ACCEPTED:

Riley J. Hill

Riley J. Hill, Mayor

ATTEST

Tori Barnett

Tori Barnett, MMC, City Recorder