CITY COUNCIL MEETING MINUTES
February 22, 2022

The scheduled meeting of the Ontario City Council was called to order by Council President Ken Hart at 6:00 p.m. on Tuesday, February22, 2022, in the Council Chambers of City Hall. Council members present were Sam Baker, John Kirby, Michael Braden, Susann Mills, Eddie Melendrez, and Ken Hart. Mayor Riley Hill was excused.

Members of staff present were Adam Brown, Tori Barnett, Terry Leighton, Kari Ott, Justin Zysk, Dan Cummings, Paul Woods, Casey Mordhorst, Steve Bartol, and May Swihart.

The meeting was recorded, and copies are available at City Hall.

President Hart led everyone in the Pledge of Allegiance.

AGENDA

This Agenda was posted on February 18, 2022. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

BAKER moved, MILLS seconded, **TO AMEND THE AGENDA TO INCLUDE A PRESENTATION BY RECREATION DISTRICT DIRECTOR ANDREW MAEDA REGARDING THE AQUATIC CENTER.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-out. Motion carried 6/0/1.

BAKER moved, MILLS seconded, **TO ADOPT THE AGENDA AS AMENDED.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-out. Motion carried 6/0/1.

PUBLIC COMMENT

Andrew Maeda, Recreation District Director, presented.

CONSENT AGENDA

KIRBY moved, MILLS seconded, **TO ADOPT THE CONSENT AGENDA, WHICH CONSISTED OF THE CITY COUNCIL MEETING MINUTES OF FEBRUARY 8, 2025; LIQUOR LICENSE APPLICATION: MZ ACTION, LLC; AND LIQUOR LICENSE APPLICATION: THE RANCH ONTARIO.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-out. Motion carried 6/0/1.

OLD BUSINESS

Resolution #2022-105: Drug Education Funding
Adam Brown, City Manager, presented.

KIRBY moved, MELENDREZ seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2022-105, A RESOLUTION TO APPROPRIATE ADDITIONAL FUNDING FOR DRUG EDUCATION PROGRAMS.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-out. Motion carried 6/0/1.

Council Donation of Funds for Boys State and Girls State
Adam Brown, City Manager, presented.

BAKER moved, MELENDREZ seconded, **THE CITY COUNCIL AUTHORIZE STAFF TO FINANCIALLY SUPPORT UP TO FOUR SPOTS FOR BOYS STATE AND GIRLS STATE OUT OF DONATIONS FOR A TOTAL OF $1,400.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-out. Motion carried 6/0/1.

NEW BUSINESS

Appointments to Ontario Promise 529 Education Program
Council President Hart recommended the appointments of Katherine Collins, Tom Greco, and Wendy Hill to serve on the Ontario Promise 529 Education Program.

KIRBY moved, MILLS seconded, **TO APPOINT KATHERINE COLLINS, TOM GRECO, AND WENDY HILL AS MEMBERS AT LARGE, ALONG WITH KEN HART AND EDDIE MELENDREZ REPRESENTING THE CITY COUNCIL, TO SERVE ON THE ONTARIO PROMISE 529 EDUCATION PROGRAM.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-out. Motion carried 6/0/1.

President Hart asked that the City Recorder continue running the advertisement seeking applicants for the committee, and encouraged the Council to speak to their neighbors and friends about the possibility of serving.

Bid Award: Tapadera Lift Station Expansion Project
Paul Woods, City Engineer, presented.

MELENDREZ moved, BRADEN seconded, **THE CITY COUNCIL AWARD THE BID FOR THE TAPADERA LIFT STATION EXPANSION PROJECT TO M2 CONSTRUCTION IN THE AMOUNT OF $1,075,699 AND AUTHORIZE THE MAYOR TO SIGN CONTRACT DOCUMENTS.** Roll call vote: Mills-yes; Baker-yes; Kirby-no; Hart-no; Braden-yes; Melendrez-yes; Hill-out. Motion carried 4/2/1.

Task Order Approval for Keller Associates: Engineering Services During Construction – Tapadera Lift Station Project
Paul Woods, City Engineer, presented.

MELENDREZ moved, BRADEN seconded, **THE CITY COUNCIL AUTHORIZE CONTRACT AMENDMENT NUMBER 2 FOR KELLER ASSOCIATES IN THE AMOUNT OF $117,300 TO PROVIDE ENGINEERING SERVICES DURING CONSTRUCTION INCLUDING CONTROL PANEL DESIGN AND SYSTEM PROGRAMMING FOR THE TAPADERA LIFT STATION EXPANSION PROJECT AND AUTHORIZE THE CITY MANAGER TO SIGN.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-out. Motion carried 6/0/1.

Task Order Approval for Jacobs Engineering Group: Wastewater Treatment System Options Evaluation for Facility Plan Update
Paul Woods, City Engineer, presented.

MILLS moved, KIRBY seconded, **THE CITY COUNCIL APPROVE TASK ORDER NUMBER 6 FOR JACOBS ENGINEERING GROUP IN THE AMOUNT OF $180,300 FOR WASTEWATER FACILITY PLAN UPDATE SERVICES AND AUTHORIZE THE CITY MANAGER TO SIGN.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-out. Motion carried 6/0/1.

Task Order Approval for Keller Associates: Wastewater Collection System Expansion Options for Facility Plan Update
Paul Woods, City Engineer, presented.

MELENDREZ moved, KIRBY seconded, THE CITY COUNCIL APPROVE THE AGREEMENT WITH KELLER ASSOCIATES IN THE AMOUNT OF $107,500 FOR ENGINEERING SERVICES TO UPDATE THE CITY'S WASTEWATER FACILITY PLAN FOR COLLECTION SERVICES AND AUTHORIZE THE CITY MANAGER TO SIGN. Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-out. Motion carried 6/0/1.

Task Order Approval of Engineering Services Contract with Murraysmith, Inc.: WesTech Cassette Expansion at the Water Treatment Plant
Paul Woods, City Engineer, presented.

Councilor Braden stated to ensure his understanding of the timing, was the cassette in their possession already?

Mr. Woods stated it was not.

Councilor Kirby asked if ARPA funds could be used for this.

Mr. Brown stated no. The ARPA funds were not intended for use with this project. The ARPA funds were available for the distribution system and the plants, so it was a possibility if they wanted to do that.

Councilor Hart verified that at this point, this action was covered by budgeted funds.

Mr. Brown stated that was correct.

Councilor Hart verified this was just for the engineering for the project.

Mr. Woods stated that was correct.

KIRBY moved, MILLS seconded, THE CITY COUNCIL APPROVE THE TASK ORDER FOR MURRAYSMITH, INC., IN THE AMOUNT OF $216,626 FOR ENGINEERING SERVICES TO SUPPORT THE WESTECH CASSETTE EXPANSION AT THE WATER TREATENT PLANT. Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-out. Motion carried 6/0/1.

PUBLIC HEARING

Ordinance #2803-2022: Vacating a Portion of Street Right of Way of SE 3rd Avenue as Dedicated on Partition Plat 19-06, Recorded Under Instrument #2019-1793 within the City of Ontario being that Easterly Portion as Described and Shown in Attachment #1 and the Acceptance of a Section of New Right of Way as Granted in Attachment #1
It being the date advertised for public hearing on the matter of Ordinance #2803-2022, the Hearing was declared open. There were no objections to the city's jurisdiction to hear the action, no abstentions, no 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.

MILLS moved, KIRBY seconded, THE CITY COUNCIL APPROVE ORDINANCE #2803-2022: AN ORDINANCE VACATING A PORTION OF STREET RIGHT OF WAY OF SE 3RD AVENUE AS DEDICATED ON PARTITION PLAT 19-06, RECORDED UNDER INSTRUMENT #2019-1793, WITHIN THE CITY OF ONTARIO BEING THAT EASTERLY PORTION AS DESCRIBED AND SHOWN ON ATTACHMENT #1 IN ATTACHED ORDINANCE AND THE ACCEPTANCE OF A SECTION OF NEW RIGHT OF WAY AS GRANTED IN ATTACHMENT #2 IN ATTACHED ORDINANCE MADE A PART HEREOF, ON FIRST READING BY TITLE ONLY. Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-out. Motion carried 6/0/1.

MILLS moved, KIRBY seconded, **THE CITY COUNCIL WAIVE THE SECOND READING OF ORDINANCE #2803-2022, AN ORDINANCE VACATING A PORTION OF STREET RIGHT OF WAY OF SE 3RD AVENUE AS DEDICATED ON PARTITION PLAT 19-06, RECORDED UNDER INSTRUMENT #2019-1793 WITHIN THE CITY OF ONTARIO BEING THAT EASTERLY PORTION AS DESCRIBED AND SHOWN ON ATTACHMENT #1 IN ATTACHED ORDINANCE AND THE ACCEPTANCE OF A SECTION OF NEW RIGHT OF WAY AS GRANTED IN ATTACHMENT #2 IN ATTACHED ORDINANCE MADE A PART HEREOF.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-out. Motion carried 6/0/1.

DEPARTMENT HEAD UPDATES

Finance: Monthly Report

Kari Ott, Finance Director, presented. Ms. Ott drew their attention to the legal expenses. The city had budgeted $40K for the year, but $51K had been expended as of January, 2022. That reflected the first invoice from the new attorney. A lot of things had come up such as the ballot measures. Also, the Council had wanted to see how that was going to be reflected with the new attorney, with the higher billing rate and hours. In addition, she had been informed by the state that marijuana tax revenues were down about $45K. However, as of now, she was still projecting to bring in more than budgeted.

Councilor Melendrez asked about the increase in attorney fees for December and January.

Ms. Ott stated January was the first billing with the new attorney, but also the last billing for Larry Sullivan. One of the biggest costs were the measures going on the ballot and the various lawsuits.

Councilor Melendrez asked if some of those costs could be associated with certain Councilors contacting the attorney.

Ms. Ott stated they billed for everything, whatever they were working on for whoever.

Mr. Brown stated in reviewing the invoice, it was noted that the costs were related to the ballot measures, not necessarily speaking with various Councilors. There might be some higher up-front costs as the legal team brought items up to their standards. This firm had different standards than the previous legal counsel, and they worked with a lot of other cities so things would probably be altered to what they were more accustomed to and more in line with other cities.

Ms. Ott stated it was also a learning curve getting caught up on the issues, so there would be costs there.

Councilor Hart asked if she anticipated a budget amendment.

Ms. Ott stated yes, most likely. There was just not enough leeway in that department to cover that cost.

DISCUSSION ITEMS

Resolution #2022-104: Appropriating Funds for Evidence Room

Kari Ott, Finance Director, presented.

In July of 2021, the Ontario Police Department (OPD) commissioned the Oregon Association of Chiefs of Police (OACP) to conduct an audit of the evidence room. The purpose of the audit was to complete an inventory of property and evidence in its possession, and to evaluate the security and processes used in the management of evidence. Upon completion of the audit, OACP made several recommended changes related to best practices. Among those recommendations were improvements to physical security, as well as improvements to organization, storage, and staffing.

The recommendations related to physical security included limiting the number of personnel who had access to the secure area of the property room, installing video surveillance, and implementing methods documenting who accessed the intake area of the property room. To date, OPD has restricted the unescorted access to the secure area of the property room to the Chief and Lieutenant and have installed surveillance cameras in all areas of the property room to include high liability areas such as the gun and drug rooms. Locks for the exterior doors leading to the intake area that would require individual employee card swipes were on order and would be installed upon arrival. Additional recommendations that had been completed include developing policy and procedures for refusal of evidence not up to standards, training for officers on packaging and processing, and creation of manuals and physical examples showing proper packaging and processing of evidence. Additionally, both incoming Chief Iwai and Lt. Cooper have been scheduled for training related to overseeing and supervising property evidence rooms through the International Association of Property and Evidence Officers. Once staff resolved personnel issues, the evidence technician would be required to obtain certifications through this organization as well.

Several additional standards OPD was in the process of implementing that required additional funding to complete:

1. Implementation of a stand-alone evidence management software - This software would improve security and efficiency in handling both physical and digital evidence. The initial startup was $15,000 with an ongoing monthly subscription rate of $650.

2. Staffing Recommendations - OACP indicated in their review that OPD did not have adequate staffing to keep up with the day-to-day requirements including processing of new evidence, preparing and providing evidence for court, purging of evidence, and performing required audits and inventories. At minimum, they recommended the evidence technician be staffed as a full-time position. In support of the recommendation, Interim Chief Bartol solicited data related to police reports written and staffing levels from several comparable agencies. This survey showed that OPD was taking nearly five times the number of police reports of their counterparts while having the lowest staffing in both evidence management and records management. This information was forwarded to the Council via email on February 3rd of this year.

In July of 2014, the City of Ontario closed their dispatch center and contracted dispatch services with the Malheur County Sheriff's Office. As part of that merger, most of the dispatchers were transferred to the Sheriff's Office. The city maintained only one employee at 30 hours per week for records management. With those cuts, many of the administrative functions carried out by dispatchers in the past were passed on to police officers. Some examples included conducting vehicle and property releases, releasing of crash reports, certified mailings for impounded vehicles, and non-emergency reports filed at the police window where no investigation was required. These duties would be more efficiently and consistently processed through records personnel. During the merger, agreements were made with the Ontario Police Association that the parttime employee retained by the city would continue to receive their full-time benefits. Therefore, the cost to increase this employee to full time would be limited to actual wages for the additional 10 hours a week, at a cost of $19,191 annually, or $6,397 total for the remaining four months of the current budget year. The ongoing increase would be budgeted in the coming fiscal years. Based on the recommendations of OACP and the data gathered from our own survey, staff recommended immediately increasing staffing in records management to full-time status. This increase would not only help in the processing and research of cases needed when conducting purging of evidence, but would help prevent the inevitability of falling behind in day-to-day records management, similar to what happened in the evidence room. Relieving officers of administrative duties normally conducted by records divisions would create efficiencies and free up officers to return to patrol.

To address the shortage in the evidence room, staff recommended the increase of the evidence technician from half-time to full-time in the upcoming budget process for the 2022/2023 budget year. Should the pending personnel actions be resolved prior to that, staff would address the recommendation for full-time staffing through another budget amendment request at that time.

3. Storage, organization and purging of evidence in property room - In their review, OACP pointed out that while the department appeared to have sufficient space within the evidence room, the space was not being utilized efficiently and lacked organization. They cited issues such as bins that did not fit shelves, inconsistent packaging, and shelving. This lack of organization lead to the potential for loss, slowed down the process of purging evidence, and created inefficiencies in the overall process. As a result, the OPD evidence room was at capacity and lacked space to not only store additional evidence, but a place to effectively work and process evidence already in storage.

In January of 2022, Lt. Cooper and Interim Chief Bartol toured several like-sized police department property rooms in Clackamas County. With one exception, these buildings had been built in the last 5 years (one was in excess of 20 years old). In each case, these property rooms utilized products by SpaceSaver, a recognized leader in the storage and organization industry. Each of these departments utilized the SpaceSaver Carriage shelves designed to accommodate right sized storage boxes, and that rolled to one end of the room on rails, allowing for significantly more storage space in a more compact area. Each of the departments also utilized the SpaceSaver evidence lockers, purpose built for securing evidence. These lockers featured doors that automatically locked when closed, prohibiting access other than from inside the secure portion of the evidence room by authorized personnel. They also offered lockable, refrigerated doors for biological evidence such as DUII blood draws and DNA evidence. Currently, OPD utilized surplus gym lockers with padlocks to secure evidence at intake. These lockers were small and did not allow for various sizes of property, such as a backpack. Oftentimes, when backpacks were seized, officers were forced to leave the packs in the intake area next to lockers (in front of video cameras) until they could be secured for safekeeping by personnel authorized in the secure area of the evidence room. While this room was locked from the outside, the best practice was to secure these items in intake lockers. In the first week of February, staff submitted pictures and measurements to SpaceSaver to request an estimate for significant redesign of the locker systems and shelving systems on the main floor of the east room. An initial quote was given. However, after a site visit by the vender on 02-16-22, staff requested several changes which would result in reductions in cost. Those numbers were not available at the time of this report but should be available in the next two weeks. It should be noted that once SpaceSaver was given the go ahead, it took approximately five months for delivery and installation. If staff received favorable quotes and decided to move forward, there were a couple of options for payment. First, fund the entire project at once. Second, pay 33% to start the order, then 33% when the products arrived at SpaceSaver, and the balance when installation was complete. This option could allow staff to fund the first installment through an additional budget adjustment in the current fiscal year, then budget for the second and third payments in the 2022/2023 fiscal year. Once the new software was installed, the job of entering the data into the new system, relabeling every piece of evidence within the property room, and addressing the reorganization of storage locations and shelving would need to be implemented. Currently, the day-to-day processing of evidence was being conducted by the Interim Chief and the Lieutenant Cooper in between their day-to-day administrative duties. In order to ensure a successful implementation of new programs and processes, staff was recommending hiring a professional consultant who specialized in property room inventories, audits, and reorganization. To that end, Interim Chief Bartol had conversations with several such consultants. Based on internet searches as well as industry referrals, staff spoke with several from across the nation. Most all the companies offered similar services and were priced similarly. For consideration, staff focused on three that were located in the pacific northwest. One in Colorado, one in California, and the third in Oregon. All the principals for these companies were either currently working or retired supervisors of larger police department evidence rooms. Ultimately, staff felt the Oregon-based company, Evidence Management Consulting Services (EMCS), was the best fit for several reasons. First, the consultants in this company had both worked in the industry in Oregon law enforcement agency evidence rooms with a combined experience of over 45 years. As a result, they were very familiar with applicable Oregon statutes and laws pertaining to the operations of evidence management. Secondly, while their labor charges were consistent with the other groups, EMS provided two consultants on site working as a team while the others were a single consultant. With a shortage of staff that OPD had to work on the project, the extra resources would be very welcome. Lastly, the consultants with EMS utilized Evidence OnQ on a daily basis within their own agencies and would be able to provide additional training and insight into the use of the software OPD was recommending for evidence management. The estimate was listed at $10,670. Staff was recommending budgeting $16,670 to account for an additional 40 hours of labor (at $150 per hour) in the event that additional time was needed.

Currently, OPD was utilizing command staff to process evidence and lacked the staffing necessary to independently move forward with implementing the recommended best practices without additional resources. Staff was also using a records management system (RMS) that was not intended for evidence room management. As a result, there were inherent security issues related to permissions preventing modifications to evidence documentation. Additionally, the current RMS did not possess the robust features enjoyed with a dedicated evidence management system. Based on OACP recommendations and data gathered by staff, the police department was under-funding records and evidence management staff, creating inefficiencies and potential for failures in both areas. Lastly, OPD was in need of updating the infrastructure within the evidence room to utilize space more efficiently, creating a more organized and professional evidence room.

Further, Chief Bartol (if approved by Council) had agreed to stay employed with the city as a project manager after Chief Iwai's arrival, in order to facilitate the implementation of the above-listed recommendations until May 2022.

Staff was asking the Council to authorize $81,087 from General Fund carryover to fund this budget adjustment request for the following items:

1. Increase the records specialist to full-time employment $6,397
2. Purchase Evidence OnQ software $16,300
3. Evidence Management Consulting Services $16,670
4. Continued employment of Mr. Bartol for up to 3 months $41,720

The locker and shelving systems would be brought to Council at a later date.

The General Fund currently had a balance of $5,270,730.00. Reducing that number by the requested amount would leave a balance of $5,189,643.00.

Staff believed these investments were needed as soon as possible. Failure to implement recommended best practices could ultimately result in the loss of evidence and inability to prosecute cases based on a consistent, well documented chain of custody. Additionally, Chief Bartol (if approved by the Council) had agreed to stay employed with the city as a project manager after Chief Iwai's arrival, in order to facilitate the implementation of the above-listed recommendations. However, he was only able to stay through the end of May, limiting the time available to complete the task.

Councilor Hart asked if Ms. Ott knew what the costs would be next year to have the person at full time?

Ms. Ott stated it was approximately just over $19K for that one FTE.

Councilor Hart asked about the annual software license fee.

Ms. Ott stated it was $650 a month. Her report included the start up costs, and two months of software costs. Around $7,800 annually.

Councilor Hart confirmed it would be $28K a year added to next year's operating budget if they approved this.

Ms. Ott stated yes, but they were also looking at currently only having a half-time evidence technician and trying to make that a full-time position in the next budget, but that was not addressed in the current proposal.

Mr. Brown stated staff was working on a solution to bring the evidence room up to today's professional standards. Other evidence rooms across the state had been visited; they'd had several software demonstrations; and they'd been speaking with several consultants. The final piece was for the evidence room, for which they'd need lockers to improve the security. The comprehensive solution was to have temporary personal to bring it up to date, have the software and the contract services of Chief Bartol, who had agreed to stay on until May to implement the changes. Finally, the locker storage. They should end up with a sophisticated and well-rounded evidence room after everything was implemented.

Ms. Ott stated this was a discussion item, but the Council could take action on it because the sooner it was implemented, the better off they'd be.

Councilor Braden asked Chief Bartol about the role of the EMCS consultant.

Steve Bartol, Police Chief, stated they had worked in property rooms for the past 20 years, with about 45 years' experience together. They were knowledgeable on Oregon revised statutes related to the running of a property room, the retention laws, etc., They were recognized as experts in the field of how they ran their property rooms. Their rooms were the gold standard. They had a wide variety of knowledge to assist them in the processes they needed to do. Additionally, they were daily users of Evidence OnQ, the proposed software. Part of it was the human assets of getting the job done. OPD had a limited number of staff to do the work, and they needed efficient expertise at doing the job to transfer the evidence to the new system and reorganization.

Councilors Melendrez thanked Chief Bartol for walking him through the evidence room and explaining the progress they'd made. He'd like to know more about the programs or systems that would automatically let them know when item could be removed or disposed of.

Chief Bartol stated a software program specifically built for evidence room management had certain robust features that weren't included in a standard records management system, which allowed them to speed up the audit process, the purging process, the transfers of evidence for court, or release of evidence. One benefit of this particular piece of software was that there were certain parameters put in on the front end, such as the statute of limitations for a felony, or a misdemeanor, or like for found property, they were required to hold it for 30 days; homicide evidence had to be retained permanently. Putting those parameters in on the front end, the program checked against the type of evidence that was input. If he input a backpack as found property or for safe keeping, the program knew that in 30 days that was a piece of evidence that was eligible to either be destroyed, removed, or disposed of. With this program, hitting a few keystrokes or buttons would tell you the property that was eligible for purging or disposal. It would also allow them to conduct inventories more quickly.

Councilor Braden stated they were looking to move the evidence room tech to full time with the proposed motion, was that correct?

Chief Bartol stated this motion was to fund the improvements that were needed to get started this fiscal year. If the personal issues that were at hand were resolved prior to the new fiscal year, staff would come back and ask for funding it as a full-time position in the current fiscal year. With the ongoing personnel issues and the hiring process, it would likely be the beginning of the new fiscal year before they'd be ready to hire that person. Staff would present to Council during the budget process the increase for the full-time evidence tech.

Ms. Ott reminded them that they were asking to increase the 30-hour records clerk to 40 hours now, but the full-time evidence tech would not be until the new fiscal year, unless something changed.

Chief Bartol stated with regard to the SpaceSaver shelve, he had included an original design in the presentation. What they had built out was the best-case scenario, but they realized that was expensive, like $60K, so they revamped quite a bit and were now waiting for a new quote. They'd also presented different options for paying for the lockers and shelves, but the company would need 30% to get started, which could be funded as another budget amendment request in this fiscal year, but because they were five months out in delivery and installation, they'd require 30% up front, and then budget the remainder in the next fiscal year (half on delivery and half at completion after installation).

Councilor Braden stated in looking at the proposed resolution, the bottom line item was for available cash on hand, and the $81K net adjustment of this resolution seemed to increase the cash on hand.

Ms. Ott stated yes, because it was the beginning fund balance. Because they were higher than anticipated it increased that to bring it up to where what they need because there was around $5.6M in the beginning fund balance.

KIRBY moved, MELENDREZ seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2022-104, A RESOLUTION APPROPRIATING FUNDS FOR THE EVIDENCE ROOM IMPROVEMENTS TO INCLUDE THE SHELVING.** NO VOTE.

Councilor Hart asked for a detailed outline of the four lines that would be increased in future operating costs.

Ms. Ott stated the four items that were addressed were to 1) increase the records specialist to full time, from 30 hours a week to 40, for a cost of $6,397; 2) the purchase of the software and a few months of the recuring software charges at $16,300, or $650 a month, so next year would be $7,800; 3) the consulting services, which was also a one time cost of $16,670; and 4) the continued employment through May for Chief Bartol for $41,720, which covered payroll and housing. Total was $81,087. It was a little over $19K for the records tech to full time, plus the $7,800 ongoing.

Councilor Braden stated Councilor Kirby's motion said for the shelving. He couldn't locate the cost for the shelving for adding it to the resolution.

Ms. Ott stated they did not currently know the exact cost.

Chief Bartol stated the best-case scenario for the property room was that original design for $60K. They could put $20K down now to get the build started, and then even if it was reduced, the $20K that was deposited would go towards the overall price.

Ms. Ott stated in the resolution they'd increase the cash on hand by another $20K and increase the expenses by $20K.

BRADEN moved, BAKER seconded, **TO AMEND THE RESOLUTION TO INCREASE THE AVAILABLE CASH ON HAND BY $20K AND THE CORRESPONDING LINE OF EXPENSE TO COVER IMPLEMENTATION OF SHELVING FOR $20K.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-out. Motion carried 6/0/1.

KIRBY moved, MELENDREZ seconded, **THAT THE APPROVE RESOLUTION #2022-104, A RESOLUTION APPROPRIATING FUNDS FOR EVIDENCE ROOM IMPROVEMENTS AS AMENDED.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-out. Motion carried 6/0/1.

Resolution #2022-106: Appropriating Funds for Building Department Contract Labor

Dan Cummings, Economic Development Director, stated the Building Department currently had one FTE and a part time Building Inspector and Commercial Plan Reviewer. The current Building Official (BO) was responsible for not only insuring all the state building codes were followed, but also issued all building permits, tracked them, and filed them, as well as issuing all the month-end reports required by all state and county departments. Staff had been diligently trying to keep up with the huge workload, but it's at the point of being almost impossible to keep up with the paperwork and perform the plan reviews and inspections required of the Building Office.

The contracted part-time Inspector had given notice that he was going back into retirement in April, which would add to the issue and staff would have to try and find a replacement for the parttime inspector position, as well as the part-time building technician. The building department was unable to maintain the level of service and reporting required by the State of Oregon to continue the building program. Staff was proposing to acquire some contract labor to be paid out of the building funds to help with the office permitting process for four hours a day. This part-time person would be contract labor and could be laid off when the economy slowed, and construction was minimal. If the economy stayed constant and the building department was busy, then this position would easily be covered by the permit fees.

The building department's long history was as follows:

- **1947:** Ordinance #1028, the City of Ontario adopted a small city model building code to establish building regulations within the City of Ontario.
- **1962:** Ordinance #1327, the City adopted the Uniform Building Code (UBC).
- **1971:** Ordinance #1680, the City adopted the 1970 Version of the Uniform Building Code (UBC)
- **1973:** the Oregon Legislature established a statewide uniform building code and created this division to administer it. A statewide building code helps ensure a minimum level of safety in all areas of the state and a uniform regulatory environment for businesses, the general public and contractors. The division adopts building codes with the advice of seven statutory boards. The division certifies inspectors, licenses trade professionals, and establishes training and education requirements; provides code and rule interpretation and dispute resolution; enforces license, code, and permit requirements to prevent unsafe conditions; and conducts inspections where local entities do not.
- **1975:** Ordinance #1772, the city repealed Ordinance #1680 and adopted the State of Oregon 1973 edition of the Oregon Structural Specialty Code and the Fire Life Safety Code and the State of Oregon 1973 edition of the Mechanical Specialty Code and Mechanical Fire and Life Safety Code.
- **1973 until 2005**: the City of Ontario provided a Building Official, along with support from the State of Oregon, to provide for building permits and inspections within the Ontario City Limits.
- **2005:** the City of Ontario contracted with the City of Fruitland to provide for Plan Review and Inspection Services for the City of Ontario. The city provided the full-time position of Building Technician to issue permits and record keeping. Fruitland received 50% of all permit fees to provide the service.
- **Late 2018:** the State of Oregon notified the city that they could no longer contract with a city out of state to provide for the Building Official position and the Building Official was required to be a full-time employee of the city or contract with an Oregon county that had a full-time Building Official. The city was given until June, 2019, to comply with the requirement.
- **2019:** the city hired a retired building official, who had retired from the city of Fruitland, to conduct the Building Official job duties while training our current Building Official while she obtained all the required certification from the State of Oregon to become a Building Official.
- **2020 to current:** our current Building Official took over the responsibility of the Building Official, Lead inspector, as well as continued doing her permitting and record keeping responsibilities and other office duties. The past several years, the building department has had record numbers of permits and revenue.

With the continuation of the booming building going on in Ontario, it had become almost impossible to handle all the job responsibilities of the Building Department, and office support was needed in the department. This part-time person would be paid out of the building fund. The current contract backup building inspector s planning on leaving in April. If this position wasn't filled quickly, it would be imperative to have office support staff in the Building Department. The contract labor would cost approximately $7,800 through the end of the fiscal year. The funding would come from the Building Department contingency, which currently had a balance of $192,519. It was critical to get office help hired before the current part-time building inspector retired in April.

MELENDREZ moved, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2022-106, A RESOLUTION APPROPRIATING FUNDS FOR BUILDING DEPARTMENT CONTRACT LABOR.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-out. Motion carried 6/0/1.

HAND OUTS

Check Register *(Attached)*
January 2022

EXECUTIVE SESSIONS

Executive Session: ORS 192.660(2)(d)
An executive session was called at 7:55 p.m. under provisions of ORS 192.660(2)(d) to discuss Labor Negotiations. The Council returned to regular session at 8:12 p.m.

ADJOURN

KIRBY moved, BAKER seconded, **THAT THE MEETING BE ADJOURNED**. Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-out. Motion carried 6/0/1.

ACCEPTED:

Riley Hill

Riley J. Hill, Mayor

ATTEST

Tori Barnett

Tori Barnett, MMC, City Recorder