CITY COUNCIL MEETING MINUTES
July 27, 2021

The scheduled meeting of the Ontario City Council was called to order by Mayor Riley Hill at 6:00 p.m. on Tuesday, July 27, 2021, in the Council Chambers of City Hall. Council members present in person or by call-in were Riley Hill, Sam Baker, John Kirby, Eddie Melendrez, Michael Braden, and Ken Hart.

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 June 11, 2021. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

Mayor Hill added an item to New Business: Election of Council President.

HART moved, BAKER seconded, **TO ADOPT THE AGENDA AS AMENDED.** Roll call vote: Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 6/0/0.

CONSENT AGENDA

KIRBY moved, BRADEN seconded, **TO ADOPT THE CONSENT AGENDA, WHICH INCLUDED COUNCIL MEETING MINUTES OF JUNE 3, 2021; AND JUNE 15, 2021; AND A LIQUOR LICENSE APPLICATION: BLACK PALOMINO, LLC.** Roll call vote: Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 6/0/0.

PUBLIC COMMENT

Freddy Rodriguez, Ontario, stated: *Good evening Mayor and Council members. I'll keep this under 3 minutes. These two comments are for the members of Council and Mayor: first comment is about your upcoming discussion on how to fill-in the vacant seat that I left behind. In the recent past, Council has opted to pick someone to fill seats out of applications submitted. Let me just be frank, although it's hard to argue any of those picks, it's very, very obvious based on community pulse and feedback that the decision made earlier this year to nominate me, the first ever recalled Councilman in Ontario, to Council President by Council, does not carry the perception of adequate or sound decision making by current Council. I was nominated by Council's own chosen member, making it to where the community had nothing to do with the decision to put me on as President after over 200 citizens had signed a petition to recall me in 2020. Not only am I seeing on social media, but am still being told publicly almost daily, those who appointed you to President must go. Let's be clear that's a bit harsh, but I might be bias in that one. But it does argue the fact you all must seek community input this time. This time around it would be best for you all to seek community input on who to pick to fill a seat that is normally filled with individuals chosen by the voters. Secondly, it appears the chief is going to seek to ask you guys for money to pay for a deeper more intense and thorough audit of the evidence room. Mayor, this is where you must pull out that shell game ex-Councilman Crume gave you to figure out where you're going to get this cash because this cannot be put aside. The fact that we are already looking at more possible* *ghost items in evidence a couple years into our new chief's tenure is almost demanding of an out-of-agency audit. Without the funding, this will fail internally is my understanding, and that cannot happen in a situation like this. This situation is aching for the transparency you all will have the ability to provide with a couple of shell shuffles and a vote. Please do the right thing for the integrity of the department. Also, you should probably wait to be back at full strength with zero empty seats before you. Thank you all for your time.*

Tom Greco, Ontario, stated: *Mayor and Council, thanks for allowing me to speak. I'm speaking tonight to support the Fire Chief in his efforts to keep 55 NE 2nd Avenue, the old public works shop, as a training site for his people. Many of you know me as the Pastor of Ontario Community Church, but for the first half of my adult life, I was an Army officer and infantry Army officer, serving for 24 years. I've served in Panama as the J5 and also the Secretary of the Joint Staff and helped design the operational plan for Just Cause. I served as a rapid deployment force S3 or Operations Officer, and I also commanded the task for during Operation Desert Storm deep behind enemy lines. I know about the military, today's military, they're fighting near peers, what we call near peers, Russia and China. They have the same weapon systems, the same equipment, the same technology that we have. The only edge that our military has is training. In fact, we've always said that we need to be able to outshoot, outfight, and outmaneuver our enemy if we are going to win. The only way you do that, the only way that you keep your edge, is through training. We also used to say that the more you train in peace, the less you bleed in war. And I think the same holds true for our law enforcement and our fire personnel and EMT personnel. The more we train, the more opportunities we have for training and facilities for training, the more likely that we're going to be able to save lives of our citizens and also save lives in our law enforcement, as well as our fire department and EMTs. Training is absolutely essential and that's why I support Chief Leighton in his efforts to keep 55 NE 2nd Avenue as a training site for our firemen. Thank you.*

PRESENTATION

Fire Training Facility *(Proposal Attached)*
Terry Leighton, Fire Chief, presented.

Councilor Hart stated the city had spent Covid funds earlier in the year for a training facility for the Police Department, correct?

Chief Leighton stated the department had a facility that previous Chief Kuntz was able to obtain a portable classroom four years ago. Unfortunately, there were many things that needed repair. Chief Romero used those funds to make those repairs. It was two classrooms and a shooting range.

Councilor Hart stated Chief Leighton talked about using the shop space, but there were other classroom spaces set aside for training, so this would be another training facility owned by the city. It was not close, but it was another space.

Chief Leighton stated in their situation, it worked great, but for the Fire Department, it was too far. It was like driving to Nampa. There were far more types of training that could be offered at the shop that both agencies could utilize.

Councilor Hart stated also on that night's agenda was the possibility of leasing the shop to a commercial entity. If the city took that option, could Chief Leighton use some of the space for part of the training? However, the Lessor might not be interested in doing that, and he wasn't sure how much space the applicant was seeking.

Chief Leighton stated the department would attempt to utilize some of it, but the main place they wanted to begin with, which would benefit them as a whole, was the classroom area and the storage behind it. When the department currently laid a hose line there, they opened the gates and laid the hydrant on NE 2nd and laid into that, so they would not be able to get access through that area. Also, he felt his department was behind the curve on training. They needed that facility. He and others had started this action several years ago, and got so close, but then the city put in the little homes, and there had been Ani-Care there. To wait to do this down the road was not going to be beneficial overall.

Councilor Kirby stated when they placed the tiny houses, Nichols Accounting objected; had he had contact with Nichols to see if they objected to this?

Chief Leighton stated he had not approached them, but Nichols had seen them there doing their activities. He believed they would appreciate having the department as a neighbor. But, he would do so. He'd like them to see the plan.

Mayor Hill thanked Chief Leighton for the presentation and asked that he not take his questions as confrontational. He had talked about 50-60 hours of Hazmat training, when the city recently received about $3500 from the state for Hazmat training, and those two numbers don't seem to compute. Also, how much physical training was done annually that the facility would be need? How many times a month would it be used?

Chief Leighton stated regarding Hazmat, he believed he was speaking to the Hazmat contract that was just approved, and those dollars accounted for all of the department personnel to train. That did not include new members who had to go for 80 hours of training that was conducted elsewhere. Those dollars covered all that stuff. Also, they had to train others in areas to a level called Awareness and Operations, and his department provided that training so that counted in some of the training dollars also. For the physical question, he estimated they trained, just with the parttime guys that trained every Tuesday, if they had that facility, it would be used two to three nights a week. If all of it was done, including the EMS part that was done at City Hall, it was not physical but on location, such as CPR training or bandaging, they would be on site three to four of the days of the week. The career staff would be able to go on their shift to train, and not have to set up all the equipment. They could leave it set up if they got a call. They also had their own separate training, about three hours, which occurred at least once a month.

Mayor Hill stated he read the letters submitted with the request, and there was obviously a lot of support for it, and Rural stated they would contribute, but the other agencies and other cities, how much would they contribute? As indicated in their letters, they wanted to use the facility, too.

Chief Leighton stated he could not provide an answer but could say that their Chiefs definitely supported it. The Vale Mayor was a previous firefighter and recognized the value of the training facility. If they had money in their training budget, some could go to the facility. He was currently the president of the Snake River Valley Fire Chief's, which was 26 departments strong between Idaho and Oregon, and they had all indicated they would want to contribute to making this central location facility happen.

Mayor Hill stated he appreciated Chief Leighton trying to find out the insurance rates, because he had asked that question multiple times with no answer. There had to be an answer somewhere. The city budgeted $3M the city should receive for marijuana tax, but they were going to fall $500K short. The city also had others in the area who wanted the city to get the pool and were seeking $250K. How could they deny that request, but were going to put it towards a fire training facility? That was something the Council had to answer.

Chief Leighton stated he appreciated what the goal of the Council had with the city, including all the work put in by staff to, for example, decrease the PERS debt, which was a smart move, but if they were short $250-300K, maybe that needed to be looked at. He didn't' know if people realized the benefit, and he understood that fiscally. He also understood the desire for the pool. This community needed something, but they also needed to know that when they called 9-1-1, professional people would respond to take care of them. They were called over 2,400 times a year.

OLD BUSINESS

Hangar Incentive Program
Erik Hartley, Airport Manager, presented.

Councilor Hart asked how the plan to make the airport self-sustaining moving?

Mr. Hart stated it was a daily operation. That was the way he led the airport. He operated under Safety, Security, and Sustainability. This plan would provide about 18 years' worth of a tax base that the city did not currently have. This proposal had been in front of the Airport Committee, who voted for it to move forward.

KIRBY moved, BRADEN seconded, **THE CITY COUNCIL APPROVE THE HANGAR INCENTIVE PROGRAM WHEREBY A NEW HANGAR CONSTRUCTION'S ANNUAL LEASE FEE IS WAIVED FOR TWO YEARS.** Roll call vote: Baker-yes; Kirby-yes; Braden-yes; Hart-no; Melendrez-yes; Hill-yes. Motion carried 5/1/1.

NEW BUSINESS

Resolution #2021-127: Abstract of Votes – Special Recall Election (Alfredo "Freddy" Rodriguez)
Tori Barnett, City Recorder, presented.

HART moved, KIRBY seconded, **THE CITY COUNCIL ADOPT RESOLUTION #2021-127, A RESOLUTION ACCEPTING THE ABSTRACT OF VOTES FOR THE JULY 6, 2021, SPECIAL ELECTION: RECALL ALFREDO "FREDDY" RODRIGUEZ.** Roll call vote: Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 6/0/0.

Election of Council President
Mayor Hill asked for nominations for the position.

BAKER moved, KIRBY seconded, **TO APPOINT KEN HART AS COUNCIL PRESIDENT.** No vote.

Councilor Braden expressed an interest in the position but would support the nomination of Councilor Hart.

BAKER moved, KIRBY seconded, **TO CLOSE THE NOMINATIONS.** Roll call vote: Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 6/0/0.

Retyped Motion:
BAKER moved, KIRBY seconded, **TO APPOINT KEN HART AS COUNCIL PRESIDENT.** Roll call vote: Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 6/0/0.

Resolution #2021-125: Airport Security Improvements
Kari Ott, Finance Director, presented.

HART moved, KIRBY seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2021-125, A RESOLUTION TO APPROPRIATE NECESSARY FUNDING FOR AIRPORT SECURITY IMPROVEMENTS.** Roll call vote: Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 6/0/0.

Resolution #2021-129: Enterprise Zone Renewal
Adam Brown, City Manager, presented.

KIRBY moved, MELENDREZ seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2021-129, A RESOLUTION TO RE-DESIGNATE THE MALHEUR COUNTY ENTERPRISE ZONE.** Roll call vote: Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 6/0/0.

Public Works Shop: Future Uses
Adam Brown, City Manager, presented.

The former Public Works Department City Shop had been leased on and off for the last seven years. It had had two tenants for about three of the last seven years. Ontario Fire and Rescue had used the building and adjoining city grounds to train fire fighters. A proposal to lease the building was received by city staff from GelFire Systems LLC.

The Council needed to consider whether to lease the building again or to leave it unleased and dedicate it to a regional training facility for Ontario Fire and Rescue and surrounding communities.

The City Shop was put out of use when the city entered the contract with CH2MHILL, now Jacobs. It was determined that vehicle maintenance would be farmed out to local repair shops. The building had been leased out, on and off, since 2014. The first lease of the shop was about $1,700 per month. The next lease between a discount on services and rent, was approximately $1,800 a month. The facility had been vacant for just under a year. The fire department had been using the building as a training facility. They have long talked about using the property as a training facility within the department, within the Rural Fire Protection District, and members of the Snake River Valley Fire Departments Association. They had not consolidated all of those ideas on paper until now though.

Through several offers and counter offers staff negotiated a lease of $1,950 per month. Staff believe this was within the current market rate for light industrial space of this kind. Staff received an offer to lease the building for $1,800 per month. A formal lease would have to be constructed, but the lessee had put forward the terms of the lease he was looking for in the attached letter of interest. The terms being sought by the lessee in summary were: 1) The building and parking lot on the west side; 2) A fence would be modified to the boundary in the attached map by the lessee; 3) Lessee would take on the maintenance, upkeep and cleaning, with only catastrophic failure to the roof and HVAC on the lessor's burden; 4) The city would maintain insurance on the building, but GelFire Systems would carry liability insurance in the amount of $1 million naming the city as additionally insured; 5) Possession would be granted to GelFire Systems on September 1, 2021; and 6) The term of the lease would be 40 months, meaning that the lease would end on December 31, 2024.

After the lease ended, the lessee intended to move into a newly constructed facility, unless the city determined it wanted to sell the property to the lessee. From other businesses run by the lessee, it appeared that GelFire Systems would be a good tenant and custodian of the property. GelFire Systems explored other options in the city and determined that their next best option if this space did not work out, was to build their own space. Construction prices were not favorable to doing that now though.

This item met the strategic goal of Growth. This lease would support a promising new business within the city. From an economic development perspective, staff was excited to have this business grow in the Ontario community. GelFire Systems already had contracts with many federal agencies including the Bureau of Land Management, the Forestry Service, and California Fire, and appeared to have a highly successful trajectory.

Staff believed the market rate for this space as light industrial land was around the negotiated amount of $1,950 per month. The lessee would pay taxes and utilities on the property leased from the city. The lease would generate $23,400 per year. The plans for the Fire and Rescue Training Facility were not addressed in the five-year Capital Improvement Program. If the Council were to allow the Ontario Fire and Rescue to go forward retaining it for the training facility, staff would look to collaborating with other communities to fund the improvements. If the Council were to lease it for the 40 months, the proceeds of the lease could be designated specifically for build out of the training center. The city could focus on other aspects of the training facility until the lessee vacated the building, at which point they could turn their focus toward having the building as training space.

The perspective lessee would like the City Council to act immediately to approve the terms of the lease, after which the City Attorney could draft the lease documents. GelFire Systems was ready to pursue other options for their fast-growing company, but they would like the Council to consider this option so they could make the best financial decision for their business.

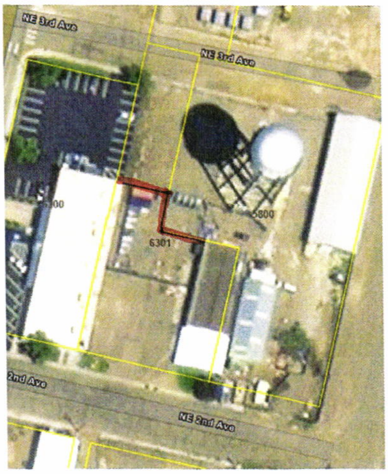
While it was the City Council's responsibility to approve leases of city owned property, it was their responsibility to consider the needs of public facilities like a fire training facility and allowing the staff to carry out those plans. Unfortunately, staff had not had the concept reduced to writings or drawings up until this time when a decision was necessitated.

The Council could save the property for use as a regional fire training facility, and other fire departments were interested in using this facility. This could also help ISO ratings for each community that could claim it as a training facility, which should theoretically reduce insurance premiums for residents. Ontario was the largest Fire and Rescue Department in the Snake River Valley area and it made sense to have it located in Ontario because it was central to the surrounding communities.

It was his recommendation as City Manager that the city retain the property for the fire training center; however, should the city feel inclined to approve the lease, it was believed that it was a good proposal and a good agreement for the City. Staff negotiated it in good faith and believed the tenant would be a good fit for the facility. If the Council approved the lease, he recommended that it be approved with the intent to use the funds generated by the lease to fund improvements to the training facility. This could be used as matching money to pursue other grants to build out the facility.

Mayor Hill asked if the city were to lease the property to Mr. Jones, would it be a triple-net lease and the city would not be putting any improvements into the facility.

Mr. Brown stated that was correct; however, there was a catastrophic clause in the agreement for failure of roof or the HVAC system.



Councilor Hart asked how much land the company would actually leasing? He could see the red line on the map but would like a more definitive number. Was the water tower included?

Mr. Brown stated it was the red line and everything south of that, including the building, but would not include the pole barns to the west of the building. From the red line south to 2nd Street and the building.

Councilor Hart confirmed it was Lots 6300 and 6301, but 5800 would remain owned by the city.

Chief Leighton stated 6300 was Nichols, so it would be just 6301.

Councilor Hart asked where the department currently stored their equipment.

Chief Leighton stated equipment was stored "here", so they would not have to move for that part.

Councilor Kirby stated it was his understanding that Mr. Jones had property to build on, and was considering building but because of the high cost of materials currently, he decided that leasing was better for a time specific, but would then build at a later date?

Dan Jones, Applicant, stated that another consideration was the possibility of leasing, regarding the current 40-month proposal, that after the 30th month, they could begin the process of constructing a facility on SW 19th Avenue in Echanis Subdivision. Everything was set up ready to start building but wanted to postpone building at this time. There were sever disruption in supplies currently. For a building sitting vacant, he reached out to the City Manager, and it was now before the Council for consideration.

Councilor Braden stated this was government owned property, and they were looking at it for the best way to utilize it. The Council had many land leases, and were aware that properties sometimes sat vacant, and there were times when they struggled with the leases. He was 100% confident in Dan Jones and the proposed lease, but he looked at government use of a government-owned building and an opportunity to enhance the city's public safety training facilities that helped Ontario and the greater area, that was his preference. He wanted to see it used as a training facility. This was a good, fair lease, but Chief Leighton made a pleading case, and he wanted to go that route.

Councilor Kirby stated on one hand he felt much like Councilor Braden. There had been a vision for the training facility for many years and had been changed and diverted at different times. When he had taken the tour of city facilities, the City Manager had stated that building was specified as a future training facility. He knew that Mr. Jones' business actively produced fire suppression equipment used all over the United States and other countries, and it was an important thing for the community, and he didn't want to put a damper on them doing that, but the Council had their own people seeking to train. The only thing he could see out of this as a benefit, removing the personalities, was that if the city did that, depending on the ability of the fire department and its aligned organizations, to assist in acquiring money to make the improvements they wanted, Option n#2 might be the route to go. He preferred to put it up for a vote of Option #3, to keep the vision of public safety intact. If that didn't work, go for Option #2.

Councilor Braden asked to make a motion.

Mayor Hill stated he had a comment to make first. He understood the sentiment, but in reviewing the proposal, he did not see where the fire department was losing anything by leasing the property to Mr. Jones, and the city would keep a business here that hired employees. If the Council were to lease this property to Mr. Jones, the fire department lost nothing, the city gained money, and it gave the fire department time to negotiate with the other agencies that indicated they wanted to participate in training with the Ontario facility. He was in support of Option #1.

Councilor Hart noted that land where they discussed putting the box tower was still available? That could be phase one of trying to get something moving forward as they looked at the upcoming budget, and maybe getting other financial commitments from those other entities. Here was a local business who had been in Ontario, wanted to stay in Ontario, could stay in Ontario, so that might be a way to use that. How many days was the training facility that the city just paid for was used? He was aware that it was not convenient, but the city did own a facility and it had classroom space. They needed to be judicious with resources. Was the existing facility already being used most days?

Chief Romero stated it was used consistently. Tomorrow they would be using it, and the next day would be their federal partners. That facility was a dirt facility; it was not paved. He did not know from the Fire Chief's standpoint what type of physical environment he needed to carry out his training, but the classroom space was indoors.

Councilor Melendrez asked Chief Romero if the proposed new facility would benefit OPD?

Chief Romero stated the way he understood the proposal, it would be a cross-disciple, cross-agency, multi-sector training cadre, which was needed under Presidential Directive #5, in 2004. Most cities across the country had a co-located training facility to train for those major events. It was also a good venue for private sector cross training, because it would include public works, health departments, business owners, people who were relied on for major catastrophes, not just police and fire. It would benefit everyone in the community.

Councilor Melendrez asked if it could be a regional training center for law enforcement?

Chief Romero stated absolutely. There was a lot that could be done.

Councilor Kirby asked if the Council were to allow for a 40-month lease with GelFire, and then designate the proceeds from that lease to go into a fund specifically to fund the improvements requested by the departments, would they be encumbering a future Council?

Mayor Hill stated they would be encumbering a future Council and he did not believe that was legal.

Mr. Brown stated they could designate funds from a lease, and that was legal, but it could be overturned by a future Council.

HILL moved, HART seconded, **THE CITY COUNCIL MOVE FORWARD WITH APPROVING A 40-MONTH LEASE WITH GELFIRE SYSTEMS, LLC**. Roll call vote: Baker-yes; Kirby-no; Hart-yes; Braden-no; Melendrez-no; Hill-yes. Motion failed 3/3/0.

HART moved, KIRBY seconded, **THE CITY COUNCIL MOVE FORWARD WITH APPROVING A 40-MONTH LEASE WITH GELFIRE SYSTEMS, LLC AND DESIGNATE THE PROCEEDS FROM THE LEASE TO BE SET ASIDE FOR A BUILDOUT OF THE REGIONAL TRAINING FACILITY.** No vote.

Councilor Melendrez verified with this motion it could take three or four years before they would build something for the fire department?

Mayor Hill stated that would depend on the budget process. The proposal was predicting a $350K cost for year three.

Councilor Hart stated the classroom space, that part of the building, would be lease for at least 40 months under the proposed lease unless there was a change by the lessor; however, there was other land available and maybe that was something they could research during the next budget cycle, to try and do something with maybe the tower or something similar. His interpretation was they'd be leasing the main facility that the Chief reference to GelFire.

Councilor Kirby stated there would then be an accumulation of funds of about $23K annually, so approximately $69K which would go into a fund to help with the building and maybe assist in acquiring matching grants.

Councilor Melendrez stated he wanted to support businesses, but he would like to see something for Fire & Rescue as soon as possible to get the training they needed and to move forward with their vision.

Councilor Braden stated the Police Chief made a well-thought out, well-reasoned request of the Council, supported by the City Manager, and he supported both of them as staff wanting to make this a training facility.

Mayor Hill stated the motion was a reasonable compromise, and the cost of operating the facility, knowing how budgets worked, that there was probably not enough money for things that came up. He knew they'd see additional requests as things continued. Using the money as it was received was a reasonable compromise.

Retyped Motion:
HART moved, KIRBY seconded, **THE CITY COUNCIL MOVE FORWARD WITH APPROVING A 40-MONTH LEASE WITH GELFIRE SYSTEMS, LLC AND DESIGNATE THE PROCEEDS FROM THE LEASE TO BE SET ASIDE FOR A BUILDOUT OF THE REGIONAL TRAINING FACILITY.** Roll call vote: Baker-yes; Kirby-yes; Hart-yes; Braden-no; Melendrez-no; Hill-yes. Motion carried 4/2/0.

DEPARTMENT HEAD UPDATES

Finance: Monthly Report *(Attached)*
Kari Ott, Finance Director, presented.

Airport: Quarterly Report *(Attached)*
Erik Hartley, Airport Manager, presented.

DISCUSSION ITEMS

Business Registrations
Adam Brown, City Manager, stated this was back before Council at their request, for a review of the program. There were currently 200 registrations active for 2021. A first-time registration was $25, and $10 for every annual renewal. Review was around $2,000 to $2,900. This was not a revenue-generating program. The fees basically covered the hard costs and a marginal amount of staff time. The impetus for the business registration was to provide key information for public safety officials responding to emergency events at businesses. Police and Fire have access or knowledge of the owner's contact information, fire suppression systems, security systems, guard dogs, Knox box location, hazardous materials, and whether anyone is residing at the business. The information collected in the business registration is intended to help staff address what they may encounter on scene as they respond to incidents. Benefits to the Fire Department included: 1) Having contact information in case of emergency; 2) Having contact information to do pre-fire planning; 3) Having contact information in case of a hazardous-materials situation; 4) Data retrieval for company inspections; and 5) Data retrieval for information for property sales, new construction, and remodel projects. For the Police Department, it would include 1) Having contact information in case of emergency or alarm activation; 2) Data retrieval for crime statistics based on types of businesses; 3) Data retrieval for outreach –development of crime prevention opportunities for businesses; and 4) Providing infrastructure profile for developing PD response plans.

Other considerations to factor in would be that the database was only as good as the compliance and accuracy of the information; the city might have more businesses sign up if the cost were removed; there was a penalty for non-compliance, but the city did not have the staff to enforce it fairly; and the fine was for $100 plus $10 for each day the business failed to register; without the business registration, the city's public safety officers would be going into situations blindly; and finally, businesses expected it.

What do other places do? With a Business Licenses: John Day, Vale, Nyssa, and Pendleton. Without a Business Licenses: Hermiston, La Grande, Burns (under consideration), and Baker City.

Some options for the Council to consider might be to keep the low-cost business registration to cover sticker costs and mailings; Remove the cost of the business registration but continue to require it; Have a voluntary business registration with no cost, but likely to see low participation; or Remove the business registration.

Mayor Hill favored getting rid of the Business Registration. He believed there were too many overlaps. For example, if someone owned an apartment complex, but farmed it out to a management company, both had to register. If someone was a business owner that had five or six different companies, all of them had be registered. It was too cumbersome. Let the Chamber of Commerce handle it.

Councilor Hart asked if the process was electronic or paper-driven? Receiving a reminder and paying online was slick, easy, and fast.

Peter Hall stated that was something that could be considered. Currently, it was paper based, which landed with the City Recorder. There was, however, all the permits were put into an electronic system, and some of the licenses were being finished up. This was something that could be placed into that system and offer online if that was the direction the Council wanted to go.

Councilor Hart stated he reached out to the Chamber, who mass emailed the membership. A few responses were received, and most were positive. One item raised was that a business had to complete the form every time. What he'd like to see was similar to what he received from the state: here's the form, has it changed, and most of the time you got to click no and then just submitted it. If they continued to have the program, anything that could be done to make it easier for the businesses to be incompliance, he'd like to see. He had a difficult time with having a fine, but not enforcing it. Get rid of the fine.

Councilor Braden stated this program was before his time on the Council, but with his experience at the Small Business Development Center at TVCC, where they helped businesses complete these types of forms, and everything he was saying was valid and on point with what they experience working alongside business owners as they were unaware of the program, so they explained that Ontario did have a business registration, it was for public safety. He received an email from the SBDC Director and staff who said they still found it a very productive program and they would like to see nothing change, aside from making it go digital instead of pen and paper.

Mayor Hill was not on the Council but attended the meetings when this program was initially introduced. It was very controversial. He recognized some positive things for fire and had received late night phone calls from the police about break-ins, so he did understand, but it was cumbersome.

Councilor Hart stated in speaking with John Breidenbach, Chamber CEO, who indicated an interest in pulling together some members of the business community along with a couple Councilors to maybe do side work group with Adam or Peter to look at it more closely. It had been around awhile, so it was probably time to refresh it. Was there another Councilor who would be interested in working on that with him? If they were going to keep it, they needed to make sure it worked for the city.

Consensus for Mr. Breidenbach and Councilor Hart to look into the program and bring it back to Council for discussion. Councilor Kirby agreed to be on the panel.

Replacement Process for Council Vacancy

Adam Brown, City Manager, presented. Councilor Hart suggested some questions for the applicants if the Council opted to go through an application process. Staff turned that into a fillable form. The replacement of the vacant Councilor seat was at the discretion of the Council. Past practice had been for staff to put out a request for applications.

Mayor Hill stated in reviewing the suggestions, one question read "who is your current employer and what is your title?". A person might be self-employed and not have a title, or someone might work for someone who didn't have a title, and it might suggest that without a title, they were not worthy of applying. He did not like the word title.

Councilor Kirby stated he believed there were three options: they could take the next highest vote getter from the last general election; they could ask for resumes' and consider applicants based on that; or they could do nothing and wait for the next general election.

Ms. Barnett informed them a fourth option would be to call for a special election.

Councilor Hart stated he read that someone was going to try to get marijuana legalization on the ballot in November for Malheur County. If that happened, the city could piggyback on that.

Mayor Hill favored taking resumes and making a decision from those applications.

Councilor Kirby stated he would be in favor of taking resumes. He suggested changing the words to maybe read "in what capacity" or something similar.

Councilor Braden stated he and the Mayor had been through this process before as when previous Council Dan Capron had to step down. The pool of applicants was strong, giving the Council good choices. They had selected Councilor Hart from that group. He felt that was a strong, productive way to proceed. He'd like an interview process and then select from there.

Councilor Baker agreed. It was the least expensive way, and it was the quickest end to their predicament.

Councilor Kirby stated if they were to move ahead, it would be easier to arrive at a motion that would include all they were discussing. What timetable were they thinking?

Mr. Brown believed it had occurred within a two-month period. Staff would place the advertisements in media, open it up for a period of time, and then bringing the resumes back to the Council.

Councilor Melendrez stated he liked the idea of someone being voted in. It would cost money, but if it was possible to go the route of having the citizens vote someone in, he like that.

Councilor Braden agreed they'd like community input, but it was very difficult in such a condensed time frame for the voters to become aware of the individuals, their qualifications, and their desires. When they had done that, they attended a forum, provided in-face presentations at the Cultural Center, and did things to share their vision and goals were for working as a Councilor. That would be hard to do in such a short time frame, to place it on a special ballot.

Councilor Baker stated in his opinion, in they were interested in running on a ballot, they would be interested in putting their resume in.

Councilor Kirby agreed with Councilor Braden's idea.

Mayor Hill stated the process would remain the same. If there was a consensus, they would add the questionnaire to the process.

Councilor Kirby agreed that they should put out for applications and resumes but wanted to take into consideration Councilor Melendez's comment about public input.

Councilor Braden stated along with Councilor Kirby's comment, they ask Tori to run the ad over the next month to gather applications, pull the people in for an interview, give them each 60 seconds to speak that would be on the Facebook feed, and then wait to vote on it two weeks later and appoint the person after having two weeks to gather feedback.

Mayor Hill agreed it should be as public as possible, but he was not overly inspired.

Councilor Braden stated his suggestion up for consensus was to ask Tori over the next two meetings to get those gathered; have people attend two meetings from now, and the Council would make the decision at the following meeting.

Councilor consensus to move forward as suggested by Councilor Braden.

HAND OUTS

Check Register June 2021 *(Attached)*

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORT

- Councilor Hart stated at his previous employment, his comment would be called a crucial conversation and it would start off in a discussion with someone that they were going to have a crucial conversation which would indicate it was serious. This was also a little odd to him because he would normally have this conversation in private, but given the charter, he could not have it private. It needed to happen in open session. He was not happy when he read the paper on Sunday for a few reasons. There was an article that talked about what was going on with the evidence investigation and he was surprised that, as a Councilor, he hadn't known anything about it until late in its phase. His expectation of staff was the Council was made apprised that additional work was being done, or what the status was of the project. He appreciated the initial heads up when it began, but the Council really needed to be told so when they received calls from the public about an article in the newspaper, he did not appear uninformed on what was going on. Secondly, the article was a negotiation session with the Council in public advocating for dollars to do this, which was okay as he'd rather it happens there in Council, not in the newspaper. That type of public negotiation between staff and Council caused him concern. He did not appreciate that. They needed to be transparent; staff needed to work through the City Manager to keep the Council informed, and the newspaper was not his choice of how staff communicated with Council and informed them of what was taking place, especially in such a serious matter.

Mr. Brown agreed that Councilor Hart was 100% on point and staff had not met their standard of communication. He apologized for that and would make every attempt to keep them better informed. His criticism was legitimate and taken with humility.

- Mayor Hill stated one item he thought he answered to the person who asked him, the water bill reduction of the fees on the water bill, he told them it was not going to happen until next month because the fiscal year just ended. He thought he was correct in that statement.

  Ms. Ott stated that was correct.

- Mayor Hill stated he received a call on Monday from the owner of Four Rivers Heating and Cooling that there was a meth lab behind what used to be George's Jewelers. He was asked to go see, and then what to do about it. It was his opinion that he hadn't receive any responses from the city when he called. He went and looked, and it was a really bad mess. He told the gentleman to contact the owner, Mr. Erlebach. The Mayor also contacted Mr. Erlebach, who then went down, and it was huge mess. There were needles everywhere. However, that same day Mr. Erlebach cleaned it all up. Mr. Erlebach stated one problem was that there was an electrical outlet there and Saturday Market used it, so the homeless were stringing extension cords around. That was what was told to him. It might need to be that those outlets or boxes were locked up when no in used by authorized users.

- Mayor Hill stated he had been contacted be a member of the Housing Authority Board who said that the owner of that 70-unit project going in on the east side, that they were working to get out from any property taxes. He passed that information on to Mr. Cummings, and also had a conversation with Dave Ingram about it, and it appeared there were some routes that they might be able to do that. He, however, remembered asking if they were going to pay property taxes and the city was told they would. Now they were working no to. It might be something staff might want to research. He had read the law and did not pretend to know the ins and outs of what might be possible there, but he knew the Council put up $750K for a lift station in that area so the project could happen. That might need to be reviewed in order for a discission item on property taxes.

- Mayor Hill stated this next piece was not to put Al Cablay on the spot, and he knew Jacobs was working on a traffic and bridge study. Did Mr. Cablay know the status?

  Mr. Cablay stated staff was in the process of putting the proposal together. They didn't feel they had enough detail to bring it forward yet. It would be at the August 10th meeting.

- Councilor Melendrez asked about the Code Enforcement Review Ad Hoc Committee. He understood there were two applicants. He'd like to ask the residents of Ontario to step up and apply to fill one of those spots.

  Mayor Hill stated he believed they needed to readvertise, and the Council needed to put some pressure on people to step up.

  Consensus to have Tori readvertise for the committee.

  Councilor Melendrez stated there was a lot of sentiments one way or the other with regard to that ordinance, but he believed it was time for the citizens to step up.

ADJOURN

BRADEN moved, KIRBY seconded, **THAT THE MEETING BE ADJOURNED**. Roll call vote: Baker-yes; Kirby-yes; Hart-yes; Braden-yes; Melendrez-yes; Hill-yes. Motion carried 6/0/0.

ACCEPTED:

Riley J. Hill, Mayor

ATTEST

Tori Barnett, MMC, City Recorder