



CITY COUNCIL MEETING MINUTES April 21, 2020

The scheduled meeting of the Ontario City Council was called to order by Mayor Riley Hill at 6:00 p.m. on Tuesday, April 21, 2020, in the Council Chambers of City Hall. Council members present were Riley Hill, Norm Crume, Michael Braden, and Marty Justus. Dan Capron (6:08pm), Ramon Palomo (6:05pm), and Freddy Rodriguez (6:05pm), participated by phone.

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

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 17, 2020. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

Request to add items to the Agenda: Resolution #2020-118, regarding a COVID-19 Regional Coordinator position, and an additional letter of support for a housing grant application. Both would be under New Business.

JUSTUS moved, CRUME seconded, **TO ADD AN EXECUTIVE SESSION** to the Agenda.

CRUME moved, JUSTUS seconded, **TO ADOPT THE AGENDA AS AMENDED**. Roll call vote: Crume-yes; Rodriguez-out; Palomo-out; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 4/0/3.

Councilors Palomo and Rodriguez joined the meeting via telephone.

CONSENT AGENDA

CRUME moved, BRADEN seconded, **TO ADOPT THE CONSENT AGENDA, WHICH INCLUDED THE MINUTES FOR THE MARCH 5, 2020 WORK SESSION; MARCH 17, 2020 COUNCIL MEETING; MARCH 24, 2020 COUNCIL MEETING; MARCH 31, 2020 EXECUTIVE SESSION MEETING; RESOLUTION #2020-114: ESTABLISHING POLICIES RELATED TO ENDING FUND BALANCES FOR 2019-2020; AND AMERESCO INVESTMENT GRADE AUDIT**. Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

Councilor Capron joined the meeting via telephone.

NEW BUSINESS

Support for Veteran Housing Project

Adam Brown, City Manager, presented.

JUSTUS moved, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE A LETTER OF SUPPORT FOR VETERAN HOUSING IN THE CITY OF ONTARIO, COVERING THE ENTIRE PROJECT**. Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.

Support for 70-Unit Family Townhome Community Grant Application

Councilor Justus recused himself from the discussion due to his affiliation with the project.

Marty Justus presented an overview of the project.

Mr. Brown stated for the record that the letter of support for this project was not brought forward by Mr. Justus; it was requested by Community in Action.

BRADEN moved, CRUME seconded, **THAT THE CITY COUNCIL APPROVE A LETTER OF SUPPORT FOR THE ONTARIO COMMONS HOUSING PROJECT.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-recused; Capron-yes; Braden-yes; Hill-yes. Motion carried 6/0/0/1.

Resolution #2020-113: Supplemental Budget Appropriating Unexpected Police Donation

Steven Romero, Police Chief, presented.

BRADEN moved, JUSTUS seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2020-113, A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET TO RECOGNIZE AND EXPEND UNEXPECTED POLICE REVENUES.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.

Resolution #2020-117: Authorizing City Manager to Sign Community Development Block Grant Application Paperwork

Betsy Roberts, City Engineer, presented.

BRADEN moved, CAPRON seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2020-117, A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN ALL NECESSARY PAPERWORK AS PART OF THE 2020 SANITARY SEWER REHABILITATION PROJECT COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.

Resolution #2020-118: COVID-19 Response Coordinator

Adam Brown, City Manager, presented.

CRUME moved, BRADEN seconded, **THAT THE CITY COUNCIL ADOPT RESOLUTION #2020-118, A RESOLUTION APPROPRIATING FUNDS FOR A COVID-19 RESPONSE COORDINATOR.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.

Mayor Hill read the resolution into the record: *Whereas, several local organizations, including the City of Ontario, has formed a Local Economic Recovery Team; and Whereas, the team would like to hire a COVID-19 Response Coordinator, with the costs being funded by multiple sources including the City, Poverty to Prosperity and possibly Malheur County; and Whereas, the Coordinator would manage the larger items in response to the Covid-19 pandemic and would be able to work on procuring funding for the City and county; and Whereas, the city desires to modify the 2019-2020 budget to appropriate the funding. Now, therefore, the City of Ontario resolves to approve the adjustments to the fiscal year 2019-2020 budget: \$15K out of General Fund Contingency and \$15K out of Public Safety Contingency.*

Mr. Brown informed the Council that he had spoken with both the City of Vale and the City of Nyssa and was told neither had funds to allocate for this action.

PUBLIC HEARINGS**Resolution #2020-115: Declare City's Intent to Receive State Revenues**

It being the date advertised for public hearing on the above stated matter, 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.

Kari Ott, Finance 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.

JUSTUS moved, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2020-115, A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES FOR THE FISCAL YEAR 2020-2021.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.

Resolution #2020-116: Adopt City of Ontario's Annual 2020-2021 Budget

It being the date advertised for public hearing on the above stated matter, 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.

Kari Ott, Finance 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, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2020-116, A RESOLUTION TO ADOPT AND APPROPRIATE THE ANNUAL BUDGET FOR 2020-2021, IMPOSE THE TAXES UPON TAXABLE PROPERTY, AND CATEGORIZE THE TAXES IMPOSED FOR THE FISCAL YEAR 2020-2021.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.

Ordinance #2772-2020: Amending Title 10C-60-30 Designated Landmarks Register

It being the date advertised for public hearing on the above stated matter, 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.

JUSTUS moved, BRADEN seconded, **THAT THE CITY COUNCIL ACCEPT AND APPROVE THE FINDINGS OF FACT, AS STATED IN THE REPORT AND THE APPROVAL AND RECOMMENDATION FROM THE PLANNING COMMISSION ON APRIL 13, 2020, TO APPROVE ORDINANCE #2772-2020.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.

JUSTUS moved, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE ORDINANCE #2772-2020, AN ORDINANCE AMENDING TITLE 10C-60-30 DESIGNATED LANDMARKS REGISTERS ON FIRST READING BY TITLE ONLY.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.

BRADEN moved, CRUME seconded, **THAT THE CITY COUNCIL WAIVE THE SECOND READING OF ORDINANCE #2772-2020, AN ORDINANCE AMENDING TITLE 10C-60-30 DESIGNATED LANDMARKS REGISTERS.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.

Accept Right-of-Way Along NW 12th Street and NW 8th Avenue as per the Approved Partition under Planning Action 2020-03-10 PTN (Poole, Kenneth and Noreen)

It being the date advertised for public hearing on the matter stated above, 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, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE THE DEDICATION OF THE RIGHT-OF-WAY FOR A PORTION OF NW 12TH STREET AND NW 8TH AVENUE AS SHOWN ON THE PARTITION PLAT OF KENNETH AND NOREEN POOLE, SAID PARTITION BEING APPROVED BY AN ADMINISTRATIVE ACTION ON MARCH 25, 2020, UNDER PLANNING FILE 2020-03-10PTN AND AUTHOIZE THE MAYOR TO EXECUTE HIS SIGNATURE ON THE FINAL PLAT ACCEPTING THE DEDICATED RIGHT-OF-WAY.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.

Mr. Brown stated he had just been discussing the addition of the Executive Session with the City Attorney, and the item does not fall under a protected statute.

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Councilor Capron stated they needed to do something with the call-in system, maybe Zoom or Office 365. The call-in was not working very well.

Mr. Brown stated the city was working on getting Office 365 and believed it would be ready to use at the next meeting.

- Councilor Crume stated while he understood they had already approved the audit with Ameresco, he struggled with the theory of removing good fixtures, pumps, motors, etc. when they were not at the end of their service life and replacing them with something that was obviously more efficient, but where the investment made, whether a light fixture or a pump somewhere, where it had not gone through its full life, seemed to be a waste. He'd wait until those things failed on their own and then replace them with the upgraded technology. Also, at the end of the 12-year audit period, many of the items that would be installed would also be at the end of their service life. It appeared those would need to be changed out when the city should supposedly receive them for free. It appeared there would be millions of dollars involved, and he was not sure the city had to spend. Perfect example was the current heating/HVAC system in City Hall. It was not his intent to imply they would not do the job they agreed to do, he just struggled with tossing good fixtures before necessary.

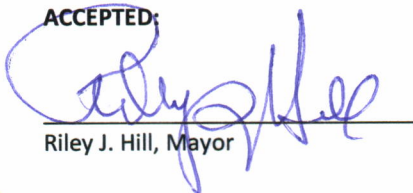
Mr. Brown stated when the audit was complete, they would bring back a list of things that would self-fund, with a requirement that if it didn't self-fund, the city would not owe them anything. If it did self-fund, there was still a menu of options of things to do. Some of the pumps at the treatment plants were original to the plant, so there were some huge efficiencies that were available.

- Councilor Justus stated he asked for that Executive session, and what he wanted to discuss was decorum of Council members. At their last meeting, there was a Council member that was vocally abusive to a citizen and at the end of the meeting he was threatened physical violence, inside City Hall, and he wanted to say that he thought that was wrong, and that as Council members they had to have decorum and they had to hold themselves to the highest of standards. He knew that citizens could make you mad. He knew, also, that he, himself, had a temper. He was not trying to point fingers or say he was better than anyone else. What he witnessed was inappropriate and he felt the statement needed to be made.

ADJOURN

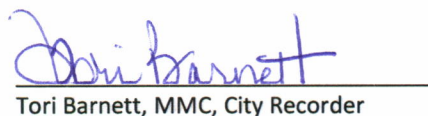
CRUME moved, JUSTUS seconded, **THAT THE MEETING BE ADJOURNED.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.

ACCEPTED:



Riley J. Hill, Mayor

ATTEST



Tori Barnett, MMC, City Recorder