



CITY COUNCIL WORK SESSION MINUTES

April 4, 2019

The scheduled Work Session of the Ontario City Council was called to order by Mayor Riley Hill at 12:00 p.m. on Thursday, April 4, 2019, in the Council Chambers of City Hall. Council members present were Riley Hill, Norm Crume, Dan Capron, Ramon Palomo, Michael Braden, Marty Justus, and Freddy Rodriguez.

Members of staff present were Adam Brown, Tori Barnett, Larry Sullivan, Kari Ott, Terry Leighton, Dan Cummings, Cliff Leeper, Jason Cooper, Peter Hall, Debbie Jeffries, Casey Mordhorst, and Dallas Brockett.

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 April 2, 2019. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

CRUME moved, PALOMO seconded, to **ADOPT THE AGENDA AS PRESENTED**. Roll call vote: Braden-yes; Justus-yes; Palomo-yes; Crume-yes; Rodriguez-yes; Capron-yes; Hill-yes. Motion carried 7/0/0.

PUBLIC COMMENT

Kim Paddock, Ontario, stated she had just moved to Ontario and noticed dogs running around free. While riding her motorcycle, she had been hit by a loose dog, throwing her down the road. She suffered a coma for 11 days, and the dog died. However, nothing happened to the owner of the dog, including being responsible for any bills associated with the accident. That occurred in Idaho. She was forced to sue Idaho to change dog laws, resulting in people being better protected. She would like to work with the City of Ontario on the loose dog problem rather than have to create a court action. She'd like to see more Code Enforcement involvement. Thank you.

Eddy Thiel, Ontario, stated she was representing the Citizen's Coalition of Ontario, a group that had been put together to work on issues with the city. Their first meeting would be April 17th, 6:00 p.m., at the Cultural Center. They planned to host two panels. She was seeking a commitment by members of the Council for their attendance at the meeting. There would be different panels each meeting, but they always wanted the Council there. This first meeting would be dealing with the Recreation District. There would be presentations, and then time for questions. She encouraged everyone to attend. They were hoping to achieve a better connection with the city. Had something like this occurred before, they would probably have passed the 1% sales tax measure.

NEW BUSINESS

Resolution #2019-113: A Supplemental Budget to Fund the Recreation Department for the Last Half of 2018-2019

Kari Ott, Finance Director, presented.

Will be under Consent Agenda at the April 16, 2019, meeting.

Resolution #2019-114: Support of HB2449 for Increasing the 911 Surcharge Fee from \$0.75 to \$1.50 per Line

Adam Brown, City Manager, presented

CAPRON moved, JUSTUS seconded, **THAT THE CITY COUNCIL ADOPT RESOLUTION #2019-114, A RESOLUTION IN SUPPORT OF HOUSE BILL 2449 TO INCREASE THE 9-1-1 TAX TO \$1.50 AND EXTEND THE SUNSET OF THE TAX.** Roll call vote: Braden-yes; Justus-yes; Palomo-yes; Crume-yes; Rodriguez-yes; Capron-yes; Hill-yes. Motion carried 7/0/0.

Housing Incentive Program: Thompson

Kari Ott, Finance Director, presented.

CRUME moved, PALOMO seconded, **THAT THE CITY COUNCIL APPROVE THE APPLICATION BY DAVID THOMPSON FOR THE ONTARIO HOUSING INCENTIVE PROGRAM IN THE AMOUNT OF \$10,000.** Roll call vote: Braden-yes; Justus-yes; Palomo-yes; Crume-yes; Rodriguez-yes; Capron-yes; Hill-yes. Motion carried 7/0/0.

Police Chief Salary

Adam Brown, City Manager, presented.

CRUME moved, RODRIGUEZ seconded, **THAT THE CITY COUNCIL AUTHORIZE THE POLICE CHIEF SALARY AT \$97,864.70.** Roll call vote: Braden-yes; Justus-yes; Palomo-yes; Crume-yes; Rodriguez-yes; Capron-yes; Hill-yes. Motion carried 7/0/0.

PUBLIC HEARING**Ordinance #2753-2019: Acceptance of Private Properties as Public Right of Ways for Public Streets – First/Second Reading and Declaring an Emergency**

It being the date advertised for public hearing on the matter of Ordinance #2753-2019, 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, CAPRON seconded, **THAT THE CITY COUNCIL ADOPT ORDINANCE #2753-2019, AN ORDINANCE ACCEPTING A PORTION OF THE SNAKE RIVER VENTURES, LLC, PROPERTY CURRENTLY DESIGNATED AS ASSESSOR'S MAP #18S4711BC, TAX LOT #1101, AND A PORTION OF THE HEVN, LLC, PROPERTY CURRENTLY DESIGNATED AS ASSESSOR'S MAP #17S4733C, TAX LOT #3001, AS CITY OF ONTARIO STREET RIGHT OF WAY AS PART OF THAT PUBLIC STREET KNOWN AS SE 13TH STREET AND NW 20TH AVENUE, ON FIRST READING BY TITLE ONLY, AS AN EMERGENCY PASSAGE.** Roll call vote: Braden-yes; Justus-yes; Palomo-yes; Crume-yes; Rodriguez-yes; Capron-yes; Hill-yes. Motion carried 7/0/0.

CRUME moved, JUSTUS seconded, **TO WAIVE THE SECOND READING OF ORDINANCE #2753-2019, AN ORDINANCE ACCEPTING CERTAIN TERRITORY AS CITY OF ONTARIO STREET RIGHT OF WAY AND AS A PUBLIC STREET, AND DECLARING AN EMERGENCY.** Roll call vote: Braden-yes; Justus-yes; Palomo-yes; Crume-yes; Rodriguez-yes; Capron-yes; Hill-yes. Motion carried 7/0/0.

DEPARTMENT HEAD UPDATES**Financial Report: Monthly**

Kari Ott, Finance Director, presented. (Report attached)

Community Development: Quarterly

Dan Cummings, Community Development Director, presented. (Report attached)

Police: Quarterly

Jason Cooper, Interim Police Chief, presented. (Report attached)



Code Enforcement: Status Update

Dallas Brockett, Code Enforcement Officer, presented. (Report attached)

HAND-OUTS/DISCUSSION ITEMS**No Smoking Downtown Ordinance**

Adam Brown stated this was a discussion to see if the Council wanted to move forward. He had been approached by the Health Department and Lifeways, asking that the city consider a no smoking policy downtown. He had been provided an example from Baker City. Currently, there was a 10-foot buffer between entrances, and it was only enforceable by the Health Department. The complaint would have to go to the state, and then back to the Health Department, who would then have to observe it. The Council could do a local ordinance, that would increase the buffer to maybe 20 feet, which could be locally enforced, or the Council could declare the downtown area as completely free. That had been the recommendation and ask of those parties who had spoken with him on the issue. He was seeking Council direction.

Mayor Hill asked if this was aimed at tobacco, or some other product.

Mr. Brown stated it would include whatever they wanted, but it would include smoking or vaping downtown.

Councilor Justus stated he would be for setting no-smoking boundaries. It would eliminate butts, second-hand smoke, etc. However, there were other issues downtown that needed looking into. There were individuals urinating and defecating in doorways. That was indicative of the type of person being attracted to the downtown area after hours. That needed to be addressed.

Mayor Hill stated before they took action, it should be advertised in the downtown area. There was going to be some pushback, and the people would want to be heard by the Council.

Councilor Crume questioned the city's authority to make those regulations against a property owner.

Mr. Sullivan stated state law read that if a place was open to the public, it could be regulated. If everyone had public access to the sidewalks, and the Council wanted to ban smoking in those public places, it could be done. However, there could still be private smoking clubs, and those would have to follow the state laws written for that type of establishment.

Mr. Brown stated the private smoking club had been brought up, and he believed it would be a zoning issue, not a downtown smoking prevention ordinance.

Council consensus to explore the action, but with caution.

Working with Revitalize Ontario on Elements of Downtown Plan

Councilor Justus stated they'd like to utilize some state funds for the expansion of the park around the Depot. Through a partnership with the city, Revitalize Ontario, and the downtown merchants, they'd like to develop a plan specifically for the Depot. He believed Charlotte (Fugate) had received a 20-15 grant for downtown, which included the Depot. They wanted to put that together as part of the overall plan for downtown. He agreed with Mayor Hill that if there was a focal point downtown, it would draw people down there. Revitalize was excited and happy to do whatever to make that happen. Mayor Hill was also working on a trail program.

Mayor Hill stated he spent three days in Salem recently, making the rounds to the Education Department about three times on things like Poverty to Prosperity and ESD, and also made four contacts with Parks and Recreation discussing the city's Parks and Rec plan we had here. They discussed the trail along the Snake River that was in the Master Plan. He was told not to waste time on that until the city had control of the land. The city would not receive any money from them. With regard to the Depot, they cheered him on, and then threw up some roadblocks. He was told it was a plan that they would probably fund. Steve Grasty, a former Harney County Judge, sat on the Commission, and after speaking with him about this, Mr. Grasty agreed to help push something through for Ontario.

Trash Receptacles on Serve Day

Mr. Brown stated this was a follow-up to a previous discussion with regard to placing dumpsters downtown on Serve Day. He had spoken with Scott Wilson at Ontario Sanitary, who was unable to attend that day, but could be at the Tuesday Council meeting. The question was whether the city wanted to pay for a dumpster for individuals to dispose of their trash on Serve Day. His concern was that someone would need to be present by the dumpster the entire time to ensure nothing hazardous was thrown in the dumpster, as any hazardous materials that were accepted would be the city's monetary obligation to dispose of.

Mayor Hill agreed with the placement, but it would take some notice by the city to get the word out. He had placed two dumpsters out on city streets – at his own expense – and they were there 10 days with not one thing thrown in them.

Councilor Justus stated maybe they could promote the dumpsters as yard waste only.

Council consensus to explore the options with Ontario Sanitary, with Dan Capron against.

Department Stats:

Ontario Fire & Rescue: Mar, 2019 (Attached)

Public Works: Mar, 2019 (Attached)

Ontario Police: Feb, 2019 (Attached)

Code Enforcement: Feb, 2019 (Attached)

Agenda

SREDA: Apr 3, 2019 (Attached)

Minutes

SREDA: Mar 13, 2019 (Attached)

County Court: Mar 6, 2019 (Attached)

County Court: Mar 13, 2019 (Attached)

County Court: Mar 20, 2019 (Attached)

Diversity Advisory: 08-14-2018 (Attached)

Diversity Advisory: 09-11-2018 (Attached)

Diversity Advisory: Oct 9, 2018 (Attached)

Diversity Advisory: Jan 8, 2019 (Attached)

Diversity Advisory: Feb 12, 2019 (Attached)

EXECUTIVE SESSION**Executive Session: ORS 192.660(2)(h)**

An executive session was called at 1:50 p.m. under provisions of ORS 192.660(2)(h) regarding current or potential litigation. The Council reconvened into regular session at 2:08 p.m.

NEW BUSINESS-CONTINUED

JUSTUS moved, RODRIGUEZ seconded, **THAT THE CITY COUNCIL AUTHORIZE THE MAYOR TO EXECUTE ANY DOCUMENTS NECESSARY TO REMOVE THE CITY'S REAL PROPERTY LIENS AGAINST THE PARCEL IDENTIFIED AS TAX LOT 4900 IN ONTARIO, OREGON, SO THAT THE PARCEL MAY BE SOLD FOR \$113,000, PROVIDED THAT THE CITY RECEIVE \$5,000 IN CONSIDERATION FOR THE RELEASE. THIS RELEASE WILL NOT RELEASE THE DEBTORS FROM THE MONEY JUDGEMENT THEY OWE TO THE CITY OF ONTARIO IN CASE NO. 18CV56426.** Roll call vote: Braden-no; Justus-yes; Palomo-yes; Crume-no; Rodriguez-yes; Capron-yes; Hill-yes. Motion carried 5/2/0.

Mr. Sullivan informed the Council that the second sentence would be different now, as once the city received the \$5,000, the debtor would receive a credit against their money judgement for that portion that exceeded the city's cost.

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- ✓ Councilor Capron reminded everyone that the Fish Fry dinners were still going behind the Catholic Church, \$10 per person, \$30 per family.
- ✓ Mayor Hill stated he was a member of the Eastern Oregon Work Force Board, and there was \$6,000 per county for pet projects. No county out of eight possible applied, so there was \$48,000 available that would be put out. He had taken that to the college so they could make application either through the County, or the County could do it for them. They were preparing a proposal to get equipment for CTE training. He was seeking Council consensus or approval to support TVCC's application for that \$48,000 possible grant.

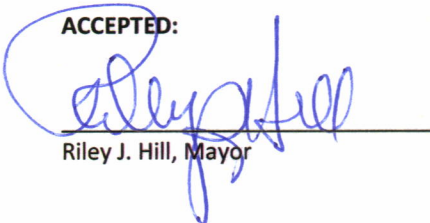
Councilor consensus to support the application.

- ✓ Mr. Brown shared with the Council that the Mayor had gone on his own time, and his own dime, from Sunday to Wednesday to knock on doors in Salem, and that was very commendable. He had quite the laser focus when he was onto something.
- ✓ Mr. Brown stated there was a fantastic grand opening/ribbon cutting at Marshall's. It was packed!

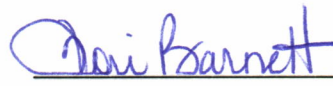
ADJOURN

CAPRON moved, CRUME seconded, **THAT THE MEETING BE ADJOURNED.** Unanimous voice agreement.

ACCEPTED:


Riley J. Hill, Mayor

ATTEST


Tori Barnett, MMC, City Recorder

