



CITY COUNCIL MEETING MINUTES February 16, 2021

The scheduled meeting of the Ontario City Council was called to order by Mayor Riley Hill at 6:00 p.m. on Tuesday, February 16, 2021, in the Council Chambers of City Hall. Council members present in person or by call-in were Riley Hill, Freddy Rodriguez, Michael Braden, Sam Baker, Ken Hart, Eddie Melendrez, and John Kirby.

Members of staff present in person or by call-in were Adam Brown, Tori Barnett, Peter Hall, Dan Cummings, Terry Leighton, Steven Romero, Kari Ott, Larry Sullivan, Al Cablay, and Erik Hartley.

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 12, 2021. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

BRADEN moved, BAKER seconded, **TO ADOPT THE AGENDA AS PRESENTED**. Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

PUBLIC COMMENT

Several letters of support for the city providing some type of financial support to the Recreation District with regards to rebuilding the Aquatic Center were presented and read into the record. Letters were submitted by Joseph and Katherine Collins, Todd A. Dinsmore, Mary M. Echanis, Jon and Shirley Buck, Jaime L. Taylor-Blumer and Gerald Blumer, Jr., Nicole Adamson, Jose Delgado, Tara Dominick, Victor and Rosario Machuca, Melody Davis, Mike Miller, Avery Cook, Evan Cook, and Brad and Sara Holland. Letters are attached and incorporated into the minutes by reference.

CONSENT AGENDA

BRADEN moved, BAKER seconded, **TO ADOPT THE CONSENT AGENDA, WHICH INCLUDED 01-07-2021 COUNCIL WORK SESSION MINUTES; 01-19-2021 COUNCIL MEETING MINUTES; PROCLAMATION: GAMBLING AWARENESS MONTH; AND HOUSING INCENTIVE PROGRAM: BK CONSTRUCTION, INC. (23-2021)**. Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

OLD BUSINESS

APPOINTMENTS TO CITY BOARDS

Mayor Hill recommended the following appointments: Gary Taylor, Airport Board; Julianna Hernandez, Diversity Advisory Committee; Lynelle Christiani, V&C Board; and Blu Fortner, Parks Committee.

BRADEN moved, KIRBY seconded, **THAT THE COUNCIL APPROVE THE MAYOR'S COMMITTEE APPOINTMENTS OF GARY TAYLOR, JULIANNA HERNANDEZ, LYNELLE CHRISTIANI, AND BLU FORTNER.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

MERCHANT MCINTYRE

Adam Brown, City Manager, presented.

BRADEN moved, BAKER seconded, **THAT THE CITY COUNCIL CONTINUE THE CONTRACT WITH MERCHANT MCINTYRE THROUGH THE END OF THE FIRST YEAR, JUNE 30, 2021, AND APPROVE THE NECESSARY FUNDS TO CONTINUE THE CONTRACT.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-no; Melendrez-yes; Hill-yes. Motion carried 6/1/0.

CHARTER AMENDMENTS

Adam Brown, City Manager, presented. The cost would be approximately \$10K, and if the Council decided to move forward with the Charter Review Committee to review the entire Charter or just portions, it could go on the primary election in May [2022] for approval. One issue that Councilor Hart had brought up was a district elected Council. If the amendments were approved in May, the elections in November [2022] could be by district. Councilor Hart stated he would like to see it on the November 2021 ballot, and that could be done. It would need to be completed and presented to the county by September 2, 2021; however, he believed they could have broader review of the existing Charter working with the May 2022 deadline.

HART moved, BAKER second, **THAT THE ONTARIO CITY COUNCIL SHALL ESTABLISH AN AD-HOC CITY CHARTER COMMITTEE CONSISTING OF THREE CITY COUNCILORS AND TWO ONTARIO CITIZENS, APPOINTED BY THE MAYOR, TO STUDY POSSIBLE CHANGES IN THE CITY CHARTER INCLUDING A POSSIBLE CHANGE RELATED TO THE IMPOSITION OF A LOCAL SALES TAX AS REQUESTD BY A WRITTEN CITIZEN PETITION PRESENTED TO THE COUNCIL ON JANUARY 19, 2021, BY JACKSON Q. FOX. THE AD-HOC CHARTER COMMITTEE SHALL BEGIN MEETING NO LATER THAN MARCH 15, 2021 AND SHALL REPORT OUT TO THE COUNCIL NO LATER THAN JULY 20, 2021. THE AD-HOC CITY CHARTER COMMITTEE SHALL CONDUCT AT LEAST ONE PUBLIC HEARING TO GATHER FEEDBACK FROM THE VOTERS OF ONTARIO ON THE PROPOSED CHARTER REVISION. IN ADDITION, THE ONTARIO CITY COUNCIL DIRECTS STAFF AND LEGAL COUNSEL TO ASSIST THE AD-HOC CITY CHARTER COMMITTEE IN RESEARCHING AND DRAFTING OF POSSIBLE CHANGES TO THE CHARTER. CHARTER REVISIONS, IF APPROVED BY THE ONTARIO CITY COUNCIL, WOULD BE FORWARDED ON FOR A VOTE OF THE CITIZENS OF ONTARIO.** *No vote.*

Councilor Braden asked if the cost would be the same for the May 2022 ballot or the November 2021 ballot.

Mr. Brown stated no; the cost would be for the November 2021 ballot. Pushing it six months later to May 2022 it would be at no cost.

Councilor Kirby stated the League of Oregon Cities recommended more citizens, such as four or six. He thought it might be better balanced by adding more citizens to the Committee.

KIRBY moved, RODRIGUEZ seconded, **TO AMEND THE MAIN MOTION TO INCLUDE TWO MORE CITIZENS TO THE AD-HOC COMMITTEE, INCREASING THE CITIZEN APPOINTMENTS TO A TOTAL OF FOUR.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Hart-yes; Braden-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

AMENDED MOTION

HART moved, BAKER second, **THAT THE ONTARIO CITY COUNCIL SHALL ESTABLISH AN AD-HOC CITY CHARTER COMMITTEE CONSISTING OF THREE CITY COUNCILORS AND ~~TWO~~ FOUR ONTARIO CITIZENS, APPOINTED BY THE MAYOR, TO STUDY POSSIBLE CHANGES IN THE CITY CHARTER INCLUDING A POSSIBLE CHANGE RELATED TO THE IMPOSITION OF A LOCAL SALES TAX AS REQUESTD BY A WRITTEN CITIZEN PETITION PRESENTED TO THE COUNCIL ON JANUARY 19, 2021, BY JACKSON Q. FOX. THE AD-HOC CHARTER COMMITTEE SHALL BEGIN MEETING NO LATER THAN MARCH 15, 2021 AND SHALL REPORT OUT TO THE COUNCIL NO LATER THAN JULY 20, 2021. THE AD-HOC**

CITY CHARTER COMMITTEE SHALL CONDUCT AT LEAST ONE PUBLIC HEARING TO GATHER FEEDBACK FROM THE VOTERS OF ONTARIO ON THE PROPOSED CHARTER REVISION. IN ADDITION, THE ONTARIO CITY COUNCIL DIRECTS STAFF AND LEGAL COUNSEL TO ASSIST THE AD-HOC CITY CHARTER COMMITTEE IN RESEARCHING AND DRAFTING OF POSSIBLE CHANGES TO THE CHARTER. CHARTER REVISIONS, IF APPROVED BY THE ONTARIO CITY COUNCIL, WOULD BE FORWARDED ON FOR A VOTE OF THE CITIZENS OF ONTARIO. Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Hart-yes; Braden-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

RESOLUTION #2021-103: APPROVAL OF THE TENNIS COURT BID AND AGREEMENT WITH FOUR RIVERS CHARTER SCHOOL FOR THE SPONSORSHIP AND USE OF THE BECK PARK TENNIS COURTS

Adam Brown, City Manager, presented. Chelle Robins, Four Rivers Community School Superintendent, and Raeschelle Meyer, Four Rivers Community School Principal, were also present to answer any questions the Council might have regarding the donation towards and/or use of the courts by Four Rivers Community School.

Councilor Hart asked who the courts would belong to once rehabilitated, and who would be responsible for the maintenance and upkeep?

Mr. Brown stated the city's Public Works Department (Jacobs) had software to add and track tasks to review surface materials, etc., and to catch things before they became so degraded as to be unsalvageable.

Mayor Hill stated with the school making a \$45K donation towards the project, they would expect some level of ownership. But it was a public facility, so how would that balance be dealt with, especially if citizens were opposed to the school using it as a resource.

Ms. Meyer stated there would be a Memorandum of Understanding based on Four Rivers needing additional court space for their tennis program. The school's donation also helped revitalize the area. It was an opportunity to get kids and families engaged in activities at Beck Park. It would not be just for use by the school, but for the entire community; however, Four Rivers would like priority court usage during the tennis season, typically mid-March through May, along with some storage.

Mr. Brown stated after the last meeting, attorney for both parties were able to review the MOU, which was similar to the one on file with 8C School District for Alameda Park and the use of the soccer fields.

David Sullivan, Ontario, stated: *Thank you Mayor and City Councilors. I come here today as a proponent of the tennis courts and revitalizing this area. I have grown up in Ontario almost my entire life and I remember when the courts were first developed by the Thornfield-Creek-Burnham families, and it was a wonderful facility. They later donated it to the City of Ontario and for awhile they were the premier courts in the city. Unfortunately, they have dilapidated and are in the state they are in now. But I think it's very important that we are able to bring them back. I think it's really neat any time you can give the Four Rivers Charter School involved and put some semi-private equity into it and make it a win-win for the city. We can build this area up, put these courts together, and like most of the letters when I came in tonight and spoke about the importance of recreation and developing the city and beautifying the city, I sat through many of these meetings myself. I've never had the pleasure of being able to speak about so many positive things and I applaud the Council for taking this. I hope we can work a deal. I know Raeschelle's worked on it for a number of years, and we've been able to speak to it on numerous occasions. But this is a real asset to the community, and I think it would really enhance that, and then allow us to even develop those baseball fields better, build that whole facility as really a nice area. I thank you for the opportunity to come and speak in favor of it and I hope that we'll be able to do something. Thank you.*

HART moved, BAKER seconded, **THAT THE CITY APPROVE RESOLUTION #2021-103, A RESOLUTION BUDGETING \$90,000 AS CURRENTLY SLATED FOR BECK PARK BATHROOM REHABILITATION, WITH A \$45K CONTRIBUTION FROM FOUR RIVERS COMMUNITY SCHOOL, PLUS ADDITIONAL CITY CONTINGENCY FUNDS OF \$14K, APPROVE AN AGREEMENT WITH FOUR RIVERS COMMUNITY SCHOOL FOR FINAL CONTRIBUTIONS AND USAGE RIGHTS TO THE BECK PARK TENNIS COURTS, AND AWARD THE BID TO CASCADE FAMOUS FENCES & TENNIS COURTS IN THE**



AMOUNT OF \$196,900, PLUS A CONTINGENCY OF \$3,100 FOR PICKLEBALL AND BASKETBALL STRIPING. Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Hart-yes; Braden-no; Melendrez-yes; Hill-yes. Motion carried 6/1/0.

Councilor Braden voiced his opposition to using the hard-fought for funding for the Beck Park bathrooms to fix the tennis courts. Bathrooms were a necessity. He did not want to risk pushing them back another couple years.

FAÇADE IMPROVEMENT GRANT BOUNDARIES

Dan Cummings, Community Development Director, presented.

KIRBY moved, HART seconded, **THAT THE CITY COUNCIL ADOPT THE MAP OF STREETS ELIGIBLE FOR THE SECOND PHASE OF THE FAÇADE IMPROVEMENT MATCH GRANTS AS SHOWN ON ATTACHMENT 1 AND THE GRANT PROGRAM GUIDELINES AS SHOWN ON ATTACHMENT 2.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

FOUR RIVERS CULTURAL CENTER FUNDING

Adam Brown, City Manager, presented.

BRADEN moved, RODRIGUEZ seconded, **THAT THE CITY COUNCIL GRANT THE FOUR RIVERS CULTURAL CENTER \$10,000 FROM THE CITY GENERAL FUND FOR CORONA VIRUS ECONOMIC RELIEF.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

FEDERAL CORONAVIRUS PAID FMLA SICK LEAVE EXTENSION

Kari Ott, Finance Director, presented.

BRADEN moved, HART seconded, **THAT THE CITY COUNCIL APPROVE THE EXTENSION OF THE FEDERAL CORONAVIRUS PAID SICK LEAVE BENEFITS.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

RESOLUTION #2021-105: APPROPRIATE FUNDS AND APPROVE PROPOSAL FOR LOBBYIST

Adam Brown, City Manager, presented.

HART moved, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2021-105 TO APPROPRIATE \$24,000 TOWARD LOBBYIST SERVICES FOR HB 2014 AND HB 2015 AND AWARD A CONTRACT TO PUBLIC AFFAIRS COUNSEL INC.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

NEW BUSINESS

RESOLUTION #2021-104: BORDER BOARD LEGISLATIVE SUPPORT FOR RURAL HOUSING DEVELOPMENT

Shawna Peterson, Executive Director for Eastern Oregon Border and Economic Development Board, presented.

BRADEN moved, BAKER seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2021-104, A RESOLUTION SUPPORTING SENATE BILL 16 ADVOCATING FOR RURAL HOUSING DEVELOPMENT IN UNFARMABLE RURAL LAND.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Hart-yes; Braden-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

PUBLIC HEARING**ORDINANCE #2785-2021: COMPREHENSIVE PLAN AMENDMENT AND REZONE OF PROPERTY**

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, or any declaration of a 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.

BRADEN moved, KIRBY seconded, **THAT THE CITY COUNCIL APPROVE THE FINDING OF FACTS FOR THE REZONE OF THE SUBJECT PROPERTY FROM HIGH DENSITY RESIDENTIAL (RM-10) TO HEAVY GENERAL COMMERCIAL (C-2H), AS RECOMMENDED BY THE PLANNING COMMISSION AND AS OUTLINED IN THE AGENDA REPORT.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

BRADEN moved, KIRBY seconded, **THAT THE CITY COUNCIL APPROVE ORDINANCE #2785-2021, AN ORDINANCE AMENDING THE CITY OF ONTARIO COMPREHENSIVE PLAN AND ZONING MAP FROM HIGH DENSITY RESIDENTIAL (RM-10) TO HEAVY GENERAL COMMERCIAL (C-2H) FOR A PROPERTY KNOWN AS TAX LOT 1901 ON TAX MAP 18S47E10AB, IDENTIFIED AS PARCEL 1 OF PARTITION PLAT 2019-06 AND STREETS ADJACENT THERETO ON FIRST READING BY TITLE ONLY.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

BRADEN moved, KIRBY seconded, **THAT THE CITY COUNCIL WAIVE THE SECOND READING OF ORDINANCE #2785-2021, AN ORDINANCE AMENDING THE CITY OF ONTARIO COMPREHENSIVE PLAN AND ZONING MAP FROM HIGH DENSITY RESIDENTIAL (RM-10) TO HEAVY GENERAL COMMERCIAL (C-2H) FOR A PROPERTY KNOWN AS TAX LOT 1901 ON TAX MAP 18S47E10AB, IDENTIFIED AS PARCEL 1 OF PARTITION PLAT 2019-06 AND STREETS ADJACENT THERETO.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

HAND-OUTS

County Court Minutes: 01-20-2021; 02-03-2021 (*Attached*)

Check Register: Jan 1, 2021 / Feb 12, 2021 (*Attached*)

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Mayor Hill stated Senator Findley thought it would be appropriate for the City of Ontario to put a letter of support out for the Grassy Knot Mine. It was going the way as so many other issues: there was no discussion about it, and it was 120 jobs and they just kept finding new ways to put it off. He encouraged the Council to support a letter.
- Mayor Hill asked how many restaurants had applied for the water and sewer waiver.

Ms. Ott stated there were ten. It was advertised on the city's website and FB site.

Mr. Brown stated he also sent the message to his downtown merchant email list.



- Mayor Hill stated at a previous meeting, a Councilor had asked about the benefits of the Justice Court versus a city Magistrate Court. He guessed that had not been researched yet but assumed it would be and the information provided back to the Council.
- Mayor Hill stated he wanted to see what was going on with Skyline Farms. Income versus outflow. He knew there were a couple farmers who had not paid their rent. He wanted to hear how the issue was being handled. Maybe they should just give it to Pheasants Forever.
- Councilor Hart read a statement into the record: *I appreciate the letters from the public that we received these past few weeks asking for support of the Ontario City Council to help with the opening of our community pool. It's a fact that we had kids involved in the pool's OSCARS swim team in past years, and as a past Chairman of the City Ontario Pool Committee that worked to get the pool reopened, I fully support the reopening of our community pool; however, the Ontario City Council will not decide when the pool will reopen. It is the Ontario Recreation District's staff and Board that will decide when the pool will reopen. I believe that many citizens of Ontario, like me, supported and gladly pay over \$600K a year in additional property taxes to support the Recreation District and to reopen our community pool. I believe the Ontario Recreation District has an avenue to pursue to begin construction this coming summer and get the pool reopened by 2022. The Recreation District Board can use the funds already provided by the taxpayers of Ontario to issue bonds to fully pay for the construction of the pool. At a time of historic low interest rates, and a dedicated source of tax-payer dollars of over \$600K annually, this option is very doable. So, I would ask that folks send letters to the Ontario Rec Board and ask them to do all they can to begin construction and get our pool reopened as soon as possible. To show my support for this effort, I do pledge that I will ask the Ontario Budget Committee at our March meeting to provide a one-time contribution of \$250K in marijuana tax revenue to the reopening of the Ontario pool. This donation of \$250K would be contingent on the Ontario Recreation District Board issuing a bond to finance the cost to begin construction of the pool this coming summer and getting the pool open for the community in 2022. The Ontario Recreation staff and Board and the members of the pool committee have done an outstanding job of getting a plan prepared to renovate the pool. Let's all request them to take that next step and put the plans in action to open our community pool.*

EXECUTIVE SESSION

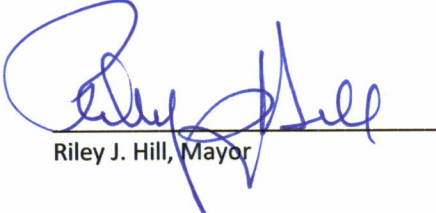
EXECUTIVE SESSION: ORS 192.660(2)(h)

An executive session was called at 8:18 p.m. under provisions of ORS 192.660(2)(h) to discuss current or pending litigation. The Council reconvened into regular session at 9:31 p.m.

ADJOURN

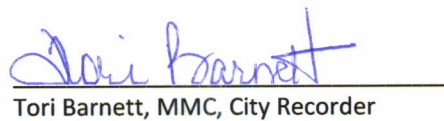
KIRBY moved, MELENDREZ seconded, **THAT THE MEETING BE ADJOURNED**. Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Hart-yes; Braden-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

ACCEPTED:



Riley J. Hill, Mayor

ATTEST



Tori Barnett, MMC, City Recorder