



CITY COUNCIL WORK SESSION MINUTES March 5, 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, March 5, 2020, in the Council Chambers of City Hall. Council members present were Riley Hill, Marty Justus, Michael Braden, Norm Crume, Ramon Palomo, and Freddy Rodriguez. Dan Capron was excused.

Members of staff present were Adam Brown, Tori Barnett, Dan Cummings, Terry Leighton, Kari Ott, Larry Sullivan, Peter Hall, Cliff Leeper, and Steven Romero.

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 March 3, 2020. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

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

PUBLIC COMMENTS

Byron Shock, Ontario: *I had a very positive interaction earlier today with Al from the Public Works Department. First, I called the Sergeant on duty because I keep seeing cars blow through the stop sign at Goodfellow Street and SE 1st Avenue, coming out of Waremart there. I see it just about every time that I'm in the vicinity there. I see at least one, sometimes two, and so the Sergeant on duty suggested that speak to Public Works about it. I have to say that within 45 minutes, I had requested that they follow up with me, within 45 minutes they had already come up with a plan for how to make that stop sign more visible and they plan on painting a stop line there on Monday at the stop sign, putting some flags up, barricade, stop ahead, whatever it takes. This is all very responsible. I just wanted to say what a wonderful interaction that was. It was Al that talked to in Public Works, and he talked to his supervisor, obviously, and they came up with a plan very quickly. It's really important that we remedy that because cars approaching from the West can see that stop sign, and they expect cars approaching from the South to be stopping. It's more dangerous right now then just not even having a stop sign there. That's being addressed, it's being addressed in a very timely manner, and I am most impressed, so I wanted to give kudos to Al and his supervisor, and the Sergeant on duty who's name I do not know. Thank you very much.*

PRESENTATIONS

In the interest of time, Mayor Hill moved item "D" to the first item on the Presentations list.

Fire and Life Safety Reporting LIV (Attached)

Terry Leighton, Fire Chief, presented.

2018-2019 Annual Audit: Connected Professional Accountants, LLC (Attached)

Chelsea Hewitt, CPA, presented.



Great Futures Campaign: Boys & Girls Club of Western Treasure Valley (Attached)

Dana Castellani, CEO, presented.

Councilor Justus stated they were making progress towards their \$300K goal. At this end of the month, there would be a fundraiser called Shoot Out with the Chief. On the 31st, from 3-6pm, the club would be open for tours. At 5pm, the Chief was going to have a Nerf gun shooting alley set up, and anyone who wanted to challenge the Chief, could. The minimum donation was \$5. If the challenger one, the Chief paid the \$5; if the Chief won, the challenger paid the \$5. They also had an appointment at SRCI to ask that their staff consider the \$5 donation; he was also meeting with Raeshelle Meyer; and they were working on the hospital staff, so he believed they would get the necessary 5K people. Anything above the needed \$300K, could be used for better programs.

Mayor Hill read a proclamation into the record regarding the Great Futures Campaign: *Whereas, the Boys and Girls Club of Western Treasure Valley has been a part of the Ontario area community for 10 years; and whereas, the city recognizes the value of the Club's contribution to the Ontario community in creating healthier outcomes for our youth; and whereas, the city recognizes the value of the Club's contribution to the Ontario community in creating healthier outcomes for our youth; and whereas, the city would like to encourage our residents to participate in the Club's efforts to get 5,000 people to contribute \$5 per month; and whereas, the city desires to express its support for the Boys and Girls Club of Western Treasure Valley and for their Great Futures Campaign. Now, therefore, I, Mayor Riley J. Hill, Mayor of Ontario, do hereby proclaim March 2020 as a challenge to support the Western Treasure Valley's Boys and Girls Club's Great Futures Campaign.*

Attraction Study, Branding, and Way-Finding Update (Attached)

Dan Beyer and Andie Kelly, Trademark Design and Fabrication, presented.

Council consensus to submit the three options for the proposed new logo to the community for their input.

NEW BUSINESS**Housing Incentive Program: Rywest Homes Application**

Dan Cummings, Community Development Director, presented.

JUSTUS moved, PALOMO seconded, **THAT THE CITY COUNCIL APPROVE THE APPLICATION BY RYWEST HOMES AT 859 REITER DRIVE FOR THE ONTARIO HOUSING INCENTIVE PROGRAM IN THE AMOUNT OF \$10,000.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-out; Braden-yes; Crume-yes; Hill-yes. Motion carried 6/0/1.

Programming of City Recreational Facilities

Adam Brown, City Manager, presented.

CRUME moved, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE ONTARIO RECREATION DISTRICT AND THE CITY OF ONTARIO FOR THE SCHEDULING OF RECREATION FIELDS AND FACILITIES.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-out; Braden-yes; Crume-yes; Hill-yes. Motion carried 6/0/1.

Potential Action for Task Order Covering Design of pH Adjustment System for Wastewater Treatment Plant

Paul Woods, Jacobs Environmental Engineer, presented.

JUSTUS moved, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE THE TASK ORDER FOR THE WASTEWATER TREATMENT PLANT PH ADJUSTMENT DESIGN FOR \$14,900 TO SATISFY NATIONAL POLLUTANT DISCHARGE ELIMINATION REQUIREMENTS.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-out; Braden-yes; Crume-yes; Hill-yes. Motion carried 6/0/1.

Potential Action on Task Order for National Pollutant Discharge Elimination Permit Support

Paul Woods, Jacobs Environmental Engineer, presented.

CRUME moved, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE THE TASK ORDER FOR DEQ PERMIT SUPPORT FOR \$30,000.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-out; Braden-yes; Crume-yes; Hill-yes. Motion carried 6/0/1.

Potential Action on Task Order to Conduct Environmental Assessment Required for CDBG Application

Paul Woods, Jacobs Environmental Engineer, presented.

BRADEN moved, PALOMO seconded, **THAT THE CITY COUNCIL APPROVE THE TASK ORDER FOR ENVIRONMENTAL EVALUATION FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR \$55,920.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-out; Braden-yes; Crume-yes; Hill-yes. Motion carried 6/0/1.

Potential Action for Task Order Regarding NPDES Report Development

Paul Woods, Jacobs Environmental Engineer, presented.

CRUME moved, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REPORT DEVELOPMENT TASK ORDER FOR \$35,000.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-out; Braden-yes; Crume-yes; Hill-yes. Motion carried 6/0/1.

PUBLIC HEARING**Community Development Block Grant Applications**

It being the date advertised for public hearing on the matter of the Community Development Block Grant Applications, the Hearing was declared open. There were no objections to the city's jurisdiction to hear the action, no abstentions or ex-parte contact, and no declarations of conflict of interest.

Paul Woods, Jacobs Environmental Engineer, presented.

Mr. Woods stated it was a requirement that the public notice that was published in the newspaper be read into the record, and noted that it had been published twice in both English and Spanish:

The city is eligible to apply for a 2020 Community Development Block Grant from the Business Oregon. Community Development Block Grant funds come from the U.S. Department of Housing and Urban Development. The grants can be used for public facilities and housing improvements, primarily for persons with low and moderate incomes.

Approximately \$12 million will be awarded to Oregon non-metropolitan cities and counties in 2020. The maximum grant that a city or county can receive for a public works project is \$2,500,000; the maximum amount for a community facilities project is \$1,500,000.

The city is preparing two applications for a 2020 Community Development Block Grant from the Business Oregon for #1 sanitary sewer conveyance improvements in the southwest quadrant of Ontario; and #2 Design/Construction of improvements to the Ontario Senior Citizen's Center. It is estimated that the sanitary sewer project will benefit at least 11,470 persons, of whom 58% will be low or moderate income. The senior center project is projected to benefit 75 persons, of whom at least 51% will be low- to moderate- income. If awarded, 100 percent of the grant funds will be used for either of these two projects.

A public hearing will be held by the city council at 6 pm on March 5th at Ontario City Hall 444 SW 4th Street Ontario, OR 97914. The purpose of this hearing is for the city council to obtain citizen views and to respond to questions and comments about: community development and housing needs, especially the needs of low- and moderate- income persons, as well as other needs in the community that might be assisted with a Community Development Block Grant project; and the proposed project.

Written comments are also welcome and must be received by 5 pm on February 27th at 444 SW 4th Street Ontario, OR 97914. Both oral and written comments will be considered by the city council in deciding whether to apply.

The location of the hearing is accessible to persons with disabilities. Please contact City Manager Adam Brown at (541) 889-7684 if you will need any special accommodations to attend or participate in the meeting.

More information about Oregon Community Development Block grants, the proposed project, and records about the City of Ontario's past use of Community Development Block Grant funds is available for public review at City Hall 444 SW 4th Street Ontario, OR 97914 during regular office hours. Advance notice is requested. If special accommodations are needed, please notify Adam Brown at (541) 889-7684 so that appropriate assistance can be provided.

Permanent involuntary displacement of persons or businesses is not anticipated as a result from the proposed project. If displacement becomes necessary, alternatives will be examined to minimize the displacement and provide required/reasonable benefits to those displaced. Any low- and moderate- income housing that is demolished or converted to another use will be replaced.

The Hearing was opened for public testimony. Opponents: None. Proponents: None. There being no Proponent and no Opponent testimony, the Hearing was closed.

There was no Council action required on this matter; this Public Hearing was held to meet the legal requirements of the application process.

DEPARTMENT HEAD UPDATES

Financial Monthly Report (Attached)

Kari Ott, Finance Director, presented.

Fire & Rescue Quarterly Report (Attached)

Terry Leighton, Fire Chief, presented.

Community Development Quarterly Report (Attached)

Dan Cummings, Community Development Director, presented.

DISCUSSION ITEMS

Security at Marijuana Dispensaries

Councilor Rodriguez stated in light of the tragic event over the weekend, he wanted to discuss taking precautionary procedures moving forward. He could not ignore that these legally established dispensaries carried a type of "vibe" from the places where this market originally was established, which was an illicit market. He was not saying these places were going to continually attract this type of activity, but they did attract the demographics that could attract that type of activity. What occurred was a crossing of paths. Gang members did react that way. With the extension of Caldwell into Ontario, with the new dispensaries, with what the city was seeing now and potentially in the future, he knew the Chief had made decisions because there was the potential for retaliation, but those paths could still cross and retaliation could definitely occur. That was a traffic point for 300,000 people. He wanted to discuss maybe see about the city implementing some type of requirement to have the dispensaries have a security officer during operating hours. It would be similar to what banks were doing, so not carrying a gun, but a security presence. If there was interest, he'd like to send it to the Marijuana Ad-Hoc Committee to have them wrangle with it.

Councilor Justus asked if there had been a pattern of calls to the dispensaries since Chief Romero had been employed by the city? Did the Chief believe security was a necessary measure, and that the Council should mandate that for the dispensary locations?

Chief Romero stated it wasn't a pattern, but there were isolated incidents and unique responses. In his professional opinion, any significant event that posed a public risk, there should be some type of local ordinance that required some type of security feature, for any type of business or gathering.

Mr. Sullivan stated Oregon State Law allowed cities to regulate the time, place, and manner of the operation of these businesses. Manner of operation would include having sufficient employees to ensure violence didn't occur on site. With a little work, it would be easy to justify requiring the presence of additional security at these businesses, if that was something the Council wanted to require. Having one or more security employees on staff would be a substantial increase in the expenses of the business, but that fallout was something the Council would have to deal with.



Councilor Rodriguez stated this was purely a preventive measure. He was not saying it was going to get bad, but they were already seeing incidents at all three establishments.

Mayor Hill stated he was not sure that having security would have changed the outcome of the latest incident. There was security at the hospital, and someone was stabbed; another incident was at Pilot, where an individual had their throat slit. He knew that they would be going back to the legislature again, to ask for more money, and that they would tell them that these incidents deserved more police protection, and that if they implemented this *now*, the legislature could say "problem solved". However, he had no problem sending this to the Ad-Hoc Committee for discussion.

Council consensus to send this issue to the Ad-Hoc Committee for discussion.

HAND-OUTS

Department Stats: (Attached)

Fire & Rescue: Feb 2020

Public Works: Feb 2020

Police: Feb 2020

Code Enforcement: Feb 2020

Minutes: (Attached)

County Court: 02-12-2020; 02-19-2020

EXECUTIVE SESSION

Executive Session: ORS 192.660(2)(h)

An executive session was called at 8:30 p.m. under provisions of ORS 192.660(2)(h) to discuss current or potential litigation. The Council reconvened into regular session at 8:45 p.m.

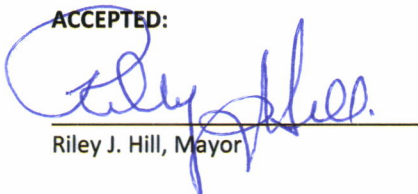
CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Councilor Crume had a citizen ask/complain that the city's policy for figuring the sewer rates by using November through March, when irrigation was not being done, was not considering people that irrigated in March. The citizen stated he would be irrigating in March, but March was included in the sewer rate calculations. The citizen believe it was unfair to individuals who started irrigating early, as that would increase their sewer rates because of that. In his opinion, if the calculations removed the month of March, staff should be able to determine an equitable rate that wouldn't affect anyone irrigating either early or late. Could that be looked into?

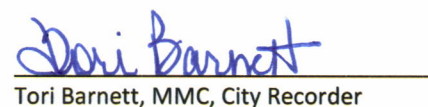
ADJOURN

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

ACCEPTED:


Riley J. Hill, Mayor

ATTEST


Tori Barnett, MMC, City Recorder

