



CITY COUNCIL WORK SESSION MINUTES February 6, 2020

The scheduled Work Session of the Ontario City Council was called to order by Mayor Riley Hill at 6:00 p.m. on Thursday, February 6, 2020, in the Council Chambers of City Hall. Council members present were Riley Hill, Dan Capron, Michael Braden, Norm Crume, Ramon Palomo, and Freddy Rodriguez. Marty Justus was excused.

Members of staff present were Adam Brown, Tori Barnett, Dan Cummings, Terry Leighton, Kari Ott, Larry Sullivan, Peter Hall, Betsy Roberts, Cliff Leeper, Steven Romero, 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 4, 2020. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

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

OLD BUSINESS

Resolution #2020-107: SRCI Water and Wastewater Agreements

Adam Brown, City Manager, presented.

CRUME moved, CAPRON seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2020-107, A RESOLUTION APPROVING THE INTERGOVERNMENTAL AGREEMENTS FOR WATER AND WASTEWATER SERVICES BETWEEN THE CITY OF ONTARIO AND THE DEPARTMENT OF CORRECTIONS**. Roll call vote: Rodriguez-yes; Justus-out; Palomo-yes; Capron-yes; Braden-yes; Crume-yes; Hill-no. Motion carried 5/1/1.

Mayor Hill stated his no vote on this action was only because he was not in favor of a 20-year lease, as he would have preferred a shorter term.

NEW BUSINESS

Bid Award Recommendation: 5-Year Skyline and Malheur Farm Leases

Betsy Roberts, City Engineer, presented.

CRUME moved, CAPRON seconded, **MOVE THE CITY COUNCIL AWARD THE MALHEUR FARM AND SKYLINE FARM AGRICULTURAL LEASE TO WHIPPLE SPRING, LLC**. Roll call vote: Rodriguez-yes; Justus-out; Palomo-yes; Capron-yes; Braden-yes; Crume-yes; Hill-yes. Motion carried 6/0/1.

Resolution #2020-105: Declaration of Necessity for Property Condemnation

Adam Brown, City Manager, presented.

CAPRON moved, CRUME seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2020-105, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, OREGON, DECLARING NECESSITY AND INTENT TO APPROPRIATE CERTAIN REAL PROPERTY, AUTHORIZING THE CITY MANAGER TO NEGOTIATE FOR ITS ACQUISITION, AND AUTHORIZING INSTITUTION OF CONDEMNATION PROCEEDINGS IF NECESSARY, FOR THE CONSTRUCTION OF THE SNAKE RIVER TRAIL (TATER TOTS TRAIL) MULTI-USE PATH PROJECT.** Roll call vote: Rodriguez-yes; Justus-out; Palomo-yes; Capron-yes; Braden-yes; Crume-yes; Hill-yes. Motion carried 6/0/1.

Resolution #2020-106: Legislative Position Regarding an Airport Layout Plan Revision

Adam Brown, City Manager, presented.

City staff are attempting to access local and state funds to conduct a partial airport layout plan for the northwest corner of the property because an imminent opportunity existed for development. The city had experienced some resistance and wished for the City Council to take a legislative position to assist in the conversations with the Federal Aviation Administration (FAA) and legislators.

The most recent airport layout plan was conducted in 2013. A revision to the ALP was scheduled for 2023 in the five-year capital improvement plan under which the project would be funded by at least 95%. The FAA paid for 90% and the State of Oregon paid 5%. The city was obligated to pay for 5%; however, the city had consistently received support through the COAR program for the State of Oregon to cover four of the five percentage points of the city's required match. Therefore, the city's 1% contribution leveraged 99% funding.

The city has recently been approached by the Bureau of Land Management to consolidate its services in a new building at Ontario Municipal Airport (ONO). Initially it was believed that this project would be five years out, but advocacy from our regional BLM officials have expedited the request. With new planning grant cycles opening up from the Eastern Oregon Economic Development Board the city hoped to expedite at least a piece of the airport layout plan by focusing on the northwest corner where city staff and the Airport Committee believed our agriculture sprayers and other Single Engine Air Tanker (SEAT) planes should be located. Technical assistance grants were available from Business Oregon which could be matched with Border Board funding to pay for the infrastructure improvements and layout design with the end purpose to build a project financed through several state opportunities with a long-term lease agreement from the Bureau of Land Management.

Initial reaction from our request to the FAA was that our agriculture operators needed to be located on the east side of the runway at the south end where they were laid out in the current ALP. At the time the former ALP was conducted, however, the concept of the BLM wanting to consolidate operations at ONO did not exist. This request created a new demand on the airport property that did not exist under the previous ALP. Their objection to the concept was understandable because Ontario had a full-length taxiway on the east side of the runway. This new facility would create a partial taxiway that might require planes to cross the runway to get to the fueling stations.

Timing was critical. The BLM has \$2.5 million funded this year to support this work. The BLM said they prefer to provide funding up front and then have a 30-year lease on the project.

The facility for the BLM and agriculture operators could be located where the current ALP has them identified; however, staff did not believe this was the best place for them given the close proximity to housing. These planes are very loud and begin work early and end work late in the summer during growing and fire season.

No action taken; issue tabled.

DEPARTMENT HEAD UPDATES**Financial Monthly Report** *(Attached)*

Kari Ott, Finance Director, presented.

Public Works Quarterly Report *(Attached)*

Cliff Leeper, Public Works Director, presented.

DISCUSSION ITEMS**Homelessness Update**

Adam Brown, City Manager, stated they were meeting the next day with Community in Action, Origins, and Wendy Hill, DHS. Status was that there was one shelter built, inspected, and ready. There were four others waiting for inspection. The inspector indicated she was ready to inspect so staff anticipated that concluding soon. The determination was made that when there were five units ready, they'd be placed on site, and then continuing on in five-unit increments. They hoped to get them onsite next week. The power had been trenched and an electrician was needed to wire the units. It was believed the units would be warm even without heating. The first unit would be provided to the person who would be the onsite supervisor. There was no intention to open the area without the supervisor onsite 24/7. Origins Faith Community would be providing the onsite person.

Councilor Rodriguez asked if Liz Jenson of Lifeways was invited to attend the meeting.

Mr. Brown stated he believed she was on the list for tomorrow.

Marijuana Law Enforcement Funding

Adam Brown, City Manager, stated this was something the Mayor asked be placed on the Agenda, but he was willing to provide context for it. Two of the city's officers were funded by the state marijuana revenue sharing money. The Council direction was that they didn't want to spend the one-time money on positions. That's why they would only spend the state money on law enforcement. However, the state money was only going to be about \$50K versus \$250K. The city would be over budget on the actual revenue brought in from the dispensaries from the local 3% tax, that would make that pretty much whole. The Mayor's question that he wanted to discuss with the Council was this: the city had already filled those positions, however, there was a vacancy coming up, and there were also some retirees that were back working. The local tax would make the city whole this year, but if the Council wanted to freeze any refilling of positions because of that, that was the discussion.

Mayor Hill stated this was all for transparency, so everyone knew what was occurring. It would be discussed at the Budget Hearings.

Mr. Brown stated his recommendation was that it be handled through attrition.

Councilor Rodriguez stated, for clarification, he remembered that they wanted to budget the money the city was going to receive from the State of Oregon to fund those positions. It sounded like Mr. Brown was saying that the money coming back was not going to be enough to cover those positions, and the money that the city undercalculated for the 3% would help the city be made whole. That made it that much more important to ensure that the State of Oregon recalculated the funds that should be sent back to Ontario. If the city received what they were supposed to, the city would be doing well.

Mayor Hill stated the city had made that position very clear to the legislators. He personally made it clear to them. He didn't expect anything to happen during this session, but it could.

Councilor Rodriguez stated he fully supported that action. He did not feel the city was being greedy. The Council was doing what was right for the community.

Carbon Tax

Mayor Hill stated something that wasn't on the Agenda, but warranted discussion, was the Carbon Tax was back, and it was the number one thing being worked on. He received a flyer on it yesterday. It was going to run from 22¢ to 72¢. No one knew what was going to happen. He wasn't sure if the city needed to make their position clear again to the legislators and Governor. This would devastate the city.

Mr. Brown stated in the interest of time, staff could restate and resend the Council's position from last year, assuming it had not changed.

Council consensus to follow Mr. Brown's suggestion.

Tech Fair

Mayor Hill stated an issue that had been discussed at the first session with the Budget Committee, he had opened some doors for a Tech Fair. He spoke with the Chamber of Commerce, the Border Board, Poverty to Prosperity, and was now told the Fair was moving forward.

Councilor Capron stated it was slated for set up on August 21st, and would take place on the 22nd and 23rd.

HAND-OUTS**Minutes:** *(Attached)*

County Court: 01-08-2020; 01-15-2020; 01-21-2020; 01-22-2020

Public Works Committee: 12-10-2019

Department Stats: *(Attached)*

Fire & Rescue: Jan 2020

Public Works: Jan 2020

Code Enforcement: Jan 2020

Police: Jan 2020

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Councilor Crume stated that over years at his business, in watching 4th Avenue, he saw people speeding all day long. It had been mentioned numerous times, but he was not really seeing that area being patrolled. He witness a rash of fast drivers in the morning, and then from 3pm on. There was a school across the street, and a trailer court full of kids, and a lot of pets around. If there was time for the department to conduct a patrol, he'd like to see that. It was supposed to be 35mph, and people were really exceeding that, including large trucks and school busses. It was getting very dangerous.

Chief Romero stated that was the first he'd hear do the problem. He had received complaints about the vehicles exiting the school, merging into traffic without yielding to oncoming cars. Clearly, there was an identified problem and he'd work to find a solution.

Councilor Crume stated one issue was that it was a school zone, so it changed to 20mph, but no one was abiding by that. He was hoping to just 35mph or under.

Mr. Brown stated it was possible that the traffic engineer needed to look at that issue, as there might be other traffic calming devices that could be implemented. The issue continued year after year.

Councilor Rodriguez suggested a speedometer sign.

EXECUTIVE SESSIONExecutive Session: ORS 192.660(2)(h)

An executive session was called at 7:47 p.m. under provisions of ORS 192.660(2)(h) to discuss current or potential litigation. The Council reconvened into regular session at 8:18 p.m.

ADJOURN

CRUME moved, CAPRON seconded, **THAT THE MEETING BE ADJOURNED**. Roll call vote: Rodriguez-yes; Justus-out; Palomo-yes; Capron-yes; Braden-yes; Crume-yes; Hill-yes. Motion carried 6/0/1.

ACCEPTED:



Riley J. Hill, Mayor

ATTEST



Tori Barnett, MMC, City Recorder